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FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 4 OF 11

BUFILE: 62-39128

SUBJECT Capone, Alphonse

FILE NUMBER 62-39128

SECTION NUMBER 1

SERIALS 1-40

TOTAL PAGES 351

PAGES RELEASED 348

PAGES WITHHELD 3

EXEMPTION(S) USED b7C, b7D

Division of Investigation

U. S. Department of Justice

Washington Field Office, Room 5745
Washington, D. C.

May 25, 1935.

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Harbo	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Schmidt	.....
Mr. Sander	.....
Mr. Smith	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

Handwritten initials and marks: *W*, *ES*

N
ST

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Penn. Ave. at 9th. St., N. W.,
Washington, D. C.

Dear Sir:

I am transmitting herewith an article from
Flynn's Detective Fiction Weekly of May 14, 1935,
entitled "The 'X' Men".

It is thought that this article may be of
interest to the Bureau.

Very truly yours,

J. M. Keith
J. M. KEITH,
Special Agent in Charge.

DML:DSS

Handwritten notes: *1000*, *N*, *H*, *g*, *SM*

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&
INDEXED

JUN 3 1935

62-39128-1

FEDERAL BUREAU OF INVESTIGATION

MAY 27 1935

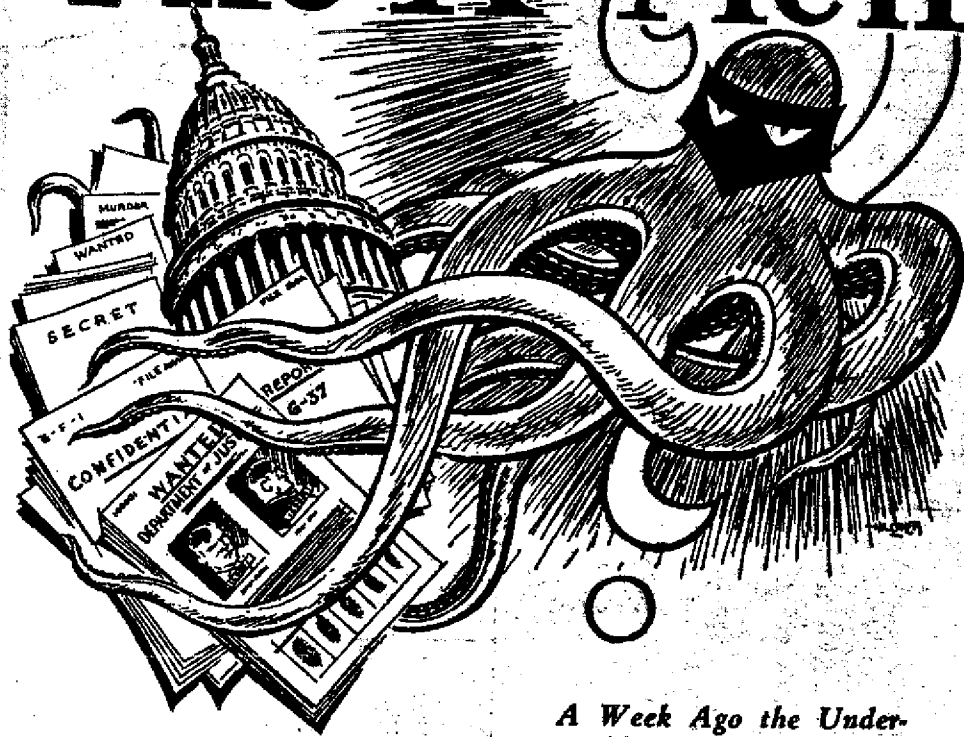
U. S. DEPARTMENT OF JUSTICE

OLEGG

SCHREIDT *ES*

May 4, 1937
Flyer distributed by

The "X" Men



FEAR has seized hold of the underworld—stark, maddening fear. Their houses of graft, crime, and bribery have crashed down about their ears. For the first time since Al Capone put crime into the class of big business, the underworld has learned that their tainted dollars cannot buy them immunity.

Bribery, perjury, and machine-guns are now of no avail. There is a new force flung against them by the Federal Government which they cannot understand. It at least has put the fear of God into their hearts.

The underworld is faced by an organization which they have dubbed the "G-men"—the agents of the U. S.

A Week Ago the Underworld Made a Startling Proposal to a Man from Chicago. "Ten Grand a Week Is Okay," Said the Nation's Biggest Gangsters, "if We Get Results. We Have Got to Destroy the Department of Justice!"

Department of Justice. The G-men are incorruptible. The G-men place honor and service to country above price. They are men who have shown that they are not afraid to die in carrying the war into the camp of crime.

In the years immediately following the start of Prohibition, when that law placed unlimited capital at the disposal of the underworld, the leaders were

62-39128-1

able to buy advance information of raids. Their connections, in some instances, reached right into official Washington. These warnings enabled them to run to cover before the Federal men closed down upon them.

But now it is different.

Out of a clear sky, on March fifteenth of this year, the G-men struck. About three thousand big-shots, counterfeiters, gangsters, narcotic peddlers, punks and hangers-on were landed in the net.

This raid caught them all flatfooted in the midst of their activities. There was no friendly warning this time. No tip-off to get into clear. There was just a sudden, demoralizing blow that has given the underworld its worst jolt in years.

It taught them that their boasted protection is a fallacy. It has left them desperate, groping for a way to combat this new enemy. What are they going to do?

Never before has it been possible for the Federal Government to muster hundreds of its agents for a concerted drive against the underworld without some one of their connections getting wise to it and flashing the tip-off to get in out of the way. This time, however, not an inkling of what was coming reached the leaders.

What is the underworld going to do?

SMUG in their fancied security, fortified by their millions of ill-gotten gains, backed by their machine-gun squads, they thought themselves greater than the United States Government. They failed to read the signs when their lord and master, Al Capone, was sent away for eleven years.

It was merely an unfortunate break

in luck, they told themselves. It was his willingness to become the victim in order to stop public clamor that prevented him from completing his deal for a sentence of two years, they argued.

The deaths of Pretty Boy Floyd, Dillinger, Baby Face Nelson; the conviction of the various mobs of kidnapers; the running down of the assassins of the Kansas City massacre, left the underworld cold. These criminals were outside the pale, anyway. To the underworld this was all stage-play to enable the Federal authorities to force a larger appropriation from Congress.

"It was just a Federal racket," they assured themselves. Today, these same criminals—those of them who were lucky enough to escape the dragnet—are cursing themselves for their short-sightedness. Cringing with fear, hiding in their rat-holes, they are afraid the heavy hand of the Federal Government is reaching for them. They now realize that the recent threats against them were not idle boasts for the benefit of the public but stern realities.

The newspapers carrying the accounts of the March fifteenth raid have both aided and hurt in this war against the underworld. Their accounts of the widespread arrests helped. But their stories about the men working in the underworld hurt. These stories related how the G-men worked their way into the inner councils of gangdom; how these same Federal men won the confidence and friendship of the big-shots; how they shared gangdom's wine, women and song until they were all set to strike.

"What kind of a man is he who has the guts to join us? To dupe us, and then turn around and put the finger on

us?" the underworld ask. "What has happened to the protection paid for so lavishly?"

These questions are flying around the underworld today.

This fear has taken such a hold upon them that in a panic they have resorted to wholesale murders in an endeavor to purge their ranks of the suspected rats. Even close pals, friends of years' standing, are under suspicion. The big-shots do not know where to go nor whom to trust.

So now the underworld has run to cover, panic-stricken. Word has gone out that no matter what happens, expense is to be disregarded; no matter who is sacrificed, these G-men must be stopped. (It is reported that Dutch Schultz has been thrown to the Federals as a sop—Ed.) The very life of the underworld is at stake. Their rackets are giving them millions of dollars every day. That flow of millions is in danger of being dried up.

II

WHAT is the answer of the underworld going to be? This is what it's going to be, and this magazine has it on good authority.

Taking a leaf out of J. Edgar Hoover's notebook, the head of the bureau of investigation of the Department of Justice, the leaders of the underworld are trying frantically to save themselves by forming a secret organization of their own.

The underworld is going to attempt to defend its million-dollar rackets by an organization of secret agents who will not be drawn from the ranks of criminals. They will be presumably honest, patriotic young men who will be hired to join the Department of Justice and every other police force where the underworld can get them in.

The answer to the Government men—the G-men—will be the underworld spies—the "X-men." They will not be crooks themselves, but they will be paid by the crooks. They will be hired to tip off the underworld on raids, and the identity of the Federal undercover men who join the underworld to collect the evidence that destroys it.

The underworld will put their spies in strategic positions, just as the Federal government put their spies in strategic positions before the March 15th raid. In war it is called counter-espionage. This is a war between crime and society.

Afraid that even the man they select from within their own ranks to head such an organization might be a G-man, they dare not trust such an important task to one of their own ilk.

At a meeting held in a Mid-western city recently and attended by several of the more important leaders of the underworld, this plan was thoroughly discussed. For two days arguments went on before the big-shots could agree that the only way to fight fire was with fire.

This decided, their next step was to select the man to head the bureau. They finally settled on a man from Chicago. This man had formerly run a bureau of his own, and in times past had locked horns with some of the denizens of the underworld. He has since retired. The underworld knew of his personal integrity and professional reputation. He was just the man for the job, even if he did not belong to the underworld. Not doubting he would accept, they brought him to the conference.

"Your job," they told him, "is to form a counter espionage service for us. You are to ferret out the rats who are working among us. You will fur-

THE "X" MEN

nish us with the names—we will attend to the rest."

It required little imagination to understand that by "the rest" was meant a blast from a machine gun and another martyr among the Federal undercover agents.

"You can name your own price," the spokesman went on. "Even ten grand a week is okay by us if we get results. We are wise, too, that you will need some time to get started. But work fast, hurry. It's a matter of life or death to us. The force will be under your jurisdiction and no one—and this goes for us guys, too—will be allowed to interfere in the running of your mob."

No doubt, from their point of view this was an attractive proposition and one that no man would turn down. "Ten grand a week!" Anxious to get all the details, the man from Chicago held his tongue and let them go on.

"It's our idea that the guys for your mob will not be recruited from the gangs of the underworld. These G-men are college graduates, trained in the law. In ordinary times those kind of guys are grabbed by business, but the depression has thrown them into the laps of the Feds.

"You must get your guys from the same sources. Get guys with guts, guys who can qualify as G-men and can grab themselves jobs among the Federals. The bankroll behind you will be big enough to let you buy all of them you need. Then, when you get them trained, send them to Washington to join the G-men, get them into police departments. They can put the

finger on the Federal spies among us, and tip us off to what the Feds are going to do."

THE Chicagoan told them that he appreciated their trust in him but he was too old to tackle such a job and suggested that they get a younger man. Their warped minds could not grasp the fact that a man who had spent the best years of his life in the pursuit of criminals, working secretly among the mobs as did the G-men, taking the same chances of being bumped off as they were taking, could not bring himself to put the finger of death on such men. The Chicagoan got away; and, returning home, immediately surrounded himself with a heavy bodyguard.

There can be no question about it: the underworld is desperate when they resort to ratting. They are afraid of their own shadows, afraid that their best pal may be a G-man.

But not every man they approach will turn them down. They are offering ten thousand dollars a week! They have more millions at their disposal than J. Edgar Hoover and the Department of Justice have thousands.

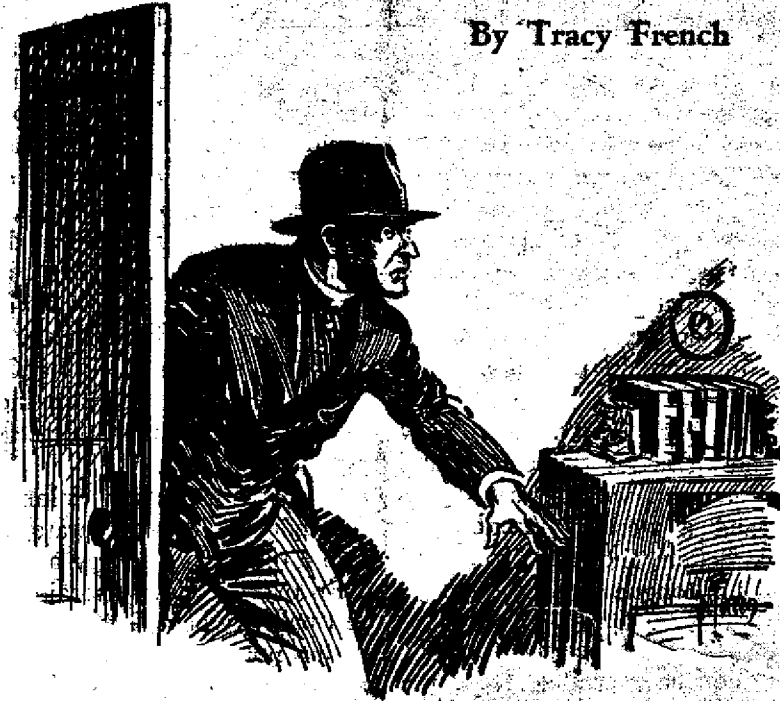
Every police force in the country is going to be approached by these "X-men." It is time to be double and triply careful of the antecedents of every man joining the police, in whatever capacity.

With the millions behind them the criminal big shots may succeed in undermining the now incorruptible Department of Justice itself. That is their plan. Their life is at stake and they are desperate.



The BRAND of

By Tracy French



The door of the study flew open

CHAPTER I

The Devil's Go-Between

THE room was a library partly walled with books set in recessed niches and interspaced with panels of rich English walnut. The house stood two hundred feet from the street at the loop of a winding driveway, deep in its wide acre of lawn dotted with trees, shrubs and fancy flower pots. The town was Royalton, an exclusive suburb of Chicago.

The hour was the hour of dusk. The occupants of the library were three men, of strikingly different types and appearance.

The first man, tall and thirty-five, dressed in gray tweeds, strode up and down in front of the fireplace like an animal in a cage. His face was worn with worry until it looked years older than his body. The second man, big rather than tall, sat stiff and erect in a leather arm chair, his civilian serge outlining his powerful frame with all the authority of a military uniform.

The third man, thin and dark in rusty clericals, who occupied a seat of less dignity, was an individual known to Chicago's church-wise press and public as the Reverend Reuben Acton, meek director of an obscure mission in the slums. More simply and saltily acknowledged as "The Parson" by his

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WHITE INTERSTATE AID ASS'N, Dept. M-4, 75 E. Wacker, Chicago.

DON'T CUT PILES UNTIL YOU HAVE TRIED THIS FAST WORKING TREATMENT 15 DAYS AT MY RISK—PLEASE DON'T

delay one instant longer if you suffer torturing agony of itching, protruding, blind or bleeding PILES or HEMORRHOIDS. Let me prove that my new DUAL treatment stops the pain, relieves the pressure, soothes the irritation and inflammation, reduces the swelling and strengthens the tissue. How glorious it is to sit, to stand and to sleep in comfort! Write for my "15-day test at my risk offer" today sure. Address Mr. J. E. Gessner, 287 North Michigan Ave., Dept. MC-1, Chicago, Illinois.

PUBLISHER'S STATEMENT OF CIRCULATION

This is to certify that the average circulation per issue of The Munsey Combination, comprising All Star, Argosy, Detective Fiction Weekly, and Railroad Stories, for the six months' period July 1st to and including December 31st, 1934, was as follows:

Copies sold	880,917
Copies distributed free	1,860
Total	882,777

THE FRANK A. MUNSEY COMPANY.
Signed H. E. Ward, Business Manager.

Subscribed to and sworn before me on this 31st day of February, 1935.
GEORGE H. BOLLWINKEL, Notary Public, Nassau County.
Term expires March 30, 1935. Certificate filed in New York County No. 1361. New York Register's No. 68756.

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Division of Investigation

U. S. Department of Justice

Room 1403
370 Lexington Avenue
New York City

JHH:rd

~~PERSONAL and CONFIDENTIAL~~

May 14, 1935

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
U. S. Department of Justice
Pennsylvania Avenue at 9th St., N.W.
Washington, D. C.

Dear Sir:

Enclosed herewith is a manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", along with various newspaper clippings, photographs of purported inmates of the United States Penitentiary at Atlanta, scenes of that institution, considerable correspondence and what are purported to be official records of the United States Penitentiary in Atlanta.

All of these enclosures were delivered to Special Agent W. G. Banister of this office today by Mr. R. W. Mickam, Executive Editor, Real Detective Stories, 32nd Floor, 444 Madison Avenue, New York City. These papers were obtained after Mr. Mickam had telephoned to the New York office advising that the manuscript and papers had been left at his office and that after he had studied them he was of the opinion that some of the papers were official records of the United States Penitentiary, for which reason he telephoned the New York office.

When interviewed Mr. Mickam stated confidentially that the enclosures had been left with him recently by a Mr. F. Barrett, 323 N. Fulton Street, Baltimore, Maryland, who had called to sell the manuscript. Since the papers were left with him Mr. Mickam stated that Mr. Barrett personally had not called back at his office but that he had telephoned to him on several occasions, using the long distance telephone, which fact Mr. Mickam had detected by hearing the operator request the party calling to place the necessary coins in the toll box and that on these occasions Mickam had informed Barrett that he had not as yet had an opportunity to read the manuscript because of its length.

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Director - 5/14/35

These enclosures are being forwarded to you for your information and no further action is being taken by the New York office until further instructions are received. Mr. Mickam, however, is being advised that in the event Mr. Barrett makes further inquiry concerning these papers, he should again be informed that no opportunity has been had to study the manuscript but that it is expected this opportunity will present itself in the immediate future. In the meantime it would be appreciated if the Bureau would advise if these papers will be returned to the New York office so they can be returned to Mr. Mickam for delivery to Barrett should he insist on getting the papers back.

It is possible that the Bureau will desire to have an investigation made of these enclosures in connection with the case that is now pending in the Atlanta office pertaining to irregularities in the penitentiary there during the time that Capone was a prisoner at that institution and when it was alleged favors had been extended to him by one of the prison physicians, namely, Dr. Beall.

Because of the large number of enclosures they are not being itemized by the New York office nor have photostatic copies been made of any of these papers.

Very truly yours,



R. WHITLEY
Special Agent in Charge

Enclosures.

Registered

ACH:LL

62-39129-2-28. 1936

RECORDED

62-28933-50

Special Agent in Charge,
New York, New York.

Dear Sir:

Reference is made to your letter dated May 14, 1936, with which you transmitted a manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", together with various newspaper clippings, photographs of purported inmates of the United States Penitentiary at Atlanta, scenes of that institution, considerable correspondence, and records which are purported to be official records of that Penitentiary. This material is being forwarded by registered mail under separate cover for transmittal to Mr. Mickan in the event the return of same is desired.

Please be advised that photostatic copies of the above have been made and transmitted to the Department for its consideration. You will be advised if an investigation of this matter is desired.

Very truly yours,

John Edgar Hoover,
Director.

FILES SECTION
MAILED
★ MAY 20 1936 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

[Handwritten signature]

RECEIVED
MAY 20 1936
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
[Handwritten initials]

REC'D
MAY 28 1935



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MAY 28 1935

RECORDED

62-39723-250

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL,
MR. WILLIAM BRIDGES

M
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A

The New York City Office of this Bureau has recently received from Mr. W. E. Nickm, Executive Editor, Real Detective Stories, 32nd Floor, 300 Madison Avenue, New York City, various newspaper clippings, a manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", and photographs of purported inmates of the United States Penitentiary at Atlanta. There were also included in the material received scenes of the Atlanta Penitentiary, considerable correspondence, and records which were purported to be official records of that Penitentiary. This material was obtained after Mr. Nickm had telephoned to the New York City Office, advising that the manuscript and papers had been left at his office by a confidential informant.

There is being transmitted herewith a photostatic copy of each of the inclosures which were forwarded by the New York City Office, together with one copy each of the photographs of the purported inmates of the Atlanta Penitentiary. This material is being transmitted for your consideration.

Please be advised that no investigation of this matter will be made by the Bureau in the absence of a specific request.

Very truly yours,

John Edgar Hoover,
Director.

MAY 29 1935

FILES SECTION
MAILED
★ MAY 28 1935 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

Inclosure No. 319422

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XXXXXX
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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) _____ with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

1 Page(s) referred for consultation to the following government agency(ies); Bureau of Prisons as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-39128-3

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

June 5, 1935.

Mr. Nathan	
Mr. Tolson	
Mr. Clegg	
Mr. Coffey	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Harbo	
Mr. Keith	
Mr. Lester	
Mr. Quinn	
Mr. Schuyler	
Mr. Starnes	
Mr. Tamm	
Mr. Egan	
Miss Gandy	

MEMORANDUM FOR MR. HOOVER:

I note with interest the report of your Birmingham office, file No. 62-756-JAS, dated May 25, 1935, with reference to one Patterson, formerly confined at the Atlanta Penitentiary, alleging the receipt of certain money while he was an inmate.

We shall be eager to hear whether any confirmation of this story is received and will rely upon your office to advise us as to any action that we may be called upon to take to further the investigation.

Sanford Bates
Director.

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*62-28933-49
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62-5380
62-28567*

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JUN 27 1935	
TAMM	FILE

next

WRG:MEH

67-61917

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June 14, 1935.

MEMORANDUM FOR MR. BOLSON

Re: [REDACTED]
[REDACTED]

This is to advise that E. W. Michan, subject of file 62-28933-50, [REDACTED] Mr. E. W. Michan forwarded manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary" which had been offered to him for publication in Real Detective Stories magazine of which he is the Executive Editor.

Respectfully,

W. E. Glavin.

RECORDED & INDEXED
JUN 21 1935

62-39128-4	
FEDERAL BUREAU OF INVESTIGATION	
JUN 14 1935 P.M.	
U. S. DEPARTMENT OF JUSTICE	
TOLSON	FILE

files

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cf

June 29, 1935.

1190

Special Agent in Charge,
Washington, D. C.

ALVIN KARPIS, with aliases, et al.
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

Dear Sir:

On May 14, 1935, Mr. W. E. Niskan, Executive Editor,
Real Detective Stories, 411 Madison Avenue, New York City,
delivered to the New York Bureau Office a manuscript entitled
"The Biography of Al Capone," together with various newspaper
clippings, photographs of reported inmates of the United States
Penitentiary at Atlanta, Georgia, and other correspondence,
which are purported to be official records of the penitentiary.
Mr. Niskan advised confidentially that these data had been
furnished to him by a Mr. F. Barrett, of 323 North Fulton Street,
Baltimore, Maryland, who had called to sell the manuscript.
Mr. Niskan, was referring the matter to the Bureau
for the reason that he believed that some of the papers were
copies of records of the United States Penitentiary.

Photostatic copies of the manuscript and the
data were submitted to the Department of Justice,
and has been received from the Assistant to the Attorney
General, Mr. Stanley, that this material be considered in
connection with the investigation being conducted by the Bureau
in the case entitled "The Biography of Al Capone."
Mr. Stanley has also requested information
regarding the identity of the author of the manuscript.

RECORDED & INDEXED

Accordingly, it is requested that your office
conduct a discreet investigation regarding the
connections of Barrett. Three copies of reports
should be furnished the Bureau.

Very truly yours,

John Edgar Hoover,
Director

WILLIAM STANLEY
THE ASSISTANT TO THE ATTORNEY GENERAL

Department of Justice Washington

- Mr. Tolson
- Mr. Baughman
- Chief Clerk
- Mr. Clegg
- Mr. Coffey
- Mr. Edwards
- Mr. Egan
- Mr. Harbo
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Scheidt
- Mr. Schilder
- Mr. Smith
- Mr. Tamm
- Mr. Tracy
- Miss Gandy

June 24, 1935.

*ms
S*

MEMORANDUM FOR MR. HOOVER

200
Attorney

Several days ago you sent me a photostatic copy of a story entitled "Al Capone's Life in the Atlanta Penitentiary", which had been turned over to our Special Agent in our New York Office.

In this connection, I understand that your Bureau has made some investigation during the past two years as to Al Capone's conduct while at Leavenworth, in an attempt to ascertain whether or not he had been able to bribe any of the officers.

I think it would be a good idea for someone in your Bureau to check the manuscript carefully to see whether or not there are any leads therein, which would fit into the investigation which you have been making.

Have you any idea as to the identity of the writer of the story?

William Stanley

William Stanley
The Assistant to the Attorney General

*61-24022-52
Letter to
W. Wolf Field
-28-25-*

RECORDED
&
INDEXED

62-39128-6

JUN 1 1935

Division of Investigation

U. S. Department of Justice

Washington Field Office, Room 5745
Washington, D.C.

July 27, 1935.

Mr. Nathan.....
Mr. Tolson.....
Mr. Baughman.....
Chief Clerk.....
Mr. Clegg.....
Mr. Coffey.....
Mr. Edwards.....
Mr. Egan.....
Mr. Harbo.....
Mr. Keith.....
Mr. Lester.....
Mr. Quinn.....
Mr. Scheidt.....
Mr. Schilder.....
Mr. Smith.....
Mr. Tamm.....
Mr. Tracy.....
Miss Gandy.....
.....
.....

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at Ninth Street, N.W.,
Washington, D. C.

F
200

Dear Sir:

There is attached hereto the original of a magazine article entitled "The 'X' Men". The New York Office has been requested to interview the Editor of the DETECTIVE FICTION WEEKLY, in which this article appeared, for the purpose of ascertaining the source of his information relative to the meeting alleged to have taken place at Kansas City, Missouri, during which meeting a plan was discussed to counteract the activities of the Bureau through an espionage system.

It will be noted that on the reverse side of page one of the original article is a Publisher's Statement which reflects that the Detective Fiction Weekly is published by the Frank A. Munsey Company, New York, H. B. Ward being the Business Manager.

Very truly yours,

J. M. Keith

J. M. KEITH,
Special Agent in Charge.

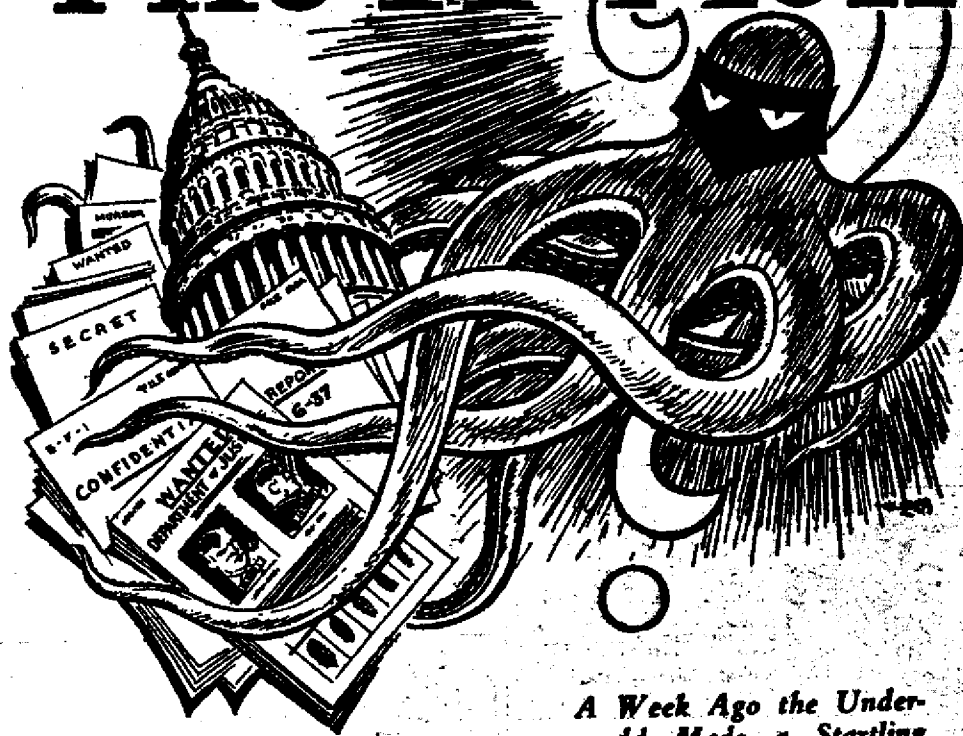
FCD:EW
Enclosure

Prof
F

RECORDED
&
INDEXED
AUG 5 1935

62-39128-7	
FEDERAL BUREAU OF INVESTIGATION	
JUL 29 1935 M.	
U. S. DEPARTMENT OF JUSTICE	
TOLSON	SCHMIDT
	FILE

The "X" Men



- Mr. Nathan ✓
- Mr. Tolson ✓
- Mr. Baughman ✓
- Chief Clerk ✓
- Mr. Clegg ✓
- Mr. Coffey ✓
- Mr. Edwards ✓
- Mr. Egan ✓
- Mr. Harbo ✓
- Mr. Keith ✓
- Mr. Lester ✓
- Mr. Quinn ✓
- Mr. Scheidt ✓
- Mr. Schilder ✓
- Mr. Smith ✓
- Mr. Tamm ✓
- Mr. Tracy ✓
- Miss Gandy ✓

FEAR has seized hold of the underworld—stark, maddening fear. Their houses of graft, crime, and bribery have crashed down about their ears. For the first time since Al Capone put crime into the class of big business, the underworld has learned that their tainted dollars cannot buy them immunity.

Bribery, perjury, and machine-guns are now of no avail. There is a new force flung against them by the Federal Government which they cannot understand. It at least has put the fear of God into their hearts.

The underworld is faced by an organization which they have dubbed the "G-men"—the agents of the U. S.

A Week Ago the Underworld Made a Startling Proposal to a Man from Chicago. "Ten Grand a Week Is Okay," Said the Nation's Biggest Gangsters, "if We Get Results. We Have Got to Destroy the Department of Justice!"

Department of Justice. The G-men are incorruptible. The G-men place honor and service to country above price. They are men who have shown that they are not afraid to die in carrying the war into the camp of crime.

In the years immediately following the start of Prohibition, when that law placed unlimited capital at the disposal of the underworld, the leaders were

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62-39128-7

7. The Weekly Magazine.

ADVERTISING SECTION



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WRITE INTERSTATE AND AGENT, Dept. M-4, 75 E. Wacker, Chicago.

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Delay one instant longer if you suffer torturing agony of itching, protruding, bleeding PILES or HEMORRHOIDS. Let me prove that my new EMUL treatment stops the pain, relieves the pressure, soothes the irritation and inflammation, reduces the swelling and strengthens the tissue. How glorious it is to sit, to stand and to sleep in comfort! Write for my "15-day test at my risk offer"—today! Address: Mr. J. H. Gossett, 307 North Michigan Ave., Dept. M-1, Chicago, Illinois.

PUBLISHER'S STATEMENT OF CIRCULATION

This is to certify that the average circulation per issue of The Money Magazine, comprising All Story, Arcady, Detective Fiction Weekly, and Ruffled Stories, for the six months period July 1st to end including December 31st, 1934, was as follows:

Copies Sold	221,217
Copies Not Sold	221,217
Total	442,434

WILL FRANK J. MURPHY COMPANY,
Signed: H. E. Ward, Business Manager.
Subscribed to and sworn before me on this 31st day of February, 1935.
GEORGE H. BOLLWINNER, Notary Public, Nassau County.
Term expires March 22, 1935. Certificate filed in New York County No. 1141. New York Register's No. 19195.

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4234 Cass Ave., St. Louis, Mo.



able to buy advance information of raids. Their connections, in some instances, reached right into official Washington. These warnings enabled them to run to cover before the Federal men closed down upon them.

But now it is different.

Out of a clear sky, on March fifteenth of this year, the G-men struck. About three thousand big-shots, counterfeiters, gangsters, narcotic peddlers, punks and hangers-on were landed in the net.

This raid caught them all flatfooted in the midst of their activities. There was no friendly warning this time. No tip-off to get into clear. There was just a sudden, demoralizing blow that has given the underworld its worst jolt in years.

It taught them that their boasted protection is a fallacy. It has left them desperate, groping for a way to combat this new enemy. What are they going to do?

Never before has it been possible for the Federal Government to muster hundreds of its agents for a concerted drive against the underworld without some one of their connections getting wise to it and flashing the tip-off to get in out of the way. This time, however, not an inkling of what was coming reached the leaders.

What is the underworld going to do?

SMUG in their fancied security, fortified by their millions of ill-gotten gains, backed by their machine-gun squads, they thought themselves greater than the United States Government. They failed to read the signs when their lord and master, Al Capone, was sent away for eleven years.

It was merely an unfortunate break

in luck, they told themselves. It was his willingness to become the victim in order to stop public clamor that prevented him from completing his deal for a sentence of two years, they argued.

The deaths of Pretty Boy Floyd, Dillinger, Baby Face Nelson; the conviction of the various mobs of kidnapers; the running down of the assassins of the Kansas City massacre, left the underworld cold. These criminals were outside the pale, anyway. To the underworld this was all stage-play to enable the Federal authorities to force a larger appropriation from Congress.

"It was just a Federal racket," they assured themselves. Today, these same criminals—those of them who were lucky enough to escape the dragnet—are cursing themselves for their short-sightedness. Cringing with fear, hiding in their rat-holes, they are afraid the heavy hand of the Federal Government is reaching for them. They now realize that the recent threats against them were not idle boasts for the benefit of the public but stern realities.

The newspapers carrying the accounts of the March fifteenth raid have both aided and hurt in this war against the underworld. Their accounts of the widespread arrests helped. But their stories about the men working in the underworld hurt. These stories related how the G-men worked their way into the inner councils of gangdom; how these same Federal men won the confidence and friendship of the big-shots; how they shared gangdom's wine, women and song until they were all set to strike.

"What kind of a man is he who has the guts to join us? To dupe us, and then turn around and put the finger on

us?" the underworld ask. "What has happened to the protection paid for so lavishly?"

These questions are flying around the underworld today.

This fear has taken such a hold upon them that in a panic they have resorted to wholesale murders in an endeavor to purge their ranks of the suspected rats. Even close pals, friends of years' standing, are under suspicion. The big-shots do not know where to go nor whom to trust.

So now the underworld has run to cover, panic-stricken. Word has gone out that no matter what happens, expense is to be disregarded; no matter who is sacrificed, these G-men must be stopped. (It is reported that Dutch Schultz has been thrown to the Federals as a sop—Ed.) The very life of the underworld is at stake. Their rackets are giving them millions of dollars every day. That flow of millions is in danger of being dried up.

II

WHAT is the answer of the underworld going to be? This is what it's going to be, and this magazine has it on good authority.

Taking a leaf out of J. Edgar Hoover's notebook, the head of the bureau of investigation of the Department of Justice, the leaders of the underworld are trying frantically to save themselves by forming a secret organization of their own.

The underworld is going to attempt to defend its million-dollar rackets by an organization of secret agents who will not be drawn from the ranks of criminals. They will be presumably honest, patriotic young men who will be hired to join the Department of Justice and every other police force where the underworld can get them in.

The answer to the Government men—the G-men—will be the underworld spies—the "X-men." They will not be crooks themselves, but they will be paid by the crooks. They will be hired to tip off the underworld on raids, and the identity of the Federal undercover men who join the underworld to collect the evidence that destroys it.

The underworld will put their spies in strategic positions, just as the Federal government put their spies in strategic positions before the March 15th raid. In war it is called counter-espionage. This is a war between crime and society.

Afraid that even the man they select from within their own ranks to head such an organization might be a G-man, they dare not trust such an important task to one of their own ilk.

At a meeting held in a Mid-western city recently and attended by several of the more important leaders of the underworld, this plan was thoroughly discussed. For two days the arguments went on before the big-shots could agree that the only way to fight fire was with fire.

This decided, their next step was to select the man to head the bureau. They finally settled on a man from Chicago. This man had formerly run a bureau of his own, and in times past had locked horns with some of the denizens of the underworld. He has since retired. The underworld knew of his personal integrity and professional reputation. He was just the man for the job, even if he did not belong to the underworld. Not doubting he would accept, they brought him to the conference.

"Your job," they told him, "is to form a counter espionage service for us. You are to ferret out the rats who are working among us. You will fur-

nish us with the names—we will attend to the rest."

It required little imagination to understand that by "the rest" was meant a blast from a machine gun and another martyr among the Federal undercover agents.

"You can name your own price," the spokesman went on. "Even ten grand a week is okay by us if we get results. We are wise, too, that you will need some time to get started. But work fast, hurry. It's a matter of life or death to us. The force will be under your jurisdiction and no one—and this goes for us guys, too—will be allowed to interfere in the running of your mob."

No doubt, from their point of view this was an attractive proposition and one that no man would turn down. "Ten grand a week!" Anxious to get all the details, the man from Chicago held his tongue and let them go on.

"It's our idea that the guys for your mob will not be recruited from the gangs of the underworld. These G-men are college graduates, trained in the law. In ordinary times those kind of guys are grabbed by business, but the depression has thrown them into the laps of the Feds.

"You must get your guys from the same sources. Get guys with guts, guys who can qualify as G-men and can grab themselves jobs among the Federals. The bankroll behind you will be big enough to let you buy all of them you need. Then, when you get them trained, send them to Washington to join the G-men, get them into police departments. They can put the

finger on the Federal spies among us, and tip us off to what the Feds are going to do."

THE Chicagoan told them that he appreciated their trust in him but he was too old to tackle such a job and suggested that they get a younger man. Their warped minds could not grasp the fact that a man who had spent the best years of his life in the pursuit of criminals, working secretly among the mobs as did the G-men, taking the same chances of being bumped off as they were taking, could not bring himself to put the finger of death on such men. The Chicagoan got away; and, returning home, immediately surrounded himself with a heavy bodyguard.

There can be no question about it: the underworld is desperate when they resort to ratting. They are afraid of their own shadows, afraid that their best pal may be a G-man.

But not every man they approach will turn them down. They are offering ten thousand dollars a week! They have more millions at their disposal than J. Edgar Hoover and the Department of Justice have thousands.

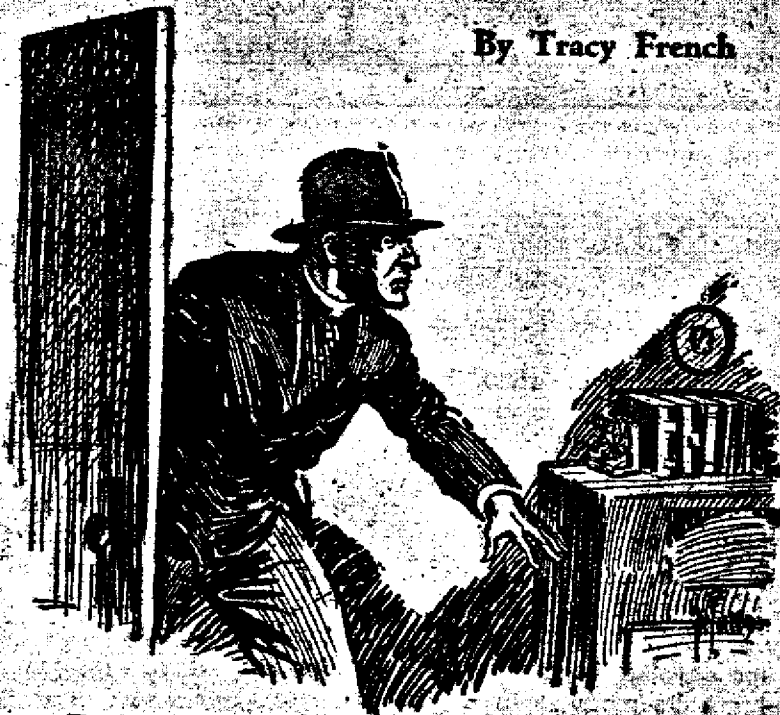
Every police force in the country is going to be approached by these "X-men." It is time to be double and triply careful of the antecedents of every man joining the police, in whatever capacity.

With the millions behind them the criminal big shots may succeed in undermining the now incorruptible Department of Justice itself. That is their plan. Their life is at stake and they are desperate.



