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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

July 12, 2019

MR. JOHN GREENEWALD JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384

FOIPA Request No.: 1353608-001
Subject: COOPER, COURTNEY RYLEY

Dear Mr. Greenewald:

This is in response to your Freedom of Information/Privacy Acts (FOIPA) request. The FBI has completed its search for records responsive to your request. Please see the paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

Material consisting of 314 pages has been reviewed pursuant to Title 5, U.S. Code § 552/552a, and this material is being released to you in its entirety with no excisions of information.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. **"Part 1"** of the Addendum includes standard responses that apply to all requests. **"Part 2"** includes additional standard responses that apply to all requests for records on individuals. **"Part 3"** includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

A handwritten signature in black ink, appearing to read "D Hardy", is positioned below the word "Sincerely,".

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Information Management Division

Enclosure

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum includes information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes additional standard responses that apply to all requests for records on individuals. Part 3 includes general information about FBI records. For questions regarding Parts 1, 2, or 3, visit the www.fbi.gov/foia website under "Contact Us." Previously mentioned appeal and dispute resolution services are also available at the web address.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIA [5 U.S.C. § 552(c) (2006 & Supp. IV (2010))]. FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **National Security/Intelligence Records.** The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1), (b)(3), and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C § 3024(i)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. Most requests are satisfied by searching the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling its dual law enforcement and intelligence mission as well as the performance of agency administrative and personnel functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (FBIHQ), FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide. A CRS search includes Electronic Surveillance (ELSUR) records.
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheets. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **The National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

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CHAPTER THIRTEEN

It must be understood that of the great number of persons who so far have entered the story of Frank Nash, the Division of Investigation, beyond the re-capture of the momentarily freed convicts in the Leavenworth crush-out, was concerned only with three principals, Holden, Keating and Nash. Other characters like Harvey Bailey had, at that time, committed no Federal offenses; therefore they were beyond ~~United States~~ ^{Federal} jurisdiction.

Many of the acts of which they were guilty, such as the robbery of National Banks, and the fleeing from one state to another to escape prosecution, since have been made the subject of Federal statutes. This was accomplished through the work of Attorney General Homer S. Cummings before the 1934 Congress, thus widening the scope of Federal activities and giving United States officers an opportunity to make arrests in such instances, even though the cases later are turned over to the states for prosecution. At this time, however, it was not even a Federal offense to murder a member of the Division of Investigation. All that now has been remedied, through the efforts of Mr. Cummings, and again Frank Nash played his part.

The name of this old bandit is indeed little known.

or Pretty Boy Floyd. Yet, as his history unfolds, he becomes steadily more important. It often happens that many of the truly dangerous criminals are not widely advertised until after their deaths or capture. Fred Barker and his clan, for instance, have been only minor characters in this recital. ^{yet} ~~their listing in Department of Justice records as that of the~~ ~~most notorious criminals in America.~~ ~~of the past, however, perhaps even before the publication~~ ~~of every newspaper in America.~~

might elaborate in view of developments recently concerning Barker gang

✓ That is the future. The recital of Frank Nash deals with the past. There were many repercussions to the arrest of Keating and Holden on the Old Mission Golf Course. The three women who had lolled in the big car at the club entrance, Lillian Holden, Marge Keating and a third one who described herself as Mary Phillips, were of course, arrested. However, the facilities for the prosecution of persons believed to have aided or harbored criminals were not as highly developed as they are today. The women were questioned. They told a fabricated story of innocence and were released by the police.

This had a direct bearing on various state cases, inasmuch as the woman who called herself Mary was in reality Winnie, the wife of Bernard Phillips, the bank-robber who had escaped from the golf course. He was wanted for questioning in half a dozen instances involving bank robberies, and when he left town, his woman joined him. The police never were able to get him again. Gangdom performed this service in a more unrelenting fashion.

Bernard Phillips went his way for more than a year.

Finally, after an Indiana bank robbery, so the stories go, his own comrades handled the problem of punishment. Big Phil never had been able to live down the fact that he had been the fourth person on that golf course and that he had escaped. His comrades insisted that his poor game of golf that day had been premeditated, so that he could lag in the rear and point out Keating, Holden and Bailey to the raiding officers.

So Big Phil was watched. Always unpopular to a degree, he evidently did some trick in that last bank robbery which did not exactly run to rules. So, the story goes, the big, dark-haired, hulky bankrobber was sentenced to execution. He was tortured for hours. Then he was stabbed repeatedly with an ice pick, killed, and thrown into a ditch. One of the persons supposed to be present at that execution remarked upon a sentimentality of crookedness. As Big Phil was being lugged out to his yet unfound resting place, a coat and shirt-sleeve became disarranged and were pulled high above his wrist. Thus the dead arm protruded bare, deathly white, except for the indelible blue of a tattoo mark. It said:

"M Y M O T H E R".

There was another reaction to the arrest of Keating and Holden. A meal had just been laid on a table in an apartment on Ward Parkway in Kansas City. This was the home of Alvin Karpis, late of ^{Kansas State} ~~Leavenworth~~ Penitentiary, Fred Barker, also a graduate of the same institution, and Fred's loving mother, Kate, who had taken to travelling with them. Police and law enforcement officers charge that this trio came together

shortly after Alvin's release in the autumn of 1931 and that Alvin and Fred and Mother Kate were in Kansas City to await, among other things, the release of Arthur (Doc) Barker from ^{Oklahoma State Penitentiary} Leavenworth. In doing so, they took chances, as apparently, they were in enemy territory. Some eight months before, shortly after the release of Karpis from ^{Kansas State Penitentiary} Leavenworth and following a robbery, the sheriff at West Plains, Mo., had approached a car containing two young men and an elderly woman. He had sought to question them, but the blaze of gunfire interrupted, and the officer fell dead. Witnesses identified the pictures of Alvin and Fred and Mother Kate, but they never had been caught. Nor were they captured now. The telephone rang. An excited voice gave the news of the Old Mission capture. Out of the apartment hurried Mother and Fred and Alvin, once more on the lam and within half an hour were out of town.

Another echo came in the trial of Harvey Bailey for the Fort Scott bank robbery when he was sentenced to ^{from 10 to 50 years} ~~life~~ imprisonment in the Kansas State penitentiary.

With these details cleared away, it is now necessary to detail the history of a new character who now must take his place in the story of Frank Nash. His name was Johnny Lazia, a person of much prominence and an equal amount of mystery. Whether he truly belongs may never be decided; after all, this is a journal of events, not a court of record.

A number of years before, this young man had walked

out of Missouri State Penitentiary, freed as the result of activity by influential persons in Kansas City. Two of the petitioners were sporting editors on a Kansas City newspaper. Another was a law partner of a man then engaged in criminal practise, but later to become a prosecuting attorney, elected by the machine with which Johnny Lazia became aligned.

Lazia's original sentence to prison had been for fifteen years on a charge of first degree robbery, but the judge had remitted three years from the bench. Then the already mentioned persons signed the application for clemency, plus a district attorney who became a public administrator, and the president of a bank, later rewarded by this former prisoner who suggested to his co-workers that they place their heavy deposits with the institution. As the result of all this influence even Lazia's full citizenship was restored.

It is inspiring to note the rise of a man like Johnny Lazia. His early biography which reads:

- Arrested September 28, 1908, breaking window. Released. *occupation unknown*
- Arrested August 25, 1911, petty larceny. Released to juvenile authorities.
- Sentenced January 25, 1913, four years in reform school.
- Paroled.
- Arrested ^{November} December 2, 1914, gambling, fined.
- Arrested January 22, 1916, suspect robbery. *no disposition shown* Dismissed.
- Arrested February 29, 1916, flourishing revolver. Dismissed.
- Arrested April 19, 1916 on identification of fingerprints in Kansas City, Kas., robbery case. Dismissed.
- Arrested January 4, 1917, attempted rape. Freed. *disposition unknown.*

Arrested December 10, 1917, first degree robbery, sentenced to twelve years Missouri State Penitentiary, paroled after eight months and seven days in which he had served as a book-keeper, and later pardoned with full citizenship rights restored.

So, with these things behind him, and with influential men interested in his welfare, Johnny Lazia began to take a place in the affairs of Kansas City. With citizenship restored, it was only natural that he should become interested in the power of the vote. He aligned himself with a dominant political party and worked among the Italians. He started, among other things, an Italian political club, but never sought office for himself.

Gradually Lazia became powerful, his attentions centering more and more upon the police department. At last it was rumored in the underworld that any friend of Johnny Lazia need have few fears of prosecution. He controlled such money making devices as liquor and gambling.

With this introduction, Johnny Lazia must momentarily drop out of the narrative, except for two statistical references by which the record may be completed. They are:

Convicted 1934, United States Court evasion of income tax.

Sentenced to twelve months county jail. Appealed.

Killed July 10, 1934 by machine guns in the hands of unidentified gangsters.

Johnny Lazia exerted tremendous influence before he died, no one denies that. Exactly what part he played in the lives and actions of those who appear in this recital, is not for this writer to say. The statements of various persons will be presented for what they are worth. All in all, however, the record of Johnny Lazia is no better and no worse than that of dozens of men who control politics and through them, control the police policies of many American cities. If he played an important part in a supreme tragedy, he did no more than is the potentiality of any other boss into whose hands dumb-witted voters have passed great power.

Therefore, Jonny Lazia, having thus briefly come upon the stage, must wait in the wings while the narrative of crime takes up the more familiar characters of Frank Nash and those who formed his circle. There was a period of hiding, of course, following the Keating and Holden pickup.

During this time, Verne and Vi took a cottage at Lake Geneva, Wis. Frank Nash and Frances visited with them most of the summer except, of course, for such times as Frank and Verne were forced to be away "on business".

The resort soon became a stopping off place for those high in the world of disrepute. "Doc" Stacci, owner of the O.P. Inn, drove up to see how his old customers were getting along. Shotgun George Zeigler and Irene, his woman, dropped in for a little visit and to hear again just how his old friend, Harvey Bailey had been convicted of that Fort Scott bank robbery. An element of finer things came in the

visits of a golf professional who made sure that Verne's skill, in spite of his sequestered existence, did not suffer.

It was during one of these periods of visitation that George Zeigler's failing secrecy again began to manifest itself. It came during the usual conversation about golf, dogs, hunting, landscape gardening. Shotgun George had been reading a newspaper. Suddenly he threw it to the floor and glared about him.

"You know," he exclaimed, "we're all a bunch of suckers. The real dough these days comes from snatching somebody. Somebody big and holding them for a real ransom -- like a quarter of a million, something like that."

Irene touched his arm.

"S-h-h-h George," she cautioned. But Venne Miller, the man of scruples, already had come into the conversation.

"Anybody who pulls that stuff --"

"What's wrong with it?" asked Zeigler. There was a stare in his eyes. "You don't have to murder anybody to do it."

"Cut out that kind of talk," Frank Nash interrupted. "Do you want the old maids who own this house to listen in on us?"

"Trouble with you fellows," said George Zeigler, "You haven't got any guts. Why if you fellows had done half the things I've done in my life --"

"Please, George!" the woman again touched his arm. The man subsided, grumbling, but not without:

"When I get ready to pull a snatching job, I'm going to pick some tough guys. Those Barker-Karpis boys, they'll go for a real job."

"Then take 'em and stop talking!" answered Miller angrily. Zeigler straightened and looked about him vaguely as though awakening from heavy sleep. The conversation reverted into its usual channels, golf and clothes and dogs and travel and automobiles.

Big people came to this cozy hideout, situated in the very heart of the Lake Geneva resort district. There was Sammy from New York and Pigeon, his wife. Sammy was influential in the east; he was said to be the assistant to one of the biggest booze-handlers along the Eastern Coast. James (Fur) Sammons, high on the list of Chicago Public Enemies paid a call, and others.

While the Nash-Miller crowd rested at Lake Geneva, Alvin Karpis and Freddie and Mother Barker were enjoying an equally quiet time at White Bear Lake, Minn. Of course there was gambling to be done, in the old club where Frank Nash once had worked as a croupier. There also were frequent visits to St. Paul.

Likewise, the Millers and Nashes tired of Geneva at times, and spent week ends in the Minnesota metropolis, usually dropping in for a time at Harry Sawyer's. Here the Barker-Karpis crowd and the Miller-Nash gang mingled, always with the servile Pat Reilly somewhere in the background, while Eddie

Green and his wife Boss, joined the party. Earl Christman and Helen were there too; again there was gaiety, flitting about, night clubs until three o'clock in the morning, new clothes for the women and endless talk of hospitals, operations -- and more clothes.

Week ends over, they all returned to Geneva or White Bear, where, at the latter spot, Helen and Mrs. Barker were all alone for a time. "The Boys", including Christman, had gone to Concordia, Kas. Within a short time, there was tremendous excitement concerning a bank in the Kansas town. When the boys came home, they had four thousand dollars apiece in fresh money.

With the coming of autumn, there was another fore-gathering in St. Paul. Frances Nash was recuperating from an operation and as an aid to convalescence, everybody dropped into the old gathering places in the Minnesota city, there to meet a new member of the Barker-Karpis mob. He was Arthur (Doc) Barker, just out of McAlester State Penitentiary, having received a generous parole from a life sentence for murder. Everybody celebrated. Even ^{Pat} Reilly was included on a social basis. Eddie Green was there too. Life ran fast and sudden. Finally Frank Nash took a long step upward.

Frank had broken an arm in an automobile accident early in the season and it had not healed properly. Back in New York where Verne had connections, there were big doctors, and Verne felt that Frank should meet the mob back in the Big Town, just on general principles.

So now it was to New York, while Vi, Miller's girl, took her turn in the hospital for one of those operations which gangsters' consorts seem to need so frequently. Verne went on to New York without her, taking Frank and Francis. This was quite a trip.

At last the be-wigged, nose-lifted Frank Nash was truly in the big time. Verne Miller had plenty of rich friends. One of them, it seems, was a clothier. His company did not have the standing of John David's or Tripler's or De Pinna's, yet he was rated as a millionaire, and was so important that he rode in a \$12,000 armored car and had a bodyguard.

The rise in life of this clothier was a classic in the ability of an ambitious young man to triumph over obstacles. Back in 1916, he was sent to the Cheshire Reformatory from Bridgeport, Conn., for theft. The next year, he went to Sing Sing for one and a half years. In 1920, he again was sentenced to Sing Sing for two and a half years. Within a few years after 1920, it must be remembered, the affiliations brought about through the national thirst changed political conditions considerably. Therefore, the record reads:

September 11, 1925, arrested for robbery.	Discharged.
October 19, 1925, arrested for robbery.	Discharged.
October 25, 1927, arrested for robbery.	Discharged.
July 17, 1929, arrested for robbery.	Discharged.
November 11, 1931, arrested for disorderly conduct.	Discharged.
November 12, 1931, arrested for extortion.	Discharged.
June 12, 1933, arrested for consorting with known criminals.	Discharged.

A dark, thin man of 38, with a bald spot, this clothier was a mild-mannered person with the love of finer things. He and his wife had made several trips to Europe. He believed that a person of wealth should live in good surroundings, such as New York's best hotels or its exclusive residence districts. When in his big, armored car, so necessary to the clothing business, he often was accompanied by someone, possibly his secretary, who because of his many duties, bore several names, among them Trigger Mike. He also was a man with an interesting history. In 1914 he was sent to truant school, in 1917 to the reformatory, in 1918 to the workhouse. In 1922 he graduated to Sing Sing for a post graduate course after which his career showed a steady stream of dismissed charges ranging from assault to homicide.

Among others who greeted Miller and the Nashes, were Sammy and Pigeon, after which life became a round of the gayer phases of New York. Back in Al Spencer's day, when bandits tethered their horses to scrub oak trees, and meals were cooked over an open fire, New York had seemed very far away indeed. Now here was Frank, in the midst of it.

There were plenty of parties -- the Nashes and Verne were living at one of the bigger Broadway district hotels; theaters and cafes and night clubs were close by, with plenty of New York money to be spent. Gangsters are hospitable souls; ~~only recently while reading the files~~, I saw how truly gracious they can be. One of Gotham's more notorious mob-men paid all the costs incurred during a visit to New York by the wife of

Suggest 2d this
be toned down
as might tend
to shake
confidence
of other
informants
1/20/35

the District Attorney of a large Pacific Coast city. The hotel was one of the most widely known in New York. There was a suite and much entertaining. Even dresses, bought in New York shops went on the bill. Perhaps it was an even exchange. Sometime later, the gangster went to the Pacific Coast and was the guest of the District Attorney. No doubt men who act as the prosecutors of criminals must have connections such as this so they may learn the workings of the underworld.

Mistakes, also can happen. The clothier, upon being interviewed some time later by the Division of Investigation, stated positively that he never would have entertained Miller and the Nashes if he had known their identity. When Thanksgiving Day arrived, he, in generous ignorance, gave them quite a party.

Since that date, the clothier, perhaps to a rise in the social world, has left his old apartment for one of New York's snootier hotels which faces Central Park. However there was nothing in his present apartment to cause disdain.

It was on Central Park West, in one of the newer, moderne buildings. The rooms were large, beautifully decorated, and containing many rich pieces of furniture, resultant from trips to Europe. The guest list consisted of fourteen. There was the clothier and his wife, and Sammy and Pigeon, Verne Miller and a dinner partner, Frank and Frances, plus eight assorted men, all of whom could talk of kindred subjects, such as the distance to New York from Sing Sing and whether

certain magistrates could be reached with enough dough to dismiss the charges against an old pal, held for homicide.

However, these were only interludes. Mostly the talk was of golf, and automobiles and clothes. After a time, the old Oklahoma bandit took Frances to the tremendous studio window, which, with its rounded glass, provided a sweeping vista of Central Park. For a time they merely stood looking out over its quiet beauty, the serrated line of apartment houses opposite them on Fifth Avenue, the constant stream of automobiles as they wound, like tiny figures in a child's game, along the curving driveways. Finally, Frank Nash put an arm about Frances. There was romance in all this. Today was the first anniversary of their liaison.

The Nashes continued to like New York. They rented an apartment near 93rd Street and Broadway and remained here some months. After all, their old friends were somewhat scattered. There had been a big bank robbery in Flandreau, South Dakota, with a tremendous amount of publicity attendant upon its exciting features. The Barker-Karpis crowd had been suspicioned; the gang now had grown to include several other young men, including Russell Gibson, a graduate of Missouri State Penitentiary, Jess Doyle, from Kansas State Penitentiary, and Volney Davis, a friend of Verne Miller. So, in view of the unfavorable newspaper mentions, the entire entourage had gone to Reno, Nevada to obtain a divorce from enquiring law enforcement officials. Here they gambled and drank and played golf and "went hunting". Queerly enough

they brought back no birds or deer, only "fresh money". The visit lasted about two months, until pursuit seemed to have quieted. Then everybody came back East, just about the time that Frank Nash and his woman and Verne Miller headed West. They all met at Big Louie's place, out at Fox River Grove.

Spring was nearing. Vi had been out of the hospital long enough to pay several visits to the home of her parents who were raising her little girl. On one occasion, several of the gangsters accompanied her. The child was in ~~musical~~ a recital and they all attended, to be sure she received the proper amount of applause. Shortly after this noisy, Verne went to Kansas City and rented a bungalow. Only a few days following, the Barker-Karpis crowd, plus Eddie Green who had happened along, and Frank Nash, started out to pay him a visit, with a stopover at Fairbury, Nebraska, where the First National Bank lost \$25,000 in cash and \$100,000 in securities.

There was shooting during the getaway. Earl Christman, graduated at last to bank robbery, gasped spasmodically as the machine containing the outlaws careened out of town and started for Kansas City. The chase was a determined one; the men were forced to take to the "cat" or unfrequented roads. There was no chance to reach a hoodlum doctor. Then Christman's chest wound became infected. Perhaps there are filling stations attendants who remember a gaunt-faced man who sat, half-slouched, in the rear seat of an automobile in early

April, 1933. A man who did not speak, who did not move. His hat was pulled over his eyes, and while the other male occupants were most eager to be gassed up and gone, he made no objection to the delay. His name was Earl Christman, and he was dead. Somewhere between Fairbury, Neb. and Kansas City, the car pulled off into wooded territory. There, in the gleam of the headlights, the bandits dug a shallow grave, pushed in the body, stiff with rigor-mortis, and covered it. This time, no arm stuck forth, as in the case of Phillips, with a mute appeal to "My Mother". Earl Christman's mother does not know where her son is buried. Even Christman's woman, Helen, cannot learn where he lies.

"What?" asked Alvin Karpis when the moral Verne Miller queried him on the subject. "Tell them dames, so they can go and dig him up? Then have the goddam Feds get wind of it and put the heat on us because Frank Nash was in the job?"

For Earl Christman's mother there was little solace in all this. Helen, however, obtained a modicum of relief. She telephoned to St. Louis and asked the wife of a politician, later an alderman, to pay her a visit. The politician's wife arrived the next day by airplane.

Naturally, one may wonder where the Special Agents were spending their time during all these periods of momentum. They were pursuing their usual relentless course -- asking questions, checking telephone calls, hurrying to apartments, only to reach there too late. Among other things, they strove to

watch the sales of all motor car companies in the vicinity of Chicago, with an eye especially directed at Cicero. Finally they learned that a Plymouth car had been purchased by a person who had given his name as George W. Miller.

They had heard that name before, nor did they confuse it with that of Verne Miller. During the months in which they had traced Frank Nash from place to place, only to see him vanish under one of the dozen aliases which he used during this long pursuit, the Special Agents had learned that the description of George W. Miller, a salesman, had corresponded in every particular, to the description of Nash. They examined the license application of the newly bought car at Springfield, and there obtained a specimen of the man's handwriting. It was the same. Again a direct lead, as in the case of Keating and Holden, had come out of painstaking and often disappointing efforts. They now knew a make of car which was in Frank Nash's possession, plus the license numbers. The job was to find the car and to find Frank Nash.

Frank and his car were moving swiftly. There had been a quick return to the Chicago area following the Fairbury robbery, where the gang foregathered again at Big Louie's. Then, like the scattering of quail, they were all away again, and this time for big plans. Earl Christman was dead, possibly because he was an amateur. If he had been a person like Old Harve Bailey, there would have been no such fumbling as resulted in Christman's death and the consequent trouble it gave the gang. Harve Bailey was tired of being in Lansing Prison.

Moreover, he, as well as some of his pals, particularly Wilbur Underhill, had established a fair record for good behavior and were not watched as closely as they once had been. If they only had guns, ammunition, and a hideout, Lansing could not hold them.

While this was being considered, Frank Nash and Frances were again on the move. They went to Hot Springs, Ark., where another little sentimentality developed. There they were married, becoming Mr. and Mrs. George W. Miller, this in spite of the fact that Frank Nash already had a wife; the first spouse claimed his body after his death. But as Frank so often said when Verne Miller was haranguing him for steadily recurrent drunkenness:

"Keep everything legal, Verne, even if you've got to kill somebody to do it."

Once married, they celebrated by another dip into social pleasures. In this they were aided by the good looking, almost distinguished-appearing confidence man, Mr. Richard ^{tall man} Galatas.

Galatas had given up his garage now and was devoting himself, as he expressed it, entirely to gambling, owning a race track handbook in a soft drink emporium which sold liquor and ^{was} known as The White Front. Frank Nash and Galatas were seen together often. Then Verne Miller came to town and met the confidence man. The big clothier, with his entourage, arrived for a visit with Verne and gave parties at the Arlington. The women talked clothes as usual. The men, somewhat

critical, compared the Hot Springs golf courses with others throughout the country. Soon afterward the visitors left and Frank took a business trip into Oklahoma.

All this time, several members of the Barker-Karpis crowd were in the vicinity of Kansas State Penitentiary at Lansing. However, even business could not halt a romance. Fred Barker had remembered the old days down at Herb Farmer's and Paula, the wife of the bank robber, whom he had met there.

The Verne Millers now were truly settled in Kansas City. They had taken a house at 6612 Edgevale Road, in an excellent neighborhood. Vi had her child with her -- the little girl was taking dancing lessons, and doing very well. Vi belonged to one country club where she often played bridge. Verne Miller -- all this accomplished under fake names -- belonged to another. The house was a place of constant entertainment; the licenses of the numerous cars which paused there were a roster of many states of the Union. Alvin Karpis stopped in at intervals, although he was not enthusiastically welcomed. Verne called him "Old Creepy". But Freddie was there often, except when he and Alvin had to hurry into Kansas to "see a fellow about some arrangements they were making". One day as he lolled over a bottle of beer, Freddie's features broke into a gold-toothed grin as he asked:

"Say, whatever became of that Paula Harmon?"

"She's down in Texas. Why?"

Freddie regarded his beer.

"I've always thought she'd make an awful good lay,"

Sentence might
be toned
down

he mused. Verne bridled.

"That's no way to talk about a lady, vulgar like that." Then, relenting, he called his woman: "Vi, telephone Paula Harmon, down in Port Arthur. Tell her Fred's asking about her."

The call was made. Paula Harmon took an airplane out of Texas that very afternoon. By the next night she had arrived in Kansas City and become Freddie Barker's woman. Thus she remained, except for what times as arrests and the objections of Mother Barker, always jealous of her boys, intervened.

Intrigue moved swiftly those days. Down in Hot Springs, Frank Nash took various trips over into old haunts, and to various hideouts around Picher, Okla. He was successful with his plans. A telegram denoting his efficiency later was sent to inform Hazel Jarrett, sister of the Jarrett outlaw gang, that her sweetheart Wilbur Underhill soon would be free again. It read:

"WILL CUT HAY ON THIRTIETH. HAVE PURCHASED
SIX COWS FOR DELIVERY AT PICHER."

The cows were Harvey Bailey, Wilbur Underhill and four other life-termers. The "hay" was a prison escape, the "thirtieth" Decoration Day, 1935. During the interim before this date arrived, Richard Galafas, who still only danced about the edge of real crookdom, heard a disquieting rumor. A confidence-man friend warned him that Frank Nash might not be the friend he seemed. After all, Frank Nash

knew that Galatas had money; some of it was tucked away in a safety deposit box under an assumed name, still more he kept in his home. The rumor insisted that Frank Nash intended to kidnap his gambler friend for that money.

*Suggest
elimination
of this sentence*

(All this comes from statements made by Galatas to Special Agents.) The pickings had been exceedingly difficult down there in Hot Springs. The town was over-run with confidence men, he said; when a fellow did get his hands on some real money, he wanted to keep it. Therefore he conceived a very neat way of avoiding the displeasure of abduction. That was to tell a police officer with whom he was friendly to finger Nash as an escaped convict, but to have him picked up somewhere out of town, so no suspicion would be aroused.

What happened to this plan, if there was such a plan, is not known. Other events intervened, among them the "thirtieth" referred to in that cryptic information to Hazel Jarrett.

On that morning, there was a ballgame in the yard of Lansing State Penitentiary. The fourth inning was on, between American Legion teams of Topeka and Leavenworth. The score was two to two. Excitement was tense -- suddenly there came a greater thrill. Six of the most dangerous convicts in the prison -- the six cows mentioned in that telegram -- surrounded the warden, Kirk Prather. They threw a looped wire over his head, binding him. Guns appeared from beneath convict uniforms. In the tower turrets, the guards, attempting to shoot, found that the warden had been shoved

forward in such a manner as to expose him to any gunfire. Then a command sounded -- the voice of Harvey Bailey, backed by that of Wilbur Underhill:

"Throw down your keys. And let down a rope and ladder!"

Eleven convicts later went over the wall, taking the warden and a guard with them. There was shooting; Harvey Bailey was wounded in the calf of his right leg, but he kept on going. The usual day of horror followed; wounded guards, stolen cars, kidnapped hostages, frightened farmers, robbed of their automobiles and left stranded on country roads. For five of the convicts, there was quick recapture; the hole had been there and they had been unable to resist liberty. Unaided from without, with no place to go, freedom meant only misfortune. For the six cows, however, everything had been planned by the same methods which had been used in the Leavenworth crush-out. The car containing the six cows sped onward toward the Oklahoma line, where the warden and guard were set out on a lonely stretch of road and told to walk back without watching the car. Then the bandits travelled onward, to their previously arranged hide-out. There all but one vanish from this story; a long chase either resulted in death or capture for all ^{but one} of them. Bailey, however, must remain.

The old rule to move when the heat was on now hit Frank Nash. Away he went, in that Plymouth car, with Mrs. Nash, for quite a trip, a belated honeymoon as it were. In that there was disappointment for hard working Special Agents;

they traced the car to Hot Springs only a few days behind his departure.

Again a wandering journey ensued, finally leading to St. Paul. The Barker-Karpis boys had gone there also, a get-together meeting followed. Frank and Frances stayed overnight at the Barker-Karpis apartment. Paula made the visit quite homelike.

Perhaps there should be an explanation regarding the details of all these movements as I have related them. They have been pieced together from hundreds of ~~investigative~~ reports; the finding of an apartment here, a hideout there, the statements of such men as Doc Stacci, Galatas and others, and by even stronger means. ^{about the time} ~~long after~~ Frank Nash had ceased to be an object of Federal search, a group of ^{Saint Paul Police} ~~Special Agents~~ raided an apartment at 204 Vernon Avenue, St. Paul. The place was empty; the crowd which had occupied it had left, only a few days before. But evidence remained in their wake. There were beer bottles. Upon some were the fingerprints of the Barker-Karpis crew. Upon another was the imprint of Frank Nash.

Now with the crowd all hot again, there was movement and hiding. But at last the newspapers ceased printing front page stories about the Lansing break. Frank Nash and Frances headed back to Hot Springs. That was dangerous. A lone Special Agent, working in occupational disguise, had learned from various members of the "sporting element" that Hot

at about
time of
approaching
RP. nailed
& took prints

Springs was a favorite resting place for Frank Nash and that sooner or later, he would return.

So now, watchful eyes which had waited long, caught sight of that Plymouth car and checked the license plates. A hurried call for aid was shot into Oklahoma City, where the Special Agent in Charge made arrangements for capture. There were three officers in the party, Otto Reed, chief of police at McAlester, Okla., who had known Frank Nash in the old days, and F. J. Lackey and Frank Smith, Special Agents. They found Frank Nash drinking a glass of beer at the White Front. Guns drawn, they handcuffed him, and put him into their car. The long chase was over. But underworld intrigue had only begun.

Suggest elimination of phrase indicated First of all, (according to the statement of Galatas,) there was that old matter of the projected kidnapping. Frank Nash had been arrested in the White Front. Galatas believed that he had been picked up on a police tip and that the entire underworld would look upon the gambler as a finger man. He must do something about it.

The weird events which followed ^{have} ~~had~~ been printed and reprinted many times. On the witness stand, Galatas said that his activity was due to the fact that both he and Nash were brother Masons. But law enforcement officers see in his frenzied efforts a desire to protect himself, to show Mrs. Nash that no friend as faithful as himself could possibly send dear old Frank Nash back to prison.

What followed is best told in straight narrative. The car containing the officers and Frank Nash was started up the street from the White Front Pool Room, with the intention of swinging to the next block and moving out of town. A paving job blocked the course on the next street, and the car was forced to turn back, again driving along the main avenue. Once more they passed the White Front. Two men with whom Nash had been talking, were still there. Other spectators had gathered in the door of the establishment and watched the car. Frank Nash turned in his seat. He raised his cuffed hands, quick^{ly} crossing and recrossing them, as if in signal. Several men on the curb nodded as though they understood. The car shot out of Hot Springs, leaving turmoil behind it.

Immediately word had gone through town that there had been a raid by Federal officers and that Frank Nash had been picked up. Hot Springs, which heretofore had been so cool and enjoyable, suddenly began to burn up. Confidence men began packing their belongings. Big time crooks, there to take the baths, decided to go elsewhere. A gambler who knew Dick Galatas thus described the scene to me:

"The con guys were going out like coveys of quail in front of a bird dog. Nobody knew what was going to happen -- everybody thought he was next in line for the Federal dicks. It about drove Galatas crazy. He paced up and down, running his hands through his hair and exclaiming that the Federals had ruined his town.

"I had it in the hollow of my hand!" he said.
'Now look at it!'"

He hurried to tell Mrs. Nash that Frank had been taken away. She became hysterical and suggested that they call up Doc Stacci in Chicago, tell him the news, and ask for aid.

In the meantime, the officers with their prisoners had proceeded as far as Benton, Ark., where a cordon of police, thrown across the road, stopped them.

"You've kidnapped this man," said one of the police. The arresting Federal Agents showed their credentials. Instantly there was apology.

"I guess somebody made a mistake," the Benton officers said. "Hot Springs telephoned that a man had been kidnapped. We'll call up and set 'em straight on it."

In the welter of conflicting statements which surged through Hot Springs as the result of subsequent events, one insists that Galatas used the police department as a tool by reporting a kidnapping, and hoping that the police could bring Nash back to Hot Springs, where lawyers, fixers, writs of habeas corpus, or, as a last resort, escape, could free him. There is one certainty. Crime's underground system was hard at work, taking advantage of every possible recourse to save one of its members.

It is an hour's ride from Benton, Ark., to Hot Springs, Ark. After the lapse of that hour, no correction

had been made on the first broadcast to look out for a car containing kidnapers. The police of Little Rock, innocently enough, stopped the car. Again the captors of Frank Nash were forced to show their credentials. By this time wariness had developed.

"Which way are you going?" the local officers asked.

"Well," the Special Agents replied, "we figure we'll make it to Joplin."

The Little Rock police personally escorted the car to the Joplin road, where they left it. Then, back at headquarters, they answered a call from Hot Springs, to hear a voice enquiring if anything had been heard of those kidnapers.

"They're no kidnapers," came the reply. "They're Federal and State officers, with an escaped prisoner named Frank Nash. They're taking him back to Leavenworth."

"Which way are they going?"

"They took the Joplin road out of here."

It was partly this evidence which caused Galatas to become a fugitive from justice. That call had come from the Galatas home. Immediately afterward, Galatas and Mrs. Nash chartered an airplane and flew to Joplin. He had sent word to Herb Farmer to meet him, and that something must be done to free Frank Nash. But on his arrival, Galatas and Farmer searched in vain for the prisoner. Good reason. The officers had started out on the Joplin road, leaving the impression in Little Rock that they were going to that city. However, thirty miles out, at a cut-off, they had switched over to the

road leading to Fort Smith, Ark.

Now there was much going on in the house of Herb Farmer. They telephoned the O.P. Inn, only to find that Doc Stacci was out playing golf with Machine Gun Jack McGurn. Messengers were sent for him. The news travelled over the wire that good old Jelly at last had fallen into the Federal net. Doc Stacci tried to pass the news on to Kansas City; by this time word had come from Hot Springs that the supposed route of the officers into Joplin had been a blind and that Nash really was being taken through Fort Smith, Ark., and by train to Kansas City.

Thus calls criss-crossed until late in the afternoon, Joplin to Chicago to Kansas City, for a long time without success. Verne wasn't at home. Doc Stacci telephoned ~~the name~~ of a mutual friend, Fritz Mulloy, an ex-convict, who had done a term for liquor violation and who owned a night club. Could he find Verne Miller? Fritz promised to try.

Verne Miller was discovered on a golf course. Then, with the news that his old partner at last had been caught, he hurried away to desperate things. Down in Joplin, Frank's hysterical wife was begging that he get Jelly back for her. All the others had put in their pleas; in all fairness, it is possible that they thought a big man like Verne Miller, with connections everywhere, knew enough politicians to be able to swing open the doors of a penitentiary.

But Verne Miller was a literal soul, narrow-minded perhaps about vulgarity and too much drinking and using dirty

words in front of a lady, but wholly direct when it came to rescuing an old pal. He called Chicago, enquiring if any of the gang there could come down and help him. There is evidence that a crowd started, armed with machine guns and automatics, but for some reason did not reach Kansas City. Verne even called New York -- perhaps to inform the clothier that he would need a new suit of clothes after all this was over. He called St. Paul and asked for the Barker boys or Karpis. The evidence hints that Pat Reilly answered the telephone.

"Why the boys aren't here," was the answer. "They're busy."

"Busy? Where?" Miller was in a hurry. "I've got to get hold of them."

"I don't think you can. Nobody's seen the boys for several days."

"Where've they gone?"

"I don't know. Nobody knows." Then: "Say, haven't you seen what's smeared over the front pages of all the newspapers?"

Verne hung up the phone. He had seen the news from St. Paul. Everybody had seen it. One of the biggest kidnappings in a century had just occurred there. So "the boys" had gone in for that kind of money!

Verne Miller was blocked. A big timer like him, faced with the job of rescuing friends. And he had to go out and borrow a couple of killers to do it!

The story of that loan comes from three sources. One was a man named Jimmy La Capra, alias Jimmy Needles, lately an enemy of Johnny Lazia, whose brief introduction to the scene was made at the beginning of this chapter. A second was a man now a convict. The third source was Verne Miller himself as he later explained it to his glowering friends of gangdom, wholly unfriendly, now that the hunt was on.

According to Verne he went downtown, searching in vain for aid. He knew that the officers would be armed only with ordinary weapons, and he believed that any man, equipped with a mere automatic or sawed-off shotgun, would be sensible in the face of a machine gun. If he could only find two or three good mobsters who could slam down the muzzle of a Tommy gun and appear to mean it, the freeing of Frank Nash should be a simple matter. If necessary, they could take along the officer to whom he was handcuffed, chop off his arm and throw him out of the car. A detail like that was easy. The job was to get Frank Nash.

Even Verne Miller insisted that Johnny Lazia did not know his plan. Being a careful person, Verne told little in advance. He only announced that he wanted to take a good friend away from somebody, and needed a couple of good machine gunners to do it. Could Johnny Lazia lend him a few men?

Evidently Johnny could not. But there were a couple of fellows who had just come into town after a wild escapade. Full of marihuana or booze or something. It seems that Verne got the address.

Early that morning, Sheriff Jack Killingsworth of Bolivar, Mo., had been called to a garage which was run by a brother of Adam Richetti, a pal of Pretty Boy Floyd. Both Richetti and Floyd were there and acting queerly. For one thing, they had a number of persons lined up against a wall and were threatening to shoot anyone who moved. The sheriff likewise met misfortune. Pretty Boy Floyd ordered him into a car. Then, with the sheriff as a hostage, Richetti and Floyd moved out of town. They proceeded thus until they reached Osceola, Mo., where they decided to change cars. This they did by flagging down an insurance man, stepping in with him and taking the sheriff also, now becoming the possessor of two victims. The journey continued until late at night, when they entered Kansas City by way of Kansas City, Kas., and took a side cut from a viaduct which connects the two towns. There Floyd got out of the car, disappeared a few moments, and returned, followed by an automobile and driver. Into it he transferred two machine guns and a steamer trunk. The bandits said goodby to their hostages and told them to get to hell away from there.

It was these men, so the stories go, that Verne Miller met that night, for the first time in his life, and took to his home on Edgeway Road. Then he went to the Union Station and checked the arrival of trains. Following this, the telephone rang in the Farmer home. It was Verne. Mrs. Nash answered, still sobbing, as she had been sobbing most of the day. It disgusted Verne. He was a man of repression.

"Oh, cut it out!" he said exasperatedly. That was rough language for Verne Miller. "You'll have Jelly back in the morning."

Morning came. Verne Miller and his two guests left home in Verne's Chevrolet. After a time they returned without Frank Nash. They spoke but little. Floyd stumbled upstairs and flopped on a bed, nursing an injured shoulder. The third man wandered about the house, hands in pockets, or rubbing them slowly before him. Verne Miller bandaged a wounded finger.

Food had been prepared. They could not eat it. They could only look and turn away. The coffee they raised in shaking hands, drinking sparingly and then uncertainly setting down the cup. At last Verne's woman asked:

"What's wrong with you, Sugar?"

The man's jaw fell, remaining open for a long moment. He looked away. At last he said:

"There was some shooting down at the Station. And don't ask me any more about it!"

That night, after a car had driven away from the Edgevale house, containing a bulky gunman and his foreign appearing assistant, Verne Miller hurried downtown. Jimmy La Cappa's story says that he went to the Union Station restaurant, passing the scene of the massacre, at last to sit down on the opposite side of a table from Johnny Lazia.

"I've put an awful lot of heat on this town, Johnny," said Verne.

"Yeh, you've done that."

"I didn't intend to -- I give you my word on it, Johnny. I just thought -- "

The conversation ended as the politician rose.

"No use to fight over it, and no use to alibi. That won't bring dead men to life again."

The plans of that morning had gone to pieces. The train bearing Frank Nash had come in on time. An officer had gotten out and looked about him. The train shed had been clear, except for William J. Grooms and Frank E. Hermanson, Kansas City detectives, Raymond J. Gaffrey, Special Agent, and R. E. Vetterli, Special Agent in Charge, down to meet the prisoner. Up the stairs they went with old Frank, and along the 350-foot corridor which led to the street.

They started to load Frank Nash into the car, believing themselves in no danger. Hundreds of persons were nearby. Cabs came and went. The life of the Union Station flowed on all about them. Loaded shotguns were placed in the car. Guns rested in holsters. Frank Nash started to get into the rear seat. They moved him to the front; he sat under the wheel, awaiting final disposition. It was at this point that machine gunners stepped forth.

The car containing the attackers, had been parked quite near the car of a Special Agent and the "hot shot" car containing the two detectives. The bandits had hidden there, awaiting the time for a getaway. Now they moved swiftly into position, surrounding the police car.

"Get 'em up!" shouted Floyd. "up - up - up!"

Of seven men threatened with death, not one obeyed the command. Every officer reached for his gun. Hermanson shot twice. It maddened Floyd.

"Give it to 'em!" he shouted and the faithful engineers of crime's underground railroad hastened to obey. Bandit machine guns went into action. Gaffrey, Nash, ^{Hermanson} Grooms, and Reed were killed instantly. Vetterli and Lackey were wounded. The only man who escaped death unharmed was Special Agent Smith, who, quorly enough, had taken Nash's place in the rear seat.

The bandits did not know that. A machine gunner stuck his head through the shattered car window. Before him was a tangled mass of lifeless sprawls; Smith's huddled body was covered by the bleeding forms of fellow officers. The killer swung his gun in excited command.

"Frank's dead!" he shouted. "They're all dead! Scram!"

So, sick with blood, three men had scrambled, leaving behind them dead and wounded men, the assassination of whom was to change laws, and bring about even greater activities against lawlessness by the Division of Investigation. But even this drama, now that living men had become corpses, was static beside a scene in Joplin, Mo.

A certain amount of credulity is necessary to believe it. Mrs. Nash, even today, insists that she never, at any time, knew her husband was an escaped convict, or anything worse than an ordinary bootlogger. She says that she did not

even know his name was Frank Nash, and that persons of his crowd never referred to him by that name in her presence. They called him Jelly, or Frank. His use of aliases she believed to be due to his bootlegging business, which, after all, did bring about brushes with the law.

So, after the fevered hours in Hot Springs, the airplane ride to Joplin, the waiting, the telephoning, the uncertainty, the night of troubled sleep, Frances Nash, who in all her association with gangdom, never could quite forget that she once had been a school-teacher, rose from the breakfast table to the knowledge that the radio had suddenly ceased its usual advertising exhortions. There was an evidence of strain in the announcer's voice:

"This is Station W.D.A.F., the Kansas City Star, interrupting our morning program with an important news flash. Four officers were instantly killed and two wounded at Union Station Plaza early today when gangdom attempted to liberate from their custody an escaped Federal prisoner named Frank Nash. In the burst of machine-gun fire with which the attacking outlaws swept down the gallant police officials, Frank Nash himself also fell, instantly slain by the terrific fire----"

Mrs. Nash looked toward those about her; the neighboring wife of an ex-convict, Deafy Farmer, cupping his ear to the loud speaker, Esther, ghastly gray beside him.

"Frank Nash?" she asked. "Who's he?"

"The man you married, Deerie," said her neighbor

*File
changes
made as
suggested
by Harmon
& Water
1-23-35*

CHAPTER FIFTEEN.

~~I believe that~~ every illusion concerning crime was mine as a boy. One night still lives wierdly in my memory. It was moonlight. I had awakened, and turning in my bed, saw a newspaper which had been tossed aside by my father as he left his armchair. There in the greenish illumination, was a drawing of a murder scene, with the dead bodies strewn about, and the murderer in flight. I still can relive a bit of the delicious shudder which was mine as I forced myself to stare at the picture and insist that it didn't scare me.

Months later the murderer was captured, convicted and went to his death on the scaffold. I read every line of the newspaper recital of the dreadful event, my emotions equally divided between two great conclusions. One was that I must never commit a murder because if I did, I would be hanged for it. The other was less exalting. It was the belief that murderers must be terribly brave men to be able to walk to their own hangings.

Fate does strange things. I ran away from home to become an actor and instead became a clown in a circus. Coming home at the insistence of my mother -- mothers are peculiar that way -- I eventually became a newspaper man. My first run was the undertaker shops and the coroner's office. In many of the first-named, I met all the brutality to which sup-

posed sanctuaries of the dead ^{the subject}; the callousness, the lewd jokes about the dead, the eternal pressure-salesmanship upon the bereaved in the effort to sell them more expensive habiliments of burial than they can afford. There were midnight booze parties with street walkers in one establishment. Another featured louse races upon the clothing of some newly dead outcast, with drunken men and women betting on which of the filthy vermin would be the first to leave the cooling body. In a third there was the great joke of inducing a new reporter like myself to enter a room where an autopsy had just been performed, and where the cadaver lay with his chest and abdomen opened, his scalp pulled over his face, his skull sawed off and his brains in a glass jar. Then too, there was the establishment which delighted in sending a newcomer, at night, into an upper story room where the lights snapped out and a single, eerie ray from a street light shone upon the wrinkled features and sunken eyes of a negro mummy. A youth receives much disillusionment in such surroundings.

Then there was the coroner's office, which took me into the ghastliness of train wrecks or the horrible moments, when hesitating on a veranda, I at last found the courage to press a bell and to tell the tense woman who answered that her husband had been killed in a saloon brawl. From the coroner I also learned that all criminals are not brave and that some will even shoot a policeman in the back.

It was inevitable that I should become a police reporter, my good fortune that deservedly or not, I should be

classed by my office as something of a crack man on the job. So, during the ensuing years when, day and night, I obeyed the call of crime, I found that after all, there was no Santa Claus in the world of lawlessness.

Thirteen times I walked through the little door with men whose arms were bound tight to their sides, and whose legs were fastened immediately they came upon the scaffold. I knew all of them, because, obeying some strange impulse, I had spent their last night on earth with them upon a basis of friendship engendered through months of acquaintanceship. I knew them not as criminals about to be shrouded in a black cap and dropped through a wooden trap where the doctors waited to establish death. Instead, they became quite ordinary individuals, with the gloss rubbed off. I found no true bravery, only that numbing of realization which seems to afflict the human brain in times of great stress; these men were mere automats, with the same sort of mechanical ability to walk and talk which comes to any person when the pressure is more than nerves can bear. I have seen weak women show the same fortitude at the death of a loved one, or a child as it views the stump of a severed arm -- not to cry about it until a day later when the brain has sufficiently recovered to properly view the picture of a maimed existence.

Out of the hundreds of murder trials, I learned that the functions of ^{some} criminal attorneys, under our comic opera laws, seem not to be an aid to justice, but to obstruct it by every device known to the human brain. I have known many

who were far worse rats than the guilty ones they defended.

I was a confidante of judges. For a time it made me suffer to see some of them consorting with the very crooks who had faced them in the courtroom. In fact it took quite a while to realize that perhaps money had played its part in this spirit of camaraderie. I knew jailors and learned after a time why ~~they~~ ^{certain ones} could send their children to college on fifty dollars a month. It sometimes is worth as much as \$500. to a criminal to be transferred from the third tier to a place near his pal on the second.

I got drunk with detectives and discovered what ~~some times became~~ ^{some times became} ~~my~~ ^{my} becomes of stolen money. One proudly boasted that in his career, he had taken more than \$100,000 from bandits during the process of arrest. It was not robbery. He simply made a deal in which he was to find a good lawyer for the crook, split the cash with the attorney and, for the rest, color his testimony to aid the criminal. I found too that certain men who work ^{at} on ambulances, ^{are} ghouls, robbing the bodies of "coroner's cases".

There were times when I went with police into another state to bring back some criminal, supposedly badly wanted. ^{Practically all} ~~many~~ of these were honest cases, but these were several where the excursions were to save a protected ^{man} crook. In the other state, the prisoner might be convicted of a serious felony. In the one to which he was being returned, charges could be dismissed ^{and} the bail, put up by the makers of "straw" or fake bonds, ultimately forfeited. Thus the criminal was freed,

not by the police but by the politician who had forced inherently honest men to obey ~~his~~ his orders or be fired.

There also were prison escapes during the various years in which I served as a reporter on crime. All the foregoing education did not come merely in cubhood days nor immediately thereafter. There were many years when I was a circus man in the spring, summer and autumn months. In the winter, I went back to my newspaper desk, and to a typewriter which seemed educated only to recitals of gore.

During this long period another boyhood illusion vanished. This concerned the belief that a person must be a superman to escape from jail. Even in youth I had wondered how certain prisoners could climb ~~up~~ ventilator shafts while ordinary citizens failed at the task, or make tremendous leaps without injury when someone else might be lugged to a hospital. Many times I found an explanation, but never such a clear one as in the escape of Harvey Bailey from the "escape proof" jail at Dallas, Texas.

Because Bailey was one of the most dangerous criminals ever arrested in Texas, he was taken to Dallas and lodged in this super jail under local guardianship. Yet within a few days, the front page of every newspaper in the country was emblazoned with the fact that he had sawed his way out of his cell, overawed jail personnel with a gun which he had obtained mysteriously, stolen a car and was away. That he was captured within a few hours was due to alert local law officials who possessed sufficient acumen to throw out efficient patrols and

the bravery necessary to close in on a desperate criminal. Let us go behind the scenes and see how Harvey Bailey made that "spectacular escape".

Bailey was a Federal prisoner held in a local jail. Immediately upon his escape, Special Agents were sent to the institution to enquire into the means by which the man had gained his freedom. Almost the first thing they discovered was that the severed bars bore the marks of a Stillson wrench, used to break off the bars after they had been nearly cut through. Then with the usual care of Special Agents, they determined by magnifying glasses that the breakage of the steel tended outward instead of inward. Most certainly, Harvey Bailey could not have been in and out of his cell at the same moment. Someone helped him, and used that Stillson wrench to twist off the bars.

The Special Agents made a search of the prison. On the sixth floor they found a Stillson wrench in the desk of a jailor. Its jaws were still open to the exact size of the bars of Harvey Bailey's cell, and they bore paint evidently wrested from the steel. So the rest was comparatively easy.

Jailor after jailor accounted for his actions. Thomas L. Manion, however, failed. At last he confessed. Perhaps the story comes best from his confederate, a Dallas butcher, Grover G. Beville.

"I had known Manion about fifteen years. One night he called me up and asked me to meet him with my car and we drove out into the country to talk. He said he had a plan

whereby we each could make \$125. Then he told me to get him a gun, some cartridges and four hack saw blades. I didn't ask any questions, but promised I'd do it.

"I had one hacksaw blade, and broke up a meat saw to make the other three. A day later, Manion called and told me to get three new hacksaw blades; that the butcher's saw hadn't been able to cut the steel. I met him again and asked him what it was all about. He told me he was helping Bailey to get free, that he was one of the finest fellows he'd ever seen and was as innocent as could be. I did what he asked me.

"A few mornings later, I was cutting meat for a hotel order when Manion called again, and asked if I knew Bailey was out. I told him I had been busy and didn't know anything about it. Well, he had escaped, Manion said, and he wanted me to help go hunt him. I told him I had this meat order to get up but as soon as I was finished, I'd bring the car around and that we'd start out, which we did."

So there, in its rudiments, was the true story of the super-human escape of Harvey Bailey from the escape-proof jail. The case had its sidelights. Those bars, it seems, were exceedingly tough. So the obliging jailor, when Bailey grew tired, got down on his knees and hacked away at the steel. The weather was warm. Soon both began to sweat.

"Wait a little while," said Manion, "maybe I can make it easier."

So Bailey hung a towel over the weakened bars and rested. Manion, the jailor, the keeper of men, left the

prison and went to a hardware store where he purchased a can of oil. With this squirted upon the indentures, sawing was much easier. If this is not sufficiently remindful of Gilbert and Sullivan satires, there comes a further fillip in the knowledge that neither Bevill nor Manion got a cent for their trouble. It seems that escapes these days are on a C.O.D. basis. ~~The minister here was not the one that Bailey called to the minister's cottage.~~ Manion, all this time, was attempting to doublecross Bevill. Bailey had promised, when he was free, to rob six or seven banks, split the proceeds with the jailor, and make him rich.

This sort of procedure is not unusual. In nearly every big "inside job" of prison breaking, there has been some such promise. Sometimes guards or civilian prison employees enter into conspiracies with convicts whereby they will allow an escape provided the lawbreaker either splits future proceeds, or digs up old loot and divides that. Usually, the escaped man goes his way and forgets all about the petty crook who helped release him. On the other hand, no one knows how many bank robbers and murderers lay aside a share for some member of the gang not present -- the one who has helped them to freedom and will do it again if they are returned to the same jail.

There was an echo to Bailey's getaway and capture. It came in Chicago where Shotgun George Zeigler and various members of the Barker-Karpis crowd got together now and then to talk over the Urachel kidnapping and compare it with their

various projects. These men were still active, and they remained active, through events which followed, although the recital of their busy lives necessarily must be subjugated, except for the one brief interlude which follows.

One night Shotgun George sat at a cafe table, reading of the getaway and re-capture of his old friend Bailey. A queer pallor had crept into Zeigler's face during these recent months; his ruddy, almost florid complexion was fading. There was more of a stare in his blue eyes, as though fleeting, horrible pictures constantly were crossing his mentality -- those seven men who sprawled in their own blood on the floor of a garage after the St. Valentine's massacre; or of stiffened, tightly-bound dead men, gaping through the ice of a frozen drainage ditch. Zeigler also could remember certain kidnap victims, begging that the bandages be removed from their eyes and that they be allowed to go home to grief-ridden relatives. Suddenly he ruffled a hand through his sandy brown hair and tossed the newspaper aside:

"Harve Bailey must have been crazy to have tried a thing like that!" he exclaimed. "What's gotten into him anyway? Why, I can remember when he and I were on that bank robbery job--

"Sh-h-h-h George!" exclaimed his woman. Alvin Karpis looked up from the other side of the table.

"You sure like to talk, don't you?" he asked quietly.

"It's just makes me mad the things people do!" Shotgun George exclaimed. "Why didn't Bailey use his head? This'll go against him at his trial. You never heard of me pulling

anything like that. Why when all of us went out to Reno -- "

"Let's forget Reno," snapped Freddie Barker.

"And here comes the waiter," the woman urged, her hand on ^{George} ~~his~~ arm.

Zeigler glared about him.

"I wish there weren't people always butting in," he grumbled. "A fellow never gets a chance to talk."

Instinctively he felt his belt buckle where, in a secret compartment, he carried eight tiny saws for use in case of incarceration. Then, with another wild glance about him, he bent to his meal.

So now, the weakening reserve of Shotgun George and the steadily strengthening of the Barker-Karpis mob must be relegated to silence while a new set of characters moves onward along the trail blazed by Frank Nash and his companions. The Kelly-Bates--Bailey crowd was convicted early in the autumn of 1933. ~~But there were~~ ^{There were} other first page scareheads to replace the ones which they had furnished. There was a crush-out from the Indiana State Penitentiary at Michigan City, Indiana, in which eight men escaped, all of whom had been serving terms ranging from ten years to life. Only four of them are of importance in this narrative; Harry Pierpont, Russell Clark, Charles Makley and John Hamilton. The remaining members were in much the same position as the other convicts who escaped from Lansing with the six cows; the hole was there and they went through. Makley, Pierpont, Clark and Hamilton, however, were the close ~~inner~~-friends of John Dillinger, who

had come to know them while serving two concurrent sentences in the same institution. Dillinger had been paroled in May 1933 and immediately had begun plans to aid his friends to escape. Only a few days before the crash-out, he had been arrested for bank robbery by the police of Dayton, Ohio, and written plans had been found on him, the significance of which was not understood at the time. After the Indiana escape, however, it was ascertained that these plans were a chart to be used by his fellow convicts in making their getaway, once they were outside prison walls.

The details of the Indiana Prison escape ran along ^{reculating} the ~~usual~~ lines: the ^{usual} ~~escape~~ plotting, underground letters, guns smuggled in from the outside, a concerted effort at liberty, and a day of horror. Two guards were wounded.

The purpose of this book is not to detail the activities of criminal bands; it is to tell what lies behind them. The Dillinger crowd hid out for a time, and were said to have been harbored by the wife and mother of one of the convicts. Then Makley, Pierpont and Clark, together with a paroled convict named Harry Copeland went into Lima, Ohio, where Dillinger had been jailed, and effected his escape by killing Sheriff Jesse Sarber. All this is widely known, together with the fact that a number of bank robberies followed in which the original Dillinger gang took part; Makley, Pierpont, Dillinger Hamilton, Clark and Copeland, following which, some of them with their women, went to Florida for the Christmas season, took another excursion into bank robbery, then moved to Tucson

for a sojourn where Makley, Pierpont, Dillinger and Clark were arrested. Neither Hamilton nor Copeland were present at that time.

The capture came on a double tip, one from a fireman who had been offered a heavy reward for saving a suitcase containing loot from a hotel fire, another from a travelling salesman who had partied with them, only to be amazed at the proud confession by one of the members that this was the Dillinger crowd. Following the arrest by the Tucson police, an excellent job incidentally, the women were questioned and released. Makley, Pierpont and Clark were taken back to Ohio where they were convicted of the murder of Sheriff Barber. Clark was sentenced to life imprisonment. Makley and Pierpont were given death; in an attempt at a prison break Makley was killed. Pierpont was executed. In the meantime, Harry Copeland got drunk in a Chicago tavern and caused a disturbance. He was arrested by Chicago police and held for Ohio authorities. However, through astute work by his attorney, extradition was given to Indiana, and Copeland graciously accepted a twenty-five year sentence for bank robbery, instead of answering the Lima charge of murder. All this is merely recited to refresh the memory.

So now, the true Dillinger gang was gone, and it may be surprising that even in the beginning, this crowd was not really headed by Dillinger. At least two of the bandits were his superiors mentally, one of them Charles Makley, the

the other Harry Pierpont. Makley was highly intelligent, a cold humorist who went about his work with a joke on his lips and a satirical attitude toward life; much of Dillinger's personality was developed through association with him. In cruelty and daring execution, Pierpont was fully the equal of Dillinger and while free exerted a tremendous influence. Later, whether he liked it or not, Dillinger was forced ^{through force} to bow to the desires of still another man. ~~For the same reason that he had to bow to Pierpont, this person was Baby Face Nelson.~~ Then too, there was John Hamilton who had a mind of his own and later Homer Van Meter who was supreme on banking matters. Therefore, instead of a gang ruled by an all-wise leader, the Dillinger crowd was largely a co-operative affair.

As to ~~the~~ ^{the} ~~the~~ Crown Point escape, when Dillinger was supposed to have swayed guards on every side with a toy pistol which he whittled in his cell, the truth may or may not be shortly forthcoming. There have been several "investigations", one of which even brought about a trial and acquittal. A special inquiry now is being conducted by a non-prejudiced body which may bring out the real facts. Therefore, one only can draw conclusions, two of which are sufficient:

Dillinger was concededly a dangerous man. He was being held for the murder of a policeman, which offense should be a mandatory sentence of death in any state, whether or not it ordinarily permits capital punishment. He was so feared that he was surrounded by extra guards. Then why was he

allowed a dangerous weapon like a knife with which he could whittle a wooden gun?

The other conclusion is that a great many convicts must waste a tremendous amount of time and money in smuggling real guns into their cells when tiny wooden imitations are so efficient. The Dillinger "wooden gun" was a poor job. It was so small that even had it looked like a gun, the average hard-boiled fighting man would insist that he could catch its bullets in his teeth and spit them out, like navy beans. Then why did it appear so ferocious?

John Dillinger, like most murderers, was a super-sentimentalist about himself. When his sweetheart, Evelyn Frechette was arrested at a tavern in Chicago, he told other members of his gang that he watched the pick-up by officers while sitting in an automobile nearby and made no attempt to rescue her even though he held a machine gun. His presence was not known to the Special Agents and police. So he said he just sat there and "cried like a baby".

He easily became maudlin and could cry into his beer over a mother song. Yet he subjected his whole family to the danger of arrest for harboring by using the Dillinger farm as a hideout. With the same perversity, he carried away from the farm several of his baby pictures. These he invariably set up at prominent spots in his various hideouts. With them always was the wooden gun, described by those who saw it as hardly longer than a person's finger. Upon it, he had printed in pencil:

I have digressed. When Dillinger came forth from Crown Point, he stole the automobile of Sheriff Lillian Holley and drove it across a state line, thus violating the Dyer act and becoming an object of search by the Division of Investigation. Until this time, neither he, nor any of his gang had been charged with Federal offenses. The Negro who had escaped with him, Herbert Youngblood, merely went along because the door was open. He was not a member of the "Dillinger gang", and was killed within two weeks by police officers of Fort Huron, Mich., in a battle which cost the life of one officer. Two other policemen and a bystander were wounded. Therefore, free from Crown Point, ^{Dillinger had} ~~there was~~ only one member of the original gang awaiting him, John Hamilton. Thus there was no Dillinger gang. The coalition which later bore that name came about by a throw-back to the old Frank Nash crowd.

After Dillinger's escape from Crown Point, he immediately went to Chicago, where he established contact with his attorney, Louis L. ^P Piquett. This is from Mr. Piquett's testimony during a Federal trial on a charge of harboring Dillinger, and of which charge, the attorney was acquitted.

Following the meeting, Dillinger then looked up his woman, Evelyn Frechette, who, at this time, had not been arrested. She had visited him a few days before his escape, and evidently knew how efficient that wooden gun was to be, inasmuch as they had established a meeting point. They next met with some good friends from St. Paul, Eddie and Bess Green, hangovers from the Frank Nash-Verne Miller-Krating and Holden-Barker-

Karpis gangs. Eddie was an enthusiastic soul. He knew Dillinger in the days shortly after his parole in the spring of 1933. Having taken part in bank robberies with nearly every other gang on the map, he now formed the link by which Dillinger and Hamilton became forces in a new coalition.

Some history must intervene. Years ago, a tough, boastful, cruel little boy played around the packing house district of Chicago. In every game, he wanted to be the crook and his extreme joy came when he could play at "shooting cops". His name was Lester Gillis. It was not long before he was being warned by police as ^{being} under suspicion for petty thefts in the neighborhood.

This only made the boy more boastful. He joined a crowd of toughs which went in for stealing automobiles, driving them for a few hours and abandoning them. About this time, Lester Gillis achieved two things. He gained the name of Baby Face and he became girl crazy. Whereupon he began selling the cars he stole, that he might gain the reputation of being a free spender. He was caught and sentenced to the St. Charles School for Boys.

From there he was paroled, a clemency for which he was twice returned on charges of violation. At last, free of the reformatory, he got a job as a truck driver, which he quit to become a gunman. He now became known as George (Baby Face) Nelson. His first job was the robbery of a bank at Spring Grove, Ill., followed by another at Hillside, and still a third at Itaska, both cities in Illinois. For the Hillside

robbery he was sentenced to from one year to life, and while in Joliet Penitentiary failed in an attempt to escape. That was about 1931. A year later he was taken to Itasca for trial and was sentenced to from one to twenty years. On the way back to prison he got away and was not retaken.

Shortly after this Nelson went west, where he engaged in bootlegging around Sausalito, California, and where, among other persons he met a bootlegger named John Paul Chase. He also met many other bootleggers and criminals. Finally he headed east again. In October 1933, about the time Dillingor was being rescued by his pals, Baby Face and a gang robbed a bank at Brainerd, Minn., -- a job by the way, of which Verne Miller was suspected. Then, with his crowd, Nelson went to San Antonio, Texas, to cool off. His gang at this time consisted of Leonard Thomas Carroll, a parolee from Iowa, Homer Van Meter, and Charles Fisher, now a prisoner in Leavenworth Penitentiary on a mail robbery charge. All had their women. Van Meter was carrying Marie Conforti, Tommy Carroll had Jean Delaney, otherwise known as Mrs. Edward A. Crompton, and Baby Face was with his wife, Helen Gillis. To make the scene typically American, Mr. and Mrs. Baby Face had their little boy Ronnie along.

Charles Fisher was picked up by the police of San Antonio. One of the remainder of the gang killed a policeman. So, being very hot, all but Fisher, who was in jail, hit for Chicago where the gang split temporarily. Finally Homer Van Meter and Marie Conforti went to Minneapolis where they rented an apartment. One night they visited a friend's place, where

they met and reminisced with Jean Delaney, perhaps recounting the excitement of the getaway from San Antonio. The host was a highly pleased gentleman; he had progressed tremendously since those early days when he had hung around the old Keating and Holden crowd. Here he was, with a gun moll living right in the house with himself and his wife; it seems that she was an in-law relative. This host was Pat Reilly and he was making money far more easily than when he was wont to drive a carload of liquor all the way from St. Paul to South Dakota for twenty-five dollars. Pat got a commissions on hot money. Or he would assist in a hurried getaway for a consideration, and had become generally an all-around go-between.

However, he did not know everyone in the bank robbery business; reaching for the heights, he was still on the fringe. Eddie Green and Bess were more fortunate. Evidently Eddie had been a participant with Dillinger before the Ohio arrest. He, as well as others, must also have known that the wooden gun escape was to be highly successful. Dillinger escaped from Crown Point, Indiana, March 3, 1934. On March 6th, he, with Hamilton, Van Meter, Carroll, Eddie Green and Baby Face Nelson robbed the Securities National Bank of Sioux Falls, S.D., obtaining \$49,500. This was fast action for a man who had been out of jail only three days. Bank robberies these days are not haphazard affairs. Preparations sometimes consume one or more weeks.

A week after the Sioux Falls robbery, Pat Reilly sat in a St. Paul restaurant eating a midnight meal. Eddie Green

entered and slid into a chair opposite.

"Listen Pat," he asked, "where's that doctor live, the one who treated your kid when he fell off his bicycle and bit his tongue in two? I got a couple of friends outside with some bulletholes in 'em."

Always obliging, Pat Reilly paid his check and led the way to the doctor's house where Eddie Green explained that these men were "a couple of fellows who had gotten into a shooting scrape". Both were shot in the back; one was in extreme pain and sick from his wound. Evidently the doctor didn't care for them as patients for he provided only superficial treatment. Evidently, also, the patients did not see in him the true makings of a hoodlum doctor for they did not return; there is ^{some} evidence that they went to a place near Chicago where they were treated by a man who knew his business, Dr. ^{Joseph P} Thomas Moran, an eccentric genius both at surgery and crookedness. An ex-convict from Joliet Penitentiary, he was at his surest and best only when roaring drunk, and objected to operating in any other condition. His specialties were abortions and bulletholes. However, if the St. Paul doctor had displeased his patients, and if the patients displeased the doctor in St. Paul, there was one person who was highly satisfied. That was Pat Reilly. He had reached the top.

These injured men were John Dillinger and John Hamilton, both wounded by gunfire the day previous during the robbery of the First National Bank at Mason City, Iowa, where the gang had traded two bulletholes for fifty-two thousand dollars.

Pat Reilly became their eager servant and go-between, thus, through no fault of his own, serving the cause of justice. But, for that matter, so did Eddie Green.

There was quite a shooting scrape on the morning of March 31, 1934, at an apartment house on Lexington Avenue in St. Paul. When the acrid odor of machine gun smoke had cleared, the public learned that John Dillinger and Evelyn Frechette had been "jumped up" by Special Agents and police.

This had been done by two officers who had been sent to the house merely to investigate a rumor that some questionable characters were living there. ^{it was established} As soon as identity had ^{been} ~~been~~ ^{ascertained} ~~ascertained~~, ^{these people were dangerous characters - when their identity was not known that they were Dillinger & Frechette} a hurry call had been sent for additional

Special Agents and police. Before these reinforcements could arrive and an effort made to force Dillinger's surrender, Homer Van Meter arrived and almost immediately started shooting. Thus, Dillinger was warned, and the officers fighting not only against odds, but against enemies at widely separated points. The result was that Dillinger, spraying his path with machine gun fire, escaped as did Frechette and Van Meter.

After the battle was over, the Special Agents, seething though they might be that the sheerest kind of luck had played into Dillinger's hands, began to make the most of what remained. They entered the apartment with their dusting powders, their fingerprint cameras and soft rubber "lifters" by which an impression of a fingerprint can be carried away. Also they catalogued every other possible shred of evidence. They found fingerprints which later sent several persons to

prison on harboring charges. Then they ~~found~~^{discovered} a telephone number, hastily scribbled on a piece of scrap paper.

They traced the telephone number. It led to an apartment house on Marshall Avenue. Special Agents went there, heavily armed. No one was at home. A cursory search showed a number of gun clips, and ammunition. Their own machine guns in readiness, the Special Agents awaited the arrival of the occupants. At last came a ring at the bell.

"Come in!" they commanded. The door opened to admit two Negro women who rolled their eyes at the sight of the machine guns and hastily started away.

"Come back here!" they were ordered. They obeyed with rolling eyes.

"All we's doin' is comin' to git some stuff what Mr. Stephens sent us for," one of them argued. The excuse was not accepted. One of the Special Agents had worked on the Frank Nash--Keating and Holden case. These women were Leonia Goodman and Lucy Jackson who had been maids for Charlie Harmon and others in the old Nash-Keating-Holden crowd. There in the apartment they were questioned; at last they confessed that they had been sent here for some clothing by Eddie Green, and that they were to take a suitcase to their home on Rondo Street, where it would be called for. The suitcase was packed. Special Agents surrounded the house of the Negro women; that evening a car drove up. Eddie Green went to the door and asked for the case. Immediately Special Agents challenged

him. Eddie whirled with the knowledge that he was trapped. He dropped the suitcase and his right hand slipped toward his automatic. Instantly there was a burst of fire; the man fell, fatally wounded.

However, life lingered, and in the hospital, Eddie Green, who had served so faithfully in the cause of criminality, unwittingly reversed his code.

The bullet had crashed through his skull, causing strange perversions of mentality. He believed that he had been injured in an automobile accident and remembered nothing of the gunfire which had cut him down. His fevered eyes transformed the nurse into his wife. He thought that the Special Agents, who relieved each other at his bedside, were his doctors. His stricken brain told him that he could talk freely.

It was not a correlated recital. There were long lapses into coma, other passages of time in which the man merely babbled. Then suddenly many days after the shooting, he blurted:

"John -- the man to take care of you is Doc May!"

"Doc May?" The Special Agent asked. "What does he do?"

The wounded man laughed weirdly.

"Performs abortions, what do you think he does? And takes care of hoodlums like Johnny Dillinger and me."

"Oh then, Johnny got hurt in that jam at the apartment?"

"Sure he got hurt. Some Fed shot him in a leg.

Frechette knows all about it -- ask her."

"Where is Frechette?"

The fever-glazed eyes rolled; the gasping, dry lips opened and closed. At last:

"With John. At Doc May's."

"Where does Doc live?"

He couldn't remember. Out went a note from the Special Agents for other officers to check up on the address of a Doctor May, with a reputation of shady medical practice. The long hours passed, day after day. Come would come and go, babbling follow -- then a burst of information which named the gang, or gave the address where Bess, his wife could be found, or told of the bank robberies which Dillinger had perpetrated. Slowly the periods of speech grew shorter; at last there was only coma. Then Eddie Green died. He had served many masters from Frank Nash to John Dillinger, and dying, had served the law for the first time.

Dillinger was gone by the time they found Doctor Clayton E. May and sent him to prison for two years. He had hidden Dillinger for several days. Soon they caught Evelyn Frechette in Chicago, and sent her to prison for two years, aided in their case by the information given by Eddie Green.

Then came the raid at the Little Bohemia resort fifty miles north of Rhinelander, Wisconsin, where barking dogs heralded the approach of Special Agents and allowed Dillinger to escape. It was during this raid that Baby Face Nelson, true to his custom, did some cowardly shooting and killed W. Carter Baum of the Division of Investigation. The

Information given by Eddie Green allowed Special Agents, once they had checked his information and found that a number of persons named by him had been with Dillinger, to bring about the arrest of Mrs. Grompton, Helen Gillis, Patricia Young, the woman of John Hamilton, Marie Conforti, Opal Long, who was Russell Clark's wife, Essie Skinner and finally Pat Reilly.

Ghastly featured, shaking, Pat Reilly at last learned the penalty of greatness. He confessed everything. Again Special Agents had gained new leads. Indirectly, the information centered the search around Chicago where, through the invaluable aid of Captain Timothy O'Neill and Sergeant Martin Zerkovitch, members of the East Chicago, Indiana police force, Dillinger was tracked down and killed. A month later Homer Van Meter fell before police guns in St. Paul. There is an *unconfirmed underworld rumor* ~~great reason to believe~~ that John Hamilton also is dead, and that he was buried by the gang near the mouth of a coal mine in ^{Wisconsin} Illinois. Tommy Carroll had been killed in June by police officers in Waterloo, Iowa. All the gang were now dead except its worst killer. Baby Face Nelson still lived. Meanwhile Pat Reilly, the petty booze handler who got to know the big shots, serves out a sentence of a year and nine months in a Federal penitentiary. In all his rise to the big time, he never had thought of that.

CT:ACS

January 22, 1935.

MEMORANDUM FOR THE FILES.

A copy of Chapter Fourteen, changed to include suggested corrections submitted by Mr. Tamm in his memorandum of January 21st and Mr. Lester in the attached informal memorandum, is attached for the files. Another copy containing similar changes was delivered to Mr. Courtney Ryley Cooper on this date.

Clyde Tolson.

Enclosure.

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CHAPTER FOURTEEN.

There is no doubt that Frank Nash, living, had been an important figure in the criminal world. Neither is there any doubt, as shall be displayed in this recital, that dying, he left behind connections which played an extensive part in the gang-life which was to succeed him. Paradoxically, however, this criminal's most important contribution was to the cause of law enforcement.

Largely because of the manner of his death, and the killing of those who went down with him, the Division of Investigation is now the best equipped crime-fighting organization in the world. ~~Its Special Agents are experts with weapons of all descriptions.~~ It possesses the armament with which to attack any gang, no matter how strongly entrenched, how desperate, how well-armed. It has new laws to support it, some of which were conceived as the result of the Kansas City Massacre.

In addition, beginning with this case, the Division of Investigation found the public support with which to ^{carry on} begin a campaign for which it long had hoped. This, to use the words of J. Edgar Hoover, is an onslaught against the roots of crime. What was unsuccessful in the attempt to really clean up all the angles of the Cherryvale Bank robbery described in an early chapter, now is becoming a ^{every-day affair} routine.

Today, the person who aids, abets or fosters crime must ex-

pect to be punished.

The Kansas City case also ~~was~~^{came} the beginning of the public revolt against lawlessness which found expression in the National Crime Conference held in Washington last December under the direction of Attorney General Cummings, and now being augmented by other conferences in many states. It even led to reforms in the underworld. Perhaps one of the strangest meetings ever held was that which was called in Chicago shortly after the Kansas City slayings, and attended by the more influential of confidence men from every part of America.

The self-appointed task of the confidence man always has been to stay clear of violent criminality. This is a proud profession, possessing, in its own opinion, a certain degree of aristocracy. The confidence man, in spite of what police and public think, insists that he is not a criminal but a chump educator, who pursues his bland course through life wedded to the mission of teaching suckers that they can't get something for nothing. Therefore the news that a member of their guild had become involved in a gunster killing was a terrific blow. More than a dozen of the higher minds among the confidence profession met in a large Chicago hotel, to "formulate a code". There were several speeches.

"This proposition of running around with mugs and gunsters has got to stop," the principal reformer insisted. "Look at our hideouts. What's happening to them? I used to have a ^{fine} little place down near Eureka Springs. Good fishing, quiet country, nice neighbors and all that. One after-

noon, I'm sitting on my front porch, enjoying a smoke after a little deal up in Indianapolis. Nobody in that country thought I was anything but a business man who came down for a rest and ~~to~~^{what} fishing.

"All of a sudden a car pulled up and two fellows and two women got out. One of the men had a hole in his head big enough to throw a calf through. They lugged out a ton or so of machine guns and rifles and automatics that they'd gotten by kicking in some arsenal and came traipsing into the house. Said I had to hide them until the heat cooled and until this buzzard got over that bullet-hole. I didn't invite them there. I didn't want 'em. They said Herb Farmer had sent them."

Another took up the discussion.

"There's the point!" Just because Deafy Farmer's gotten mixed up with a lot of the wrong kind of people is no reason we've got to lose our self-respect. We invented the quiet country hideout; it's a part of our equipment. We're not crooks. We live by the larceny in other fellows' hearts. Nobody puts a gun on any sucker and makes him get into a card game with us, or cut in on a little deal to beat the races. The chump does it himself because he thinks he's going to get something for nothing.

"And there's that Earl Christman, a good confidence man as long as he stuck to his racket. But no, he's got to get tough. Wanted to rob banks. Well, what's happened to him? He got killed. And Dick Gglatas -- he's been getting

heavy for a year or so. Running around with those big mugs and thinking he amounted to something. Why they tell me he's even been carrying a gun. Can you tie that -- a confidence man lugging artillery? What for? To tap wires with? Or deal seconds off a deck of cards? I'll telling you we've got to clean house! Got to throw out these people that are ruining our profession!"

Thus, it may be seen, there are stratas of society, even in crime. Since that date, incidentally, there has been far less fraternization between the men who live by gunfire and those who exist by their wits. Confidence men have a distinct aversion to getting into trouble.

All this was due to the death of Frank Nash. Another angle was a further insight into the statement, made much earlier in this volume, that our citizens are being murdered by the very guns made for their protection -- armament originally manufactured for use by the United States Army. It is a rather long story, partly because it reveals exactly how crime interlocks, and the means by which widely separated invasions of law come together in the commission of a major offense. There apparently was no connection with high-powered crime when seventy-five Colts Army automatic pistols disappeared one night from the National Guard Armory in Kansas City, Kansas, several years ago. However, the tie-up was a direct one.

Theft or illegal possession of government property lies within the jurisdiction of the Division of Investigation;

Special Agents took the case. There were no fingerprints or other clues; all they had to aid them were the numbers of the guns in the records.

A year passed without results. One night some young Italians were arrested for investigation in Kansas City, Missouri. Two guns were found in the car, which they insisted did not belong to them, inasmuch as they had borrowed the car. Then the silence of Little Italy closed about them, and little more was to be learned. The Special Agents found the owner of the car, who successfully denied the possession of the stolen property. Nevertheless the Agents had progressed; this man was a relative of Sam Scole, ^{and} ~~was~~ in the underworld as one of Johnny Lazia's "enforcers" in the liquor and gambling rackets of Kansas City, and a man from whom a killer could get a gun if he needed it. Again the slow piling up of information began, a terrific task when one knows the silence which surrounds gangsters. Three months passed. Then one night, the county sheriff, Tom Bash, with his wife, a young girl and a deputy, were returning through town from a picnic when they heard shots. The sheriff stopped his car and leaped out, his riot gun ready for action. Two men were half trotting down a residence street, followed by an automobile which, coming from a scene of murder, was about to pick them up. Three of the gangsters started firing at Bash while his deputy drove off a fourth, the assailant escaping between two houses. Then the sheriff fired twice at the approaching automobile and saw two men fall, the car sloughing

to a crazy stop. Bash pointed his riot gun at the remaining assailant who dropped his automatic, the last bullet gone from its clip. The gangster raised his hands, pleading:

"Don't shoot -- don't shoot! I'm a friend of Johnny Lazia!"

That did not influence the sheriff. With the aid of his deputy he handcuffed the man, picked up the gun and made mental notes by which he could identify it. This gun was named by a local ballisticsian as the murder weapon.

Now the Federal men entered the case. Three of the guns which had been used in this murder were U.S. Army automatics, stolen from the Kansas City, Kas., armory; one had been found on the person of Charles Gargotta, the captured man, another at his feet and the third picked up between two houses by ~~Edward E. Chalmers~~, a Kansas City detective. However, there was seemingly little to do about it. Dead at the wheel of the gangster car was Sam Scola, whom the underworld had named as the dispenser of the stolen guns. Gargotta faced a state charge of murdering one Ferris Anthon, a gangster rival, a far more serious offense than illegally possessing government property.

Further, during the time in which Gargotta awaited trial, Special Agents gained evidence pointing to a man known only as "Dogi" as the person who had stolen the guns from the armory. Again a trail started: what was Dogi's description, where did he hang out, who were his friends, his relatives; what were his habits? The chase led to Missouri State Peni-

tentiary where John Mike Kobe, alias Dogi, was serving a sentence for a robbery subsequent to that at the Armory. A detainer was placed against him -- meaning his rearrest on the gun stealing charge when his present term was done. Thus, a man had been charged with the robbery, and the fence established as dead. Here most criminal chasers would call their job finished.

The Division of Investigation, however, does not readily close cases. It remains poised, waiting, its innumerable tips and leads and evidence ready for any emergency. That time arrived in the stolen gun case. Gargotta went on trial in the state courts for murder. There was evidence of tremendous pressure mysteriously exerted to bring freedom. A woman testified that Gargotta was not at the scene of the murder, but in her room. Then the detective, Leonard L. Claiborne, went on the stand, presumably as a state witness, only to give startling evidence for the defense. There had been a mistake in the handling of the murder gun, he said. The real death weapon was the one he had found between the houses, and here was the tag which he had made out for it, but had failed to place on the weapon.

So Gargotta went free of the murder charge only to find Special Agents awaiting him. He must answer to the government for the possession of those stolen Army guns. Claiborne, the detective, was asked to appear before the Federal grand jury to repeat his story of finding and tagging the pistol he found between the houses. The jury listened -- and

indicted him for perjury.

This time, when Gargotta came to trial, no woman appeared to testify to an alibi. A possible reason was that Special Agents had checked up every phase of that woman's life, occupations and environment; Gargotta was sentenced to three years in prison and a \$5,000 fine. Then Claiborne faced the court and received four years for perjury. Both, of course, appealed.

These Special Agents, digging always at every tiny shred of information, disbelieving everything until they had seen it proven, had doubted the honesty of that police tag. They had traced it from the day it was ordered to the day it was made, back in Massachusetts. They had the order blanks, the work sheets, shipping receipts and the men who could testify that it had not reached the Kansas City police department until two and a half months after the murder!

finally to buy another
More time went by. The relentless hunt for Pretty Boy Floyd and Adam Richetti ended with Floyd's death and Richetti's capture in Ohio. A gun was taken from the Italian. It was found to be a U.S. Army Colt Number 483,296, one of the seventy-five, stolen from the Kansas City, Kas. armory.

aftermath
In the list of queer ~~claims~~ to the killing of Frank Nash was perhaps the most novel alibi in the history of criminality. Eighty-one persons, sooner or later, were suspicioned in the Kansas City killings. The first suspects, naturally, were the "six cows" who had escaped from Lansing Penitentiary. However --

A bank at Black Rock, Arkansas, was robbed on the morning previous to the affair in Kansas City. Arrests were made in Oklahoma. Almost immediately a letter was sent to the Oklahoma Bureau of Identification protesting the innocence of the incarcerated man. It read:

"If it is your desire to see justice done, you will deny extradition papers to the accused parties of the Black Rock, Ark., bank. Enclosed herewith to the Bureau of Identification is a confession by the several parties in the above robbery."

Then followed a detailed statement, requiring an entire foolscap page of single spaced typing, which delineated every move in the Black Rock robbery. It told details that only the robbers themselves could know; exactly how the holdup was planned, the persons intimidated in the bank, the course taken before the robbery and the one which followed. It named the ~~amount of money~~^{sum} stolen, the currency, the American Express money orders and what was more important, the uneven amount of silver, accounted for accurately. It told of the breakdown of the getaway car, the necessity for the bandits to hire a man to tow them across a river, the renting of a truck for a getaway and other details. The confession was signed by five of the six Lansing cows: Robert G. Brady, Ed Davis, Jim Clark, Wilbur Underhill and Harvey Bailey. Following the signature, each man affixed his fingerprints as a means of absolute identification.

There were two sidelights to this confession, one wholly naive, the other equally as sophisticated. In a post-script the bandits suggested that if the newspapers desired to photograph the confession, it should be re-typed as the machine upon which it was written was badly out of repair, plus the fact that none of the bandits was a good typist. The other was the highly important fact that, in spite of the willingness to accept responsibility for the bank robbery, neither Harvey Bailey nor Wilbur Underhill were guilty in the Black Rock hold-up. Bailey later explained:

"I had been shot in a leg during my getaway from Lansing. When Wilbur Underhill and I got down to Oklahoma, we went to a house that Hazel ^{Hudson} ~~Farmer~~ had fixed up for us; she'd been telegraphed in advance about the crush-out. My leg was in pretty bad shape, so I didn't stir out of that house for a couple of weeks; Underhill's girl took care of me. However, I knew that Hazel ~~Farmer~~ wouldn't be a good alibi witness and the papers all said that Underhill and I had been in the Kansas City killings. So when we heard what the boys were planning to do about the Black Rock affair, we asked them to let us sign the confession with them. You see, it took until the next morning to really get away from the vicinity of Black Rock and that could be proved. Well, a person couldn't be making a getaway from a bank robbery down in Arkansas and shooting officers up in Kansas City at the same time -- one bank robbery more or less didn't make much difference to Wilbur or me. But we didn't want to be mixed up with that

Kansas City mess."

So much for the interludes. Once the chaff of the case had been sifted, the Division of Investigation, working in co-operation with police throughout the country, began a determined campaign to make every person involved in the Kansas City massacre pay for his part in it.

Herb Farmer and Esther were arrested, charged with conspiracy to release a Federal prisoner. Fritz Mulloy and Doc Stacci were caught on the same charges. The chase for Pretty Boy Floyd and Adam Richetti already has been recited. Frances Nash was traced to her home in Aurora, Minn., and arrested, ^{at Aurora, Minn.} ~~her home in Aurora, Minn.~~ Richard Galatas was pursued from one end of the country to another; finally he was caught in New Orleans, La., as the result of astute work by ~~New Orleans~~ ^{Wisconsin, Illinois} citizens who had recognized him from his picture, published in Liberty Magazine. His wife was apprehended with him. Vivian Mathis and Verne Miller, however, apparently had escaped.

So the tracing began, the shifting of pursuit from city to city as clues developed, the running down of hide-outs, old companions, possible methods of contact with the outside world. At last, the Special Agents, watching every possible avenue of communication, found that a package of salt water taffy had been delivered to Vi Miller's child, now at home with her grandparents. It had come from Atlantic City. The chase veered to the East. Every candy shop in the resort town was ^{visited,} ~~checked.~~ At last one was found which remembered Vi Miller, or Vi Mathis as she now was known. Hotels were

checked. Yes, she had stayed at one of the most exclusive places in Atlantic City, but had departed.

Chasing a hot criminal is largely like chasing a frightened rabbit; there are few stops long enough to enable a law enforcement officer to get close enough for capture. The trailing of Vi Mathis led to New York. It went over to Newark, where the woman evidently met the fugitive Verne for a hasty conference; this time the Special Agents missed both of them only by a few moments. Then the hunt was on again, to resorts in New York state, to Montreal, back to New York and finally to Chicago. There Special Agents traced the woman to the apartment of a friend, Bobby Moore. Bobby was a widow; she and her husband had been fellow members of a national fraternal organization.

Here enters one of the strange vagaries of crime. Bobby was the mother of two children and supported them by working in a night club. She had known Vi Mathis for years and had known Verne Miller, but she never had mingled with their crowd; she had no criminal record. Yet she did not hesitate in a crucial moment to defy both municipal and Federal officers.

The Special Agents were shadowing Vi Mathis. On Halloween Day, 1953, Vi gave a party for her little girl and for other children in the apartment house. Suddenly a man drove up and entered. He was red-haired. He wore a heavy mustache. Darkness had come; there was difficulty in identification. Finally this was accomplished and a quick

endeavor made to set a trap. The man was Verne Miller, home at last.

Due to the necessity of haste, one loophole was left. Verne Miller took it as he rushed from the apartment. Even then he could not have escaped except for Bobby Moore. She ran across the street and got Verne Miller's car, whirling it to the curb with the motor running. Special Agents and police shouted for her to halt as Verne leaped into the car. The answer was a flash of fire from Miller's automatic, as the car sped down the street. Bobby Moore pressed the accelerator harder; now she was risking her life to aid the escape of a wanted murderer.

Behind the fleeing car, police and Special Agents, hampered in their aim by passing traffic, by the darkness and the erratic course of the automobile, strove to halt it by gunfire. Bullets passed within inches of the crouched man and the desperate woman who bent over the steering wheel. At last, the car slipped out of range, and finally was deserted. Verne Miller had escaped, because a woman who apparently had been law abiding suddenly had chosen to become a volunteer in crime.

This shift from honesty to crookedness all for no apparent purpose occurs with sickening frequency. In the files of ~~the Department of Justice, as well as those of every~~ other law enforcement body in the country, are countless cases where allegedly good citizens have committed perjury that they might furnish an alibi for someone whose very need

for that alibi should have been sufficient evidence of guilt. Forgery to defeat justice also is frequent and manufactured testimony, otherwise honest persons have hung juries simply because crooks requested it. Yet these very people are often the ones who demand that law enforcement agencies display more efficiency!

Bobby Moore paid for her rescue. She was sentenced to a year and a day. Vi Mathis received the same punishment. The abandoned car was found and traced. It had been bought for Miller in New Jersey by an associate of booze interests named Al Silvers. Gangdom intervened in the cause of justice before prosecution could be instituted. The body of Silvers was found one morning beside a road in Connecticut. The man had been stabbed to death with a broad-nosed knife and about his neck was a noose. Covering this was the sole piece of wearing apparel on the man's body, a newly purchased, perfectly tied four in hand.

Perhaps Al Silvers died because he had violated the rules which seemed to have gone forth from big time crooks that Verne Miller was not to be given aid. Never was a man so hot as this one-time leader. Ted Newberry and Gus Winkler, high in Chicago racketeer circles, once had been extremely friendly to ~~Verne Miller~~^{him}. Only the Christmas before, they jointly had given the Millers a yuletide gift, a vase, mostly of platinum. Now, Verne could not even borrow a hundred dollars. Yet, in flight, the machine gunner still retained his scruples. Shortly after the massacre, he stopped at the

apartment of Volney Davis, an old friend, in Chicago. Volney suggested that Verne go to the Barker-Karpis gang for aid. After all, Freddie Barker owed ^{a part} ~~much~~ of his early tutelage to Frank Nash and the Miller crowd, gaining thereby much of the resourcefulness by which his gang now was becoming known as one of the most dangerous in America.

Verne Miller was tired. He had driven many hundred miles that day -- his life was one of constant movement, that the unrelenting pursuit of Federal officers be hampered as much as possible. He was dusty and grimy; he was gaunt from worry. But he glared at the mention of Freddy Barker's name.

"That lousy rat?" he asked. "Why, he's gone in for kidnapping!"

Perhaps the word got back to the Barker-Karpis gang. All unknown to Verne Miller, his host, also was interested in kidnapping; within a year he was to be sought with the rest of the Barker-Karpis crowd as a snatcher.

Hide and run, run and hide -- this was the life of the man who had brought about the greatest heat ever known in the underworld. Old friends blamed him for the fact that the Division of Investigation had answered the challenge of the underworld by a warfare that would not end. He even reached the place where he travelled, disguised, from place to place as a spectacle salesman. At last he went to Detroit.

The underworld says that he had written to an old friend there, stating a need of money, and that he was given a job which had its sardonic angles. There is a grim type of

humor about gangdom; the kind which gets a laugh out of murder. According to gangsters, Verne was hired to machine-gun three men, and then paid in his own coin. Known facts are these:

On November 26th, 1933, the bodies of Abe Axler and Eddie Fletcher, high on the list of Detroit's public enemies, were found near Pontiac, Michigan. They had been slain by a machine gunner who knew how to make every bullet count; the lifeless forms were literally perforated. On November 28th, the body of Walter Tylezak, known as a gunman and murderer, was discovered near Detroit. He too had been slain by a machine gunner who possessed the same surety of technique.