The BRAND of

By Tracy French



The door of the study has been open.

CHAPTER I

The Devil's Go-Between

THE room was a library partly walled with books set in recessed niches and interspaced with panels of rich English walnut. The house stood two hundred feet from the street at the loop of a winding driveway, deep in its wide acre of lawn dotted with trees, shrubs and fancy flower pots. The town was Royalton, an exclusive suburb of Chicago.

The hour was the hour of dusk. The occupants of the library were three men, of strikingly different types and appearance.

The first man, tall and thirty-five, dressed in gray tweeds, strode up and down in front of the fireplace like an animal in a cage. His face was worn with worry until it looked years older than his body. The second man, big rather than tall, sat stiff and erect in a leather arm chair, his civilian serge outlining his powerful frame with all the authority of a military uniform.

The third man, thin and dark in rusty clericals, who occupied a seat of less dignity, was an individual known to Chicago's church-wise press and public as the Reverend Reuben Acton, meek director of an obscure mission in the slums. More simply and saltily acknowledged as "The Parson" by his

REN:MAM

July 27, 1935

RECORDED

62-39128-7

Special Agent in Charge
Washington, D. C.

Handwritten initials and scribbles

Dear Sir:

There are attached hereto 3 original pages and photostatic copies of a magazine article entitled "The ...".

The Bureau desires that the identity of the magazine be established and the field office covering the place of its publication be instructed to interview the editor for the purpose of ascertaining the source of his information relative to the meeting alleged to have taken place at Kansas City, Missouri, during which meeting a plan was discussed to counteract the activities of the Bureau through an espionage system.

This matter should receive immediate attention.

The original pages transmitted herewith should be returned when they have served their purpose.

Very truly yours,

John Edgar Hoover,
Director.

Enclosure #221461

FILES SECTION
MAILED
★ JUL 27 1935 ★
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
JUL 29 1935
U. S. DEPARTMENT OF JUSTICE
FILE

Handwritten mark

ca

July 23, 1935.

Special Agent in Charge,
Washington, D. C.

ALPHONSE CARON, with aliases, et al.
CONSPIRACY TO SEDITIOUS AND HIGH TREASON
OUT OF THE UNITED STATES PRESIDENTIAL
ATLANTA, GEORGIA.

Dear Sir:

Confirming telephonic conversation of July 22, 1935,
between Mr. Rosen, of your office, and Mr. Abbaticchio, of
the Bureau, kindly conduct an immediate investigation regarding
Mr. F. Barrett, of 323 North Fulton Street, Noltmore, Maryland,
in accordance with request contained in Bureau letter dated June
29, 1935.

It is desired that a report be submitted in this
matter to reach the Bureau not later than 5 P.M., Wednesday,
July 24, 1935.

Very truly yours,

John Edgar Hoover,
Director.

62-39128-8

RECORDED

JUL 24 1935

U. S. DEPT. OF JUSTICE

FILE

FILES SECTION
MAILED
★ JUL 29 1935 ★
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

C

Federal Bureau of Investigation

U. S. Department of Justice
Washington Field Office, Rm. 5745,
Washington, D. D.

July 29, 1935.

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Washington, D. C.

Re: ALPHONSE CAPONE, with aliases,
et al. - Conspiracy to Receive
and Send Contraband Out of the
United States Penitentiary,
Atlanta, Georgia.

Dear Sir:

Kindly furnish the known criminal record of the following:

Name (inc. aliases)	City, Police Arrest, or Other Number.	Approximate date Fin- gerprints forwarded Federal Bureau of In- vestigation.	Fingerprint Classifica- tion.
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~~████████████████████~~

b7c

FINGERPRINTS ATTACHED.

RECORDED
&
INDEXED

PLEASE RETURN FINGERPRINTS AS SOON AS POSSIBLE.

62-39128-9	
FEDERAL BUREAU OF INVESTIGATION	
JUL 30 1935 A. M.	
U. S. DEPARTMENT OF JUSTICE	
IDENT. LCS	FILE

AUG 5 1935

*File
RESID.*

*10/11/35
J. M. Keith*

Very truly yours,

J. M. Keith

J. M. KEITH,
Special Agent in Charge,

RECORDED
JUL 31 1935 MDT:JGM
62-2696

IDENT. DIV.

RECORDED
JUL 31 1935
IDENT. DIV.

Washington Field Office, Room 5745
Washington, D.C.
July 27, 1935

2 m

nhh

Special Agent in Charge,
New York, New York.

Dear Sir:

There is attached hereto photostatic copy of a magazine article entitled "The 'X' Man."

It is desired that the editor of the DETECTIVE FICTION WEEKLY magazine be interviewed for the purpose of ascertaining the source of his information relative to the meeting alleged to have taken place at Kansas City, Missouri, during which meeting a plan was discussed to counteract the activities of the Bureau through an espionage system.

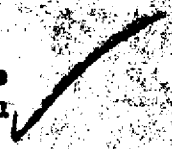
For your information the Publisher's Statement of Circulation, on the reverse side of the original of page one of this article, discloses that the DETECTIVE FICTION WEEKLY is published by the Frank A. Munsey Company, New York, H. B. Ward being the Business Manager.

This matter should receive your immediate attention.

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

FCD:EW
Enclosure
cc-Bureau



62-39128-	
FEDERAL BUREAU OF INVESTIGATION	
JUL 29 1935 A. M.	
U. S. DEPARTMENT OF JUSTICE	
TWO	FILE

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BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
DIV. 5
JUL 30 1935 PM

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b3, b6 with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-39128-9

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation
U. S. Department of Justice
Washington, D. C.

RECORDED

62-39128-9

August 2, 1935.

The following is a transcript of the record, including the most recently reported data, as shown in the files of the Division of Investigation concerning our number

b3

b7c

Contributor of Fingerprints	Name and Number	Arrested or Searched	Classification
FD, Balto., Md.	_____		Arrested and Searched
	Caption: <i>Alphonse Capone, with aliases, et al. - conspiracy to receive and send contraband of the U. S. P., Atlanta, Ga.</i>		
(CC - Balto. Off., Wash., D. C.) print ret'd.			
(CC - Bureau)			
Encl.			

* Represents notations unsupported by fingerprints

For completion of our records, please supply dispositions to this division in any of the foregoing cases where they do not appear

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice
Washington, D. C.

RJA:LL
62-28933

July 29, 1935

MEMORANDUM FOR MR. TAMM

Re: ALPHONSE CAPONE, with aliases; ET AL;
Conspiracy to Receive and Send
Contraband Out of the United States
Penitentiary, Atlanta, Georgia.

At 12:40 P. M. on July 24, 1935, the writer received a telephonic call from Agent Rosen, who is acting in charge of the Washington Field Office, regarding Bureau letter of July 23, 1935, which requested that a report in the matter be submitted by the Field Office to reach the Bureau not later than 5:00 P. M., Wednesday, July 24, 1935.

Mr. Rosen advised that Agent Traub, who is conducting the instant investigation at Baltimore, Maryland, has encountered some difficulty in locating Mr. F. Barrett, the subject of the instant inquiry, at 323 North Fulton Street, and that under the circumstances it would not be possible to submit a final report to reach the Bureau by the required time.

The writer advised Mr. Rosen to expedite the investigation and to get the report in as soon as it is possible to do so.

Respectfully,

R. J. Abbaticchio, Jr.

R. J. Abbaticchio, Jr.

RECORDED

JUL 31 1935

62-39128-10	
FEDERAL BUREAU OF INVESTIGATION	
JUL 30 1935 .M.	
U. S. DEPARTMENT OF JUSTICE	
TAMM	

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Bureau of Inves

U. S. Department of Justice

Washington Field Office, Room 5745
Washington, D. C.

July 27, 1935.

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Penn. Ave. at 9th. St., N. W.,
Washington, D. C.

RE: ALPHONSE CAPONE, with aliases, et al.
CONSPIRACY TO RECEIVE AND SEND
CONTRABAND OUT OF THE UNITED STATES
PENITENTIARY, ATLANTA, GEORGIA.

Dear Sir:

This is to advise that Agent M. D. Traub, at Baltimore, Maryland, has telephonically informed this office that he has secured information in connection with Mr. F. Barrett, involved in the above case, and that he is sending a report by special delivery, which will be received at this office on Monday morning. Immediately on receipt of this report, you will be advised as to the results of the inquiry of Agent Traub.

Very truly yours,

J. M. Keith *ar*

J. M. KEITH,
Special Agent in Charge.

AR:DSS
62-2696

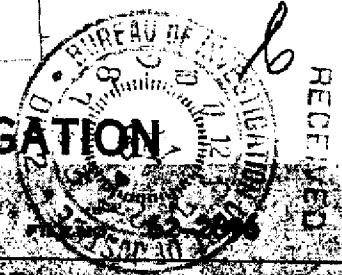
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AUG 2 1935

62-39128-11

FEDERAL BUREAU OF INVESTIGATION	U. S. DEPARTMENT OF JUSTICE
JUL 30 1935	
SEARCHED	INDEXED
SERIALIZED	FILED

FEDERAL BUREAU OF INVESTIGATION



Form No. 1
THIS CASE ORIGINATED AT **Washington, D. C.**

REPORT MADE AT Washington, D. C.	DATE WHEN MADE 8/5/35	PERIOD FOR WHICH MADE 8/5/35	REPORT MADE BY Royal J. Vetriner RJV:BSB
TITLE ALPHONSE CAPOE, with aliases, et al			CHARACTER OF CASE CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS:

Criminal record of [REDACTED]
F.B.I. # [REDACTED]
P.

b7c

Reference: Report of Special Agent M. D. Traub, dated Washington, D. C., 7/29/35.

Details: The following criminal record of [REDACTED] F.B.I. [REDACTED] was received from the Identification Unit of the Bureau:

Contributor of Fingerprints	Name & Number	Arrested	Charge
Police Department, Baltimore, Maryland.	[REDACTED]	[REDACTED]	Murder and robbery

PENDING

APPROVED AND FORWARDED:

J.M. Keith
A.

SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

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- 2 New York
- 2 Washington Field

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62 39128 12

AUG - 6 A.M.

AUG 6 - 1935

AUG - 7 1935

RECT.

Room 1405
370 Lexington Avenue
New York City

AVT:RP
62-5582

August 5, 1935

Special Agent in Charge
Washington, D. C.

RE: ALPHONSE CAPONE, with aliases, et al
CONSPIRACY TO RECEIVE AND SEND CONTRA-
BAND OUT OF THE UNITED STATES PERMIT-
TIARY, ATLANTA, GEORGIA

Dear Sir:

This office is in receipt of the report of Special Agent
M. D. Trumb of your office in the above matter, dated July 28, 1935, in
which a lead is set out for the New York Bureau office to exhibit photo-
graph of [redacted] to Mr. H. W. Mickam, Executive Editor, *b7c*
Real Detective Stories, 444 Madison Avenue, New York City, to ascertain
whether or not he can identify this picture as that of F. Barrett.

Since this is the first report which has been received
by this office in connection with the above matter and there is no in-
dication in the body of the report as to what connection Mr. Mickam
has with this case or why he is considered to have any information con-
cerning [redacted] or F. Barrett, you are requested to fur-
nish further information and copies of any previous reports which may
have some bearing on Mr. Mickam or throw some light on what information
may be expected from him.

Pending the receipt of such information, the lead in
the report referred to will be held in abeyance by this office.

Respectfully yours,

RECEIVED
DIVISION ONE
AUG 6 1935
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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FEDERAL BUREAU OF INVESTIGATION
Special Agent in Charge
AUG 6 1935 A. M.
U. S. DEPARTMENT OF JUSTICE

cc-Bureau ✓

A ONE

FILE

3

Washington Field Office, Room 5745,
Washington, D. C.

August 8, 1935.

Special Agent in Charge,
New York City, N. Y.

Dear Sir:

RE: ALPHONSE CAPONE, with aliases,
et al. CONSPIRACY TO RECEIVE
AND SEND CONTRABAND OUT OF THE
UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

Referring to your letter of August 5, 1935, request-
ing additional information as to the connection of Mr. R. W.
Mickam, Executive Editor of the Real Detective Stories, 444
Madison Avenue, New York City, with this case, there is attached
hereto a copy of a letter from the Bureau dated June 29, 1935,
upon which the investigation made by Special Agent M. D. Traub
of this office, at Baltimore, Maryland, in report dated July
29, 1935, was predicated.

This copy contains all the information concerning
Mr. Mickam that is contained in the Washington Field Office file.

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

RJU:TC
CC Bureau
62-2698

RECEIVED



AUG 9 1935 PM

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62-28933
FEDERAL BUREAU OF INVESTIGATION
AUG 9 1935 A.M.
DEPARTMENT OF JUSTICE
FILE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **Washington, D. C.**

FILE NO. **62-2695**

*E
W*

REPORT MADE AT Washington, D. C.	DATE WHEN MADE 7/29/35	PERIOD FOR WHICH MADE 7/22-27/35	REPORT MADE BY M. D. Traub JCM
TITLE ALPHONSE CAPONE, with aliases, et al		CHARACTER OF CASE CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GA.	

SYNOPSIS OF FACTS:

Discreet investigation at 323 North Fulton Avenue, Baltimore, Maryland reveals no person named ~~F. Barrett~~ resides or is known at this address. No record of F. Barrett at Baltimore Police Department, Post Office, mercantile agencies nor is he listed in city directories. Photograph and fingerprints of [redacted] former tenant this address obtained, photograph being transmitted to New York Office to be exhibited to Mr. Mickam.

*RECEIVED
AUG 1 1935
DIVISION OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE*

b7c

- P -

REFERENCE: Bureau letter dated 6/29/35.

DETAILS: AT BALTIMORE, MARYLAND.

Agent searched the old and recent city directories, but was unable to find the name of F. Barrett listed as having resided at 323 North Fulton Avenue (not Street) Baltimore, Maryland. Agent interviewed [redacted]

[redacted] who was unable to find the name of F. Barrett listed [redacted]. Similar inquiry was made at the Gas & Electric Company and the files at the Police Department at Baltimore were searched but the name of F. Barrett could not be found.

Discreet inquiries were made in the neighborhood and vicinity of 323 North Fulton Avenue by Agent, and it was learned that this address

*RECEIVED
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DIVISION OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE*

b7d

APPROVED AND FORWARDED: <i>J. M. Keith</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
COPIES OF THIS REPORT 3 Bureau 2 New York 2 Washington Field COPIES DESTROYED 9 8 461-5 11204	62-39128-13 AUG - 8 P.M. <i>RECEIVED</i>
	AUG 8 1935 AUG 13 1935

is a rooming house and that a number of people have been coming and going to this house in the past several months. It was learned from neighbors that this house was operated by Mrs. Lillie Guinan, a widow who rents out furnished rooms and small apartments. The neighbors interviewed by Agent advised that they knew very little concerning Mrs. Guinan and the other tenants in the house, inasmuch as people come and go from this address at frequent intervals.

Agent at the Southwestern Police Station conferred with Lieutenant William B. Jones and Sergeant George Schlipper, who advised they had no information concerning one F. Barrett, nor did they have any information relating to the occupants of 323 Fulton Avenue. b7c b7d

[REDACTED] He states he knows that Mrs. Lillie Guinan lives at this address with her two children, Frank and Alfred.

[REDACTED] that he knows of nothing derogatory concerning Mrs. Guinan, but to the best of his recollection he believes that Frank Guinan is an ex-convict. He states he understood that Frank Guinan was in trouble in Florida and was sentenced from the Federal Court to the Atlanta or Leavenworth Penitentiary, the details of which he did not know. [REDACTED] states that he does not recall who gave him this information. Agent made arrangements with [REDACTED] to make guarded inquiries concerning F. Barrett and when again interviewed by Agent stated he was unable to ascertain whether there was such a person residing at this address.

Agent without revealing his identity interviewed Mrs. Lillie Guinan, 323 North Fulton Avenue, who resides in the basement of this house. She states she is a widow and occupies the basement at this address. She states she never had anyone named F. Barrett living at her house, and that she never heard of this person. Mrs. Guinan states her son Frank Guinan did not know of any such person. When questioned as to whether her son Frank was ever arrested, she stated to her knowledge he had never been in any trouble other than being involved in some minor trouble over an automobile somewhere in Florida about two years ago. She denied that her son Frank had ever served any time in any institution. She admitted, however, that he does not work steady and that he is at present unemployed and is now living at [REDACTED] 1706 Fulton Avenue, b7c and that he has been living with a man named Carl Crawford at this address. She states the last position held by her son Frank was a

laboring job at Pratt's Bay, Maryland and that Crawford also worked on this project, this being about two years ago.

Mrs. Guinan recalled that a family named [redacted] resided at her house in May, 1935 for several weeks. She stated [redacted] was a cab driver and was living with his wife and baby at her house, and that he moved out to [redacted]. She states she believes his home was at [redacted]. She states she knows nothing concerning [redacted] or of the persons who visited him.

[redacted] was again interviewed but had no information concerning [redacted] but recalls such a person resided at 325 N. Fulton Avenue, [redacted] b7C b7D

Agent made discreet inquiries of [redacted] from [redacted] and ascertained [redacted] and his wife were living at this address and that he was a cab driver. b7C

Agent interviewed Lieutenant William P. Burns, Identification Division, Baltimore Police Department, who was unable to find a criminal record on F. Barrett [redacted] or Frank Guinan. Similar inquiries were made by Agent at the Revere Room, Police Department but nothing could be found on these persons.

Interviewed [redacted] records. [redacted] looked at card showing that [redacted] was a [redacted] at present for the [redacted]. The records show [redacted] formerly lived at [redacted] and his last known address is [redacted]. Agent advised [redacted] of the [redacted] address.

The description of [redacted] as obtained from the Baltimore Police Department is as follows:

Age
Height
Weight
Eyes

[redacted]

Hair
Complexion
Occupation
Born

b7c

Agent was advised by the police that the fingerprints of [REDACTED] are non-criminal and the number [REDACTED] relates to [REDACTED]. The fingerprints of [REDACTED] were searched with the criminal fingerprints on file at Baltimore, but no record was found in the local police department's file.

Conferred with Captain John H. Mintiens, Detective Bureau, Baltimore Police Department who agreed to allow Agent to borrow the original fingerprints of [REDACTED] also the photograph of this person, in order that the photograph may be exhibited in New York, and that a search may be made of the fingerprint records of the Federal Bureau of Investigation to ascertain whether [REDACTED] has a criminal record.

UNDEVELOPED LEADS.

THE NEW YORK OFFICE AT NEW YORK CITY

will exhibit photograph of [REDACTED] to Mr. R. W. Mickam, Executive Editor, Real Detective Stories, 444 Madison Avenue, to ascertain whether he can identify this picture as F. Barrett. If not, obtain a description of F. Barrett from Mr. Mickam.
(The Bureau requests three copies of reports in this matter).

THE WASHINGTON FIELD OFFICE AT BALTIMORE, MARYLAND

upon receipt of information from the New York Office will endeavor to ascertain whether [REDACTED] is F. Barrett; if necessary conduct similar inquiry as to Frank Guinan and Carl Crawford, 1706 Fulton Avenue, Baltimore, Md.

Federal Bureau of Investigation

U. S. Department of Justice
Room 1403
370 Lexington Avenue
New York, N. Y.

GJS:LF

August 3, 1935.

~~PERSONAL AND CONFIDENTIAL~~

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Foxworth	.....
Mr. Harbo	.....
Mr. Joseph	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Scheidt	.....
Mr. Schilder	.....
Mr. Tamm	✓
Mr. Tracy	.....
Miss Gandy	.....

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at 9th Street, N. W.,
Washington, D. C.

Dear Sir:

Reference is made to letter from Special Agent in Charge J. M. Keith, Washington Field Office, dated July 27, 1935, in the matter of an article entitled "The 'X' Men" which appeared in the Detective Fiction Weekly magazine published by the Frank A. Munsey Company of New York City in the issue of May 4, 1935.

Special Agent George J. Starr of this office called at the office of Frank A. Munsey Company, 280 Broadway, New York City, and in the absence of William T. Dewart, president, talked with Albert J. Gibney, an associate publisher of the Frank A. Munsey Company. Mr. Gibney stated that before disclosing the identity of the writer of the article he would want to discuss the matter with the lawyers for the company. He stated, however, that the article was written by a man formerly in the Government service and now residing in New Jersey. Mr. Gibney stated that he had no knowledge of the authenticity of the article and that the statements contained therein might be true or untrue. He personally had no knowledge of the extent to which they could be relied upon.

RECORDED & INDEXED

Mr. Gibney subsequently telephoned to Agent Starr and stated that he had been in communication with the author of the article and the latter promised to be in Gibney's office on Thursday or Friday of this week, at which time he would talk with Agent Starr whom he claimed to know. On Thursday of this week, in the absence of Agent Starr, a telephone call was received from Mr. Gibney's office, which was handled by Special Agent F. X. O'Donnell of this office, and the

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SEP 6 1935
NATHAN
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TAMM
SCHEIDT

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Get Starr get details.
I. E. H.

Return sac, NYC
8/9/35

Director,

August 3, 1935.

person calling stated that he was Mr. Gibney, that the person to be interviewed was then in his office, and that he had informed Gibney that he was well acquainted with Agent Starr and preferred to talk personally with that agent. The person calling then stated that the man in his office told him he lived out of town and would be in town again on Monday when he would telephone this office before calling to see Agent Starr.

Yesterday a man whom I believe you know of, namely, Major Charles E. Russell, called at this office and was interviewed by Agent Starr. Major Russell stated to Agent Starr that he was the author of the magazine article, that he was the man who talked with Agent O'Donnell from Mr. Gibney's office, and that his reason for being so cautious was that he did not want to be "put on the spot" by discussing the matter indiscriminately with some agent whom he did not know. Major Russell stated that the statements contained in the article which was published in Detective Fiction Weekly are absolutely correct as to facts, that whatever embellishments appear therein were merely added to make a better story, but that the substance is absolutely correct. The meeting referred to occurred, however, in Brooklyn, N. Y., and not in a mid-western city, and the man to whom the \$10,000.00 a week offer was made is Major Russell himself.

Major Russell stated that the headquarters of the Al Capone syndicate have been shifted from Chicago to Brooklyn, and that the entire racket syndicate field, including vice, gambling, liquor and various other lines, is now controlled and directed by a man named Vito and two men named Tutto of Brooklyn. They have associated with them many notorious racketeers, including "Dutch" Schultz, and the three men named are the heads of the syndicate. At their headquarters they have a group of young men, none of whom appear to be over twenty-four years of age, who are professional killers and whose activities are limited to performing that function for the syndicate. They have numerous henchmen, including young lawyers, doctors, and various other men of the professional type, as well as the usual gangster type. They receive a "cut" from all the racketeer operations from Chicago to the east coast and from Boston to below Philadelphia. Some time, possibly along in April, they had Russell come to their meeting place and there in the presence of from twelve to fifteen men, including Vito, one of the Tottos, "Dutch" Schultz and others, made to him the proposition which is set out in the magazine article. Major Russell stated that

C O
Director

August 3, 1935.

they are absolutely desperate, that they are fighting their battles to the wall, and that they feel something has to be done to curb the activities of the Department of Justice agents.

Agent Starr states that he has known Major Russell for a number of years and there has always been some doubt as to him. Russell claims to have been one of the more important men in charge of Military Intelligence operations in France and elsewhere in Europe during the World War. He has written magazine articles and possibly books about his various almost unbelievable exploits. In many instances it seems to be impossible to determine whether he is dealing with fact or fiction in his articles and talks. In addition to his writings he has frequently talked over the air and at various gatherings, and on such occasions he manages to create the impression that he actually directed the investigations whereof he speaks and that they are true happenings.

When Colonel Peter Traub was stationed at Governors Island, New York, he and Russell were very friendly and at that time Russell gave a series of lectures considered to be of a confidential nature on espionage and counter-espionage. These lectures were given in the Army Building and were attended by reserve and regular Army officers. Agent Starr attended practically all of the lectures and he states that so far as he could determine the instructions given were valuable and apparently based on a good knowledge of the subject or were the result of considerable reading. These lectures were illustrated by occasional stories of episodes occurring over seas, but as to the authenticity of these stories Agent Starr has no knowledge.

The officers of the Military Intelligence Division stationed on Governors Island, New York, have on many occasions been doubtful of Major Russell's background and have seriously questioned his right to insinuate that he occupied a position of responsibility in the Military Intelligence over seas during the World War. The Intelligence office here and in the War Department at Washington should have considerable information as to Major Russell.

Major Russell stated to Agent Starr that he knows you quite well, having become acquainted with you when "Billy Burns", as he called him, was the Director of the Bureau.

Director,

August 3, 1935.

Agent Starr states that he is unable to form a definite opinion as to whether or not Russell has anything tangible to offer. In spite of his emphatic restatement of what appears in the magazine article and his claim of close contact with these underworld characters developed as a result of favors which he has been able to do for them from time to time, it appears that he, according to his own statement, attempted to expose them on the radio. It is somewhat difficult to reconcile these two attitudes. In addition to his verbal corroboration of the magazine article, he stated further to Agent Starr that the inside story of Al Capone, which was published in the newspapers some time ago, was written by him at Capone's request and with material furnished by Capone; that the purpose of writing the series of articles was to clear up to the satisfaction of the underworld the stories which were floating around regarding the so-called "mark of the rat" - the scar which appears on Capone's cheek. Russell stated that a man was sent here from Chicago to deliver to him an envelope which presumably contained money to reimburse him for having written these articles but that he declined to accept this envelope, stating that he had already been paid by the newspaper syndicate which published the articles. Russell further stated that the inside story of Frankie Yale, alias Frankie Yale, also was written by him with material furnished through underworld sources.

Russell was very emphatic in his statement that the underworld desires to "plant", if not possibly already successful in so doing, men in the Federal Bureau of Investigation or, as he terms it, the Department of Justice, and he stated that he was told by these underworld characters that they have available men who can meet all the requirements for appointment to a position in the Department.

The above are statements made as statements of fact by Russell. As against this, however, Agent Starr notes that there are times when there seems to be a lack of sincerity in Russell's statements. Occasionally he slightly changes the information which he furnishes.

Russell indicated that he is anxious to cooperate with the Bureau, that he would expect to make no money out of it, and that he sees a serious menace in the situation. He further indicated that if the Bureau will pay his expenses he will be perfectly willing to proceed to Washington to discuss this matter with you personally;

Director,

August 3, 1935.

otherwise, he will be glad to discuss it further with Agent Starr. The matter was left open to future contact inasmuch as Agent Starr informed Russell that this information would be transmitted direct to you and that thereafter Agent Starr would communicate with him.

A copy of this letter is being forwarded to the Washington Field office for Special Agent in Charge J. M. Keith, marked "Personal and Confidential".

No further action will be taken in this matter pending receipt of instructions from the Bureau.

Very truly yours,



R. WHITLEY,
Special Agent in Charge.

CC-Washington Field

RE:ARK

62-39128-14

August 29, 1935

RECORDED

~~PERSONAL & CONFIDENTIAL~~

Mr. R. Whitley,
Federal Bureau of Investigation,
U. S. Department of Justice,
370 Lexington Avenue, Room 1409,
New York, New York.

Dear Sir:

Reference is made to your personal and confidential letter of August 3, 1935 relating to the interview had by Special Agent George J. Starr with Major Charles E. Russell concerning the publication in the Detective Fiction Weekly magazine of May 4, 1935 of an article entitled "The 'X' Man", and to your letter of August 24, 1935 in the case entitled ALPHONSE CAPONE with aliases, et al, Conspiracy to Receive and Send Contraband out of the U. S. Penitentiary, Atlanta, Georgia.

It is desired that you arrange immediately to have Special Agent Starr conduct a further interview with Major Russell for the purpose of obtaining all information in his possession concerning both of these matters. I do not consider it necessary at the present time for Major Russell to proceed to Washington and discuss this matter with me.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
AUG 29 1935
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECEIVED
AUG 29 1935
[Handwritten signature]

Washington Field Office, Room 5252
Washington, D. C.

August 19, 1935.

Special Agent in Charge,
New York, N. Y.

RE: ALPHONSE CAPONE, with aliases, et al;
Conspiracy to Receive and Send
Contraband out of the United States
Penitentiary, Atlanta, Georgia.

Dear Sirs:

In connection with the above entitled investigation, attention is directed to the report submitted by Special Agent H. D. Traub, of this office, dated July 29, 1935. This office was advised today by the Nashville, Tennessee, office that the Sheriff at Kingsport, Tennessee, is holding Frank Guinan, parolee, 323 North Fulton Avenue, Baltimore, Maryland. Appropriate action has been taken by the Department whereby a parole warrant is being forwarded to the United States Marshal covering Kingsport, Tennessee, so that Guinan may be taken into custody.

Guinan was convicted for forging a money order and sentenced to serve three years in the United States Penitentiary at Atlanta, Georgia. It is possible that Guinan is the individual who delivered to Mr. H. W. Mickan, Executive Editor, Real Detective Stories, 444 Madison Avenue, New York City, a manuscript entitled "Biography of Al Capone's life in the United States Penitentiary", together with various newspaper clippings, photographs of purported inmates of the Atlanta Penitentiary, scenes of that institution, considerable correspondence and what are purported to be official records of that institution.

I am attaching hereto a photograph of Frank Guinan, Atlanta Penitentiary #42507, which you are kindly requested to exhibit to Mr. Mickan in an effort to establish the identity of the individual who left the above described data with him.

Very truly yours,

RECORDED

&

INDEXED
J. H. KLITH,

Special Agent in Charge.

FEDERAL BUREAU

AUG

FMH:DSS
cc Bureau
Nashville



AUG 21 1935

62-39128

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECEIVED
AUGUST 19 1935

To: COMMUNICATIONS SECTION.

Transmit the following message to:

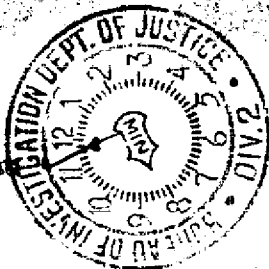
NASHVILLE

FRANK J. GUINAN PAROLE VIOLATOR DEPARTMENT FORWARDING PAROLE WARRANT TO APPROPRIATE US MARSHAL COVERING KINGSPOBT TENNESSEE ALSO WIRING SHERIFF TO HOLD IS WANTED AS PAROLE VIOLATOR FOR LEAVING BALTIMORE MARIAND WITHOUT PERMISSION WAS CONVICTED FOR FORGERY OF POSTOFFICE MONEY ORDER AND RECEIVED SENTENCE OF THREE YEARS ATLANTA PENITENTIARY IS SUSPECTED AS BEING WANTED IN CONNECTION WITH CASE ENTITLED ALPHONSE CAPONE VS REAL CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE US PENITENTIARY ATLANTA GEORGIA ORIGIN HERE AM FORWARDING PHOTOGRAPH GUINAN TO NEWYORK OFFICE IN ENDEAVOR MAKE IDENTIFICATION OF INDIVIDUAL THOUGHT TO BE GUINAN AND AUTHOR OF A MANUSCRIPT ENTITLED THE BIOGRAPHY OF AL CAPONE'S LIFE IN THE PENITENTIARY WHICH CONTAINS PHOTOGRAPHS OF PURPORTED INMATES OF THE US PENITENTIARY AT ATLANTA SCENES OF THAT INSTITUTION AND WHAT ARE PURPORTED TO BE OFFICIAL RECORDS OF THE PENITENTIARY THESE DATA LEFT WITH R E NICKAN EXECUTIVE EDITOR REAL DETECTIVE STORIES FOUR FOUR FOUR MADISON AVENUE NEW YORK CITY BY F BARRETT THREE TWO THREE NORTH FULTON AVENUE BALTIMORE MARIAND AT WHICH PLACE INVESTIGATION DISCLOSED NO ONE BY THAT NAME AS EVER RESIDING THERE BUT AS THE RESIDENCE OF GUINAN SUGGEST IMMEDIATE INTERVIEW WITH GUINAN CONCERNING HIS CONNECTIONS WITH ABOVE

See - 26-30397

KEITH FHM

cc Bureau
62-2696



AUG 21 1935 AM

RECORDED & INDEXED

AUG 27 1935

62-39128-16
FEDERAL BUREAU OF INVESTIGATION
AUG 19 1935
U. S. DEPARTMENT OF JUSTICE

cc.

SENT VIA _____

Washington Field Office, Room 5252
Washington, D. C.

August 20, 1935

Special Agent in Charge,
Nashville, Tenn.

ml
E
T

RE: ALFONSO CAPONE, with aliases,
P. I. ALIAS, STRONG P. ALIAS,
Conspiracy to Receive and Pass
Contraband out of the United States
Penitentiary, Atlanta, Georgia.

Dear Sir:

For your further information, in conducting investigation with reference to one Frank Guinas, who is being held by the Sheriff at Kingsport, Tennessee, as a parole violator, on June 29, 1935, the Bureau notified the Washington Field Office that on May 14, 1935, Mr. J. W. Mickan, Executive Editor, Real Detective Stories, 444 Madison Avenue, New York City, delivered to the New York Bureau office a manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", together with various newspaper clippings, photographs of purported inmates of the United States Penitentiary at Atlanta, scenes of that institution, considerable correspondence, and what are purported to be official records of the penitentiary. Mr. Mickan advised confidentially that these data had been left with him by a Mr. F. Barrett, of 323 North Fulton Avenue, Baltimore, Maryland, who had called to sell the manuscript, and that he, Mr. Mickan, was referring the matter to the Bureau for the reason that he believed that some of the papers were official records of the United States Penitentiary.

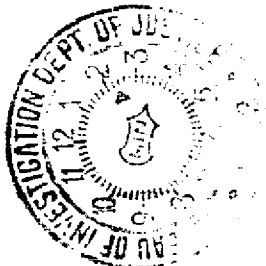
Photostatic copies of the manuscript and the accompanying data were submitted to the Department of Justice and a request has been received from the Assistant to the Attorney General, Mr. Stanley, that this material be considered in connection with the investigation being conducted by the Bureau in the above entitled case. Mr. Stanley has also requested information regarding the identity of the author of the manuscript.

Accordingly, it is requested that your office institute an immediate and discreet investigation regarding the antecedents and connections of Barrett. Three copies of reports in this matter should be furnished the Bureau."

RECORDED & INDEXED

AUG 27 1935

RECEIVED



62-39128-17	
FEDERAL BUREAU OF INVESTIGATION	
AUG 21 1935 A. M.	
U. S. DEPARTMENT OF JUSTICE	
FILE	

For your further information, investigation conducted by Special Agent M. L. Traub at Baltimore, Maryland, failed to locate anyone by the name of F. Barrett known or residing at 323 North Fulton Avenue, Baltimore, Maryland. This address was a rental home vacated by Mrs. Lillie Guinan, a widow and the mother of two children, Frank and Alfred. Investigation disclosed that Frank Guinan is an ex-convict, having served a term in the Atlanta Penitentiary. Discreetly interviewed, Mrs. Guinan stated that she never had anyone by the name of F. Barrett living at her house and that she had never heard of this person. She stated that her son Frank Guinan did not know of any such person. No further information of value was obtained.

As indicated in my telegram to you of yesterday a photograph of Frank Guinan, Atlanta #42507, has been transmitted to the New York Office to be exhibited to Mr. Mickam in an effort to ascertain whether or not Guinan is the individual who delivered the manuscript to him.

The file of the Washington Field Office does not reflect any other information which would be of value to you in conducting the investigation requested by telegram on August 19, 1935. Therefore, it is decided that you have an Agent interview Frank Guinan in an effort to establish whether or not he delivered the above described documents to Mr. Mickam.

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

FMH:DSS
62-2696
cc Bureau ✓
New York



Federal Bureau of Investigation

U. S. Department of Justice

Room 1403
370 Lexington Avenue
New York, N. Y.

Handwritten initials and a large 'X' mark.

Mr. Nathan	✓
Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Foxworth	.....
Mr. Harbo	.....
Mr. Joseph	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Scheidt	.....
Mr. Schilder	.....
Mr. Tamm	✓
Mr. Tracy	.....
Miss Gandy	.....

FEW:ML
62-5552

August 24, 1935.

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at Ninth Street, N. W.,
Washington, D. C.

RE: ALPHONSE CAPONE with aliases.
O. T. BISHOP. STEPHEN T. BROWN.
Conspiracy to Receive and Send
Contraband out of the United States
Penitentiary, Atlanta, Georgia.

Dear Sir:-

Reference is made to my personal and confidential letter to you dated August 3, 1935, relative to the investigative activity conducted by Special Agent George J. Starr of this office concerning article entitled "The 'X' Men" which appeared in the Detective Fiction Weekly Magazine published by the Frank A. Munsey Company of New York City, in the issue of May 4, 1935, in New York File No. 62-5556.

A review of this file and the above entitled matter indicates the possibility of Major Charles E. Russell having some knowledge concerning the U. S. Penitentiary matter. The letter of reference indicates that in addition to the article mentioned above, Major Russell has written a number of magazine articles and possibly books, relative to matters criminal and stated to Agent Starr that he had written the "inside story" of Al Capone at Capone's request, and from material furnished by Capone himself.

In view of Major Russell's interest in criminal activities, and alleged previous connection with Alphonse Capone, the Bureau is now being requested to consider the advisability of having Agent Starr again interview Major Russell for the purpose of determining whether he has any knowledge of the manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary" which was submitted to Mr. R. W. Mickam, Executive Editor, "Real Detective Stories", New York City, together with various newspaper clippings,

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7 5 441-6 11964

SEP 6 - 1935

Handwritten notes: "P. J. ... 129/357 ... 1935."

RECORDED

&
INDEXED

TOLSON


62-39128-18
FEDERAL BUREAU OF INVESTIGATION
AUG 26 1935

Director

August 24, 1935.

b7c
photographs of purported inmates of the United States Penitentiary at Atlanta, scenes of that institution, considerable correspondence, and what are purported to be official records of the Penitentiary. In the event Major Russell is questioned upon these points, it should also be determined whether he has any connection with [REDACTED], F. Barrett, and Frank Guinan, these three individuals having been mentioned in the above entitled matter.

Very truly yours,


R. WHITLEY,
Special Agent in Charge.

cc - Washington Field.

cc - N.Y. File No. 62-5556

RECEIVED

RECORDED

62-39128-18 August 29, 1935

~~PERSONAL & CONFIDENTIAL~~

Mr. E. Whitley,
Federal Bureau of Investigation,
U. S. Department of Justice,
970 Lexington Avenue, Room 1409,
New York, New York.

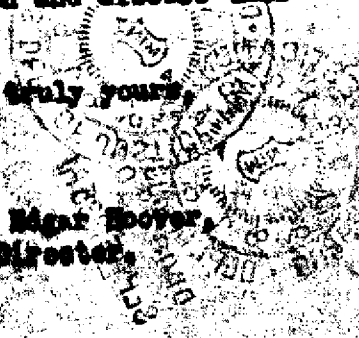
Dear Sir:

Reference is made to your personal and confidential letter of August 3, 1935 relating to the interview had by Special Agent George J. Starr with Major Charles E. Russell concerning the publication in the Detective Fiction Weekly magazine of May 4, 1935 of an article entitled "The 'X' Man", and to your letter of August 24, 1935 in the case entitled ALPHONSE CAPONE with aliases, et al, Conspiracy to Receive and Send Contraband out of the U. S. Penitentiary, Atlanta, Georgia.

It is desired that you arrange immediately to have Special Agent Starr conduct a further interview with Major Russell for the purpose of obtaining all information in his possession concerning both of these matters. I do not consider it necessary at the present time for Major Russell to proceed to Washington and discuss this matter with me.

Very truly yours,

John Edgar Hoover,
Director.



KRM

CLASS OF SERVICE DESIRED	
DOMESTIC	FOREIGN
TELEGRAM	FULL RATE CABLE
DAY LETTER	DEPT. RATED CABLE
NIGHT MESSAGE	NIGHT CABLE
NIGHT LETTER	WITTEL
SHIP RADIOGRAM	PARAGRAM

Please check class of service desired, otherwise message will be transmitted as a full-rate communication.



RECEIVER'S NUMBER 7m

CHECK

TIME FILED

STANDARD TIME

Form

Send the following message, subject to the terms on back hereof, which are hereby agreed to

NASHVILLE, TENNESSEE AUGUST 16, 1935 JEM

J. M. KEITH
 FEDERAL BUREAU OF INVESTIGATION
 U. S. DEPARTMENT OF JUSTICE
 8802 U. S. DEPARTMENT OF JUSTICE BUILDING
 WASHINGTON D. C.

SHERIFF KINGSPORT TENNESSEE HOLDING FRANK J. ~~WAGNER~~ PAROLE AND FUGITIVE
 AVENUE BALTIMORE MARYLAND ASCERTAIN IF WANTED BY PROBATION OFFICER BALTIMORE

OFFICIAL BUSINESS
 CHARGE GOVT. RATE
 508 MEDICAL ARTS BLDG.
 NASHVILLE, TENN.
 CC BUREAU



RECORDED & INDEXED

AUG 21 1935 A. M.

FEDERAL BUREAU OF INVESTIGATION
 U. S. DEPARTMENT OF JUSTICE

Smith 62-39128-19

FILE

See 26-80397

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

WASHINGTON DC
~~NEW YORK, NEW YORK~~

FILE NO. 62-42 MEM

REPORT MADE AT NASHVILLE TENNESSEE	DATE WHEN MADE 8-27-35	PERIOD FOR WHICH MADE 8-19-35	REPORT MADE BY THELTON E. ROSE
TITLE ALPHONSE GUINAN, with aliases; O. T. RISSER; STEPHEN T. BROWN.			CHARACTER OF CASE CONSPIRACY TO VIOLATE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS:

Guinan arrested by Deputy Sheriff, Kingsport, Tennessee, on August 16, 1935, charged with drunkenness. Guinan said he left Baltimore, Maryland, without permission of the parole officers. He denies having written a biography of Al Capone's life while in the Federal Penitentiary, or being involved in a conspiracy to receive and send contraband out of the Federal Penitentiary at Atlanta, Georgia. Guinan was arrested driving a 1934 four-door Plymouth Sedan, color, gummetal, motor # [redacted] serial # [redacted], New Jersey license # [redacted], property of [redacted], Atlantic City, New Jersey, but he had letters proving that he had permission to drive the car any place he so desired. Guinan being held for the United States Marshal.

- R U C -

REFERENCE

Letter from Washington Field dated August 30, 1935.

DETAILS

AT KINGSFORT TENNESSEE

Deputy Sheriff, George Pierce, Kingsport, Tennessee, advised that on August 16, 1935, he arrested Guinan on a charge of drunkenness and he later arrested his partner, Carl Crawford, on a similar charge; that Crawford was a known parole violator and was held for the United States Marshal and that he questioned Guinan about his criminal record. Guinan admitted he was sentenced to the Federal Penitentiary at Atlanta, Georgia, in 1933, for three years for violation of the postal laws.

Pierce stated that Guinan called his girl friend, [redacted] telephone number [redacted] residence [redacted]

APPROVED AND FORWARDED <i>W. A. Smith</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
COPIES OF THIS REPORT: 3 - Bureau 2 - New York 2 - Washington Field 2 - Nashville <i>copy removed for Mr. Ford 9/12/35</i>	62-39128-20 AUG 29 A.M.
	AUG 28 1935 SEP 3 1935

Atlantic City, New Jersey, and that he also called his brother, name and telephone number unknown, at Baltimore, Maryland. b7c

Pierce also advised he learned during the telephone call to Atlantic City that Guinan had permission from his girl friend to drive her four-door 1934 model Plymouth Sedan, color, gunmetal, motor [REDACTED] serial [REDACTED] New Jersey License [REDACTED]

Frank J. Guinan, who gave his address as 323 North Fulton Avenue, Baltimore, Maryland, advised that during January of 1933, he was sentenced by the Federal Judge at Roanoke, Virginia, to serve three years in the Federal Penitentiary for forgery of Post Office money orders; that in July of 1934 he received a parole and was instructed to report on the first of each month to the parole officer, Mr. Richard Eddy, Baltimore, Maryland. Guinan advised he reported to the parole officer as required, on August 1, 1938, and a few days later went to Atlantic City, New Jersey, to see his girl friend, [REDACTED]; that he visited her for a few days and proceeded to Buffalo, New York to seek employment at some steel mill which he heard was being constructed; that he remained in Buffalo for two nights and that on the second night he met Carl Crawford, another parolee, and that they decided to go to Kingsport, Tennessee, and from there he was going to Tampa, Florida, and arrange for his girl friend to open a beauty parlor there.

Guinan stated that he and his girl friend were planning to get married and he had permission to drive her Plymouth Sedan and he had letters in his possession establishing the fact that he had permission to drive the car, and he also had his girl friend's auto registration card.

Guinan stated he was formerly married to [REDACTED] but that when he was sent to the Federal Penitentiary at Atlanta, Georgia, his wife divorced him and the last he heard of her she was living at [REDACTED] Baltimore, Maryland, but since obtaining the divorce, she has moved to either [REDACTED] and he has not heard from her since the time she moved.

Guinan related that a short time after he arrived at the Federal Penitentiary, Atlanta, Georgia, he was assigned to duty in the office of the record clerk and his duties were to take dictation and write form letters for the signature of the record clerk and other officials at the penitentiary. A man by the name of Merriman was assigned to the record clerk's office and was assigned to take care of the files.

Guinan advised that while he was in the penitentiary, he wrote a small book, entitled "Remember Man" which consisted of about 150 pages, but that he was refused permission to have it printed until his sentence had been served. Guinan said his book contained no photographs or any reference to official records, because all this would be cut out when the

book was censored by the officials at the Penitentiary. According to Guinan's statement, no one is permitted to have a book or camera while they are in the penitentiary and no one is permitted to print anything about the official records and the officials make periodical inspections of all prisoner's books and personal effects.

Guinan denied writing anything about Al Capone or being a party to a conspiracy to receive and send contraband out of the Federal Penitentiary at Atlanta, and he further stated that all prisoners who had any connections with Capone while he was in the Penitentiary, either lost their good time or were placed in that part of the Penitentiary known as "the hole". Guinan said that the only thing he heard of Capone's having smuggled into the penitentiary was silk underwear and whisky.

After Guinan received his Parole during July of 1934, he was employed by his brother, Raymond Guinan, who operates a printing and stationery establishment at 217 West Franklin Street, Baltimore, Maryland, until March of 1935.

Guinan stated he has been in New York City, New York, several times but that he has not been there since 1929. He denies knowing R. E. Micken, executive editor of the Real Detective Stories, 444 Madison Avenue, New York City, New York, or F. Barrett, 323 North Fulton Avenue, Baltimore, Maryland. Guinan advised he has stayed at a rooming house on 37th Street, near Ninth Street, and at a rooming house on 191st Street near St. Nicholas Avenue, New York City, New York, but that he does not remember the names of the rooming houses nor the names of the persons in charge of them.

For the benefit of the Nashville Office a description of Guinan is included in this report, which was furnished by Guinan and taken from observation.

Name	Frank J. Guinan
Age	35 years (Born Dec. 19, 1900, at Baltimore Md.)
Height	5'7"
Weight	125 pounds
Build	Slender
Hair	Dark Brown
Eyes	Gray, or light blue
Complexion	Muddy, apparently he never wears a hat
Mustache or beard	Clean shaven
Teeth	Regular
Scars	None
Peccularities	None
Eyeglasses	None
Residence	323 North Fulton Avenue, Baltimore, Maryland
Occupation	Private Secretary & clerical work
Marital Status	Divorced
Race	White

Citizenship and nationality
Fingerprints

American
Fingerprinted at Federal Penitentiary, Atlanta, Georgia, 1935 & by PO Kingsport, Tenn on August 17, 1936

Police Number
Photographed

42307 Atlanta Penitentiary
Photographed at Federal Penitentiary, Atlanta, Georgia

Relatives

Father - dead
Mother - Mrs. Lillie Guinan, Mother, 325 No. Fulton Ave., Baltimore, Md.
Brothers- Edward Guinan, 51200 Oakford Ave. Baltimore, Maryland
Raymond Guinan, 428 East 22nd St. Baltimore, Maryland
Leo Guinan, 1020 Whitmore Ave., Baltimore, Md.
Albert Guinan, probably 323 North Fulton Ave. Baltimore, Md. b7c

Friends

[REDACTED]
[REDACTED] Mount Carmel, Pennsylvania
[REDACTED]
Claremont, California
[REDACTED]
Tampa, Florida
[REDACTED] Stovall Building, Tampa, Florida.

Education

2 years high school. Business college

Criminal Record

Sentenced January, 1935, by Federal Judge Roanoke, Virginia, to Federal Penitentiary, Atlanta, Georgia, for 3 years, for forgery of Post Office Money Orders. Received a parole July, 1934.

Guinan claims that the property of 323 North Fulton Avenue, Baltimore, Maryland, is the property of his mother, Lillie Guinan, and that it is an apartment house.

Guinan is being held by the Sheriff of Sullivan County at Kingsport, Tennessee, for the United States Marshal.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

R

Bureau of Investigation
U. S. Department of Justice
Room 1403
370 Lexington Avenue
New York City

GJS:EL
62-5552

September 10, 1935

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at 9th Street, NW,
Washington, D. C.

Re: ALPHONSE CAPONE, with aliases, et al.
CONSPIRACY TO RECEIVE AND SEND
CONTRABAND OUT OF THE UNITED STATES
PENITENTIARY, ATLANTA, GEORGIA.

Dear Sir:

Reference is made to the letter from this office to the Bureau, dated August 24, 1935, and the reply thereto which was contained in personal and confidential letter from the Director dated August 29, 1935.

In accordance with the instructions contained in the Bureau letter, Special Agent George J. Starr of this office interviewed Major Charles E. Russell regarding the above matter. Major Russell stated that he was not the author of the article which was submitted to Real Detective Stories entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary," supposed to have been written by F. Barrett, Baltimore, Md. The name of Barrett was mentioned, but brought no response or reaction from Major Russell, who apparently was not at all familiar with the name. He could offer no information as to who might write an article of that nature, but expressed the belief that it might be an article more or less concocted by someone having some superficial knowledge of the general situation.

RECORDED & INDEXED

Very truly yours,
62-39128-21

SEP. 11 1935 P.M.

R. WHITLEY,
Special Agent in Charge.

cc: Washington Field
Nashville

SEP 13 1935

TOLSON

AMM

SCHREIBER

Handwritten:
Detective
Fitzgerald
H
W

FEDERAL BUREAU OF INVESTIGATION

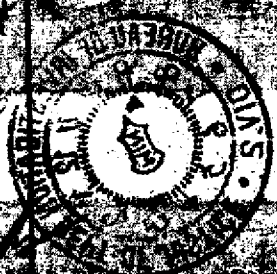
TITLE

REPORT MADE AT
DATE OF REPORT

ATTACHMENTS

SYNOPSIS OF FACTS

R. W. Micham, editor, of the individual, representing himself as F. Barrett, deposited Capone manuscript with him, which Micham later turned over to Carl Brant, literary agent. He returned the same to Barrett. Micham and three employees failed to identify photographs of [redacted] and Frank Wilson. Correspondence from Barrett to Micham set out herein.



REFERENCE

Letter from Washington Field Office to New York Office dated August 23, 1933, and letter from Bureau to Washington Field Office, dated June 29, 1933.

DETAILS

The writer interviewed R. W. Micham, Editor, "Real Detective Story Magazine", 414 Madison Avenue, New York City, who stated that a person, representing himself as F. Barrett, of 323 North Fulton Avenue, Baltimore, Maryland, in May, 1933, called upon him at his office and delivered to him a manuscript entitled "Biography of Al Capone's Life in the Atlanta Penitentiary", together with various newspaper clippings, photographs of purported inmates of the United

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APPROVED AND FORWARDED:

R. White
SPECIAL AGENT IN CHARGE

62-39128-22

RECORDED AND INDEXED
SEP 25 1933

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- 2 - New York

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OCT 6 1934

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

CHECKED OFF
OCT 14 1933

JACKETED:

ROUTED TO: FILE

States Penitentiary at Atlanta, scenes of that institution, considerable correspondence, and what were purported to be official records of the penitentiary. The second letter of reference indicated that Mr. Mickam turned all this material over to this office and the same was forwarded to the Department of Justice.

According to Mickam, on Barrett's last day at his office he, Mickam, was out and the manuscript was left with his secretary, Ruth [redacted], who was [redacted] with Mickam. Barrett later came to the office of Mickam, and both Mickam and Miss Silverman [redacted] Barrett, as follows:

Name:	<u>F. BARRETT</u>
Age:	About 38 years
Height:	5' 7"
Weight:	Unknown
Hair:	Straight, brown
Eyes:	Unknown
Build:	Slight
Complexion:	Tan
Features:	Boyish, weak-looking face.
Residence:	523 North Fulton Avenue, Baltimore, Md.

Mickam said that he had very little conversation with Barrett and told him to leave the manuscript with him and that he would read the same over and notify him of his decision concerning the same at the Fulton Avenue address in Baltimore, Md. At this time, Barrett said that it was necessary to keep the matter entirely confidential as he was violating his parole from the Atlanta Penitentiary.

Mickam informed that after he received the manuscript back from the Department of Justice, he sent the same to Carl Brandt, Ashland 4-5690, a literary agent, who, after he read the same, informed Mickam that he could not possibly use it and returned it by insured express to F. Barrett, 523 North Fulton Avenue, Baltimore, Md. Brandt advised that he had never seen the man alleged to be Barrett, and had not entered into any correspondence with him. He did say that the manuscript was shipped by insured express on June 26, 1935, collect, and that the same had not been returned to him undelivered. Mickam also stated that he believed Barrett had called him on the long distance telephone on one occasion from Baltimore, concerning the sale of the manuscript.

42-1534

The writer exhibited the photographs [redacted] believed to be F. Barrett, and the photographs of Frank Quinn to Mr. Nickam, Miss Silverman and two other girls employed by Mr. Nickam. None of these individuals could identify the subject of either photograph as being the individual who presented the manuscript to Mr. Nickam. Mr. Nickam's file disclosed three letters from F. Barrett, which are being set out in full below, the first two of which are typewritten, and the third being written in long-hand:

Baltimore, Md.
April 29, 1935.

Real Detective Story Magazine,
444 Madison Avenue,
New York City.

Attention: Secretary to
Mr. R. W. Mickam, Editor.

Dear Sirs:

Friday noon, April 26th, 1935, I called on Mr. Mickam with a manuscript entitled "Biography of Al Capone's Life in the Atlanta Penitentiary", and being advised Mr. Mickam was out of the city, and you were not expected back before an hour, I took the liberty to place the manuscript and records and photographs, etc. with the young lady with whom I conversed regarding the possibility of the story's acceptance by Real Detective Story Magazine. At that time I informed her it was compulsory I return to Baltimore before the following day, in order that I may make my parole report in person, and for that reason could not remain, since I was depending chiefly on free transportation home.

In order that you may better comprehend the story I give you a brief outline of its origin. While incarcerated in Atlanta I was secretary to the Record Clerk. In such position I had access to all correspondence and records, and was cognizant of every incident that occurred within the walls, not alone concerning Capone, but confidential matters between the prison and the Department of Justice in Washington. Recognizing my position Capone bid for and obtained my services as his prison secretary, even purchasing and giving to me a typewriter to use in the evenings with which to do his correspondence. Naturally, I was aware of every thought and

feeling that was not with me
 success, but in the
 disagree with me concerning
 ceive of the time. I have
 I have seen the

The story is a fabrication, however, it
 is no fabrication whatsoever. Significant incidents,
 of course, have been omitted. The story as given is
 detail his daily life, his aspirations and so on. No
 significant occurrence has been overlooked, since I
 made it my duty to code all incidents and "bits" them
 out to a place where I could obtain them upon my re-
 lease, knowing as I did that John would not consent to
 Al's wishes so far as remuneration was concerned.

Any question you desire answered I shall be
 glad to answer. Of course, I am still on parole and as
 a parolee forbidden to write of the institution, its
 inmates or officials. To wait until my parole expires
 may be too late to be of interest to the public since
 Al is due to go before the Parole Board in September.
 The article by Hearst (Barletta Collier) left with you
 is a paid article and a gross fabrication, which the
 manuscript proves false. The desire to sell this infor-
 mation arises from the fact that employment is out of the
 question. If it is worth anything to you - I shall be
 glad to discuss it either personally or by mail.

Very truly yours,

323 N. Fulton Avenue

F. Barrett

Baltimore, Md.
 May 10, 1935.

Mr. R. W. Mickam,
 Editor, REAL DETECTIVE STORY MAGAZINE,
 444 Madison Avenue,
 New York City,

Dear Mr. Mickam:

I trust you have had an opportunity to read the

names, and generally, what I told you in my
letter, and also, to examine the records, photos,
graphs and other paraphernalia, and to see
I am quite anxious to dispose of this biography,
and taking into consideration the fact that Spence
is now preparing his application for parole, I do not
think a better opportunity - so far as public interest
is concerned - will arise. It was necessary I
telephone in order that I might make arrangements re-
garding an appointment in New York, which appointment,
of course, is for the discussion of the sale of the
story. I have every confidence in your magazine, and
sincerely believe - and have been definitely informed -
that it would be to the financial advantage of any
publisher to run the story as it is. This, of course,
is entirely up to the purchaser. He may alter or re-
vise it as he sees fit, excepting, of course, falsify-
ing facts. Such revision of facts would naturally tend
to cheapen the authenticity of the biography, and it
now is absolutely and entirely true.

So in conclusion I would suggest you inform me
as early as you conveniently can just what your opinion
is - whether you can or cannot use the material. The
question of its being obtained should be a concern of
mine, and being a parolee and not desirous of inflict-
ing unnecessary punishment on myself, I do not fear the
consequence of its publication since there is no proof
as to how it was conveyed from the institution at
Atlanta.

Please be kind enough to write me the early part
of the week, for which consideration I thank you.

Very truly yours,

323 N. Fulton Avenue

F. Barrett.

62-5582

Baltimore, Md.
May 1938

Dear Mr. Mickam:

Having made several round trips on my long distance rail several weeks ago, and wishing to avoid unnecessary delay in disposing of my manuscript left with you (Biography of Al Capone's Life in the Atlanta Penitentiary) I would greatly appreciate an expression from you before June 1st, 1938. I make this request because I have two prospective purchasers, and they have my word that I will have the manuscript and records in their hands about June 1st, else I fail to sell it to either.

Any remarks will be timely, and since the manuscript and records have been in your possession more than a month, I feel you must have reached a conclusion concerning your desire in the matter.

Please write what I may know by the date mentioned just what course I must take in the event you do not find the article suitable for your publication.

Very truly,

F. Barrett

323 N. Fulton Ave.

Mr. Mickam was reluctant to part with these letters, but it is believed that he will furnish the originals to this office to be photostated if the Bureau requests the same.

UNDEVELOPED LEAD: WASHINGTON FIELD OFFICE.

At Baltimore, Md., will contact the express agency to ascertain the facts of the receipt by F. Barrett, 323 North Fulton Avenue, of the manuscript which was forwarded to him via

62-2000
insured express, collect, on or about [redacted]
Brandt, the literary agent, New York City, [redacted]
locate Barrett.

At Baltimore, MD, will contact the [redacted] office
for all information relative to Barrett, [redacted]
[redacted] and his present whereabouts. Inasmuch as the letter
dated April 29, 1936 set out above, states that F. Barrett was then
on parole.

-REFERRED UPON COMPLETION TO OFFICE OF ORIGIN-

Bureau of Investigation
U. S. Department of Justice
Room 1403
370 Lexington Avenue
New York City

Mr. Nathan	X
Mr. Tolson	X
Mr. Baughman	
Chief Clerk	
Mr. Clegg	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Foxworth	
Mr. Harbo	X
Mr. Joseph	X
Mr. Keith	
Mr. Lester	X
Mr. Quinn	X
Mr. Scheidt	
Mr. Schilder	
Mr. Tamm	X
Mr. Tracy	X
Miss Gandy	

GJS:EL
62-5556 OCT 4 1935

September 10, 1935

PERSONAL AND CONFIDENTIAL

RECORDED

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at 9th Street, NW
Washington, D. C.

62-39128-23

FEDERAL BUREAU OF INVESTIGATION

OCT 3 1935 A.M.

U. S. DEPARTMENT OF JUSTICE

Re: Article Entitled "The ~~OK~~ Men",
Detective Fiction Weekly. FIL

TOLSON
JOSEPH
FOUR
TAMM

Dear Sir:

Reference is made to letter from this office dated August 3, 1935, and Bureau reply thereto contained in personal and confidential letter from the Director dated August 29, 1935. Major Charles E. Russell was interviewed by Special Agent George J. Starr of this office, and furnished to Agent Starr information to the effect that the present headquarters of the so-called "Capone Syndicate", controlling racketeering in the Middle West and East, is located in Brooklyn, N. Y., near the Brooklyn Navy Yard.

He made a rough diagram showing the Lane Democratic Club on York Street, and stated that this is a hangout for some of the minor members of the organization; that two of the so-called "big shots" live on York Street; one of them, known to him as "Mike", lives on the same side of the street as the Lane Democratic Club is located and a block or so south, while another one, known to him as "Charlie", lives on the opposite side of the street some distance north of the location of the Lane Democratic Club. The Lane Democratic Club is located at about the middle of the block, and according to Major Russell, the actual headquarters of the Syndicate is located in the premises occupied by an ice cream parlor on either one of the two streets between which the Lane Democratic Club is located and at the corner of the street east of Sands Street and parallel thereto. He stated that this location would be identified by the fact that diagonally across the street, in the middle of the block, would be found an Italian restaurant run by an individual who is supposed to be a Count. Major Russell also stated that a favorite hangout for these people is in a grill or cafe, the name of which is the "Seashell" or some similar name.

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9 8 OCT - 6 1964

Director
62-5556
9-10-35

Special Agents Starr and Bryan Farrell of this office drove through the territory included in Major Russell's description for the purpose of checking whether or not there is any indication of the accuracy of the addresses furnished. The agents found that the Lane Democratic Club is located at 200 York Street, telephone, Cumberland 6-9576, and it is situated between Gold and Charles Streets. The agents then drove along Gold Street, and at the corner of Gold and Nassau Streets found the Nassau Ice Cream Parlor. Nassau Street continues on into the Bridge Plaza, and located next to the ice cream parlor are some very well-built garages. Both of these facts corroborate what was mentioned by Major Russell in endeavoring to designate the exact location to Agent Starr. The Italian restaurant, however, which was supposed to be located diagonally across the street, was not observed by the agents. Following the street around the Navy Yard wall, agents found that the Sea Grill was located in approximately the location described by Major Russell, at the corner of North Elliott Street and Flushing Avenue.

As to the operations of these people, Major Russell stated that as far as he knows, these men do not themselves participate in any activities such as handling "hot" bonds or jewelry or operating any vice or gambling establishments. They do, however, completely control the so-called "protection" racket. They have divided the entire Middle West and East into districts, and the City of New York is also divided into districts, and the people operating in the various criminal activities in these districts do so with the permission of the Syndicate and in accordance with the dictates of the Syndicate. Disputes between various operators of illegal activities in the districts, or disputes between contiguous districts are settled by this Syndicate, and practically daily meetings are held by the heads of the Syndicate in the premises in which the above-mentioned ice cream parlor is located. It is impossible to operate any of the profitable rackets without the sanction of this Syndicate, and the revenue of the Syndicate is derived from the cut which it takes on all revenue from such activities.

Major Russell states that the members of the Syndicate have no trouble getting things which they want. For example, he mentioned in confidence that when he expressed a desire to obtain a nice fox neck piece for his daughter, he obtained one through one of the members of this Syndicate for an amount far below its actual value. More recently, he states, he was approached by a certain Sheriff of New Jersey, whose name he did not disclose, but

Director
62-5556
9-10-35

who is about sixty-five years of age and is shortly to be married, who desired to obtain a diamond bracelet for his intended bride, stating that he would like to get something worth about \$10,000 and would pay therefor about \$2,500. Major Russell states that he spoke to one of the members of the Syndicate, possibly either Mike or Charlie, and was told that the word would be sent out that such an article was wanted, and that as soon as it was available, it would be delivered to Major Russell. The latter states, however, that he informed them that he had no desire to handle the article and that when the article was obtained, if they notified him, he would bring their representative to the prospective purchaser or vice versa.

Agent inquired further of Major Russell whether or not he had any information to indicate that this Syndicate actually handled any "hot" bonds or securities at the premises where they have their headquarters, and he stated that they did not. Continuing along this line of conversation, however, he stated that somewhere on [REDACTED] in New York City, is located a detective agency operated by a man named [REDACTED], who claims to have some very good contacts and supposedly does some work for the Standard Oil and Vacuum Oil Companies. One of his employees or associates is a man named [REDACTED], commonly known as [REDACTED]. This [REDACTED], according to Major Russell, has approached him on three different occasions regarding the possibility of disposing of some "hot" bonds or securities. However, Major Russell states he never went into any details of the matter, has absolutely no knowledge of the nature of the securities of which this man was trying to dispose, and does not know whether all three conversations pertained to the same lot of securities or whether these were three different transactions. b7c

With reference to the financial activities of the Syndicate, Major Russell stated that the Syndicate is at the present time financing the construction of a large, glass-enclosed club or cafe, which is to be located on the bottom of the ocean somewhere near Miami, Fla., where the guests will be surrounded by marine life visible through the glass walls while they partake of refreshment, amusement and entertainment inside the glass-enclosed night club.

Agent Starr noted two discrepancies in the information furnished by Major Russell. He stated that there were

Director
62-5556
9-10-35

unlisted telephones in the premises occupied by the ice cream parlor, which premises served as headquarters for the Syndicate. This is not substantiated by the Brooklyn Address Telephone Directory.

During the previous interview, Major Russell stated to Agent Starr that after he had written the life of Capone, upon the latter's instructions, for the purpose of clearing up in the minds of the underworld and Capone's friends and enemies the reason for the scar on Capone's face, Capone sent to him by one of his henchmen an envelope which presumably, according to Major Russell, contained money to compensate him for having written the article. He stated, however, that he declined to accept this envelope, as he had been adequately compensated when he sold the story to the press. During the course of the more recent interview, passing reference was made to this incident, and on this occasion Major Russell stated that the envelope contained, as he termed it, "ten grand", meaning, of course, \$10,000. In connection with the above discrepancy, Agent Starr states that during the previous interview, it was made very clear by Major Russell that he had not seen the contents of the letter; therefore, could only presume that it contained money.

Major Russell promised to get in touch with Agent Starr at a future date in the event that he picked up any further information. The agent states that Major Russell appeared to be slightly disappointed that he had not been invited to Washington to be interviewed there or possibly here by the Director, although he stated to the agent that he was quite willing to discuss these matters with the agent, for the reason that he has known the agent for a number of years.

It is Major Russell's opinion that it will take a very clever agent to work in with these people, but that possibly it could be done by someone who looked the part and who could hang around the Sea Grill. He also suggested the possibility of taps on the telephones located in the premises where the ice cream parlor is.

No further investigation is being undertaken with reference to the activities of the Syndicate described by Major Russell, pending receipt of instructions from the Bureau.

A copy of this letter is being forwarded to the Washington Field Office for the attention of Special Agent in Charge J. M. Keith, marked Personal and Confidential.

Very truly yours,

R. Whitley
R. WHITLEY,

Special Agent in Charge.

cc: Washington Field

Room 1403,
370 Lexington Avenue,
New York, N. Y.

October 14, 1936

W
S
SIX:CM
62-28933

Special Agent in Charge,
Washington, D. C.

RE: ALPHONSE CAPORE, et al.
CONSPIRACY TO RECEIVE AND SEND
CONTRABAND OUT OF THE UNITED
STATES PENITENTIARY, ATLANTA, GA.

Dear Sir:

Reference is made to the report of Special Agent
F. E. Wright dated at New York City, September 23, 1936, in
the above entitled matter, relative to the correspondence re-
ceived from F. Barrett by R. E. Mickan, Editor, "Real Detective
Story Magazine", 444 Madison Avenue, New York City.

There are forwarded herewith photostatic copies of
the three original pieces of correspondence received by Mr.
Mickan from F. Barrett, copies of which are being retained in
the New York file of this case.

Very truly yours,

R. WHITLEY
Special Agent in Charge

cc-Bureau

3 Enclosures

39128

62-28933-	
FEDERAL BUREAU OF INVESTIGATION	
OCT 15 1936 A.M.	
U. S. DEPARTMENT OF JUSTICE	
TWO	FILE

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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) _____ with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

1 Page(s) referred for consultation to the following government agency(ies); Bureau of Prisons as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-39128-24

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

October 19, 1935.

- Mr. Nathan
- Mr. Tolson
- Mr. Baughm
- Chief Clerk
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Foxworth
- Mr. Harbo
- Mr. Joseph
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Schilder
- Mr. Tamm
- Mr. Tracy

MEMORANDUM FOR THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Gruvich

I have the report of Agent F.E. Wright relative *source 67*
to the conspiracy to receive and send contraband out of
the United States Penitentiary at Atlanta, Georgia
and the manuscript purporting to be the story of Al
Capone's life in the Atlanta Penitentiary. I hope
you will be able to locate the authors of this manuscript.

Sanford Bates
Director.

RECORDED

NOV 14 1935

*Letter filed
Wright
11/3/35
EJH*

62-39128-24
FEDERAL BUREAU OF INVESTIGATION
NOV 9 1935 A.M.
U. S. DEPARTMENT OF JUSTICE
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WDC

November 11, 1935

~~62-3912-69~~
62-3912-8-24

RECORDED

Special Agent in Charge,
Baltimore, Md.

RE: ALFONSE CAPONE with aliases,
et al; Conspiracy to Receive
and Send Contraband out of the
United States Penitentiary,
Atlanta, Georgia

Dear Sir:

Reference is made to the report of Special Agent
F. E. Wright, dated at New York City September 23, 1935,
which sets out leads for your office requesting certain in-
vestigation at Baltimore, Maryland.

The Bureau desires that these leads be given ex-
peditions and vigorous attention in an effort to locate F.
Barrett, the supposed author of the manuscript concerning
Al Capone.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
NOV 13 1935
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

DIRECTOR

NOV 13 1935

Handwritten signature

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

EFE:ER
62-39128
3:00 P.M.

December 18, 1935.

MEMORANDUM FOR MR. TAMM

Re: ALPHONSE CAPONE with aliases, et al; Conspiracy to Receive and Send Contraband out of the United States Penitentiary, Atlanta, Georgia.

During a telephonic conversation with Mr. Hickey, Acting Special Agent in Charge of the Washington Field Office, in connection with another matter, I inquired of him as to the progress that was being made in the above-entitled case and as to whether Agent Traub, who is working on the case in Baltimore, Maryland, has been successful in locating the author of the manuscript concerning Alphonse Capone's life in the Atlanta Penitentiary.

Mr. Hickey stated he had received no report from Agent Traub on this case recently but that he believes Traub is still endeavoring to locate the author. I informed him that the Bureau is anxious to complete this investigation at an early date. Mr. Hickey stated that he would make a notation thereof and would instruct Agent Traub to give same early attention.

Respectfully,

E. F. Enrich

E. F. Enrich.

RECORDED
&
INDEXED

DEC 21 1935

62-39128-25	
FEDERAL BUREAU OF INVESTIGATION	
DEC 20 1935 P.M.	
U. S. DEPARTMENT OF JUSTICE	
TAMM	FILE

62-2696.

ALPHONSE GAPONZ, W.A., ET AL.
CONSPIRACY TO RECEIVE AND SEND
CONTRABAND OUT OF THE U. S.
PENITENTIARY, ATLANTA, GA.

It is not felt that this case has received the attention it should receive. There are leads outstanding in the reports of 7/29/35 and 9/23/35, which have not been covered or reported on. Your attention is directed to Bureau letter dated November 13th, asking that you give this case expeditious attention.

This case will be followed up with Agent Troub, and he will be instructed to give it preferred attention.



INDEXED

MW

Washington Field Office,
Inspector J. S. Egan.
December 30, 1935.

62-39128	
FEDERAL BUREAU OF INVESTIGATION	
JAN 7 1936	
TWO <i>QE</i>	FILE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **WASHINGTON, D. C.**

FILE NO. **62-2696**

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE 1/4/36	PERIOD FOR WHICH MADE 11/16-12/23/35	REPORT MADE BY E. W. TRAPP
TITLE ALPHONSE CAPOE, with aliases, et al;		CHARACTER OF CASE CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GA.	

SYNOPSIS OF FACTS:

Railway Express Agency unable to locate record of shipment for **F. Barrett**, 323 N. Fulton Avenue, Baltimore, Md. about June 26, 1935. U. S. Probation Officer interviewed **Frank J. Guinan**, a prisoner in the Atlanta Penitentiary wrote story "Remember Me" and furnishes specimen of Guinan's handwriting which is quite similar to writing of **F. Barrett**. Guinan's residence is 323 N. Fulton Avenue also. **F. Barrett** thought to be alias of **Frank J. Guinan**.

- P -

REFERENCE:

Report of Special Agent **F. E. Wright**, New York City, dated 9/23/35 and Bureau letter dated 11/13/35.

DETAILS:

AT BALTIMORE, MARYLAND:

A thorough search of the records of the Railway Express Agency, Baltimore, Maryland was made by **Mr. J. B. McLaughlin**, Chief Clerk, but no record could be found of an express shipment or parcel on or about June 26, 1935 from **Carl Brant** in New York City to **F. Barrett**, 323 N. Fulton Avenue, Baltimore, Maryland. **Mr. McLaughlin** stated that no accurate record is kept by his office of incoming shipments and that it is quite possible that a shipment may come through without a record of the same being kept at his office.

Agent interviewed **Mr. Richard Eddy**, U. S. Probation Officer at Baltimore, who personally knows **Frank J. Guinan**, who is a prisoner in the U. S. Penitentiary at Atlanta, Georgia; **Mr. Eddy** states **Guinan** has informed him of

<p>APPROVED AND FORWARDED: <i>[Signature]</i></p> <p>COPIES OF THIS REPORT</p> <ul style="list-style-type: none"> 2 - Bureau 2 - Atlanta 2 - New York 2 - Washington Field <p>COPIES DESTROYED</p> <p>98 OCT 6 11964</p>	<p style="text-align: center;">DO NOT WRITE IN THESE SPACES</p> <p style="font-size: 2em; text-align: center;">62-39128-26</p> <p style="font-size: 1.5em; text-align: center;">JAN 7 - A.M.</p> <p style="text-align: right;">JAN 7 1936</p> <p style="text-align: right;">JAN 10 1936</p> <p style="text-align: center;"><i>[Signature]</i> STAT. SECT.</p>
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writing a story "Remember Men", and that while Guinan was a prisoner in the Atlanta Penitentiary (prior to his parole) was a stenographer or secretary to the record clerk of the institution, handling considerable prison correspondence. He states Guinan was paroled and came to Baltimore for a while and lived with his mother, Mrs. Lillie Guinan, 323 N. Fulton Avenue. Guinan was associating with one Carl Crawford, also an ex-convict and probable parole violator from another district. He states that when Frank J. Guinan and Carl Crawford were arrested at Kingsport, Tennessee, they were both held for the U. S. Marshal, and that both Guinan and Crawford were returned to the Penitentiary. He states that Guinan went to the Atlanta Penitentiary, but that he is not certain what prison Crawford was sent to, and that he is not sure that Crawford was the prisoner's correct name. Guinan wrote Mr. Eddy from the Kingsport City Jail on several occasions, blaming Carl Crawford in being instrumental with causing his arrest.

Mr. Eddy was of the opinion that F. Barrett was an alias of Frank J. Guinan, since the duties of "F. Barrett" as described in his letter to the Real Detective Story Magazine, dated April 29, 1935 stating in portion:

"In order that you may better comprehend the story I give you a brief outline of its origin. While incarcerated in Atlanta I was secretary to the Record Clerk. In such position I had access to all correspondence and records and was cognizant of every incident that occurred within the walls, not alone concerning Capone, but confidential matters between the prison and the Department of Justice in Washington".

Mr. Eddy states that the duties of Frank J. Guinan when in the Atlanta Penitentiary were reported to be stenographer or secretary to the Record Clerk; that Frank J. Guinan made his home after his release at 323 N. Fulton Avenue, Baltimore, Maryland, where his mother still resides.

Mr. Eddy furnished Agent with six pages of a letter written by Frank J. Guinan to him from the Kingsport City Jail, Kingsport, Tennessee and the writing of Guinan is quite similar to the letter written by "F. Barrett" on May 27, 1935. A photostatic copy of this and other letters written by "F. Barrett" were forwarded to the Washington Field Office by the New York Office on 10/14/36. The letters with the exception of the one written on May 27, 1935 were forwarded.

The Washington Field Office is requesting the Laboratory to make an examination of the letter written by F. Barrett on May 27, 1935 to the Real Detective Story Magazine in New York, and the letter of Frank J. Guinan to U. S. Probation Officer Eddy at Baltimore be examined for the purpose of ascertaining whether Guinan wrote the letter signed F. Barrett. Since the writing of Guinan and Barrett look quite similar, and both of these persons

are reported to have lived at the same address in Baltimore, and both persons are reported to have written stories and occupied similar positions in the Atlanta Penitentiary in the Record Office, this examination appears necessary.

For the information of the Atlanta Office, not receiving previous reports in this matter; Sometime in May, 1935, one "F. Barrett" called at the Real Detective Story Magazine, 444 Madison Avenue, New York City, offering to sell a manuscript entitled "Biography of Al Capone's Life in the Atlanta Penitentiary", supporting the same with newspaper clippings, photographs of inmates of the penitentiary, scenes of the institution, correspondence, and what appeared to be official records of the penitentiary. "F. Barrett" gave his address as 323 N. Fulton Avenue, Baltimore, Maryland, and wrote letters supposedly from the Baltimore address to the publishers in New York. The manuscript was returned to "F. Barrett" supposedly by the express company. Investigation at the Fulton Street address in Baltimore was made, and this was found to be the residence of Frank J. Guinan, now in the Atlanta Penitentiary. No "F. Barrett" could be found to have ever lived here. Guinan, who was on parole from the Atlanta Penitentiary, was later arrested at Kingsport, Tennessee, with one Carl Crawford. Both were held for the U. S. Marshal. Guinan was returned to the Atlanta Penitentiary. Crawford's place of confinement is also thought to be the Atlanta Penitentiary.

A comparison of the description of F. Barrett, set forth in report of Special Agent F. E. Wright of the New York Office dated 9/23/35, and with the description of Frank J. Guinan in report of Agent Truett E. Rowe, Nashville Tennessee, dated 8/27/35 appears close. They are as follows:

	<u>F. Barrett.</u>	<u>Frank J. Guinan.</u>
Age	- 38	35
Height	- 5'7	5'7
Weight	- Unknown	125
Hair	- Straight, brown.	Dark brown
Eyes	- Unknown	Gray or light blue
Build	- Slight	Slender
Complexion	- Tan	Buddy
Features	- Boyish, weak-looking face	Clean shaven
Residence	- 323 N. Fulton Avenue, Balto., Md.	323 N. Fulton Ave., Balto. !

Efforts will be made to obtain a recent photograph of Guinan from the Atlanta Penitentiary, also a photograph of Carl Crawford, in order that the same may be submitted to the Real Detective Story Magazine by the New York Office to learn whether Guinan was the person who presented the manuscript, or whether he sent Carl Crawford into the offices of the editor of the publication.