- At seven o'clock on the night of November 29th, 1933, a business man was driving home from work when his headlights shone upon a strange bundle in a vacant lot. It lay near a culvert, almost hidden by marsh grass, a queerly bunched affair, covered by some cheap blankets and an equally cheap automobile robe. He reported the find to the police. Arriving, they raised the blanket.

There, his legs drawn tight against his torso by repeated wrapping of new clothesline, was the body of a murdered man. He was nude. Marks on his throat gave evidence that he had been garrotted. His skull had been crushed by repeated blows from a claw-hammer. He was a man in his thirties, with a heavy red mustache and red hair which seemed to have been dyed. At the morgue, the police took his fingerprints, and thereby established his identity. This man was Verne Miller.

In that murder lies an evidence of the precision with which the underworld functions. Verne Miller evidently was killed while asleep. His nerves shot as the result of the relentless pursuit by Federal Agents and police, ^{he} had gone in for periods of heavy drinking. Perhaps he wanted to forget that carmine-splashed morning at the Union Station Plaza. Perhaps too, he desired to free his mind of the incessant knowledge that Special Agents were constantly moving closer, like a group of well organized hunters beating quarry out of thick grass. There were times when he would get sodden drunk and sleep for hours, stupified.

It was during such a time that he was killed. He stripped for bed, perhaps surrounded by laughing gangsters who answered his drunken mumblings by the announcement that he'd be fine in the morning. Then they hammered him to death.

One wonders where such a thing could happen, and no news of it reach law enforcement officers. The wounds were such that they must have spurted blood for a distance of many feet. What became of the sheets, the pillow-cases, the mattress from this red-soaked bed? Who carried them out of the room? Who carted them away? Who burned them that some wandering hobo might not thrill at the discovery of a soft pallet only to shudder at the stains of murder?

Who scrubbed the floors in this hotel room? Verne Miller did not stay at sleazy flop-joints; he had spent hundreds of thousands of dollars during his lifetime; he wanted luxuries even as a hunted man. What paper hanger or painter

was called in to erase the dried splotches of reddish black on the walls? Who heard this man's guttural cries as the garotte tightened about his throat? Who noticed the forms of well-clothed men carrying a heavy burden to an automobile? Who sold the automobile robe and the cheap blankets which covered the stiffened forms? All that was done by the underworld which is allowed to exist by the smug citizen who, in his slippers and robe, reads the newspapers and remarks casually that somebody certainly ought to do something about crime.

So Verne was dead. Bobby Moore and Vi Mathis were in a Federal reformatory. More than a year passed before the trial of the other accused persons. Vi Mathis finished her term and pleaded guilty to a charge of conspiracy. Frances Nash turned state's evidence; the accusations against her were dismissed. Richetti was held for a separate trial. All the others, Herb Farmer, Esther, his wife, Richard Galatas and Mrs. Galatas, Doc Stacci and Fritz Mulloy were found guilty; the women involved were placed on probation. Thus every person accused by the Division of Investigation of active part in the Kansas City massacre met with some form of retribution. The rest of the eighty-one suspected persons were proven innocent by the same methods by which the convicted ones were proven guilty.

In the meantime, the precepts of Frank Nash and the associations he had fostered, carried on. The Barker-Karpis crowd proceeded upon its deadly course with its usual shrewdness. Up in St. Paul, Pat Reilly continued to thrill at the sight of desperate gunmen, becoming exceedingly friendly

with a man known as Wayne Huttner, but whose true name was Homer Van Meter, a member of a gang headed by a remorseless, double-crossing little rat named Lester Gillis, alias Baby Face Nelson. Eddie Green and his wife Bess also knew this crowd, being especially friendly with one of its members named Tommy Carroll. It was George (Machine Gun) Kelly however, whom at this point, decided to carry the torch for the old crowd.

Some time before, he and a man named Albert Bates, a tall, thirty-nine year old bandit with a silver plate in one shoulder resultant from an old wound, had come together through the robbery of a bank at Colfax, Oregon. Later Bates had gone to Fort Worth to live. This was Katherine Kelly's town. She was so much of a town girl that she felt free in discussing various plans with a police official there. Among other things she told him that she was highly fascinated by the kidnaping racket. The result was that within comparatively few hours after Katherine's true entrance into the filthy business, information flashed from this police official to the Division of Investigation that Katherine and George Kelly may have had a part in it. The police official was correct.

Bates ~~is~~ was a burglar by profession. He had been paroled from a long sentence in Nevada State Penitentiary, he had done six months for larceny in Utah, and been the recipient of a three-to-five year sentence in Colorado. Bates

and Kelly decided to do a job of snatching, and later took Wash's old friend, Harvey Bailey in on the profits. After a visit of only a week to Oklahoma City, they walked into the home of Charles F. Urschel, an oil millionaire and took him away to a Texas farm, the home of Katherine's parents, to hold him for ransom.

There are some angles of the kidnapping business which strike an investigator as decidedly peculiar. No matter in what part of the country they may operate, no matter whether they be members of a mob, ordinary criminals, or supposed amateurs, they all use almost identical methods. The victim is first "fingered" -- watched, catalogued and put on the spot in much the same manner that gangsters were selected for death in the gory old days when boozesters battled for territory. Their methods of demanding ransom are usually similar -- either through a letter dropped at the house of a friend, or jerky telephone commands in which the message is delivered so quickly that there is no chance to trace the call. The means by which the victim is stolen are often identical. Nearly all kidnapers bind the eyes of victims with adhesive tape. They insist on money of small denomination without a recording of serial numbers. And nearly all work in collusion with some wretched human who, posing as a friend of the victim, gains the information necessary to the fingering process.

A labor contractor in a mid-western city received a telephone call one day from what seemed to be a highly respectable source. Would ~~be~~ be kind enough to meet a certain

gentleman of the underworld on an out of town road? The contractor had met underworld characters before. He went to the designated spot accompanied by his body guard and machine gunners.

A big car swept down the road and stopped. A gang-leader stopped forth -- also surrounded by his rod-men. There was a frigidly pleasant greeting -- the tight-lipped kind. Then the gangster said:

"I just thought I'd see you and present my bill."

"Bill, eh?" asked the labor man. "Bill for what?"

"Services rendered. The bill's for fifty grand."

There was a moment's silence. Then the contractor smiled coldly.

"You mean I slip you fifty thousand dollars or I got kidnapped? Is that the lay?"

"That's the lay."

"Listen, Tough Guy," answered the contractor. "I've got as many gunmen as you've got. So whenever you feel like snatchin' me -- start snatchin'."

To date the contractor has not been snatched. That isn't the point of the incident. The nubbin lies in the question of whether this highly respectable go-between knew what he was doing when he arranged that meeting. Especially since the gangster had been under suspicion for at least five kidnappings.

The "finger" is more responsible for kidnapping than the kidnappers themselves. The average criminal knows

little of the habits of rich persons. He does not know how they live, often he does not even know where they live. He has little means of discovering how much money they possess, and their ability to procure cash. Many persons who are alleged to possess wealth are so hampered by real estate possessions, or defaulted bonds that they are, in reality, poor. But, if you have studied kidnapping cases, you will notice that the ones abducted usually have been able to dig up the cash. Their financial status has been inquired into deeply; the kidnapers have an uncanny knowledge of just how much money to demand. In most cases they get ~~the money~~ ^{what they need}. However, there is one outstanding instance of failure. Likewise it is one of the few cases in which the "finger" has been identified.

The "Better Brains" in this case was a woman, Mrs. Charles Chesson, of Alton, Illinois. She and her husband maintained a certain standing of respectability. Leading a double existence, they moved on one hand, in good circles of citizenship, where Charles Chesson was known as an insurance salesman. On the other, however, Mrs. Chesson was the brains of a gang of bootleggers, bankrobbers and all-around crooks. At last she turned to kidnapping, and after having conferred with various gangsters concerning the desirability of abducting a certain young man of Alton, gave it up as impracticable. Suddenly she said:

"Why haven't I thought of Old Man Luer?"

The victim was August Luer, seventy-seven years old, a retired meat packer and president of the Alton Banking and

Trust Company. Shortly afterward, two men and a woman, not Mrs. Chessen, entered the Luer home on the pretext of using the telephone, and abducted him. But Mr. Luer was very old and ill; while the family gathered the \$100,000 ransom necessary to free him, the kidnapers, afraid that he might die in their custody, voluntarily released him. Swift work by Division of Investigation agents and the St. Louis police department resulted in the identification by Mrs. Luer of a suspect's picture. He was arrested and confessed. A series of raids resulted in other arrests, and more confessions. Then it was learned that these people of the underworld, gangsters, yeggmen, bootleggers, bank robbers and thugs were only so many workmen. The brains of the job had been Mrs. Charles Chessen. She was sent to the penitentiary for life. Two men received the same sentence, and three others shorter ones. Two men and another woman, Vivian Chase, are fugitives.

So with all the foregoing facts in view, there was more than mere theory in a recent statement by a high-ranking government official. A group of men from a mid-western section of the United States had sought his advice. They had received assurances of a subscription of \$100,000 with which to start a sort of vigilante committee to combat kidnapers, and desired to know how to conduct their campaign.

"Go back and clean up the dirty politics, and gang-land-lawyer connections in your home town," was the advice. They seemed a bit dubious about being able to do that.

Incidentally, this helps to answer the oft-asked question of how to stop kidnapping. The rest of the solution comes in the case of Charles F. Urschel. Only the kidnapped person and the person fearing kidnapping can give the final wallop which will put snatchers in prison. If even ten per cent of the persons who are stolen each year had the acumen, the fearlessness and powers of observation of Charles F. Urschel, the racket would die quickly.

For the first time in history, the United States Government is in a position to fight kidnapping. This was gained by the passage ^{and amendments} of the so-called Lindbergh Law in 1932, giving Federal jurisdiction in cases where state lines have been crossed, mail, radio or telephone used, or the victim held in excess of six days. It also allows the Government to take an active interest in every abduction, on the theory that it may later involve violation of the Federal Statute. The result is that of ^{thirty-four} ~~twenty-nine~~ kidnappings since March 22nd, 1932 and investigated by the Division, none are unsolved. ^{Seventy-seven} ~~Seventy-one~~ persons have been convicted at this writing. Two received a death sentence, sixteen went to prison for life, and the others were sentenced to an aggregate of more than ^{twelve hundred years} ~~thousand years~~. Many accused persons are in custody, awaiting trial. The biggest haul of all came in the Urschel case.

Here was a man who started to help catch his abductors the minute he was abducted. He and his wife had been playing bridge at his home in Oklahoma City, Okla., with friends, Mr. and Mrs. Walter R. Jarrett, when two men, one with a pistol

and the other with a machine gun, walked into the house. They took both Urschel and Jarrett, robbing and releasing Jarrett about twelve miles outside the city. They then produced cotton, a short bandage and adhesive tape, blindfolding Urschel.

Nine days later, Urschel came home after the payment of \$200,000 ransom. With him he brought an amazing mass of detail; blindfolded, he had "seen" more than the average person could have observed with open eyes.

He remembered every waking moment of those nine days. Coolly, deliberately, he had catalogued every sound, every action, every movement. He remembered that the last thing he saw before the blindfolding job was completed, ^{were} the lights of Herrah, Oklahoma, twenty miles east of Oklahoma City. An hour went by. Then the car passed through either a small oil field or the end of a large one. Thirty minutes later another small field whirled by; he could smell the gas and hear the pumps working.

He remembered approximately the time of the first stop: 3.30 o'clock in the morning, when he was taken out of the car and made to wait in some brush until the car went ~~into~~ somewhere for gas. Again, in about an hour, another stop was made to open a gate, and approximately three minutes later, the car stopped again for a gate. One minute afterward the car drove either into a private garage or a barn. Sitting blindfolded in the car, the kidnapped man catalogued the actions of his captors as they changed the license plates from

the small car to a larger one, in which he was to be carried farther.

He remembered the intonations of voices that he might later identify them. He kept track of time between stops. He noticed that the car not once seemed to be on paved roads. He listened attentively from the sort of slung bunk in which he was now confined in the larger car, when they again stopped for gas. The station attendant was a woman. He heard one of the men ask about crops and caught her answer:

"The crops are burned up, although we may make some broom corn."

Every one of these details was a cog in the later conviction of many criminals. Between 9 and 10 o'clock in the morning, a light rain fell and the road became slippery. He remembered then, being taken into a garage or barn, about 2.30 o'clock in the afternoon, and held there until after dark. Whenever possible, without arousing suspicion, he would ask the time, to check on his own estimates.

With darkness, he was taken from the car, and was led outside. Every sense was alert. He even made deductions which caused him to believe he was taken out of the front door of the barn. He noted that he turned to the left. Then a narrow gate was pushed open. A few feet after that, he stepped on to what he believed to be a board walk. Carefully he counted his steps -- five -- ten -- fifteen. Then he stepped upward and through a door into a house.

He fumbled about, as any blinded man would do -- and

by so doing concluded that he was led through one room and into another. Here he was told, there were two beds. The one he selected was a single iron bed or cot; a kidnapper occupied the other.

He heard the voices of a man and woman in the next room. Then, his ears were filled with cotton and adhesive tape placed over them to deafen him -- but he did not give up his efforts. He could still hear in a faint, blurred fashion. And he remembered everything.

What kind of a table did he eat from there? A small table with no cover. Could he hear any noises whatever? Yes, faintly, the barking of dogs, the cackling of chickens, the mooing of cows and the screaming of guinea hens. There were no trains, street cars, or other city noises.

The next day he was put in a small coupe -- the difficulty of entering the car, the discomfort of the seat and the sound of the motor were used for identification -- and taken for a drive of between fifteen and twenty minutes to another house.

He counted his steps when he got out of the car -- they were only a few. The door had only one step leading to it. The room had no cover or carpeting on the floor. Again, in counted steps, he was led to a second room, where he was told to lie on some blankets. Here he also heard the voices of a man and a woman in an adjoining room; the voice of the man was not that of either of the two men who had kidnapped him. Shortly thereafter this man and woman left the place.

He remembered that in addition to his kidnappers, he was guarded by an elderly man and a younger one. As the days passed, Urschel, at every opportunity, started conversation. At last one of his kidnappers became loquacious. He boasted that he had been stealing for twenty-five years, and that his gang did not go in for anything cheap. They got on the subject of bank robbery -- the kidnapper, boasting again, discussed a number and talked frankly about his hold-up exploits.

Urschel was chained to a chair. He felt the chain carefully for identifying features. He remembered everything he had to eat. He again identified the sounds of cows, chickens and hogs. He noted that he was given water in an old tin cup without a handle, that the water had a mineral taste, that the well was northeast of the house, and that water was obtained from it by a rope and bucket on a pulley which made considerable noise. He remembered also that each morning and evening a plane passed over the house. By a subterfuge he got a look at his watch, timing the morning plane at 9.45 and the evening plane at 5.45. Principally, however, he observed that on Sunday, July 30th, when it rained very hard, the plane did not pass.

From these observations, the Special Agents of the Division of Investigation could deduce about how far he was taken into drouth territory. They consulted the Weather Bureau records and found that a heavy rain had fallen Sunday July 30th in the vicinity of Paradise, Texas. They also found that this country had been drouth-ridden, and that the crops had been burned out there.

among them three

They had consulted ~~the~~ airplane schedules of the Fort Worth-Amarillo line of the American Airways. They had found that the ships passed over Paradise at approximately the time noted by Urschel. They found further that the ship had detoured on Sunday, July 30th, due to the storm.

Now the case began to piece together. Investigation showed that Katherine Kelly was the daughter of Mrs. R.G. Shannon who lived near Paradise. A Special Agent was sent there. Under a pretext he got into the Shannon home -- it matched the description given by the blindfolded Urschel. He went on then to the nearby ranch of Armon Shannon, a son. There he saw the tin cup, the bucket-pulley well, the cows, chickens, and hogs described by the kidnapped man. Further he learned that George and Katherine Kelly had been in the vicinity recently -- and remembered Urschel's observation that he had heard a man and woman who shortly afterward had departed.

So the raids began. One arrest led to another -- in Minnesota, where ransom money had been passed; in Colorado, Tennessee, Texas and Illinois where, working with the aid of local authorities, criminals were rounded up.

As the case stands at this writing, January 10th, 1935, sixteen persons have been convicted, ^{three others have pleaded} ~~a seventeenth has~~ ^{guilty} ~~pleaded guilty~~, and four others are indicted and ^{are} awaiting trial which will establish guilt or innocence, probably before this volume reaches publication. Harvey Bailey, Bates, Kelly, Mrs. Kelly, and Mr. and Mrs. Shannon, the parents, all were given life sentences. These were the principals. True to

its threat that the hangers-on of crime are to relentlessly prosecuted, the Division discovered that Cass Earl Coleman and Will Casey had harbored the Kellys at the Coleman farm where \$75,250 of the ransom money was found. They learned also that Mrs. Bates had carried her husband's portion of the loot to the Pacific Coast and buried it. They dug up \$46,000 at various points in Washington and Oregon. J.C. Tichenor and Langford Ramsey, an attorney, ^{aided and} sheltered the Kellys in Memphis. Louise ^{Seaton} Hegness aided them in Fort Worth. Harvey Bailey escaped for a time from the "escape proof" jail at Dallas, Tex. Two men who aided him were prosecuted. Ransom money turned up in Minneapolis, where it had been handled by underworld characters, Edward Barney Berman and Clifford Skelly. All these persons, plus Armon Shannon, the brother of Mrs. Kelly, received sentences ranging from one to ten years, except Mrs. Bates who has not been sentenced at this writing. The ~~four~~ ^{include} persons awaiting trial are two men accused of having aided Mrs. Bates in hiding ransom money, and two attorneys who are charged with having knowingly accepted it.

The wide range of this case is an excellent example of how the Division of Investigation, with its field offices located at strategic points throughout the United States, can pursue a gang of criminals in as many as thirty points at the same time, especially when given the splendid co-operation of local police units, such as was evidenced in the Unschel case.

Had this kidnapping been wholly a state matter in which the Oklahoma City police solely were given the job of

tracking down the kidnapers, it is doubtful if there could have been as complete a solution of the crime. Hastily, it must be added that this is no reflection on the Oklahoma City force, nor on any other police unit which, had it been given the job, would have met the same handicaps. No police force other than the ones of the largest cities, have several hundred highly trained crook chasers who can simultaneously be thrown upon a job in various parts of the country.

The detectives of each city have their own problems. They cannot be expected to know all the details of some kidnapping, hundreds of miles away. Given, however, a well-trained man to apprise them of the necessary tasks in connection with this particular crime, they can and do perform excellent service. In the Urschel case, George Kelly alone was chased more than twenty thousand miles, much of it done by telephone as Special Agents told Mr. Hoover over long distance of local developments and he, in turn, passed instructions on to Special Agents in other cities. The scope of pursuit for all the participants, covered a great part of the United States, yet, in its main elements it was cleaned up, even to the trials, within ninety days.

Had the Urschel case been a straight police job, the hard working officers from Oklahoma City, even had they been able to overcome the almost superhuman handicaps of distance and widespread activities, would have faced a barrier of writs, technicalities, extradition hearings, local influence and possibly the power of politics in every state where ar-

rests were made. The Federal officers needed only to show sufficient cause before a United States Commissioner in order to remove their prisoners to Oklahoma City for trial.

Therefore the Urschel kidnapping provides not only an evidence of quick, thorough and widespread justice, but a tremendous argument for removing some of the shackles which bind local law enforcement agencies. The whole police set-up of this country is archaic. Often, in thickly settled areas, where one town merges into another, a crook can cross a street and be safe from a pursuing policeman who becomes powerless once he passes the line which divides one municipality from another.

There is no reason why many of these silly restrictions should not be removed. There also is no good reason why much of the legislation which provides legal aids to crime should not be repealed. Law enforcement today is bound, hamstrung and gagged by a maze of laws, many of which were passed by criminal attorneys, serving ostensibly as servants of the people in legislatures.

Several other factors than good law enforcement work made possible the excellent results in the Urschel case. There was the kidnap victim's coolheadedness, for one thing, and his determination to prosecute, plus a lack of publicity regarding the progress of the case. Perhaps it is well to remember that, immediately a kidnapping occurs, notification should be sent direct to the Division. This is easy; simply telephone National 7117, Washington, D.C., where a Special

Agent is on duty night and day, for just such calls as this. Immediately that call is received, Mr. Hoover is notified. And within ten minutes after that notification, a Special Agent of the Division is on the way to the victim's home. If distance intervenes, the Agent covers it by airplane.

The point is, of course, Federal control of the case. That is the greatest aid of all to the family and friends of a kidnap victim. It means no reflection on local police or their efforts; indeed it often is of tremendous benefit in that those local police have an alibi against publicity.

Government men can refuse to give out details and request the police -- who are only too willing to comply -- that they remain close-mouthed. The police in turn, can refer newspaper men to the government agents, thus freeing themselves of the fear of being blasted in the papers.

One of the greatest difficulties of every Chief of Police solving crimes these days is the insatiable demand for news. Citizens demand it, yelping to the newspapers. The newspapers themselves, being servants of their subscribers, yelp in turn to the police, sometimes even threatening. Owing to the terrific demands of competition, they often are forced to resort to every possible subterfuge to obtain information concerning the actions and plans of officers, persons under suspicion and descriptions of those being hunted. Thus they become a mine of information to criminals, making capture more difficult. If you'll notice, crooks are usually caught after the publicity of a case has died down. And if you'll

reflect that you, in your avidity for news, form one of the reasons why newspapers often become involuntary aids to criminals, you may be more lenient about a dearth of information in the next big case that comes along.

No doubt, since much of the subject matter in this chapter has been that of kidnapping, there may be curiosity regarding the exclusion of the Lindbergh case. The answer is that the Lindbergh case has all been told; if anything was omitted in the news from the trial at Flemington, it was because there was not sufficient space ^{in which} to print it. That is doubtful. No case in history ever received more world-wide publicity.

The Urschel case provided still another highly important lesson. Rather, Harvey Bailey obligingly furnished it in his escape from the "escape proof" jail. The methods involved, the assistance which so quickly was forthcoming, the promises made, the almost unbelievable inside story of how that escape occurred, are all integrals which should be studied by every citizen. Then perhaps, upon the arrest of a dangerous criminal he will not sit back so smugly, cradled in the asinine belief that jails really are of steel bars made and Justice a mythological goddess who knows her business.

CHAPTER SEVENTEEN

There are several outstanding features about the various criminal careers of preceding chapters. One is the steadily recurrent manner in which prohibition played its part in the aggrandizement of crime. Frank Nash lugged liquor. Verne Miller was a bootlegger. Harvey Bailey, Machine Gun Kelly, Herb Farmer, Baby Face Nelson, John Paul Chase all sold it -- endlessly the list goes on. From this they stepped, some slowly, some awfully, into heavier crimes, until the range ran the gamut of law infractions, even to kidnaping and murder.

Another point is that many of these men went to prison for minor offenses and came out ready for the worst of outrages. In some instances, their gangs were formed in prison and plots engendered there. Therefore the prison system as demanded by society, stands indicted of having created crime instead of reducing it.

Mainly that is caused by the lack of segregation. Certainly there is no excuse for a system which sends a man like Frank Nash to mingle with young fellows who have been sent up for the thoughtless theft of a motor car. Nor which allows hardened criminals like Harvey Bailey, William Donald Mayer and other life termers to become professors of applied criminology. Perhaps the time will come when states will

band together to create prisons where only long-termers will be incarcerated, entirely separate from other institutions. Today, the element of expense and the constant cry of the citizen for lowered enforcement costs demands that recidivists and first-timers be thrown together; it can accomplish but one result, the creation of more offenses.

Moreover, this system does something more. It teaches the young offender that the law is highly fallible. He sees men who have been sentenced during their lifetime to terms aggregating more than a hundred years, and are freed in a short time to again break the law. He learns from them that there are powers even higher than the courts and is taught how to use them.

The job of imprisonment should be one of dual purposes: either to really make an attempt to reform, or, in the cases which merit it, produce adequate and unrelenting punishment. Neither of these now is being accomplished. Again Frank Nash and his comrades provide an example. The records show no systematic effort at rehabilitation, and certainly few stern measures of retribution.

In not a single case did these men serve their maximum sentences; the citizen forgets time off for good behavior and all the other benefits by which a prison term is cut. In many instances, there was clemency of some sort, either by parole or from the bench. In the careers of the women, suspended and probationary sentences were the rule, rather than the exception.

Sometime, perhaps, it will penetrate the average citizen's mind that women can be greater criminals than men, that they are the lives of the men, the methods of contact, the electric current by which the males receive the power with which to commit their crimes. There is no greater idiocy than the present attitude of sympathy which allows criminal women to be freed so that they can either warn remaining members of gangs or tie up with other crooks and thus pursue their careers.

In all my study of the records of criminals I have yet to find the honest, upright woman who became the paramour of a confirmed lawbreaker. She knows as much as he, and her plea of innocence, so often successful, is merely a subterfuge. Simply because a woman has a set of sexual organs different from those of a man is no reason she should have a different set of morals. Any person who has had experience with life, who understands the inside of houses of prostitution, who has listened to the maunderings of a drunken bawd at three o'clock in the morning knows that when a woman falls, she steps off head first and does not stop until she reaches the bottom. And why she should be protected simply because she wears skirts or because she bears bastard children, all too often the spawn of murderers, throat cutters, kidnapers, bank-robbers, confidence men and other forms of wretchedness, is beyond my understanding.

Criminality in America is being fostered because the females of the species are looked upon as less dangerous

than the males. It is thriving because non-analytical persons cannot or will not see that it is being nursed at the straggly breasts of its women members. The examples are endless. Evelyn Frechette said a weeping goodbye to Welton Sparks whom she married in the Cook County Jail, Chicago, before he went to Leavenworth Penitentiary for bank robbery, only that she might pick up with John Dillinger and become one of his great aids in eluding the law. Had Verne Miller's woman been able to profit by a lesson, it would have been when her first husband committed a murder eight months after their marriage, and while in prison, demanded that she have an abortion performed to rid herself of their unborn child. Paula Harmon finished her life with one bank robber only to become the woman of a kidnapper.

Tommy Carroll's woman, Mrs. Edward A. Crompton, was given clemency immediately after the affair at Manitowish, Wis. in which Special Agent W. Carter Baum, was killed by Baby Face Nelson. She had put on the old, old innocent act and made it convincing. Less than two weeks later, law enforcement officers killed Tommy Carroll at Waterloo, Iowa, and the woman who screamed and fought and struggled to reach his bloody body was Mrs. Edward A. Crompton. Once out of court, she had made a bee-line for her crook consort.

Mrs. Lester Gillis, the wife of Baby Face Nelson, also was given her freedom on a probationary sentence because she was a woman. She waited only until Baby Face established contact with her and she was away again. This woman was the

mother of two children, perhaps that was why leniency was shown in her case. The records display no effort on her part to go to those children. Instead at the first possible moment, she hurried back into the company of the baby-faced rat whose bravery consisted mainly of shooting before somebody could fire toward him, and she was with him in the final battle when he was killed. She went to prison as the result of that, sullen, defiant, still a gang moll.

Marie Conforti was in the same crowd; she was Homer Van Meter's woman. She too went to her man at the first possible opportunity after she had been released, and she remained with him until the day he was killed. Some of these women had been given their chance before. Frechette was arrested with Dillinger in Tucson and freed there. So was Conforti. The truth is that police, district attorneys and even judges know that the excuse of innocence used so effectively by these women is only a gag. Police free the molls because they feel district attorneys will not file charges against them. District attorneys free them because they know that a jury won't convict. And judges give clemency because public opinion demands it. So, just like everything else, the blame settles right back to where it belongs -- at the feet of you who happens to be reading this volume.

A highly important angle was exemplified both in the cases of Marie Conforti and of Helen Gillis. Both those women had violated their paroles. Having done so, they com-

mitted the same infractions as those for which they were sentenced. In the case of Helen Gillis, the offense was worse. On being apprehended, they were sentenced to a year and a day apiece for their most recent defiance of the law. The weak part of that punishment however, was that these sentences were to run concurrently with the previous terms which they now must serve for having violated parole. VI Hathi was the key woman of the entire Kansas City massacre case. Rather than be forced to go on the stand and perhaps give important testimony in the case, she pleaded guilty. She received a sentence, of course, but was placed on probation.

Thus, with all obeisance to chivalry, it must be repeated that women in crime are highly dangerous animals. They do not desire any other life. They do not merely dip into a criminal career, but pursue it with all the desperate fervor exhibited by the most dangerous of their consorts. The record of Patricia Young, alias Pat Cherrington, described in a previous chapter, is an excellent example of the woman in crime, she went from one criminal to another, and probably will continue to do so. Another woman of the type is Vivian Chase.

To get the true record of this female, it is necessary to go back to the Cherryvale bank robbery case, where the paramour of a holdup man waited with an automobile to manoeuvre it into a possible path of pursuit. She was identified as Vivian Chase. A trial brought acquittal. Her paramour was

later killed. The records show that she almost immediately teamed up with another criminal, and now is wanted by the Sheriff's office at Liberty, Mo., charged with having committed robbery and then having escaped, sawed out of jail by a male confederate. In addition to this, she now is sought as a confederate in the kidnapping of August Luer. When she is captured and tried, there probably will be the same old appeal to sympathy -- after all, gentlemen of the jury, she is a woman!

As for the men concerned, Frank Nash received clemency twice, once for a murder charge and once for bank robbery. ~~Bonnie Phillips was a parolee.~~ Doc Barker was paroled from a life sentence after he had escaped twice from captivity and had been convicted of murder. Alvin Karpis received clemency. Baby Face Nelson had been paroled twice.

John Dillinger was paroled, and within a few days after his freedom, spent hours in throwing automatic pistols, encased in tar to break their fall, over the walls of Indiana State Penitentiary in an effort to aid a prison break. In nearly every kidnapping case investigated by the Division, there was one or more parolees.

All this resolves itself into a condition where a person with criminal tendencies does not really go to a penal institution, but to a college, from which he will be released in far shorter time than his victim believes. Prisons therefore have ceased to cause a condition of fear in the truly criminal brain, but rather one where a person may learn much about different methods of law breaking and be free within

reasonable limits to practise them. Perhaps the record of one state will give an idea of the wide-spread ease of quick freedom.

The parole board of Governor W. H. Murray's administration in Oklahoma, from his inauguration in January 1931, to December 1934, covers 125 single-spaced typewritten pages of foolscap paper. Of what these records consist is best told by a summation in the Tulsa, Okla., "World" of December 8th, 1934.

It shows that nine persons convicted of narcotic violations were released on parole, also fourteen who had been sent to prison for perjury, nine for bigamy, twelve for desertion and ninety for forgery. Five hundred and eight sentenced on liquor charges had their sentences cut and one hundred and twenty-two who had been convicted of rape. Freedom was given three hundred and eighty-four persons who had committed larceny and fifty-two others who had tried to commit murder were turned loose.

Seventeen persons serving terms for arson received clemency. So did eighty-five committed for fraud, thirty-eight for assault and fifty-six for car theft. In the more serious class, three hundred and seventy-five convicts serving terms for burglary were freed, three hundred and seventeen for robbery, and clemency was provided in three hundred and fifty-six cases where the convicts had been convicted of murder.

It is necessary that the majesty of law keep its self respect. This certainly cannot be accomplished under

the system of easy paroles which now exists. Therefore it is about time the average citizen knew what really becomes of criminals who are sent to prison. One reads that Harry Daniel Morris was received at Colorado State Penitentiary, August 10, 1919, to serve from eight to ten years for burglary. Then again, there is the item that four years later, H. H. Hazy went into Iowa State Penitentiary, there to remain for four years. Still further there comes news that in two years more, Harry Morris was arrested in Kansas City on a charge of forgery, and that shortly afterward, Dan Morris was sentenced to Folsom Prison for a maximum of ten years for an attempted murder. This seems confusing until you learn that all of these persons are the same Harry Daniel Morris who went to the Colorado Prison in 1919, was paroled, went to Iowa State and was paroled again, only to violate it, then, after being returned to prison, was arrested three times in different parts of the country before the expiration of his sentence.

Who brings about pardons, commutations and paroles? According to law, those things are done by governors and duly constituted parole boards. According to practise, however, the true power is all too often influenced by politicians, lawyers, crooks, and over-sentimental pseudo-criminologists. The pressure from these prejudiced interests is shrewd and persistent.

The Federal Government, for instance, possesses the most rigid parole requirements in America. Prisoners ^{do not} become eligible for clemency ^{until} ~~when~~ a third of their term has been

served, and attempts are made at strict enforcement, plus efforts at thorough investigation before paroles are granted. *The record of the various states is really disheartening*
~~Last year there were 8,244 individual applicants for parole~~
 out of a Federal prison population of 12,243. Of these 4,855 were granted, a total of more than twice the entire Federal prison population of the United States in 1911, when the Federal parole system was inaugurated. In that year, 133 paroles were granted, a percentage of less than one in twenty prisoners. By 1929, this ratio had jumped to one in every ten prisoners. Within the last five years it has increased to the point where more than one out of every three prisoners per population goes out by the parole route.

During that same fiscal year of 1935, when 5,064 terminated parole cases were handled, it was necessary to issue 350 parole violator warrants, or nearly seven per cent of the total. Of these, more than sixty per cent were charged with new offenses. These, it must be remembered, constitute those who get found out. There are no figures on paroles who went ~~merrily back to their former careless ways and got away with it.~~

However, if the foregoing facts sound disheartening, ~~consider the facts from the states, when possible to get it.~~
 As a rule, ^{data?} ~~that~~ is rather difficult. ^{to obtain such as} The ones available indicate that about 66 per cent of the releases in California and Michigan are by parole, 70 per cent in Pennsylvania, 76 per cent in Ohio, 83 per cent in Illinois, 86 per cent in New York, 87 per cent in Massachusetts, 89 per cent in Indiana and 93 per cent in Washington.

A very few
 Some of the states follow the Federal system and allow parole after a third of the sentence has been served, others become interested in freedom after only one fifth of the term has been worked out, and there are still others which entertain ideas of leniency following a single year of servitude. This means that a criminal need only proceed upon a plan of good behavior, and stir up a few friends to front for him, plus a lawyer to make the presentation, thus making even sentences for the more serious offenses interfere but slightly with his freedom.

Further, it is self evident from what figures are available that the whole theory and practise of parole are being violated. Under the Utopian idea of ending crime by giving freedom, it is argued that the first offender really gets his lesson when he is brought face to face with the law, and that, once shown leniency, he will go forth determined to be an upright member of society. Upon these representations, parole became an integral part of the American prison system, with opinion united in the belief that a second or third offense indicated a lack of desire for law-observance.

Therefore, under theory, only first offenders are being freed. This cannot be reconciled with the facts. Figures from various states show a parole percentage of from sixty-six to ninety-eight per cent. However, the Uniform Crime Reports of the United States reveal that it is not possible to parole this many first offenders since they do not exist. Even including a percentage of municipal ordinance infractions, only

53 per cent of all persons arrested are having their first experience with the power of the law. Besides, there are too many cases like the recent Washington, D.C., incident of James (Buzz) Donovan. He had been arrested forty-five times in fifteen years, and twice sent to the penitentiary for grand larceny. Also he was twice paroled.

Donovan's case, however, is only a curtain raiser. Consider a young man who was first arrested as Elvin Williams at Waco, Texas, in 1930. The charge was burglary, and he was sentenced to fourteen years in the penitentiary. However, after spending a short time in the county jail, he decided he didn't like it, and escaped. Seven days later, he was captured by the police of Middletown, Ohio, and sent back to Texas, where this time he really went to prison, but not to remain. The jail break evidently was regarded as youthful exuberance. He served only two years of the fourteen year sentence -- then went free on a parole.

This young man had a brother named Marvin. In January 1930, this brother was sent to prison for four years on a charge of burglary. A month later he escaped and remained free until December 1931 when heartless officers recaptured him and put him back in a cell. But in one year and three months, he too was "on the street", his papers carrying the notation: "Granted full pardon by Governor, March 23, 1933."

The boys got together in a concerted celebration of their easy liberty. For more than a year, their names were on the first pages of every newspaper. Now known as

the infamous Barrow Brothers, they robbed, pillaged and murdered; they shot down unarmed citizens, machine-gunned sheriffs and slew policemen from ambush. They robbed a government arsenal, they even attacked a prison farm with automatic rifles and freed five convicts. Finally the Barrow Brothers were killed to make a total of nine lives which must be charged to a pardon and a parole, plus a chase which had cost tens upon tens of thousands of dollars. This makes interesting reading of a notation in a recent parole report:

"The estimate for supervising a parolee is \$46.51 a year, as compared with \$435.19 for maintaining him in prison."

Cynical observers who blame prevailing parole debaucheries for the widespread growth of crime, go a bit farther than the foregoing figures. They estimate that the entire \$435.19 could be saved, plus court and police costs, by not catching crooks at all, and merely turning over the country to the criminal element. Silly as that may seem, it is no more vacuous than the persistent arguments of low expense by which parole boards recently have sought to answer all criticism. According to a report of the National Commission on Law Observance and Enforcement, there are only three states in the Union which have no parole problems. They are Florida, Mississippi and Virginia which do not permit prisoners to be freed in this manner.

The rest of the country is upon a basis highly haphazard. There are twenty states where there is not even a

parole board.--Freedom is a matter of executive clemency amounting in effect to a pardon. In twelve other states it is treated merely as an incidental item of penal administration, thus giving prison authorities the power to overrule the intentions of a court in pronouncing sentence. Only fourteen states have agencies to specifically deal with parole. Six of these rely on part time, unpaid or ex-officio boards, and thence use a single official to select prisoners for release. The possibilities for politics or corruption in such a system need not be tabulated. Only the Federal Government, Illinois, Ohio, Massachusetts, Texas and New York have full time salaried boards, according to the Law Enforcement report from which these figures are taken.

Therefore, by scrutinizing a report from New York, where parole is regarded seriously, one may gain a faint idea of what is happening in states where there are few or no investigators, one man boards, executive clemency and powers of liberty invested in persons plainly under political influence.

Of the 2,820 New York prisoners released on parole in 1932, seven hundred and fifty had been convicted of robbery or attempts, about six hundred and fifty of grand larceny or attempts, five hundred of burglary or attempts, two hundred of assault or attempts, and one hundred had been convicted of taking human life. In that year, 120 paroled prisoners were released for deportation, 1,095 were declared delinquent with all the possibilities this condition may encompass, and 184 were released to start serving new sentences.

Regarding the last figure, critics of easy liberty insist that once a convict is paroled, only the commission of a new crime can send him back to prison. Sometimes even that is delayed. Witness the case of Abraham Heles, who after some eight arrests on various charges, finally went to Elmira for five years. This was in 1925. By 1928, three years later while he still had two years remaining on the Elmira sentence, he had been sentenced to six months in New York City Prison for disorderly conduct, and following his release had been rearrested for investigation into a homicide before it was finally decided that he had violated his parole and was returned to Elmira.

All this happened in a state which has a full-time parole bureau, which carefully issues reports on its activities, maintains well-trained investigators and occupies a high parole status. It is easy, therefore, to imagine what goes on in the eighteen states where the only attempt to keep in touch with paroled convicts is by correspondence alone.

There, a man gets out of prison, goes where he pleases, and then writes letters about what a good boy he intends to be. While he is doing this, he can rob houses, hold up citizens, burglarize banks and even commit murder as long as he does not make the mistake of getting caught at it. There is no one to check the accuracy of the letters. It is merely a paper system in which parolees are not watched and know they are not watched. There is even one state which re-incarcerates its paroled prisoners only if they are caught in a new

crime which has been committed within the boundaries of the state. Once over the line, they can do as they please, and the state deliberately, to escape the expense of bringing them back, closes its eyes to the fact that they have reverted to crime. *This is not the state's fault; that expense belongs to the citizen.*

Following a man's conviction the average citizen forgets all about the case, believing that if the court imposed a ten-year sentence, the prisoner must serve ten years. Witnesses become scattered. The parole report, made out by the police departments in the few states which provide for them, is a terse affair stating that John Jones was caught holding up a citizen, and that he received ten years in prison. Everybody, in fact, forgets about John Jones except John Jones himself -- and his attorney.

With the sentence pronounced, with the defence attorney's plea still echoing, the criminal goes to prison and the complaining witness leaves court, somewhat dismayed by the fact that he, a law-abiding man, has been the instrument of depriving a man of his freedom. The criminal and his lawyer have figured on that also. Time passes. The date for parole eligibility approaches. The lawyer begins his work.

Usually, he first enlists the services of a politician. He may be an ex-clerk of a criminal court, a legislator, ex-political employee, anyone in fact, who can walk into the parole office without first sending in his name. *Next must be* ~~the list of parole backers in a recent case of revocation of freedom for a holdup man of long criminal record in Washington.~~ *Glancing at*

D.C., one finds:

One liquor dealer, who had been backed by a former political boss for the position of District Commissioner.

One secretary of a welfare board.

One United States Senator.

One Congressman.

Two Rabbis.

Only one ingredient was lacking in this formula which ~~operates so regularly as to present almost an unbroken continuity.~~

That is what is known as the "sympathetic element". For this a mother is necessary, or lacking a female parent, a sister, or invalid brother or bedridden child.

After that comes the minister, the rabbi or the priest. The attorney or parole worker, soon after conviction, gets a minister interested in the prisoner, and after that, the course is easy. It may be hard for ministers to understand, but as a general rule, they are known in the underworld as easy suckers for a little "glory-be-to-God". Good men themselves, they want to believe that other men are somehow good. The criminal counts on them as the simplest of all names to get on his parole petition.

Following the preacher comes the name of some allegedly bona-fide person who promises to give work to the convict when liberated. In this regard, the bigger the criminal, the easier it is for him to gain a promise of employment; any

of his crooked but uncaught friends will be glad to oblige. Then the witnesses are approached, and given a treatment known as singing the blues. They are reminded of the terrible life in prison, the sorrow of the poor old mother, the need for support, the interest of the minister. The complainant finds himself pictured as a Shylock, demanding the last ounce of a pound of flesh. Only the police, if they are free of political domination, remain obdurate. Frankly, many persons with parole powers look on the law enforcement agencies with an attitude that almost approaches enmity. So, a man walks free.

All this time, there has been at the disposal of the parole board as nearly complete a history of the criminal and his associates as it is possible to get. By referring to it, the parole board probably could learn that the liberty seeker has a record that is anything but savory, and in not-too-rare cases, by checking up the past of his backers, discover that some of them also have violated laws.

However, such records, although easy of access, are checked only by the more meticulous boards. Otherwise, there seems to be a leaning toward such sentimentality as that exhibited by an attorney, himself indicted several times, to a religiously inclined convict-freeing enthusiast:

".....I, like you, believe that it was the hand of God that enabled this young Christian soul to live on. From my experience with the party in question, I can safely tell you that he will rob no banks, but it is his firm in-

tention to travel in the path of righteousness. He is a great student of the Bible. The last conversation I had with him, he told me that it was his intention to give the balance of his life in this world to God, and beyond any doubt your sweet prayers have had a great deal to do with this deliverance."

There was one true statement about that letter. The client did not rob any banks. He couldn't. His attempt to escape from prison shortly after the writing of this letter, ended in the killing of his partner by prison guards and the wounding of himself. His name was Harry Pierpont, one of Dillinger's partners, and executed last October. Incidentally, he too, was a former parolee. According to the last issue of Uniform Crime Reports, a nine months' check of 250,506 arrest records revealed that 64,290 had been previously convicted, and ^{7,984}~~7,094~~ arrested while on parole or prior to the expiration of the sentence which good citizens believed them serving. In other words, one out of every thirty persons arrested in this country is theoretically in prison at the time he is picked up by police, and one out of every eight recidivists is walking the streets before the expiration of the time set by the judge for him to remain behind bars.

Therefore, the main matter for consideration is not a discussion of the parole system, but what is being done with it. The cases cited here are not carefully picked ones; on the other hand, they are haphazard selections out of the thousands of parole violations by hardened criminals. The tragic part of it all is that by turning loose the old-timer

and the deliberate repeater, the parole system threatens the life of the purpose for which it was created -- hope for the young first offender who is willing to spend the rest of his life in right living to atone for it. But the paroles of hardened offenders continues in spite of the protests of such men as Newton D. Baker, President of the Cleveland Association for Criminal Justice, in which he pointed out that "paroles, pardons and commutations of sentence granted criminals with long records of anti-social conduct are destructive of the highest interests of society."

Ohio's three year parole record from 1931 to 1934 included three men who had shot to kill, three who had committed rape, six guilty of manslaughter, and forty guilty of murder in the first and second degree, offenses punishable by life imprisonment or execution.

One finds in the files of any parole state instance after instance like that of Walter J. Addison, who started out in 1916 by violating a parole in Boston, then who, after repeated arrests, added to his record in California by being paroled in California. He then returned to Massachusetts and by 1925 was sentenced to from five to seven years for breaking and entering, only to be facing new charges in 1926, out again on parole by 1930 and in once more by 1933 under maximum sentence of twenty-five years for kidnapping and extortion. It all sums up to a concerted effort by criminals to get out of prison and no concerted effort by the public to keep them in.

The result is that an average of seventy thousand convicts a year ^{is} are being spewed out of penitentiaries; thirty-five per cent more were paroled than left prison by reason of expired sentences. About this tremendous outpouring, there is considerable secrecy. Many parole boards do not even make public the names of released men, no matter how many second, third and even fourth offenders are in the list, the theory being that they desire to give this reformed individual a chance in his new world. Often the very police officials who have sent the man to prison do not know he is free until they arrest him on some new charge. And no consideration whatever is given to the possibilities of such developments as happened in the case of Henry Cooch.

Cooch, a forty-year old second offender, had been freed from Montana State Prison, and allowed to wander about the country, apparently at will. A horse wrangler, he at last came to the house of a rancher who lived near Butte and there went to work.

It was a large family, among the children being a fourteen-year-old school girl. Cooch became ill -- or pretended it. The family cared for him, one of the nurses being that fourteen-year-old girl. So Cooch made persistent love to her, painted the outside world in sunset colors and persuaded her to run away with him. One night she slipped out a back window and they rode away together -- on horses which Cooch had stolen from the girl's father.