Agent conducted further discreet inquiry in the vicinity of 325 N. Fulton Avenue, Baltimore, Maryland which is the address of Mrs. Lillie Guinan, mother of Frank J. Guinan, but no information could be ascertained as to "F. Barrett".

UNDEVELOPED LEADS:

Atlanta Office:

Will interview Frank J. Guinan at the Atlanta Penitentiary. (Investigation should be held in abeyance until laboratory report is received.) In any event, Guinan should be questioned as to the identity of "F. Barrett" who received mail at his Baltimore residence. Should Guinan admit he is Barrett, ascertain disposition of manuscript and documents referred to above. Question Guinan as to the identity of Carl Crawford, and whether Crawford roomed with him at the Fulton Street address in Baltimore. Obtain recent photograph of Guinan, and also of Crawford, if available, sending same to New York Office.

New York Office:

Upon receipt of photographs from the Atlanta Office of Frank J. Guinan and Carl Crawford will exhibit the same to the proper persons at the Real Detective Story Magazine, 444 Madison Avenue, New York City.

- PENDING -

Division of Investigation
U. S. Department of Justice
Washington Field Office, Room 5252,
Washington, D. C.

January 7, 1936.

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at 9th St. N. W.,
Washington, D. C.

Dear Sir:

RE: ALPHONSE CAPONE, with aliases,
et al. CONSPIRACY TO RECEIVE
AND SEND CONTRABAND OUT OF THE
UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

There is enclosed herewith a six page letter written by one Frank J. Guinan, a Federal prisoner, to Mr. Richard Ledy, U. S. Probation Officer at Baltimore, Maryland. A photostatic copy of another letter, written by one F. Barrett to a Mr. Mickman of the Real Detective Story Magazine, dated May 27, 1935 is also enclosed. It is requested that an examination be made of these letters for the purpose of ascertaining whether they were written by the same person.

Very truly yours,

J. M. Keith
J. M. KEITH, A.
Special Agent in Charge.

MDT:TC
1 Enc.
62-2696

RECORDED
&
INDEXED

62-39128-27
FEDERAL BUREAU OF INVESTIGATION
JAN 9 1936

Copy and Specimens Retained in Laboratory

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Bickerman
in copy

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

7615

Laboratory Report

Case: Re: ALPHONSE CAPONE, with aliases, et al. Number: 62-59128-27
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

Specimens:
62-59128-27-A One photostatic copy of a letter to a Mr. Mickman beginning,
"Having heard nothing from you since my ..."
B One six page letter to Mr. Eddy from a Frank J. Guinan
beginning, "I do not yet feel quite well enough to make ..."

Examination requested by: Washington Field Office, Washington, D. C.

chp 1-9-36 1:25 P.M.

Date received:

Examination requested: Document

Result of examination: Identical Examination by: Major (2)

? - I fear make I Barrett that
Known - dear make I not rem h
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Known - empty e re a before BB
? - y then eds and man Ca
Known - next lower read needed man n Carl b
? - I I's my sh oo
Known - I large o sh oo
both small in sh oo

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

1-14

7613

Laboratory Report

Case: Re: ALPHONSE CAPONE, with aliases, et al. Number: 62-39128-27
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

Specimens:
62-39128-27-A One photostatic copy of a letter to a Mr. Mickman beginning,
"Having heard nothing from you since my ..."
" B One six page letter to Mr. Eddy from a Frank J. Guinan
beginning, "I do not yet feel quite well enough to make ..."

Examination requested by: Washington Field Office, Washington, D. C.

Date received: chp 1-9-36 1:25 P.M.

Examination requested: Document

Result of examination: *1/13* Examination by: Pickering (1)

A *h I n p s s e h g you see*
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P

B *h I n p p s s a e h g yours see*
_T

Identical

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BUREAU OF INVEST.
U. S. DEPARTMENT OF JUSTICE

7613

Laboratory Report

Case: RE ALPHONSE CAPONE, with aliases, et al.
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

Number: 62-39128-27

Specimens:

- 62-39128-27 A One photostatic copy of a letter to a Mr. Michman beginning "Having heard nothing from you since my ****".
- " B One six page letter to Mr. Eddy from a Frank J. Guinan beginning, "I do not yet feel quite well enough to make****".

Examination requested by: Washinton Field Off.

Date received: 1-9-36 1:25 PM chp

Examination requested: Document

Result of examination:

1/13

Examination by: Blackburn

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Capone's you P P know this

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January 14, 1936

RECORDED

62-39128 - 28

Special Agent in Charge,
Washington, D. C.

Re: Alphonse Capone, with aliases, et al.;
Conspiracy to Receive and send Contraband
out of the United States Penitentiary,
Atlanta, Georgia.

Dear Sir:

There is transmitted herewith the laboratory report
covering the examination of specimens submitted by your office
in connection with the above entitled matter and received in
the Bureau

January 9, 1936.

Very truly yours,

J. E. Hoover
John Edgar Hoover,
Director.

J. J. P.
my
R. H. L.

Enclosure: #875974

COMMUNICATIONS SECTION
MAILED
JAN 15 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

W. J. ...
...

SFP:ERG

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

7615

Laboratory Report

January 14, 1936

Case: Alphonse Capone, with aliases, et al.; Number: 62-39128-27
Conspiracy to receive and send Contraband
out of the United States Penitentiary,
Atlanta, Georgia.

Specimens: 62-39128-27:

- A. One photostatic copy of a letter to a Mr. Mickman, beginning "Having heard nothing from you since my---".
- B. One six page letter to Mr. Eddy from a Frank J. Guinan beginning "I do not yet feel quite well enough to make---".

Examination requested by: Washington Field Office, Washington, D. C.

Date received: 1-9-36

Examination requested: Document

Result of examination: Examination by: Pickering

It is the opinion of the examiner, from a comparison of the photostatic copy of a letter to Mr. Mickman and the six page letter to Mr. Eddy, that these two letters were written by the same person.

1-Bureau
2-Washington
1-Laboratory

RECORDED

JAN 17 1936

62-39128-28
FEDERAL BUREAU OF INVESTIGATION
JAN 16 1936 P. M.
U. S. DEPARTMENT OF JUSTICE

Washington Field Office, Rm. 5252,
Washington, D. C.

January 20, 1936.

Special Agent in Charge,
Atlanta, Georgia.

RE: ALFONSE CAPOE, WITH ALIASES, ET AL.;
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY, ATLANTA,
GEORGIA.

Dear Sir:

Reference is made to the report of Special Agent H.D. Traub dated at Washington, D. C. January 4, 1936, setting out an undeveloped lead for your Office to interview Frank J. Guinan, at the Atlanta Penitentiary. You were requested to hold this lead in abeyance until a laboratory report was received.

There is being transmitted herewith a copy of the laboratory report, mentioned in the report of Special Agent H. D. Traub.

It is requested that the necessary investigation be conducted by your Office.

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

HR:MLL
enc.
62-2696

cc-Bureau. ✓

62-39128
FEDERAL BUREAU OF INVESTIGATION
JAN 21 1936

[Handwritten signature]

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **ATLANTA**

FILE NO. **62-18 JV**

REPORT MADE AT Atlanta	DATE WHEN MADE 2-5-36	PERIOD FOR WHICH MADE 2-3-36	REPORT MADE BY W. M. BOTT
TITLE ALPHONSE CAPONE, with aliases, et al			CHARACTER OF CASE CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS:

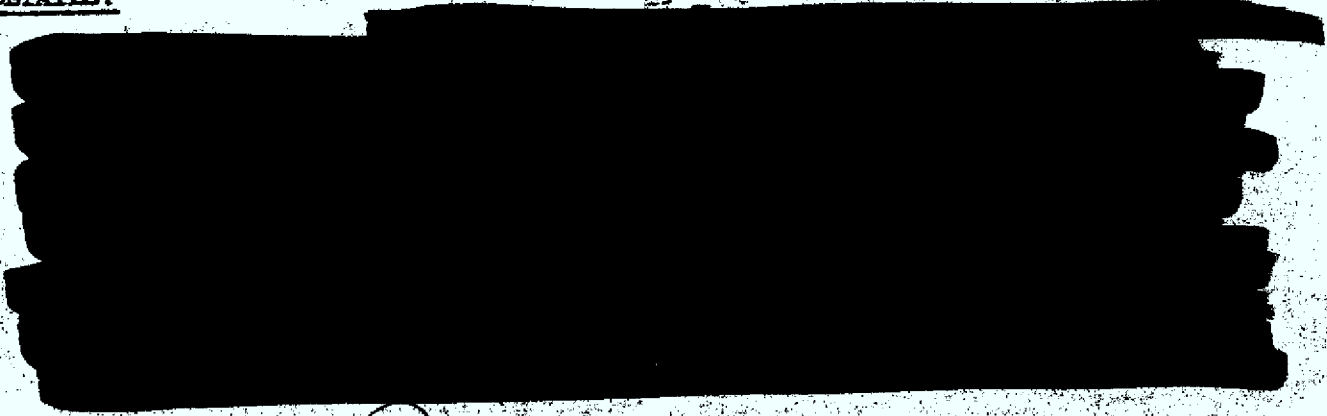
Frank Joseph Guinan, #2507, U. S. Penitentiary, Atlanta, Ga., advised that he knows nothing of instant manuscript or of anyone by the name of F. Barrett. Guinan advised that Carl Crawford served a sentence in the United States Industrial Reformatory, Chillicothe, Ohio, but that the present whereabouts of Crawford are unknown. Photograph of Guinan secured.

- P -

REFERENCE:

Report of Special Agent M. D. Traub, Washington, Field 1-4-36, and Bureau letter dated 12-10-35.

DETAILS:



APPROVED AND FORWARDED: <i>W. G. Conway</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 2-Bureau 2-Washington Field 2-New York 2-Cincinnati 2-Atlanta		62 39128 -29	FEB 10 1936 FEB 12 1936
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[REDACTED]

[REDACTED]

Bureau
of
Prisons

Agent interviewed Frank Joseph Guinan, U. S. P. #42507, who stated that he knows absolutely nothing concerning the preparation or attempted sale of any manuscript dealing with the prison activities of Alphonse Capone; that informant has never furnished any information regarding Capone to anyone else; that informant knows of no one by the name of F. Barrett and has never used this alias himself.

Continuing, Guinan stated that 325 N. Fulton Avenue, Baltimore, Maryland, is the address of his mother, with whom he resided during his period of parole, but that he is unable to explain the use of this address in connection with instant matter. Informant stated that if he had attempted to sell any manuscript that he would have been smart enough not to have used his mother's address.

Guinan stated that he knew all about the nature of this Agent's inquiry, because on August 18, 1935, an "agent of the Department of Justice" had interviewed informant in the City Jail at Kingsport, Tennessee, regarding informant's connection with a manuscript dealing with Capone's confinement in the Atlanta Penitentiary, and that informant had advised this particular agent that he (Guinan) knew nothing of the manuscript in question.

Guinan further stated that he had not been treated fairly by the Government on the matter of violating his parole and that consequently he did not intend to talk about anything.

Regarding Carl Crawford, informant stated that Crawford was returned as a parole violator to the U. S. Industrial Reformatory at Chillicothe, Ohio, last September and was released from that institution in December, 1935; that informant knows nothing concerning the present whereabouts of Crawford, who has never served time in the Atlanta Penitentiary; that Crawford is illiterate and can hardly write, and that Crawford never resided at 323 North Fulton Avenue, Baltimore, Maryland.

A photograph of Frank Joseph Guinan was secured from the Prison Records and is being forwarded to the New York City Office with copies of instant report.

UNDEVELOPED LEADS:

The NEW YORK CITY OFFICE is requested to display the photograph of Frank Joseph Guinan to the editors of the Real Detective Story Magazine to determine whether Guinan is the person who presented instant manuscript to the editors for publication.

The CINCINNATI OFFICE will secure a photograph of Carl Crawford from the Record Office of the U. S. Industrial Reformatory at Chillicothe, Ohio, and forward said photograph to the New York City Office in order that the picture of Crawford may also be displayed to the editors of the Real Detective Story Magazine. For the information of the Cincinnati Office, Crawford was sentenced in the U. S. District Court at Roanoke, Virginia, and it appears probable that he was sentenced on or about January 4, 1933.

- PENDING -

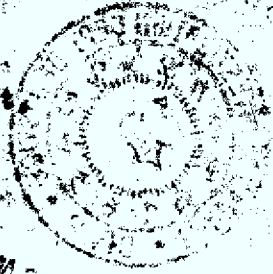
P. O. Box #766
Cincinnati, Ohio

1179

February 11, 1936.

HDK:MOB
62-995

Mr. Joseph N. Sanford, Superintendent,
U. S. Industrial Reformatory,
Chillicothe, Ohio.



Dear Mr. Sanford:

In connection with an investigation presently being conducted by this office, we desire to secure the photograph of one CARL CRAYFORD. We have received information indicating that he was sentenced in the U. S. District Court at Roanoke, Va., to your institution. The date of this sentence is not definitely known, but it was probably about January 4, 1933. We are further informed that he was paroled from the Reformatory and was returned as a Parole Violator about September, 1935 and released about December, 1935.

From the above information will you please endeavor to identify the inmate in question and if he can be identified, will you please furnish me with a picture of this individual together with the correct information as to his sentence at the Reformatory.

Very truly yours,

E. J. CONNELLEY,
Special Agent in Charge.

CC Bureau.

RECORDED & INDEXED

62-59128-30

Re: ALPHONSE CAPONE with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

BUREAU OF INVESTIGATION

FEB 12 1936 P.M.

FEB 13 1936

U. S. DEPARTMENT OF JUSTICE

FILE

Handwritten signature

Handwritten initials

F. O. Box #766
Cincinnati, Ohio

February 15, 1936.

HEN:JGR
62-996

Special Agent in Charge,
New York, N.Y.

Re: ALFONSO CAPONE with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

Dear Sir:

Reference is made to the report of Special Agent
W. M. Bott dated at Atlanta, Ga., 2-8-36 in the above entitled
case.

In accordance with the lead in this report, there
has been secured from the United States Industrial Reformatory
at Chillicothe, Ohio, a photograph of one CARL CRAWFORD, which
is transmitted to your office herewith, in order that it may be
displayed to the Editors of the Real Detective story magazine.

For your further information the records of the
Reformatory indicate that Crawford was received there January 6, 1934
from Roanoke, Va., to serve a term of 18 months for counterfeiting
postal money orders. He had been sentenced on January 2, 1934.
Crawford was released conditionally on 3-15-35; re-committed as
a conditional release violator 8-31-35 and was discharged 12-16-35
by expiration of sentence.

Very truly yours,

CC Bureau
Atlanta
Washington F. O.

62-39128
FEDERAL BUREAU OF INVESTIGATION
Special Agent in Charge
FEB 15 1936

[Handwritten signature]

[Handwritten initials]

Federal Bureau of Investigation

U. S. Department of Justice

62-5552
FJM:AOB

Room 1403
370 Lexington Avenue
New York, N. Y.

February 18, 1936

Director
Federal Bureau of Investigation
Washington, D. C.

Re: ⁶Alphonse Capone, w.a., et al
Conspiracy to receive and
send contraband out of the
U.S. Penitentiary, Atlanta, Ga.

Dear Sir:

Incident to an investigation conducted by
Special Agent F. J. McArdle of this office, in an endeavor to
identify photographs of criminals with a person who in May of
1935, endeavored to sell a manuscript to Robert W. Mickam,
editor-in-chief of the Real Detective Story Magazine, 444
Madison Avenue, New York City, Agent McArdle learned of Mr. Mickam's
great interest in the work of the Bureau.

Mr. Mickam for whom Agent McArdle, at one time,
wrote, and who is presently friendly with author friends of
Agent McArdle, was particularly interested in the F.B.I. Law
Enforcement Bulletin, and the possibility of obtaining photographs
of fugitives sought by the Bureau, apparently, with the idea in mind
of publishing a Rogue's Gallery of Fugitives in the Real Detective
Story Magazine.

Special Agent McArdle advises that he
explained to Mr. Mickam the nature of the F.B.I. Law Enforcement
Bulletin, something of its purpose and its achievements, and made
known to Mr. Mickam that it is a publication printed for the
circularization among law enforcement agencies throughout the country.
Mr. Mickam expressed the intention of communicating with the
Director, having as his objective being placed upon the Bureau's
mailing list to receive the F.B.I. Law Enforcement Bulletin.

Agent McArdle advised Mr. Mickam that that
was the procedure to be followed and agreed to allow Mr. Mickam to
mention in the latter's intended communication to the Director
the fact that Special Agent McArdle had explained something of the
nature and purpose of the F.B.I. Law Enforcement Bulletin.

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FEB 24 1936


62-3928-31
JOSEPH RAY
TWO
FEB 19 1936
DEPARTMENT OF JUSTICE

Handwritten notes:
62-3928-28
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62-5552
Letter to Bureau
February 18, 1936

This agent informs me that his conversation with Mr. Mickam, in addition to that pertaining to the above mentioned investigation, was limited entirely to an explanation of the purpose of the F. B. I. Law Enforcement Bulletin and the material that makes up its contents. Other than to advise Mr. Mickam that the Bulletin was a law enforcement publication, Special Agent McArdle advises that he did not discuss the Bureau's policy regarding this or other publications.

Very truly yours,


R. WHITLEY
Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT

WASHINGTON, D. C.

NY FILE NO. 62-5652 sfob

REPORT MADE AT: NEW YORK CITY	DATE WHEN MADE: 2/19/36	PERIOD FOR WHICH MADE: 2/17/36	REPORT MADE BY: F. J. MOARHEAD
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TITLE:
ALPHONSE CAPONE, with aliases, et al.

SYNOPSIS OF FACTS:
 R. W. MICKAM, Editor, Real Detective Story Magazine, 444 Madison Avenue, New York City, and Mrs. Abrams, nee ANNE POLLACK, showed photographs of FRANK JOSEPH GUINAN and CARL CRAWFORD; failed to identify pictures with individuals who, in May, 1935, offered for publication manuscript entitled "Biography of Al Capone's Life in Atlantic City."



REFERENCE: Reports of Special Agents W. E. Bott, Atlanta, Ga., 2/5/36; M. D. Trub, Washington, D.C., 1/4/36 and letter of Special Agent in Charge E. J. Connelley, Cincinnati, O., 2/13/36.

DETAILS:
 At NEW YORK
 On February 17, 1936, the writer visited the offices of ROBERT W. MICKAM, Editor, Real Detective Story Magazine, 444 Madison Avenue, New York City, and displayed the photographs of FRANK GUINAN and CARL CRAWFORD in an effort to have MR. MICKAM, MISS ROSE SHAWVERMAN and MRS. ABRAMS, who is known also as ANNE POLLACK identify the persons.

APPROVED AND FORWARDED: <i>P. Mulvaney</i> SPECIAL AGENT IN CHARGE	RECORDED AND INDEXED FEB 21 1936
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BUREAU OF INVESTIGATION FEB 20 P.M. DEPARTMENT OF JUSTICE ROUTED TO: FILE	

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shown in the photographs with the individual who in May of 1935 endeavored to sell to the Real Detective Story Magazine a manuscript entitled "Biography of Al Capone's Life in Atlanta Penitentiary". MR. MICKAM admitted that his recollection of the "would-be author" was very hazy and MISS SILVERMAN and MISS POLLOCK also admitted that their recollections were vague. The persons mentioned above were inclined to the belief that the photograph of CARL CRAWFORD does not resemble the "would-be author" sought in the current investigation. Their opinion concerning the possibility that FRANK GUINAN might have been the one who attempted to sell the above mentioned manuscript was less positive than that it was CRAWFORD, however, they were inclined to the belief that GUINAN is not the individual sought.

The three persons interviewed by the writer while not positive that the pictures shown them are not of the individual sought in the current investigation, they are inclined to the belief that the picture of CRAWFORD, and that of GUINAN are not pictures of the person who visited the Real Detective Story Magazine office in May of 1935, and left there the manuscript mentioned above.

There being no further investigative action to be conducted by the New York office, this report is

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

FEB 21
FEDERAL
OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

April 14, 1936

AR:SD
7-576

MEMORANDUM FOR MR. TAMM

Re: JOHN PATTON -

REKID

In connection with the investigation conducted by Mr. Connelley while at Miami, Florida, it was originally ascertained that the Karpis contact in Florida was a former Mayor of Harahan, Illinois whose name was not known. Subsequent to that first information which was received on March 3, 1936, investigation was conducted by the Chicago, Illinois Office which disclosed that John Patton was the former Mayor of Harahan, Illinois and had been for approximately twenty-five years. He was originally termed "The Boy Mayor". Information was further obtained which indicated that Patton has for many years, been an influential member of the Capone syndicate of Chicago, and is reputed to be the wealthiest member of the syndicate.

During the course of the investigation conducted in Florida it was ascertained that he was either the owner of or had an interest in the Miami Beach Kennel Club and the dog track at Tampa, Florida.

[REDACTED]

Previous investigation at Hammond, Indiana and Calumet City, Illinois concerning William J. Harrison resulted in information that Robert McCullough was frequently in the company of John Patton and was considered as one of his bodyguards.

It further appears that John Patton has two sons attending [REDACTED] and a daughter who is married to a man named [REDACTED] who is reported as being employed by some department of the Federal Government as [REDACTED]. The indications are that [REDACTED] is presently living with her father and [REDACTED]

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APR 27 1936

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FEDERAL BUREAU OF INVESTIGATION

APR 22 1936 P. M.

U. S. DEPARTMENT OF JUSTICE

TAMM

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Memo for Mr. Tamm

4-24-36

mother, Mr. and Mrs. John Patton at the Dallas Park, Miami, Florida.

From the information furnished relative to the description of John Patton, it does not appear that the criminal record furnished by the Identification Division on March 16, 1936, bearing #FBI-144308 is identical with the John Patton referred to herein.

Inasmuch as one Jack Guzik, John Patton and Robert McCallough were supposed to be in the company of one another, criminal records of the three were requested, however, the only two criminal records furnished by the Identification Division were those pertaining to Jack Guzik and John Patton. Guzik's criminal record is attached hereto.

In compliance with your request, I have directed a letter to the Jacksonville Office to determine the present location of John Patton and a request has been made of the Washington Field Office for the purpose of determining the particular branch of the Federal Government in which [redacted] is presently employed, if he is now in the Government employ. b7c

Respectfully,

A. Rosen

Enclosure

Post Office Box 812

Chicago, Illinois

May 2nd, 1936

H
Mr. T. G. Cooke,
Finger Print and Identification Magazine
1920 Sunnyside Avenue
Chicago, Illinois

Dear Sir:

In reply to your letter of May 1st, 1936
inquiring concerning the finger prints of Al Capone,
I would suggest that you communicate with the Internal
Revenue Bureau who prosecuted Capone for income tax
evasion. They will undoubtedly have prints of this
individual.

Very truly yours,

D. M. LADD
Special Agent in Charge

DML:LEH

cc - Bureau

62-39128

FEDERAL BUREAU OF INVESTIGATION	
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IDENT UNIT

Bureau of In

U. S. Department of Justice

Washington Field Office, Room 5252,
Washington, D. C.

May 6, 1936.

Director,
Federal Bureau of Investigation,
Washington, D. C.

Re: ALPHONSE CAPONE with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

Dear Sir:

A review of the file has been made in the above entitled case which reflects that all logical leads in this investigation have been exhausted. It is requested that the Bureau grant authority to close the file in this case.

Very truly yours,

J. M. Keith

J. M. KEITH, *EKT*
Special Agent in Charge.

EKT:IJ
62-2696

RECORDED

MAY 28 1936

62-39128-34	
FEDERAL BUREAU OF INVESTIGATION	
MAY 7 1936 A.M.	
U. S. DEPARTMENT OF JUSTICE	
<i>JWC</i>	FILE

Federal Bureau of Investigation

U. S. Department of Justice

501 Healey Building
Atlanta, Georgia

EEC:rd
62-18

May 15, 1936

Director
Federal Bureau of Investigation
Washington, D. C.

Re: ALPHONSE CAPONE with aliases, et al
Conspiracy to Receive and Send
Contraband Out of the United States
Penitentiary, Atlanta, Georgia

Dear Sir:

Reference is made to Bureau letter dated March 26, 1926,
regarding the manuscript entitled "The Biography of Al Capone's Life
in the Atlanta Penitentiary".

The copy of this manuscript was loaned by this office
to

[Redacted]

Bureau
of
Prisons

[Redacted]

4-341 dated 2/4/72
Retained 3/10/72 per form

RECORDED
&
INDEXED

MAY 19 1936

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62-39128-35
FEDERAL BUREAU OF INVESTIGATION
MAY 18 1936
TWO

EEC:rd
62-18

Director
5/15/36

Bureau
of
Prisons

[REDACTED]

[REDACTED] in view of the fact that all the investigation which has been requested by the Bureau in instant matter has been completed without developing any evidence that Capone or others received or sent contraband out of the Atlanta Penitentiary, this case is being closed by the Atlanta Office.

The photostatic copy of the abovementioned manuscript is being returned to the Bureau.

Very truly yours,



E. E. CONROY
Special Agent in Charge

Encl.

2-39128-35



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[Faint handwritten text, possibly a signature or address]

IT IS MAY 4, 1932! The date is one that signifies little to the average individual. Yet, it is a day that the world's most pitiless figure shall never completely succeed in banishing from his memory. It is the day on which he captives from the Throne of Gaudium to the Abyss of Bartschael! It is the day on which he passed through the grilled door of America's leading penal institution to become, in addition to a notorious gangster, a numbered man!

For, on that day, Al (Scarface) Capone stepped from a pullman to the station platform at Atlanta, Georgia, and was whisked hurriedly away by train, reprisal-fearing Government Deputy Marshals (who had endured a horrible ordeal since leaving Chicago until reaching the foreboding gates of the Atlanta Penitentiary and witnessing its atmosphere of refuge and safety).

Mr. Tesley, the front gate guard at the penitentiary, unlocks the barred gates. The deputies and their famous charge enter. Civilian employees, as well as convicts employed in the front offices, cease all activities to get a glimpse of England's King before he is stripped of his sartorial elegance.

Capone wears an expensive dark blue suit, a silk shirt and silk tie. The brim of a Gray felt hat is pulled down over his right eye. A smile -- it is a constant smile -- brightens his face. Beneath his expensive shirt his heart hangs heavy. He stands mute and woefully dejected, his manacled wrists extended to the Chief Deputy Marshal. The deputies hold a conference. The warden's advice is sought. He orders Capone shall be taken beyond the second gate before the "irons" are removed.

Capone is led into the Reception Hall -- a vestibule adjacent to the administration building from the prison proper. It is about ten feet square. All incoming prisoners are arraigned here, lined up against the wall, and the Captain of the watch calls their names and assigns each a number. It is a number that becomes part of the man's life -- a shadow that ever hovers near him.

Capone now stands regally alone. His eyes are upon him. He receives not to betray his feelings. The iron gates are carefully locked, the brasses removed, and he begins brushing the wrinkles from his coat sleeves. He is ordered to remove his hat. He obeys, then straightens up. He is a

powerful specimen of manhood, his robust appearance all the more impressive as Captain Lead, not quite five feet tall, reads the indictment spread on the stand before him. The scene brings to mind a wessel holding a trial at bay. . . Goliath before the court of David.

"Alphonse Gabriel Capone!" Captain Lead says.

"Right!" booms Capone.

"Yes, sir!" reportingly.

"Yes, sir," Capone humbly repeats, nodding his head.

"You will be known as Number Forty Thousand Eight Sixty."

Captain Lead signals to the deputies his confirmation that the prisoner is Alphonse Gabriel Capone. He nods to a waiting guard who then leads Capone through a barred gate to the farther interior of the prison. The guard upon which Capone was delivered, is taken to the Record Office by an inmate clerk, and approved by the Record Clerk as sufficient for recognition of the prisoner. A receipt is issued and returned to the Chief Deputy Marshal.

And Capone becomes Convict Number 40861.

Let us follow Capone and the guard accompanying him. They enter the bath room, situated in the basement. It is approximately 500 feet long and 50 feet wide. On both sides are whitewashed brick stalls similar to those in which horses and cows are sheltered. There are two showers in each stall. Running down the center of the room is a line of wooden benches. The guard orders Capone to place everything contained in his clothes on a bench, disrobe, and then place his clothes beside the articles.

The first time Capone's hand emerges from his pants pockets it carries a huge wad of yellow-back bills. From a short distance they look to us as if they were \$100.00 bills. They may be \$1000.00 ones; we have seen neither for so long it is difficult for us to determine.

The next pocket excavation brings forth a wallet. From its stuffed appearance we conclude it contains bills of larger denomination.

Capone then removes loose change, his wrist watch, diamond rings and a platinum friendship bracelet. . . a present from Gus Winfield. The guard calls off each article as it vanishes and sets it aside for the clerk to slip into a canvas bag clinging to a wall-post. The inmate's speech calls back each article as the guard writes it down on a slip of paper.

"All right" words the guard with his club towards the showers. "I don't be afraid to wash your head."

Capone stands mute. He does not like the tone of the guard's voice. The guard boldly gazes at the brutally beautiful physique before him. . . a cool, covered with long black, curling-like hair. The smile returns to Capone's lips. It seems to us as if it is earned there by the gods of Fortune. . . the gods who had been so kind to him.

Capone's smile remains as he turns towards the showers and . . . the guard steps across the all grey concrete floor. He bathes thoroughly and after scrubbing down his skin with soap is approached by an inmate doctor who makes a complete physical examination. An attendant is freely applied to Capone's body . . . and he is all over after being finished with in the institution, and with a gentle click on the ramp the doctor laughs "Come!"

Looking up and towards the entrance Capone observes Captain Frey, Captain Head and Mr. Bishop - a Guard next in command to Captain Head. Capone's smile becomes a frown. He cannot understand that even though he is in prison he must be watched more closely than any ten men there, for there have been incidents where moneyed inmates have bought untold pleasures behind the walls of the Atlanta Institution. And Capone is immensely wealthy! "Lousy with money!" the convict later agrees.

With the trepidation that one lifts a contaminated or vermin infested cloth, Capone lifts the regulation army underwear supplied all inmates. After slipping into it he squirms.

"Gaw, can't I have my own underwear?" he asks the guard.

"We look at each other in amazement! We had an idea Capone's voice was a deep, resonant one. Gruff and commanding. Instead, it has a nasal, soprano twang.

"Against regulations," the guard replies.

"But this damned stuff scratches," Capone protests.

"Put it on!" is the curt order. (The Guard must make a favorable impression on his observing superiors).

Capone obeys, sulking and muttering some unintelligible curse.

"This way, now!" the guard calls.

He leads Capone into the dressing-in room at the end of the bath room. The room is approximately 20 x 20 x 25. Along its walls are shelves loaded with blue denim pants and blue work shirts, buttons and buttons, shoes and canvas belts. Nothing on the shelves seem to be in order, although the convict between the counter and the shelves apparently knows just where one "correct" size are. Digging in blindly he produces a pair of pants for Capone. They are too small. He produces a larger size. Wrong, too, are too small. Capone objects to them but the guard signals the inmates clerk that they will do. Shirt, socks and ill-fitting shoes are handed Capone. He inspects in silence, then up and tightens the cheap belt around his puny belly. He shakes his head several times in an effort to bring the cuffs of the pants down from the end of his leg.

"I can't wear these shoes," he declares, extending his right foot and glancing contemptuously down at the shoe. From its worn appearance I conclude it has been more than frequently worn. His protest is ignored as the guard points toward the exit door. The superior officers have withdrawn and are now in conference.

Capone, followed by the guard, ascends the marble steps leading to the second floor of the administration building. Passing inmates turn and stare, (a violation of the rules).

"Capone!" their eyes seem to say.

We pass through a door over which is a sign: SENIOR WARDEN'S OFFICE. It is better known as the Korale Office, or, Welfare Department. The inmates impudently and sarcastically refer to it as the "Detective Bureau". That, in truth, is what it is equivalent to.

However, as we pass through this office, on both sides of which are inmates using telephones and typewriters, we are aware it is noisy. It resembles that of a factory office. But a tomblike silence descends upon it as Capone steps into view. Typewriter noises cease. Plugs are pulled from the wall like to allow a few minutes to hear what the boys have to say, for there seems to be something amusing about the situation. A few crisp words, jocular laughter, witty responses and they are again pecking at the typewriters.

We cross a wide passageway. It is like the Bridge of Sighs, although it is enclosed within the prison and seems, as we look to the right and left, to be a point of vantage for the guards in the event of disturbances. To our right is "A" cell house; to the left, "B". Tier upon tier of cells! It is thrilling to glance at them as we pass over the "bridge". But where are we being? Some sort of office, we conclude, as we see steel filing cabinets in the distance.

"To the left!" commands the guard. Capone turns to the left. He, invisible behind him, see on an oaken door, in gilt letters: RECORD OFFICE. The Holy of Holies!!

"Sit down," orders the guard, his tone less brusque than when before his superiors. He points his club at the bench along the marble wall.

We are standing in a hall six feet in width. To Capone's right, we are aware, are several men in white. They evidently work in one of the offices at the other end of the hall, for as Capone raises his head to gaze at them they surreptitiously vanish - like children caught spying on their elders.

The guard enters the Record Office, leaving Capone to his reflections. The inmates in the Record Office, seeing Capone sitting outside, and naturally knowing he had arrived and they had been impatient to see him in the flesh, whisper and murmur among themselves. One, known as 'Tory', who has appointed himself 'Interviewer', slips out into the hall, 'reads' his 'subject', and offers him a cigarette, Capone refuses. . . he does not smoke cigarettes.

The guard then returns, before further conversation is had between Tory and Capone, Capone is then escorted into the hall of Holies - the Record Office. In this office are kept all the valuable papers of the inmates, including the indictment under which the prisoner is held, and the official correspondence between the prison and other institutions; papers signifying certain inmates are 'marked' by chief institutions and officials; the best record covering each inmate's life while incarcerated, and his previous criminal record (which is presented to the 'Tory' whenever it holds his tri-monthly meeting); photographs, and a number of other documents of historical value to the institution.

Following Capone into the private office of Mr. H. S. Hudson, the Record Director, a look upon the face of one who first impresses us as a Mongolian. His features, although skin covers a small broad face. The eyes, hidden behind spectacles, seem like dark, twinkling bits of coal; the eyebrows beneath a high forehead, are severely perceptible. The unrefined brown hair upon his head is turning almost. There is a small brown mole upon his left cheek. His lips -- the wide about him that seems to impress us most -- are thin and bloodless, and convey to us the picture of a cat who has just eaten a canary. A slow, self-satisfied, variety, an egotistical outlook on life, and an assurance of a life-long position of influence, spread from his countenance. He holds, a poker player would concede, four aces!

Mr. Bates is an excellent actor. He displays no emotion whatsoever as the eminent Mr. Capone is ushered in. Leaning across his desk he whispers to his subordinate, Mr. Barnes:

"Ask the boys to step out until I call them in again."

Mr. Barnes obeys, and the clerical force of inmates leaves the Record Office to linger and dally in the corridor and toilet.

Mr. Bates rises from his chair. In his hand are three copies of a declaration. It has been partially filled in by the inmate Receiving Clerk, the one who accepts the commitment from the Receiving Captain. We look over Mr. Barnes' shoulder as he sits before a typewriter. Capone sits on his left. The guard whispers to Mr. Barnes.

"What is your name?" asks Mr. Bates. (The name is plainly

written at the top of the declaration, yet, for the purpose of verification a short article

"reports"

"What is your full name?"

Alphonse Gabriel Capone."

"Did you ever use any other name?"

Yes."

"What name?"

"Costa."

"Did you ever use the name Brown? Or Costa?"

"Yes."

"How did you get your name?"

"My father."

"Did you ever use your name?"

"Yes."

"How did you get your name?"

"My father."

"Did you ever use your name?"

"Yes."

"How did you get your name?"

"My father."

"Did you ever use your name?"

"Yes."

"How did you get your name?"

"My father."

"You received a sentence of five years, to run concurrently with two consecutive sentences of five years each, and were fined \$30,000.00 and costs of \$7,617.51. Now . . ."

"Wait a minute!" protests Capone. "I got only ten years!"

"Well, that's right. The two five year sentences are consecutive, one following the other. The one five year sentence is to run concurrently with the first of the two five year sentences."

"That's all Greek to me. All is know is I got ten years to do, and the fine and costs to pay."

"That's correct," smiles Mr. Bates. "Now, you earn ten days a month good time, for good behavior. On your sentence, therefore, you will be entitled to 1200 days good time. You forfeit this, of course, at the discretion of the warden, for violation of certain rules. Now, let's see - - you were sentenced on October 24, 1931. Your sentence commences on May 4, 1932. You appealed your case, of course, and naturally, your sentence doesn't run until you are received here, Your full time expires May 5, 1942, but with allowances for good conduct, by earning the 1200 days good time, you may be released January 19, 1939.

"You are eligible for parole September 3, 1935.

"Now, Mr. Capone, what is your occupation?"

"Well - - I - - er - - Ah . . ."

"What kind of work have you done mostly?"

"Well, I never did do much work, you know."

"You don't quite understand. What I want to know is, have you ever learned a trade, or anything like that?"

"Well, I've done a lot of gambling." Capone's broad smile

brightens his features. Mr. Bates reflects the smile.

"Professional gambler?"

"Sure!"

(Mr. Bates types the answers as Capone gives them.)

"That's your regular occupation?"

"That's right."

"Not unemployed, of course?"

Capone smiles his answer. Mr. Bates types: "None."

"Now, how far did you go in school?"

"Oh, about the sixth grade."

"That age were you when you left school?"

Capone pondered. "Let's see. . . I guess about 12 or 15."

"That age were you when you left home to work for yourself?"

"I never left home."

"Well, what age were you when you first went away from home?"

You didn't live home all the time, did you?"

"Oh, I see. Well, I guess about 19."

"Where were you born?"

"New York."

"Where was your mother born?"

"Italy."

"Your father?"

"Italy."

"Are they living?"

"Mother is."

"You are married?"

"Sure!"

"Any children?"

"One."

"Boy or girl?"

"Boy."

"How many dependents?"

"Three."

"With your mother?"

"Yes." (Mr. Bates types: Two).

"Do you own any property?"

"Yes."

Opposite "Economic status" Mr. Bates types: "Marginal".

"Have you ever been in the Army, Navy or Marine Corps?"

"No."

"Now, where is your residence. That is, the place where

you make your home?"

"Chicago."

Opposite "Nearest Railroad Station" Mr. Bates types "Same?"

Withdrawing the declarations from the machine Mr. Bates turns

them face down on the desk, places the carbons on the reverse sides and re-

inserts them in the machine.

"Now give me the names and ages and address of your living

relatives, mother, wife, brothers, children. . . in that order."

Capone calls off the names, ages and addresses.

"Who would you want notified in case of serious illness or death?"

Capone's breath catches in his throat. He cannot answer the

unexpected question as readily as he wishes to. His attitude of braggadocio

deserts him.

Gulping, he answers, "My wife, of course."

"Now, Mr. Capone, how many times have you been arrested before?"

"Hell, I can't remember that."

"Well, about how many times?"

"I haven't any idea, to tell you the truth."

"Five. . . ten. . . fifteen?"

" . . . honestly don't know."

"Well, maybe we can get it this way. . . When was the first

time you were arrested?"

"Lemme see, now, Musta been 'bout fifteen years ago, 1919,

I think."

"Where?"

"New York."

"What for?"

"Disorderly conduct."

"and what disposition was made of the case?"

"Dismissed."

Mr. Bates then goes on with his cross-examination questioning concerning Capone's record, eliciting from him, in a remarkably shrewd manner, the admissions shown on the accompanying conduct record.

(When a prisoner, on questioning, does not admit any - or only a part - of his criminal record, the Bureau of Investigation, Department of Justice, Washington, D. C., furnishes whatever information it has upon receipt and filing of the prisoner's fingerprint card).

"This is authority for the warden to open and examine any mail directed to you. Now sign here." Mr. Bates removes the declaration, indicates a dotted line below a paragraph wherein the prisoner agrees to permit the warden to open and examine his mail, and directs him to notify a designated party in the event of serious illness or death.

Capone, pen in mid-air, his dark eyes scanning the printed paragraph, the livid scar grotesquely prominent on his left cheek, the fingers of his left hand holding the declaration steady, scribbles his famous autograph - an autograph worth more than a king's or president's!

Having signed the three copies he places the pen on the desk, relaxes and watches Mr. Bates, as he, as Record Clerk affixes his signature, attesting that he has read to Capone the paragraph referred to.

"If you'll step out here, now, I'll take your photograph," invites Mr. Bates, rising and prodding Capone through the deserted office towards the Photograph Room. He closes the door leading from the corridor to the Record Office, having observed that some of the clerks were lounging near the door on the bench lately occupied by Capone. It is thought, too, that he feels a greater measure of safety, since the guard assigned to accompany Capone through the "mill" is still engaged in conversation with Mr. Barnes instead of being within two feet of his charge.

Mr. Bates, of course, makes a mental note of that . . .

"Put on this coat." Mr. Bates hands Capone a prison coat.

Capone dons it. Mr. Bates buttons it high and attaches five numbers - 4 0 8 8 6 - in a tin holder pinned to the coat, beneath Capone's chin.

Drawing a large reflector from the corner, and placing it against a wooden stationary cabinet, then a chair in front of the reflector, he bids Capone be seated. Mr. Bates throws on the switch. The sudden glare of klieg lights causes Capone to close his eyes and blink. His head is lowered as he calmly watches Mr. Bates adjust the camera, poke his head under a black

cloth and peer through at him.

"Raise your head just a little. . . Look straight toward the camera. Don't smile! (The smile broadens. . . Capone is on the verge of laughter). That's it! All right." He drops the red bulb.

Mr. Bates then walks over to the posed subject, removes the number holder, presses back the lapels of the prison coat, and gently turns Capone around so that he may obtain a profile.

The saddle lingers, the bulb is again pressed and Capone's profile has been photographed.

Capone's smiling visage to lighten the morbidness and feels eerie upon the grim, insolent, rebellious and hateful likenesses of those his photograph joins in the Rogue's Gallery!

Mr. Bates next fingerprints him, weighs him, takes his measurements and identifying marks.

"That's all," Capone is informed. He rises and stands awkwardly in the center of the room. He does not know what is next. His eyes rove fortively about the room. He is caged! Imprisoned. And ten years stretch ahead of him in a forlorn, desolate world of enemies and intrigue. . . Violence and conspiracy. . . Murder, even!

His thoughts now center on but one thing: Freedom! It is the natural thought predominating the mind of one who has ruthlessly decreed prison-

Silently we follow Capone to a small cell in which are two bunkers. There is no other occupant. The cell is located on the fourth range - that is, three tiers of cells above the floor. The warden pulls a lever at the far end of the line of cells, and we hear the banging of iron doors and shrill grating of locks. Capone is now really a captive. All the machine guns in Chicago, he reflects, could not effect his release.

Seemingly lost and apparently ill, he drops dejectedly to the over-stuffed straw mattress. It is ten inches thick, hard and uncomfortable. He leans his head back against the cold sheet of iron separating him from the adjoining cell. His eyes close as his fingers prayerfully clasp in his lap.

What next? he wonders. He makes a futile attempt to sleep, but the unusual treatment he has experienced has completely disturbed his system. He believes, though without conviction, a hypodermic might produce relief.

He has hardly resigned himself to his position when the warden comes along and places a slip on the cell door. Capone reaches up, casually examines it and reads that he, No. 40886, is to report immediately after breakfast on the morning at "B" cell house.

Some more red tape, he meditates, indifferently placing the slip in the pocket of his new, stiff blue work shirt.

The day drags wearily by. With the exception of a small booklet titled "Rules and Regulations" there is nothing to read. He turns the pages idly, becomes interested, and is soon buried deep in the contents of the booklet.

Sleep eventually overtakes him. He is aroused from his nap by the clanging of a bell somewhere in the huge cell house. There is a muttering and commotion. A "breed", he wonders. Doors are loudly slammed as the warden, direct simultaneously bar down on the levers releasing the locks and opening the heavy barred doors. His door, too, opens. He sees men passing by. Some walk with arms around a buddy's shoulder. Others file by singly, or run to catch up with a friend. Kary Janno is at the new arrival.

Every man in the prison has long since learned he has arrived. The telephone system is a remarkable one, it taking (as tests have proved) exactly two minutes for a message to be sent from one of the main cell houses to the far end of the Duck Mill, a distance of three city squares, interspersed with at least fifteen watchful guards at various points between, and the

distance including several buildings through which the message must pass. In other words, a grapevine message originating in the forward depths of the S. S. Levittman - supposing it were a prison - would reach the party intended for on the after-deck, after it had passed through the depths aft, midships, then to the bow, and back to the stern - using neither pencil, paper nor telephone.

A better idea of the effectiveness and reliability of the grapevine can be obtained by observing the left wing of the Administration Building (in the left background of the aerial photograph) and the baseball diamond in the right foreground. Such a distance would require three to five minutes.

With this in mind one can better comprehend the situations that develop with the progress of the narrative.

"Come on, buddy," someone calls to Capone as he looks out at the passing convicts. "Chow!"

He realizes, with a stabbing pain in the stomach, that he is hungry! Strange, he reflects, that he hadn't given food a thought! He steps out into the passing line, his broad smile exhibiting two rows of perfectly white teeth, his thick lower lip thinned by the radiance of his smile. Knowing not which way to turn, except to follow the others,

he finds himself, in single file, entering the Dining Hall. It is an immense room, broad and high. Tall columns, painted battleship grey, reach up to the ceiling above. There are rows after rows of what seem small white enamel counters. A line of men, entering on his right, have been seated in rows of eight; then, in the next section, rows of six. They seem to file in endlessly. Four hundred. . . Five hundred. . . Six hundred. . . Twelve hundred. . . Thirteen hundred. . . On and on! The place is not large enough to hold all. It is necessary to have three breakfasts, three dinners, three suppers each day in order to feed all the inmates. The Dining Hall seats approximately sixteen hundred. There are more than twenty-five hundred inmates in the institution.

Capone, sandwiched between a "hill-billy" and a car thief, though practically starved barely tastes the kidney beans and slaw for which he had passed his plate. One elbow rests on the counter-like table; his chin is cupped in his hand. His stomach cries for food, but his "delicate system will not stand this!"

"Is this all we get?" he asks the car thief.

"Stewed prunes there," answers the car thief, pointing to an aluminum saucer of canned "maggies" as he shovels into his mouth a fork laden with kidney beans. "Black coffee, too. 'S not bad when ya get used to it."

Capone bladders. His stomach somersaults. The poised fork drops to the plate of kidney beans.

"Say, feller," offers the mouraineer. "now when I first cum hear I couldn't eat much 'cause I was sorta upset inside, you know. Anyhow, I made out on that thin moonshine. That's purty good 'shine, brother."

Capone follows his informer's gaze to the aluminum molasses container. He looks at the jar beyond the two between whom he is sandwiched. Some seem to be relishing bread and moonshine. Well, when a kid and hungry he liked it, he reflects. Perhaps it might satisfy now. Yes, that does the work! He finishes one slice of bread buttered in moonshine; then another, and still another. He forces down the weak, chicory coffee without sugar or cream - which are not furnished except at the morning meal, with cereal.

Before he has quite satiated his appetite a bell is rung by an inmate who stands on a platform facing the prisoners. The signal is received from the Dining Hall Guard, who continually walks up and down the aisle dividing the sections in search of contraband food, which contravenes to the most rigid observance and discipline, reaches the prisoners. The last to enter the Dining Hall now the last to leave, thus giving late arrivals sufficient time to eat, the early arrivals eating immediately the live wafers and is seated. During each batch of prisoners requires six to eight minutes. Thus, those reaching the Dining Hall eight minutes after the others, have the opportunity, while the others are leaving, to complete their meal. All, however, do not always finish in the allotted time; but finished or unfinished, they must leave as their row files out.

He now became impatient to see what Capone shall do with his license. It is now 5:30 P.M. He is again locked in his cell. He hears voices from other cells, arguing, humming and talking. Whistling is forbidden.

Six P. M. A bell clangs! What can that be, he wonders?

Immediately, as though each had been patiently waiting the signal to start, the music (and racket) of banjos, trombones, saxophones, guitars, etc., fill the cell house. Some hill-billy sings a plaintive mountain song. . . He's heard that before, Capone recalls. Yes, it's "When They Cut Down the Old Pine Tree". A faraway look comes into his eyes. His arms are folded across his chest, the sleeves of his shirt rolled up, exposing his brawny, hairy arms. Capone, apparently, is lost in reverie brought on by the words and music of the mountain singer.

There goes that beginner again! Someone attempting to learn to play the trombone. The harsh, long-drawn out wail grates on Capone's nerves. He rises, forgetting there is an upper bunk, and bumps his head on it. He curses audibly. . . angrily. . . resentfully!

"What's matter? Don't you like our serenade?" Capone, feeling an ally would sound silly, ignores the remark from the adjoining cell. The caller, however, passes the word on that Capone cursed the musicians. The emergency message is received in the three other cell houses - A, B and D (the latter housing negroes).

and negroes love music! At first there is a disturbing murmur in "C". It increases to a wailing . . . a wailing-voice complaint. . . Yells, individual and collective. . . Then, as if all bodies broke loose, approximately 2800 prisoners give Capone the coldest reception he shall ever remember. . . The Bronx Cheer, in all its glory; the more disgusting "Raz-berry"; then a prolonged, unquelled and a fire . . . regarding the inmates' disdain and contempt for Capone and his . . . Then, believing, of course, he had actually cursed the musicians and their . . .

knives are lifted high and brought down destructively on wash to . . . The pieces are carefully aimed at the tempting windows beyond. Glass cracks to the right. . . to the left! Each cell house is in a turmoil! Guards dare not attempt to pacify them lest they invite being struck with flying missiles.

(During exhibitions of this nature many an inmate evens the score with a well-aimed punt, his accurate aim usually hitting the balls-eye. He runs through each cell house with the Captain of the Evening

Watch, who shouts for silence. His commands are met with derision and "razz-berries". Unable to do anything with the man, he decides to let them fire themselves out. "They usually do", he soliloquizes.

He look shockingly at the wreckage. The concrete floor is strewn with broken chair legs, chair backs, chair seats, cushions, mirrors, pillows, blankets, feather, mattresses, cigar boxes, burning newspapers, and filth. The yellow tile walls are disfigured and shocking.

At 7:00 P.M. the radio is turned on. The man put on their ear-phones and the clamor subsides.

One hour of demonstration! One hour in Capone's life that he would give millions to have never lived through! For frankly, he had no thought but that his affability would win him many friends immediately. But, in prison, first impressions generally remain. Neither time nor coercion can induce a man to forget the attitude of another inmate when he first becomes one of them.

And Capone, of all men, received the most disgraceful and unwelcome reception accorded a prisoner in the history of the Atlanta Institution!

This morning we are up unusually early. After the first bell rings at 6:30 A.M. we are allowed thirty minutes to wash and dress. The second bell - the count bell - demands that we stand close behind the bars of our cell that the Guards may count us as they pass. If anyone "balls up the count" by either unintentionally or deliberately concealing himself (which happens frequently), he is confined in the "hole" on bread and water. However, the count this morning is correct. At 7:15 A. M. (if correct) the steam whistle approves the count and a bell summons us to breakfast.

Again, close on the heels of Capone, we file into the Dining Hall. Ah, this morning the breakfast is tempting! Oatmeal. . . as much as one can eat! A bowl of milk and a tanger of sugar. Also, salt, coffee, bread and butter.

But something is missing. . . we are frightened at the silence that seems to press down upon the Dining Hall. There is usually much loud chatter, laughter and joking. Now, the men are eating, but they do not seem to eat as much as usual! Let us look about and see what has drawn their attention.

Here. . . Thousands of eyes! All directed towards Capone! What a 'good crowd' this is!

Capone, however, broaches an air of indifference. His face is sealed. He is a fatalist. He cannot possibly know what. . . "fate" means to him!

Apparently, we have to go to the cell, however we do not let our mind and things his coffee. He is hungry, we agree, and while we thoughtfully look at him the bell rings and banishes our fantasies.

Only guesses are directed at Capone as we file out behind him. Longing countenances convey other contempt, words, sped from the corners of spin tipped mouths, express the various opinions of the inmates. The "politicians" (white-garbed) clerical help - former bankers, lawyers, judges and postal employees) seem amused at the tense situation. They often "wish" for a real riot.

In Capone's shirt pocket is a "7:30 call for 'B' cell house".

Wherever one may be called to he must first go to "B" cell house. Reaching there, after breakfast, he mingles with approximately two hundred men also on

call. Mr. Wrenn, the Captain's Clerk, enters. He weighs about 110 pounds, is thin-faced, black-eyed and reminds one of a ferret. There are ten to fifteen guards on hand, one of whom accompanies each batch of "trookies" to the various places calling them. Mr. Wrenn sings out the numbers. The men called must answer "Here!" He then steps out from the huddle and moves into line, where with others, he waits until all the men on that particular call are accounted for. A guard then leads them to their destination.

He hears "Forty Thousand Eight Eighty-six!"

"Here!" Capone responds.

He watches him join six or eight others. They stand in line, two abreast, like children ready to return to the school room after recess.

Capone follows those near him. A few more are called and that batch is sent on its way. We follow Capone, of course, since we are interested in him alone.

We are led to the hospital. There are numerous other newcomers there, some having arrived earlier and some later than Capone, on the preceding day. They seem so lost . . . so terribly helpless . . . forlorn. An assigned guard ushers them into an intern's intern's who asks a number of ridiculous, meaningless questions to which he writes the answers before they are given. He seems to know the answers without asking for them.

Such absurd questions as "Did your grandfather ever have pneumonia?" and "one grandfather pneumonia?" are shot at the bewildered newcomers. Your medical history is then complete - - according to the intern's. A guard then either gives you your food or should have died long ago!

We are crowded into the G. U. (Genito Urinary) Clinic. A blood test is taken. It is painful. Our blood pressure is taken. It, too, is painful. Our legs are then tested. We partially disrobe and are further examined. Everything is so methodical . . . so cursorily.

We are then led to the U. S. I. & T. (Eye, Ear, Nose and Throat) Clinic. Our ears are tested. We need glasses. The inmate assistant tells us we do not. A must not! (The physician in charge is guided by his decision!) Then, our ears are examined and pronounced C. K. The inmate assistant looks

up our nostrils. Fortunately, we have no head cold. Then, placing a wooden spatula on our tongues, he peers down our throat. We feel like vomiting. He remarks that we are suffering from tonsillitis or sore throat. . . . one guess is as good as another!

We watch Capone subject himself to these examinations. Yes, the inmate is more thoughtful of this patient. He is a famous character. He is a millionaire! And one cannot insult or injure the feelings of a millionaire, even though he is a convict in the penitentiary.

A cheery word speeds Capone out with us and to the chest and lung examination. He again disrobes. This time the upper garments are removed. He steps upon a scale. No step off. That's it, now, take a deep breath. . . . Now blow out. All right, another! That's it! The physician bidding us inhale and exhale mysteriously taps our chest. It seems like a lodge initiation. We are passed through as the doctor in charge calls off to an inmate the assortment of ailments the various men suffer.

Capone is next. He steps upon the scale. The doctor looks approvingly at the muscular figure with the overlapping belly. Hmmph, he thinks, he'll not have that long on the food he'll get here. Capone is examined to see if he has tuberculosis, affected lungs and what not. No, he hasn't even appendicitis, nor any indication of getting it. He is ahead of us as we enter the Dental Clinic.

Aw, hell! Gotta give your name and number again! Seems as though having it on your underwear, shirt and pants would be enough. But we're forever being asked what it is. He tells the interne. He writes it on a chart showing a set of upper and lower teeth. He looks at our teeth and calls out: "Filling" "Cap" "Crown" "False" "Missing" or whatever the molar's disclose to his experienced eyes. Another interne "x's" the different symbols representing the foregoing definitions. And we are through here!

"I guess that's about all," Capone remarks to remark.

"Hell, no!" retorts a few-time robber. "You know how damn' often, I know, talkin' you see the doctor, that's what it is."

"Shows for what?" asks the medical expert.

"In your arm! Boy, do they hurt!!"

"This way!" someone calls. And, like cattle, we follow.

We are next subjected to a psychiatric examination; then a psychological test.

"That's the quack keeping Capone in there so long for!"

someone asks.

"Good and goofy," is the reply.

"Must be. He's been in there forty-five minutes. We didn't

stay over ten."

"Who's got 'im?"

"Dr. Beale, the nut examiner."

"Psychiatrist?"

"Si who?"

"Pipe down, buddy. Psychiatrist, I said."

"I don't want none of your lip, either, Brother. I said he's

a nut examiner, and I still say he's a nut examiner." Si Ki: Si -----!"

he spits, eyes flashing.

Capone slides out and joins us again. Smiles wreathes his

countenance. He murmurs something to a fellow prisoner who has been hanging close to him since we entered the hospital. A friend, perhaps, in the making.

"Now for the shots," the old-timer reminds us. "The wonder

what these "shots" are. However, we are on our way to get them.

And get them we do!

We line up. Ahead of us stand several internes, a female nurse, and a table littered with syringes, hypodermic needles and smaller

Even Capone, the Mighty, was deathly sick from his "shot".
(This result is not unusual).

And now we are led back to our cells. Boy, do we appreciate the cell! That old, hard mattress is snugg' down to us as we flop, completely fatigued, upon it, and lose ourselves in sleep, reflection or letter writing.

Capone? The warden told the guard Capone wants a doctor. Say, that guy can't take it, can he? Yeah, the doctor's coming now. He's in there with him. . . almost Gee, I always thought a guard had to always stand by? Hell, the doctor's a civilian, isn't he? Don't you think the guard trusts him? I wonder what he's giving Capone? Sounds like they're whispering. Yes, that's just what they're doing! Ah, well, we'll know tomorrow, I guess. . .

We see now that Capone's long talk while confined with Dr. Beale had some significance. Of course, we didn't dream that Capone would become ill (?) from the "shot" of typhoid vaccine. Most men do, it is true. But he seems so big, strong and powerful. One would think he could fight the nauseating feeling that follows the injection.

Around us men are yelling and talking to one another. It strikes us strange that this is permitted, but then, the guard is situated on a platform down in the corner of the immense, tile and steel cell house. It is quite apparent he does not hear everything going on.

And likewise apparent that he does not see everything going on.

At infrequent intervals he ascends the tier steps and walks along the range. More frequently he sneaks in the alleyway between the long line of cells, and through a small hole in the steel wall, peeps in at the occupant or occupants. Why he should do this in preference to looking directly in through the steel grating in the door, 'tis not beyond our comprehension. They know, as do we, that no inmate is more likely to avoid attention when being observed.

It occurs to us that Capone has been quite smartly housed. One does not, of course, resist the cell in prison. In a jail this is particularly miscable. But not in the Atlantic Penitentiary.

Yet, this very thing is attempted by Capone, later. The
scandal it creates is worthy of comment. For Capone, at this very time,
is planning a conquest that has never been dreamed of by any inmate of
any penitentiary!

It is the morning of May 8th. Capone responds to another 7:50 "B" cell house call. As we follow him we turn to the right and climb a stairs. These stairs seem familiar. Yes, they're the stairs we ascended to reach the Record Office. But we do not go that far. We are halted outside the door to the Morale Office. We, like the others, sit on the bench or the floor, or lean indolently against the wall. Capone, we observe, the cynosure of all eyes, walks over to a far corner where he can feel the security of no one behind him. The smile lingers. It is a peculiar smile. It is a permanent smile, we conclude.

The men are now being called in individually. There goes Capone! Come, let's trail behind.

"40886?" asks Mr. Grover, Senior Warden's Assistant.

"Yes."

"How are you?" affably.

"Oh, so-so!"

Mr. Grover then delves into Capone's past, insofar as his morals are concerned. And the questions that Mr. Grover asks are indeed personal. However, equivocating and grunting answers drop restrainingly from Capone's lips. After all, Grover doesn't have to have truthful answers. But he does want to know to whom you are related. . . his information in this respect including nieces, nephews, cousins, aunts, uncles and in-laws; whereas Mr. Bates was content with the names of the immediate family. This, of course, Capone's inability to be analytical prevents his realizing it, is to prevent some friend or ex-convict later writing as Cousin Pete or Uncle Josh. Once you have given the names of your relatives, including all the branches and twigs on the family tree, you cannot address nor receive a letter from one whose name does not appear on the list of names given.

Well, Mr. Grover goes on. He wants to know how Capone's wife is. . . if she is able to support herself. Also, if the son is being supported by someone since his Dad is now in the "pen". If (it is absurd to think of it) Capone is penniless - - like many others there - - he might be assigned work in the Duck Mill, where he could earn 30¢ a day making pants!

He are amused by the questions Mr. Grover asks Capone, and like Capone, reluctant to leave the little private office. However, there are other men waiting. Mr. Grover is a busy man. . . sometimes! And, with a tinge of regret we jump from our perch on the partition to the floor below, and march out beside Capone. Not one pair of eyes are directed anywhere except at his smiling countenance, as, like a gladiator of the ring who has defeated his opponent, he resumes his corner.

Soon this is all over. We follow Capone back to his cell. He sits on the wall-attached bunk. He lifts his pillow to beat a soft place in it. A package has been hidden beneath it. Well, what can that be? We ask, our eyes wide in curiosity. It certainly wasn't there when he made his bed this morning!

Capone feels the bundle. He is skeptical. It might be a bomb! It might be - - - Well, it might be anything, he thinks; and surely it is something! He cautiously unwraps it, holds it at arms' length and is as surprised as are we - - - For enclosed in the paper wrapping is the half of a baked chicken!

Chicken! How our mouths 'water' as Capone sinks his teeth into the end that went over the fence last!

There goes the stockade bell! Dinner over, we return unseen and unobserved to Capone's cell. We are now impatient to see how he acts on stockade. The little gift -- the morsel of chicken before dinner -- seems to have brooded his spirits. If he can have chicken delivered to him, then why can't he have other things, he reasons? Perhaps while on stockade he will be accosted by the Good Samaritan or Santa Claus who was so thoughtful. Regardless of how he feels about going out. . . his qualms and fears, and the reception he is likely to receive --- perhaps a visible repetition of last night's reception and demonstration --- he must go. After all, there are guards here. How foolish, he realizes, that he kept his man out of the "pen". At a time like this they would have proved indeed encouraging.

We hang on to his shoulders as he lumbers down the incline to the stockade. It is an immense yard, reached after we have passed the Laundry and Shoe Shop, the Deputy Warden's Office and Isolation Building, the Fire House, Commissary, Tailor Shop, and Spinning and Weaving Mills (Book Mills) opposite each other. Down we go to the dirt and cinder compound. And for the first time we are aware that there is a towering wall rising skyward. On it are perched - at about 300 foot intervals - little kiosks, in which are armed sentries. We learn they are actually looked in after they enter the door at the foot of the spiral stairway outside the wall, and there they remain until relieved eight hours later.

As we follow Capone's glance towards the kiosks we hear a babel of voices greeting him. He is the center of a welcoming group or delegation. Among them we see the famous Dirty Colbeck, leader of Egan's St. Louis Band. Dirty is doing 25 years for mail robbery. Then, close beside him is Dago Margulis, the firebug, doing 10 years for setting fire to Government property. And look who's approaching! Joe Urwytsis. . . the man who is doing fifty years for mail robbery, and who, with five other convicts, covered the entire personnel of officers into submission in an attempted escape. The most daring in the history of the Atlanta institution! The hero of the institution - Joe Urwytsis. . . The bad man!

Al certainly gets a warm greeting. Even those standing yonder, representing the country's inveterate dope peddlers, ear thieves, liquor runners, big-shot bootleggers, post office robbers, mail robbers, ship scoundrels, white

slave traffickers, bank ambassadors, lawyers, judges, postal law offenders, murderers and ad infinitum, gave on with varying emotions at the most notorious man in the world - Al Capone!

To think, they reflect, they have seen him in the flesh! And can touch him! But . . . dare not write home about him. What cruel censorship!

"Where's the tennis courts?" asks Capone.

"Up here, Capone, " suggests one of his admirers.

He follows his informer, in turn being followed by a motley

horde of others, all anxious to be among the first to make an impression on him and have his friendship during his incarceration.

"Pretty good courts," he approves.

"Yes, they are, Al," recommends an unknown. "We've got two ball diamonds, too. One over there at the end of the yard, and this one here.

Then there's a handball court down the other end, and a place for basketball. And that over there, you know, is the prize fight ring. We have bouts on

holidays, you know. And movies on Saturdays and Sundays, too. One day two cell houses can go, or go to the yard. And the next day the other two, and the

dormitories and basement crowd - - the politicians."

"Politicians?" Al repeats.

"Yes, they are the white shirt guys. You've seen 'em in the Dining Hall. . . all eat together. They've got the soft jobs, you know. So

they stay in the basement, where they can take showers any time, and can walk around like in a college. He gotta stay in the cells, you see? Well, they

don't be confined like that. So we call them politicians."

Capone's mind is suddenly filled with desire for the basement. It must be a swell place! And he'd be in with intelligent, educated - and

perhaps influential men. Influential insofar as "knowing men in Washington" is concerned.

"How do ya get in the basement?"

"You gotta be assigned there by Schnozzle."

"Schnozzle?" questioningly.

"His Dep."

"Oh!" understandingly.

"Well, you ought to make it, Al. If anybody can, you can."

Write him an intervier slip and ask him."

"Well, maybe later," Al condescends.

"See that old guy playing tennis over there? Well, he's the best tennis player here. Old Man Penzfeld. Doing twenty years for robbing widows and orphans. He's about sixty now, and ain't been here so long."

"Aw, hell. I could beat him playing." Capone's remark is tinged with derision. "Who's the little fellow playing with him? He's good."

"That's Chip Robinson. He's Dirty Colboer's lieutenant. Boy, can he use a machine gun! He's doing 25, too. Hackett, down in the Officer's Mess - - he's doing 25 on the same rap. So is Distenmeyer, his brother-in-law. He's in the kitchen. They will come together. You know them?"

"Yes, I know Dirty and Chippy. But I don't know the other two."

"Look, see that fat blonde guy standing about twenty feet behind me, looking at us? Don't turn now -- he's looking. Well, that's Hackett. He's the bird you want to get next to. He has charge of the Officer's Mess, under Penbers, the civilian. Hackett can get you anything you want to eat. . . providing you pay, of course. You'll learn that anything you get done in here, which is against rules and regulations, is gotta be paid for. But it's worth it."

"Look! See these pants! See the crease in them? Well, ONE CARON A MONTE! That's what I pay to have them pressed by a 'jig' (negro) in the laundry. You gotta be careful, though, for you can't pay anything to a guy in front of a guard. Bring it on the yard, and give it to someone to give to whoever it is for. That's the best way."

"Say, Al," examining the extra large shirt and tight pants on Capone, "you oughta get some decent rags. That stuff's bewoney! Wait a minute. . . I'll get a guy who'll fix you up. Aw, hell. . . there's Head watching me. Captain Head. . . I'm gonna scream. See you later!"

The talkative, willing abettor walks off and is lost in the group watching the ball game. His eyes search out and find Captain Head still standing on the spot where he last saw him. Maybe, he regrets, he wasn't watching him after all. Well, better not take a chance. No use going to the "hole" for nothing.

"Hello Al," greets Hackethal.

"Hello," Capone answers the unknown greeter.

"How'r ya makin' it?"

"Not so bad."

"Ya got the chicken?"

"Did you send it?" surprisingly.

"Thought you might want something decent. The show on the

main line's fierce. You'll never make it on that."

"No, I don't think I can. But how in Hell can I - -?"

"Let me worry about that. If you want it your worries are

over. I'll do the rest."

Capone extends his hand and Hackethal clasps it warmly.

"Sure appreciate it, Buddy," Capone smiles.

Hackethal smiles his pleasure. "Hackethal's the name. Frank

Hackethal, Friend of Dirty's."

"That's Dirty do here?" Capone asks.

"They got him on the radio. . . in the control room. Morale

operator, too. Also, in the Catholic Chaplain's office."

"Pretty busy, I'd think. All that."

"Yeah, keeps him busy, all right."

"That do ya think you'll be assigned to?"

"Don't know, tell the truth. There ain't a damned thing I

know how to do."

"Maybe they want put you to work. Every man has something to

do, though. In about three weeks you'll know. You first got to go the

rounds. . . the Record Office, Morale Office, Chaplain's Office, Edu-

cational Department and so on. Then, when you're about played out, they

assign you to some job."

"Well, I'll worry about that when the time comes. I'll tell you

right now, though, and this is between you and me, I don't intend to do

nothing that's hard. I'm here on a bum rap, and I'll be damned if they're

going to burn me up while I'm here."

"Aw, Hell, Al, the Dep'd not put you on anything hard. Say, I'll bet you got the basement and one of the soft jobs. Maybe! They

might let you help Dirty. He could use some help. He could get you aw, too. Dirty's got pull here."

"He has? What do ya think he could do for me?"

"Well," reflecting that turning him over to Dirty might be unsuccessful so far as his own gain is concerned, "I'd better talk to him. You know him, of course. But you see, Al, you're in the 'pen' now. Things are handled differently here than outside. Leave it to me. Meanwhile, it's O. K. to send."

"You bet! Anytime and anything. . . except that Kitchen Grab."

"I getcha!"

Hackett walks off. Captain Head watches him as his countenance beams with satisfaction.

Capone is enclosed by a circle of would-be-friends and prospective "connections". The rumor, spread by the Dressing-in-Clerk, that he was "lousy" with hundred dollar bills, which are now on deposit in the Chief Clerk's Office, has created no end of desire for part of it.

"Getting it from him? Aw, that's easy! The difficult part, they reason, is getting to him before someone else sells him your "article."

Captain Head, Captain of the Day Watch, though not over forty years old (and formerly a guard on the Georgia Chain Gang), has a most primitive system of "pigeons". These "pigeons", so called because they trade "squeals" on other convicts to avoid the "hole" for a violation of the rules, are too numerous to identify. Needless to say they are not rejected from the ranks of former moonshiners nor the clerical force, but chiefly from the list of dope addicts. "Squeebirds" as "finger-men" are most satisfactory to Captain Head, since he directs most of his inquiries to them. Drugs, in amazingly large quantities, find their way into the institution. A "shot" sells for as low as a carton of cigarettes. (Cigarettes, incidentally, is the medium of exchange)

Captain Head, of course, is aware that Haskethai has "propagated" Capone. . . that he has offered or agreed to feed him - - - clandestinely, of course. It is now up to Captain Head to contact one of the "C" cell house inmates - one who has been "kapt" from the hole by Captain Head for just such purposes; squealing.

With a confident feeling of success in the proposed investigation, Captain Head saunters over the stockade, creating in the minds of many inmates the wonder that someone of the many violent and desperate characters within the walls does not retaliate for punishments inflicted through Captain Head's arrests. Captain Head himself does not recommend nor inflict the punishment - - the Deputy Warden (familarly known as Schnozzle because of his long and prominent nose) does so, after the offender has been brought before him and given a "trial" or hearing. The squealer, of course, is never present at these "trials", and, unless the convict has been caught in the very act of which he stands accused, he has no chance whatsoever of evading isolation or the hole.

Isolation, it may be well to explain, is removal from the cell house in which a man is confined with his fellow prisoners, enjoying all the liberties the other prisoners are entitled to - including stocks, movies, radio and so on - to a restricted portion of the Deputy Warden's Building above the "hole". In isolation, of course, a man finds himself alone and confronted by two blank walls, a wall with an inaccessible window

and a well in which are the double doors through which he has entered. There is also a hopper and antirestless bank. He is not permitted to lay upon that bench during the daytime. Should he, the guard through a small grating in the door - orders he remove himself. In the event he does not, after two warnings, he is taken below to the "hole", where there is impenetrable darkness and no bunk.

The "hole" is a much smaller, windowless, feild and boxlike cell. One confined in the "hole" receives only bread and water twice a day. On every fifth day one full (?) meal is served. The full meal is equivalent to the regular meal served in the Dining Hall at noon. Stew, perhaps boiled rice, and raisins, and a vegetable. When a man has been in the "hole" ten days (twelve is the average), upon leaving it the ravishes of torture and misery are written on his countenance. His face is dirty and unshaven; his eyes are lost in the depths of deep, purple circles surrounded by their; his weight has decreased anywhere from five to fifteen pounds - depending on the size of the man, of course - and his stomach has concluded his throat has been cut, for he is starved. Men have been known to almost strangle themselves when eating their first meal after leaving the "hole", so painfully hungry are they!

There is another punishment more drastic than either isolation or the hole, yet, not as severe in its suffering. It is known as "Segregation". A man is segregated when he has committed an unusually brutal act . . . an assault on a guard . . . an attempt to escape . . . or a murderous assault on another prisoner. These violations are frequent, but the offenders are not always subjected to this punishment.

An inmate, when in segregation, has no contact with other prisoners. He forfeits hope of being released when six, eight or twelve days have passed. He forfeits hope of again seeing the ball games, prize fights, movies or enjoying other recreational activities during his imprisonment. He is as completely segregated as though he wore a leper. His meals are brought to him three times daily, and he is permitted once each week. Once a day he is taken from his segregation cell to an

enclosure behind the Deputy Warden's Office (used by isolation prisoners for a daily walk) and under heavy guard permitted to walk the stiffness from his joints. After forty-five minutes he is returned to his cell and there remains until the day of his release.

It is quite important all this be fully explained since it will clarify in the mind of the reader the powerful influence Capone exerted and his participation in the punishment inflicted.

It is also appropriate at this point to mention the most dreaded punishment: Loss of Good Time. When a man has but a year and a day to do, on which he has 72 days Good Time, he is as cautious to protect that 72 days as is the man who has twenty-five years to do, with 3000 days Good Time! An inmate figures his time according to the short time date (unless he makes parole). To be punished by loss of "Good Time", therefore, makes each day after the Good Time date, seem a year. Only those who have suffered it really know how endless a one 72 days can be!

However, one suffers loss of "Good Time" for violation of three rules, namely: Assaulting a Guard, Attempting or Succeeding in Escaping, and, Sedition. Fifty per cent of the losers are comprised of those violating the rule for killing society, both parties suffering loss of Good Time. Infrequently a man escapes from Farm No. 2, the Honor Farm adjacent to the prison.

You hear that in mind! There is no record of an inmate having lost Good Time for any offense of a lesser nature. True, it is optional with the warden. He can take your "Good Time". But he cannot restore it. He can only recommend it be restored. Sanford Baker, Director of Prisons, will hear. Besides, the Attorney General of the United States, must first be consulted before they will even consider its restoration.

Occasionally it is restored --- but never for the individual! Let us return, now, to "Our Cell House" and see if Capone has received any rewards. Yes, he's there in the cell and he seems to be comfortable. He is in the cell closer and perhaps smell of the water. He is in the cell, still! Good old salami! If he ever gets out, he'll pull a package from under his seat. It is usually covered in cellophane paper. He opens it, still!

Could you guess? PIE! Hot apple pie! Um-m! We get hungry, and are just about to close our eyes in ecstasies when from the recess beneath his pillow he carefully selects about half a pound of cheese, places it on the pie and actually devours it in three bites!

We can stand no more! We swoon!

It is June 2, 1932. Capone, to our increasing wonder, is really gaining ground. The ill-fitting dark blue shirt he had been found worn dressed in has been replaced by one of robin-egg blue. It fits neatly and is meticulously laundered. The blue denim pants that hung in seers and pinches, have been cast aside and replaced by a lighter and looser fitting pair. The crease in them appears as sharp as a knife. One wonders if running his finger along them will not cut it!

We look at his shoes. Wonder of wonders! He is wearing a perfectly new pair of Florentines! The soles are hardly soiled yet. We stand back, appraisingly. We notice, then, the silver belt buckle where before had been one of tin. The stick, black, wide belt now encircling the middle cannot be but new.

And for the first time we observe he is wearing a neat, knitted black tie. It is tied in a respectable knot just below his second chin. Well, we conclude, he has certainly outdone Thurston in producing such contraband articles behind the prison walls! We know Thurston had a "bag of tricks" and many concealed pockets. But Capone's "bag of money" is more mystifying than Thurston's bag of tricks!

As he stands before the assembly, god-worshipping, hero-idolizing legends and parades that surround him on stockade, he is placing bets for the fights to be fought on the fourth of July. Ten cartons here. Twenty there. . . Fifteen here. . . Five there. . . An so on. "Aw, sure. . . the money's good! Well, I wouldn't tell you it was if it wasn't, would I?"

A guard passes. He knows not whether to disperse or ignore the gambler. He turns his head away. Better let well enough alone. But he has heart sufficient to stir his head. "Money! Who can't use it! And if he did lose Capone wouldn't expect him to pay. Besides, he may be able to do for Capone what apparently some other guard is now doing. For certainly that tie, the shoes and belt did not walk into the "pen"; nor was it dropped from a "place. Sure could use \$50.00 right now. Gosh, the wife's been crying for two months for that bedroom suite. Just enough to pay down. . . the rest would be easy. Gee, wouldn't she be tickled, now, getting that - - - if I win! Well, I gotta win. I gotta, that's all!

He stands uncertainly just inside the door. The 'A' cell house guard observes him, comes down from his platform, and graciously examines the slip.

"3-7?" he says to the clerk who handles all details of this nature. The clerk, already standing beside Capone, Capone's hand is slung over his shoulder, leads him up to the second tier and to 3-7.

"Say, this is a big cell," beams Capone. "How many in it?"

"Right now there's Dirty Colbeck, Dago Marquis, Carter,

Rockle, Joe McCann and one other guy --- moonshiner, Hill-billy, you know.

Dirty's been trying to get him out, but hasn't been able to do it yet."

"Who's Rockle?"

"Counterfeiter from New York. Leave it to Dirty."

"Which is my bunk?" asks Capone, dropping on the nearest one.

"Here!" points the clerk.

"I'm supposed to go to work, ain't it?" Capone asks.

"Yes. But not today. You can lay off today. You go to work

tomorrow. Shoe Shop."

"Shoe Shop?" Capone echoes. "What the Hell am I going to do there?"

"Darned if I know. All I know the transfer sheet shows you're assigned to the Shoe Shop. That's over in the Laundry Building, you know, where the territory is upstairs."

"Yeah. Boss, I guess, of Dagoes."

"Aw, there's not many in the Shoe Shop. About ten, that's

all."

"Well, tomorrow'll tell. Darned if I do any shoe shining,

Buddy! Take it from me."

"Jigs do that. They got a regular shoe mending place over there. Machines, polishers and all that. They don't make shoes, you know. The shoes we wear here and in the other joints are made in Levensworth. All they do here is mend them. Guards and convicts, you know."

"Heluva lot I know about mending shoes," spits Capone.

"Have to get down now or the sore'll get wise," excuses the clerk. "He's not bad, but like the others, he's gotta watch out. Somebody

"See you later, kid," Capone calls as the Clerk leaves.

"C.K., Al!"