Cooch took the girl northward, forcing her to travel

only by night, and to hide by day, until they had crossed the Canadian border and progressed some distance into the trapping lands north of Regina, in Saskatchewan.

During that entire winter, Cooch kept the girl a prisoner in a trapper's cabin. He refused to allow her to write to friends or family. He beat her. It was not until Provincial police caught him in a game violation that the girl was rescued and taken into Regina, where she was quartered in a Salvation Army Home. There a baby was born to her.

Cooch fought extradition to the United States. Local authorities, balked, sought the aid of the Federal Government. White slave charges were filed against Cooch, and he was brought back, only to be turned over to the state, which had accused him of kidnapping. During the ensuing trial Cooch conducted his own defense, browbeating the girl so fiercely during her cross-examination that the jury was delayed four hours in an argument as to whether it should give him only fifty years or ninety-nine. Finally, it compromised upon a maximum of sixty.

But that was merely the verdict of a jury. Verdicts don't count for much any more; here lies one of the greatest handicaps which confront law enforcement. All the courts, all the statutes, all the police forces in the world are worth nothing unless these institutions are bulwarked by proper penalties. The time has come when the parole system is more ardently supported by the enemies of society than by those

who desire to protect society. Every crooked attorney is for it; through it he hopes to accomplish what he could not do in the courtroom. Every criminal is for it because it lessens the dangers of his profession. Every warped politician regards it with a kindly eye because it gives him more power. Every grafter and bribe-taker likes it for the opportunities it provides. When a situation becomes as rotten as this, there should be a housecleaning. Without it, criminality in America can only become more of a menace.

however, ~~However,~~ it is not the purpose of this volume to take the position of a crusador. ~~But,~~ there are certain fundamentals which should be emphasized.

One is the constantly growing necessity for some sort of union between all branches of law enforcement. Certainly if a bank in a small town can be affiliated with the Federal government, abiding by the same rules which affect the largest banks in the country, the law enforcement of that community should be able to enjoy the same privilege.

Certainly too, if stock exchange prices can travel over the radio to every part of the United States, the safeguarding of the public should be able to avail itself of the same facilities. This country will not be free from organized ~~crime~~ ^{business} until every law enforcement office is linked, either by radio or teletype, thus lessening the field of endeavor and eliminating much of the useless duplication of effort which now exists.

Communities should be granted the right of appeal when they believe their police forces have become so entangled that they no longer can serve as guardians of the public. To that end, there should be state enforcement bureaus, under the direction of the State's Attorney General, empowered to take control, conduct investigation of police units, and substitute for the district attorney if laxity has been discovered. Failing in this, the community should have the right to appeal to the Federal Government. This, of course, absolutely necessitates the divorcement of police from politics.

Perhaps, too, much could be accomplished by a change in the manner of promotions in police departments. In many cities, a heroic act by a uniformed patrolman, often leads to an appointment as a detective. The officer may have displayed no flair for investigative pursuits; however a good, brave man has risked his life in the cause of the law and should be rewarded. The main reason for his promotion to rank of detective has been a desire that he should receive more salary. Therefore, a fine policeman often is ruined by placing him in a division for which he is not fitted. This could be remedied by the proper provisions for better pay for heroic or outstanding officers, thus keeping the uniformed personnel at its highest possible level instead of draining it of its best men. The detection angle should be built upon a basis requiring, to a degree, the rating demanded by the Division of Investigation.

To this end, there have been suggestions for the setting up of a University of Criminology in Washington, which could be attended free by any law enforcement officer selected for this honor by his community. In turn, he then could become an instructor of his own unit, thus building the body under his tutelage to a higher plane. This ~~is~~ the government, so I am informed, is willing to do -- as soon as the communities really request it. Representatives and Senators are the ones who can bring it about if the voters ask for it.

A police chief should have a chance to be a police chief and not a man constantly afraid of his job. The best manner of proof is to cite the clean crime record of Milwaukee, Wisconsin, and one of the responsible factors.

This city has had only two chiefs of police since 1888. The present one, Jacob G. Laubenheimer, has been on the force for forty-one years and its head since 1921. He does not fear for his job -- as long as he possesses merit he knows that the city will keep him in his position and laud him for his excellent work. Mayors may come and go, administrations change, but Chief Laubenheimer remains. He is the only law enforcement officer ever given the Civitan Distinguished Service award, for which the unanimous consent of the international convention is necessary.

He has kept his city clean through the aid of sound and constructive laws under which the department operates, through permanent tenure of office which the executive

head enjoys, through absolute absence of departmental politics, and through the right kind of newspaper publicity which has aided in maintaining co-operation between the police, the district attorney's office and the courts.

Milwaukee has laws with teeth in them, and Milwaukee has citizens who uphold the police in the enforcement of those codes. Hangouts and taverns which harbor criminals can be stamped out by the revocation of permits, and by arrests. Professional thieves can be harried by vagrancy laws which permit a two-year sentence in extreme cases.

A commission of five men, divided politically, rules the police department and a recourse to the courts is possible if there is evidence of unfairness. In other words, Milwaukee gives its police a chance and the result has made Milwaukee nationally famous for something more than its beer -- a standing at the very top of clean, crime-free cities.

There is much work to be done by the citizens of America regarding lawyers. They should not be allowed to provide sanctuary to criminals under the code of "ethics" which permits an attorney to literally laugh at the law by hiding his activities under the guise of confidential relations between lawyer and client. It should be possible to place them on the stand in a criminal case if necessary and force them to prove that their fees are not a part of the loot of crime. They should be faced with more forceful actions by Bar Associations, many of which, in their attitude toward

the rats of their profession, ^{are thoroughly negative minded} ~~present all the reasons of~~

~~a fall-guy.~~ And if convicted, it should be mandatory that ^{a criminal as all criminals} their sentence be twice that of the ordinary criminal.

There should be a wide extension of fingerprinting. Persons in a position to aid crime, who operate taverns, or other possible hangouts, who deal in or possess guns and who, in any way, rub elbows with crime in such a manner that they can be placed in a position of aiding and abetting it, should be on record.

There is also a job for the motor car manufacturer. A part of it lies in the numbering of motor blocks in such a manner as to make abrading, or mutilation of serials, more difficult. The present method of die stamping could be substituted by some other process -- possibly of raised numbers. Chiefly, however, a long step forward will arrive with the invention of a system which makes the easy changing of license plates impossible. The license-tag system, as it now exists, is a distinct ally of crime. Every dangerous crook carries from one to five sets of extra license plates, by which he can disguise his car in the space of a few moments. Eradicate this, and one of the most widely-used of escape methods will be defeated.

Perhaps too, it would be wise for the public to take more interest in what is going on in the prisons. Many of them are under political domination, and have been the scenes of scandals. In most of them, unfair systems of punishment, as imposed by society, work toward the breaking

of character instead of rehabilitation. Perhaps there is hope in a new experiment being conducted at the United States Southwestern Reformatory, thirty miles west of Oklahoma City, where Superintendent H.L. Merry, working under Sanford Bates, Director of Federal Prisons, has gone back ^{a hundred} ~~two thousand~~ years in an experiment in human economics.

Here, as reported to me by ~~his~~ ^{Richard} Richard Pearce of the Oklahoma Times, perhaps the best informed man in America on southwestern banditry, men are being remade by being slowed up. When Merry came to the reformatory, he had an appropriation to purchase machinery and implements for the prison's 1,000-acre farm. Instead of tractors, he bought oxen. Instead of automobiles, he uses horses. Instead of electrically driven looms for the weaving of fabrics, he has installed ones operated by hand. Sheep are to be purchased. They will be hand shorn, the wool will be scoured by prisoners, dyed, carded, spun and woven, all by hand.

In other words, instead of trying to compete with the efficient factories of the country, Mr. Merry is endeavoring to provide men with occupational labor by the slowest possible method. There are too many machines, he contends, in regular industrial life. Why should there be more in prisons?

Beyond all this is the slowing down of nerve tension. After all, there should be no hurry in a place of reformation, no driving of belts and pulleys and screech of machinery. A hospital does not place its patients at a lathe and tell them

to get well. Prisons, in their highest sense, are supposed to be hospitals for those who are criminally ill.

All of this, of course, is aimed at those criminals who can be reformed. The opposite step in the right direction already has been taken by Attorney General Cummings in the creation of Alcatraz Island as a modern Devil's Island for those Federal prisoners who have displayed no desire to become good citizens. Perhaps the day will come when there will be a sharp division between reformatories and prisons. Very little exists now. All too often, one is merely a schooling place for the other.

Therefore the duties relegated by the present problems in crime seem not to be duties so much for the persons held responsible for law and penal enforcement as for society itself. It is society, meaning ourselves, which, by its sodden attitude on election days, has allowed many police departments to drift into the hands of politicians. It is society which furnishes the jurors which more often acquit than than convict, even while the judge seethes on his bench at the freeing of a man palpably guilty. It is society which allows crooked lawyers to do everything but bribe witnesses in open court, and applaud him for his "cleverness". It is society which forgets men, once they have gone to prison, allowing incapable and sometimes approachable parole boards to flood the convicts forth almost as swiftly as they come in.

Above all, we as common citizens should realize that

GNL:TD

January 25, 1935.

MEMORANDUM FOR MR. TOLSON

Chapter 16, of Mr. Cooper's book, has been reviewed by Supervisor London, who has the following comments to make.

Page 427, line 18; Tommy Cannon should be Tommy Gannon.

Page 428, line 21. Information on this point, which was received from Marie Conforti, has not been substantiated and the money found on Van Meter was supposedly recovered by St. Paul Police. We can not support the statement that it is still missing.

Page 436, line 11. The statements here made with regard to the possibility of Helen Gillis testifying against John Paul Chase, for the reason that she suspects him of having stolen \$2,000 from Lester Gillis, may possibly have some bearing on the trial of Chase, should it be held after the publication of the book. It is possible, however, that this information is already generally known in and around Chicago and will not materially affect the prosecution of Chase.

Page 445, line 30. Zeigler was killed on the night of March 20, 1934.

Respectfully,

E. A. Tamm

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CHAPTER SIXTEEN.

In its life and in its demise, the Dillinger mob was little different from any of the others which have paced their way through preceding chapters, excepting a phase of aristocracy.

Certain requisites are necessary for all gangs. There must be men of cruelty and selfishness. There must be hideouts which operate on the same principles, whether east, west, north or south. There are usually a few politicians, big or little, somewhere in the picture, to place every possible obstacle in the way of law: obstructing the police where possible, putting pressure on district attorneys, "seeing" judges, or as a last resort, holding the club over a governor or parole board for quick clemency.

There must be attorneys who can further the work of the politicians by creating delays in court, and sometimes bargaining in advance with judges in the necessity of surrender. Also there is the crooked gun dealer to transform ordinary automatic pistols into super-automatics and baby machine guns, or, through carefully concealed purchases, procure the real sub-machine guns which bandits love so well. Then of course, there is the necessity of certain night club owners whose places are really a blind for their real business, which is that of consorting with criminals, passing their hot bonds for them, or arranging to have kidnap money turned into the

"real soft," Of high necessity are the women.

The Dillinger gang had all these advantages; at many places, among them certain night clubs in St. Paul and Louis's place at Fox River Grove, they travelled in exactly the same groove as the other gangs which had gone before them. Nevertheless, there was a distinct difference between the members of this crowd and previous mobs. More cruel, more daring, more spectacular though they were, they represented a lower strata of criminality. They did not possess the finesse of the Nash-Miller gang, the Keating and Holden mob, or the one which was to flourish for a time after their passing, the Barker-Karpis outfit. Certainly there was not the cohesion.

Here was a gang in which honor among thieves was non-existent. The women stole each others clothing. Even Pat Reilly, with all his worship for the great, could not withstand the temptation to filch in a time of stress. This opportunity came during the Federal raid on Little Bohemia. He had been sent back to St. Paul to contact one Tommy Cannon who was to find a hideout owner and obtain from him \$4,000 which was owed Homer Van Meter. Pat's trip was made with Patricia Cherrington. They returned to Little Bohemia just when the shooting was the worst, so they turned their car and hurriedly moved away. A bad road sent them into a ditch and a night spent in a cornfield. Pat Reilly was badly scared. The whole world seemed filled with Federal men. Every time he saw a motor headlight, fear transformed it into the flashlights of searching Special Agents. Whenever this occurred, Pat threw from him a parcel

wrapped in newspapers. Finally the woman, a former night club entertainer, went to pick up the bundle for him. It felt soft like a bulk of bills. Surreptitiously she opened it and found money. So she took a handful, about four hundred dollars.

Pat was quite upset about that. He had planned to tell Homer Van Meter that he had been able to obtain only \$1,000. But it all worked out all right, except for Van Meter. The chase by Special Agents was a hot one following the Little Bohemia fight. Contact was not established for several weeks. When at last an emissary of Van Meter's reached Pat, the money had dwindled to three hundred dollars.

Van Meter was exceedingly unfortunate with money. He had "planted" some ten thousand dollars in two fruit jars at a friend's house in Southern Illinois. When the chase cooled, he dropped by for it, and being careless with money, tossed the two fruit jars into the rear of the car where sat Frank Kerwin, a hanger on. At last they reached St. Paul, and Van Meter opened his fruit jars. He found two thousand dollars missing.

For a time he blamed the friends ~~who had kept the money for him~~ until at last Frank Kerwin began showing rolls of bills and paying off old debts. Even then, Van Meter could not get revenge. He left Minneapolis one afternoon for St. Paul, carrying \$2,000 in his money belt and \$6,000 in a portfolio which was his ever present companion. That afternoon he was killed -- and the money is still missing.

The life of the Dillinger crowd was infiltrated with this lack of trust. Following Evelyn Frechette's arrest,

*We do not know
money is still
missing*

Dillinger met a go-between, ~~Arthur O'Leary~~, and gave him money to take to an attorney to provide a defence for the woman. By the time the go-between reached the lawyer's office, nearly a third of the fee had vanished.

Everybody connected with this mob seemed to have dishonest hands. There came the time, shortly before his death, when Dillinger sought to change his identity by a face-lifting operation and the mutilation of his finger tips. Dillinger now was torn between two desires. One was to evade the law, the other was to gain the pleasures which a long term in prison had denied him. He was mad about motion pictures; even during the hottest of the chase, he could not fight against the desire to see one. Accordingly, he would sneak from a hiding place, go to a theater, then, returning, bore his comrades for hours with a description of the picture, the players, the direction and the plot. It was partly through this knowledge gained by Special Agents that Dillinger was trapped and killed in front of the Biograph Theater in Chicago. Another failing was that Dillinger had become dance mad. Therefore, he believed that a face-lifting operation would allow him once more to take his place in nightclub and hotel playgrounds.

Of all the crowd, Dillinger was the only one who aspired to night life amusement. The rest liked to sit around and get drunk, usually on beer. Or play cards, hour on hour. But Dillinger wanted to mix, to be of the world. So he consulted his Chicago go-between and announced his desires regarding the alteration of his fingers and face. There was a degree

of desperation about the man. The "G" heat was becoming more than he could bear. Unusually active, he could stand the confinement of a hideout only so long; then, in spite of every warning, he would leap to his feet and almost run out the door for a walk which would encompass miles. Finally, dog tired, his eyes weary from constant wariness, his trigger-hand shaking from tenseness, he would return satisfied. The relief was short however; soon he must be gone again, risking death rather than live with his ^{own} thoughts. Now, in desperation, he got the idea that perhaps a new face and acid-cauterized fingertips could aid him.

Arthur O'Leary ^{a go between} made the arrangements. Not only one doctor was available, but two: Dr. Wilhelm Loeser, a parole-violator from a Federal narcotic conviction, who was to be the operating surgeon, and Dr. Harold Bernard Cassidy, to be male nurse and administrator of the ether. Dillinger said he wanted to be put to sleep. The price was \$5,000.

There also must be a place where the operation could be performed. That was not difficult. On file was the name of James Probasco, whose price was \$35. a day for bed, board -- and secrecy. So thereabout came the face-lifting operation on John Dillinger, an event, by the way which inadvertently brought about one of the strangest pieces of drama in the history of gangdom.

John Dillinger lay on a bed in Probasco's slatternly home. Water splattered in the bathroom as the ex-convict surgeon washed and re-washed his hands for sanitation. Details

had been fully discussed -- to remove a small scar between the nose and the upper lip, to operate on a dimple in the criminal's chin, to take away two moles from between the eyes and one from the left forehead, to eradicate a small depression from the bridge of the nose and by slicing the cheeks at the hair line, raise and tighten them.

Meanwhile the thick odor of ether began to permeate the house, as Cassidy fed it into the cone which covered the bandit's nostrils. Perhaps Cassidy failed to use proper precaution. This was a dangerous job and he was frightened. Suddenly he stepped back and stood there aghast, wringing his hands. John Dillinger, the most hunted man in the United States, had stopped breathing.

Meanwhile Probasco paced the hall outside. His woman moved uneasily about, the go-between walked nervously in and out of the bedroom. And the man on the bed lay silent, pasty-featured, while Cassidy stared helplessly.

Loeser came out of the bathroom and glanced toward the bed. Instantly he rushed to his instruments and, seizing a hemostat, grasped Dillinger's tongue. At the same time, the doctor bent closer and with great force, jammed his elbows into the unconscious man's ribs. Dillinger gasped, and faintly began to breathe again.

"We'll use local anesthetic from now on," said the surgeon jerkily.

I often wonder what might have happened if that first aid had not been given. Could the underworld have

been sufficiently resourceful to have covered up Dillinger's death, perhaps dumping his body beside some roadway at night? Or, in the deep consideration which crookdom seems to possess as long as there is money to pay the bills, could the influence of stolen money gone even further -- to the procuring of an undertaker, and a secret burial?

In a case which holds the Division of Investigation's interest, there is every reason to believe that a certain hunted man is dead -- except the proof. In the Identification Unit in Washington it is not at all unusual to solve the mystery of unidentified dead by fingerprints. But no fingerprint has come in of this much wanted ^{dead} man.

Of course, it is conjecture to say that even regulation burial might be made available for hunted criminals. Yet, it is not impossible. One wonders what becomes of all the money that bandits steal. The answer is that much of it is sucked back down into the roots of crime -- five hundred dollars for the protection of a pal, five thousand for a different nose, thousands for lawyers, some of whom know exactly whence that money comes. It is indeed strange that a pawnbroker or cheap fence can be sent to jail for wilfully receiving stolen property. But an attorney who makes criminals his specialty, can defend those criminals for a fee obtained by outraging the law -- and get away with it.

There was no need, however, to bury Dillinger and the same sort of operation followed on Van Meter, during which time one of his cheerful visitors was Baby Face Nelson, jabber-

ing excitedly about the swell time he'd had in getting three policemen in a corner and killing two of them. Just a pal was Baby Face Nelson.

Then Van Meter was shot in the head during a bank robbery. Dr. Cassidy treated him, going several times to Van Meter's hideout at the home of William and Ella Finerty in Calumet City, near Chicago.

Time passed. Dillinger was killed. Special Agents had been shadowing O'Leary. One day they saw one of his friends arguing with a tall, angular, much excited man, whereupon they trailed that man to his home and later "interviewed" him. It was Dr. Loesser and he had been quarreling about the amount of money he had received for the facial operations. It seems he had been promised a 33 1/3 per cent cut of \$10,000 for his work on the two men and had gotten only a part of it. In addition, he had heard his profession slandered by both Dillinger and Van Meter who insisted that he had done a rotten job and should be machine-gunned for it.

Dr. Cassidy ~~had~~ left Chicago, running on the knowledge that Dr. Loesser had been arrested. He returned and was caught. It developed that he also had been double-crossed out of much of his fee. Then Arthur O'Leary was brought in for questioning, and he insisted that he too had failed to get all that was due him.

It was a grand, dishonorable crowd, and that included Baby Face Nelson. In a previous chapter I inferred that Dillinger was afraid of Baby Face. In that he was not alone.

The entire gang was afraid of him, even to the women. Every one looked upon him as a rat among men. After a bank robbery, they inevitably would give him the "honor" of dividing the spoils. In reality, this was a protective measure. They would engineer him into a position in the center of a room, and all group about him, while he split the money. Otherwise, they lived in fear that if allowed to be on the outside of the group, he would machine gun them all and take everything.

So, after the Little Bohemia battle, where Baby Face killed his first Federal man, there was little disposition on the part of the gang to harbor him. He was too hot and they told him so. Baby Face then moved for his old hangouts in California; the Government says that on the way he was protected by seventeen persons in various parts of Montana, Nevada and California. These seventeen have been indicted by a Federal grand jury in San Francisco, again displaying the determination of J. Edgar Hoover that the roots of crime be destroyed. At last, with John Paul Chase, his old bootlegging friend, he started East. Special Agents awaited him.

If the routine of gangs had run to form, so had that of the members of the Division of Investigation. The usual process of checking acquaintances, enemies, likes and dislikes, hangouts and hideouts had proceeded, day and night. Among other things, the Special Agents had learned that Baby Face Nelson felt himself best protected when he was in the vicinity of a resort near Chicago owned by a politician of more than ordinary power. Baby Face called him by his first name and

often had stopped at his hotel. So two Special Agents took a cottage and waited. One day in late November, they saw a car at a distance, containing two men and a woman. One of the males they never had seen before. The ~~woman and other man~~ ^{other man and woman} they recognized. It was Baby Face Nelson and his wife.

Hurriedly word was sent into Chicago for additional Special Agents that the multiple murderer could be surrounded and captured. Speeding at eighty-five miles an hour, the cars started for the resort. But Baby Face had changed his mind and was himself taking a drive.

Baby Face Nelson was on the prowl that afternoon. There is evidence that he recognized some old enemies in a passing car and took a few shots at them, only however, to desist. A sleek speeding car was rushing upon him from the rear.

The man swung about, and pulled his car to one side, while, with brakes hard applied, the car containing Special Agent H. E. Hollis and Inspector Samuel Cowley came to a stop. Both Baby Face, and, so the government charges, John Paul Chase, were in readiness for them; Baby Face never took chances unless he could get in the first shots. The firing started as the agents alighted from the car. Hollis fell dead, shot through the head. But Inspector Cowley, though torn with bullets, lived long enough to sweep Baby Face Nelson with his machine gun. Then he too fell.

There has been much sopsister stuff spilled about the sad flight from the scene of the crime when Mrs. Gillis was supposed to have held her beloved Baby Face tight to her

while he died in her arms. The truth is that after the killing of the Special Agents, Chase and Helen Gillis seized the Division of Investigation car and drove almost directly to the house of a small time politician in Wilmette, where Baby Face died in a bed. Then he was stripped of his clothing and his body thrown into a ditch. Even in death the double-crossing instincts of the Dillinger-Baby Face crew held true to form. Nelson carried \$2,000 in a money belt when he was shot. The belt was found, ripped open, and the money gone. John Paul Chase, when he was captured after a hunt which extended through all of Nelson's hangouts even to the Pacific Coast, denied that there was any money. Because of that torn money belt a gang moll, for one of the few times in recent criminal history, may testify against a companion in crime. Helen Gillis says that John Paul Chase stole ^{\$2,000} ~~that money~~ from her dead husband.

Thus ended the so-called Dillinger gang, all of whom died by gunfire, except one, Harry Pierpont. In a way, in spite of its spectacular features, it was an unromantic lot. It robbed and slaughtered and died by the gun, largely an animal crew which existed not through its own cleverness, but because of the integrals which allow any gang to exist: the extensive array of protective scavengers of crime, always circling about the big timer that they may snatch what blood-money falls by the wayside. All the old attributes were there -- dyed hair, newly grown mustaches, mutilated fingers, dark spectacles, lifted faces, wigs, machine guns, stolen money, most of which, in the instance of this gang, was spent in an effort

*Wife
has
Chase and
Nelson
murdered
Chase.*

at protection.

Yet, withal, there were a few features, which lifted the crowd out of the ordinary. One was the ever present, sardonic humor of Charles Makley, jesting as he robbed, or perhaps in a hideout, asking of a companion:

"Prithas, my good man, and dost thou bringest any word of thos highly esteemed mugs, the goddamed coppers?"

Or Homer Van Meter, dressed in new clothing, and nudging Dillinger when to come into the conversation, as they posed as N.R.A. officials and spent some time with the president of a bank talking over banking matters at which Van Meter was an expert.

Or again, Dillinger's oft-repeated satire, when driving about the country, he would approach a filling station.

"Brother," he would ask, "can you tell me the way to Chicago?"

The service man would point out the through road. Whereupon the most hunted outlaw would say:

"Thanks, brother." Then as the car started slowly. "Guess you haven't seen anything of John Dillinger around here?"

It was a great joke to the gas vendor:

"Nope, he'd better not come this way."

"You'd be fixed for him if he did come?"

Again the hearty laugh.

"Oh sure! We'd string him up in this town!"

The car moved more swiftly.

"You're right there, Brother," the bandit would throw

back over a shoulder. "Dillinger sure would be in a tough spot if he ever lit around here."

Beyond this Dillinger engaged in two supreme jests. Perhaps one was unconscious -- when he used the name of the mild-mannered humorist, Frank Sullivan, as an alias. The other however, was deliberately and quickly conceived. It was during the robbery of a bank. The gang was sauntering in, apparently ordinary individuals, as they strolled at the writing desks, or merely strolled about until they could take their stations and give the command for hands to start upward. A bulbous merchant with a large lodge pin on his lapel bumped into Dillinger. He apologized profusely, then with a start, noticed that Dillinger wore the same insignia, a subterfuge in case of questioning by police.

"Sorry, Brother," said the bandit.

"Don't mention it!" the bulky merchant still stared at that lodge pin. "Brokus is my name, 806 St. Louis."

The murderer grinned.

"Dillinger's mine," he answered. "1322⁵ Indiana State. Throw up your hands!"

However, for every bright instance, there were a dozen which revealed John Dillinger as a cheapskate among big-timers, the kind of a man who would haggle over the price of a drink in a hideout which paid most of its money for protection, or bargaining for hours over the amount he must pay James Probasco to be secreted in his home during the face lifting operation. Dilling^{er}/cut the price from \$50 to \$35 a day and then quarreled

*Please
forward
actual
numbers*

over the food, the rooms, the accommodations. Dillinger got off cheaply. Probasco's overhead included his life. He committed suicide rather than be questioned by Special Agents.

Perhaps this is the proper moment to leave John Dillinger with an elaborate tombstone on his grave, erected through a vaudeville tour by John's father, patronized by the morons who, through their morbidity, permit crime to flourish. If the efforts of the sob sisters count for anything, Dillinger will someday be another Jesse James. Whereupon Jesse probably will put in an application to be allowed to turn over in his grave.

Now for a cut-back, to use motion picture parlance. Thus we return to a much shrewder, much cooler and far more cruel gang which carried on the teachings of Frank Nash -- the Barker-Karpis gang. During all the time in which the United States Government hunted Nash and the others who followed, the Barker-Karpis gang of outlaws did not lose a member, either through arrest or death. Always careful, always unobtrusive, always under the watchful eyes of Kate Barker, the mother of Fred and Arthur, this crowd played the resorts when resorts were cool, or knew when to retire at the slightest indication of heat. By the autumn of 1933, when Dillinger's crew was beginning to occupy the first pages, the Barker-Karpis members already had garnered nearly a half million dollars from bank robberies and kidnappings. They were sufficiently shrewd, and so thoroughly self-effacing that in one instance, they were able to travel among highly respected circles in a certain resort town. Moreover, one of the Barker

boys met a banker's daughter, who fell in love with him. It may or may not be surprising to that banking family to learn that Shotgun George Zeigler, who now was definitely aligned with the Barker-Karpis mob, later boasted that most of the hot money obtained through a kidnapping was changed into "real" cash through this connection.

Perhaps my references to Shotgun George should have included his real name of Fred Goetz. A pseudonym, however, seems to better fit him, as though it concealed the ~~man's~~ ^{man's true background}. After all, a bloody life of murder, robbery and kidnapping does not blend with the picture of a young man who graduated from the engineering school of one of America's largest universities. It does not mesh with the cheering grandstands of a football field where this young fellow won his collegiate letter. It seems pale beside the tan of a lifeguard, watching over the welfare of one of Chicago's biggest bathing beaches -- until he attempted to rape a seven year old girl. So at this point Shotgun George comes into being and Fred Goetz fades; his mother posted \$5000. bond in the belief that he would appear for trial. Shotgun George forfeited it. He had become a member of the Al Capone crowd, his name to be linked with those of Jack Klutas and Ernest Rossi, Fred (Killer) Burke, Harvey Bailey, Ted Newberry and Gus Winkler, all of whom, with the exception of Bailey, are supposed to be implicated in the St. Valentine's Day Massacre.

A tangle of emotions evidenced themselves in the life of ~~this man~~ ^{Shotgun George}. In his home, a deathly ill woman gasped with

the agony of a womb cancer; she was the wife of a dead gangster. A boy played about until he became old enough to learn too much, when he was sent away. He was the son of Denver Bobby, an old bank robber; his mother had been murdered on a one way ride. Shotgun George talked to him often about the value of leading a straight life. And when Elsie, the gangster's wife finally yielded to the ravages of her disease, it was Shotgun George, without ostentation, who buried her and marked the grave. Yet the men could kill without a quiver.

He even carried his better instincts into the night clubs, where he lectured at least one proprietor upon the inadvisability of catering to a hoodlum trade, stressing the fact that it would drive away his better patrons. There were long stretches when he actually would take a landscaping job, working delightedly upon it. Home again, he would call for his own golf professional, a man he called Willie, who owned a string of taverns and who was under indictment for rape. A double link, evidently, the country club and memories of his youth. But mostly, Shotgun George liked to sit with Mother Barker and listen to her talk about her boys.

Here again was a strange figure of the underworld. Short, hard featured, fattish, her cheeks loose and sagging, her gray hair always carefully groomed, her brown eyes brilliant and remorseless, yet, withal, queerly able to present the appearance of a mild old lady, this woman had made a weird success of rearing a criminal spawn. At fifty-five, she looked ten years older; her mouth was a cold slit, her neck loose-slung and wattled, like that of a buzzard. Her first boy,

Arthur, was a murderer, a stumpy little fellow of 34, three inches shorter than even his mother who was five feet six. His hair was jet black and massed to his head, his brown eyes constantly shifting and with a strange malevolence. Then there was Lloyd, who was still in Leavenworth Prison, and finally Freddie, who had helped to kill a policeman while his mother looked on. Freddie resembled his mother; perhaps that explains her almost fanatical love for him. Alvin Karpis she regarded also as a son; he might have passed for one in his similarity to Arthur.

All of these persons had come from Tulsa, Oklahoma, by way of Neesho, Mo., where the boys were born, and Joplin where they later lived; thus the cycle begun by Frank Nash swung back to the state of its nativity. This was the last big gang remaining of all that throng of celebrants who moved from night club to night club in 1931.

Kate Barker and Shotgun George conferred often. They were the brains of this outfit, what with Freddie's knowledge as gained from Frank Nash associates, ^{Tom} Arthur's incisiveness, and the coldness of Alvin Karpis, whom Verne Miller had called Old Creepy. Often when the boys were away on a bank robbery, George would drop over to "Ma's" apartment and sit with her, quietly sympathetic while she wept over the probable fate of her beloved children. The boys had promised to telephone immediately the robbery was over and they were safely away; not until that telephone rang did her eyes become dry. This gesture on George's part however, finally gained Kate Barker's resentment.

"George is talking too much," she told her boys. "If anybody had a dictograph on this apartment, they'd learn about everything from the St. Valentine's Massacre to the Ham kidnapping."

So the boys mentioned it to George. He agreed with them that no gangster should ever talk. Soon again, however, he was glaring about him, and in streaming sentences, talking about murder and robbery. Shotgun George Zeigler was going mad.

There now were fully fifteen persons in the gang, counting the hangers on and the women. But for once, the feminine element did not play a vital part. Kate Barker watched them, hawk-like, until she saw that they were taking a definite place. Then she slashed out like a tigress. She hated George's woman. She hated Paula Harmon. The women whom her boys met must be seen secretly.

Christmestide of 1933 neared. The boys were short of money; they too had the grandiose ideas of Frank Nash and Verne Miller. They lived in big apartments, their cars were of the higher grade. The resorts they visited, although virtually the same as those of other gangs, must always furnish the best accommodations. The funds resultant from robberies and kidnappings had become low. But the boys knew where there was a two hundred thousand dollar job. A man who had known Edward George Bremer, banker and brewer of St. Paul for more than eight years, was willing to finger him for kidnapping. Shotgun George rebelled.

"What's the use of burning up that town?" he asked.
"Hasn't enough happened there already?"

"Ma says it would be a good job," Freddie answered
obdurately.

"But you've got lots of friends there -- Jack in the
night club, Tommy Gannon, Harry Sawyer, all of those people.
Why put the heat on them? The Feds have been trailing them
enough already."

"Ma thinks it would be a good job," was the persis-
tent answer. At last George went away on a short trip to
arrange a hideout where the kidnap victim could be held. Then,
always the gentleman, he telegraphed Monty Carter, known also
as Byron Bolton, down in Phoenix, Ariz., to come to Chicago and
be a companion to Irene, his woman, while he was away on a land-
scaping trip. Carter, who also was^a suspect in the St. Valen-
tine's Massacre, arrived the next day by airplane. Shotgun
George, muttering to himself packed his travelling bag and went
away. On January 17, 1934, Edward George Bremer was kidnapped,
not to be released for three weeks. After that, the gang
spent no money, and went to no night clubs. Instead, Kate
Barker only became more motherly than ever, more subdued;
and the gang likewise was unobtrusive. But Shotgun George's
malady became steadily more dangerous.

"Do you know what?" he asked in an underworld resort
one night. "That Bremer money isn't going to be changed into
real dough until the heat cools down. It's hidden right now,
and where do you think its hidden? In a shed belonging to my

woman's uncle -- wrapped in brown paper. He thinks it's just an old bundle!"

Again there were the usual admonitions for silence. Shotgun George would not be stilled.

"All right," he said, "I won't talk about the Bremer snatch. There's plenty of other stuff --"

"Don't make a fool of yourself," his woman begged.

"Me? I never make a fool of myself. It's fellows like Verne Miller -- remember him? He's the kind to make a fool of himself, thinking he could take Frank Nash away from a bunch of Feds and cops. Say, didn't he even telephone New York for gunmen, and Chicago and St. Paul? ^{Medicine and Alvin} Wanted the boys to come down and help him out. I guess they'd have done it if they hadn't been busy on that kidnapping job.--"

At last, glaring about him, he shook his head and was silent. It was only one of many such instances. The secrets which had been locked for so many years in this man's brain were demanding freedom. Now he must talk, about football, landscape gardening, the doings of the Barker-Karpis mob and how landlords thought Kate Barker was no more than a nice, round, little old lady.

Then came the babbling stage -- when they could not silence him. On the morning of March ²⁰ 21, 1934, the telephone rang in the Zeigler apartment.

Shotgun George answered.

"Sure I'll come out," he said.

The destination was the restaurant of an old friend on Germak Road in Cicero. Shotgun George went there, surpris-

ing his friend by such an early visit. They chatted a while, Zeigler again loquacious. Then Shotgun George went through the door to the street.

There were four booming explosions from sawed-off shotguns. Horribly mutilated, the bleeding from of Zeigler sank to the pavement. Shotgun George had talked himself to death.

Moreover Zeigler could not even be silenced by extinction. Various papers were found on his body, by which investigative Special Agents were able to find his apartment. Searching there they learned much of his life, and the names of men ^{with} whom he had been connected. The slow encircling process began. In the meanwhile, a queer change had come over Kate Barker. Someone in the gang mentioned Shotgun George. Her cold lips tightened.

"To hell with George Zeigler!" she snapped. After that the subject was barred.

Now the Barker-Karpis crowd could review the effects of silencing a talker who had become even more voluble with death. Apartments were hastily abandoned. St. Paul speak-easy owners and contact men hurriedly packed and with their women, left town. The Barker-Karpis boys, suddenly desperate, sought the services of "Doc" Moran, the drunken abortionist from Joliet Penitentiary. This time there would be no mere burning with caustics such as had failed to mutilate the fingers of Dillinger, Van Meter and Baby Face Nelson. Doc Moran got roaring drunk, and slashed the flesh from the fingers of

the boys until only a slight film of lacerated muscle covered the bone. Alvin, Arthur and Fred went home to Mother Barker, screaming with pain.

Continually the heat grew; friend after friend of Shotgun George, resenting his death, yielded bits of information. The Barker-Karpis mob fled from Chicago, only to find that old hideouts in Reno and other places were likewise hot. Frightened hideout owners urged them to stay away. Polite young men from the Division of Investigation had been in the vicinity, asking questions. East and West, the gang criss-crossed, finally to split. Arthur Barker and others returned to Chicago. Fred and his mother went South, seeking through isolation to evade the steadily growing heat. Under the name of J.C. Blackburn, Fred rented a big white house which stood near Lake Weir at Oklawaha, Florida, a small resort place in Marion County, some ninety miles inland. The home was in the usual taste of the Barkers; it belonged to the president of a Miami Kennel club, and was well furnished -- the way Ma Barker liked a place to be.

Old Kate was putting on her best manners. For a time they had stayed at the resort hotel; the manager looked upon her as a quiet, nice little old lady -- the role which once had so greatly amused Shotgun George Zeigler. In that character, Ma Barker even became the recipient of flowers sent by the management to make her stay more cheerful. This was unconsciously sardonic. The only thing which could cheer Ma Barker was to believe that Special Agents were far away.

That could not be done -- near her always, as she sat watching by the window, with the Florida sunshine streaming in upon her and the management's flowers on a nearby table, was a suitcase which contained an ugly-appearing machine gun, its drum filled and ready for instant action. Fred Barker had assembled a rifle. *Others were close by.*

These they carried personally to the new house when at last the renting deal had been made. Visitors came and went -- Volney Davis and his woman, Alvin Karpis and the girl he now carried, narrow-eyed Bill Weaver, who also was one of the gang. While they talked, someone always remained on guard. The heat was growing; no one knew at what moment it might become blasting hot.

Fred and his mother had come here in desperation; Florida had been used as a hideout before, it might shield them again. A month went by in peace, followed by another. Then the lightning struck. It came in a newspaper article which stated that sixteen heavily-armed Special Agents had surrounded an apartment house in Chicago and with tear gas bombs had driven members of the Barker-Karpis gang into the open. There shielded in bullet-proof vests they had tried to fight it out. The news article then carried a sentence which caused terror. The Special Agents had returned the fire of the desperate members of the crew, shooting with guns which penetrated the bullet-proof vests. Russell Gibson, a dope fiend member, had fallen dead. Two women had been captured, and another man. It was Monty Carter, the obliging person whom Shotgun George Zeigler had summoned from Arizona

to be a companion to his woman while he, Zeigler, attended to the more urgent business of kidnapping Edward George Bremer.

The newspaper, of course, said nothing about the long trailing, the running down of every shred of evidence found among George Zeigler's papers, the following up of every lead and telephone number, the patient round of visitations by young men who questioned, showed photographs, and ascertained if such persons ever had lived in this neighborhood. Nor did it mention that Special Agents, with the co-operation of the police in city after city, had run down all the Zeigler clues, and followed every other bit of evidence which came to them, thus tracing the gang to hideout after hideout from which they had been turned away because of the heat. Another item was missing. It caused Fred Barker to sit staring hour after hour, and Kate Barker to resort to her usual tears.

There had been no mention of Arthur (Doc) Barker, the oldest son. Fred and his mother knew that he had been staying with Russell Gibson and Monty Carter. Perhaps he had escaped -- perhaps there would be a telegram, a telephone call. None came; day after day they waited, becoming more gaunt, more tense. There still was no word from Arthur.

Back in Chicago, Special Agents had hidden him away and were questioning him as they also were "interviewing" Monty Carter. It yielded nothing; the men answered queries only with silence. Whereupon, the Government men went methodically about their usual line of endeavor, scrutinizing

every fingerprint, every scrap of paper in the raided apartment. There were letters, one of which was in Ma Barker's handwriting. It bore no address -- except the postmark of Oklawaha.

The ability of the Division of Investigation to work simultaneously at widespread places now came into play. The Special Squad at Chicago made its reports by telephone to Mr. Hoover in Washington; the letter had talked about a big white house near a lake. Within five minutes, Mr. Hoover was detailing men from Jacksonville, not for attack, but for surveillance. With a gang like the Barker-Karpis crew, there must be no mistakes in identity. Finally word came back to Washington that the man and woman in the big white house in Oklawaha were Fred Barker and his mother.

A plane took off from Chicago. The baggage of its passengers was extraordinarily heavy. These cases contained machine guns, ^{and} the short, wide-barreled ^{guns} from which tear-gas bombs are fired, ^{new} the other, deadly-appearing weapons which would penetrate a steel vest. It landed at Jacksonville, where other Special Agents awaited.

Meanwhile, hour after hour, waiting always for the telephone call which did not come, Fred Barker and his moist-eyed old hellion of a mother remained in the white house. Night and day someone was on guard. But at seven o'clock in the morning of January 16th, of this year, the son and mother gasped with the knowledge that their vigil was done. A shout had come from the near distance:

"Fred Barker! We're Government men. Step out and surrender."

The machine gun, the rifle and the automatic pistols had been in readiness for just this. Instantly the pair clawed for their weapons. Ma Barker took the machine gun which for so long had been her companion. Fred Barker grasped ^{one of many} the rifle. He fired through a window.

"Come and take us!" he shouted.

The Division of Investigation answered the challenge with a burst of machine gun fire. Men were spotted at more than a dozen points; no demand for surrender had been made until every sharpshooter was in his place.

The deathly rattle of machine guns was broken by the sharper crack of high-powered rifles, the deep throated, thud-like sound of tear gas bombs, the staccato intonation of super-automatic pistols. Then silence would follow, only to be broken again by a blast of desultory gunfire.

The village was like a beleaguered place; business, such as it was, ceased. Men and women sought vantage points from which they might watch, and be safe. Her eyes streaming from the effects of tear gas, Ma Barker paced the house, peering outward at intervals in the hope that, before she died, she might kill a Federal man. It was vain. A burst of machine gun fire caught her. She fell upon her own gun, its drum all but emptied. Fred Barker at last caved and fell with fourteen bullets in his body, a super-automatic in

an outstretched hand. That afternoon, Chicago papers printed rather lurid stories to the effect that Arthur Barker betrayed his mother in an attempt to save his own neck. It was not true. The son had been obdurate. What had betrayed the Barkers was their own actions, a tiny shred of evidence here, another somewhere else, a scrap of paper left behind in an apartment -- and the fact that "the boys" had tried to still the /maddened, babbling lips of Shotgun George Zeigler.

Only Alvin Karpis, Volney Davis and Bill Weaver now remained, plus the minor satellites, such as Doc Moran and others. The Division of Investigation set forth anew upon a continuation of a chase, which held its inviting aspects. Men as hot as Karpis, Weaver and Davis do not long remain at liberty.

Thus ends the cycle begun by Frank Nash of the slow grin, ^{and} the cunning brain, the old-time bandit with the red dust of Oklahoma on his stirrup leathers. It was a long trail from Oklahoma and six-shooters to Florida and machine guns. Beside this beaten path of criminality were strewn an absolute minimum of fifty-seven dead persons, including police sheriffs and Special Agents killed in the line of duty, prison guards, convicts and suspected persons who committed suicide, victims of bank robbers, men condemned to death by their own gang members, and finally, the outlaws themselves, who learned after all, that neither attorneys, hideouts, politicians nor writs of habeas corpus

can exert influence upon a law enforcement bullet.

A minimum of forty-one persons have been sentenced to prison. There are about sixty-one awaiting trial. Only a few of these are principals; for the most part these died by gunfire. The rest represent the feeders who allowed these men to live, to hide, to plunder. Never before have they been truly disturbed. There is a new day however, in the realm of law enforcement. J. Edgar Hoover is keeping his word -- to tear up the roots of crime.

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LAWYERS IN CRIME

An Interview

With

Homer S. Cummings

Attorney-General of the United States

By

Courtney Ryley Cooper

* * *

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From
Courtney Ryley Cooper,
1212 Fifth Avenue,
New York, New York

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I quote from the confession of a gangster's woman,
a member of one of the most desperate bands in the United
States:

"I turned my money and jewelry over to an attorney
to keep for me and told him to tip off the rest of the mob to
get out of town."

So the gang got out of town, necessitating the re-
sumption of a search which cost thousands upon thousands of
dollars. Justice was thwarted. Lawless men whose crimes had
included everything from bank robbery to murder and kidnapping,
were allowed to run free that they might again endanger lives

*ms:
Interview
Statement
Powder House*

and happiness.

The money and jewelry used to pay this attorney were the results of crime. He knew the type of persons with whom he was dealing and their degree of guilt; yet he aided them to evade capture. ~~Then~~^{He} he performed a criminal act, and I feel sure it was not the first time he had done it. Yet this man is allowed to practise before the courts of a large city; he mingles with other members of his profession, and he bears a title which should stand for the highest of all ethics: "attorney at law".

If this were an unusual case, it would not be worth mentioning. I must report however, that such men are neither unusual, nor are they outcasts; a degree of lethargy has been allowed to develop whereby the renegades and scavengers of the legal profession are rapidly submitting the entire fraternity to calumny.

To my mind, this is an outrage; the thousands upon thousands of honest, faithful, highly ethical men of the law must suffer because the criminals in their ranks are not quickly and thoroughly punished. Yet the blame is partly theirs. For years they have felt themselves aloof from the riff-raff. Now they find that people do not differentiate; if one lawyer is a crook, they reason that all must be crooks. The Department of Justice which I have the honor of heading, intends to do all within its power to end that condition, but it must have a tremendous amount of aid. A great supporting arm must be the vast number of ethical attorneys. Courts must awaken to their duty in this house cleaning process. And there are other

factors, highly necessary if the criminal and his equally guilty lawyer are to be eradicated.

I shall devote much time to a discussion of what this scattering of lawyer-criminals do after a crime. However, what they do before a crime is even more dangerous. I am fully convinced that in practically all widely expanded gang activities, there is some person of legal brain and training who directs the campaign. Moreover, there is evidence which leads me to believe that in at least three kidnappings of major importance, there was legal direction and assistance before the abduction was carried out.