Capone looks around. The walls are decorated with pictures of movie actresses. There's Jean Harlow's picture six times. There seems to be a demand for the platinum hair enchantress. He stares at each picture with a fascination that borders on hypnotism. A photograph disclosing her anatomy seems to hold him spellbound. He puts his hands on his hips as he examines the picture more closely. Turning his head slightly he looks into the eyes of the enigmatic Garbo. Good picture, he muses. One woman I've always wanted to meet. Wonder ---- No, not from here I couldn't write. Wife's pretty nuts about her, too.

Al, there he is! Paul Kniff! The guy that played Scarface. What's so hot, I hear. Should have paid me my price and I'd show them some acting. Just like the damn magicians....want a lot for nothing. Fifty Grand for my life story. Humph!

Un-ump! Ever got Norma Swearer. And Janet Geyner. Pretty little kid, her!

He looks behind a waist-high screen and discovers a hopper. Nearly is a washbowl. Glancing upward he sees four elaborate, hand-made, tawdry lampshades concealing electric light bulbs. One, more gaudy than the others, proudly swings its fringe in the slight breeze that blows in through the high windows fifteen feet away.

"What the Hell kind of place am I in?" he mumbles.

Simultaneous with his action of sitting on the bunk he hears the slamming of levers and the doors sliding open. He jumps, the thought flashing through his brain that someone's playing a joke on him. As he is about to lift the mattress to examine, man streak by, raucous voices are heard calling one to another, and he is suddenly aware that five staring men have entered the cell.

"Hello Al!" greets Colbeck, "Welcome to our little home!"

"Hello, Dirty!" warmly responds Capone. "Yes, it's a pip!"

"Hello Al," greets Dege, a broad grin spreading across his

features. "You know Rockie, don't you? This is Rockie, our office boy."

Al looks down. A little fellow, not quite five feet tall,

looks up into his eyes. Hands extend and clasp.

"Glad to know you," mumbles Rockie.

"Hello Kid," beams Al, realizing that friends, no matter who

and what they were beyond the walls, are valuable within them.

"Boy from the hills. . . Them that good old Tennessee hills!"

Colbeck nods towards the uninterested and uninteresting mountaineer.

"Howdy!" Al greets, extending his large hand. An expression-

less face is turned upon him. Heard of him, sure! But he means nothing to the mountaineer, I'm more interested in "them that remember's snooping up the secret trails to the still back home, and ketohin Sarah."

"And Joe McCarren," introduces Dirty. Al shakes the out-

stretched hand of McCarren.

"Hello! Dirty, still the politician smiles, "better than that

3 x 6 in C, huh?"

"You said it! Boy, even a badbug has to back up to turn in

one of 'em calls."

Dirty, Dege and Rockie laugh at Capone's witicism. It is forced laughter, for they have heard the pun innumerable times, and had a young stunner like 'erock' he would have been told to put it back in its cozy cradle.

Colbeck draws Capone to one side. They sit on Colbeck's bunk. It is a "lower", there are four lowers and four uppers. Capone, though a new arrival in the cell, is given a lower - Rockie's.

"Now's you walk out!" whispers Colbeck.

"Fussy good, Din. How's chances of getting my food in here?" asks

Capone, "I shan't always be object and foremost worry."

"Gary!" Colbeck informs him, the information accompanied by a gesture of the hand, signifying how simple it can be done.

"Getting yours?"

"Getting mine?" Repeats Colbeck, louder than the conversation

surrounds. "Say, that son-of-a-bitch wouldn't give me yesterday's paper!"

"You mean Frank?"

"Goddamn! Right!"

"I thought - - -"

"Yeah, everybody thinks so. Hell, if it wasn't for him we

wouldn't be here. Anyhow, don't worry about me. I make out all right.

Aint missing nothing."

"You mean you got connections?"

"Plenty. I don't need anything from that bird!"

"Hell, you're welcome to anything I got. Say, why can't he

pile something on the tray for you. You know how I got it, huh?"

"With the screw's (Guard's); sure!"

"Hell, why can't he just add a little? I'm paying him well

enough. I understand he's gotta pay off, too. But what's the difference?"

"Fenters?"

"That's the guy in charge of the mess!"

"Yeah," nods Colbeck.

"Some of my business, Al, but just how much is he soaking

you?"

"Two Grand cash in case he gets caught, and \$250.00 a month,"

casually.

"Jesuscrackers! Boy, that's stiff!"

"Not bad at all, Din, considering what I get. I order, see."

"That dirty bastard told me he was only getting \$100.00 a month.

Can you feature that? Supposed to be my pal. Supposed to be, get me? I'm

a son of a sea cook!"

"But Din," placates Capone, "he's gotta pay Fenters. He

doesn't get the money direct, you know. It goes to his sister. She takes care of Fenters. Now I understand the guard'll have to get a slice of it.

He didn't tell me that before. But when I told him yesterday that this month's two fifty was paid, he mentioned something about the guard down there --- in the cell house, you know --- getting his. He's supposed to know it's hidden in his box when he gets his mail. The clerk knows it, too, see? and I've been slipping him some smokes. He just told me yesterday he's got a sick wife, and wants to know if I'll have some money sent to her so she can go to the hospital. Of course, Din, I don't give a damn what it costs. I want it, see?"

Dinty, by the broad smile wreathing his lips, acknowledges he 'sees'. Capone's smile has been replaced by a troubled frown. True, the money part doesn't worry him. But the thought that Dinty and Backstrom are not what Backstrom convinced Al they were --- the best of friends --- disturbs Capone.

"Tell you what, Al. Take it easy. I don't saddle with anyone's business. I got 25 years to do, you know. I ain't going to lose no good time if I can help it, and a guy never knows what these connections wind up in.

If he sends anything for me, O.K. If not, O.K. too!"
"That I got you can share," offers Capone.
"Right, Al, got to go now. Start the radio for these convicts. They can't eat at noon without music. See you soon!"

With a wave of the hand Colback pulls open the iron door (which on this particular cell is never locked because of his coming and going at all hours of the day), strides down the range, and out of sight.

"How are you making it? Settled?"
Capone, taken by surprise as he whispers to Dago, looks up and sees the cell house guard in the doorway. He smiles in a friendly way. Dago winks approval and Capone comprehends the guard is "on the make".

"Fine! Fine! Come in!"
"Only got a minute. Just wanted to see if you got settled, that's all."

"Everything dandy?" says Capone.
The guard walks away. The lock has been broken.

mountain.

"Just about that bird over there!" Capone nods towards the

"Dumb!" Dago speaks through the corner of his mouth.

"The kid!"

"O.K." Dago assures Capone. "Italian."

"I see," Capone nods, his eyes narrowing.

"Capone's in the Shoe Shop?" "Yes, Whitey, they assigned Capone to the Shoe Shop." "Say, did you hear? Al's working in the Shoe Shop! Yeah, Capone in the Shoe Shop!"

Thus, the news of Capone's "soft" assignment raced through the prison. And, of course, we are not amazed at the consternation this assignment causes. Others, however, determine to investigate the authenticity of the rumor. And curious as we have proved we are, we decide to tag along. Of course, we can't walk in the Shoe Shop just for the purpose of seeing if Capone works there. We must have some excuse. Well, what better excuse than to have rubber heels put on our shoes? The very thing, deliberately and with satisfaction of curiosity aforementioned, we each remove one of our rubber heels. There! Now we have a valid and plausible excuse for asking for and being granted permission to visit the Shoe Shop. . . and see Capone at work (!)

As we enter the building and climb the stairs leading to the first floor, we see to our left many men fronting "whites" . . . pillowalps, sheets - and as we look closer, linen belonging to the drillians and guards employed in the institution. We are not so interested in this just now; we came to see Capone work. We turn to the right, and there, sitting in a large Morris chair, is Capone, a magazine in his right hand, a cigar in the left. He does not look up as one of the inmates approaches us and we explain our difficulty. He removes our shoes, hand them to the inmate, and he attaches new rubber heels. Our eyes, meanwhile, are fixed on Capone. We wonder why the guard, standing nearby, does not reprimand him. How pompous he seems sitting there motionlessly dressed in his robin-egg blue shirt, black tie, creamed and bleached denim pants, silk socks and spats. The guard must have observed us whispering. He stares at us. We become frightened.

Then, to our sheer amazement, he walks over to Capone! "What about washing these windows?" he asks, no trace of condescension in his voice.

"Who wash what windows?" growls Capone, rolling the magazine into a clublike resemblance.

"Each man's got it to do once a week. You're the new man here, and it's the custom for a new man to do it his first week."

"You're telling me! Yeah! Well, this new man don't wash no windows, see!" indifferently.

"That's how you feel about it?" The guard is uncertain how to proceed with this rebellious celebrity.

"Yeah! right! And what you gotta' do about it?" Insolence! the guard reflects. But dare he do anything about it? It might be easier for one of the ignorant mountaineers to wash the windows, and thus save himself probable embarrassment by a reprimand from his superiors.

"Say, you!" he calls to a 300 pound mountain of flesh bodily engaged sweeping the floor. "Drop that broom and get to those windows. They got to be washed."

The mountaineer, who had heard Capone refusing to do the work, strides over to the guard. They are both legs than five feet from His Majesty as he sits ostentatiously in his comfortable Morris chair.

"I washed them them windows last time, Mister. It aint my turn now," he addresses the guard humbly.

"Well, I'm giving you orders. You'll wash them, or ---"

"Say, that guy aint no better'n me." The mountaineer's ire has been aroused and he is unconscious that he is pointing the broom at Capone. "If he's too damn' good to wash them windows, then, by God, so am I! Aint nobody gotta' put nothin' over on me. I been yer too long fer that, Mister. I'm just a ignorant mountaineer, maybe, and I got five years yer for makin' a gallon corn liquor, but I aint no killer and no robber, like that guy!" (he shakes the broom at Capone).

"And you all! Aint no man yet cum yer that baint do somethin'. Maybe you all are a big shot outside, but in yer yer's just another convict. Like me and everybody else. And --"

Capone rises from his chair, throws the magazine into the hollow of the cushion he leans behind, doubles his fists and swings at the mountaineer. His fist lands on the mountaineer's jaw. The mountaineer swings his broom above his head and brings its straw end down on Capone's

Capone becomes furious. Six convicts rush the mountaineer.

He seems to us like a huge, angry, snarling bull being brought in for slaughter. The brown is cast aside and he grabs the first thing his crazed eyes fall upon - a chair. He raises it above his head, twists it once and hurls it at Capone, now standing back in what he feels is a safe place. The chair, flying through the air, barely grazes Capone's head, crashes through the window and hangs on the iron bars.

The guard shouts for order. His shouts are ignored as Capone rushes towards and clinches with the mountaineer. The club in the guard's hand cannot be used unless he is attacked. His muscles ache to ignore this order. He wants to bring the club down on someone's head, but dares not, without justification. The entire floor is in an uproar. Capone is uncer- tain just how great is his strength compared to that of the mountaineer's. After all, he begins to realize, the mountaineer has been in prison longer than he, and has many friends of whom he (Capone) is ignorant. It might be best . . .

"Wait a minute!" Capone shouts, his hand upraised, his head thrown back. "What the hell's a matter with you guys? This is my scrap. Now listen, you!" He points a shaking finger at the mountaineer. "You're afraid to get in the hole. If you don't wanna wash the windows, O.K. Some- body else will. But you're gonna get yourself in a jam if you try to tell me what to do. Get me?"

"I'll wash 'em, Al," an inmate offers. "I don't mind washin' 'em."

The guard orders them to their respective duties, seeing in this offer a solution to his difficulties. But Hollis he muses, he's got to make a report. Hollis, that's that!

"Capone's on the spot!" "Capone's on the spot!" "Capone was clipped in the shoe shop! You! Got written up!"

The rumors spread. Condemns they are exaggerated conceptions of the incident; again, diminished ones. The prisoners are on edge. They've been waiting for this! Been expecting it. It just had to happen sooner or later. And now. . . !

It is the 1:00 P.M. stockade hour. The prisoners employed in the Duck Mill Industries (comprising the majority of inmates) are permitted stockade between 12:30 and 1:00 P.M. They then return to their duties. At 1:00 P.M. the clerical force, kitchen and hospital workers, and a few others, are permitted stockade for an hour. From 2:00 to 3:00 P.M. another group have their stockade period. The Shoe Shop and Tailor Shop details are permitted stockade from 3:20 until 4:15 P.M.

He follows Capone to the Deputy Warden's Office, accompanied by Captain Fry, Captain Head and the guard assigned to the Shoe Shop.

"Well, Capone," begins the Deputy Warden, "you're getting off with a good start. What's the trouble?"

"Aint no trouble," sneers Capone.

The Deputy looks at the guard's written report.

"Mr. Yates seems to think there was. He reports you refused

to obey his order to wash the windows. You must remember, you're in the

penit--"

"I aint washing no windows, see?" Capone snags, "I didn't

come here to wash windows. I come here ---"

"Wait a minute! Just a minute!" The Deputy jumps to his feet, anger and rage engulfing him. "This is a penal institution. You are expected to obey the rules and regulations. Every man here has work assigned him. Your duties in the Shoe Shop demand you repair shoes. If there are other duties -- whatever the guard assigns you to do -- you are to perform them. Now, you have my orders. You'll do what you're told to do!"

"I'll go to the hole first!" Capone spits.

"Then you'll go to the hole!" retorts the exasperated Deputy

Warden. "Captain - - -"

Capone raises a restraining hand. "No you don't, Deputy."

Hold on there a minute, you!" He points his finger at the Deputy Warden. They are less than ten feet apart, facing each other hostilely. Captain Fry, Captain Head and the Guard, Mr. Yates, block the door. "Before you put me in the hole I want to talk to my lawyer. You got no right to put me in the hole! None at all, got me!"

"I have the right to inflict whatever punishment I feel you or anyone else who shows rebellion, deserves. Now you're not going to see your lawyer. And you're not going to tell me how to run this institution! Understand this, Capone. Not you. You'll either obey orders or suffer the consequence for refusing to obey them."

The situation is a dramatic one. Capone's throne is being tilted. His face is livid with rage. He is being stripped of his armor and conceals, in a defiant attitude as if across his hands on his hips and stares at the Deputy Warden. Captain Fry and Captain Head look on, Captain Head's fingers tightly gripping his club while Captain Fry's hands are protruding as they circle the oak; even he always carries. Mr. Yates, still at ease, holds his club in readiness. In his eyes shines a thwarted desire to use it.

"Now get this! Once and for all time, I mean, too! I'll do anything that's reasonable. But I ain't gonna do no window washing. I ain't gonna do no floor scrubbing. And I ain't gonna do nothing you fellows tell me to do if I feel like I'm being humiliated!"

The King has spoken! The Deputy, a wise man, and capable of judicially handling a man in such a crisis, resumes his seat.

"Capone," he says, "are you telling me what you're going to do?"

"No, I'm not. I'm telling you what I ain't gonna do. Take it or leave it!"

The Deputy Warden's mind is busy weighing a decision that will avoid trouble, yet, one that will impress upon Capone that he's not going to get by with his attitude.

"Capone, I'm going to discuss you this time. But bear in mind, the next time you come before me on a report by a Guard, I'm going to be less lenient."

As Capone turns and makes his exit the Deputy Warden, Captain Fry, Captain Head and Mr. Yates go into conference. Capone returns to the Shoe Shop.

"I'm not half bad, Al!" someone asks.

"That son-of-a-bitch" I responded to put me in the hole! I'll

get that yellow-bellied Yewca, bitch! He don't know who he's foolin' with."

"What'd Coltrane say?"

"Said if I come before him again I'd go to the hole. Well,

that's the way for me in the hole! This God damned Colt'll be torn up

and I'll be there! A little foolin' with no hi-footed bootlegger

and the police! What?"

"Well, I told him I wanted to see my lawyer first. That threw

him out of his mind. I got a damned piece of shit turned quick then. I know my

own mind, bitch. I got a damned piece of shit turned quick then. I know my

own mind, bitch. I got a damned piece of shit turned quick then. I know my

own mind, bitch. I got a damned piece of shit turned quick then. I know my

own mind, bitch. I got a damned piece of shit turned quick then. I know my

own mind, bitch. I got a damned piece of shit turned quick then. I know my

own mind, bitch. I got a damned piece of shit turned quick then. I know my

removes it from the thing that fastens it there. He is about to withdraw it when Mr. Hughes rises and speaks.

"Come of that! Out it! What you got there?"

Capone jumps to his feet, the child in his arms frightened and fearful. The movement enables him to conceal the small parcel on his person. The ensuing excitement caused by the woman rising to their feet, their chattering, and Capone's words, frighten the guard.

"Put the kid down," Mr. Hughes gruffly orders.

"No the hell you talking to?" demands John Capone, rushing towards Mr. Hughes. "That's my brother, get me! I'll break your damned neck if you talk to him like that!"

"I got the right to love the kid, sint I?" asks Capone, his voice apologetic.

"Maybe you have. But you're not supposed to be slipped something," argues Mr. Hughes.

"Who was slipped something?" begs Capone.

"You! I seen it!" answers Mr. Hughes.

"Listen, you!" John Capone speaks, "then we come visit here we don't come slip Al something, and we don't want no scene. I'll report you to the warden for this, unless you apologize to my brother now. You sint seen anything, and there's nothing been done wrong." John's voice has become more persuasive as his hand withdraws a wallet from his coat pocket.

"You're not supposed to touch the child again until she leaves," Mr. Hughes informs Capone.

"All right," Al answers peevishly, winking at John. "Here, Ken, you take her." He hands the child to his mother. The visit ends as a guard steps in and signifies the hour is up.

After affectionate farewells and the promise to return on the morrow, they file out, and are escorted to the front. Capone is then permitted to return to the Shoe Shop. It is the twenty-fourth of the month, and he will receive another visit on the twenty-fifth and another on the twenty-sixth. Three days! Very much can be accomplished in three days. . . But

he'll have to arrange for another guard. "Hughes was sorta nasty," he con-
fides to an inmate. "Dangerous. Gotta be more careful next time. Might've
searched me and found it. Where the Hell did I put it. Yes, here it is.
Well, boys, you're going to get your snore. It'll keep you quiet for another
month, anyhow. Have to find another way to get this stuff in. Shouldn't
bother with it. Went up to get caught red-handed and the Dep got on my tail
again. Son-of-a-bitch!"

Capone places his neatly leathered foot on the hopper of the
Shoe Shop lavatory, withdraws the small parcel from his shirt bosom, and
slips it in a slit cut in the cuff of his pants. Cafe there, anyhow!

He returns to his Morris chair and relaxes. Almost time to
quit work. And sit down a damn' thing today, mind you. Sure is tiring. . .
Reaching his cell a few minutes later he changes pa-tis, knowingly
leaving the hidden parcel in those removed. They are rolled into a bundle and
slipped with a bleached blue shirt and two sheets, in a pillowcase, for laundry-

ing. The last place they'd look for anything, if there's a "shakedown". (A
shakedown is a thorough search of a man's personal effects. Sometimes there
are individual "shakedowns" - when an inmate "fingers" another inmate, and
sometimes a general "shakedown" - when it is believed sufficient contraband
articles are in the institution to warrant the "shakedown").

The next morning, as Capone leaves for breakfast, the pillow-
slip with its precious parcel of drugs is thrown into a large curran basket
near the cell house door. Other inmates throw in theirs, too. When the
basket is filled it is wheeled to the laundry. Each article of clothing and
liner bears the inmate's number. Each basket bears the cell house designation
from which it came. The underwear, on the lookout for laundry from 'A' cell
house, spots the conveyor. The laundry is to be separated --- sheets and
pillowslips in one pile, "blues" in another.

"40580, 40580, 40580." The number methodically repeats it-
self in the unloader's mind as he unobtrusively glances at the numbered pieces
in search for 40580.

"Ah!" he sighs, hesitating in his mechanical discarding of other bundles. He raises his eyes to see how close a guard may be. "If I make out O.K. . . ." He snorts the pieces behind a pile of dirty linen. Pools the cuffs of the pants. A beaming light gleams from his swollen eyes. It's the real Nervous fingers push it through the almost invisible slit. . . . The parcel drops into his itching palm, is quickly slipped in his pocket and his work ended --- for the time being.

Glancing furtively about to insure that he has not been observed by other inmates or a guard, he walks out of the building and towards the hospital. He waves his way to Doc, the inmate chiropodist. Doc is awaiting him. Doc is a frail, dark individual. He wears tortoise shell pince-nez. Large brown eyes are sunk in dark-lined eye sockets in his typically criminal face. Thick, plastered iron-gray hair gives him a dignified appearance, yet does not rob him of the consumptive ravishes he has suffered from repeated prison terms.

Doc has heard through the private grapevine operated by Capone, that the "stuff" got in O.K. Jenkins enters Doc's office and closes the door behind him. The parcel is delivered. Doc opens it, slips Jenkins his share, then hastily removes his false teeth. The small, valuable package of drugs is emptied into a contraceptive. The contraceptive is flattened, emptied, resealed and the contraceptive then sealed with glue and carefully placed against Doc's palate. The false teeth are replaced. Jenkins, his coat unfastened by Doc, departs. Doc destroys the remaining evidence - the container in which the drug arrived, and is ready to return to 'A' base -

Let a word be uttered during the entire exchange of possession. . . .
The needles are placed at strategic points throughout the institution, and Doc knows one is reported in his cubbyhole office. Exactly where he has seen Doc's wife so many. Too wise for them birds, he soliloquizes. Bump! Doc's wife, I been in every jail from Florida to Washington State. Doc's wife, I been in stir in the best joints in the country. Doc's wife, just as well use them in a deaf and dumb school as around me! Doc let us follow Doc as he tidies up his little place and . . .
The nerves for 'A' are exactly where he'll remain until the dinner gong summons him back to the original where he enjoys an excellent diet. He is nervous

and apprehensive. He's "hot". If you ask him. Not in the sense that anyone seen talking to him is later questioned by Captain Head. Not in the sense that he has clothed himself with a "record" that is the envy of more desperate characters who find prison a lucrative place to abide, and his "puro" makes of him a hero unto himself. A braggart. A boaster. "Loaded" with drugs he's in no humor to hold a conversation with anyone. And Head might stop him en route to 'A' basement --- which he frequently does --- and "shake him down". Damned shrimp! Always pulling me in that room and making me remove my clothes. Examining me thoroughly! Well, I'm too smart for him. . . No matter where he looks he's not getting wise to me! Yet!

He abuses an insouciant air as he literally preenes through the corridor. There's head --- waiting as usual! Well, we'll see, you little so-and-so! Humph! Let me by! Thought sure he'd nab me this time. Boy, I got to get rid of this P.D.Q!

Doc reaches the practically deserted basement. The clerical force doesn't start getting in until 11:25 A.M. Got ten minutes to "plant it". He walks boldly into his stall, unlocks his locker and produces a carton of Camel cigarettes. The table at which he sits is concealed behind a sheet draped on wires. One would not know he were in there unless he walked in and saw him. And he dare walk in Doc's stall -- unannounced or unwitted!

Each package of cigarettes is carefully opened and the drug, in small quantities, wrapped in tissue paper, inserted where cigarette tobacco has been removed. The package of cigarettes is re-sealed, and it is returned to the carton from which it came. The carton is not re-sealed.

An inmate cannot buy more than two cartons of cigarettes at one time. He is not supposed to have more than two cartons in his possession, at any one time, regardless of how he came into possession of them. Realizing the danger of having any excess, Doc does not risk retaining more than the allotment. However, he has more grains of heroin and morphine than he is allowed to distribute to Wagon's henchmen and friends. It must be planted! Would never do to lose it! Too damn' much trouble getting more. And it means the hole, if caught.

He steps out of his stall, No. 23, and walks around to No. 9,

on the North Side. No. 9 is occupied by Berg, a Dane, serving six years for counterfeiting. Doc and Berg were inmates at St. Quentin several years ago. Berg is assigned as photographer. We are aware that Berg and Doc are "pretty thick". We never knew why. Berg is sitting on his bunk, reading. We can't see the name of the book, but we feel that he is expecting Doc, for without any apparent interest in the book he fisses, and both step back behind the draped sheet in Berg's stall. We cannot hear their conversation as clearly as we would like to, but we do hear Doc's voice in a vehement whisper. Berg talks with a broken accent.

" . . . and keep it 'stashed' until I ask for it. It's safer up there, as you never get shook down in the Dark Room."

"Yes, I got you, I hide it, Doc."

"No, I got Christ's sake, don't lose it! And don't forget where you stashed it."

"Yes, Doc, don't be foolish. I just told you I hid it. Hoost

I got you on the hand to come home for?"

"Will you care of you. You'll get your money before you leave the joint."

Doc struts out and back to his stall. A sense of relief seems to have descended upon him as he emerges from it a few minutes later to join the line forming at the treatment exit, awaiting the signal to dinner. He completely ignores Doc as he takes a place farther back in line. Berg is silent. . . . Of facilities, we recall:

In men's quarters are four packages of cigarettes. That's as many as he can conceal on his person without appearing "loaded". It is not clear he should have on his person at one time --- in fact, three packages of cigarettes, one each to take showers. . . . and so by him it. The

How far the hospital dining room he looks for and sees the

and is seeing the loading of trays. An inmate is permitted to reach ---
of prisoners who appear to be disappointed, and the others taken away. A pool
of prisoners who Doc concludes. He slips a package of cigarettes to an
of prisoners who Doc concludes. He slips a package to another. Well, that's two, anyway!

Simple, isn't it? That's his consolation as he remembers the other two are to be delivered up in the ward. Well, Tuggie can take care of that, if I can't get up.

And they are handed to Tuggie, as she drops in on Doc to have her feet examined, two hours later.

Thus are Capone's dangerous enemies and needed friends brought

Another month passes. We were unable to learn how the two succeeding visits of Capone's passed, but we do learn that Mr. Bishop, next in command to Lieutenant Oliver, was the guard assigned to them. And this seems all the more interesting because Mr. Bishop spends the greater part of the day in the radio control room, with Colbeck. Naturally, we are curious to know why he is again on this month's (July's) visit by Capone's relatives. Odd, we think, that he should be selected. Mr. Bishop, we have since learned, is a very congenial sort. In fact, as well liked by the inmates as is Captain Madden, whereas they'd mob any of the other officers in comparison.

Capone's wife sits beside him in the Guards' Room. Our un-concealed resentment threatens to divulge our presence. However, we respectfully smother a gasp of astonishment as they sit there in a fond embrace. He dearly loves his wife --- there's no question about it. Her blond beauty has made him her slave. She is faithful, one can see. And she'll wait for him. . . If it's a hundred years! Yes, she's telling him so. But he answers that it won't be a hundred. . . that it'll be only until the first year is ended.

"But Al, how can you do it?" she feebly remonstrates.

"Listen, I needn't tell you I can have anything done. I

wait soon here no time, Forry, and I'm getting anything I want. Money, money, money! It buys even Washington!

"But Al, Dear, who in the world can do anything for you besides the Attorney General? That is, so far as your freedom is concerned!"

"Noney, I'm not telling you anything but that this time next year you and I'll be together --- outside! Honest, I'm not kidding. I mean it, baby. You think I'd tell you that if it wasn't so?"

"Oh, if I could only believe it!" Her jeweled red-tipped fingers press his arm. "You don't know, Dear, how I've cried night after night. . . Day in and day out. . . since you've been here. It's maddening! Cruel! Sometimes I fear I'll lose my reason. I can't help it, Darling. I can't!

"You try to make me feel content with the thought that it is better and safer for you here than if you hadn't come. Honey, they'd never have done anything to you back home. You know very well they dared not! Not with the power you had for revenge. But if you feel that it was a God-send, you must know. Everything happens for the best, sweetheart, and I suppose God knows what He's doing when He takes you away from me and lets them put you here." Mrs. Capone is torn between her desire for Al and the gratification that he had not had his fears materialized by the lead slugs from an enemy's machine gun.

"Mr. Bishop'll tell you, Honey, I want for nothing. Not a thing! Say, Mom, ain't I lookin' swell? Been playin' tennis and getting some of that fat off. Got a six bath every morning; a steam bath three times a week; three rub downs a week, and the best food money can buy. It's like a hotel here -- except I can't leave when I want to, Mom, what more could a convict desire?"

Capone laughs as he refers to himself as a "convict". The family join the laughter, but it is a restrained laughter on their part. Mr. Bishop displays a broad, encouraging smile.

"That ain't a 'I, either. Look at this!" Capone opens his shirt and discloses to them an expensive pink silk undershirt. "Drawers, too," he smiles, "and look at the size!" He calls their attention to the stitches in a carefully tailored diamond blue shirt. "Wants to order! Pants, too!"

"Wants to order! Well, I'll be warden here if I have to stop. Mark my word! You'll get it to have a con warden of a 'pen'!"

Mr. Bishop hurries to get down to business. "You got the list of names on write tonight. John Capone is speaking. He says to be sent or shut it all. You know who are to get paid; and how much."

"You know who are to get paid; and how much." Capone produces a slip of paper from his shirt pocket. "Now listen, each one is to get the amount set opposite his name. I'll be warden here if I have to stop. Mark my word! You'll get it to have a con warden of a 'pen'!"

the Officers' Mess got to me there. Had to quit eating in the cell for a while. Something blew up. . . . Head got wise, and before I got caught Doc ordered it sent to his place. Bishop here keeps me posted so that keeps me from getting nabbed red-handed. They know it's been getting to me, but they can't catch me with it."

"But you got \$300.00 a month until further orders," complains

John.

"That's right. It's worth it. Besides, his kids are sick and they need it. His wife's an invalid."

"What's this --- Fenters; \$500.00?"

"That's the guy what has charge of the Officers' Mess. All

you got to do is get the correct names and addresses from Mr. Bishop when he meets you in town at whatever place he says. You gotta be careful you don't get seen. I just got the notations. The rest 'll work out between you two."

"That's this mean down here --- Auburn?"

"Oh, yeah. An Auburn car. Fenters is planning on getting a

car, and I understand from Emelsthal -- -- Say, am I got him down for \$250.00 a month? --- he wants an Auburn. Sort of surprise, you know. Now listen, John, ain't no use you thinking I'm being held up, for I ain't. I ain't out-ride now. I gotta pay for what I get. Everyone here who wants anything's got to pay for it, some way. And that's dirt cheap?"

"But do you realize how much this amounts to a month?" John

asks.

"I never figure anything. I got it, and I'm spending it. For food, really. You and Tom got all you need. That's my money. I'd spend

or Embla it outside, wouldn't it? Well, what's the difference?"

"But all, I'm not looking at it that way. I'm talking about the fish. You want to make parole, don't you? According to this you're

taking \$100.00 worth of fish a month. Can't you realize -- --"

"The hell with the fish. They can't --- they won't do nothing to me."

"But think of these other men. Suppose it is found out. . . . They got perfect alibis. Leave that to them."

"Mr. Bishop, I suppose you understand just ---"

"No need to explain to me, John. I see Al every day. I keep my eyes and ears open. He's right. You can't get anything done for you here unless you pay for it. If a fellow types a letter for another, he gets a carton of cigarettes for his trouble. If he types court papers, he gets five cartons. Some of them have their wives send money to other fellows' wives, mothers, sisters and so on. It's done every day and a hundred times a day," explains Mr. Bishop.

"That's understood," agrees John, still dissatisfied with Al's generosity, and feeling that Al is being "taken for a raw". "I don't want anything happen that would jeopardize his parole."

"He's got nothing to worry about. Your Senator assures him he'll be out here in a year. He oughta know. He's been in conference with Roosevelt, ain't he?" Bishop is not quite sure Al's information regarding this is on the up and up. He takes this opportunity to verify it. After all, Al's made him some pretty steep promises. He's tired of being a Guard. Stars on his sleeves don't keep his wife satisfied. Money! Money's what the wife wants and needs. Travel, mawjee. Lots of it. Others like the Grede. . . why can't he?"

"Yes," speaks Al's mother. "I was with him when he said he would do what he could for my Al. Senator Lewis is sincere. He took me direct to the President and I heard every word he said. But you know how politicians are. Al always said that, and that's why we hesitate to believe everything that is promised."

"Aw, Kon, quit singing the blues," laughs Al. "I tell you the getting out soon's I done a year. The public would raise a helluva stink if they turned me out sooner. Besides, the lawyers are working on an appeal. If I can't make it one way, I'll make it the other. See? Why worry about it? Sure I want to get out! The damned place is killing me. And I never hear one day to the next what's goin' to happen. Now wait a minute....no need to get upset. See, there you go! Then I try to tell you something what's on my mind you all get worked up and scared. Every damned time it's the same thing!"

Capone is puffed and sulky turn away from his wife, who is visibly upset by his inference. She begs he calm himself, and argues his she is not upset. She can't help how his mother feels. . . "Well, shut I trying to quiet her?" she protests. "My God, Al, I can't stop her from getting excited if you're going to be telling her you're in danger all the time. You make me mad!"

Mr. Alphonse Capone is now angry. John holds his tongue, a forlorn, exasperated look upon his features. These scenes! How he detests them. Mother's always so easily upset. Al had no business saying that. . . should have had more sense. . . All I'll hear now till next month is: "I wonder if anything happened to Al. I dreamed last night. . ."

"Hell!" exclaims John, unable to control his emotion. He drops a half burned cigarette to the floor, decisively steps on and crushes it, and as if dying went to his feelings, grinds it under his heel.

Al's mother audibly weeps.

There is a knock at the door. All recover their dignity. . .

Mrs. Alphonse Capone rushes back to the other side of the table, and when Mr. Bishop answers "All right!" a guard walks in, announces the hour is up, and the visitors prepare to leave.

Ford Fawcetts. . . embraces. . . kisses. . . and tears.
And once gain the promise to return on the morrow.

"Al, what you need is arch supports. I can make you a pair that'll give your feet the proper rests. You see, you're heavy, and walking over the tennis courts in tennis shoes don't help a lot. Now, for instance, look at these . . . I made these for Miss Fagglo. You know how big and fat she is! Well, this is the second pair. The first pair gave her such comfort that she brought her sister in. You know, of course, it's against rules for us inmates to do anything for outsiders. But Hall, I make arch supports for most of the guards, and civilians and their families. There's Mr. Swagers. . . he's brought his wife and daughter in, and I fixed them O. K. Then, there's - - -"

"How do ya get by with it?" Al interrupts Doc. "Does the warden know?"

"Say," brags Doc. "I take care of that." A thrilling sense of importance flows through his being as he --- a mouse telling a lion how powerful he is (and the lion believing it!) --- relates what "connections" he has made.

"Look at this!" Doc removes the shoe and sock from his left foot. "I operated on that myself! The doctors here started it, but they bungled the job. You know what we've got here? Just a bunch of quacks. If they were any good they'd have a practice outside instead of working for \$100.00 or \$125.00 a month in here. Anyhow, after they operated it hurt like Hell. Then I decided to do it myself. I applied a local anesthetic, and ain't been troubled with it since. I know my business. You know yours! If---"

"What kind of 'connections' you got?" inquires the foxey Capone, his interest aroused.

"What kind do you need?" asks Doc.

"All kinds," Al smiles.

"But you got connections. How about Bishop? Adams? Fenner?"

"Yeah, but you never know when one of them's gonna get bumped off with the goods. And they're no good to me after they're caught. I gotta get money in here. Some of the guys don't want snaffles. They want

cash. Greenbacks!" Capone conveys an attitude of impatience.

"How much, for instance?"

"How much what?" asks Al.

"How much do you want in?"

"Couple thousand, anyhow. See, some of the 'seren's' want have it sent to their wives. That's their business, of course. Wives are dangerous, they say. I gotta get it to them without any in-between party."

"I'll handle your cash. I'm here on a four year stretch. I'll do about three years, if I miss parole. I can't make it, I know. I made it last time I was here because I had Dr. Wilson fix up a letter that I wouldn't live sixty days more. That was in '25. I got out on parole on that letter. And I got a record, you know that! And damned if I didn't get in stir again!"

"You got a pretty bad 'rep' around here, Doc. I'd like to do business with you, but some of the old timers tell me you 'rat'."

"Who rats?" Doc is offended. His dark brown eyes flash. "Why those rotten s----- have been jealous of me since I been here. Look! (Doc picks up a small piece of thread and wraps it around his finger) That's how I can handle these quacks here. I know plenty, see? I give you my word! I give me a chance. You know, though, it costs!"

"Yeah!" with a disdainful turn of the head Capone acknowledges he knows. "I know! But all right. See what you can do. I want \$3000.00 brought in. Don't bother me with details, understand? I want a list made each month of the guys what's supposed to get it, and how much. You're to take care of that end, and deliver. Got me? If you come across O.K. . . ."

"Call you'll get yours."

Doc is deeply grateful and affected. His nervousness deserts him and leaves him breathless, as Capone, satisfied with himself and his new conquest, takes his exit.

"Three Grand!" whispers Doc. "Three Grand! Jesus, more than I've ever seen! Boy, let me get my hands on that! Lemme see, how - - If I lose it. . . or if I tell him head bumped me off with it, how in Hell will he feel about it? Boy, that's a hint!"

Doc loses himself in dreams of splendour. He visions himself rolling away from the penitentiary in an elegant motor car. "All dolled up" to prison outfit for him. No sir! He'll have a made-to-order suit sent in.

"I know, sir. I have used every effort to trace its source, but ran up against a stone wall. No, no, sir, it is not being dropped from air planes. I have given the tower guards particular instructions regarding observing them. . . Who? He's a guard here! . . . Is that sort what makes you think ---? All right, I'll work on it from that angle."

As he replaces the French telephone he sighs, "Well, I'm a ---!"
"What's that?" asks Mr. Wrenn, his clerk.

Captain Head ignores the query. He is lost in a maze of unbelief. One of his trusted men bringing in drugs! Unbelievable! Incredible! Preposterous! But then, would his informant have mentioned the name if there wasn't some foundation for his suspicion? One never knows . . . in a pentecentary!

Well, he thinks as he rises with difficulty and lack of energy, nothing like taking a tip. Tips sometimes prove fruitful. And other times a will-o'-the-wisp. But this one . . .

"I got it!" Captain Head exclaims, forgetting Mr. Wrenn is closely observing his features. "Smith is Guard in the Duch Kill. He gets regular treatments from Dunlap, the chiroprapist. So does Capone! I knew that Dunlap worked on Capone's feet as a bluff. I got it! Call the hospital and have them send Dunlap over. I want to see him at once!"

"No. . . wait a minute! I'll go over there. Better to bust in on him unexpectedly. I'm going to the hospital, if anyone wants me."

Captain Head, his short steps unusually fast, hastens to the hospital.

Knowing Doc as we do, we realize the fruitlessness of following Captain Head to listen to the cross-examination. We look at each other and smile warily. We are confident Doc will have a perfect alibi. He can't be frightened into believing Head's got the goods on him, so far as delivering "dope" is concerned. Head catch me! Say, it'd take a hejira lot smarter guy than Head to get anything on me. I've been in more joints than Head can count. Like to take a sock at him sometime! Just my size, too! Lose Good time, though. And I can't do that. Not now, anyhow. Am on the road to plenty.

Yet, to satisfy our curiosity we eavesdrop on the conversation.

"But I tell you, Captain, I've not even seen any, least of all handed it. You got no proof. You're surmising, that's all. Well, you're wasting time, Captain, if you think I'm handling it. That's straight from the shoulder."

"And you deny that Capone doesn't buy it for the men here?"

"I don't know what Capone buys. I don't fool with him. He's 'hot', and I know it. All I got to do with him is 'band his feet. That's my duty. I do that for any convict. He don't mean a damn' thing to me, and I don't have a damn' thing to do with him. That's my word!"

"Your word!" sneers Captain Head. "That is your word against the word of five others?"

"Five others!" gasps Doc. For it is exactly five to whom he had delivered drugs. "Five who?" he demands, recovering his poise.

"So you do know something!" exclaims Captain Head. "Well, out with it. . . ."

"I don't know anything, and I told you you can't prove anything."

Doc relaxes, realizing now that Head was bullying him into a confession.

"You can put me in the hole from now till my short time date, but I still won't know anything!"

"Pretty smart, aren't you?" Head is sarcastic. "But I'm

going to get you yet, Dunlap. I'm not warning you, mind! I'm telling you!" With these parting words Head makes an exit. Doc climbs into the patient's chair --- similar to a barber's chair --- and smiles a smile of victory as

he leans on the cushion head-rest and exhales cigarette smoke.

"Pretty smart!" he murmurs. "Betcha life I am, Captain.

"Too damned smart for you, anyhow. If you were so smart you wouldn't put me wise. Ha ha! What they need here is a bunch of 'cons'. They'd know how to find things out. Dope! Say, Shrimp, I wouldn't touch dope in here again if it meant my freedom. . . Not after you let me know you're hot on my tail for it, and me with the chance I got now to get rich!" Doc emphasizes his mental resolve by banging his small clenched fist on the arm rest.

A cloaking laugh escapes Doc's throat. He's won the tilt and is in a position now to put Capone on his guard. That's the kind of work he'll do for the Big Boy. . . Keep him posted on the bigger things. . . On bags bursting. . . shakedowns. He'll make himself so valuable to the Big Boy it'll be just too bad for anyone who tries to "cut-in" on him. The Big Boy's his man, and he's going to get it!

"Now listen. I've told you before, and this is the last time --- Don't sneak up on me on the yard! Don't come near me. I can't be seen talking with everyone. You'll have me so damned hot I won't be able to get a breath of air any more. If you got business, handle it with Doc, or somebody he tells you to handle it with. I ain't got nothing to do with the money. I told you you'd get it. Be'll give it to you, or you can do what I suggested in the beginning - - let me have it sent to you."

Capone is angry. The inmate accosting him is sore because he was promised a "tenner" (\$10.00), and it has not been forthcoming. Three weeks have passed since Capone's visit, and the inmate feels that he should have had the money by now. He, like many others, believes it is handled by Capone personally, after being handed to him in the visiting room. All do not know of the arrangements, connections and conspires.

"But Doc don't come out when I'm out. He don't take stockade but once or twice a week. And den when I see 'im da bozo's wit' you. I can't get near 'im," complains the inmate.

"Well, you'll get it. How about cigarettes? Want to take it out in the Commissary? I'll get someone buy you ten bucks' worth of stuff."

"Hell, yes. I'll have something! den."

"All right. Make up the list of what you want and I'll take it to Larry Lane. You know him? Got charge of the canteen."

"Larry Lane? Yes, a little guy. All right. Thanks, all!"

The inmate shruggles off and is soon talking to a buddy what transpired between himself and Capone.

"I ain't char' you for no dink the stuff. He's crooked as a corkscrew. A) gives him 50.00 a month to run the canteen for him over the day. And nobody dares go on it, either! He's a dirty snake, that Lane."

"He won't fool wit' me, buddy. I'll get my ten bucks worth or else, . . ."

"Like what?"

"I'll put in a rap. Satch. What da hell do I care 'bout Capone now? I ain't gonna do no more business with 'im. Da hell wit' dat."

to get the ten he offered for it. He gives every guy double what they spend, but it looks like I can't even get my five back. If he thinks he's gonna give me da run-a-round, he's got another t'ought comin'. I ain't afraid of him or any of his bodyguards, sabbe! I got a gun, too! And dey don't like 'im a got dem bit. Let's why I'm quitting buying for the no good snobers!"

"Did you know he got three grand in last week?"

"Three grand!" gasps the paired inmates.

"Um-hum!"

"No --- in"

"I heard it from a guy in the hospital, a guy in the nut ward. He's supposed to be pretty. Maybe he is, I don't pass on that. Anyhow, he was down in the electric therapy room, where Capone gets two hours treatment every day --- baths, rub-downs and hot box --- and while the guy there was fixing up his rub-down, this guy was supposed to be taking a sitz bath, but he left the water running and come over to the door, and the guy what fixes the rub-down, Thorpe, was with his back to the door. So the nut just stood there and heard Capone tellin' Thorpe that if Beale was taking care of his heads, and bringin' him underwear and stuff he couldn't get inside here. And that he just got three grand to pay off, and if Thorpe wanted his, he could have it cash or have it sent to his mother. So the nut walks away, 'cause he didn't want them see him listening."

"On da level!" asks his astonished listener, eyes wide in amazement.

"Ya fact!"

"Well, I'm a lowdown what-cha-may-call it! And here I gotta pull da weepin' act to get my ten!"

"Hey, you won't be the first one to get screwed. He's screwed plenty. Else, whoever handles the dough has. I don't know who does, but I heard complaints."

"Doc handles it. Dumbap, you know. He no good rat! I wonder if he told Capone he gave it to me? Ya see, Capone don't know who gets it. Tho's supposed to get it, he tells Doc. Dat leaves him out. Doc den does the balance."

"In other words, Buddy, you're just five bucks out!"

"Oh yeah? Well, we'll see 'bout dat!"

"Say, by the way. How much does Capone pay his bodyguards?"

"Let's take a walk up to the tennis courts and see how many's up there."

They proceed towards the slope overlooking the tennis courts.

There are seven courts; one for negroes. Capone has the best kept court... one that lame takes extra pains with, daily rolling it to a smooth, finished

even surface, and liking it more conspicuously than the others.

"Dere's, Bugo Marka. . . And Joe McCann, Capone's playin' vitt' Deanna, and Cid Ken Penzfield. Dat odder guy wor's in de kitchen. I don't

know his name. Let's let 'em live, but supposed to be de best player here.

Look at Capone's court, da ball! He hit it like a sledge hammer. Jesus, look! He

too had plenty to play tennis. Like a hippopotamus, Jesus, look! He

beached his racket on de ground because he missed da ball! And look at 'em

jumpin' on 'em! Well, it's a son-and-son! Did you ever see a temper like dat?"

"How dere's dat puts us. Or any de, all come round to 'em

to playin' tennis, we'll let 'em live, but supposed to be de best player here.

"Well, well! The other day I saw him do that sledge. Once he

took his racket over to the bench and beat the bench with it until all the

airing was out of it. Then he sits it up against a court and jumps on the

handles, and it cracks he walks over and buys the firm from 'em, and

he'll see that 'em gets ready for 'em. And the last racket that would be

in 'em's court. You can't buy them, it's compulsory any more, though. They

are selling them, and they're going to give selling balls and bats, and

and the racket. They're worth a hundred and fifty dollars in the

market. And the racket. They're worth a hundred and fifty dollars in the

market. And the racket. They're worth a hundred and fifty dollars in the

market. And the racket. They're worth a hundred and fifty dollars in the

market. And the racket. They're worth a hundred and fifty dollars in the

"Da guy that works on de tennis court?"

"Yeah, that's him. He said he sold Capone two, after Ladd said -
papered them. Ain't that a smart guy for you? A racket racket in the pen!
Boy, what a joke on Capone!

"Listen, Buddy, you could sell Capone the Washington monument.
He's ripe for anything. Some of the fellows in your cell --- the moonshiners ---
made some bead necklaces. They cost about fifty cents to make, and they
sold them to Capone for \$10.00 each. Easy! Say, I'd bet he'd fork over
plenty if the right guy gets the right racket on him. Some confidence
men, for instance."

"You said it, Buddy. But dat ain't getting no da ten bucks
he owes me. I'm gonna see Doc. See what he has to say and den I'll know
where I stand. So long! See you anon!"

The two part, the one with the Bronx accent walking off in
search of Doc, the other drawing closer to examine the rackets being bargained
for. The tall fellow, summatin' the men in from stockade. Capone's bodyguards
were still spotted places --- three behind him, two before him, and two on
each side. . . all a distance of less than three feet from him. He is now
immediately to attack.
The other were clever men in the Atlanta institution. . .

Days . . . weeks . . . months pass. Daily, men charged with vio-

lations of the rules, are arraigned before the Deputy Warden. Offenses arising out of the web of intrigue and conspiracy at the head of which sits Capone, self-satisfied, content, indifferent. He continues to yearn for the glad tidings that his appeal will effect his freedom, or Senator Lewis will be successful in his endeavor to induce the President of the United States to use his prestige as the key to open the gates of the Atlanta Penitentiary for Capone's release. There are conferences two and three times a week --- lawyers from Washington, lawyers from Chicago, lawyers from Atlanta. Interspersed with these business visits are social visits from "Bugs" Moran, "Pur" Sammons and "Gus" Winkler --- under aliases!

Needless to say the best legal minds in the country assemble in the Guards' Room and discuss various and sundry loopholes, all of which, to Capone's unintelligent mind, seem certain and definite grounds for his release. Yes, they tell him, from the United States District Court they will go to the Circuit Court of Appeals. That failing, to the Supreme Court of the United States. They'll go the limit!!!

Capone MUST be freed. That's the conclusion of his splendid and expensive array of lawyers and lieutenants. But, Capone stays on. The claws of his power-greedy hands continue to drag in almost poverty stricken guards and inmates, civilians and outsiders. Money! Money! Money! Everyone is getting it! Anyone can have it --- for services rendered!

Steadily, and with an eye to insuring his incarceration shall be as pleasant --- and safe --- as money can make it, with a shrewd and cunning brain he builds a ladder of victory and conquest. As he skillfully ascends rung by rung he crushes beneath his feet, in a quicksand of pollution, everyone of his employees from the lowest inmates on his pay roll to lieutenant Oliver! Guards, civilians, physicians, Captain's assistants!

He is striking inwardly and with determination to conquer the last two rungs of the ladder --- the two rungs that seem higher and more inaccessible to reach than all the others --- Captain Head and Warden Abernoldi. A. C. Abernoldi he'll get A. C. yet! Sarcasm was bought.

Other subjects were bought! Why not A. C. if

Duty! "A. C. Brother," he tells his confederates, "when a man

must choose between money and duty, he chooses money!"

"I can't buy Captain Head!" he boasts. "Who wants to bet I

can't?" The challenge is directed at Mr. Bishop.

"It's hard to do A. C. He's got his eye on bigger things than

dollars. Head's of the old school. The school of loyalty!" Mr. Bishop

defensively argues.

"Listen, Bishop. I've bought bigger men than Captain Head.

I've bought and I've sold. Nothing stands in my way. Cozy looking! If

I'm going to be here . . . if my appeal fails, and the Supreme Court turns

thumbs down, then watch! Watch me!"

"A. C. I know Captain Head. I've been working with him for

years. I tell you it can't be done. I don't see about A. C. He'll always

be a mystery to me. But I'll wager you won't get Head in a comparable

position."

"What'll you bet?" Capone is an inveterate gambler. He'll

bet on anything.

"Haven't got a hell of a job, A. C. You know that. You haven't

been through parties, and bought a car, you know, like the last few ones

me. Oh, maybe a few hundred . . . just to show you I'm a spender. But I

to set a definite date, now. That is, set a date by which you'll get Head

on your pay roll."

"How much do you get to bet?"

"From you?"

"Yes!"

"Has just figured it up. He'll give you five hundred dollars

little under \$1000.000. But you see, we had a bet. Lots of 'em, and I

bought lots of things on A. C.'s account. About one third of a million

for lost. And if I should get bumped off for taking your bet, I'll

bet"

"I told you before, Bishop. I've got a job for the rest of

your life, if ever you get in a jam for me. I got plenty. I own a piece

track at Havana. I own sixty per cent of the stock in the movie house in

captioned...Fruit...an assortment that would make the department handling such commodities in the Marshall Field Department Store in Chicago strikingly different.

There are fruited candies from Italy. Glazed fruits from the far East. Cakes baked in California. Fruit grown in the South Seas. Fruit, an elaborate conglomeration to please the most exacting gourmet's taste.

"Get 'em out!" Capone shouts. "The warts 'em! Come get 'em!"

"Now, you gonna give 'em away, Al?" asks one of his cellmates.

"Don't think I can eat them, do ya?" is the barking response.

"Good 'frewy! Hey!" yells the one addressed. "Lay off that!"

"I had my eyes on that from the beginning!" The article creaking the one-sided argument is a twenty-five pound box of glazed pineapple slices.

"Or about this?" he holds up a twenty pound box of assorted sliced pears and almonds, as he clasps the pineapple slices to his bosom.

"Take it, for Christ's sake! Don't ask me for it," Capone growls.

"O.K., wait a minute," he orders. "Some of this is gotta go from the basement. Come's got to go to the hospital. You there -- Rookie,

check some good stuff for Doc. Then get some for Beale, some for Kiss Tugelo, and some for the others. You know who. The jig'll take 'em over. They

don't supposed to take anything from inmates, y'w know? Yeah, I thought you did. Well, see that they get there. And if anybody stops you delivering

'em, to the jig, tell me who it is."

"Hell, Al," whines Rookie, "you know that Wrenn did to me

that day I tried to carry out those cartons of fig newtons for you, for that guy. Said nothing! doing. O.K. to bring stuff in -- but nothing out.

Or how's the jig gonna siddy?"

"Either you take 'em or leave 'em. Which is it?" Capone

demands, reclining in a Club chair from which he has angrily removed an assortment of packages, deliberately upsetting their contents on the concrete floor, muttering, "I've told you guys keep things outta this chair!"

"I'll get the jig. He'll take 'em in the laundry basket."

Oke!"

"I don't want to know anything more about 'em. Follow 'em down the toilet if you want. I don't want 'em around!"

Capone, no later learn, dares not even smell a thing sent to him for Christmas. He is in constant dread of being poisoned, and fears it might be done in any of many ways. His meals, according to his explicit and oft-repeated instructions, are handled by well-paid, trusted innkeepers. No one else must come within five feet of them. For this reason -- though he yearns for the luscious fruits, sweetmeats and delicacies -- he is thrown into a violent fit of anger because he cannot appease his enormous appetite. . . . Not even daring to eat them after someone else has tasted them, thinking it would be his ill luck to select the one, or part of one, in ten, that may have been purposely poisoned.

"Enough to give a package to every man in the joint," smiles Cichock as he enters the cell.

"Help yourself, Dirty," Al suggests.

"Thanks, Al." Dirty selects several packages and slips them

under his bunk.

"Talks some more. There's plenty."

Get enough, Al. What'll last me a while."

"You're trickin'?"

"Oh, so not!"

"What's this a Merry Christmas?" Capone sighs.

"I mean some seven. Got nine to go. You get used to it."

Al."

"You get used to it?" shouts Capone. "By Christ, I'll turn this joint upside down first! I'll do this one. . . . Do it now!"

"God good never!"

"Down old stuff. Premises. Follows. All that hokey."

"You can't be outed with the world."

"How about Duquenois?" (Frank Duquenois, Capone's Atlanta

partner.)

"Sure, what'll I hear. Money for this and money for

that. I don't mind the money, but they ain't doin' a damn' thing!"
 "Give 'em time. Took time to get you here; it's going to
 take time to get you out. Personally, Ah, I can say it's sure nerve-
 wracking. I been through it."

"I'd give every God-damned cent I got in the world if I could
 get out! I mean that, Dirty. I started broke, and I can start broke again!"

"You're talking through your hat now," admonishes Dirty.

"What hell! I'm talking from my heart. What the hell good's
 the dough when you're cooped up in this lousy joint? What the hell's any-
 thing if you can't enjoy it? Money...I wish I never had a red penny,
 Dirty. I'd never been here if I hadn't."

He begins biting his finger-nails --- a habit he has when

excited and irritable or nervous. "That gets me to my mother. She always
 says it's my punishment for being rotten and having those nags wiped out.

I had to do it. You know how it is, Dirty. You been through the same thing
 yourself. It's them or me. Same as it was them or you. Punishment! God-
 damned if I didn't go through enough of it since I come here!

That first night Jesus, I'd not go through that again. I'd
 hang myself first! Would you believe that, Dirty? Well, that's straight.
 Like a murderer... O God!... The crowd yelling for my blood! Dirty, I'd
 give anything if I could erase that from my mind. So please forget it!
 But I can't! I can't! Some times I wake in the middle of the night...
 I can feel the whole cage here straggling me. It's awful! ... I see

the faces of them guys that got wiped off... Their teeth shine like
 redium on a wrist watch at night. I see their mothers behind them, curs-
 ing hell outa me... I see their wives and they're picking my guts out...
 beating me with sticks and rollers. I say helpless while all this goes on.

I don't cry out for I'm afraid it would make them sicker. I'm yellow.

Yes, I want to yell, but that's why I don't. It's hell! I wake up in a
 cold sweat. It's Hell! That's what it is. And I'd never go through it

if it hadn't been for that first night demonstration. That put it in my
 head. That's what gives me them nightmares... That's why I want to get
 out! Out, Dirty. Out! God damn H I want out!"

Carson jumps to his feet and kicks over a stack of camp pillows

across the room and to the

concrete floor three tiers below.

"Hey, what the hell's goin' on up there?" someone yells.

"Aw, go to hell, you!" retorts Capone.

"Is poor little Al-ee upset?" taunts the ruckyer, disgusting

his voice.

"Give the Dago a sock on the jaw!" another yells from the

right of 3-7.

"Give 'im a rope!" yells still another.

"Say, this is Christmas," someone attempts, peevishly.

"He should love one another. Come, Dear, kiss and be still!"

Capone parts. He rips the shirt from his back and tears it

in shreds, kicking and screaming. Dirty sits calmly by, a faint smile

playing at the corners of his lips. He understand Capone must give vent

to his latent temper. These exhibitions are not unusual. The louder Capone

curse, the more raucous becomes the taunting laughter of the other inmates.

One is reminded of a caged tiger being annoyed by a crowd of hoodlums.

Finally, exhausted, Capone sinks back to his Club chair.

"You need a drink, Al. A good stiff whiskey." Dirty suggests.

"Where the hell is it?" he asks.

"Tell Whitey. He'll get it for you."

"The laundry guy? Creegar?"

"Yeah."

"Hey," calls Capone. "Toy, ruggeman! Tell Whitey I wanna see him."

"Right, Al!"

Dirty, a gang chieftan in his own right, neither bows to nor

deserves Capone. Consequently, his interests in Al's needs are but casual.

Whitey comes hastily. "What's up?" he asks.

"He's about a shot of gin." Al demands.

"No gin. Give you some good Sherwood."

"Bring it on. Pronto, too!"

Whitey departs, returning in five minutes with a hip flask.

He hands it to Capone. Capone takes a lusty swallow, coughs and gags.

"I don't like the stuff. Never did," he apologizes.

"Where'd you get it?" he asks when able to speak clearly.
"Make any difference?" parries Whitley, reluctant to divulge
the connection, feeling if he can peddle it to Al he'll make more than if
Al can get it direct.

"O. K. Sorry!" answers Capone with a wave of the hand.
"Any time you want it, sing out," Whitley offers.
"Leave it here. Tell Doc how much I owe you for it."
Whitley places the flask under Capone's pillow, waves a hand
at parting, and makes his way to Doc, in Al's basement. Whitley, assistant
to the civilian in charge of the laundry, is permitted freedom of the in-
stitution in his duties of collecting and distributing laundry towels.
He is not questioned as he enters and leaves the various cell houses, dor-
mitories and basement. Naturally, when he walks boldly into Al's basement,
and visits Doc, it is surmised, by those who observe him, that it is some-
thing for Capone, since Doc, everyone now knows, represents Capone in the
position of paymaster.

"Al said give me twenty-five."
Doc hesitates, though he knows Whitley is on Al's pay roll.
Fortunately, he removes the elongated cigarette holder from his mouth and
blows a stream of smoke into the air.
"You gotta know what it's for!" snaps Whitley, his dislike for
Doc quite apparent.

"Get necessarily, weegar. Just like to know what kind of
business I'm doing. If Al said \$25.00 . . . here it is." He hands Whitley
a twenty and a five dollar bill extracted from his pants pocket.
"Who's your connection now?" asks Doc, always on the alert to
find a new connection, with the view in mind of eventually being in a position
to be the only source through which Capone may be able to obtain contraband.
"That's personal, Ahnt supposed to tell."

"Get I know," teases Doc, an innate curiosity writhing him.
"Get twenty you don't?" Whitley retorts.
"Let's agree Doc, placing a twenty dollar bill on the bed."

"Right!"

"Kakama!" smiles Doc.

"Wrong!" Whitey laughs.

"Who, then?" Doc asks.

"Lynn!" Whitey whispers hoarsely.

"Dr. Lynn?" Gasps Doc, his eyes narrowing.

"Get his brother!" laughs Whitey, walking away as he pockets

the forty-five dollars.

"And to think I been talking to him every day!" Doc chides

himself. "I thought he was acting kinda nervous lately. Well, that'll be

a food one for the Big Boy!"

The dinner gang rings. Christmas dinner! How they've been

waiting for it for months! Turkey! Turkey for dinner! Oh, boy! Let's

of turkey!

And what did Capone save for Christmas dinner? Turkey --- at

a cost of \$100.00 for two! Because he dared not eat the turkey in the

Dining Hall or on the diet at the hospital, and because he demanded it be

prepared exactly as he relished it. And he had turkey every day for two

weeks!

Cajon's repeated skirmishes on the tennis courts resulted in rumors of Lane's decision to assist, and the promotion of Riddell --- garbage truck driver --- to the position. Riddell had been an interne in the hospital, but because of an unaggravated and murderous assault on an inmate, which necessitated the surgeon using seventeen stitches to close the inmate's wound, Riddell was doubly punished by being confined in the hole and assigned to the disagreeable task of removing garbage. Now, however, because of the intimacy and frequent unusual conversations between Riddell and Guard Claude Nelson -- the Stockade Guard -- Riddell is assigned to the tennis courts contrary to the protests of Guard Simpson, the Stadium Guard.

These assignments, it must be borne in mind, are not made at the request of the inmate. Inmates frequently submit a request for a particular assignment, but only on the recommendation of a Guard, civilian or institutional inmate, are their requests granted. In this instance, it will be observed, Guard Simpson's objections were overruled by the Deputy Warden, and Guard Nelson's request granted.

Simpson was an habitual cigar smoker. Lane was never without cigars, keeping a full box on the courts at all times. Simpson naturally had access to these. Hatred existed between Nelson and Capone. It had its inception when Capone was ordered to step a little faster (about a month after his arrival), since he was delaying other men (his bodyguards) reaching their cells and being counted. Nelson, it was known, "stood in" with Captain Reed. Simpson and Lane frequently discussed these phases of the existing affairs.

Nelson, it seems, knew of the reservations on the courts. . . . In view of the conspiracies and connections. . . . He knew of --- since he saw it --- the exchange of tennis balls over the wall! A perfectly new tennis ball, bearing the number 4-0-8-8-6 (numbered with an indelible pencil, to prevent confiscation by others, of course), would be hit so hard by Capone that it would go over the insurmountable wall. Directly, and

While the game continued, a used ball would come back over the wall, and bounce on the tennis court. . . generally, the one assigned Capone by Lane, and for which he arranged reservation.

"40-8861" Lane, or whoever reached the ball before he did, would yell. The ball, of course, would be placed on the side for Capone. This avoided conflict between others whose balls occasionally were knocked over the wall.

"What is in those balls?" was the question troubling Nelson, hiding in the Duck Hill and peering through the frosted windows, knowing as he did that the ball returned was not the one knocked over. "And who is sending them over?"

These questions so annoyed him, after he had witnessed the knowledge addicts' gladdened countenances as they sat on the slope overlooking the tennis courts and were helpless to control their excitement when the balls came back, that he confided his suspicions to the Deputy Warden.

This, as we have seen, resulted in Riddell's assignment to the tennis courts --- apparently, as Lane's helper.

Upon being assigned to the Stadium Detail, Riddell, at the same time, was assigned sleeping quarters in 'A' basement. The Clerk in 'A' basement, "Happy", took him to Bed 38, on the "Plats". The Plats are so named because the beds are arranged in dormitory style, each one opposite a numbered stall. An inmate is not entitled to a stall and its privacy, until he has reached his seniority and a stall is vacated by an outgoing or moved prisoner. He then, if he so desires, moves in.

It must be borne in mind that Riddell's bed is situated in the section reserved for barbers, janitors, porters and men of decided social standing in the outside world. Lane, on the same day, moves in beside Riddell. Riddell's bed is separated the usual three feet from Lane and the inmate on the next bed, Short Shavings.

Short Shavings, serving three years for working a money order racket outside, because of this being his first offense has been assigned as secretary to the Record Clerk -- the most respectable and confidential assignment an inmate can hold. The fact that he is an experienced stenographer and has held responsible positions outside, makes him eligible

for this assignment.

In the immediate vicinity of beds 55 (Lane), 56 (Riddell), and 57 (Short Shawings), is Lee, the warden's runner. Both Lane and Riddell have unenviable prison records, having served in other institutions. Riddell has eight more months to serve. . . Lane, slightly over a year.

It is but natural that Riddell and Short Shawings become friends, though each is the extreme opposite of the other, Riddell being a typical criminal --- hardened, obnoxious, ruthless, loud-mouthed and arrogant. His contempt for those in the vicinity surrounding him is an outspoken one, Riddell's and sarcasm falling from his lips at every opportunity. With Short Shawings alone is he decent and friendly, and the unusual friendship is one that creates endless comment, since Short Shawings is gentlemanly, quiet and congenial with everyone, and immensely popular with the bankers, lawyers and others because he does their personal letter writing and typing (though the rules forbid it). It is only natural, under the circumstances, that Riddell, through Short Shawings, is induced to be less disagreeable with his fellow inmates.

It is the month of April, 1932. Riddell takes charge of the tennis courts. Lane, "burned up" over the loss of his connection, and no longer in a position to earn the fifty dollars a month from Capone, spreads the rumor that Riddell went last.

Capone, as is his daily habit, goes to the courts ignorant of the change in positions between Lane and Riddell. Every court is occupied. He looks for Lane, and seeing him performing a social task, beckons him over to inquire why his court isn't reserved.

"I ain't got nothing to do with 'em no more, Al. All I do is sprinkle 'em now, and roll 'em."

"I'm paying you for keeping a court for me, and steaming my things --- my sweater, tennis shoes and racket. Now you come along and tell me you ain't got nothing to do with 'em, my nigger!" complains Capone.

"Al, you're 'bout now more than ever. Riddell's down here for some purpose besides work. Nobody's telling me he ain't. Him and Nelson's like that!" (Lane holds out two fingers pressed tightly together).

Capone approaches Riddell. "Hey, you!" he calls. Riddell, noting in a memorandum book the time the players enter the courts that he may inform them when the allotted time is up, to permit others an opportunity to play before the stockade period ends, looks up. He gives no indication that he will move towards Capone.

Capone strides over to Riddell, rage and annoyance that Riddell ignored his command to come to him visibly shaking him.

"Why wasn't a court held open for me?" he demands. Riddell gives him a straight-from-the-shoulder stare.

"Yes, why wasn't it?" Riddell answers. "I been having a court reserved since I been playing here. You going to stop it?" threatens Capone, concluding the best way to handle Riddell would be through frightening him instead of cajoling him. "I get what I want around here. You know that, I suppose?"

"No, you're just another convict to me," nonchalantly replies Riddell. "There ure to be no more reservations. That's orders!"

"No, there ain't, huh?" Capone's sarcastically replies. "and about orders ure they?"

"Yep," informs Riddell, continuing to write in the notebook. "Well, get this, Smart Guy!" warns Capone, ignoring the several inmates who have approached and are standing nearby, but insuring that his bodyguards are within hearing distance. "You'll hold a court open for me, or else . . . !"

"Zieg?" Ineffectively asks Riddell, his eyebrows arching. And as though the matter were closed he calls to the players on No. 4 that their period has ended, and duly notes it in the notebook, completely ignoring Capone and his wrath.

This indifference "shits" Capone. He draws nearer Riddell, his right hand held menacingly, and his head thrust forward. His lips are just that ten inches from Riddell's ears as he threatens, "I'll cut your throat if you --- with me. Get that!"

"Oh yeah?" smiles the fearless Riddell.

Capone stalks off the courts, his bodyguards dropping in behind him. He is joined by Dunlap.

"Out lane off the list," he orders. His tone is severe.

"What about the other guy -- Cowboy?" asks Dunlap. (Riddell

is known as Cowboy).

"He comes across in a week or takes the consequences," Capone

answers.

"He's a rotten son-of-a-----!" Dunlap informs Capone.

"I'll get him. He made me feel cheap in front of that gang

of cheap convicts. That burrs me up --- a no good like that giving me lip!"

"Don't work yourself up, Al. Leave it to me. I think I can

handle him."

"How d'ya mean?" asks the interested Capone. To him, tennis is the spice of life, and he wants it without trouble. If he can't get it

that way, he'll have his way about the entire thing, he'll get it at any cost.

"Never near of Short Shawings?"

"Short Shawings? No, don't think I have."

"It's the Record Clerk's secretary. Well, huh and Riddell's

little thing. Dunlap makes the sure Reserve Lane used when trying to tell

Capone how about Nelson and Riddell were.

"Open yard?" asks Capone.

They continue to walk the cinder track, a forenoon which

gives any tennis an opportunity to spend intimacies without the fear of

being interrupted and listening. Guards never "walk the track."

"Don't tell you yet, have I?" asks Doc. "Every man you

call to you, Al. It's well, I'll get Riddell through Shawings. He'll

be with you, Al. I'm a damn one way or the other, Doc. I'd rather

no. I was very readable, though. If you can handle it with that guy Short

Shawings, or whatever you call him, C.R. by me. If you can't -- Riddell's

gone for!"

Capone delivers the nickname. He has no intention of for-

getting his tennis playing privileges. Particularly since he has just had

Dr. Iwami, of course, did not

incidentally leaves it on the courts, but did accept the \$100.00 bill (under the coffee pot on his dinner tray) for the racket.

That same evening Lane confides to Short Shavings that Riddell has put himself "on the spot".

"That do you mean?" asks Short Shavings.

"Didn't you hear what Capone told him?" whispers Lane, knowing that Shavings had heard.

"No; what?"

"He said if Cowboy gave him any lip he'd cut his throat. He swung at him." Lane looks around to see that no one is listening.

"What for?" asks the disinterested Shavings, having heard that Lane was a tale-bearer and trouble-maker.

"Got sore because Cowboy won't reserve a court for him. You know, Shavings, I been taking care of Al since he's been here. And he's been taking care of me. Cowboy's the one put in a snitch against me to Nelson. I know Nelson used to sit up in the Duck Hill and watch the courts. Well, Cowboy's gonna have his hands full now, for Capone'll knock the Bell out of him."

"Aw, that's honey! anyhow, I don't give a damn what goes on on the courts. I don't play tennis, and don't expect to." With this parting shot Shavings walks off, leaving Lane puzzled. Lane feels that Shavings would rather not have heard the warning. Perhaps he will repeat it to Cowboy. Perhaps . . .

It is thirty minutes before bedtime. Cowboy and Shavings are enjoying hot chocolates and cookies. In a disquieted and pained because his words to Shavings did not bring on a dissolution of the friendship between Shavings and Riddell, walks off to complain his erry to someone else.

"What the hellman's up with him?" Cowboy asks, "he's been funny" around all day like a chicken with its head cut off."

"Suppose he's worried about you?" Shavings guesses.

"Why about me?" gasps Riddell.

"Didn't any trouble down there today?"

"Had a run-in with the Dago. At what the hell can he do about it? Said he'd cut my throat! Yeah? Well, when that [Parson] . . .

"What happened?" Shavings is concerned, for since Hiddell admits it, he believes.

"Wants me reserve a court. Said he'll pay me, like he did Lane, but that's what I'm down there for... to stop that equity's and connection business. Too many complaints from the other guys."

"Aren't you afraid of him? Afraid of his gang?"

"Say, that bunch of sissies he's got following him around would run if anybody jumped him. I know a gang is here -- and I know 'em well, Shavings, for I done time with some of them -- who'd just as soon bump him off as smoke a cigarette. They don't like him because of his damn attitude towards the other 'cons', and the way he gives them the go-by to fool around playing tennis with them bankers and judges."

"Say, can you keep a secret?"

"What do you think I'm working for Bates for? See any alar-

phone around my neck?"

"No! This is on the level, see! You mark my word... Capone's going to get it! There's too many birds in here who got it in for him."

Since he came here everything's tightened up. He's bought all the guards he could, and paid them well. The little guy can't get nothin' now. They got plenty against him, and if ever there's a riot in the Dining Room, Good-bye Capone! Nobody'll ever know who did it!"

"Sort of optimistic, aren't you, Frank?" asks Shavings, addressing Hiddell by his given name.

"Short," replies Hiddell, "take my advice and lay off Capone. If he wants you do or get anything for him --- refuse! Now I know what I'm talking about. He had Stewart, who used to be Bates' secretary, on his P.W. roll, before you came. Stewart's gone now. Anyhow, Capone's hot as a firecracker, and you've got three years to make. Parole, Buddy! Don't forget you'll want to make it."

"Thanks for the tip, Frank. But Capone'll not get me on his P.W. roll. I'm not interested in him. In fact, I hardly know he's here, except in instances when some confidential report reaches the office. And then that's as far as it goes, for I know how convicts are. The ones you

think you can trust me the case you want. You know that."

"Yes, you're right. But I'm warning you for this reason. Lano's told Capone that you and I are thick. See? And through you he might work me. You know I'd do anything for you. And if he knows that, then you're going to get mixed up in something it'll be hard to untangle yourself from. I been in joints before. . . a couple of them. I worked like hell on the Florida Chain Gang. It was hell. But I'd rather do it any day than put up with orders from Capone. Then he's done with you -- and you happen to know too much about him --- he's got men out there who 'get' you."

"Aw, quit talking nonsense, Frank. What good would that do him?" protests the doubtful Shawings.

"You want proof?" argues Riddell. "I'll give you plenty!"

"Your word's sufficient. But it certainly sounds like a far-fetched yard to me. Prison gossip, you know."

"Well, it ain't," Riddell assures Shawings. "That's one of the reasons I'm staying clear of him. We might become very good friends."

him and me. Like him and Lano was. But then, after I leave here, what?"

"Got insurance?" laughs Shawings, dipping a cookie into the hot chocolate and sticking a cigarette between his lips.

Riddell places his aluminum cup on the chair, takes Shawings cup from his hand and puts it beside him, then wrestles with him. There is much shouting and laughing as they playfully tussle, and Riddell places his knee on Shawings' back. With one hand he holds both of Shawings' wrists.

With the other he reaches for the needle and thread at the head of the bed. Laughingly, he releases Shawings' wrists. Then, joining those who believe last night, he releases Shawings' wrists. Then, joining those who have gathered around, he laughs heartily at Shawings' efforts to "un-sew" himself from the bed.

This, incidentally, is not an unusual illustration of the friendship Riddell and Shawings enjoy. To the end, naturally, that the remarkable friendship is one Capone takes advantage of eventually.

"By the way...do you know anything about drawing up a will? Here, here a smoke."

"I helped myself to a cigarette, and removed the radio ear-phones from my head, admittng while I did so that I was familiar with preparing wills."

"If you can draw me up a will, the regular kind, you know, I'd sure like you to do it. I don't think I'll ever make it here. Kinda gettin' me --- my lungs, you know. Cough all night. Weigh only 98 now. And that damned ranch in Arizona's going to cause a hell of a stink of trouble if I don't make some proper disposition of it."

"What kind of ranch have you? I ask, just to be wheedled into satisfying Doc's innate desire for flattery. I had heard before, of course, that Doc delights in paranoiac dreams of grandeur."

"Covers about 3200 acres. I got twenty-one men working on it. I own several lots and buildings in downtown Los Angeles. And got safety deposit boxes loaded with jewelry and cash all through the West. If you want to pull along with me --- That is, if you do my private correspondence --- I'll see that you get well paid. But if you work for me you can't do work for those other cons. They'd be always prying into my affairs, and I don't want that."

"You know, of course, I represent Al. I used to attend to his men back in East St. Louis when they'd get shot. Damned many a one I pulled a bullet from, and saved his life and kept him under cover while the bulls were looking for him. That's why Al is grateful to me now. I've known him, you know, for about twelve years. Him and me's old cronies. Everybody in here don't know that, for I do lots of favors for Al, and if it got around it'd be just too bad for him and me too."

"Doc ranted on, and I weeded the true from the false statements as they tumbled from his mouth. You see, Ferd, I'm a slick city feller. One of those kind who keeps it behind his ears. Deep water kind, you know."

It had often been remarked that Snowings, had he an inclination to pursue a criminal career, would stack up dollars as Penni did. That truly arouses one's interest in him was his indifference to his surroundings. His attitude towards confinement was puzzling, his frequent jowled, and some- times orprie responses to "How're you making it?"(the prison 'hello'), having

Riddell, when apprised of Doc's proposition, urges Shavings to pass it up, and, not inclined to have anything to do with Dunlap anyhow, Shavings contends he will do as Riddell suggests.

Riddell, meanwhile --- unknown to Shavings --- is becoming "swell-headed", his position with Capone having taken on a decidedly favorable aspect, his locker being well-stocked at all times.

Capone, nonetheless, is paying the way for a showdown. He has never forgiven Riddell for the insult that "burned him up". Being a man who cannot keep a secret -- not even one concerning his wife and family -- Capone confides to Hackethal his desire to retaliate for Riddell's affront.

Hackethal, it will be remembered, is the twenty-five year mail robber, whose duties as Innate in Charge of the Officers' Mess permits him to feed Capone. . . to the tune of \$250.00 a month. Hackethal, seeing the opportunity to earn a few hundred, assures Capone he will handle Riddell. Hackethal and Riddell have never had anything in common; hardly bidding each other the time of day. Nonetheless, Hackethal --- as is his method when attempting to win someone's friendship for his own benefit --- begins feeding Riddell cheese, pork, cake and other delicacies through Shavings.

Shavings himself is not intimate with Hackethal but is with Mack Lilly, former Director in Charge of the Prohibition Unit in West Virginia, and one of the famous West Virginia Killings. Lilly, using Shavings for his cleverness in writing letters to women, to compose letters to the woman who had him sent to Atlanta through her deception --- and whom he still loves --- occupied the stall next to Hackethal's. This completes the picture of the four, and illustrates how Hackethal proceeds with his scheme to oblige Capone.

He'll leave the basement now, and take a walk to the tennis courts. It is morning --- between 9 and 10 A. M. Riddell, on his stroke hour, is lounging in the basement. Lane is on the courts, whispering to Miller, an assistant. They stand close together at the far end of the courts. He are compelled to jockey ourselves into the pose Lane is using in order to hear the conversation. We cannot understand it, but from what we do hear it appears that Lane is begging Miller to accept five cartons of cigarettes from Capone. Miller is objecting for the reason that he doesn't smoke, nor does he get into trouble because of Capone. He hear Lane assure Miller

accepted. Miller agrees under that condition.

At this time Riddell approaches, his hour of rest ended.

Miller calls to him, as Lane suggests, and propositions him. Riddell staunchly refuses. He has had word that Nelson's wife to him, having been told by Guard Simpson that Capone's favors had been accepted, and that besides being paid for reserving the courts daily for Capone, Riddell is now taking care of Capone's shoes, sweat shirt and racket. This, of course, annoys Riddell, because he doesn't want to get into trouble through any action committed for Capone, having only a few months left before his release by short time.

Lane, from a short distance, pretends to be engrossed in rolling the courts. Miller walks to him, tells him Riddell refused, and, accordingly, he must too. Lane ridicules Miller for being a "scare-crow", calls out, and for the time being, forgets the attempt to "plant" Riddell. Swains . . . Riddell and Swains. . . hot chocolate, sand-

Lane is consumed with a burning hatred for Riddell. He beckons Swains, explaining to him only be "a minute". He then relates to Swains his version of the incidents of the day. Swains, in this manner, gets both sides of all stories, for Riddell makes it a habit to discuss the happenings on the courts, the rumors, gossip and news, while Swains holds up his part of the conversation by giving Riddell the "lowdown" on inmates' misdeeds or violations, their punishment, and so on. In addition, betraying his no regard to his superior and the institution head, by relating what letters were sent and received, concerning various inmates, the "wants", to Riddell and other pertinent and confidential information.