Within a short time after I was named Attorney-General of the United States, my surveys told me that the Department of Justice was faced with the terrific task of attempting to point the way out of the morass of crime in which America was bogged down. The Division of Investigation under the direction of J. Edgar Hoover, was transformed, through the invaluable aid of Congress, into the most efficiently militant law enforcement body in history. Equipped with all the modern weapons of science, training and armament, it possesses also the courage to meet the gangster upon his own grounds and fight it out. The outcome of such challenges as those given by Dillinger, by the Machine Gun Kelly crew of kidnappers, by Baby Face Nelson and the Barker-Karpis gang are sufficient evidence that the Department of Justice is proceeding upon a well-charted course with the work of its Division of Investigation. However, it is not enough, if America is to be cleared of crime, that the

big-time criminal be reached and punished. All those who have helped him must meet the same fate. The most important of these, to my mind, is the scavenger lawyers who aid, abet and advise him both before and after acts of lawlessness. For their information, the ^{U. S. Presidential} ~~modern~~ ~~justice~~ ~~system~~, ~~run~~ ~~by~~ ~~the~~ ~~Department~~ ~~of~~ ~~Justice~~ ~~for~~ ~~the~~ ~~Insurrection~~ ~~of~~ ~~America's~~ ~~worst~~ ~~criminals~~, has ~~planning~~ cells which await such renegades. It is not enough that they should be called shysters and crooks; let them be known for what they are, scavengers, traitors to the legal profession and to society, vultures of the law. Let us give a minor example of the blockades thrown in the path of justice.

Leonard E. Chapman, Henry E. Chapman, William Stevenson and several others were on trial in Des Moines, Iowa., for a Federal offense. The jury returned a verdict of guilty as to all the defendants except the Chapmans, who were alleged to have been the principal conspirators. In their case, however, a mistrial was reported, due to the obdurate resistance of one juror, Bert Gander.

The United States Attorney suspected crookedness and asked the Division of Investigation to make inquiries regarding Bert Gander. Special Agents discovered a ^{hidden} conspiracy involving six persons and headed by Walter B. Hedell, an attorney, of Spirit Lake, Iowa. Three men were convicted and three pleaded guilty. Hedell's sentence was ^{to} a year in jail plus a fine of \$1000. The judge also ordered the prosecutor to institute contempt and disbarment proceedings.

In this incident, there is an element which far out-

*DDJ
Summary
Report*

weighs the fact that various men were convicted of a conspiracy to bribe a juror. It is the widespread contempt for true justice which the case indicates. The original charge against the Chapmans was a comparatively minor one. In attempting to illegally evade it, six men apparently were willing to prostitute the agency which should be looked upon by everyone as an inviolable protectorate of the rights of the people, a court of justice. There also was the item of public expense. Because Hedell was well known to the United States Attorney at Des Moines and his assistants, they requested a special prosecutor; it was necessary to send one from Washington. There was the expense of hard work by the Division of Investigation, plus that of another court trial, not are men maintained in prison at no cost to the public. Thus we have an endless chain of costs, chicanery and a threat to justice, all because an attorney betrayed his profession.

I repeat, as in this instance of the gangster's woman, that if this were an unusual case, it would not merit recital. However, jury bribing is counted as a minor item by many scavengers. Let us analyze the activities of a man so crooked that even the criminal rats he defended took him out and murdered him.

The culprit is gone; therefore the use of his name could only injure innocent relatives. Besides, it is not the man which counts, but his actions. Suppose we merely call him Attorney John Doe.

The first appearance of John Doe in the records was when he attempted to sell some bonds to a firm of stock brokers. The institution checked the numbers and found the collateral

*Attorney
Smith -
Bourke -
Kempis*

had been stolen. The lawyer presented an alibi and was not prosecuted. After his death, however, it was discovered that these bonds had been given him by a bank robbery gang for which he was not only the attorney but the fence.

This lawyer therefore, was acting as agent for, and advising men whom he knew to be guilty; he was even conspiring with them in their crimes by taking the bonds for sale, either on a commission, or as a fee. If it is a jolt to the average citizen to know that a lawyer criminal will defend a man with full knowledge of his guilt, I must again repeat that, for this particular type, it is a matter of common practice.

There are many lawyer criminals who do not care to defend a client who insists upon his innocence. It makes the case too difficult. An acquittal is far more easy to obtain if the attorney knows every move that was made in the commission of the crime; where the defendant started from, whom he saw on the way, how he entered the building, exactly what resistance he encountered, what the injured person said or did, how much money was obtained and what became of it. With all these facts in his hands, he then may prepare to checkmate every move which is made for conviction. Forjured alibis can be obtained, witnesses may be investigated for the purpose of finding something in their past life which can be used as a lever to keep them off the witness stand. Others can be bought off and sent beyond the jurisdiction of the court. Witnesses for the defense can be rehearsed in a set story which will absolutely deny every accusation by the complainant. There is the instance of one man now under observation by the Department of Justice who has

Personal knowledge

the reputation of being a wizard of sorts in fooling courts and juries. Instead of being kindly with his client on the stand, he shouts and yells and apparently subjects him to a cross-examination instead of a direct one. With waving of arms and nervousness of gesture, he proceeds with a fusillade of questions which would confuse any guilty man. But this client answers them all, in a quick, honest, straightforward manner. Naturally the jury becomes sympathetic, and often acquits, contrary to the evidence.

It is all fakery, crookedness, chicanery. The effect is obtained by resorting to one of the oldest tricks of stage mindreading acts, and getting the right kind of answer by a signal system. The attorney works quite close to his client, and waves his arms, He moves about nervously/or puts a foot on the dais of the witness chair. He has trained the culprit in ten kinds of answers, one of which will fit any question he may ask. Then he signals by touching various parts of the defendant's body. Suppose, as he asks a question, he touches the witness's right ankle. That means to give Answer Number One. The right knee means Number Two; a wave of the arm and an imperceptible brush of the hand against a pre-arranged point, will give the signal so quickly as to be imperceptible to even jury or court attendants. The right wrist is Number Three, the right elbow Number Four and the right shoulder Number Five. The same procedure down the left side supplies the rest of the ten signals, each of which means to reply with a certain type of answer. So, instead of what seems to be an honest effort by an honest witness is merely a well-rehearsed stage show, put on for the grim pur-

*Ben
Lester
Kramer
Kramer*

pose of releasing a dangerous enemy of society who again takes up his predatory pursuits.

I already have guessed that the reader will give this lawyer great credit for cleverness and ingenuity. That is the sad part of it; this American trait which worships adroitness in any form is one of the prime reasons why the United States stagger under the disgrace of being the most lawless nation in the world. But to continue with the story of John Doe.

Attorney
Smith
B.K. case

One of the gang which he represented was arrested. Few persons came to see him in his cell; one of these was the attorney, and a short time later, the bandit was found to have a loaded revolver hidden under his mattress, preparatory to an escape.

Prior to this, there had been another arrest on a bank robbery in another state. Investigations following John Doe's death hint that he obtained nearly five thousand dollars from his crooked clients, ~~to be used for the intimidation of witnesses.~~

Again, with one of his clients in jail, he was given several thousand dollars to be used for any purpose whatever as long as it meant freedom. He went from city to city, interviewing gangsters in an effort to raise a tremendous defense fund, the main amount of which, he announced, was to be used for bribery. When, however, he failed to obtain an acquittal in spite of all these efforts, the gang members took him out and murdered him. There is a saying in the underworld that gangsters give the one-way ride only to persons whom they regard as in their own calling. With that thought, I leave

Deaths

John Doe,

There are many instances of equal viciousness in the files of the Department of Justice. Witness the case, for instance, of young Langford Ramsey, an attorney of Memphis, who carried messages for George and Katherine Kelly, conspirators in the kidnapping of Charles F. Urschel, and who sought to aid, harbor and protect them. The Department of Justice dealt with Ramsey as it hopes to deal with all of his kind, by a trial which resulted in conviction. The fate of two other attorneys indicted in this case, may be settled, for conviction or acquittal, by the time this reaches print.

Radley & Matthews

I must intervene to say that my remarks do not constitute a tirade against attorneys, but rather a defense of them. As a lawyer I know the vast number of men who are honest, capable and proud to abide by the highest ethics of their profession. Therefore, in their defense and that of the public, I am giving warning of an unrelenting determination to imprison the scavengers of the law whenever there is evidence sufficient to convict in a Federal court. The honorable legal profession is now in the same position as a barrel of good apples into which some rotten ones have found their way.

There are too many cases, like one which lies before me, in which is recited the actions of two bank bandits who, with arrest imminent, sent a part of their stolen money to an attorney for purposes of defense. This sort of thing happens ad nauseum; certainly not much acumen is required for a man to realize that he is receiving stolen money when he gets some tremendous fee from a person who has no business, who can show

no evidence of savings or frugality, who has no real home, who possesses a record of previous arrests or penitentiary sentences and who, perhaps, was caught, gun in hand, fleeing from the scene of robbery or murder.

Certainly also, the attorneys for men known to be gangsters, often with a record of a dozen murders, are not so dense that they fail to understand whence their fees come. The average citizen, upon reading the newspaper account of a gangster killing, may note that the dead criminal was found with a penny in his clutched hand, denoting him a cheap skate. This appellation did not come about through the fact that he was slow in reaching for the check in a restaurant or because he evaded paying a taxi fare. It meant that some member of his gang was in trouble with the law and that criminal partners who remained free were raising a "defense fund". This particular comrade had refused to meet his assessment, so he had been killed. A "defense fund" can mean little except money to be paid to some attorney, highly skilled in the artifices of acquittal. Thus in more than one case, the men whom I designate as scavengers become exactly that, feeding upon murder or the threat of death. Honest lawyers know this; surprising though it be to the reader, they are only too anxious that the public know it. The legal profession is strongly in need of public support that it may proceed against those who degrade it. Let me explain.

Several times, at Bar Association banquets and other places, I have drawn attention to the disrepute which is being caused by a small part of the legal profession. Bar Associa-

*Check
Comments
Tunby case.*

tions everywhere are being asked by forward-looking persons to clean house. They are more than willing to do it. However they need one tremendous assistant. There must be general understanding of the situation and an ability to distinguish that honesty all too often is at a disadvantage in a battle against crookedness.

Only one quality can truly accomplish great things in America. That is public opinion. All the laws in the world are worthless unless juries enforce them. Grievance committees of Bar Associations can bring charge after charge against men they know to be a disgrace to their profession; they are useless unless those charges are backed by the concerted belief of the people that they are proceeding upon a right course. In State county and municipal courts, a judge is only a judge as long as citizens cast their ballots in his favor; perforce he becomes a vane which, to a degree, must swing to the demands of the electorate. Therefore, in answer to my various talks, there have come some surprising reactions. One of them was voiced thus:

"Well, what are we, as Bar Associations, going to do? This crook has a reputation for being the cleverest lawyer in the community. Everybody knows he's tricky. They like him for it. The newspapers play up his coups whenever he has a big case; he makes good copy. The people in the street laugh at the show he puts on during a trial and crowd the courtrooms to watch him. His office is full of clients; he makes more money than a hundred honest lawyers I know. If a woman kills

her lover or her husband in cold blood she rushes straight for him because she knows if she can put up enough money, he can get her free. If a gangster or kidnapper is caught, this renegade becomes the attorney in the case and the newspapers all speak of his brilliant work when he obtains an acquittal. When the Bar Association tries to discipline him, it meets an embanked resistance from the community, fostered, of course, by the lawyer himself, his political allies, and by editorial comment. This man was even arrested on an open and shut case in which he had tried to bribe a policeman. The cry went up that it was Bar Association persecution, brought about by less efficient attorneys who were jealous because the crooked lawyer had all the business. At the trial, the fatuous jury heard all the evidence, laughed at the crooked attorney's antics -- and set him free."

*Bar Association
Denver 1923*

This may have happened in your own town. Certainly it has happened in many. The place for housecleaning therefore, while residing strongly in Bar Associations, courts and offices of prosecution, rests truly and fundamentally with public opinion. The average citizen, when he laughs over some buffoonry of an amiable scoundrel, or applauds the shrewdness of a trickster, might not be so pleased if he really understood how much he was paying for his pleasure. I have before me the record of a man who has been arrested ninety-six times on charges running all the way from minor infractions to those involving attempted homicide and actual murder. Out of this total, he was convicted only once and then ~~sentenced \$200. on a liquor violation,~~ *was sentenced to only two years at Seavenworth.*

*John Lee
K. C. [unclear]
Case.*

Certainly, law enforcement officials cannot be wrong ninety-five times out of ninety-six. Certainly, also, the "right" kind of skillful, shrewd and unscrupulous attorneys, plus their political affiliations, had something to do with those ninety-five verdicts of freedom. Somebody had to pay for those ninety-six trials. Persons lost their livelihood in the homicides of which he was so speedily whitewashed. Policemen do not work for nothing. The coat, just like any other coat, came out of the taxpayer's pocket. So it does every time the citizen thinks he is getting something for nothing by admiring the shrewdness, the trickiness, the theatrics of some scavenger who has the reputation of "always, by some hook or crook, being able to get a fellow out of trouble."

By this, I do not mean that the job belongs wholly to the public. Quite to the contrary, I say emphatically that the American Bar now faces a most vital problem growing out of the derelictions of various members. It makes no difference whether these improprieties arise from over-zealousness in behalf of clients or from purely mercenary motives, the fact remains that justice has been thwarted, time after time, and that these lawyers are actually criminals operating under the protection of their calling.

Simply because a man is accused of a crime, the fact does not follow that he is guilty of that crime. These outlaw attorneys have so despoiled the scene of criminal practise that many fine and upright men, devoted to what should be the highly honorable profession of protecting a man against possible in-

justice, must writhe under the contemptuous sting of being called a "criminal lawyer" with the accent on criminal. The precepts of Justice therefore are being hampered because many good men fear to take criminal cases. There is a widespread belief that a lawyer's first duty is to his client. I submit that every lawyer is an officer of the court, and that therefore, his client must come second to the sanctity and cleanliness of just and fair court procedure.

It therefore becomes paramount that lawyers and courts do their own housecleaning. However, it would be of tremendous aid if they could be furnished some soap, water, scrub brushes and brooms in the form of united public opinion which would applaud the honest lawyer and condemn the crooked one, instead of the opposite, which so often is the case. Again, I submit the tremendous cost of allowing these men to pursue their progress of delays, of getting witnesses out of court jurisdiction, of bribery and consorting with criminals and often advising them, previous to a crime.

A case in illustration is one of several years ago, but vital nevertheless. At the height of gangster rule during the prohibition era, there were strikes and mine disorders in the vicinity of ^{Pittston} ~~Wilkes-Barre~~, Pennsylvania. One night, three men rode through town in an automobile, and, upon passing Alex Campbell and Peter Reilly in another car, opened fire with sawed off shotguns. Campbell and Reilly were killed. The murder car was found abandoned, and a shotgun with it.

Campbell and Reilly were insurgents who had ridden

home with a Luzerne County detective that day and on parting, had promised that on the following morning they would reveal evidence regarding the murder of one Thomas Lullis. The detective went into his house. Ten minutes later, he received information that Campbell and Reilly had been murdered.

Plainly here was homicide in an effort to prevent prosecution. The county grand jury indicted three men, only one of which figures in this recital, Vincenzo Damiani, alias Little Jimmy. In 1931, he was apprehended in a gambling place in the Parish of St. Bernard, La. Upon identification, the Pennsylvania authorities were notified.

Damiani insisted that he was a poor man. Nevertheless, almost immediately, a special lawyer came from the East to defend him at his extradition hearing. He was Abner Siegel, from Washington, D.C., and queerly, in spite of Damiani's poverty, Siegel had plenty of money to be spent on the case. I have mentioned before that gangsters contribute to defense funds or die with a penny in their hands.

Extradition was granted. A fight began for freedom on habeas corpus proceedings. That was dismissed. Damiani then was removed to Luzerne County, Pennsylvania, to await trial. On the way, he told officers that he had an alibi defense; he had been in jail at the time of the murder. The place of incarceration he refused to reveal, saying that it would come out at the trial. Here we leave him and take the trail of Abner Siegel, the lawyer.

Crooked attorneys make a business of knowing many people. They are glad-handers, full of anecdotes, equally full

of tips on good stories for reporters, eager to donate to any and all charities, especially those of law enforcement bodies and court attaches. They pursue ingratiating courses at police stations and jails, where, all too often, they are looked upon as "swell fellows". Seigel belonged to the clan. Among other persons he had visited at intervals was Harry S. Deane, in charge of the Identification Bureau of the District Jail in Washington, D.C. A month or so after the arrest of Damiani, he dropped in and almost immediately began to talk about the profession. Deane, being no different from anyone else, admitted that the calamity had hit him also. Then Siegel said:

"I think we can make a little money. In fact, I can get you a couple of hundred right away and plenty more later on."

Thus bribery begins its course. Deane, however, had an inkling that this might not be clean money. He determined to learn the truth. An engagement was made for the next day. Siegel took him driving and told his desires. He wanted to get a record into the Identification files showing that a certain man was in this jail on a certain date. He promised to pay \$1000. for the privilege.

The next day Deane reported the matter in its entirety to Colonel W.L. Pecko, superintendent of the jail. It was decided to pretend to conspire with the lawyer and learn the identity of the man he was trying to protect. At last Siegel brought the information, on a commitment card he had been given. It was Vincenzo Damiani, accused of murder. Siegel showed a heavy roll of money.

"Hurry up and get that in the files," he announced.

Asylum and /

"I want to get rid of this. As soon as you come across, it's yours."

Doane and the Superintendent then took other members of the jail staff into their confidence that Siegel might be allowed to go through the entire plot. The Division of Investigation was notified. Siegel was allowed to pay the first part of the bribe and the money marked. The lawyer went about town buying a numbering machine and stamping pad so that he could simulate the number of a card supposedly taken from the files to admit this one. He also obtained Damiani's signature on the commitment card. Immediately a Special Agent went to Wilkes-Barre, where the signature was verified as that of the accused man. The chain of evidence now was complete. A trial for bribery resulted in a conviction and a sentence to eighteen months in a penitentiary ~~plus \$5,000 fine.~~

The important feature in this case was not that a lawyer was caught in a criminal act, but that he committed it. Here was a man who was willing to illegally free a person accused of a loathsome murder. He was willing also to debase the honesty of jail officials. And if he could do it once, he could do it over and over again, all at the expense of the public's purse, its peace and its security. Remember that the next time you feel like applauding some "clever" piece of work by a lawyer-criminal.

Perhaps one reason that communities do not shun the well dressed, opulent, gracious, always-entertaining trickster lawyers and insist upon their disbarment or imprisonment is

possible, or at least contempt proceedings, is because many persons have a belief that an attorney has a right to do almost anything to free a client. There is a basis for that belief. Recently, in Chicago, the Department of Justice attempted to send an attorney to prison on a charge of having harbored John Dillinger. The lawyer announced from the witness stand that Dillinger had come to him almost directly following his escape from the Crown Point jail. He told of many meetings with Dillinger while every law enforcement official in the country was searching for this most desperate killer. He testified that he urged Dillinger to surrender but that the bandit refused, saying that he would do so "after awhile". He freely testified that he had accepted \$5,000. from the gangster, but said that this amount of money was for legal fees. In all of these actions, he insisted, he was wholly justified, under the provisions for confidential relations between a lawyer and his client. This was especially pertinent, he said, regarding his failure to notify law enforcement officials of Dillinger's presence in Chicago, ^{and the fact that he made no} ~~not make any~~ move other than the urging to surrender, to again place him in custody; ~~in this, he was upheld by a ruling of the court.~~

Further, he stated that his numerous meetings with Dillinger were as an attorney in behalf of his client, and that one of his objects was to see a certain judge and endeavor to obtain a promise that in the event of Dillinger's surrender, he would be sentenced to life imprisonment and not be executed. The Government contended that the meetings were for the purpose of concealing and harboring Dillinger, especially with a view

Louis
 Pugnetti

to having a face-lifting operation performed, plus another to mutilate the bandit's fingers in such a manner as to make identification by a comparison of fingerprints impossible. The jury, after listening to all the evidence, and the instructions of the judge, chose to believe the attorney's story and placed its sanction upon his actions by acquitting him.

It is useless for me to say that I am utterly disgusted with the outcome of that case, and that the Department of Justice has another charge against this attorney which it intends to prosecute diligently. However, it is not the case itself which is uppermost in this instance, but the opportunities it presents for discussion.

I insist that it is the province of no attorney, no matter how much money he is being paid, to regard the matter of confidential relations as sufficiently sacred as to conceal the presence of a dangerous fugitive. Here confidential relations clash with something more important -- the fact that any lawyer is an officer of the court. Pursued to its widest interpretation, if an attorney can refrain from notifying law enforcement officials of the presence of a fugitive, he can, within the limits of confidential relations, harbor that man. Again, in its widest viewpoint, ^{it} is within reason that a murderer could move straight from the scene of his crime to the office of his attorney, where he could insist upon being hidden and fed, sheltered and bedded and the quavering lawyer do nothing about it for fear of violating the sacredness of his obligation to his clients. If I were in a fix like that, I would resign as counsel, kick the fugitive out of my office and call the

police. This same thought is shared by thousands upon thousands of other attorneys. And unless something is done to make the small percentage ^{review} ~~change~~ ^{actions} ~~their minds~~ about the extent to which sacredness of obligations extends, an aroused public opinion may decide to change the rules. How refreshing therefore is a case from Portland, Oregon.

A man named Alderman appeared at an attorney's office there and announced that he knew this lawyer to be interested in a War Risk case before the Federal court. He said he had a friend on the jury and if \$1,000. was forthcoming from the client, to be split three ways, \$500. for the juror, \$250. for Alderman and \$250. for the lawyer, a favorable verdict could be obtained.

This lawyer believed that a criminal case, like any other, should be handled upon the evidence and the evidence alone. In other words, he was an honest lawyer; I am proud to say that most lawyers are honest; perhaps that is why I resent so thoroughly the cartoon eaters who cast a reflection upon the entire profession.

He pretended to fall in with the idea and immediately notified the ~~Division of Investigation of the~~ Department of Justice. There were long negotiations, plans and supposed plots. It all ended with Alderman being sent to a ^{federal prison} ~~road camp~~ and his juror friend, Percy T. Shelley, being sentenced to eighteen months in the United States Penitentiary at McNeil's Island.

I hope I have not given the impression that by a

*Amended
Report
D. J. D.*

campaign against renegade attorneys which shall last as long as my tenure of office, the crooked lawyer is to be wiped out everywhere in the United States. Simply because the Department of Justice announces a certain purpose regarding matters which come within its jurisdiction, there does not necessarily follow a Utopian result whereby abuses are eradicated for the entire nation. It simply means that the ~~actions~~ ^{of ~~every~~ ^{all} attorney} whose actions in Federal cases has given rise to suspicion are under scrutiny. They must be regarded by the Division of Investigation in the same light as any other potential malefactor who goes blithely upon his way until the day when evidence deemed sufficient to convict has been gathered and the criminal finds himself faced with the resources of the Government massed in an effort to send him where he belongs. But unfortunately for the legal profession, the Department of Justice can go only so far. Then it must call for aid.

That call I now issue. It is to every Bar Association, to every court, whether in state, city, county or magisterial district, to give the United States Government the aid and cooperation necessary to purge the legal profession of scavenger lawyers. The evil consequences of interwoven alliances between respectability and crime are manifest on every hand. The underworld, coached, instructed, protected, drilled in testimony, fostered by bribery and chicanery, too long has been permitted to lay tribute upon decent citizens and honest industry. The time has come for a renaissance of law and orderly government. How is that to be brought about?

In the last analysis, the whole question reverts back to public opinion. There has been a tremendous disposition on the part of the populace within the last few years to hand all knotty problems to the Government. However, in this instance, the Government can go only so far -- then it is blocked by state lines.

Whenever a dishonest attorney comes within the jurisdiction of a Federal case, he shall be dealt with as the evidence demands that he deserves. There, however, the scope of government halts, and the question becomes one for the state, the county and the city. For those not familiar with intra-state and interstate operations, it must be explained that as long as an attorney, no matter how adroit in twisting the law, operates only within state, municipal or county courts, the Government has no jurisdiction whatever. Yet it is within these latter-named confines that the greatest need of reform exists.

The Federal courts, through the very nature of their conception are the last places in which a lawyer-criminal desires to play his artifices. The judges, selected from the pick of the country, have lifetime jobs in which they need not fear influence nor pressure; they can cause hearings for contempt or disbarment or even criminal prosecution without the pressure of the political power which so many outlaw attorneys can assemble in time of trouble.

Conditions are different in the municipal, county and state court. Here are elected judges. They are the prey o

certain malicious forces which must be uprooted before this country swings to an even keel in its battle against criminality. They live constantly under the threat of the next election. That means public opinion. Once given assurance that they have this public opinion on their side, they can proceed upon a course highly amenable to their desires, namely, to clear the courts and the legal profession of the horde of charlatans which seems to feed upon itself and grow thereby; after all, if Jim Jones can get away with it, why should not Sam Smith?

The smaller the court, the more flagrant the operations of renegades and the more difficult it is to reach them. Here, pressure can be applied directly. There can be the accusations of jealousy, dislike, persecution plus the sympathetic pleas that a man is being deprived of a means of livelihood through personal prejudice. If a renegade attorney knows artifices by which he can free criminals, he is well prepared with ten times that many tricks for keeping himself out of trouble. He shouts persecution at the slightest move to displace him from his position of criminal power. He assembles citizens, merchants with whom he has spent much money, perjured witnesses and all the rest of the category of a well-planned defense mechanism to prove himself, not an enemy of society, but a martyr.

An elected court is courageous indeed if it can stand in the face of massed public opinion. By the same reasoning, that court can be all-powerful if it knows that the citizenry of the community is behind it.

22*

The traditions of public opinion have made a loathsome thing out of the true scavenger, whether animal, rodent, serpent or bird. It can do the same with the scavengers of the law. Without that pressure of opinion, however, they will continue to exist.

* - 0 - *

Courtney Ryley Cooper,
1212 Fifth Avenue,
New York, New York.

RISE AND RECEIPTS SENTENCE

An Interview

By

COURTNEY RYLEY COOPER

With

HOMER S. CUMMINGS

ATTORNEY GENERAL OF THE

UNITED STATES

A man is arrested. The excitement of pursuit, the thrills of capture, the tedious gathering of evidence; all this becomes a matter of retrospect. The public settles back, believing that the ends of justice have been met. All too often, however, those ends of justice are still as far apart as the poles, and the struggle to serve the best interests of society has only been begun. The alleged violator has many allies. They are laxity, apathy, crowded courts, chicanery, ignorance, prejudice, political power; an accused man walks with an army of human fundamentals, all conspiring to assist him.

Let us look for instance at a famous case of a utilities magnate recently freed from various charges implying fraudulent transactions. The matter of guilt or innocence shall be dispensed with; this is an illustration of the human element in criminal procedure, not the story of an alleged violation.

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There was a tremendous hue and cry against this man instigated by numerous complaints demanding action. Evidence was gathered. The chase began, a game of hare and hounds which encompassed a large part of the world. There were efforts to evade extradition, equally earnest efforts to obtain it. Every possible phase of legal ingenuity entered into the picture. The beginning of the pursuit saw almost an united public opinion. The end of it, after a flight which had consumed months, found a tremendous lessening of interest. Delay followed delay; the fashioning of the mythical picture of justice is incomplete in that it fails to depict the fact that her limbs are shackled and her steps are leaden. By the date of trial, times had changed, other interests had arisen to supplant those of preceding years; spectacular bandits had splashed their bloody way across the front pages of the newspapers, to kill and be killed. Apathy had developed; this was a matter of ledgers, entries, dry statistics for which the public cared little, looking only upon the human element. The same man who once had been pictured as a devourer of pelf became only a broken old man, harassed and persecuted by an inhuman government.

These conditions in greater or lesser degree represent the barricades daily erected in the paths of justice. To aid the growing sentiment for fearless, fair, and efficient law enforcement, there must be swifter trials, fewer legal tricks, a cutting away of the ceaseless red tape which shrewd men use to tangle the progress of law. There must be a more critical attention on the part of the public toward the reasons for conviction and acquittal, a continued interest which, instead of ceasing with arrest, follows the accused man through the courtroom, and, if convicted, into the penitentiary and onward throughout

the years in which he succeeds or fails in again becoming an honorable member of society.

This does not mean the setting up of new machinery or the formation of more regulations. The administration of criminal law already has too much machinery. Thousands upon thousands of useless, inflexible statutes hamper justice instead of aiding it. Criminal codes have been amended and re-amended until they are a morass of technicalities which provide a happy hunting ground for the attorney whose desire is not justice but success in releasing his client. We need to tear away these entanglements, simplify court procedure, work by rule rather than by a hide-bound system of regulatory statute.

As an example, consider the avenues of evasion available to a criminal with plenty of stolen money, plus the lynx-like activities of an attorney bent only upon obtaining freedom. Following the arrest, it is possible that the criminal will be held for a time in a jail so far below minimum requirements that it actually invites escape. In many communities, the arraiging judge either is a justice of the peace or his prototype. In some cases, they need not even have a knowledge of law, being merely part-time, fee officials, elected because they are good fellows or need the job. Nevertheless, in certain instances they hold tremendous power; at the culmination of a preliminary hearing, they can hold the prisoner for trial in a superior court, or decide that there is insufficient evidence to warrant this action. Here the possibilities for corruption and for ignorant handling of important cases are enormous; witness the monotony of entries such as the following in the records of many dangerous gangsters:

"Arrested, charge homicide. Discharged by Magistrate."

However, we will presume that our supposititious criminal is held for trial in a higher court. Again, it is within the power of the magistrate to set bail at such a ridiculous figure as to again make escape inviting. Or if the bond is sufficiently high to absolutely insure appearance in court, and if this prisoner cannot produce that amount of bail, a sufficiently shrewd lawyer may resort to the friendly services of the habeas corpus, devised to protect society and used by the unscrupulous to endanger it by the liberation of dangerous offenders.

Following the preliminary hearing, it is often necessary for the district attorney to now move for an indictment. This done, the weary course proceeds toward a trial. While it is the prisoner's right and privilege to obtain continuances, it certainly does not lie within the realms of reason, that for purposes of proper defense, new dates of trial be granted by any court to an extent which, in numerous instances, have resulted in as many as twenty-five or thirty delays, thus possibly postponing the hearing for several years.

During all this time, an old axiom of law is at work: Time is the best witness for the defense. The keenness of evidence is distilled off; the memory of witnesses becomes faulty, the ability to place the picture of the crime accurately before the jury is weakened; facts become clouded; public interest lags. If the criminal elects to stand trial, his chances of acquittal have been multiplied until the question is not whether he committed the crime, but how much of the original proof may be salvaged in an effort to convict him.

More often, however, the accused merely has been playing for advantage. The contest becomes one, not of legal action, but of bargaining. The defense attorney knows his adversary has been handicapped. He taunts the district attorney with the probability that a conviction is impossible. A haggling process ensues; two men bartering the facts of a human being, one holding out for a minimum of punishment, the other desperately attempting to rescue what is left of a badly shattered case. Here I interpose this thought. It is the duty of citizens to watch their courts and prosecutors with the same zeal with which they watch their own business affairs. Crime means taxes. Law enforcement alone in New York State for instance, cost for 1933-34, \$73,488,888.64, not including the real expense caused by the criminal: high insurance premiums, lowered morale, loss of property and human life; it is to be presumed that the same average prevails for the rest of America. When the citizen sees continuances and delays granted time after time without due consideration of the rights of the public, it is his duty to act swiftly, protest vigorously, and through civic and other organizations or through the press direct attention to the necessity for an unflinching investigation.

With Time as his ally, the accused now holds a balance of power. In many instances, only the fear of facing a jury for the crime of which he knows he is guilty, aids the commonwealth. Therefore a procedure is gone through; it is known as "copping a plea". The prisoner agrees to admit that he performed a criminal act, but not in the degree which the State alleges. It is a disagreeable fact that about seventy percent of convicts in state prisons are not there for the crime they committed. They are guilty, of course, but they have pleaded to a charge less serious than that with which

they were charged. Murderers thus become guilty of manslaughter and felons "make the reformatory" on pleas of guilty to misdemeanors.

During all this time, the prisoner may have been under many jurisdictions. He may have been arrested by a constable, taken over by county officers, removed to a city where he came under guardianship of the police department, lodged first in a city jail, then another county institution, and finally admitted to one under the guidance of the state. To use New York City as an example:

The policeman brings a prisoner from the station to a magistrate's court and to a complaint room. Following this, the accused man is put into an enclosure in charge of court attendants who are the subordinates of the judges and have no connection with the police department. Then, when this prisoner's case is called, the policeman goes to the enclosure and recovers his man from the custody of the court attendants, hails him to the bar for sentence, acquittal or to be bound over, after which he may be taken to an entirely different enclosure where he passes from the jurisdiction of the policeman into that of the sheriff or the Department of Correction. It is easy to see that this multiplicity of authority serves no useful purpose.

The case of our theoretical prisoner is not ended. He has "copped his plea" or been convicted and has gone to prison. Here, under conditions prevailing in some parts of the country, little is done to fit him for a proper return to society. If he is a so-called "big shot" and is sent to an institution where politics and graft or even apathy and lethargy have exerted their stultifying influence, he may carry the power of money behind stone walls, allowing him special privileges, favoritism, even luxury. Worst of all, however, it allows him to occupy a position of aristocracy in the eyes of the other inmates. Prison, like death, should be the Great Common

Denominator. Only by absolute equasion can the theory of penal servitude succeed. Crime is born in ego; it dies in humility.

Even behind stone walls, the battle against society may continue. If the courts of this particular commonwealth adhere to the old system of scrutinizing every comma, period, and preposition of an indictment, there is great possibility that the prisoner's astute lawyer again may result to the filing of a writ of habess corpus, thus allowing a lower court to permit permanent freedom unless an appeal is successful. It is indeed a wise prosecutor, in these days of multitudinous regulations and statutes, who can draw an absolutely perfect indictment.

Even if this subterfuge fails, the convicted man still possesses a road to the outside world. Inmates who do not die in prison must be released. If they are to be controlled at all, this must come by parole, the advantages and disadvantages of which I shall discuss later. Parole time arrives. It now is possible for the offender to go forth into the world, commit a new crime, and through the influence of his attorney or through politics, suffer no further consequence than that of being returned to prison as a parole violator. Hastily I add that this is not to be viewed as a slur on the idea of parole. Rather it reflects upon our legal profession and our judiciary as typified in such examples of the following excerpt from testimony before the grand jury of a large municipality:

"The mother of this prisoner appeared and in an interview with the Parole Officer stated that she had been approached by a woman lawyer who solicited her son's case. This lawyer spoke to her in effect, in these words: 'Retain me in this case and I will fix it with the judge so that

your boy will be returned to the reformatory for the ten months he owes, and by that time, all this excitement will have died down and he will receive no punishment except maybe a suspended sentence for all these burglaries! #7

I suggest that the custom of "seeing" or "fixing it with judges" is a practice which should be outlawed; there is no place in modern criminal procedure for anything even resembling star chamber sessions. We must remember that justice should work both ways, equally for the accused and equally for society. Bitterness, and a sense of having been unfairly treated, has been responsible for many crimes; many sociologists have even found an excuse for many of the desperate acts of John Dillinger in that he received twenty years in prison for a burglary while his comrad, a hardened criminal, was sentenced to only two for the same crime. Again, in the forty-eight states, there is lack of uniformity in penalties; one state executes for murder, another gives a life sentence without pardon privileges; while a life sentence in still another rarely means servitude of more than ten years. Other crimes have similar variations of punishment. Yet we are supposed to be all one people, thinking alike, acting alike, obeying laws alike. Why should we not be punished alike?

Also, if the figures of Dr. Walter N. Lave, in a statement before the American Prison Association Congress in 1933 are correct: "the criminal knows that he has a better than even chance that he will not be arrested for his crime, and a better than a five to one chance that he will not be convicted."

Also, if it is true that seventy percent of state prisoners are doing penal servitude on "copped pleas", we are forced to an appalling

conclusion. Fifty percent of guilty men are arrested. Twenty percent of that fifty, making ten percent for all crime, are convicted, and seventy percent of these "accept pleas". Therefore we are faced with the deduction that of all criminals, only three percent are carrying the burden of bona fide punishment for crimes committed.

The result is that these three percent do not receive commensurate punishment. Judges, in a desperate effort to deter others by setting an example, often pronounce long sentences. Instead of deterring crime, this often acts in the opposite direction. To be a true criminal, one must be, to a degree, a victim of self indulgence. The heavily sentenced prisoner resents the fact that a judge "threw the book at him", and becomes an "Exercise yard orator" and a hero of his cellblock, inciting others to crime in his warped efforts to "get even".

It is time I made a number of reservations concerning the numerous conclusions to be drawn from my somewhat lengthy recital of a Prisoner's Progress. Especially is this true of judges and prosecutors. Certainly I do not contend that they, as a body are unfaithful to their trust. The opposite is true; in the main our judiciary is an overworked, zealous, high-minded body of men striving against a myriad of difficulties to accomplish the seemingly impossible. However, one cannot attack the criminal in America by pointing to the honesty and high purpose of the tremendous majority of our citizens. Likewise, one cannot direct attention to the cankers of legal administration by saying that a large percentage of judges and prosecutors, law enforcement bodies and penal administrators strive earnestly and honestly to do their duty. No one knows this better than the

high type of men to whom I herewith present my admiration for their conscientious execution of their duties. It is because of them and the difficulties under which they labor that I direct attention to the urgent necessity for early remedy of the conditions which now conspire to impede justice. It is a tremendous task.

There must be a wholesale weeding out of obnoxious growths. With the possible exception of municipal agencies, there is no need in our country for anything more than a dual system of criminal procedure, Federal and State, based upon uniform laws and uniform penalties. Were this millennium to be reached, a vast majority of overlapping jurisdictions, duplication of expense, opportunity for jealousies, bickering, multiplied incumbents and opportunities for graft, would be wiped out in one stroke. Millenniums like rainbows, however, are always far away. While working toward that distant goal, therefore, we attack, one by one, the problems of immediacy, hoping thereby to reach a stepping stone to higher accomplishments.

There is a demand for swift progress toward an appointed judiciary, such as is gaining favor through the efforts of better jurists and the American Bar Association in the larger states. It is asking too much of any judge that he hold his office by virtue of the whims of an electorate. We also have an extreme emergency which calls for a serious paring down of our annual crop of attorneys. It is said that we are a government of laws; before that, however, we are a government of men. Before a man can be a judge, in the true usage of the word, he must be an attorney; the field from which jurists are picked should be one of highest potentialities. However, this field today is overcrowded and rank with imperfections. Many persons who have been admitted to practice who are neither mentally or morally fitted to

their task. It therefore evolves that in times of stress, these men may yield to temptations which, as officers of the court, they should resist. Vigorous action such as that recently displayed by the judiciary of the Philadelphia Bar Association in the recent casting out of a number of traitors to the profession is an example of what should be done to raise the standards of the legal fraternity.

In my remarks upon possible remedies for existing circumstances there will be many references to the Federal system in criminal procedure. It is the highest type we possess; there has been an opportunity for the unified building up of a system to which stringent rules may be applied. Yet even here, one may find the human element, plus the deterrent effects of conditions already stated, all conspiring to hamstring justice.

For instance, in the removal of a prisoner from one jurisdiction to another, only two points of procedure are involved. These are the questions of whether there is sufficient evidence to warrant the prisoner being returned to the scene of the crime for trial, and the certainty of identity. The indictment itself is sufficient to show probable cause; identity is seldom questioned. Yet, in one outstanding case an accused man was able to delay his removal from Newark, New Jersey, across the Hudson River to New York for a period of more than two years by use of the habeas corpus.

It is a self evident fact that an accused man must be present at his trial. If this can be accomplished through his freedom in the interim on bail, well and good. But if there is danger of his escape through the forfeiture of a small amount of money, then the accused should be kept in jail.

provided he cannot raise a sufficiently large sum to assure him facing the bar of justice. The abuse of the habeas corpus by certain attorneys has become almost a racket. Thus by employing, before a favorable judge, a means designed to protect the innocent, they seek to give to dangerous and vicious men an easy escape from justice by allowing them freedom on low bail under the threat of a habeas corpus writ, plus a chance to escape trial by the forfeiture of bond. This done, the slow and expensive process of pursuit must be begun again, with every advantage on the side of the pursued. Witnesses become scattered or dead, or "reached" through the many subversive tactics of the criminal world and its criminally legal allies. A bill now before Congress would eliminate this first aid to crime. I sincerely hope it receives early and earnest consideration.

In all courts throughout the land there is overcrowding of dockets; one case which has come to my attention, that of an illicit dealer in guns for gangsters, could find no consideration because fifteen hundred cases were ahead of it. There is a remedy in resolutions adopted by the Attorney General's Conference on Crime of last December, now being followed by other meetings in many parts of the country, endorsing the model Code of Criminal Procedure prepared by the American Law Institute.

This allows the accused the privilege of being tried by jury or by the court alone. It provides for alternate jurors to serve in case of disability or disqualification of any juror during trial. Many major cases have ended in freedom for the defendant merely because a juror became ill, or died, or, in one historic instance, escaped the jury room to go home and accuse his wife of having had illicit relations with the milkman.

Another provision obviates the continual necessity for indictment and in commonwealths where Grand Jury action is a constitutional requirement, waiver should be allowed.

Even more important is the necessity to provide for jury verdicts by less than a majority vote, except in the case of certain major felons. As State Supreme Judge Ferdinand Pecora so clearly expressed it, this would, in many cases necessitate the bribing of several jurors instead of only one.

Accused persons depending upon alibi or insanity defenses would be required to give advance notice of this fact, except in extraordinary cases, to be determined by the judge.

Most important of all would be a rule permitting court and counsel to comment to the jury on the failure of the defendant in a criminal case to testify in his own behalf. To this, I add the belief that the English system of jurisprudence where the judge may take an active part in the trial, questioning witnesses to clarify their testimony, to remove innuendoes and to dig more deeply into the truth or falsity of their evidence, is a condition much to be desired. In too many cases, the judge is not a judge but a mere umpire, presiding over the activities of two groups of quarrelsome attorneys. Courts were made for one purpose, to learn the truth. They were not instituted to be battlefields of wit, shrewdness, or chicanery.

The foregoing rules, if adopted, would speed up justice tremendously. Until they become an actuality, however, there will be demands for more machinery wherein to grind the grists of crime. This is especially true at the present time in the Federal courts.

The influx of petty cases due to prohibition happily is over. It has left in its wake, however, an amount of disgust on the part of many judges for what they consider police court cases, wherein a prisoner has been charged with minor offenses against Federal laws. With crowded dockets before them, some judges still hold bargain days, seeking to wipe out in one session, numerous cases which clog the progress of more important ones. Defendants are lined up before the bar. Each pleads guilty. Each receives the same penalty -- short jail sentences, suspended ones, or merely nominal fines. The judge then retires to his chambers, satisfied that he has dispensed justice. I do not agree with that view.

Any case which comes before any court is entitled to individual consideration. If it is impossible through crowded dockets, then the remedy is more judges -- certainly not another line of courts to try the smaller offenders simply because some judge believes such trials beneath his dignity. Very often, in fact, among that line of offenders, there are at least several persons whose records demand the most serious consideration in pronouncing sentence. The files of the Department of Justice show mass pleadings in which hardened counterfeiters have received thirty days in jail, narcotic repeaters who have been let off with a fine, multiple offenders who have drawn suspended sentences, often through sheer negligence.

In the Department of Justice is the greatest fact finding organization in the history of crime, the Identification Unit of the Federal Bureau of Investigation. Millions of dollars have been spent to correlate the histories of criminals, their fingerprints, their criminal records, all of which can be used as a guide to the sentencing judge, the prison warden, the

law enforcement body and the parole board in considering the future of this man once he has again come within jurisdiction. Its efficacy best can be determined by the remarks of Judge John M. Killitts of Toledo, Ohio, on October 7, 1927, at the time he sentenced one James Mason for violation of the National Motor Vehicle Theft Act:

"Young man, in appearance, you would be a stranger to this court, but unfortunately for you, I have information that you were previously before this court. I hold in my hand a report that discloses that on February 8, 1920, you were sentenced by this Court to serve thirteen months in the United States Penitentiary at Atlanta, Georgia, for violating the Interstate Commerce Act. I had no way of knowing this, but due to the efficient facilities maintained at Washington, we have what is known as the Bureau of Investigation. In that Bureau there is kept filed the picture and fingerprints of every criminal that is arrested, and whenever an officer of the law who wants to do his duty makes inquiry about a man, the Bureau of Investigation gladly furnishes all the available information, and in the course of a very short time, the Bureau of Investigation will be the means of striking terror in the hearts of habitual criminals when the criminal element learns that every time they are arrested their pictures and fingerprints are sent to Washington, this system will be the means of deterring crime. Thanks to the efficient manner in which the Bureau classifies its information, I have before me your complete previous criminal record, and taking this into consideration with your present activities, I now sentence you to be confined in the United States Penitentiary at Atlanta, Georgia, for the period of four years."

I wish that I could cite this as an instance of the thoroughness of all judges. Adversely, I possess too many instances wherein the record cards, placed upon the judge's bench by the district attorney, have been brushed aside, and hardened criminals given sentences as first offenders. Perhaps the time will come when the public through its various mouthpieces, will do what some judges fail to do--look up these records when a suspected old offender is lightly sentenced, and comment appropriately.

Now, let us leave the court and proceed into the penitentiary. Previously, before trial, we have already seen a condition wherein 383 local jails out of 1,242 inspected were condemned for use by the Bureau of Prisons as places of incarceration for Federal prisoners. There is no human difference between a Federal prisoner and a state or county one, a jail worthy of one should be worthy of another. Certainly there should not be vermin, filth, poorly paid guards of a lower strata, kangaroo courts, trustees in possession of keys, disgusting laxity, inefficient management, or equipment so old and outmoded as to constitute a public menace. I have in mind the plight of a highly honorable sheriff whose desk faced the corridor leading to the cell block of his county jail. On that desk lay two automatic pistols within instant reach. His actions were ones of constant watchfulness. The jail was forty years old. Politics had robbed him of all but six guards, three by day and three by night, and their pay had been cut to sixty dollars a month. Yet that jail held three hundred prisoners, many of whom were desperate murderers, bank robbers and gangsters. Any community which permits such outrageous conditions should walk in shame.

In our penal system, there are many branches of endeavor—all supposedly designed not to indulge in mass punishment but in mass reform. No country should be in the business of making criminals; it should try to create good citizenship. [There should be no graft in prison management, no politics, no mixing of the first offender with the hardened criminal, no return of prisoners to society until they are fitted to stand upright with that society; no inhumanity and at the same time, no coddling. Above all, there should be classification; we are too prone to term as "criminals" all those who offend against our laws.] Frequently it is an unfair word; many are merely unfortunates, delinquents, physical and mental misfits. It is asking too much of them, merely because they have been penned up for a certain length of time, to return to society miraculously re-made when nothing constructive has been done to bring about that transformation.

Many states are striving earnestly to meet this problem, through segregation, installation of a higher type of prison officials, study, the teaching of trades and enforced education, physical rehabilitation, plus intense study of the prisoner before a release and earnest efforts at careful supervision following his return to society. Even here, however, hampering statutes often offer serious interference.

[One state, for example, has parole laws so stringently in favor of the prisoner that the Parole Board is constantly on the defensive. An official thus testified before a grand jury:

"It is perhaps not generally known that the courts give the benefit of the doubt to a prisoner in any litigation he may bring. Recently, we

the strange spectacle of a criminal of the vilest type being awarded a judgment of \$7500 against members of a former Parole Board because, on a legal technicality, he should have been released a few months before he was. The Board, of course, had acted in good faith and was holding him because he was a menace to society. The action was appealed, and has been recently sustained by the Appellate Division, so that the state having assumed the judgment will have to pay to this criminal or to his attorney from taxpayers' money, nearly \$10,000.

Likewise, in this same state, it has been disclosed that 10.2 per cent of the supervised releases from a certain reformatory went back into the world, still afflicted with communicable social diseases.

With such difficulties confronting them, even the most forward looking states battle against tremendous odds. From there the graduation extends downward until we find what I hope is the lowest depths, as typified in a case recently brought to my attention.

I shall not name the state, there may be others of equal responsibility. The prisoner in question was Rufe Persfal who had begun his criminal career at seventeen by the robbery and murder of an aged man, for which he was sentenced to serve a term of fifteen years. Subsequent events brought about the abandonment of the penal institution to which he had been sent, so he was assigned to a prison farm, conducted upon strange principles. There were no paid guards other than a leader; the rest were "line guards", who were trustees armed with shotguns, and "high powers", who were other trustees, who, with rifles, rode horses at some distance from the working convicts. The shooting of an escaping convict brought rewards in lessened

servitude.

Persfal was made a "high power". His first opportunity came in 1927 when a fellow convict made a break for liberty. Persfal killed him. For this, his sentence was reduced; a month later he was paroled. Free, the prisoner shot a woman. His parole was revoked. He escaped, however, and remained free for two years. At this time, he was returned to prison, not for his new crime, but merely as a parole violator, a practice in vogue in too many states.

This custom is unfair both to society and to other prisoners. Prosecutors should not take the easiest way in disposing of such cases. It gives parole a stigma which it does not deserve. It weakens the theory of supervised freedom in that it holds no true penalty over the convict who reverts to crime.

Nevertheless it happens many times, and in Persfal's case again resulted in his being made a "high power". In that very year, he again shot a convict in the act of escaping and again was granted parole. Soon he was arrested again and convicted of armed robbery, being sentenced to five years. For a third time he was assigned to the role of trusty guard, and this time shot down four convicts, killing one and crippling three others. Thereupon, this man who was known throughout the state as a cold-blooded criminal so expert with a rifle that he could kill a hawk on the wing, was given his third parole which he violated. He was returned to the camp and again shot down a fleeing man. On June 12, 1934, he was allowed his fourth parole, and this time failed to return. Special Agents of the Federal Bureau of Investigation had apprehended him on a charge of kidnapping and sent him to Atlanta Penitentiary for a period of twenty years with a detainer at the end of this sentence on an indictment charging a second abduction.

From such examples it is easy to understand why the belief exists in the minds of so many persons that both prisons and the theory of parole have failed, when neither has done so. One case such as this can do more to cement public opinion on the wrong side of the picture than years of studious effort on the part of forward-looking men toward just administration both for the prisoner and for society.

Between this example of mal-administration and the efficiency of the Federal prison system as it has been built up during the last seven years, lie many gradations of merit and demerit. The attitude of the men serving in that prison farm is easy to guess; every possible ingredient conspires to make them enemies of society. Let us look at a different picture:

At Chillicothe, Ohio, is a Federal institution known as the Industrial Reformatory. Here is a collection of fireproof buildings, scrupulously clean, and fitted with various housing facilities. There are farm activities, shops in which these inmates who are invariably first offenders are taught vocations designed to aid them when they return to the outer life. There is education in a school of letters to the sixth grade, an adequate library under the supervision of a trained librarian who selects books with an eye to their constructive ability, a hospital manned by medical officers of the United States Public Health Service, and throughout the whole institution a strict military discipline.

This reformatory really reforms. It sends men back to society better than when they came in--better health, better morals, better viewpoint, better conception of what life is about. A sense of honor is inculcated; an article recently appeared in the inmate periodical demanding

that prisoners outlaw any returned parole violator upon the grounds that in breaking his promises he has been a traitor to his comrades. The importance of this viewpoint is better realized when it becomes known that in the average institution the repeated offender is aggrandized as a "big shot" or "tough guy".

What is being done in Chillicothe is sought for in all Federal institutions. There is only one way to run a prison, not for the prisoners but for the protection of the community. No moneyed convicts loll about in the hospital wards of Federal penal institutions. They go there if they are ill, and only then; the physical welfare of inmates has been placed under the efficient management of the United States Health Service. A super criminal's money cannot aid him; commissaries are run upon the theory that all men are equal, stripped of power, of surplus money, of influence. This applies as thoroughly to Al Capone as it does to the merest unfortunate.

There are entertainments, of course -- but they are for the purpose of enlightenment, not to make the prisoners happy. There are athletics, in the interest of health, not designed to turn a penal institution into a country club. There is classification of prisoners, in an attempt to segregate the object of reform from the unregenerate. Always there is placed before every inmate the fact that his life endurance is of his own making. He can attempt to rebuild himself. He can abide by rules and learn the necessary discipline which any upstanding man should possess to face life. Or if he so desires, in spite of efforts to the contrary, he can persist in his desire to offend--and be transferred to Alcatraz Island.

In all American penal history there has been no such healthy action upon the criminal mind as that of Alcatraz. Given the proper management plus a freedom from agitators and professionally vicious offenders, the average prison populace yields readily to constructive effort. However, the influence of hardened outlaws is tremendous; it permeates every part of the institution; it even seems to drive through the thick walls and weight the surrounding atmosphere. The views of these unregenerates become, subconsciously, the views of the mass; they are teachers of destruction. Therefore, I determined upon an attempt to end their reign in Federal prisons. The really bad men were taken out of our institutions and upon one of the strangest journeys ever known, conveyed secretly en masse to the remodelled Alcatraz Island.

Here there is everything which provides for health, for well being---except power, possibility of escape, difference in station, and hope. Here the dangerous man is robbed of his individuality; he becomes a number, a non-entity. He must work at real labor. Automatic gun detectors guard the dock and the doorways to the cell blocks; secreted metal is instantly detected. Guard towers, flood lights, tear gas outlets, tool-proof steel bars, automatic locking devices, gun galleries, overhead walks, and additional barriers add to the protection of the seventy-five foot cliffs of the little island. This place was built for unregenerates, the inmates are faced constantly with the knowledge that the government regards them as distinct menaces to the public welfare, to be removed for as long a time as possible. Morale in all Federal institutions went up immediately this was done. The agitators had been removed; convicts had been taught in one

lesson that crime truly does not pay and that the desperate continuous offender was to be dealt with as he deserved.

Between Chillicothe and Alcatraz are many forms of institutions; they are designed to help society by sending a man where he belongs. In charge of those institutions are no political appointees but men selected upon a career basis. Standards of prison administration, are being raised, making it a desired occupation for men of breeding, intelligence and education. Everyone is under civil service; advancement depends upon merit, not upon a letter of recommendation from persons of political influence.

Thus, after an incarceration in one of these institutions, there comes the last step. Congress has decreed that every man leaving prison shall go forth by parole, and it has been with the utmost interest that I recently have seen displayed such a divergence of views upon this method of release, ranging from the critical viewpoint of my esteemed interviewer to that of fervid protestation that parole is unsullied by recent revelations and highly successful.

I am glad to see these expressions; they are an indication that we are coming to a meeting place. Both attitudes are correct. The critic has plenty with which to find fault. The proponent has many good reasons for defending the principles of supervised release. But again, as in all other matters of criminal procedure, we come to the tangle of impediments, laws which block parole boards or provide for none at all, insufficient appropriations, parole officers loaded with more cases than they can even attempt to supervise, political and legal trickery designed to weight down the most honorable parole board with insurmountable difficulties. Again,

I must point to Federal procedure, and to repeat the findings of the Conference on Crime.

In no uncertain words, this Conference deplored the abuse of parole and pardon power as tending to undermine respect for law and order. As vigorously it defended parole when courageously and intelligently applied as an integral and necessary part of a protective system. It she recommended the following minimum conditions:

That the minimum and maximum of indeterminate sentences provide adequate punishment for the crime and be compatible with rehabilitation, and public welfare and protection. Full time salaried boards of highly qualified persons should rule the granting of paroles and be furnished with full information on the prisoner's records, habits, environments, family and prospects.

The name of persons who endorse a prisoner for parole should be made public on request by any responsible person or agency. No parole should be granted except where adequate employment and rigid supervision are provided and to this end there must be proper appropriations to provide that supervision. Under no conditions should political or other improper influence be tolerated, nor should parole officers be expected to supervise more prisoners than they can give adequate attention. To this is added the necessity for the ability to make prompt revocation of any parole when continuance at liberty is not in the public interest.

In only one of the foregoing conditions does the Federal Government fail to wholly meet requirements. It needs more men of a highly

trained nature for supervision and the money with which to pay them. That, however, is being remedied.

I sincerely wish that the record of the various states approached so closely the highly necessary precepts by which proper release and supervision should be governed. Perhaps, should critics and advocates find a common goal and work unceasingly toward it, a greatly desired rehabilitation would be accomplished. It is my earnest hope that this be done.

From
Courtney R. Roy Cooper,
1212 Fifth Avenue,
New York, New York

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GANG DOCTOR

BY

J. Edgar Hoover

With

Courtney R. Roy Cooper

Much has been said about the stultifying influence of the crooked lawyer, his place in the crime picture and the necessity for driving him out of practise. However, there is another profession which has its renegades who must be stamped out before criminality can be divested of a desperate behind-the-guns assistants. Most persons believe that the gang-doctor as such exists only in fiction. I wish that were true.

He is a stark reality, a healer to the enemies of society. After the machine guns blaze and the ^{a bandit bloc} gang runs cover to nurse its wounds, the gang-doctor steps into his true role; an all-important factor in attempting to defeat the law. Of the many cases which have come to my attention as Director of the Federal Bureau of Investigation, there is one which tells the story of all. Few pursued a more devious course than Dr. Joseph P. Moran, called "Doc" by scores of America's most dangerous law breakers.

The files of this Bureau present a graphic digest of paradox in the life of this man. The entire range of emotion

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and drama paraded through his career, molding into a weird photo-mentage. Respectability merges into an existence of most vicious activities. Pride, which once drove him to great ambitions submerges into the image of a craven being, performing illicit operations without hospital facilities. Honors are blurred by dishonor. One glimpse finds this doctor a patriotic, self-sacrificing citizen; another portrays him greedily fingering the money resultant from the vilest of crimes. Of all the diverse activities, however, the worst was that which aided crime behind a pretence of virtue. While Doc Moran sold dope, handled bandit money and acted as the medical advisor for escaped convicts, gangsters, and the riff-raff of life, his office invited the patronage of innocent, law-abiding citizens.

How that happened involves the life and death of many persons. I might add that within less than a year from the time when he became an object of pursuit by the Federal Bureau of Investigation, there were developments which made us feel reasonably certain that Doc Moran would never lift the face of another bandit.

In the summer of 1928, there was much gossip in the little city of La Salle, Illinois. A woman had died following an illegal operation; at last the town buzzed with the name of the doctor. He was Joseph P. Moran, then 33 years old, a resident of La Salle for three years whence he had come from his home at Spring Valley, Illinois. The grand jury indicted him and a woman accomplice on four counts, including murder.

There were many who felt sorry for the young doctor; they blamed his predicament on the fact that he had been too

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good a fellow. An honor student in Tufts Medical College, Boston, following an equally honorable career as a second lieutenant in the aviation section of the Reserve Signal Corps with service in France during the World War, he had come to Illinois three years before and hung out his shingle. In that time he had made something of a reputation as a surgeon with one failing, that of liquor. Thus who sought to defend him felt that he had become implicated in this criminal operation while intoxicated. That question was not clarified. Doc Moran and his woman accomplice bargained for a plea of guilty and were allowed to accept a sentence of from one to ten years in prison. Here ends the story of the accomplice and here truly begins the amazing criminal career of Dr. Joseph P. Moran.

He was sent to Joliet Penitentiary and was put to work in the prison hospital where convicts soon knew him as a "right guy", the kind who would sneak them a drink or dope whenever possible. Finally, a "fish", as new convicts are known, was added to the doctor's list of patients, a member of a ring of diamond thieves named Ollie Berg. He had been shot during an attempt to escape a sheriff and the wound had affected his heart. According to Berg, Moran saved his life.

Ollie Berg was powerful, with connections which ran to the roots of outlaw unions and one of the politically influential gangs which then controlled Chicago. He was supposed to be serving a life sentence, but he shrugged his shoulders at that. Something would happen, he told Moran, and when he got on the street again, he would reward this convict doctor for his efforts. Berg kept his word.

Whether the diamond thief's influence even aided "Doc" while in prison is not known. Nevertheless, after a year and three months, the doctor went free from Joliet on a parole and with instructions from Berg to seek out certain politically powerful leaders in Chicago's gangden. Moran followed orders. The result was amazing.

Soon this doctor of the cell-blocks was on the same apparent plane of respectability as any other physician in Illinois. His license to practise had been restored and he opened an office in a suburb of Chicago. Here he began a Jekyll and Hyde existence. His office was a place of ordinary practise; under cover, he was treating the worst of gangsters, and attending wounded members of warring hoodlums crews for which work he possessed several hideouts. Soon however, there was another abortion complaint; again Moran was arrested. The doctor's "connections" did not fail him; instead of being sentenced for a new offense, he was merely returned to prison as a parole violator and was free again, once more on parole, in eleven months.

Again he had met his old friend Ellie Berg, and upon parting carried introductions to even more powerful persons than he previously had known, the Terrible Tenhys, Two-Gun Louis Alterie, Bugs Moran and others. There was no difficulty whatever about the restoration of his license to practice medicine. A two-time convict, he chose another suburb and returned to his double existence. It is also interesting to note that Doc Moran was later discharged from all parole obligations in spite of the fact that his sponsor had complained

of illicit actions and at a time when the doctor was an active member of one of the most vicious kidnapping crews in the history of American criminality.

Ollie Berg had fared well also. Astute lawyers had temporarily nullified his life sentence by a writ of habeas corpus. The judge who originally had sentenced him had seen the error of his ways and reversed his decision. That reversal was later termed invalid by a higher court, but Ollie was on the street by this time, a technical escape, and hard to find by anyone except his cronies of crime.

"Doc" now was the official doctor for one of Chicago's outlaw unions, controlled in turn by five notorious gangsters, all of whom died by the guns of opposing mobs. Here Ollie Berg visited him and enlarged the scope of his criminal acquaintances and activities.

These were bloody days in Chicago, still in the grip of prohibition crimes. One may wonder why only dead gangsters are found in the gutter and rarely a wounded one. Doc Moran's career may explain that. When guns blazed in gangster warfare, the dead were left behind and the wounded carried away to some hoodlum hotel or apartment house. Then a telephone call went in for Doc Moran.

There is no way to ascertain how many such calls this doctor answered. There are no records of the midnight operations, the probing for bullets, the desperate efforts without hospital facilities in which this man participated. The tight-lipped underworld does not make a habit of remembering days

and dates -- nor the names of patients. Often the doctor would get rearing drunk in his efforts to summon the nerve for one of these visitations. Then, in the slatternly room of a hideout, with gang-members, still white from the excitement of battle, grouped about, Doc Moran would work over the bleeding figure of a man, stretched on a bed or kitchen table. A tea-kettle often was the only instrument of sterilization for his instruments. There were no white-robed assistants, no ^{laboring} lights of an operating room, no careful anestheticians. If the patient died he was carted away in the depths of night and buried beneath the refuse of a public dump or, he thrown, weighted with railroad iron, into Lake Michigan or the Chicago Drainage Canal. If he lived, it was a triumph for Doc Moran; he received fees as high as \$5,000 for the treatment of a wounded gangster.

Likewise, there were operations on gang molls -- more civilized affairs in which they were cared for in hospitals. Surgery always had interested the doctor, in these days of criminality he seemed to find something of success in it. That was particularly true in his drunken moments; he liked to talk at such times of his honor course in medical school and of the great ambitions of his youth. Imagination would wipe away the criminal stigma; he would become a great surgeon, able to accomplish the impossible. Under these delusions, he would attempt to force his surgical ability on whomever might be present. Argumentative, sometimes ugly, he would roll in his chair, and extend a hand, shaky with alcohol, toward his prospective patient:

"What you need," he would say, "is a good surgeon like me to work on you. Afraid of the cops, aren't you? Well, you can go anywhere without worrying after I've done a lifting job on that face of yours. I'll alter that nose; change the shape of it entirely. And lift those cheeks. Change the expression of your eyes. Raise your eyebrows. Take the sag out of your mouth -- they'll never know you. And let's see your hands. Still making your regular finger-prints, eh? Well, I can fix that too."

In many cases his arguments won, sometimes to the regret of the patient. Drink-weakened hands are not conducive to good operations. However, there was one phase of this man's existence which rarely deviated. That was his desire to enrich himself by criminality and at the same time remain at liberty. Doc Moran had become an exceedingly crafty person when, a year or so after his release from prison, he made a great show of paternalism by taking a young nephew into his office as an assistant. The nephew had confided that he desired to study medicine. Doc Moran pointed out to him that a great preparatory opportunity to the life of a doctor lay in his office. The nephew gladly accepted. Within a space of a few months, the uncle had transformed him into a scene-shifter on the stage of crime.

The outlaw union had run into difficulties, what with gang warfare, changing political fortunes attendant upon approaching repeal, the wiping out of many members of the bigger mobs. Thus by 1933, Doc Moran had gone back to "private" practise, retaining however, all the lucrative "connections" which brought

him so much money in case of illicit bloodshed. He moved his offices to Chicago and extended his practise among law-abiding citizens, using his nephew as an exceedingly able foil. This young relative had learned quickly.

The nephew knew, for instance, just what "patients" were on the preferred list for sales of morphine, heroin and cocaine. He knew which women were to be referred to the doctor's hotel for illegal operations and which were to be treated for what they were, innocent, law-abiding persons of the community. He knew also how to answer the telephone. No one could speak to Doctor Moran unless he told his name, his address and the object of his call. This was to guard against possible investigation and also to give assurance that the crooked doctor's pernicious activities would not become a matter of general knowledge. More than once, some gasping crook, staggering from the effects of a bullet received in the commission of a bank robbery or payroll holdup, hurried to Doc Moran's office, lured there through the word of the underworld grapevine that this "ex-convict crooner" would help a fellow in trouble. Moran was skillful, swift, cannily inquisitive. Where had this man received his wound? What sort of crime had he committed? Who were his pals? To what gang did he belong?

To the click of instruments and the glare of the operating light he would elicit every possible bit of information, at last determining that the wounded was not properly recommended. Then he would proceed more slowly with his endeavors, while the nephew went quietly to the telephone in the

enter office. The job finished, the injured bandit would stagger to his feet, only to gasp with amazement with the opening of the office door. Police, summoned by the nephew, waited in the anteroom to seize him, whisk him away to headquarters and start him on the journey to prison. Thus "Doc" played traitor even to his own kind if they did not come to him with the introductions which would remove all danger of investigation or publicity. Thereby he built up a reputation, even with some law enforcement officers for leading a straight life.

However, all was different when Ollie Berg, or Tommy Touby of the Terrible Toubys, or Two-Gun Louie Alterie was on the other end of the telephone, to voice the crisp message:

"Hey Doc, I'm bringing a friend of mine over to the hotel. I think you'd like to meet him."

Then everything was secrecy. There would be private rooms at the hotel, two ex-convicts to act as nurses, the nephew as a messenger boy. Or perhaps the hospital hideout would be at the home of a relative of Ollie's, or rooms behind saloons protected by the various mobs. In such cases the police were never in evidence. Doc Moran pocketed his money for services which ranged from the changing of finger bulbs to the extraction of bullets -- and said nothing.

Nevertheless, the threads of an almost fictional destiny, which first had begun to weave with the meeting of Berg and the convict doctor in Joliet prison hospital, slowly assumed the formation of a pattern. Ollie Berg, late in 1933, introduced his friend Doc Moran to a bank-robbor, gangster and kidnaper named Russell Gibson.

At first it was purely professional. In addition to needing medical treatment, Gibson also was a dope-fiend. Hitherto he had been receiving his supply from a renegade physician who, at various times, had ministered to John Dillinger. Now he bought from Doc Moran. They became quite friendly. Through Gibson the doctor met a new coterie of outlaws, rovers of the middle west who specialized in crimes of violence. Finally, the evidence indicates, he played the role of Samaritan to an important member of the Dillinger Gang.

Again, it must be noted that in all these activities, there was no Federal offense, other than that of illegal sale of narcotics which does not come under the jurisdiction of the Federal Bureau of Investigation, and which, I might add, is most difficult to trace when physicians are involved. It was not until months after the first Dillinger connection that the doctor became listed in our pursuit files. One day in January 1934, John Dillinger and the true brains of his gang, John Hamilton, drove speedily from Florida, and reached ^{Spartan} Chicago ~~the~~ the next afternoon where they carried out a long-planned bank robbery. There was resistance. Dillinger was uninjured. His companion however, was struck by seven bullets, ranging from his pelvic bone to his shoulder blades. Desperate, John Dillinger loaded his pal into the getaway car and drove madly for Chicago. There he sought John Hamilton's woman and told her what had happened. This done, Dillinger caught a plane for Tucson, Arizona to party with the rest of his gang. Without John Hamilton's guidance, he soon was caught and taken to jail at Crown Point, Indiana, to await trial.

In the meantime, John Hamilton had been hidden temporarily by the desperate gun moll while she searched Chicago for a doctor sufficiently daring to attempt the ministrations of a badly wounded hoodlum. The underworld says that she found her man in Dr. Joseph P. Moran, that John Hamilton was taken to one of "Doc's" hideouts where bullets were removed, and the wounds treated. The price was \$5,100 for services and secrecy, but even that did not satisfy the doctor. According to reports he got drunk and noisy and abusive. Finally there was a break between the gun-moll, the convalescent Hamilton and Doc Moran.

However, the wounds had healed; John Hamilton was ready and able to again advise and council the gang when at last Dillinger broke from Crown Point jail and began his final forays, during which, he violated Federal laws which set the Federal Bureau of Investigation upon his trail. It led to a hideout at a resort called Little Bohemia, in Wisconsin.

There was much shooting on the night when Special Agents launched upon what was been incorrectly called an unsuccessful raid on Little Bohemia. Special Agent W. Carter Baum was killed by Baby Face Nelson. Other than women of the gang, all the rest of Dillinger's crowd apparently escaped. I said "apparently". That raid marked the beginning of the end for Dillinger and his crew. John Hamilton, although carried away by the mob, was seriously injured. A bullet had passed through his liver.

Nine days later, various members of Russell Gibson's gang were summoned to a hoodlum restaurant in a Chicago sub-

urb. Shortly afterward Dillinger and others entered with a tall man, gaunt, gray of features, who staggered with pain. It was John Hamilton. His comrades discussed him as though he were a wounded animal.

"We've got to get him to a hideout," one told the newly arrived member of Russell Gibson's crowd. "We've kept him in the back of a saloon in Chicago, but the syndicate ran us out. He's too hot -- first thing you know, he'll get us all in a jam."

"But what about his doctor?"

"He ain't had no doctor."

The newcomer stared.

"Why didn't somebody send for Doc Moran?"

A gangster sneered.

"We sent for him. And what did he do? Turned us down cold. Wouldn't treat John. Wouldn't have anything to do with him. Said he was sore at the whole Dillinger crowd. So what?"

John Hamilton answered that question the next night in a bandit's apartment in another suburb. Still on his feet, he strove to fight away the effects of his wound, loss of blood, gangrene. At last he sank from exhaustion -- he died a half hour later. Then came the problem of burial. It was solved in true outlaw fashion.

Someone remembered a gravel pit about ten miles away. There were no ceremonies, no gathering of friends; banditry is a cold-blooded business. Quickly the body of the dead man was sheathed in a blanket while watchers charted a clear course

to a waiting automobile. Silently, John Dillinger and his comrades drove to the gravel pit with their eerie burden. A shallow hole was scooped in the damp, gritty earth and the body of the outlaw placed therein.

Someone tossed the bandit's felt hat into the grave. Then the "mourners", their own safety uppermost, opened can after can of lye, pouring it on the face and hands of their dead companion to hinder identification if the ~~grave~~^{place of burial} were discovered. It availed nothing, however, when Special Agents finally found the grave. Identification was made through dental work.

The headstone was merely a roll of rusty, discarded wire, kicked on to the grave when the shallow hole had been filled. Nor did John Dillinger know, as he turned away from this ~~grave~~^{hilarious cemetery} that he too would soon be dead, partly ~~because~~^{because} ~~Doc Moran~~ Doc Moran had refused to save a gangster's life.

John Hamilton had been a genius at escape. Injured many times -- his pals joked that he was unlucky at catching lead -- he nevertheless had been able to evade pursuit under the most desperate circumstances. He knew how to secrete himself and remain secreted. John Dillinger did not. He was a creature of impulse; he could not stand restraint. He insisted on going to movies and to cafes. It allowed the Federal Bureau of Investigation to draw an ever-tightening ring about him.

Perhaps, had Doc Moran not refused treatment, Hamilton might have lived and the task of running down Dillinger been a

more difficult one. Under existing circumstances, however, it was not long until Inspector Samuel Cowley, later killed by Baby Face Nelson, was able to establish a definite trail, for it was Sam Cowley, in charge of the Special Squad, who deserves the credit for the killing of Dillinger. His command was supreme in the Chicago region; all members of the Chicago office, ~~including the Special Agent in Charge, now deceased,~~ were sub-~~servient~~ to his orders. It was he who mapped the campaign, working from a secret office with unlisted telephones, and it was this campaign which led to Dillinger's death.

News travels fast in the underworld. The word got around that Doc Moran had let Hamilton die without lifting a hand to aid him. Perhaps this adverse underworld publicity accounted for the doctor's shortage of money some six months later. Now indeed, the fateful results of prison friendship raced toward their conclusion. Ollie Berg had introduced Doc Moran and Russell Gibson. Doc had aided Gibson. Now that Moran was broke, the dope-fiend gangster proffered his aid in return and suggested a way to quick riches.

Some days later, the doctor's nephew opened the door in "Doc's" hotel only to hear curt commands that it be closed at once. The nephew obeyed, but not before gaining a clear picture of all that went on within.

The bed was slathered with money. Currency was scattered about, some loosely, some in piles. Four men were in the room, Russell Gibson, Ollie Berg, Doc Moran and a Chicago politician.

This was ransom money, resultant from one of America's most vicious kidnappings. There had been difficulty in dispos-

ing of this cash; the Federal Bureau of Investigation had posted a list of its serial numbers with every bank, postoffice and other clearing house for currency in the country. The gang, afraid to spend this "hot stuff", wanted ordinary or "fresh" money. So Gibson had gone to Doc Moran with a great idea. The doctor knew many gangsters. Why could he not work on a percentage basis, doling out this hot cash to the various carrion which feed on crime? Doc Moran, half-drunk, had thought well of the idea.

A few days later, word flashed from a bank, alert to the list of ransom serial numbers furnished by this Bureau, that a wanted bill had been passed there. The trail led swiftly to the politician. He was picked up for questioning and contraband money, was found on him. Then a folded newspaper was discovered, in which the currency evidently had been wrapped. It was processed for fingerprints, and some were found. The Bureau's Division of Identification in Washington leaped into action, comparing these with the thousands of single fingerprint records in what is known as the Public Enemy file.

In the meantime, headlines blared the news of the politicians arrest. Again the nephew went to his uncle's room, to find Doc Moran, sodden drunk, slumped in a chair, his arms sagging, a newspaper on the floor where it had dropped from his grasp.

"This is the blow-off," he mumbled. "They've got Boss McLaughlin. We've all got to leave town."

When Special Agents, following a trail revealed by

the arrest of the politician, reached the hotel Doc Moran and all those who had consorted with him, were gone. It had been a hurried departure; papers and clothing were scattered about; letters were found, addresses, telephone numbers. The papers and letters disclosed little regarding his possible whereabouts; they spoke volumes however, upon the activities possible to a paroled convict.

Here were recommendations from business men, gathered at Doc Moran's behest, favoring release for one of the doctor's imprisoned friends. Another letter was from a criminal, asking Doc to arrange an alibi for him. Still others talked of jobs to be done, methods of getaway, arrangements for crooked attorneys. There was evidence that "Doc's" place was a haven for newly released convicts, laying low until they had planned new criminality. If such activities are surprising to those who believe that parole is a sainted and holy thing, I can only reply that such events form an old, old story to us who labor industriously to place lawbreakers in prison, only to see them appear in a miraculously short time, once more engaged in crime.

The gang had fled, kidnapers, hideout owners, money-changers, assistants, molls, camp followers. Many persons are required for a big kidnaping; the range of search by the Federal Bureau of Investigation moved over much of the United States. Captures were made to be followed by more apprehensions, but "Doc" and the main members remained free.

"Doc" had played his part in this. He now was a gang doctor in every sense of the word, attempting miracles for the fugitives about him. Cruelly, he slashed their fingers,

almost to the bone, in the hope that he might alter their prints. Becoming constantly more of a drunkard, he argued them, one by one, into submitting to facial operations. As the influence of liquor revived old ambitions of honor-student days, he spouted of his ability as a surgeon, and projected himself as a plastic artist who approached the status of a genius.

His comrades listened eagerly. They were hunted men whose necks were hot with the breath of their pursuers. A year had passed since the kidnaping, during which time fully a dozen persons of greater or lesser guilt had been arrested, each capture furnishing new avenues of pursuit. The Federal Bureau of Investigation likes consistency even more than speed; it gathers every tiny shred of knowledge about the person it seeks, it tries to close every loophole before arrest so that a prisoner may not use the courtroom as a path to freedom. Patiently, sometimes almost ploddingly, it pursues its course, but that course is inevitable. The Federal Bureau of Investigation recognizes ^{only} one superior in its ^{batlle against the underworld,} ~~way,~~ only one agency which can defeat it. That agency is Death. As long as a hunted man lives, just so long is he in danger of capture.

No one knew this better than the gang ^{members who} ~~they~~ listened to the drunken self-laudation of Dr. Joseph P. Moran. Eagerly they accepted his boasts. First one, then another submitted to his knife, hoping that the result would be transformed fingers and features bearing no resemblance to their former contours.

But Doc Moran's hands were shaky when, in hoodlum surroundings, his instruments clicked in home-made sterilizers.

With the demand for delicacy before him, the danger of infection, the knowledge that he was now working upon Federal fugitives instead of the politically protected evaders he once had aided, confidence seemed to leave him. Whisky failed to steady his nerves; his befuddled brain no longer saw clearly the means and manner by which to build new personalities through plastic surgery.

The fingers he slashed so deeply brought agonizing pain; it was necessary to subdue the half-crazed victims with morphine. The operations led only to disappointment. Slowly, day by day, the stubborn, tell-tale lines of identification relentlessly returned to again form almost exactly the same patterns which they had shown before the operation. Nor was the plastic surgery more successful.

If anything it was a greater failure. The face of one gangster was mutilated with scars. Another developed an infection due to the fact that once the shaky Moran had laid aside his instruments, all interest in his patient had ceased. The faces of others healed without the slightest deviation from their former contours. For this, the kidnapers had paid several thousand dollars, to say nothing of the expenses of the nephew, acting as a nurse at \$100. a week.

At this point, all the gratitude which the gang had known for Doc Moran turned to hatred and, worse than hatred, to stark fear. From here and there in the underworld came tips that the Special Agents were drawing closer; tracing every telephone call, interviewing every person who had known these men, checking with postoffices, telegraph companies, and

other lines of contact as to the gang's whereabouts. There was the predicament of men surrounded by creeping fire. It was all about them, moving over so slowly, but with a relentlessness that was terrorizing. All this time, Doc Moran drank and blustered and abjured his comrades to operations. He had been an honor student; destined for one of America's great surgeons. He knew the way to take the heat off them --

Thus they sat one day last year in a drinking place in a city on Lake Erie. Doc Moran was a bit drunker than usual and far more talkative. Even though his accomplices now despised this man, they feared him sufficiently to attempt to reason with him, cajole him, in an effort to halt his volubility.

There had been other times when, in the safety of a hideout, they had told him their true opinion. They were tired of hearing this stuff about having been an honor student. They were sick of his record in the war. More than anything else, they were disgusted with his liquor-heightened desire to out -- out -- out. All wished that his boisterous, offensive bluster were some place where he never again could yield a knife; he had done little but take their money, high-pressure them into believing that he could defeat that ever-narrowing circle of pursuit. But Doc Moran knew nothing of this. He was drunk, egotistic, quarrelsome.

Russell Gibson watched him with narrowed eyes. They had been through much together, this pair. But even he rebelled when Doc Moran rose unsteadily ~~to~~ ^{became} and began argumentative with a stranger.

Hastily the gang hustled him back into their corner. They sought to change the subject; Doc Moran was willing providing they allowed him to choose the topic, that of operations. He singled out a member of the gang.

"He ought to let me fix his fingers," he boasted. "Needn't worry about any G Men then if I'd fix his fingers."

"We'll forget that finger fixing stuff," a gang member answered. "It's lousy."

Doc Moran, honor student, war aviator, reeled from his chair.

"Know what's the matter with you?" he shouted. "You're yellow -- that's the trouble with you. You're yellow -- yellow--"

Russell Gibson had closed in swiftly.

"None of that, Doc."

"And who are you crowdin'? Think I'm afraid of you? Think I'm afraid of any of this mob? You can't hurt me--" his features were livid, his hands outstretched. "Hear that? I've got this gang in the hollow of my hand -- right there!" he regarded his cupped palms. "In the hollow of my hand!"

Russell Gibson winked quickly to the other members. Instantly their anger apparently became diffused. Gibson grinned amiably. He eased the still protesting Doc back into his chair.

"There, Doc," he laughed, "don't talk that way about your old pals. We're all for you -- great guy. Just a little tight, that's all." He patted the reeling Doc Moran on the back. "What you need is a nice motorboat ride to cool you off, give

you some fresh air -- "

"Atta boy," said Doc Moran. He went out the door with gangsters' arms about his shoulders. There was the thrum of a motor boat moving farther, still farther out into Lake Erie. And that is the last record which the Federal Bureau of Investigation has been able to get on Dr. Joseph P. Moran. The underworld says his body never will rise, having been weighted down with heavy stones.

As for his pals, that feared circle of pursuit closed in. Ollie Berg went back to the penitentiary for life. The nephew felt the tight clutch of the law. Russell Gibson died, only a short time later, while trying to outshoot the expert marksmen of the Special Squad. Of all the kidnap crowd with which Doc Moran travelled, only two are still free. The rest are either dead or faced with prison sentences ranging from a few years to life.

There is much discussion among honest medical men of just what to do about the renegades of their profession. Tradition, a hyper-sensitiveness concerning professional ethics which often prevents an honest man from speaking his mind, a fear to take leadership -- all these factors mitigate to the benefit of the gang-doctor. However, it seems to me there is nothing to prevent dishonest members of the medical profession from receiving the hint that they read well and ponder long over the story of Dr. Joseph P. Moran.

From
Courtney Ryley Cooper
1212 Fifth Avenue
New York, New York

72865

UNDERWORLD YES-MAN

By

J. Edgar Hoover

With

Courtney Ryley Cooper.

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From
Courtney Ryley Cooper
1212 Fifth Avenue
New York, New York

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UNDERWORLD YES-MAN

By

J. Edgar Hoover with Courtney Ryley Cooper

The penitentiaries of America contain many men like John Paul Chase. His story is that of thousands, a text-book upon the futility of crime.

The name of John Paul Chase means nothing to the average person, and in that there is more futility. He desired so desperately to be a "big shot". The reward, however, was only anonymity. He did not even gain the respect of his fellow-crooks, and the human rodent whom he served looked upon him with a certain degree of contempt. John Paul Chase was "yes-man" to the multiple murderer Lester Joseph Gillis, otherwise known as Baby Face Nelson, and fought beside him in the outlaw's last battle when Inspector Samuel Cowley and Special Agent Herman Hollis of the Federal Bureau of

Investigation gave their lives at Barrington, Illinois, that a menace to American law enforcement might be eradicated.

John Paul Chase was a dangerous criminal. He was self-made in outlawry, deliberate in his distorted desires - a perfect example of the thousands of men who graduate from the role of a gangster handy-man to that of vicious killer. Yet when we began his pursuit, there was not even a fingerprint record to aid us. Like so many others, his prison card carries the sardonic entry: "No previous criminal record".

There is something about the euphony of this man's name which suggests more than ordinary background. Of that, however, there is little of record except that his parents, now dead, at one time lived in Omaha, Nebraska, where they evidently were persons of moderate possessions. At about the time Chase was born, in 1901, they moved to San Rafael, California, where the son tired of school at about the fifth grade. For a time after this, he worked on a ranch. Then he became an office boy for a railroad company and later a machinist's helper.

Tall, strong, well formed, with dark brown eyes, well cut features, a dimpled chin, black hair which swung in a wave over his forehead, he was one of those glib, almost handsome fellows who liked to dress, who believed himself fascinating to women, who wanted a car and all that went with

it, plus a desire for more money than he was equipped to earn.

There was one more ingredient so common to those who drift into crime. He thought Al Capone must be a great person because he gained so much publicity. Bandits, to him, were heroes, especially if they had been the victors in a gunfight with the police. A rich bootlegger was indeed a success in life. Such viewpoints worked inexorably to the result that in 1932, a California gang of run-runners gained a new member. Big, grinning, easily beautiful, Chase was quite proud of the progress he had made from the time when first, in 1926, he had left his job with the railroad to deal in liquor "from the hip". He was now a rear guard for the liquor trucks which received their cargo along the California coast and by otherwise unused roads jolted through Sausalito into nearby San Francisco.

Other men in this gang looked upon their work as a mere means of making money. To Chase, however, it was a career. He wanted to be known as a "bad actor." Once, for instance, the word went forth to halt operations, that there was danger of interference from officials. Other gang members merely quit work. Chase however dramatized the incident by hiding out in the Mount Shasta district of northern California where he obtained a job at the State Fish Hatchery.

The man was a good worker, amiable, quick to learn. He

was offered a promotion and to the superintendent's surprise, refused it. For this he would give no reason, except through dark hints to his fellows that he was a "rented man", and under cover from the law. As soon as liquor running began again, he hurriedly returned to Sausalito, once more to become a rear guard "with the safety of the run running crew dependent upon him."

That view however, was not shared by the head of the gang who felt that a more seasoned guard might mean greater freedom from high-jackers or enforcement agents. Thus, one day, John Paul Chase was given a partner.

He was a small fellow, young, with light hair, round blue eyes, pudgy cheeks and the expression of a boy --- the boss called him Jimmie Burnett. That was not his true name, of course, for he was Baby Face Nelson.

A product of the parole system under which he had graduated from petty thief to sacksteer and thence to banditry, he had recently escaped while being taken to Joliet penitentiary after a conviction for an Illinois bank robbery. The public imagined him a harried fugitive. Instead, through the workings of criminal affiliations, he had gone directly from his place of escape to Reno, Nevada, where he had been protected by influential members of the underworld and from there sent on to Sausalito bearing secretive credentials which assured him of further assistance in evading the law.

Chase and Nelson became pals. They roomed together. After a time, the escaped convict went for his wife and baby, as casually as a law-abiding workman would do, and set up housekeeping with them. John Paul Chase remained his ardent worshipper.

There is every reason to believe that Nelson had made a confidant of this piece of human putty. The news broke that "Jimmie Burnett" was truly a Chicago desperado. Baby Face and his wife and baby vanished overnight, aided by the underworld. The undersized murderer left behind an aura which, for John Paul Chase, would never dim. Now it could be known generally that he had been the friend of a machine gunning bandit, a "cop-hater", a desperado daring enough to escape prison.

A new swagger came into the bootlegger's walk. He wore his hat at a wider angle, just like the "big-money" gangsters in the movies. The man who had discovered the past of Baby Face Nelson had been a somewhat slow-witted hanger-on of crime named "Fatso" Negri, the driver of a liquor truck who had seen Nelson's picture in a detective magazine and immediately broadcast his discovery. Chase derided him at every opportunity, especially before other members of the bootlegging crew.

"How can you expect to get anywhere by shooting off your mouth?" he asked. "Can't you look ahead? You had a chance to pal around with a big shot and you threw it away!"

Thus Chase became a veritable press agent for the absent gangster who had returned to the Chicago area and whose name appeared more and more frequently in annals of dastardly crime. Nearly a year passed. Suddenly, about Christmas, 1933, Baby Face Nelson reappeared on the Pacific Coast.

At this time, Nelson was not an object of pursuit by the Federal Bureau of Investigation, and he moved about with comparative ease. His activities give a good picture of the private life of a gangster. His wife, Helen Gillis, needed an operation. In Vallejo, California, was a hospital run by a man named Thomas D. (Tobe) Williams, sixty-seven years old, nearly seven feet tall, hawk-faced, one-legged and with several fingers missing from one hand. Vallejo looked upon him as an eccentric of high respectability and some political power. The underworld knew him as "The Gonif from Galway", this being the password by which the most desperate criminals of the country entered his hospital for medical aid and "safe-keeping." His criminal record, well concealed, was that of an ex-safecracker. There Helen Gillis went for her operation, while Tobe Williams saw that she had every comfort and acted as banker for the proceeds of her husband's outlawry. There, too, Chase visited her, brought her flowers, and gazed in admiration of her murderer consort. Baby Face Nelson was making certain necessary plans for the enlargement of his gang, which later was to be merged with that of John Dillinger. And he had overthrown John Paul Chase by promising to take him on

as a general handy man, hideout finder, servant and contact representative.

One of his first jobs, for instance, was to act as go-between for Nelson in the purchase of a new car. Also, according to statements, he went East and brought out the mother of Helen Gillis that she might be near her criminal consorting daughter during her convalescence. Then they all went East, to St. Paul, Chase acting as the chauffeur for the mother and the Nelson baby, Little Ronald, while Baby Face and his wife travelled in a second car. In St. Paul Chase was introduced to the crowd of murderers and thugs who formed Nelson's assistants.

"Just think of it," he later exclaimed to Patco Negri. "Every one of them was a big timer! There was Eddie Green, the bank-robber, and Tommy Carroll and Homer Van Meter and fellows like that. And you know why we got out of St. Paul, don't you? Baby Face Nelson killed himself another man!"

The flight had been to Reno, with Helen Gillis, of course. Baby Face liked to have her along to allay suspicion. Chase performed the routine tasks incumbent upon a first class yes-man. His lack of a criminal record allowed him to contact Nelson's underworld friends, carry messages, buy ammunition and guns and automobiles, rent houses, and make arrangements for stays at tourist camps or at resorts while his master remained in concealment. This he did until Baby

Face once again took on a killing job as a "favor" to certain influences who had given him protection in the West. Then they were away again while a new figure came into the crew, that of Fatsco Negri. Chase had left his clothing in a Reno hotel. Fatsco was given the job of going after it and of carrying messages to various friends in Reno. Fatsco performed the task and was told that some of these days he would have a steady job.

But he must wait while Chase and Baby Face and Helen Gillis returned East. The same old round of events was resumed by Chase, a life which, to well-balanced persons would have seemed extremely useless. The yes-man was denied even the knowledge of where his idol lived. By pre-arrangement, they would meet each day or so at which time the bandit would give his underling orders --- to buy a gun or ammunition and deliver it to him at their next meeting, to steal a car, to deliver messages to any one of a dozen garage owners, fences who made a specialty of furnishing stolen license tags, fixers for crooks, soft drink stand proprietors whose places were used as conference points by the main members of the gang. There was not even a salary connected with the job. After the mob had engaged in a robbery or holdup, Baby Face Nelson would toss his handy man a roll of bills, as a newly-rich prospector would feed his faithful burro a sack of oats by way of celebration. Often Chase would not even know what criminal event had transpired until he read the details in the newspapers. Then he would glow with

achievement. Had he not bought the ammunition with which Baby Face Nelson had killed a policeman?

It sounds preposterous, yet such was the association. John Paul Chase was not even allowed to be present when Baby Face Nelson with Dillinger and other gang members went on a holiday at Little Bohemia, near Manitowish, Wisconsin, only to discover that they had been trailed by Special Agents of the Federal Bureau of Investigation. As a result of the battle which followed, a member of the Dillinger gang was killed. Baby Face Nelson murdered a Special Agent, W. Carter Baum, this bringing him under purview of this Bureau. He ran for Reno, and there the worshipful Chase followed him, rather proudly amazed at the prospect of also becoming the object of Federal "heat". Baby Face Nelson, always with his own safety in mind, was not as thoroughly pleased.

He knew that in killing Special Agent Baum, he had brought about relentless, never-ending pursuit. He knew also that this type of detection was an all-embracing one which would reach back into his past, even to boyhood days in Chicago and trace his life onward, through his car stealing days, his associates in reformatories, his every connection in criminality. Somewhere, the name of John Paul Chase might appear, thus furnishing an unprotected avenue to the apprehension of Nelson. So he pretended to promote his worshipper.

"Get Fatsa Negri," he commanded. "We'll let him do the

messenger work after this. You'll be his boss."

Thus Patso one day received a letter to join his old friends who by this time had returned to Chicago. With no ostensible record of activities as a Baby Face Nelson associate, he could easily assume Chase's old duties.

Pursuit at this time was mainly concentrated on Dillinger. It was our job to throw the Bureau's every resource into the eradication of this figurehead of crime, before a thousand petty fools, dazzled by the publicity attendant upon the activities of this brigand, should accept him as a Robin Hood and decide to emulate him. To this end, Inspector Samuel Cowley had been sent by me from headquarters in Washington to consolidate all activities in the Dillinger chase. Responsible only to me, he directed every phase of the hunt, made arrangements for the payment of the reward, and mapped all moves which led to the killing of the so-called Public Enemy Number One.

To that end, he drew a constantly narrowing circle. No longer could John Dillinger and his comrades travel about freely from one hideout to another. More and more secretive they became, more fearful.

Seemingly there was only one pursued person who derived any satisfaction from it. This was John Paul Chase, who saw fame in being "hot", even though his name had not once appeared publicly in connection with the gang. Besides, he was now Patso Negri's overlord.

Under his direction, Negri carried the messages and went from contact to contact, taking the word that the gang wanted another gunnysack full of stolen license plates, or needed an automobile overhauled, or desired some new steel vests and guns and ammunition. He lived at one place, Chase lived at another and members of the gang somewhere else. When supplies were desired, Baby Face Nelson would notify Chase who in turn notified Negri who then carried the messages. There would be meetings on country roads --- a favorite place was a school yard in a rural district near Chicago. Once Chase promised Fatso a great treat. He would allow him to meet Homer Van Meter, an associate of Dillinger and Baby Face. The meeting did not impress Fatso greatly - just an ordinary looking guy, he said. So Chase promised a real thrill.

One night they went together to the school yard. Shadowy cars were parked nearby, their hoods covered by blankets to hinder identification. Helen Gillic acted as a lookout. In conference with the rest of the gang was a well-built man to whom everyone showed deference. Chase clutched Fatso's arm.

"Take a good look at him," he exclaimed. "Everybody don't get a chance to meet that man! Can you see him? Can you tell who it is?"

"Just a guy, ain't he?", asked the practical Fatso. Chase moved excitedly away, then returned, laughing almost hysterically.

"Just a guy?" he asked. "Just a guy, you say? Why, that's John Dillinger. I'll let you meet him --- but you've got to watch yourself and not get excited."

However, it was Chase who was excited, Chase whose voice trembled when he introduced "his friend from California", Chase who stood about open mouthed while Dillinger, Van Meter and Nelson talked of the narrowing circle of Federal pursuit, how their friends and relatives had been questioned, how pictures and descriptions were being broadcast, and everyone who ever had known them was being marshalled by the Federal forces into sources of information as to their whereabouts. These men were jumpy, nervous, easily excitable. The price of protection from the underworld was going steadily upward --- they spoke angrily of being forced to pay as high as \$200 for the privilege of sleeping in a bed. Luxury loving Fatso could see no fun in being that hot. To Chase it made them all the more heroic.

There were other meetings in that schoolyard --- hurried affairs, excitement ridden. There were nights when the frightened Fatso was given a gun and stationed as a guard, protesting that he wouldn't have the strength to pull a trigger in time of trouble.

"Then shoot in the air," said his proud overseer. "The rest of us bigtimers will look after the rest."

All this time the Federal Agents were patiently running down tiny scraps of information, tracing license plates which led them half across the country only to be lost in a maze of underworld trickery, questioning witnesses to bank robberies and murders, and attempting to find a straight trail in spite of innumerable obstacles. A crook's money goes partly for pleasure but mainly for protection, and information concerning pursuit by the law. Nevertheless, the Federal men drew closer and the meetings in the schoolyard more desperate affairs.

The gangsters talked wildly of holding up banks in different places, only to discard the idea. They dreamed of a big train robbery and might have carried it out had they been less desperately pursued. At last they decided upon the looting of a bank in South Bend, Indiana and made elaborate preparations.

Chase, in his role of Negri's boss, ordered steel vests, bullets, a rifle and other guns. Fatso made the round of underworld supply depots and got them. There in the school yard, with Fatso and Mrs. Nelson on guard, the gang tested out the vests by holding them up and shooting at them. Then, away they went to the robbery, during which Chase was lifted even higher in his own estimation. He was allowed to take a minor part.

Homer Van Meter was slightly wounded in that robbery and Nelson's steel vest stopped a bullet. A policeman was slain.

However, John Paul Chase, in excitedly reporting the event to Fatsco, forgot entirely the death of a law enforcement officer. He thought only of Baby Face Nelson.

"God saved his life by putting that steel vest on him", said Chase and saw no sacrilege in the statement.

Thus the weird existence continued, while Chase took on a few more duties in addition to those of supervising Negri. Now a part of his job was to browse about in suspected territory, to frequent pool-halls or taverns, engage in seemingly casual conversation and seek to learn the activities of the Federal forces. To this end he also contacted the trusted supply forces, the garage men, various gamblers and members of the shattered Capone organization, the license tag dealers and others who reported faithfully everything they had heard concerning the activities of the Federal Agents. Always he must be alert to be sure that the unthinking Fatsco Negri made no errors of judgment. For instance, Fatsco once bought a car.

"What name did you use?" Chase asked darkly.

"My own, whose did you think?" answered the messenger boy. Chase scowled with superiority.

"Dumbwit!" he snapped. "Won't you ever grow any brains?"

"But I ain't hot," Negri protested. "Why can't I use my own name?"

"But you've got to learn to look ahead. Maybe you will

be hot someday, then what? Look at me. Nobody knows I'm an important member of this gang, but I've got a whole flock of aliases. Sometimes I call myself John Scott, or Ed Burns, or John Madison or Johnnie Chase, and a lot of other monikers. You've got to do it to be a big shot."

"Yeh, but I still say I'm not hot," protested Fatso.

"You'll never be a big-shot," mourned Chase. "Watch me--- do like I do. Then you'll get somewhere."

The ex-bootlegger felt that he had truly arrived. He even sent the obedient Fatso to San Francisco by airplane to ask Chase's girl if her love still burned true. Fatso brought back an affirmative answer. He also brought a prophetic statement.

"She says the Federals are swarming over all that district out there, asking questions."

Chase waved aside the statement.

"Say," he answered, "when we pull off some of these big jobs we're talking about, we'll have so much money we can go anywhere we want and they'll never find us!"

The answer to that statement came in the flaring headlines of newspapers, the cry of Extra! Extra!, the milling of crowds before the bulletin boards. Inspector Samuel Cowley's carefully laid plans had met fruition. John Dillinger lay dead of Federal bullets and again Baby Face Nelson was in flight, once more headed toward Nevada and as usual depending upon his

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menials and the skirts of womankind to protect him.

This time he felt he could not trust to Helen alone. He persuaded a hanger-on to accompany himself, Helen, Fatsco and Chase, and to bring his wife and baby along for further camouflage. Even then, he remained nervous, so Chase sent Fatsco into San Francisco for Chase's girl. Now with three women and a baby to afford him cover, Baby Face settled himself for a time at a Nevada lake resort. There he heard that his pal, Homer Van Meter also had fallen by law enforcement bullets as well as Pretty Boy Floyd, who, according to evidence had attended a meeting or two at the schoolhouse. It brought him to stark realization of the fate that was approaching --- every other active member of the band which had gathered so enthusiastically after the escape of Billinger from Crown Point jail the previous spring, dead, each mowed down by the bullets of Special Agents or other law enforcement officers. Desperation overwhelmed him. Day after day, in this hideaway, he spent his time with a small rifle, firing round after round at targets, or at squirrels and chipmunks, as though he imagined himself shooting down his pursuers and carving a leaden path to freedom. Meanwhile, always in the background, stood John Paul Chase, applauding his aim, envying his desperation. Then terrifying word came from Reno:

"The place is alive with Federal officers. They've been everywhere --- to all your old contacts. They've caught the garage man in a bunch of lies and know he's been protecting

you. They've got a line on the fellow in the gambling hall who's been tipping you off. They're closing in on you! It's time to run!"

Away went Baby Face Nelson, hiding behind three women and a baby, with John Paul Chase and Fatsco Negri, to sneak into town for gasoline and oil, or to rent a cabin in a tourist camp from which they could be gone at dawn.

Money was short. Baby Face Nelson and Chase and Negri sneaked into the Vallejo hospital where the gaunt, towering Tobe Williams reached behind a bookcase and brought forth a tin box from which he doled out a thousand dollars. Then:

"Get away from here, you're hot! It's the Federals! I've managed to fool them so far, but I can't do it forever. Get going!"

They tried to make contacts with old friends of the boot-leg days. Everywhere there was the same answer:

"Keep going! The Federals have been here looking for you. They're in here every day or so. If they even hear of us talking to you they'll sock us for harboring you."

Vainly they tried to argue, to plead for shelter. The only answer was:

"Use your brains! Get going! This is G-Man heat!"

So they turned East. Sometimes Baby Face would drive for long stretches at eighty miles an hour --- only to pull up short as with premonition, while Fatsco and Chase went ahead to scout the road. Here and there they stopped at tourist camps, only to arise with a start and begin moving again. Then at last, they gave up thought of shelter and camped in the open while Negri and Chase or the women went into town for groceries which were cooked over a small camp stove. Even then, Baby Face would awaken in the deep night, sweating with fear as he gave the command:

"Get in these cars. We've got to keep going!"

Fatsco was glad to drop behind when a car he was driving broke down in Colorado. Now there was only Chase to go into town and buy the gas or groceries or put in a guarded long distance call to friends in Chicago. Always the answer was returned:

"Stay away from us. You're hot. It's O heat! We don't want to lay eyes on you!"

This, if you must know, is the secret of success in the Federal Bureau of Investigation --- to so surround a hunted man that his every protector is frightened. Only by this means can outlawry be wiped out. As long as gangdom has countless hangers-on, willing to defeat the law in return for high prices for lodging, food, automobiles, guns, ammunition, just so long will gangdom live. Our campaign was a persistent one, causing

more and more often the warning plea:

"Stay away from us or the Feds will get up too. They'll send us to prison for helping you. Stay away from us!"

Thus, in the constant gathering of information, Special Agents learned that at one time Baby Face had stayed at a certain lake resort near Chicago. Special Agents visited the place informing the owner of the necessity to report at once if ever again an attempt was made to hide away there. In November the word came that John Paul Chase had stopped for a moment to inform the owner that "his friend" would drop in within a few days. Instantly Inspector Cowley and his men leaped to action.

A car was seen moving about the streets of the little town, and a keen eyed Special Agent thought he recognized the man within as Baby Face Nelson, even though he had grown a mustache in an effort to change his appearance. A call was shot through to Inspector Cowley; cars began to converge, then circle in an effort to find the much sought fugitive.

So, in the afternoon of a November day, Baby Face Nelson, his ever present wife and the yec-man, John Paul Chase, drove toward the resort. A car passed them and the face of a man showed for an instant at the rear panel.

"That guy looked at me," snapped the jittery Nelson.
"Maybe he's a Federal!"

John Paul Chase sat with a machine gun across his lap, his hands itching. This flight had thrilled him in a strange, weird way; now with the nervous outburst from Nelson, he changed from a mere worshipper to a man of action. This was his moment. He was guarding Baby Face Nelson and in that car ahead were Federal officers. The world blurred.

"I'll take them!" he exclaimed. Up went the machine gun, flame spurting from its muzzle as he fired through the windshield over the hastily bent form of Helen Gillis. Answering fire came from the car ahead. Chase again pressed the trigger and outbursts of flame spat from the ugly compensator head of the machine-gun barrel.

In the car ahead, the Special Agents continued to fire, meanwhile speeding forward toward a road where they could turn and double back, hoping to block the bandit car. The swift automobile was stepped up to its fullest power, swerving into the other road, circling and then halting to await the approach of Baby Face Nelson. But the bandit car did not arrive. A Federal bullet had damaged the water pump and the Nelson coupe was limping, slower, slower - - -

Now another car was drawing upon the bandits, to swing wide, and come to a stop. Two men leaped forth, Inspector Cowley and Special Agent Herman Hollis. Instantly Baby Face Nelson swung from behind the wheel and was out of the car, but no sooner than John Paul Chase. He had a rifle and, resting its barrel on the hood of the car, began to fire.

Hollis fired a shotgun, wounding Baby Face Nelson, who stumbled about the rear of his car. Chase continued to fire, trading the automatic rifle for a machine gun, then a super-automatic pistol and again the machine gun as the wounded Nelson acted as gun-loader. Vaguely the yes-man realized that the world had gone tippy-turvy. Now he was the killer, the man in front, while his master lay on the running board of the car, bleeding from a dozen wounds, his every movement one of agony as he loaded and reloaded his henchman's guns.

The fire was continuous, even though Hollis and Inspector Cowley had both been wounded. Somewhere Helen Gillis lay covering in a ditch; her husband did not even ask his comrade where she had gone. He only took the guns as Chase handed them down, reloaded and handed them back again. At last he stirred.

"We've got to run for it!" he shouted. "And we go shooting."

He staggered to his feet with the machine gun. Out they went, both firing. Inspector Cowley dropped. Hollis fell. Then for an instant, John Paul Chase lowered himself to the calibre of the man he had served. He halted. Carefully he aimed at the prostrate Hollis and sent bullet after bullet toward his unprotesting form. Then, the lowest depths of cowardice achieved at last, John Paul Chase ran for the Federal car into which Nelson had dragged himself.

"Where's Helen?" he asked.

"To hell with Helen!" shouted the baby-faced killer.
"We haven't got time to wait for her. Get this car started!"

"Here she comes!" answered the yes-man. A moment later all three were in the car and gone. Baby Face Nelson died that night in the home of a small-town politician nearby. Helen and Chase took him out and left his nude, blood-splattered form beside a cemetery. The woman staggered blindly away. John Paul Chase, the yes-man, was left alone to pay for his rise in crime.

He bought the papers. There was no mention of his name. He worked his way across America, without once seeing himself called the killer who had aided Baby Face Nelson. The Bureau of Investigation was working, not talking. One day, a haggard form walked into the State Fish Hatchery near Mount Shasta, California. Almost immediately John Paul Chase was taken into custody. Special Agents of the Bureau of Investigation had not overlooked one item in this man's life. Every place where he ever had worked or visited, was covered, either by Federal or local forces, this place among them.

On that day the story of John Paul Chase ended. The trial was one of many. Tobe Williams went from hospital to prison. Garage keepers, gamblers, steel vest purveyors, criminal informers, followed --- even to Fatso Negri and Helen Gillis Nelson. For all of them but one, there had been some compensation. With the exception of Helen Gillis, they had fattened upon the loot of crime. But for John Paul Chase, who had

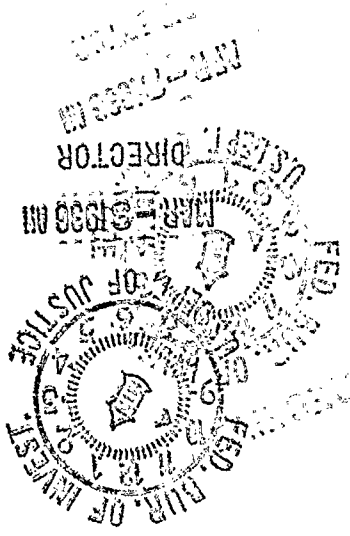
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viewed all this as a career, with resultant riches, exalted position, pictures in the paper, who had trembled with joy at the sight of John Dillinger, there was only a prosaic, final notice:

"John Paul Chase, murderer of Inspector Samuel Cowley and Special Agent Herman Hollis, of the Federal Bureau of Investigation, became a nameless inmate today of the Federal penitentiary on Alcatraz Island. He is sentenced to be a prisoner for life."

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JUN 24 1937 PM



RECEIVED

From
Courtney Ryley Cooper,
1212 Fifth Avenue,
New York, New York

MOTHER OF MURDER

By

J. Edgar Hoover,
Director, Federal Bureau of Investigation
United States Department of Justice

With

Courtney Ryley Cooper

As Director of the so-called G Men -- we much prefer to be called Men of the F.B.I. -- a part of my task concerns something more than that of catching law-breakers. It is the attempt to learn what lies behind criminality, to study the psychology of outlawry. All too often, through this psychology, the ardent "good citizen" of today may be the menace of tomorrow. It was so with the most dangerous criminal in my experience.

Incidentally, that person was not John Dillinger. It was not Baby Face Nelson nor any of the rest of his murderous crew. The most vicious, dangerous and resourceful criminal brain in this country belonged to a woman whom scores of satellites called "Mother Barker". She headed the Barker-Karpis gang of hoodlums, highwaymen and kidnapers.

In her sixty or so years, this woman reared a spawn of hell. Of her four sons, one was a mail robber, another a hold-up man and the remaining pair were highwaymen, kid-

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napers, wanton murderers. To a great extent, their criminal careers were directly traceable to their mother; to her they looked for guidance, for daring resourcefulness. She pampered them like a young parent with her first baby; they obeyed her as implicitly as the thoroughly disciplined children of a Puritan.

Mother Barker kept open house for big-time criminality. With the calm of a person ordering a meal she brought about bank-robberies, holdups or kidnappings and commanded the slaying of persons who, only a short time before, had enjoyed what they thought was her friendship. Yet withal, she shuddered in jealous trepidation when a new gun moll threatened to steal the love of one of her boys and she was one of the easiest weepers in the history of criminality. She liked now and then to hum hymns, resurrected from a distant day when life had been circumspect, almost church-bound. She gave nearly half her lifetime to a defiance of the law and died last year still hating it, a bullet-heated machine gun in her aged hands.

An important factor in American crime is the inclination to condone. Mother Barker had no counterpart as a parent in ruthlessness or desperation. However, I believe that many convicts owe their persistence in law-breaking to some of the integrals which eventually turned this woman into a she-wolf. In Mother Barker's case, her wild antipathy for any interference in the wayward life of her sons, not only led to a life of crime by her children, but made her an

arch criminal.

Crime travels into strange places for its recruits. For Mother Barker, it reached into a farmhouse in a pocket of the Ozark Mountains some eighteen miles northwest of Springfield, Mo., where a dark-haired girl of less than usual stature reached the age of marriage sometime in the middle '90's. She was not a "hillbilly", but the daughter of parents predominantly Scotch-Irish. Friends knew her as "Arrie" Clark; she had been christened Arizona, for what reason is undetermined.

The life of childhood had been that of an ordinary Missouri farm -- church, Sunday school, picnics, hayrides, candy pulls and the little red schoolhouse. Somewhere she had gained the nickname of Kate, again for no ostensible reason. Her family was circumspect and remained so. Long ago, Kate Barker, looking down the path of criminality, was told by her flesh and blood that she must pursue that path alone.

The eyes of Arizona Clark Barker always fascinated me. They were queerly direct, penetrating, hot with some strangely smouldering flame, yet withal as hypnotically cold as the muzzle of a gun. That same dark, mysterious brilliance was in the eyes of her four sons. Perhaps it spelled fierceness, for Kate Barker was a fierce woman, in crime and in her affections. That fierceness took her far from the Ozark farm and to extreme depths for which she blamed everybody but the true transgressor. That was herself.

A young farm laborer named George Barker from Lebanon, Mo., came along when Arizona Clark was barely out of her teens. They were married at Aurora, Mo., where Kate Barker was known as a good wife, devoted to the Presbyterian church, a fair housekeeper and averse to backfence gossip. There her sons arrived, Herman, Lloyd, Arthur and the favorite whom she called Freddie. Herman and Lloyd grew to school age in Aurora; the others were still babies when the family moved to Webb City where the father worked at various jobs in the lead and zinc mines. They lived in a poor district. Kate Barker, always somewhat secretive, had few close friends. A crony, however, was a Mrs. Farmer, with a son named Herbert, who became a playmate of Herman and Lloyd; he too was destined for crime and prisons.

There was no hint of this in those early Webb City days. Kate Barker went to church and to Sunday School, dragging her brood with her, to sing the hymns with the same lustiness as the rest of the congregation. With her, of course, went George her husband, a mild, inoffensive, quiet man who seemed somewhat bewildered by his wife; she dominated him, dismissing his views with a wave of the hand, overruling his ideas with a curt sentence. This was especially true when he attempted to assume the guidance of his growing boys. There was a feline intensity about Kate's determination that no one but herself should be their mentor. And in her eyes they could do no wrong.

The neighborhood knew them first as rowdy youngsters;

window breakers, petty pilferers. Complaints to George Barker brought the information that "they'd have to talk to mother -- she handled the boys." Recourse to Kate Barker resulted in tirades against their accusers. Then, at last, Herman, the oldest, was picked up for petty theft.

Kate Barker stored down to the station. She made up the amount of the pilfering, but admitted no wrong on the part of her child. She pursued the same course when Lloyd was caught in thievery. Once freed through her efforts, the boys received a bitter tongue lashing, not for breaking the law, but for getting caught at it. When Sunday came, she obstinately lugged them to church, her determined chin protruding and her dark, blazing eyes daring anyone to insinuate that her brood was not of the best. George Barker recently told the story in a few sentences.

The first blizzard of the winter was blowing last January in Joplin. At the Tumble Inn Cafe and Filling Station a short, almost mispish, white-haired handyman of sixty-nine was laboriously sweeping the snow off an automobile. A heart ailment emphasized his lack of color and faded frame. His was the tired voice of a man who had known much suffering.

"She'd pick up those boys and take them to Sunday School every Sunday," he said to the swish of the broom and the scattering of snow. "I don't know just why. Because when I'd try to straighten them up she'd fly into me. She never would let me do with them what I wanted to."

George Barker, had been a sacrifice to the woman's

fierce obsession. Kate's eagerness to assist her sons, no matter what the odds might be, had driven him away. He had loved those sons, even though Kate had taught them to ignore him. Bent against the slanting bite of the storm, he talked wistfully of the days when he had tried his own methods of reform -- to interest them in clean pursuits; the fun of tramping across country in search of rabbits, of hunting for squirrel.

"But that was when they were good boys," he concluded hopelessly. For him, it was all in the past; two boys in prison, two others and their mother dead as the result of lawlessness.

By 1910, every one of the four sons had been accused of some law infraction. Police headquarters knew exactly what to expect in every instance; the advent of Mother Barker as she now had become known, first arguing, then storming in denunciation. This, she insisted, was a studied campaign of persecution. Her's were good boys, the best in Webb City. Failing in this tirade, she would weaken, even to the weeping state, as she begged for clemency. Or she would turn to the prosecuting witness and in the end, reach into her poor purse to indemnify the losses and finally, either avoid or materially weaken prosecution. Home again with her guilty offspring there would be bitter upbraiding for the clumsiness of flight which had led to their capture. Not once did it enter her head to punish them for wrong-doing. Laws counted little against her fierce belief that they could do no wrong. Yet

It is doubtful if Mother Barker ever actually told her sons she loved them; she only showed it. The four Barker boys now had become known as "town toughs" -- wherever there was trouble, it was almost certain that they were a part of it. Finally Herman made his bid for the big time. He was picked up by the police of Joplin, five miles from Webb City, questioned about a highway robbery, and released.

Mother Barker raged. This was the final insult, the height of police persecution.

"We'll move out of this town!" she announced and shortly afterward made good her determination. The brood went along as a matter of course; George Barker, however, followed reluctantly. Life for him rapidly was becoming more unhappy. Home no longer was that; it was a congregating place for young hoodlums. Their every outburst against prying police found a vituperative echo in this strange woman who no longer went to church. Good people did not like her sons, so she had begun to hate good people.

They moved to the oil town of Tulsa, Oklahoma, where George worked at odd jobs and where the boys soon met the police. That is, all but Herman. He had gone forth into the world, taking at various times, a dozen aliases. Kate Barker knew them all and followed him with letters when he was in prison and when dodging the police. Meanwhile the other boys went to school.

In fact, Lloyd, Arthur and Freddie received two educations at the same time. Kate Barker had placed them

in what is now the Washington School in Tulsa; they in turn re-schooled themselves in the company of what was known as the Central Park Gang, a crew of youngsters who played about the park in the daytimes and early evenings, then went forth to night robberies. Here were big time criminals in the making, Harry Campbell, now the associate of Alvin Karpis, Public Enemy Number One, Sam Coker and Glenn Leroy Wright and others notorious in midwestern outlawry. The Barker house was their meeting place. There they could talk freely of crime, while Mother Barker, slowly growing fat and suspicious, sat and listened with evident pleasure. George Barker's remonstrances counted for nothing; more and more they ignored him, or uttered threats when his sense of right overcame his necessary caution.

Herb Farmer, the old playmate of Webb City and Joplin days went to prison on a serious charge and came free. Thereafter many convicts made his little farm a stopping place. Freddie visited at Herb's, meeting big time criminals. In turn, they came to his home and met Mother Barker. From them she absorbed new phases of technique, new hatred of law enforcement; from her they heard canny advice on how to outwit the law. Finally the word passed from crook to crook that there was a cooling off joint in Tulsa where a criminal not only could get protection, but shrewd advice. George Barker, no longer able to endure the life, gave up his family and went away, for years living in fear that he would be hunted down and murdered. Ma Barker grew fatter, shrewder and prospered.

Here was a chief counsel who looked after criminals with the care of a mother for a sick child. Tulsa was on the road for crooks drifting north from McAlester Penitentiary, or south from Leavenworth Prison, Jefferson City and Manhattan. Just out of the cell block, their first need was a place where they could hole up, get in touch with old pals. Ma Barker's place offered all this. Sometimes she took reward in the form of cash loot from bank robberies; sometimes she performed her tasks for the sheer love of perverting the law. If a criminal needed a new partner for a job, Ma Barker could put him in touch with the best man available. Only two things were lacking at Ma's. A man was a fool to drink, she said, and she'd better not catch her sons at it. Likewise, he was a fool to run around with molls; sooner or later they'd put the law on him.

Not that the law ever was far away. The place was always under suspicion. But Ma Barker seemed to have gained a sixth sense regarding the law. She was always ready to receive police officers. She'd meet them at the door with an effusive welcome. She would invite them in, talking volubly the while -- but she never told anything. She invited search of the house. Nothing ever was found. Her convict friends had been sneaked away at the first hint of search. Loot, other than explainable cash, was not allowed on the premises. Meanwhile the boys took part in robbery after robbery, while Herman dodged here and there about Missouri, Kansas, Arkansas and Oklahoma.

Ma Barker's tirades against glumness on the get-away were, to a degree futile. Arthur was caught in 1918 for the theft of a government-owned automobile. He escaped, was caught again, broke jail and finally, in 1928 was sent to Oklahoma State Penitentiary on a life sentence for the murder of a night watchman during a hospital robbery. With every pickup Ma Barker had appeared, to plead, to weep, to storm and beg and offer money. Even when her boy went up for life she did not halt her efforts. She spent thousands of dollars for attorneys' fees and other expenses in determined efforts at parole.

Reddie likewise had tripped, first for vagrancy, then for robbery, again for bank robbery, once more for burglary, then again for assault with intent to kill. He was wounded by Kansas City police, but escaped. He forfeited bond after bond in serious cases; money raised, incidentally through the efforts of his indefatigable mother. Back in those early days of church going and legitimacy, she had lived in comparative poverty. Now the Barker house had blossomed, garishly, crudely; here was the most lavish of bad taste. To feel money stream through her fingers, to know it could buy whatever she desired, except peace of mind, to order extravagantly and at random, not caring that the currency be bloodstained; all these were great surceases to Ma Barker. In those days Ma Barker demanded heavy fees for the hiding of a convict or for her council in a major job of law-breaking.

Lloyd was sent to Federal prison for robbery of the United States mails; she fought for his freedom until all hope of acquittal was gone, then immediately began a campaign for parole. She was still at it, writing doleful "mother" letters to prison authorities on how badly needed her boy was by his poverty-stricken parent, even when she herself was a fugitive from justice on the charge which led to her death!

However, ^{if} ~~in all this~~, there was one successful ~~to~~ ^{her} ~~her sons~~ could not learn ~~the~~ ^{in avoiding punishment} lessons of safety ~~which she strove~~ ^{to teach them, she, a court} could give a demonstration of their effectiveness. In all her life, she was not once arrested. She was officially charged with only one crime, in spite of later revelations that she collaborated in them by the score. Barely able to read and write, she nevertheless knew every trick in the encyclopedia of criminality. Coupled with this was the credulity necessary to believe horror stories about law enforcement. She wrote frantic letters demanding the intercession of Oklahoma's governor because, she said, prison authorities were stringing up her boy Arthur, whom she called Dock, by the thumbs and allowing rats to gnaw at his flesh.

At this time, Lloyd was in Leavenworth Prison on a twenty-five year sentence, Dock was in Oklahoma State Penitentiary for murder, and Fred was in ~~Leavenworth~~ Kansas State for burglary. Ma Barker moved from one to the other, weeping before officials, writing piteous letters to attorneys

and those who might intervene for a parole, meanwhile shielding and protecting Herman, who now was readying himself for the event which turned his mother from an animal mother of the she-wolf type to a veritable beast of prey.

In Oklahoma bandit history there is a tradition that a desperate gang is never completely eliminated. While the rest go to prison or death, some one member always remains free to make new contacts, teach new disciples, build new outlaw crews. It has been thus since the days of the Dalton Boys, and it was true of a bandit named Ray Terrill. A criminal genius, Terrill had invented a new type of bank robbery. He simply backed up a truck and winch to a small bank, stole the moveable safe, carted it away and cracked it at his leisure.

Terrill ~~met~~^{met} Herman. Together they attempted a bank robbery in Missouri and were caught, Herman being shot during the capture. Both escaped, Terrill within sight of McAlester Penitentiary, Herman from jail in Washington County, Arkansas, where he had been taken to answer other charges. Again they teamed up, making surreptitious trips of course, to see Ma, who was all alone now, except for the occasional company of an old billposter named Arthur Dunlop, whom she was considering as a paramour. Then came tragedy.

One night in 1927, there was an ice station holdup in Newton, Kas. The next night, two policemen attempted to question the occupants of an automobile. Immediately guns blazed, the fire being returned by the law enforcement of-

officials, J.E. Marshall, a traffic officer, was killed as the car roared away to the blasting clatter of police gunfire. Witnesses said that Herman had done the fatal shooting. Ma Barker, down in Tulsa screamed that it was a lie, that her boys were good boys, persecuted beyond imagination. There was Lloyd and Freddie, both in prison and both innocent. And look at Dock in McAlester, for a murder he'd never committed, strung up by his thumbs and the rats chewing his heart out. They'd have Herman in some place like that too, all as the result of a passel of lies --

Herman went to no prison; Officers found his body the next day, in a weed patch on the outskirts of Wichita. Officially he is listed as a suicide; it is possible that he died as the result of a wound received in the gun battle. No one knows. Death brought Ma and George Barker together for that space of time when they stood beside an open grave in a weed strewn, windblown little cemetery near Welch, Oklahoma. Then with the earth mounded, they parted, the husband to return to the only life he cared to know, the straight one, his wife to irrevocably cast her lot with criminality. When her boys came back to her, from their widely separated prisons, she no longer would be a mere advisor. She would be their leader; stern, calculating, bloodless.

This did not truly happen, however, until 1931, when Freddie was released from Lansing Prison. At thirty two, he had served a jail term, a reformatory term and a prison term, to say nothing of the instances when he had

jumped his bond on serious charges, and the innumerable times when his mother's pleading and fixing had resulted in his freedom. Soon a penitentiary friend joined him, a young man named Alvin Karpis. They spent some time at Herb Farmer's where they met the big timers. Then they went to a hideout near Thayer, Mo., from which they felt they could work with impunity. It was run by Ma Barker who lived there with her billposter paramour, Arthur Dunlop.

There is no true record of the robberies which followed this coalition. With her quick affection for anyone both youthful and criminal, Ma had taken Alvin Karpis into her queer, fierce range of affections. What old Dunlop had to say about all this is not known, evidently he was dominated like others must be dominated if they lived with Ma.

But the boys betrayed her, accidentally, of course. There had been a store robbery in West Plains, Mo., in which a De Soto car was used. Under Ma's system of evading pursuit, that car would have been hidden for months, but the boys did not ask her advice. They drove it into a motor company for repairs. The sheriff approached to question them. There was a blaze of gunfire and the rear of the motor as the bandits sped for freedom, leaving the sheriff sprawled on the garage floor, mortally wounded. Raiding police found that the cottage near Thayer had been hastily abandoned. Ma, Dunlop, Freddie and Alvin Karpis were gone.

They fled to South St. Paul, Minn., where the four resided in an apartment on South Roberts Street and from which the "boys" again essayed forth to robberies. They were now

big time criminals, associating with some of the most desperate outlaws of the midwest. There was George Zeigler, known as Shotgun George, Charlie Harmon, Frank Nash, Francis Keating and Thomas Holden, ex-convicts, escapees, murderers and high-powered bank robbers. There was Verne Miller, professional gangster machine gunner, Harvey Bailey, later convicted of the Charles F. Urschel kidnaping in Oklahoma City, Machine Gun Kelly, Earl Christman and their ilk. Together this gang robbed and plundered throughout the north and mid-west, robbing banks and killing at random. For all of them Ma Barker held open house, took a cut of the proceeds and continued to spend money in large amounts for Doc's freedom. Finally murder ceased to be merely something about which Ma heard when, after her sobbing loneliness for her "boys" they would return safe from pillage to relate the details of their outlawry. The son of the apartment landlady noticed that when Alvin Karpis and Freddie Barker left for one of their frequent trips, they always carried violin cases. In addition, he saw their pictures in a detective magazine as wanted for murder. A report was made to the police. When they arrived, however, through a strange coincidence, Ma and Dunlop and Freddie and Alvin were gone, Ma and her boys to seek a new hiding place, Dunlop to cease forever his hanger-on connection with criminality. Ma Barker and "the boys" had blamed him for that tip-off to the police, and Ma's ever-ready eagerness for fair play had suffered a lapse. Dunlop had been given no chance to defend himself. He had been tried,

found guilty and sentenced to death; his nude body was found the next morning on the shore of a Minnesota lake, pierced by three bullets fired at short range. Not far away was a bloodstained woman's glove.

During all this time, it must be understood, the Federal Bureau of Investigation held no charges against Ma Barker or any of her brood. It knew them well, however, just as it knows hundreds of other arch criminals with whom it is powerless to interfere because they have confined themselves wholly to state offences, thus obviating pursuit or prosecution by Federal authorities.

However, their associates, Frank Nash, Francis Keating and Thomas Holden were escaped Federal prisoners, pursued by the Federal Bureau of Investigation. In the painstaking efforts which led to their capture, it was natural that all possible data about every criminal with whom they came in contact, should be catalogued for future reference.

Charlie Harmon had been killed during the getaway from a bank robbery and by his own pals who didn't like his mannerisms, his bungling methods, his golf talk. Federal Agents one day traced a telephone call which Charlie had made a year before his death. They found it went to a manufacturer of golf clubs in Kansas City and investigating there discovered that Charlie's old pals were playing golf at a local foo course. So they caught Keating, Holden and with them Harvey Bailey. They found on Bailey a bond from a Fort

Scott, Kas. bank robbery. That night, an apartment in a fashionable part of Kansas City was hastily vacated. It had been occupied by three persons known as Mrs. A.S. Hunter and her two sons. They were Ma Barker, Freddie and Alvin.

Freddie and Alvin had been in that Fort Scott robbery with Bailey and others. As gangsters will do, they strove their best to save Harvey Bailey from prison, and thus hired an attorney. The attorney did not do his work to please them. Again Ma Barker forgot her wild desire for fair play. The lawyer received a call to meet "the boys" at a golf club near Tulsa. He kept the appointment, which was with death. There is strong evidence that he was murdered by Freddie and Alvin.

Ma had taken her brood back to St. Paul, still continuing to gain freedom for Dock and for Lloyd. Efforts for the latter were unsuccessful, but at last Dock went free. Now Ma truly could scheme and contrive; with her two boys as a nucleus for a desperate gang, she began to think of big money. She knew everybody who was of importance in crime. She knew politicians, hideouts and hideout owners. She knew members of the Dillinger gang and their consorts. ^{Her gray hair dyed black, her clothing fashionable if not fitting,} As she ranged through the midwest, ~~she~~ like a tempestuous, whim-struck queen, storming at the slightest disobedience of her rulings, ^{disseminating the unwholesome} in a dozen forms of intrigue to be rid of the women whom various members of the gang insisted on having about them. To this end she retailed gossip, or told one girl what another had said about her, causing constant friction, gun-moll quarrels and hatred for Ma. She

continued to write sobby letters, sending them through devious means, begging that Lloyd be returned to his poor old mother. But when Earl Christman was killed in a bank robbery and secretly buried by her "boys" she agreed with them that Earl's mother need know nothing of the matter. A grieving mother might do some foolish thing that would cause suspicion by the authorities.

Ambition grew, demanding bigger, more lucrative forms of lawlessness. A kidnapping flashed across the front pages of the newspapers and Ma took her cue. Soon afterward the nation learned that Edward G. Bremer of St. Paul had been kidnapped, finally to be released on the payment of two hundred thousand dollars ransom. This was a Federal offense.

None at last, Mr. Bremer told about the refueling of bandit cars while he was being returned from the hideout to the spot of his release at Rochester, Minn. Special Agents of the Federal Bureau of Investigation found four gasoline cans upon one of which was a latent fingerprint. The Technical Laboratory of the Federal Bureau of Investigation developed this print and found it identical with that of Alvin Karpis. Now indeed could all the information which had been gathered through the laborious chase of other Federal fugitives be put to use. For the first time, Ma Barker and her brood had come within Federal jurisdiction -- and for the first time, incidentally, Ma Barker found herself quite willing to associate, for a time, at least, with women of the gang. It followed murder.

The gang was desperate. George Zeigler, slowly becoming insane, had become talkative. He, like old Dunlop, and the attorney, was sentenced to death. Four shotguns blazed one morning in a Chicago suburb and the bullet shattered form of ^{George} Zeigler slumped to the pavement. Then the gang remembered an important item. George Zeigler had hidden a part of the ransom money at the home of his woman's relative; it must be procured. Ma Barker's tones were quite honeyed that night as she drove forth with the bereaved woman. When they returned they carried a brown paper parcel. It contained more than \$100,000 in ransom money.

Here, there, everywhere throughout the United States, the Federal forces were at work. Many persons are required for all the angles of kidnapping; one by one they began to feel the power of the Federal Bureau of Investigation. The changers of ransom money were tracked down and arrested. This led to the capture of other persons in the gang; the number mounted from one to five, thence to ten and to a score. But Ma and Freddie and Dock and Alvin remained free.

The chase continued. All the incidental information about this gang and its consorts was brought from the files. Here and there lines of action were delineated, hideouts of other gangs which members of Ma Barker's crowd frequented. The chase for Dillinger and Baby Face Nelson had brought the Barker names into reports; they had been friends and had partied together. The history of Verno Miller, Harvey Bailey, Frank Nash, Keating and Holden -- all yielded clues. Slowly,

one by one they were followed down. The Federal Bureau of Investigation hunts not only fugitives but everything about those fugitives. At last, following more than two years of effort, the tightening search led to Chicago, to the capture of Deck, the killing of Russell Gibson, a dope fiend member of the gang and the arrest of a man named Byron Bolton. Letters were found. There was a map, with a ring around the region of Ocala, Florida. Deck held firm to the teachings of his mother -- "never talk and you'll never get in trouble." But that map told much, plus the letters and certain statements which had been gathered from time to time. A chartered airplane zoomed out of Chicago, bearing guns, ammunition and members of what is known as the Special Squad, a group of picked men assigned to such cases.

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~~_____~~
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They found their objective to be a luxuriously furnished, extensively built establishment on the shores of Lake Weir near Ocala, Florida. Surveillance revealed that He and Freddie were there. Time was short. Tompeople told of a distinct jumpiness on the part of Freddie. He had done some hunting in this locality, where he was known as J.E. Blackburn. It was different hunting, however, from that

of the old days when his father had led the boys over hill and dale back in Missouri. Now the man, once in camp, spent ^{most of} his time in his automobile, with the short wave radio blaring.

~~He had a head set on the car and~~ listening always for the police broadcast which might warn him of approaching capture.

The beautiful white house in which he lived with his ever watchful mother, was an arsenal. In it were two machine guns with fifty and hundred shot drums, two shotguns, three automatic pistols, cartons of ammunition, a rifle and five bullet proof vests.

In the darkness of night the Special Squad surrounded the place. Long hours passed. At 5.30 o'clock the Special Agents were moved into position -- five to guard the highway and prevent accident to passersby in case of shooting, eight to surround the house, which sat back from the lake amid palms and water-oaks. Then in the drip of a dewy dawn, the Special Agent in Charge stepped into the open.

"Freddie!" he shouted. "Ma Barker! We are Federal officers of the United States Department of Justice!"

There was no answer. The Special Agent went on:

"We want you to come out, one at a time. You will not be injured."

There was still no answer. Within the house, there were sounds as of persons moving about. We now know that it was a time of fevered preparation, the loading of sub-machine guns, the assembling of automatic pistols and the placing of

ammunition within easy access. Again the Special Agent in Charge called:

"Unless you come out, we'll have to use tear gas to force you out!"

Only silence answered. Then Special Agents began to call from every side, re-iterating the fact that the place was surrounded. At last Ma Barker answered; the tone was firm, cold:

"All right; go ahead."

The officers believed she had called to Freddie that they would surrender. Still in the open not thirty yards from the house, the Special Agent again shouted:

"All right, you won't be hurt. Come out one at a time. You first, Freddie."

The answer was a raging burst of machine gun fire from Ma Barker, at an upstairs window. Then a rifle was fired by Freddie from downstairs. The Special Agent in Charge found himself surrounded by whipping dust, raised by the bullets of the woman's machine gun.

"Get to cover," his comrades shouted, meanwhile beginning an aimless though concerted fire that they might divert the woman's attention and save the life of their superior. The ruse worked. Ma Barker, in her rage, strove to follow the blaze of rifle fire from the surrounding agents. The Special Agent in Charge reached cover, miraculously escaping at least thirty five shots which had been aimed at him by the woman.

Then the battle truly began, lull and burst, flar-

ing flame followed by silence. At first the Special Agents fired only in an effort to keep the inmates shooting wild and with the faint hope that with lessening supplies of ammunition they would surrender. But there was no surrender in the heart of Ma Barker or that of her dominated son. The bursts of flame continued. At last, the Special Agents were forced to make use of their marksmanship. They figured distances from the windows, and approximate places at which the desperadoes had concealed themselves. Then sighting carefully, they began to shoot through ^{walls of the} the house at these points. After a time there was no answering fire.

Tear gas, propelled from short-barrelled guns was sent into the hideout. There was no remonstrance. Entrance was made. On the floor of an upstairs bedroom lay Freddie Barker and the grim old woman whose fierce defiance of the law had included even the power of the Federal government. Empty machine gun drums were scattered about. Fred's gun was still in his clutched hands. Ma Barker's gun, with forty shots gone from a hundred shot drum, lay across her body. Freddie had been pierced by eleven bullets, Ma Barker by three. One had gone through her heart. In her pocket-book was found \$10,200 in bills of large denominations. Crime had paid Kate Barker extremely well, except in the things which really count.

Wild days followed. Thousands of persons jammed into the little town of Ocala, sixteen miles from the scene of battle, crowding about the mortuary where the bodies had

been taken. Ropes were ineffectual to hold them back. Police were shoved aside. Morbidity rose to a high pitch. The house at Oklawaha was ransacked by souvenir hunters; finally the owner charged admission, and the curious paid, as though this were a circus instead ~~of viewing the bodies of the~~ tragedy of mis-used lives. All the thrill was gone, however, when, after delays of months in settling the estate, George Barker sent for his wife and son. Until this time he had not possessed the necessary money; the bodies had remained at the mortuary in Ocala, forgotten by most persons, once the flood of their morbidity had subsided.

The long trip home was made in an auto-hearse. Speeding the roads from the deep South it traversed much unfamiliar ground, at last to reach territory which this pair once had known as a place of residence and of plunder. It passed through towns where the Barker boys had broken the law, only to be freed through the efforts of their fierce mother. Ironically enough, it at last halted in Joplin, which Ma Barker had foresworn that day the police picked up Herman for investigation into highway robbery. Crowds gathered, milled about for a time, then went away.

A few days later, in the unkempt, weed-strewn cemetery near Welch, Oklahoma, two graves stood open beside the sunken one which contained all that remained of Herman Barker. Fewer than twenty-five persons were there, six of whom were undertakers. They heard nothing about this pair which was being lowered to finality, no discourse on their lives, no

praise, no censure. The blessing of the Deity was invoked for the living. Little could be said for the dead.

After ^{all} it was over, a tired, frail old man went back to his job as a handyman around a filling station, there to attempt forgetfulness. He never talks of "the boys" except as children. He makes no mention of Lloyd, still in Leavenworth; Dock, sentenced to life imprisonment ^{for the Bremer Kidnapping}, or of Ma's "adopted" Alvin Karpis, and Harry Campbell, two of the most hotly hunted men in America. He tries to remember only those days when, gun in hand, he led the youngsters over rolling ^{meadow} ~~fields~~ or through leafy woods.

"They were good boys then."

* * *
AGENT FOR CRIME

By

J. Edgar Hoover

With

Courtney Ryley Cooper

* * *

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From
Courtney Ryley Cooper,
1212 Fifth Avenue,
New York, New York.

AGENT FOR CRIME

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One afternoon in November 1934, an Inspector and a Special Agent of the Federal Bureau of Investigation were slain in a battle with two bandits near Barrington, Illinois. One of the killers was easily identified; we found his bullet-ridden body the next day. He was the notorious Lester Joseph Gillis, otherwise known as "Baby Face Nelson", the kill-crazy associate of John Dillinger. The other man, who had temporarily escaped, was a living sermon on perverted hero worship. His name was John Paul Chase.

The public never had heard of him. So unknown was he, in fact, that after the double murder, he walked without danger into a police station, where he was photographed at his request for a chauffeur's license, and by so doing, obtained a job as the convoy driver of a fleet of motor cars from the

factory to the Pacific Coast. He had no fingerprint record, nor even one of previous arrest. Yet in his short, tragic career, lies one of the most dramatic stories behind the big guns of crime.

One might class this case history as a summation of all the generalities which are uttered about the first steps that determine a lifetime. John Paul Chase picked the wrong man to emulate. Another person in his same position might have wanted to be a famous engineer, or aviator, or motion picture actor. Chase chose to follow a bandit and thus became a typically outstanding example of the hundreds upon hundreds of cases which have come before me as Director of the Federal Bureau of Investigation in which, at a cross roads, Youth has walked down the wrong road into the jungles of crime.

The active step, it seems, was taken in 1932 when Chase was a hanger-on of gang-life and a petty bootlegger in a small city near San Francisco, California. There he met Baby Face Nelson, thrilled to his stories of outlawry, viewed his exploits as those of bravery instead of cowardice, and followed him away. Within two years he had been hunted down, tried and convicted as a vicious killer. As such, he is confined with other human mad dogs in Alcatraz Island Prison in San Francisco Bay. In all his career, there was only one mitigating circumstance. He had done what so many young men do in these days when more than sixty percent of all crime is committed by persons less than thirty-five years of age. Most of these had the same early viewpoints of John Paul Chase, that a transgres-

son is a "smart fellow" and that only fools work for a living.

Chase's descent therefore was self-willed. He had been an ordinary young man with the chances of the average person of his class. His parents, originally from Omaha, had belonged to a strata that included neither poverty nor affluence. They had come to California in 1901 during which year John Paul had been born. He had gone to school until the fifth grade, then worked at odd jobs, which included everything from that of ranch-boy to chauffeur for a Reno gambler and machinist's helper in railroad shops near San Francisco. In 1926 he lost the latter job, but there is no evidence that it created an emergency. This was a time of prosperity and this good-looking, dark-eyed, dark-haired young man could easily have found another position. Instead, he aligned himself with a local bootlegger who, it was rumored, "was in with the big shots." Soon he had met other persons whom he deemed important; the cause of crime often distills into a matter of viewpoint.

Other young fellows of Chase's acquaintance were hard at work upon the achievement of ambitions, which, like his, had come from hero worship. But they wanted to follow the careers of publicized aviators, explorers, merchants, industrial captains, radio stars, motion picture actors and other vocations which, through the headlines, had captured their interest. It is significant of Chase that the only vocation to which he ever gave diligent allegiance was that of criminality. Eventually he became a guard for a big liquor ring, smuggling shipments

along the Coast into San Francisco. Soon he gained a companion known as "Jimmy Burnett".

This person was short, blue-eyed, light haired and so boyish appearing that Chase's companions joked about the fact that the liquor business had gone to robbing the cradle. Chase made no remarks. He held a secret which almost overwhelmed him. This "Jimmy Burnett" had made a confidante of his partner. John Paul Chase knew exactly why he was here, why he had come alone and worked for some time before sending for his wife, Helen ~~Chase~~ and their baby. Then at last another discovered the secret, and made it common knowledge. A fellow worker named Fatsio Negri recognized a "wanted" picture in a detective magazine and showed it to everyone who cared to see. "Jimmy Burnett", his wife and baby, disappeared overnight. For he was Baby Face Nelson, at that time a recently escaped prisoner from Joliet Penitentiary, Illinois, after a second sentence for bank robbery.

Time passed. Repeat ^{thru} ~~the~~ the smuggling crew. Chase planned to become a partner in a tavern. Then suddenly all that went by the board. A new vista opened. He seized it eagerly. One day he drove up to the Spider Kelly Cabaret in San Francisco and somewhat jauntily walked within, enquiring for his old friend Fatsio Negri who now worked here as a bouncer. Fatsio eyed him admiringly, his clothes, his air of prosperity, the car at the curb.

"Say, you're doing swell, eh?" asked the bouncer. Chase showed a receipt.

"Got all the payments made on that car."

"No! You must be gettin' plenty money."

Chase smiled thinly. Then:

"I'm going away, Fatso."

"You mean with the guy from the East?"

There was import in that last question. It represented the recent cause of tremendous interest on the part of the underworld. Baby Face had returned and this time without fear of his old comrades. He had even dropped in on Batao Negri and given him money, perhaps to portray a lack of displeasure over the year-old expose.

Nelson's return to this region had been to a hideout used by the most notorious gangsters in America. This was a hospital in Vallejo, run by a gaunt old man seemingly respectable, but in reality an ex-safe blower who acted as host, hideout owner, banker and semaritan to criminality. There Helen Gillis had been taken for an operation while Nelson planned for the future. He needed what might be called a business agent, to be depended upon to be purchasing man, messenger, contact representative, hideout finder. This required someone who could pose as an honest citizen, yet be bound tightly by admiration and loyalty to the crooked activities of the crew he served. Thus he had engaged Chase for what seemed, to the bandit, an exceedingly menial position. Outlaw egotism does not permit the realization that a bandit lives or dies by his henchmen. Chase answered Negri's question.

"Yes, I'm going away with him." Then: "Keep your

eyes open for a letter. We may send for you, too."

To Fats this merely meant a job and "plenty dough". He was that type. Chase however was following ambition, and started upon his tasks by driving East for Helen Gillis's mother ^{murderer} that she might be near her ~~murder~~-consorting daughter. Then he acted as the "front man" in the purchase of a car for Baby Face, thus sardonically enough, by his first official action, laying the groundwork for the destruction both of his master and of himself. Following this, they all drove to Minneapolis and rented an apartment. Here he was introduced to the murderers, bank robbers, hi-jackers and holdup men of the Baby Face Nelson gang.

These were the criminals who later were also to form a part of Dillinger's gang when he later escaped from Crown Point jail. So they planned jobs and waited, while John Paul Chase underwent his apprenticeship as gang agent. Soon this position leaped into one of high importance, for when Dillinger finally escaped from Crown Point jail, Baby Face and his new assistant were in hurried flight. Nelson had murdered a citizen of Minneapolis, Theodore W. Kiddor, *in which he trailed down the man in his car, lured him out, conversation, shot him down, then fled away.* *an unexplainable crime*

Before dawn the next morning, pasty-faced with ^{few of present} ~~features~~ Baby Face Nelson made a hurried getaway from Minneapolis, accompanied by Helen Gillis and their baby. ^{Of course Chase also went along.} The morning editions had carried a description of the slayer of Mr. Kiddor plus the number of the murder car, California license 6-II-475. In the days which followed, headlines screamed the name of Baby Face

Nelson. The license had been checked in California, and the name James Rogers had been trailed down to the revelation that Baby Face Nelson, in company with an inconsequential bootlegger had bought the car. Chase was forgotten in the transaction; his name did not even appear in the scareheads which proclaimed the "cleverness" with which the killer eluded pursuit. Watchful officers everywhere were alert for Nelson, calling him shrewd, elusive. They knew nothing of the real personality who made that elusiveness possible.

That person was Chase. He was the true factor of escape as the quartet raced across America toward Bremerton, Washington, where the baby was to be left with a sister of Helen Gillis. Baby Face Nelson merely skulked and covered, while the efforts of Chase allowed him to eat, to sleep, to continue flight and remain free. It was Chase who, driving, would hold the car on the outskirts of a town until night when he could approach some tourist camp in darkness and arrange accommodations for "himself and his family", Chase who drove them to the very door of the cabin where the party alighted and hurried within, only to leave at dawn. Chase bought the gas and oil, purchased the food for luncheon and did the driving when surroundings seemed dangerous. They reached Bremerton safely and left the child. Then they hurried for the protection of Reno, where Nelson, at one time, also had been a chauffeur for gamblers. Soon after that, Fatso Negri saw Chase again.

It was in a San Francisco saloon. Chase had changed, strangely. There was more of command in his actions. He gave

Fatso no explanation of his presence, only a command:

"Here's a hundred dollars. Go to Reno and get my clothes out of the hotel where I've been staying. I had to leave town quick. Understand?"

The underworld asks few questions. Besides, the newspapers had told of the disappearance of an important witness in a criminal case brought against two underworld characters of Reno. Fatso merely obeyed orders and brought back the clothes.

"Say, that town's hot!" he exclaimed. He meant that Reno was seething with investigation. There were rumors that the missing witness had been slain and that the murder had been committed by Baby Face Nelson, with John Paul Chase again acting as the person who really took the risks. There is evidence that Chase drove the car which Nelson used in the disposal of the body. After that, Nelson ran, of course, leaving to his agent the dangerous job of getting rid of the murder car. So Chase, the man without a record, drove it, bloody upholstering and all, into San Francisco and there disposed of it. Life for John Paul Chase was a constant succession of jobs like this.

Thus, when the pair had met again in the vicinity of Chicago, Chase took on completely his round of duties. While gangsters skulked in hideouts, only leaving them at night, or upon swift forays, the business agent went about in the open and made possible their depredations. Murderers cannot kill without guns and ammunition. Chase bought them. They needed cars. He was the go-between in their purchases, or when the cause became desperate, he was the man who stole them. When

hideout owners became nervous, he found new places in which his overlords could cover. He carried the word from gangster to gangster of the "meets" or congregating places, sometimes at a soft drink drive-in lot, sometimes upon the open road, often in the yard of a school house outside Chicago. He was the sin-ews and the life blood upon which this crew existed. Yet his standing with the leader, while one of trust of course, amounted to so little that when Baby Face, with Dillinger and other gang members went, in April 1934, on a holiday at Little Bohemia, near Manitowish, the faithful business agent was not even invited.

That holiday went awry; Special Agents of the Federal Bureau of Investigation, on the trail of Dillinger, followed them there. In the getaway after the battle which followed, a member of the Dillinger gang was killed. Also Baby Face murdered a Special Agent, W. Carter Baum, thus making Nelson for the first time an object of pursuit by this bureau.

The story of criminality seems with examples of the old law of compensation. Never was it more sardonically true than in the story of Chase. Even as he waited in Chicago, watching for the code message in a newspaper personal column that would allow him to effect a meeting with his murderous master, the forces of retribution had been set in motion by the almost first job which Chase had undertaken in Nelson's behalf -- the purchase of that car in California.

The connection had been somewhat overlooked in previous investigations. Now, however, Special Agents in taking up Nelson's pursuit, began to check every possible action in this

man's past. They looked into the sale of that car. They established that John Paul Chase had aided in this purchase by furnishing the address for delivery, and concealing Nelson's identity through the use of a cashier's check purchased under a fake name. So John Paul Chase was included as an object of investigation. A short time after Chase and Baby Face had met again, following the Little Bohemia battle, word came from the Pacific Coast underworld that Special Agents had been making inquiries. As a result, Fatso Negri received the letter which John Paul Chase had promised long before. Fatso had no record. He became the messenger boy, to carry out Chase's orders.

Despite our eagerness to catch Baby Face Nelson, Federal activities at this time were necessarily centered upon the more important Dillinger. Inspector Samuel Cowley had been sent by me from headquarters in Washington to consolidate all activities in the chase. Responsible only to me, he directed every phase of the hunt, made arrangements for the payment of the reward, and mapped all moves which led to the killing of the so-called Public Enemy Number One.

To that end, he drew a constantly narrowing circle about Dillinger and his comrades. More and more secretive the gang became, more fearful. Chase now assumed the task of liaison agent and instructor to the now but necessary messenger boy. Ceaselessly he lectured the somewhat dumbwitted Negri when, yielding to temptation, Fatso wrote letters or bought a car under his own name. He taught him how and from whom to order ammunition, who in Chicago's underworld furnished stolen

license plates to be placed on bandit cars, even how to "case a jug", or get the layout of a bank for the purposes of robbery. As activities became more secretive, the gang separated more widely. Negri lived at one place, Chase at another and members of the actual bandit crew somewhere else, meeting only at night, usually in that schoolyard. Once Chase promised Fatso a real thrill.

They went to the ^{previously mentioned} school yard, ^{on the east side of Chicago.} Shadowy cars were parked nearby, their hoods covered by blankets to hinder identification. Helen Gillis acted as a lookout. In conference with the rest of the gang was a well-built man to whom everyone showed deference. Chase clutched Fatso's arm.

"Take a good look at him," he exclaimed. "Can you see him? Can you tell who it is?"

"Just a guy, ain't he?" asked the practical Fatso. Chase moved ~~excitedly~~ away, then returned, laughing excitedly.

"Just a guy?" he asked, "that's John Dillinger! I'll let you meet him. Now don't get excited."

However, it was Chase whose voice trembled when he introduced "his friend from California"; Chase who stood about open-mouthed while Dillinger, Nelson and others talked of the narrowing circle of Federal pursuit, how their friends and relatives had been questioned, how pictures and descriptions were being broadcast, and everyone who ever had known them was being marshalled by the Federal forces into sources of information as to their whereabouts. These men were jumpy, nervous, easily excitable. The price of protection from the underworld was

going steadily upward -- they spoke angrily of being forced to pay as high as \$200. for the privilege of sleeping in a bed. Luxury loving Fatsco could see no fun in being that hot. To Chase it seemed to make them all the more heroic. As time went on, the school yard meetings became even more desperate. At last the gang decided upon the looting of a bank in Indiana and made elaborate preparations.

Chase, in his role of Negri's boss, ordered steel vests, bullets, a rifle and other guns. Fatsco made the round of underworld supply depots and got them. At night, in the school yard, with Fatsco and Mrs. Nelson on guard, the gang tested out the vests by holding them up and shooting at them. Then away they went to the robbery, that of the Merchant's National Bank at South Bend, Indiana, in which, according to evidence, Chase moved along his road of ambition, by taking part. That night, when Fatsco went to the school yard in obedience to previous orders, he found a grim, determined Chase, standing guard with a gun over two men who lay on the ground. There had been shooting during that robbery. A policeman had been slain. One of these prone bandits of the school yard had been creased by a bullet. The other, who was Baby Face Nelson, had only a headache, induced perhaps by fear. A slug had struck his steel vest, doing no more injury than thumping his flesh. Chase told Fatsco:

"God saved his life with that steel vest." He saw no sacrilege in the statement. Then he handed the messenger boy a brief case. "Take this home and keep it for me until tomorrow."

Nor was Fatso surprised the next day when Chase arrived, opened the brief case and brought forth stacks of money. He had seen it done before. The care of loot it seemed, was another item in Chase's life as business agent. Once he had tossed a roll of bills to Fatso with the admonition to count it and to keep the fives. There were sixty of them, small change to super bandits. The rest of the roll, nearly twelve hundred dollars, went into Chase's pocket.

This time the money amounted to nearly \$14,000. Presumably it was Baby Face Nelson's share, to be split among his henchmen. Fatso Negri, the messenger boy got \$3,000. It was his first bandit wealth. Fatso took a trip home, only to return with harrowing news.

"All that country's swarming with Federals. Asking questions everywhere. The place is hot, I'm telling you!"

Chase sneered. He was now a success, an associate of men who made the headlines. With them he had talked over plans for a dozen bank robberies, and even for the holdup of a train. He had reached the point of council and took the same pride in it that ^{some other ambitious fellow} ~~anybody~~ might have found in discussing another air route to Europe with Lindbergh, or the scenario of a new script with the star after whom he had patterned.

"Listen," he told Fatso, "when we pull off some of these big jobs we're talking about, we'll have so much money we can go anywhere we want and they'll never find us."

The answer to that boast came in the flaring headlines of newspapers, the cry of Extra! Extra!; the milling of crowds

before the bulletin boards. Inspector Samuel Cowley's carefully laid plans had not fruition. John Dillinger lay dead of Federal bullets and again Baby Face Nelson was in flight, once more headed toward Nevada and as usual depending upon his agent and the skirts of womankind to protect him.

This time he felt he could not trust to Helen alone. He persuaded a hanger-on to accompany himself, Helen, Fatso and Chase, and to bring his wife and baby along for further camouflage. Even then, he remained nervous, so Chase sent Fatso into San Francisco for Chase's girl. Now with three women and a baby to afford him cover, Baby Face settled himself for a time at a Nevada lake resort. There he heard that several other members of his gang had fallen before law enforcement bullets. It brought him to stark realization of the fate that was approaching. Desperate^{ion} overwhelmed him. Day after day, in this hide-away, he spent his time with a small rifle, firing round after round at targets, or at squirrels and chipmunks, as though he imagined himself shooting down his pursuers and carving a leaden path to freedom. Meanwhile, always in the background, stood John Paul Chase, applauding his aim, ~~showing~~^{willing to show} his desperation. Then terrifying word came from Reno!

"The place is alive with Federal officers. They've been everywhere -- to all your old contacts. They've caught the garage man in a bunch of lies and know he's been protecting you. They've got a line on the fellow in the gambling hall who's been tipping you off. They're closing in on you. It's

time to run!"

Away went Baby Face Nelson, hiding behind three women and a baby, with John Paul Chase to go into town for gasoline and oil, or to rent a cabin in a tourist camp from which they could be gone at dawn.

Money was short. The fugitives sneaked into the Vallejo hospital where the gaunt, towering old safe-blower reached behind a bookcase and brought forth a tin box from which he doled out a thousand dollars. Then:

"Get away from here, you're hot! It's the Feds! I've managed to fool them so far, but I can't do it forever. Get going!"

They tried to make contacts with old friends of the bootleg days. Everywhere there was the same answer:

"Keep going! The Feds have been here looking for you. They're in here every day or so. If they even hear of us talking to you, they'll seek us for harboring you."

Vainly they tried to argue, to plead for shelter. The only answer was:

"Use your brains! Get going! This is G-Man heat!"

So they turned East. Sometimes Baby Face would drive for long stretches at eighty miles an hour -- only to pull up short as with premonition, while Chase went ahead to scout the road. Here and there they stopped at tourist camps, only to arise with a start and begin moving again. Then at last, they gave up thought of shelter and camped in the open while Negri and Chase or the women went into town for groceries which were

cooked over a small camp stove. Even then, Baby Face would waken in the deep night, sweating with fear as he gave the command:

"Get in these cars. We've got to keep going!"

Fatso was glad to drop behind when a car he was driving broke down in Colorado. Now there was only Chase to guard the craven murderer, to buy supplies or put in a guarded long distance call to friends in Chicago. Always the answer was returned:

"Stay away from us. You're hot. It's G heat! We don't want to lay eyes on you!"

This, if you must know, is one of the secrets of success in the Federal Bureau of Investigation -- to so surround a hunted man that his every protector is frightened. Our campaign was a persistent one, causing more and more often the warning plea:

"Stay away from us or the Feds will get us too. They'll send us to prison for helping you. Stay away from us!"

Thus in the search for a hiding place, they stopped one day at a certain lake resort near Chicago. And there John Paul Chase, as business agent again tightened the thongs of doom. He spoke to the manager:

"We've been thinking," he said, "that we'll come back here for a real stay after the season's over."

Then they were away again, with that remark to remain behind them, an inexorable factor, working toward their downfall. They had stopped at this place before and Special Agents had discovered the fact. The owners had been admonished that if

ever the bandits reappeared to give notification of the fact.

So the resort owners reported that the bandits had reappeared and that John Paul Chase had said they were coming back. Inspector Cowley at once sent Special Agents to take up residence in the resort, and await the day when Baby Face Nelson and the man who now had become his closest associate might return.

Months passed. Nothing happened. While these Special Agents watched away the dreary days, John Paul Chase and the cowardly man he protected traveled again into the West upon an aimless journey, then swung once more Eastward. At last, in November, a car was seen moving about the streets of the little town, and a keen-eyed Special Agent thought he recognized the man within as Baby Face Nelson, even though he had grown a mustache in an effort to change his appearance. A call was shot through to Inspector Cowley; cars began to converge, then circle in an effort to find the much sought fugitive.

In the afternoon of a cool November day, Baby Face Nelson, his ever present wife and ~~the man~~ John Paul Chase, drove along the highway which led from the resort. A car passed them and the face of a man showed for an instant at the rear panel.

"That guy looked at me," snapped the jittery Nelson. "Maybe he's a Federal!" Then he uttered a command which seared his faithful companion's brain: "Let 'em have it!"

John Paul Chase sat with an automatic rifle across his lap. With the nervous command from Nelson, he became a

man of action. This was his moment. He was guarding Baby Face Nelson and in that car ahead were Federal officers. The world blurred.

"I'll take 'em!" he exclaimed. Up went the rifle, flame spurting from its muzzle as he fired through the windshield over the hastily bent form of Helen Gillis. Answering fire came from the car ahead. Chase again pressed the trigger and outbursts of flame spat from the ugly compensator head of the automatic rifle's barrel.

In the car ahead, the Special Agents continued to fire, meanwhile speeding forward toward a road where they could turn and double back, hoping to block the bandit car. The swift government machine was stepped up to its fullest power, surging into the other road, circling and then halting to await the approach of Baby Face Nelson. But the bandit car did not arrive. A Federal bullet had damaged the water pump and the Nelson sedan was limping, slower, slower ---

Now another car was drawing upon the bandits, to swing wide, and come to a stop. Two men leaped forth, Inspector Cowley and Special Agent Norman Hollis. Baby Face Nelson had anticipated them, swinging from behind the wheel out of the car, but no sooner than John Paul Chase. He had an automatic rifle and, resting its barrel on the hood of the car, began to fire, while Baby Face worked from the rear.

Hollis fired a shotgun, wounding Baby Face Nelson, who stumbled about the rear of his car. Chase continued to fire, trading the automatic rifle for other weapons, for, according to at least two eye-witnesses, Nelson had clutched his

stomach, and then stumbled to the running board of the car, there to act as gun leader while his companion assumed the position of the man in front, the killer.

The fire was continuous. Somewhere Helen Gillis lay cowering in a ditch; her husband did not even ask his comrade where she had gone. At last Nelson, in desperation, seized a machine gun and staggered into the open, firing as he went.

Inspector Cowley was on the ground, killed by Chase. Now Hellie fell fatally wounded before the machine gun in Nelson's hand, the baby-faced killer staggered on to the government car, dragged himself into it and swung it around to pick up the man, who through faithful service, had ^{helped to locate} ~~known~~ all this about.

"Where's Helen?" Chase asked as he clambered within.

"I don't know!" shouted Nelson. "We haven't got time to wait for her. Get this car started!"

"Here she comes!" answered the ^{Nelson's} agent. A moment later all three were in the car and gone. Baby Face Nelson died that night in the home of a small-town politician nearby. Helen and Chase took him out and left his nude, blood-spattered form beside a cemetery. The woman staggered blindly away. John Paul Chase was left alone to pay for his rise in crime.

He bought the papers. There was no mention of his name. Taking heart, he answered an advertisement for men to convoy cars to Seattle, and by the desperate action of daring a police station obtained his chauffeur's picture under the name of Elmer Rockwood. He crossed America safely. But when he reached Seattle and strove to contact old friends, the story changed.

"You're done for!" they snapped. "Stay away from us."

To Butte rested \$2,000, money he had sent to a friend for some such contingency as this. He took a bus for the Montana city and telephoned his contact.

"Get out of town!" came the guarded answer. "The G-Men know about that money. They're watching that safety deposit box! Keep going!"

San Francisco was closed to him. Reno meant instant arrest. By reading between the lines of the newspapers ^{published} he ~~learned~~ that the men whom he had known as a business agent for high-powered gangdom either were under arrest or surveillance. Only one possible haven was left -- once, years before, he had worked for a short time at the California State Fish Hatchery at Mount Shasta. Perhaps if he went there ---

The wires hummed the next day with the news that the Federal Bureau of Investigation had gotten its man. Not one item of the history of John Paul Chase had been neglected. Immediately he had appeared at the Fish Hatchery, local officers, warned beforehand by Special Agents, had placed him under arrest.

On that day, John Paul Chase's story of misplaced ambition came to an end. Other young men who had been lured to the more conventional highways of effort continued to study their radio, their engineering, their mechanics, their histories. John Paul Chase had nothing left to study, except the past.

His trial was one of many. Garage men, gamblers, steel vest purveyors, criminal informers, the hospital manager,

* * *

BLA - BLA THE BLACK MAN.

BY

J. Edgar Hoover

With

Courtney Ryley Cooper

* * *

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From
Courtney Ryley Cooper,
1212 Fifth Avenue,
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BLA - BLA THE BLACK MAN

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A tremendous difficulty in fighting crime is the task of making the honest citizen understand that outlawry costs him money. This is particularly true when law-breaking is that of gangsters. In some unaccountable manner, the public believes that mobsters and racketeers belong to ~~some~~ ^{an} far-away world wherein they prey only upon each other. Permit me therefore to present a figure of disillusionment in the dapper, amiable, highly humorous ^{Criminal} person of Mr. Gabriel Vigorito, otherwise known as Bla Bla the Black Man.

Every city in America possesses a person like Vigorito. His name, of course, is different in each instance, his methods of criminality may be laid along divergent lines, his protection that of politics rather than brains. In all other

essentials, however, he is the same, a superintendent of criminals, a person known by everyone to be engaged in "something shady", but about whom nothing specific can be gained until there comes the revelation that, in one form or another, he has levied tribute upon the entire community.

In the case of Bla Bla the Black Man, the means of wealth was automobiles. He was the "master mind" of the most astute band of motor thieves in the history of the Atlantic Coast. For twelve years, in the Brooklyn area of New York City, every person who owned an automobile paid tribute either to the Black Man or because of him. Bla Bla's gang stole not hundreds, but thousands of cars. The "hot car" depots of a dozen states disposed of the products of their thievery. In Persia, in Russia, in Germany, Norway and Denmark and Belgium, the American car business included many automobiles stolen from the streets of Brooklyn. Even a Chinese general rode the highways of the Orient in a "Vigorito car". There were car-thieves, number changers, mechanics, salesmen, craters, shippers, contact men, drop-owners, all under the control of a mysterious being who worked continually behind the scenes, always safe, it seemed, even while members of his band went to prison. Perhaps the picture best can be outlined by the following facts. At last three big law-enforcement agencies, the Federal Bureau of Investigation, the New York Police Department and the Automobile Underwriters Detective Bureau got their man. Bla Bla the Black Man was convicted. A short time later, huge signs made their appearance in Brooklyn:

"AUTOMOBILE INSURANCE REDUCED FIFTEEN PERCENT!"

Vigorito had begun to run with the gangs in the Greenpoint district of Brooklyn early in life. In 1918, when he was 25, he was arrested for burglary and possession of deadly weapons, beating both charges. Within a short time, however, he was in again, having been caught in the act of stealing an automobile. For this he was sentenced to an indefinite term in the New York County Penitentiary, where he evidently planned his future. Actual thefts, he decided, could be left to other persons. There was more money and safety for him in being an organizer.

For a time following Vigorito's release, there was peace in Brooklyn. In the middle 1920's, however, there began a series of auto thefts which was to confuse the police for years and ultimately bring the Federal Bureau of Investigation into a chase which extended across the Atlantic Ocean.

At first the thieveries seemed to be only of the ordinary sort. Cars disappeared from curbs, to reappear in used motor parts in Greater New York, their numbers changed and with false motor registrations. However, as time went on, and hard working New York detectives pursued available clues, they found growing evidence of organization. Evidently, the persons who stole the cars and those who sold them were entirely different. In cruising about town, a young Italian, who, incidentally lived in the Greenpoint district, also frequented by Vigorito, was surprised in the act of stealing a comparatively new, high priced machine. The youth was taken in for questioning.

The thief's name is inconsequential. So many others

of his type were to be arrested in coming years that they fell into the class of supernumeraries. After the usual queries, the youth confessed.

Yes, he was preparing to steal the automobile. Car thievery was his avocation. Whenever he needed money he "bent" an automobile, to use the parlance.

"Where do you sell these machines?" a detective asked. The young Italian seemed surprised.

"Oh, I don't bother with that. That's none of my business. All I do is take the car and get my money, twenty-five to fifty dollars for the job, according to the car's value."

"Who pays you?"

The youth shrugged his shoulders.

"I don't know. The fellow who takes it away from the garage."

"Who tells you to steal the car?"

"I don't know."

That was all the detectives got. Someone told this boy to steal a certain car, and often furnished the keys with which the car door was unlocked and the ignition turned. The thief obeyed orders and got the car, running it into a garage, and leaving the ticket for the "pick-up" man who would call for it shortly afterward.

It sounded ridiculous that this boy should know no more. It was ridiculous; nevertheless, that was the end of his story. When pressed, he gave evidence of great fear and immediately become clamlike. Moreover, he took his punishment without revealing the identity of his superiors.

More youths were arrested. It did not ¹diminish the thefts. There were other youths to take the place of those who had been convicted. In all cases, the confessions went no further than the actual stealing of the automobile. Likewise, on the recovery of stolen cars, innocent purchasers either had made their buys through want-ads, or could give no clue to the man who had done the selling. The owners of crooked car marts swore they could not identify the persons who had sold them the stolen goods. It was noticed, however, that whenever the name of Bla Bla the Black Man was mentioned, these men became silent in terror. So the detectives went after Gabriel Vigorito.

By this time, Bla Bla the Black Man had graduated into the perfect motion picture type of gangster. Short, barely five feet six, well built, his black hair, raven eyes and swarthy skin giving him the name of "The Black Man" as one alias, while his propensity for conversation added the "Bla-Bla", he was a mobster of the fashion-plate kind. His derby hat was always cocked at a perfect angle, his Chesterfield overcoat with its inevitable velvet collar was augmented by an ever present white silk muffler. His clothing was expensively tailored. His shoes were custom made and adorned with spats. When he smiled, his teeth flashed white against his inordinately dark skin, and Bla Bla smiled often.

Thus, jovial and genial, he obeyed the command to "Come in", and heard from the police that he was suspected of being the leader of an automobile theft ring. He smiled pleasantly, and with a shrug of his shoulders, queried:

"You've never seen me in a bent car, have you -- since I got out of that last jam?"

"No," admitted a detective.

"You've never got a line on me selling one either."

The detectives were forced to remain silent. Bla Bla went on. "You never will either. That's not my racket," he added as he pulled on his gloves. "I'm a business man."

They were forced by lack of evidence to release him; all they had was that this man frequented a neighborhood infested with automobile thieves. He was prepared to leave the precinct house. At the door, he paused, his white teeth flashing.

"But you've got the right idea," he observed with a broad smile. "Go after the big ones. There's no sense in picking up these punks for knocking over bent cars. They're just the suckers in the racket. You've got to catch the big guys, the ones with the brains and the dough. They're the fellows you want."

Thereupon he departed, entered his expensive car with his chauffeur-bodyguard who once had belonged to the Legs Diamond gang, and departed. Detectives watched after him, musing on his parting statement, and feeling in their hearts that this was the man who held the key to the mystery of Brooklyn's automobile thefts. To prove it was another matter.

Arrests of youths became monotonously unproductive. Investigation then concentrated upon the sellers of stolen cars. Members of the Automobile Squad and detectives from the Insurance Bureau haunted the used car marts, chased down want-ads,

followed every underworld tip and at last received information that a man who already had sold several cars believed to have been stolen was about to return to a customer. A trap was laid. Into it walked a gangster with a long criminal record and a small-time attorney who once had been a contact man for the law office of a New Jersey governor. They confessed readily. Then the old question arose:

"Who is your boss?"

After much interrogation, the man who had gone from law to stolen cars pointed a trembling finger at a picture in the Rogue's Gallery. It was that of Gabriel Vigorito. Reluctantly the gangster also confessed that the Black Man was the power behind the automobile ring.

"But I'll never testify against him," the gangster announced in a shaken voice. "I want to keep on living."

His wish was not granted. Several years later, while still under indictment, the mystery of his disappearance following the making of bond was solved through the finding of his legless body, crammed into a trunk and secreted in a rooming house on West 74th Street, New York.

However, at the time of the gangster's confession, detectives could not look into the future. Out they went for Bla Bla. Vigorito had disappeared. The lawyer, ^{who} ~~he~~ once had made bond, ^{had} faded from sight, ^{was} ~~not~~ to be heard of again for years. Queerly enough, with the disappearance of both these witnesses, Gabriel Vigorito came back to the Greenpoint district, debonair, chatty, always glad to meet the detectives, and to give advice on how to arrest the higher-ups of auto thievery. Meanwhile

the residents of Brooklyn paid for his humor through higher automobile rates, automobile detectives, car losses and the attendant worries which beset a motor owner in a city where no car, it seems, is safe.

Time went by, with thievery becoming even more prevalent. The boom of the 20's became the Great Depression. Again an important arrest was made, this time of an old confidence man who, equipped with lodge pins, pass words and fake credentials, specialized in selling "bankrupt cars" by the dozen. He took his punishment in the same manner as others, telling nothing except to exhibit fear at the name of Vigorito.

Then, in 1930 complaints reached the Federal Bureau of Investigation that stolen cars from Brooklyn were appearing in Connecticut, in Rhode Island, Pennsylvania, Massachusetts, even in Florida and Georgia and Alabama. The three enforcement agencies began to work in unison. Special Agents, members of the insurance bureau, and Detectives Charles S. Goubeaud and John Rokee of the New York Auto Theft Squad arrested a Yale graduate who had been so plentifully supplied with high priced stolen cars that he was able to sell forty within a space of three months. Revealing nothing which would aid us in our campaign, he took a state prison sentence in New York, while the thefts continued, likewise the similarity in method.

As usual, the stolen cars were of the most expensive make. They had been driven only a short distance, sometimes not over a hundred miles, when suddenly they had disappeared. The job of number changing was so expert that the use of a magnifying glass was necessary to detect the counterfeit. Even

more expert had been the mode of thievery.

These cars bore no broken windows, or door levers, no wiring to re-establish electric current around the locked ignition. They had been opened with door and ignition keys, indicating that in some manner the thieves had been furnished with up to date information. Years later, when Vigorito at last was in custody, it was discovered that his spy system had been sufficiently large for him to plant gangsters in the bigger motor agencies of New York and Brooklyn. Thus, immediately a Brooklyn resident purchased a car, Vigorito was furnished the purchaser's name and address, business address and occupation, and a description of the car including motor and assembly numbers, plus the numbers of the door and ignition keys. Once this information had been gained it was only necessary to make up duplicate keys, either through moulds which already had been obtained through the spy system, or obtained from the factory by the use of a fictitious name. After that, came the theft.

The smiling, well dressed Vigorito appeared in none of this. He prospered, moved to a better residence district of Brooklyn, bought "honest cars" for his wife and saw that his several children had the best possible advantages in associations and schooling. When police asked his racket, he genially suggested that he was doing something "honorable" like gambling or dealing in alcohol. There were even times when he carried on the aspects of legal business. For a time he posed as the president of a store fixture company. Again he maintained an office where the door sign read:

"Moving and Hauling. We Specialize on Safes."

The tracing of stolen cars, sold in areas distant from the scene of theft, is a laborious affair. As the three cooperating enforcement agencies sought out secret numbers which had been furnished them by automobile factories, they also heard the stories of the innocent purchasers who had been visited by a new type of crooked salesman. This was a pleasant gentleman with a most plausible story. A big motor company was in financial difficulties, he had said. This firm had on hand a number of high priced cars which had hardly been off the floor. It needed money badly enough to forget profit. So the entire stock had been sold at a great sacrifice to a Brooklyn used car firm on the condition that the cars be sold away from New York, thus obviating the danger of discovery by the factory that automobiles were being sold below list price.

The purchasers had been many. The long job continued, of tracing the secret numbers, searching out signatures to fake transfers and registrations, weary days and nights "on plant", when officers lay in wait for the super salesman on the tip of some former customer that he was about to return.

While this surveillance continued, members of the three enforcement bureaus continued to patrol the streets of Brooklyn, hoping against hope for some piece of luck that might place Vigorito in a vulnerable position. This meant constant "prowling", with officers on the alert for any action which might give evidence that a thief was preparing to make away with an automobile. Often as the men made their rounds, they would become aware that they were being followed. Or a

car suddenly would shoot ahead of them, zigzagging around a corner, as if the driver, a thief, suddenly had discovered the officers and was attempting to make his getaway. A chase inevitably would follow, leading through the maze of Brooklyn streets, then suddenly coming to a halt. The pursued car would move quickly to the curb and stop. The door would open and the well dressed Vigorito, smiling as usual, would appear.

"Well, boys," he would say as the officers drove beside him, "could it be possible that you suspect me of being in a stolen car? Look it over, take the numbers. You'll never find me in a bent job."

Of course the car would be an honest one. Disgruntled officers would return to their own machine, followed by the taunt:

"Maybe you fellows will realize some of these days that I'm out of that racket. I'm a business man."

Just how and where he conducted that business was problematical. The trucking firm, we knew, was merely a blind. Sometimes he loafed about a Greenpoint restaurant. Then suddenly he would disappear to become the habitue of any one of numerous "political" clubs which flourished at that time, many of which were merely blinds for speakeasies or gambling.

But if the Special Agents and their associates failed to apprehend Vigorito, they at last succeeded in finding the gentleman of geniality who was selling so many automobiles on the "firm in financial straits". It accomplished little. The power of Vigorito, which had enforced silence upon other minions again exerted its influence.

The long months of surveillance came to a close. Another trap was sprung. The Federal Bureau of Investigation, the police and automobile detectives closed in upon their suspect. To their amazement, he was the vice president of a New York photostat and printing concern, the head of an American Legion Post and the treasurer of a fairly exclusive New York club. No one, even his closest associates, had suspected that he was anything but a successful and thoroughly honest business man.

For his dishonesty, there was the excuse of the depression and the explanation that a man must live. But the manner in which this hitherto respected business man had met the gangster, Gabriel Vigorito, and become one of his best salesmen, remained a secret. The business man denied any connection with a "master mind". He went before a Federal judge, heard himself sentenced to a Federal penitentiary and served his time until parole without revealing the facts behind his dip into crime. As for Bla Bla the Black Man --

The fall of another lieutenant only seemed to ^{highlight} ~~bring~~ this man's curious sense of humor. He led detectives and Special Agents on new wild goose chases through the streets of Brooklyn. He taunted them with the old statement that he was out of the racket and asked why they didn't find the man who was at the head of the big Brooklyn auto theft ring. Once he even used a coffee shop within a block of police headquarters as a place from which to direct his activities, moving as mysteriously to another part of town when an underworld tip reached the police. Then came the ultimate.

The Special Agents and detectives now were following a regular patrol routine. In addition, every squad car had its orders to be on the lookout for thieves. Already, though we did not know it at the time, an automobile stolen from Mrs. Margaret M. Hastings, wife of a New York State Senator, had been shipped through the Amtorg Trading Company of Soviet Russia, through Leningrad, and to General Chen Ueh Shii in Urumachi, Sinkiang Province, China, while another, belonging to the family of Mayor Walker of New York was en route to Norway, to be sold there as a "used car". Up one street and down the other the "prowl cars" went, running to the curb every automobile in which the driver acted suspiciously, examining the motor numbers of all machines parked in unusual places. While thus occupied one day, a car approached. It stopped. Out stepped the immaculate Bla Bla the Black Man.

"Something wrong, Boys?" he asked.

The officers scowled.

"You know what's wrong. This car's a bender. One of your gang probably stole it."

"How many times," said Vigorito sadly, "must I tell you that I'm out of that racket?" He started back to his car, then halted. "Anything I can do for you, Boys?"

"Yeh," grumbled a detective, "you might find us the keys for this stolen car."

The Black Man shrugged.

"Well," he said as he entered his machine. "I'm always willing to help."

Ten minutes later, as the officers continued to check

the counterfeit numbers, a strange automobile roared around the corner and shot past the group of men at the curb. The driver and his companion were bent forward, their faces shielded by coat collars. Something flew from the front window and clattered to the pavement. An amazed officer picked it up, a ring of keys. They fitted the locks of the stolen car. Gabriel Vigorito had played another of his queer little jokes. Moreover, although officers had noted the license plates of the speeding car, it aided not at all. They only led to fictitious names and addresses. But at last, the inevitable weak link which patience reveals to efficient officers, made its appearance. We heard that a man we wanted was an Italian whose first name was Henry.

We knew little more than that this man was supposed to be the expert number changer for Gabriel Vigorito. The gossip of the underworld -- Special Agents in occupational disguise now were scattered everywhere in Greenpoint -- told us that this man was small, light of weight, possessed an unusually long nose and drove a maroon colored coupe. One day, while cruising about Brooklyn, Special Agents and detectives observed a person of this description in a maroon coupe. He was ordered to the curb.

The car was examined. A microscopic examination proved it to be a "bender" with an exceptionally fine job of numbering. The officers asked the prisoner his name;

"Henry Fioto," he answered.

We had found "Henry, the number changer". More, we discovered that this man was Gabriel Vigorito's brother-in-law,

Beyond that, a search revealed in one of his pockets a cable registration for the "Boro-Hall Auto Exchange."

Even beyond the worth of the relationship between Bla Bla the Blackman and this number changer was the query raised by that cable registration. Why should an ordinary car thief have in his possession something ordinarily used only by business firms? There was no answer from Henry Fioto. There was none by Gabriel Vigorito when he once more was arrested, protesting that it was not his fault if a relative happened to cross the law. So lacking evidence, he was freed. But the question raised by that cable registration remained.

Directories and telephone books failed to reveal the "Boro-Hall Auto Exchange." Officers began to work in a different direction. They invaded the shipping companies, to enquire if any unusual shipments of high priced automobiles, eight, twelve and sixteen cylinder cars, were going abroad. Strangely, there were. Cars had been streaming forth to the free port of Oslo, Norway. Large numbers had been shipped through the Amtorg X Trading Company to the Soviet Government. There had been shipments to Copenhagen and other foreign ports, all apart from the regular export of big firms and consigned by a person who called himself Oscar Neilson. We believed that to be an alias for Bla Bla the Black Man. We were mistaken.

Some of the cars had been crated by a firm in Trenton, New Jersey. Special Agents and detectives went there. The crating firm knew little about the transaction except that the cars had been brought in by a trucking firm, which in turn seemed equally ignorant. One name was paramount, however,

that of Oscar Neilson, of the Boro-Hall Auto Exchange.

This person, however, was as elusive and as mysterious as Gabriel Vigorito. There was no business called the Boro Hall Auto Exchange. Its address was one of those "political clubs" which had been so prevalent throughout the investigation, and from there, a change of address led to still another club.

Much could be learned about Oscar Neilson's actions, little of his personality. Scores of Rogues Gallery pictures were shown persons who had dealt with him; they identified none. Investigation, however, revealed that an Oscar Neilson had entertained legitimate used car buyers from Europe and taken them from place to place, exhibiting to them stocks of cars which he said he controlled. At one time when buyers from Oslo had visited America, Oscar Neilson had entertained them as a Norwegian and at one of the largest of Norwegian clubs. At another time, he had posed as a Dane. Even an accurate description was lacking; one person would describe him as a young man, another had dealt with a person old enough to be his father. It was clear that Oscar Neilson at times ordered others to impersonate him.

Meanwhile, the plugging search went on, the sifting of ships' manifests, the trips from dock to dock, the interviews with executives of steamship lines. Many of them had dealt with "Oscar Neilson" -- cars had been sent abroad, crated at an average cost of \$120. a car, and billed as legitimately as any other commodity. Moreover, the manifests possessed such a maze of clever number alterations that it was impossible to discover whether these cars had been stolen. Finally in 1933,

I asked for charts from the factories, giving the positions of secret numbers. Then I looked into the occupational and language files of the Bureau which detail all the capabilities of the Special Agents, found a man who could speak Norwegian and sent him across the ocean to seek out these exported cars and determine their origin.

Even while the Special Agent travelled the seas, there came, through the State Department, a report of a serious situation in Northern Europe. Used cars had been arriving in such quantities as to utterly demoralize this market in Denmark and Norway. The big motor companies were complaining. Other countries were beginning to suffer, as the cars, finding no market in Norway, were shunted onward, shattering competition through their cheapness. Sixteen cylinder cars were selling for the price of fours. New cars were a drug on the market; one of the biggest companies reported that it had not been able to sell an American factory product in months. Shortly after this report came a cable, sent by the Bureau's representative, within a few days of his arrival.

"Cars examined found to be stolen machines as per list from Brooklyn. Others undoubtedly will prove to have same origin."

This was followed by an even more important cablegram. It stated that a man who owned a supposedly legitimate used car establishment in New York had been making inquiries through a personal visit by his son, into why, how and by whom the Norwegian market had been absorbed when he once had the business. In New York, Special Agents and detectives sought out this man.

Tremblingly he told his story.

Joseph P. ...

"I had a good used car export business. Then a man came to see me one day and asked me if I would take some of his cars. His name was Bob. He said he was selling bents -- stolen cars. I wouldn't do business. Then another man, Oscar Neilson, came to see me and we made a deal that I thought was legitimate. He wanted to export with me, pay me a commission. But as soon as he learned the export business and made his contacts, he double-crossed me and took the whole thing for himself."

"Who is this Oscar Neilson?" asked a Special Agent, "some Norwegian?"

The used car dealer grinned.

"He's an Italian," came the answer. "Henry Franzo's his name. He and Joe Franzo, his partner, are relatives of a fellow they call Gabriel Vigorito."

"And who is Bob?"

Rogue's Gallery pictures helped him to give a much sought answer.

"Bob is Gabriel Vigorito."

At last we had our evidence. This man, to save himself, must testify. Then came augmenting news; Special Agents and detectives discovered that Vigorito in person had called for some dock receipts on a shipment of stolen cars. A year later, in 1934, after many legal delays, Gabriel Vigorito was headed for prison. Not that he had ceased fighting; he continued to appeal his case even after the doors of a Federal penitentiary had closed upon him. Only recently he gave up his struggle and resigned himself to his sentence, thus

officially closing his case.

But he remained the same enigma who had cost a city millions of dollars in stolen cars and constantly heightened insurance rates. Still searching for the complete details by which this man had operated, a Special Agent sought to gain a confession. Bla Bla the Black Man was silent.

"But look here," the Special Agent insisted. "You might as well tell it. ~~_____~~. We know that you hired all these young fellows, really played the part of a Fagin with them. We know that your lieutenants taught a lot to them the alphabet of car stealing. We know -- "

Bla Bla the Black Man had flashed his ivory smile.

"Well, if you know it, you know it," he said cryptically, and bowed to his ten year sentence.

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