It is our practice to get as close as possible to the ears of those we wish to know things about, and as we hop behind Lane's ears and peer at Swains opposite him, we are astonished to hear Lane say:

"I know what I'm talking about, Swains. Capone's got Cowboy in a spot where he can make him do anything. Did Cowboy tell you he was before the Dep about taking care of Capone's things? I'll bet he didn't! Well, he was! And he denied it. Now, Capone threatens to tell the Dep personally that Cowboy does take care of his stuff. Instead of Capone carrying it in and out like he's supposed to do. Nothing belongs to Capone is allowed

to be kept on the courts. Simpson told me to be careful
got in a jam because of that.

"Shawings, you're going to get into this damn mess if you
don't drop Cowboy. I'm warning you! Don't say I never told you. Capone's
a big guy, and gets what he wants. . . and he wants Cowboy off the courts,
and is going to get him off. Mark my words!"

"See you tomorrow," Shawings remarks as he rises to return to
Riddell. Lane stoically accepts the dismissal.

Riddell asks, "What's the shrimp want?"

Shawings tells him. Riddell laughs.

It develops that Lane, knowing where Capone's tennis articles
are being hidden on the courts, and unable to longer control his envy and
jealousy, "snitches". A "snitch" is an unsigned note dropped in the mail
box and delivered to the Deputy Warden. Immediately it is read by the
deputy, he orders Simpson to investigate. Simpson, aware of the situation,
pretends a thorough search, but reports "nothing found". The deputy advises
him to keep a sharp look-out. He promises to do so, telling Lane later to
have Riddell move the things. Simpson, of course, having percolated the
violation of the rule when Lane was in charge of the courts, cannot very
well write-up Riddell for the infraction.

Shawings, through his assignment, learning of all official
movements, urges Riddell to ask for another assignment before he is the
center of a "blow-up". Riddell laughs at Shawings' fears, but becomes in-
creasingly sullen and morose. The gaiety and fun have ceased. Riddell no
longer enjoys the hot chocolate and goodies, nor is he able to remain still
longer than five minutes. He attempts reading, and gives it up in disgust.
He listens to the radio, then throws the scripps on the bed, volubly cursing
the program. He cannot visit and talk with anyone in the basement as his
friends are less than the fingers on one's hand. Hackett, the pretending
friendship, does not encourage his visits.

Something. . . one cannot help but feel it. . . something is
about to explode! And Capone, all seem to feel, shall be the one who sets
off the explosion.

Things cannot go on like this much longer. . . It must happen. . .
Whatever it is it must happen soon. . . Today! Tonight! Tomorrow! The sus-
pense makes the days seem endlessly long. A noticeable and gaping silence

Capone, except for occasional fits of temperance, when his voice becomes a small organ, remains serenely content and satisfied with his prison world in so far as accomplishments are concerned. One standing invisibly near him and capable of reading his mind, is amazed at the perfect and astonishing mechanism that his brain controls. One sees, as if drawn on a chart, a centrifugal and directing control leading to numerous points, each designated by a flashing star. As the star flashes it carries a remembrance to the control, reminding him that there is an unfinished job --- a task to be performed or completed. The star designating Riddell and his proposed removal from the courts, flashes intermittently. The star indicating Hackett, nearby, reflects the flash. The star designating Doc does likewise. An unfinished job! A job, that when completed, will lessen the reminders and thus grant relief, for there are many flashing stars on the brain chart.

And, as if by a decree of the gods, an event occurs which necessitates immediate action. It is May 24, 1933. It is a visiting day for Capone. Three hours association with his family. . . the 24th, 25th and 26th.

The Capone family enters the front gate, receiving an unusually cordial greeting from Mr. Wesley, the front gate guard. They are as is customary, required to give their names to the inmate warden's runner, Leo Hagenback, No. 42000. A word of friendliness is uttered by Leo. Before in an ill humor this morning, Mrs. Capone directs a contemptible glance at Leo for his greeting. It gratifies on her nerves. She reports it to her esteemed husband. Al raves because a convict dared to speak to his wife! It is the spark which sets the wheels of retaliation in motion!

Hackett is informed Leo must be "bumped off". And, the effect is: Riddell must do it! Thus, Capone, in one swooping order, has his vanity eased.

Hackett reluctantly consents. He assures Capone that Riddell will do it, in turn informing Riddell that he (Hackett) dislikes Leo because he has a habit of coming down to the Officers' Mess and boldly outting himself a piece of pie and sopping eating it, his action preventing that

certain file reaching Capone because it has been well

That evening Riddell gets his orders, namely that he is to obeying a relayed order from Capone. He believes it is to oblige Hackett. The conference between Hackett and Riddell last evening was a private one even had ice cream brought for Riddell, he never making it a practice to carry food himself, delecting that danger to someone else who was provided remuneration at some future time. He is too cautious to risk being caught for the reason that the usual guard gets an occasional day off, and the substitute guard - Mr. Reed - never fails to spot an inmate leaving the Officers' Mess loaded down with concealed food. Capone's delinquent were occasionally undelivered for this reason, though the inmates whom caught could not deny that the man written on the concealed parcel was anything but CAROFE. He (Capone) however, was seldom mentioned when the inmate was written-up for the violation.

An assault, when unaggravated, is a serious thing. It means forfeiture of Good Time. An aggravated assault, on the other hand, may result in only ten or twelve days confinement in the hole, and reduction to Third Grade. A Third Grade prisoner, of course, is denied all privileges. It, therefore, is agreed that the assault must be an aggravated one, as Riddell has 282 days Good Time at stake. He is assured \$500.00 if he makes a successful job of the assault.

"I'll kill him deadlier than Kelli!" he assures Hackett, who is now in a position where he must comply with Capone's decree.

"All right. But keep your mouth shut when you get over the Dep's. I'll see that you don't get much punishment. Take my word for that," Hackett advises.

"I know. Leave it to me. I don't like that guy Leo, anyhow." Hackett, it happens, was awaiting a decision of the United States Board of Parole. He had served one-third of his twenty-five years, had been duly heard, and his case continued to Washington. He could not risk open complicity in the deed about to be performed, but it stands to reason, he argues with himself, his refusal to obey Capone might result in his being considered yellow. He must not, on the other hand -- if he can prevent it -- place himself in jeopardy. Thus, Riddell is urged to pick a quarrel with Leo. . . . One loud and serious enough to cause the other inmates in 'A' to assume to conclude it was a private quarrel between Leo

Returning to his bed at 9:30 P.M. -- thirty minutes before the lights are extinguished -- Riddell appears to have been subjected to a "shot" of dope. He is strangely embarrated. Lane is frightened, and cannot understand why Riddell is so talkative and friendly with him tonight, because since his demotion Lane has been practically ignored by Riddell.

"Boy," he tells Lane, "a bag's going to burst tomorrow, and you don't want to be under it."

"What do you mean?" asks the frightened Lane.

"Wait and see!" laughs the tormenting Riddell.

The conversation -- comprised of Lane's despairing questions and Riddell's gloating, torturing bits of warning -- goes on until after midnight.

Riddell asks Lane if he still wishes Capone's things. Lane replies in the negative. Riddell laughs, remarking:

"Simpson, the big farmer, looked right at them today and pretended he didn't see them. Even he's afraid of Capone. Some guards!"

Lane is unable to sleep that night. Riddell, after a restless night, rises at 5:30 A.M. Lane rises shortly thereafter. Immediately after Riddell has left the vicinity, Lane seeks Shawling's advice. Shawling confesses he heard part of the conversation, but is at a loss to understand, or even conjecture, what Riddell meant by a "bag bursting".

Riddell's unusual quiet creates comment among the other inmates. His rising is usually accompanied by loud, boisterous talking and sarcasm. Church'd drama is suspended in the air. One feels impending events are now about to reach a climax. The glances Riddell casts at Lee, in his stall, are fraught with malice and hatred. Lee, ignorant of Riddell's intention, does not notice him.

It is now eight A.M. Riddell stalks to the front of the basement, where the breakfast line forms at 7:00 A.M. He returns five minutes later, and pounces up and down before Lee's stall. He covers a distance of about twenty-five feet in his detour and walk, each moment his anger and nerve increasing. No one has the faintest idea what is disturbing him.

Lane and Shawling apprehensively watch him.

"What the Hell's eatin' you?" asks Patton, a jovial 300 pound ex-portmaster. Riddell ignores the remark. Patton's stall adjoins Lee's. As he passes for the twentieth time Lane, in a sturring manner

remarks to Lee about the "new officer on the tennis courts", referring, of course, to Riddell. Riddell does not hear the whispered slight. Lee makes some "game" response, as do one or two others in the vicinity. The inmates ready for breakfast, are gradually proceeding toward the front. Lee and several others dally and tarry behind. Riddell, meanwhile, exhibits a ferocious, murderous look each time his eyes rest on Lee.

The time has come! Riddell cannot longer delay the execution of Capone's sentence! Lee must not leave the basement this morning. . . .
alive!

He must die! He must pay, with his life, because Capone's vanity was offended by Riddell! A price indeed for so worthless an article.

Little does Lee dream, as he laughs and talks with other inmates and makes arrangements to play ball with them that afternoon, that tragedy is stalking him and reaching out its hand to grasp him! Little does he dream that the crazed, brutal, offensive Riddell has given him less than ten minutes to live!

The signal to leave for breakfast is sounded! All are in line, prepared to march to the Dining Hall. Mr. Cook, 'A' Basement Guard, is up at the head of the line --- now out of sight. The line stretches back two hundred men in length. They stand there, laughing, talking. . . . joking. . . . discussing the morning paper's headlines.

"Lee's got" someone says as the line begins to advance.
Lane, Shawings, Doc, Lilly and three or four others sit on a table facing the diminishing line. They are quiet and apprehensive, for they, more so than the others, are concerned with Riddell's movements. Riddell takes his place at the extreme end of the line. Lane, and those sitting on the table a few minutes since, fall in about twenty-five men ahead of Riddell.

Then, before anyone can utter a word, scream a warning, or make any effort to halt him, Riddell acts. He scratches up a piece of lumber 10' x 2" x 4", and brings it resoundingly down on Lee's head! There is a sickening crushing of bone. . . . Blood spurts out over the inmates, starting near by.

Before it dawns on anyone what is happening Riddell falls another blow upon Lee as Lee's head sag and consciousness is leaving him. The second blow cleaves off Lee's shoulder. He falls to the concrete floor. Riddell

casts the piece of lumber from him and races up to the head of the bed.
 The astonished inmates draw away from the prone figure on the concrete floor. Mr. Cook, noting the commotion, walks back. He sees the victim of the murderous assault stretched out on the floor. His eyes travel to the silent inmates. Useless, he knows, to question anyone now. He'll get nothing from them. Not now. . . . Later, when he gets one of them alone. . . . Lee is rushed to the hospital. Riddell goes on into the Dining Hall with the others.

"Shocking!" "Murderous!" are the comments of eye-witnesses.

The whispers reach Riddell as he sets his breakfast. The news rapidly travels throughout the Dining Hall. Inmates rise to get a glance at the assailant. Riddell does not heed them.

Behind him, in a voice sufficiently loud enough to arouse his anger, someone remarks:

"It was yellow!" This remark causes Riddell to turn his head.

In a loud, threatening voice Riddell warns the speaker that he'll get the same thing if he doesn't keep his mouth shut.

And Capone? Capone, when he learns that it necessitated seven-teen stitches to close Lee's wound, expands his permanent smile and murmurs:

"He got what was co'min' to him. A couple more get that and the 'll know who in Hell's runnin' this joint!"

These, his exact words, brought on most of his ensuing troubles.

There is an investigation to determine what instigated the assault on Lee. Riddell refuses to tell the Deputy Warden why he committed the assault. This refusal costs him loss of Grade, the Deputy Warden ordering his punishment be confinement in the hole until he gives a promise of obedience, his transfer from the Tennis Court Detail to the Tailor Shop, and Reduction to Third Grade, thus depriving him for four months of stockade, movie, mail and other privileges.

It is whispered, as things usually are, that Capone made such and such a statement. The thing to do, the officials decide, is put their "stoolies" to work. The "stoolies" wave in and out among the inmates. One never knows who is and who isn't a "stoolie". Sharings is in a position to know, for the statements of "stoolies" pass through his hands before they are filed. But it is dangerous to point the finger of scorn at a man in the penitentiary, and Sharings, so have pointed out, is too clever to risk confiding too much in anyone.

The investigation, as it proceeds, follows a steady, non-stop course. Assigned to the Officers' Mess is Sam Chin, a Chinese, called "Whoo" by the prisoners of Stanford University, who is earning four years for Federal Drug Act. He has been assigned in violation of Civil and Criminal Code, and stands, from a wealth-Chinese family. He is to be deported to the Federal Penitentiary, from a wealth-Chinese family. He is to be deported to the Federal Penitentiary, from a wealth-Chinese family.

Including this, and also knowing that the... and Fenters an enormous sum... carefully and tactfully prepared... spoils. Heckerl... has been informed that he was getting... told him, however, that when he... from Capone's...

It would bring...

(Hackerthal) would be transferred to another institution, and Wu, he says, promoted to his position. But he is too suspicious. There seems, at this time, no satisfactory solution to the troublesome problem of keeping the warden.

Wu is called before the warden as a result of rumors to the effect that he is "ripe" to divulge some information regarding Capone. The warden promises to hasten Wu's departure if he will talk. Wu, a gentleman, refuses to do so. The warden tells Wu he (the warden) knows of Capone's influence, and how he successfully manipulates the strings on which hang Penkers, Hackerthal and a dozen others. Wu, he says, knows of this too, so won't he tell?

"No, no no squeal," protests Wu.
"Isn't it worth something to you to get back to your wife and children in Chicago?" tempts the warden.

"Maybe so; maybe not. I no rat, Warden."
"But you know that Capone is paying money for his food, don't you? To whom does he pay it? That's all I'm asking you. I'm not asking you tell who takes the food to him, or who prepares it for him. I know that. I'm simply asking who gets the money? Who brings it in? You've seen some of it, and sampled it, haven't you?"

"No too plenty thing. He no touch money, no talk."
"What do you mean, 'plenty things?'"
"No no talk, Warden. Too danger talk."

"How ever been threatened, Wu?"
"No never silent, a farmway look in his eyes. He reflects, as Wu's question, that he dare not go to stockade. . . . That he has not been in the jail for a month! He remembers the incident in the kitchen of the warden's house, when one of Capone's placed men threatened him with a knife if he would allow anyone to eat near Capone's food. . . . how he resented the indignation. Yes, he remembers!"

"You heard my question, Wu?" gently asks the warden. "Were you ever threatened?"
"Lupin, no no talk. He no say yes, no no say no. He mind my or anything."
"Well, how fruitless is his inquiries, the warden decides as he, and a note to call him at a future date.

is to do so, reaching Penters and Hackethal, causes them great strain. And when Capone learns of it, new threats reach Mr. However, Penters and Hackethal, after much deliberation, prevail upon Capone to have \$600,000 waiting in San Francisco for Mr. to be delivered to him before he sails. This money was delivered to Mr. at the docks, in exchange for a threatened written statement to the warden --- the sword of Damocles that Mr. held over the heads of Penters, Hackethal and Capone!

be getting something for it! No shall see!

And what is this? A request from Capone for an interview!

Well, he had intended seeing him anyhow. Bring him in!

Ignorant of the fact that Lane had "squeaked his head off",

and with the determined purpose of "buying" the Director, Capone, arrayed

in his robin-blue shirt, freshly laundered, pressed trousers, Florida

cross and black knit tie, faces the Director of Prisons.

Unfortunately if we could not listen to the conversation that took

place, we must rely on Capone's reputation as authentic. He contends that

the Director is on the make. In prison parlance, the Director can be bought!

Capone's reputation disbelieves it. In fact, calls Capone a fool for believing

in it. Capone's idea he knows of what he is talking, and admits that when the

Director suggested that he know of Dr. Beale's being on the pay roll, and

advised someone to get the pay roll, he knew something! And instead of giving

credit to the Director for his robbery, he indicated that he, too,

was in the robbery. Capone, of course, is taking things for granted.

On one occasion Capone it is a trap. Capone dismisses

the Director's offer to see the Beale Beale

and says that he'll call him a liar. I had to show him that

the Director was a hard-boiled man, and I'm willing to pay for what I

do. . . . A line of text of this sort! He says that now. You watch ---

THE DIRECTOR CAN LIVE IN A GOOD WAY AND HIM IF YOU EVER SEE

The following day an investigation to determine Capone's position in the institution is conducted. The tray sent to him at the hospital, daily, is "mooched off". The news reaches Hackethal immediately. He rushes to Capone's cell in order that they can prepare an alibi to withstand discourteance, the blame for the tray being placed on the shoulders of the "jig" delivering it. He, Hackethal outlines to Capone, should receive \$100.00 to compensate him for the punishment that will be meted out to him by the Deputy Warden, when he confesses he stole the stuff while Hackethal's back was turned.

It is then agreed that the food will be sent to the laundry guard, concealed in the proper place in the box. Reaching there it can be delivered and eaten in the Shoe Shop.

Learning of the interference, and with a desire for increasing his allowance from Capone, Dr. Lynn suggests the food be sent in his box. (Each guard or civilian, not desiring to eat in the Dining Room of the Officers' Mess, may have his meals delivered in a box or on a tray).

To avoid being deprived of it at any future time, Capone orders that with each meal delivered a can of fruit, vegetables, soup, ground coffee and other edibles in cans, be sent along. These, he outlines, can be "stashed" until an occasion demands they be brought forth. Doc, he insists, can safely "stash" them.

Doc, Hackethal argues, is a "rat" playing both ends. No good! Capone, with a wave of the hand, silences Hackethal.

"But I don't want him to get anything on me. He squawks to Head. I know he does. Haven't the guards told me? I come in contact with them every day. All he's going to get you in a jam sooner or later!"

Hackethal's envy makes him bitter. "He's turned me away a good trick here. I've paid him well, and he's not got me in a jam yet. You do what I say. Let him take care of the rest." Capone, confident of himself and Doc, overrules Hackethal's objections.

"I wouldn't let him know anything about me. But if you say so, O.K. Remember, I got a lot to lose. So've you. He's only being four years."

The fact that Doc, an exceptionally clever and shrewd crook, has so successfully gained Capone's confidence, and obtained all his hospital connections for him, convinces Capone that he is worthy of trust. This, coupled with the fact that he does not associate with other inmates (because they dislike him, of course, makes it doubly embarrassing to Capone that he is safe. Capone, in Doc's hands, is now like the piece of string Doc wrapped around his finger when he told Capone how he could handle the "quacks".

At this time Riddell is released from solitary confinement. During his confinement Hackethal managed to squeeze him several meals. His first concern is the promised \$500.00. Where is it?

"You know who's going to pay it, don't you?" asks Hackethal.

"You, I suppose," replies Riddell.

"You did it for all, you say?" Hackethal leans.

"For Capone?" gasps the astonished Riddell.

"Sure!"

"When will I get paid for it?" Riddell asks.

"I'll take time, you know. I guess you'll get it when you get out."

"Thought time! Always time," complains Riddell. "Well, get this, buddy. If I don't get it - - -!"

The threat is left unfulfilled. Hackethal puts Riddell on the spot and assures him Capone'll come across. Riddell has his doubts.

"For Capone, huh?" Riddell mutters. "I guess Swain's was right. Doc had a run-in with Capone's wife, huh? And Capone wanted to get us and get Doc, is that it? And you said Doc had a guide a friend Lee!

I see, he got me with it!"

"Don't worry. You'll get yours, Frank," Hackethal consoles.

"Get it!" says Riddell contemptuously. "Come more of that promise stuff!"

"Well, for Christ's sake, don't you trust him!" says Hackethal.

"Only as far as I trust any other convict here. He's the blackest liar in here. Always promising. You know as well as I do that no convict here ever takes him at his word. They want their money...not promises!" He's that very well knows this to be true. Capone has spent his money. Unintentionally, he apologizes when punished, since his spendings in the institution are responsible for the dispensation of the money.

However, Riddell feels Capone could insure that his be paid. Al Capone could... If he intended it be paid! Then Riddell discovers he can't even "buy" a can of tomago, he calls on Swings and Patton. Swings produces it, his regard and friendship for Riddell having never ceased throughout all the unpleasantness.

Lee, released from the hospital, requests an interview with the warden. It is granted. He informs the warden he has determined to have Riddell charged with attempted murder, and incidentally name Capone accessory before the fact!

The warden, having since learned in detail who instigated the plot, asks Lee to be less hasty; particularly at this time. Lee, deeply offended and bitter, insists.

After his dismissal from the warden's office he writes a letter to the factory regarding the incident. The letter is not permitted to leave the institution. Lee is called before the warden and forbidden to write of the incident.

Lee concludes. "I'll get the message there just the same."

While Lee does not know the inmate who is leaving the institution, Lee's father learns of his son's danger, and how Capone might have been involved in having his decree executed, he communicates with Lee. Lee is informed of his father's disclosure of Capone's activities to a certain extent through the promise to Lee that he would aid him in making a parcel, and Lee is consent to drop the proposed charge.

For the present, the warden tells the deputy as he ropes his brow, (Lee, incidentally, was denied parole)

June 16th. . . Capone is holding sway on the courts. His game is exceptionally good today. He has had a long conference with Basketball, and it is understood between them that any man Capone desires assigned to the Officers' Mess will be assigned at a cost of from \$100.00 to \$300.00, depending on whether he is a dishwasher, waiter or baker. The list of new prisoners is scanned daily, their financial position outside determined through inmates in the Normal Office, and a contact man interviews them. Prospects are propositioned diplomatically. They are offered the cream of jobs in the institution. . . assignment to the Officers' Mess, with its advantages -- better food, opportunity to form connections (if desirable), and afternoon idle.

At one time, when the bigger bootleggers of the country were being sent to Atlanta, jobs in the Officers' Mess sold for as little as \$500.00 and as much as \$1000.00. Steaks, in 'A' basement, were sold by Mr. Pile (now in charge of the Fire Department) for from \$50.00 to \$100.00, depending on how much the inmate had.

Anything could be bought --- except freedom!

Capone, now smacking the wall Mather and you, feels a sense of security that he has succeeded in placing most reliable men in the Officers' Mess. He removes his undershirt and stands striped to the waist. Men are permitted to remove top shirts when playing tennis --- never their undershirts. If playing basketball or handball, top shirts may be removed. But a man not enjoying some recreation is forbidden to remove his shirt.

Someone calls Capone's attention to Captain Head standing on the slope behind. Capone casually looks over his shoulder and resumes his playing, remarking:

"The Hell with that strip! He wont tell me put my shirt on!"

Head, undecided what to do, walks away. Capone is right...

Head wont tell him!

June 30, 1935. Tom's rackets are being destroyed by Capone at the rate of three a week. Those selling their rackets are unable to secure more. Hardly a decent racket remains. Fifty dollars for one is the average price he pays now.

Dr. Lynn, learning of the situation, decides to take up terms. He buys a moderately priced racket. The racket, next day, is owned by Capone, having brought the insignificant sum of \$100.00. On the following Sunday it is completely destroyed by Capone because the ball he aimed at apparently went "through it". He has the most difficult time convincing his partners that the ball he misses actually pass through the quarter inch holes in the racket's net roll. His amazing antics when he jumps on the court and racket, with Ford whispering in falsetto voice from the bleachers and a few fans.

"Little boy, take 'is legs apart spakin' one callin'." "Is 'is little man breaking his racket again?" from another. "You can't win" another yells. Capone, stricken by the jeers, hurries to sit and sit alone then at the corner Bill-Mills stadium, on the slope behind him, separated from the rest of the crowd. The rackets and epithets he huris at them occasionally seem to be more terrifying for strange as it seems they have no fear of him.

ALL IN ALL OF THEM! This is a mystery no one could solve. Though the policeman would like him to "let the Jewy mean 'ner's", Capone would forbid it! It can not be concluded that the first sentence of his incarceration left not only an indelible impression on his mind, but an eternal fear of these ignorant hoodlums here. And here to one, he must have known, though unknown that one may be to the others, heard his (Capone's) lips say forfeit.

Today, for the third time in a week, today, tomorrow, tomorrow, speak and motions is the bill of fare. The men are sick of it! They've been sick of it a long time. They are sick of many things here, but only twice a week, and they wonder or mostly none.

Large, juicy roasts are baked in the Officers' Mess for Capone. We have to suffer for it. (Some foolishly complain). Chunks of red, tender meat are cut out and Grissle inserted. The chunks are baked especially for Capone; the Grissle fed the officers as part of their roast. In this way every ounce roasted (Grissle is not weighed, of course) can be accounted for by Grissle.

So today we can endure no more. We hear to the right and the left, before and behind, complaints and disgusting remarks concerning the food.

"It's sick of this garbage!" an old timer whines.

"Mind dat hell, feeding us dat trash!" another complains.

"and Capone eating chicken! Imagine it! A convict like us!"

"Dat guy's sure made it tough for us, buddy, believe me!"

"Dat's right. Dat say?" whispers one behind us.

"Oh, nother, I'm with you," our neighbor agrees.

"First we hear a man's voice raised in protest.

"No more something to eat!" he shouts.

"No more something to eat!" he shouts.

"No more something to eat!" he shouts.

The cry is echoed from the other side of the Dining Hall.

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Food! He explains this to the Deputy Warden, immobile on the platform overlooking the Dining Hall. This understanding pacifies us. We finish our coffee and return to our cells before going to evening stockade. And the food, next day, is an improvement over what we had been getting!

111.

treating him -- steps on the field. Whether to turn back now or see what Williams wants is the thought dominating his mind. He is aware Williams is part of a prison gang which despises him and his associates. Capone, deciding the former decision would be best, turns on his heel, and is about to retrace his steps, when Two-gun Yellow, Fountain and The Barb block his path, completely surrounding him.

"Keep going!" Two-gun barks, his hand concealing an automatic which bulges noticeably from his sweater.

"Wait a minute, a hold up?" Capone asks, glancing up to the slope where the bodyguards have been stationed, and are now motionless and as dumb as their wild cat.

"Don't think you got over there!" Two-gun prods Capone with his concealed automatic. Perrino nudges Capone with a raised knee. Capone, for a fleeting second, hesitates, raises a restraining finger towards his bodyguards -- "Wait! Wait! They should wait!" -- and obeys Two-gun Yellow's command. He glances up in the face of the quarter of blackguards.

"Go wait two grand, Capone. 'e wait it now! You don't leave me waiting all the afternoon! No call one of your pals up there and tell 'em to get the way opening and he gets it, get ye!"

Capone realized two-gun means business. He beckons to one of his bodyguards. . . . Finally, frightened creature whose spectacles conceal a pair of brilliant eyes.

"Will you give you two grand, Pronto?" Capone orders. "Right, all right," answers the bodyguard, leaving the situation in a hurry, then hurrying quickly away towards the hospital.

"Two grand, two grand will you give me, Capone says. They must then be waiting for a specific action. That is wrist-watch shows it is 11:30. . . . In one instant produce the two grand, what then? If they don't come, something else now. . . . on the yard, what then?

Capone and Perrino, he concludes. They are desperate, dangerous, desperate criminals! He orders their guards . . . truly orders them! It's longhair like these he needs. . . . Not the damned leeches that he pays \$200.00 a month each. The auction pans quickly. His messenger has not returned.

He's certainly had ample time to see Doc and return with the money. What can be keeping him? What delaying him? Doc's got the dough!

Capone glances again at his expensive wrist-watch. It's thin hands point to 4:10. Capone raises his eyes towards the steps leading to the stockade. His efforts to enjoy conversation with his captors are fruitless. Little more than mumbling escapes their lips.

Capone's mind is in a turmoil. He digs the toe of his tennis shoe into the soft clay of the sand-lot. The silence is unbearable! He is becoming uneasy. Impatient. . .

He glances again at the watch. 4:12 P.M! How the minutes drag endlessly by, he reflects!

Three more minutes! Three more minutes! Then what? Once again he raises his eyes towards the steps. Perhaps his messenger was detained by a Guard. Perhaps Mr. Mack, the hospital guard,

is conversing with him. Perhaps Doc has a petient, and not aware of the seriousness of Capone's situation, is compelling the bodyguard to wait! Perhaps a thousand things, he lamudly mutters, damning Doc.

How the minutes drag! How long they seem! His eyes travel from the gold numerals on the wrist watch to the concrete steps in the distance.

Inmates are gathering at the foot of the steps, waiting for the signal to ascend and go to their cells. In a minute he will be out here, alone, at the mercy of these four desperate men!

Why can't that guard in the tower see what's going on? Why does he not look down and try to understand? He walks round and round. . .

All recreational activities have ceased and the yard proper is deserted except for the men at the foot of the steps ready to return to their cells. Nelson, the guard on the yard, stands at the head of the steps. An iron bar is clasped in one hand, a watch in the other. He, too, is counting the minutes. He evidently does not see the five men on the basketball court. He does not know Capone is kidnapped! He knows that it is his duty,

at 4:15, to strike the triangular iron with the iron rod.

He strikes it! Capone's heart skips a beat. The men climb the steps and disappear behind the Duck Hill. Capone is now in the hands of his enemies!

Capone's heart skips a beat. The men climb the steps and disappear behind the Duck Hill. Capone is now in the hands of his enemies!

They want \$2000.00 for his release. They defy any attempt to rescue him! He is their prey. . . Their want! They need money, and will need it often, while Springfield. He has it to squander on punks and leeches, and there is no reason why he can't give it to them.

After all, they argue, he's no better than they are. Just had better luck, that's all. A politician outside. . . They were in it for the thrill. He went in it for power! Well, they'll see how much power he has in here. . .

power! The Darb laughs as he thinks of it. Power! A helluva lot of good his power is now.

"Let's go in, boys," whispers Capone, his nerves shattered. "Can't this be settled later?"

The gunmen look at each other. "One of your rotten tricks, is it? Bluffin' us by sending that punk to Doc. . . Well, buddy, you got it comin' to you, and you're gonna take it standin' up -- like a man! What say, boys? . . . Let him have it!"

Two-gun addresses the assemblage, his eyes peering between almost closed lids.

"Wait a minute!" Fontaine suggests. "Capone, we want two grand, get me! We're gonna get it! Sarry? Do we or don't we?"

"I get ya," Capone asserts. "You see my position, boys. Don't you? I sent for it. That wasn't a stall. You guys know I don't pack greens (money). You'll get it; don't worry about that! You'll see this on the Q. T., won't you?"

"That'll cost half a grand." The Darb speaks up.

"O. K. That's your word!"

"On the level. God us the two and a half grand and we'll forget it." Two-gun informs him.

"That's gonna take time," Capone frowns.

"How much?" Williams asks.

"Give me till my wife. If I have to handle this through someone here, I'll leak out. I'd have to tell what the money's for. See how I'm fixed?"

"All right! Right after the vict' then. And here, 'er

this! Two and a half grand's too much for us to peck in here. But about sending it to a mouthpiece (lawyer). He's the bird'll take care of it so's we can use it."

"Suits me," Capone comments.

"He'll get you the name later. Let's get in now. Here comes

Blubber-mouth Nelson."

They proceed towards the steps, ascend, and are about to turn the corner of the Duval Hill, when Nelson steps close and mumbles something about hanging on stockings after the bell has been rung. No one answers.

He, and he makes no further attempt to reprimand them. Office to say Capone spent a restless evening, awaiting telegraphic word from his brother, to whom he had a message wired relating his predicament in Detroit.

July 18, 1933 . . . Guard Yates is doing guard duty in the basement, the regular guard having a day off. When a substitute guard is on duty in another's assignment, he usually tries to embarrass the regular guard by a shakedown, producing a heap of contraband articles. Each inmate is allowed one bath towel. This towel is exchanged on Saturday, at bath time, for a clean one. Yates observes that some stalls have as many as three towels.

Determined to accumulate them, he begins a systematic shakedown. He looks not only for towels, but for other contraband goods. Reaching Hackethal's stall he removes eighteen towels, and other contraband articles. Hackethal, by grapevine, is informed Yates is "stealing" and of his stall. Instead of making his way to the basement immediately, and attempting to interfere with or induce Yates to desist, he deliberately avoids returning until late afternoon.

In the meantime Yates has telephoned Captain of the Day Ryan and informed him of his discovery. The captain hastens to the basement. Yates, it seems, has created enmity between Hackethal and Hackethal when Yates "wrote-up" Hackethal for hanging around Colbeck's cell during the early years of Hackethal's arrival at the institution. Knowing that Yates was man enough to do this, Hackethal realizes the futility of asking him to return the seized articles, concluding that he can go over his head and avoid any unpleasantness for himself.

Yates, on the other hand, realizing that Hackethal is bitter towards him for the "write-up", fears eating his meals in the Officers' mess, bringing his lunch or supper with him in a tin container.

Reaching the basement that afternoon, uneasy and deeply concerned, Hackethal verifies his loss. He is unable to learn what Yates found, or know, however, from conversation that ensues, it was something of value to capture.

Monday draws on and Hackethal complains he is suffering of an attack of appendicitis. The physician is summoned, and arrangements made for Hackethal's admittance to the hospital in the morning. Dr. Ryan, next day, goes into conference with Hackethal.

Dr. Ryan, next day, goes into conference with Hackethal. Hackethal is dismissed from the hospital.

What, we wonder, occurred between the two? What, of value to

Depone, was confided by Yates and Captain Head?

The answer to our queries remain a mystery. More so because

Capone, for several days, is deeply melancholy and sore at Hackett's!

Not long after this incident the Director of Prisons pays another visit to the institution. He receives a request from Capone for an interview. The Director, since the last interview, made inquiries.

These, the nature of which are not learned, were apparently verified truths. Now, seeing Capone's request before him, he turns it over and on the back or reverse side of the interview slip, writes:

"No, will not grant interview. Heard enough of your tale of woe."

Capone, receiving it in a sealed envelope, is furious and angry because the Director refuses to talk to him. He has much to tell him. . . so many secrets he'd exchange for his liberty! The Director must have "smelt a mouse," Capone concludes.

"All right! He won't see me when I ask him. Well, I'll make him sweat for me next time!"

The Director's investigation of the story of Dr. Beale and Dr. Henry's association and connection with Capone, results in Bishop's being caught removing letters from a designated spot in the institution. After being observed placing the letters in his shirt, Bishop is followed close to and seen dropping them in a mail box. The letters are retrieved by a government official and Bishop confronted with them.

Bishop confesses he has been receiving money steadily from Capone, and conservatively estimates that the total amount does not exceed \$100,000 -- since July 1934!

He admits the accusation that he has been bringing in contraband articles to Capone, but his alibi is that the parcels were handed to him by one of Capone's lieutenants at an apartment in town, and he did not examine them. The officials never doubting but that the packages Bishop carried into the institution were his own, did not suspect him or the parcels to an examination.

He is, as a result of this affiliation with Capone, summarily discharged and stripped of his honor.

One wonders, as he passes from the institution for the last time, if he regrets the denouncement. He doesn't, we conclude, for after

all he can earn more working for Capone outside than he could inside.

Capone, true to his word, places Bishop in a position that is commendable. He is presented with a road house-and-eight club, and appointed Lieutenant of Police in one of Florida's famous winter resorts.

Let us spend today in the hospital. We have frequently felt
not feeling so understood the triangular situation that exists between Miss
Huggie, Kankhal and Deems. But our time is so monopolized in the cell
house and on the yard that we have little time to observe what transpires
elsewhere.

He shall, for a thrill, hang on to Miss Huggie's white nurse's

arm. We will then be in a better position to see and hear everything.

It's 9:00 A.M. She seems to be pretty busy this morning, and

she called away from her desk by an ailing ward inmate, her features dis-

tinged. "These convicts," she mutters, "always waiting one to run

these protocols." "These convicts," she mutters, "always waiting one to run

back and forth!"

She has barely gone a dozen steps when Dr. Boss enters through

another door. He stops at the desk, intending to ask a question or two upon

her return. Well, he decides, he'll sit down while he waits.

He is now and unfamiliar with the usual routine of things.

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"Then this. . . " he begins.

"I have no idea!" she exclaims, shrugging her shoulders.

"Possibly some convict's," he ventures.

"Oh, no! No, it couldn't be!" she nervously apologizes.

"That's strange," Dr. Hess answers. "Now I've forgotten

what I really came here for. Well, I'll think of it later. I must be getting along."

Miss TUGGLE stands motionless and undecided. Her mind is engaged in working a solution to the predicament she is in. What. . . what must she do? What excuse can she give in the event she is questioned? For certainly, she feels now, Dr. Hess is investigating her connection with Hackethal and Capone.

At 10:00 A.M. Miss TUGGLE, still in a state of unsatisfactory alibis, receives a summons from Dr. Ossensfort, Chief Physician.

"Miss TUGGLE," Dr. Ossensfort begins as she takes the seat opposite him in his private office, "who was the tray for?"

"My Doctor. . ." she stammers.

"Miss TUGGLE, I've been told that a tray frequently finds its way to your desk. This is most unusual, of course, since you do not seem to be the one sending for it. At least, there is no record of that extra breakfast for you each morning."

"Why I know nothing about it!" she boldly blurts. "Absolutely nothing!" she adds vehemently.

"Do you think Hackethal would know about it? Evidently he prepared it. The negro who brought it said he had instructions to deliver it to you."

Dr. Ossensfort looks at her searchingly. She is a tall, heavy set, stout woman of forty, cross-eyed and unattractive. Though not betraying her fear she believes that guilt is screaming from her face.

"He's a liar. A dirty black liar!" she screams, now wrought up and excited.

"Be calm, please! I merely wish to get to the bottom of this thing. Certainly you must know something since the negro claims that there has been his instruction right along!"

"Whoever said I got the tray mess! I don't care who says it!" she screams, rising to her feet and working her hands frantically. She is on the verge of hysteria, realizing now that everything depends on her pulling through safely. If she can, then she is through with Capone and the others, she resolves. If not -- then, by God, she determines she will drag them in the mess with her! Bishop told his disciples, and so can you!

But what would Capone want after that? Well, she muses, after Macdonald had warned Capone that she was his a friend, maybe he's made of things! Him and his buddies! Kinda! Indeed, if ever they had one!

"I'll excuse you this time, Miss Tuggie, until in the month, and Miss Tuggie's departure, accepts Miss Smith in the corridor, and after relating the interview, tells her that Dr. Occenfort desires to speak to her. Miss Smith prepared, proceeds to his office. But she, we know, is absolutely innocent. She has, it is our knowledge, successfully withstood every attempt to be bribed.

For instance after Miss Tuggie has left Dr. Occenfort's office, a half bushel pipe tawozes, two marriage pies and six T-bone steaks are smuggled from the hospital to 'A' basement! How 'A' basement? We'll see! Who, we ask as we thrill watching the excited Doc and Miss Tuggie getting rid of the evidence, will enjoy these delicious things? Only one person in the institution. . . Capone!

Really, 'A' basement the evidence are conveyed to 'A' cell house via the stairs, a message to the Clerk in 'A' cell house to deliver them to 3-7 having come over the telephone!

It is August 11, 1933. Summer is rapidly passing, it seems, and the hour stroke in the evening will soon be denied us. We have had some eventless days lately, for during the investigations we were unable to find our way into the closeded chambers.

However, we feel that Doc has been neglected. We forthwith decide to spend a little while with him. Deserting the noise and racket of 'A' cell house we hop and skip down to 'A' basement. Fortunately, Doc is in a good humor. That is, fortunately for our purpose. He is talking to Short Sharvings. Short Sharvings, strange to say, seems interested. He is at least displaying a friendly appearance as he listens to Doc's monologues.

"I offered Sharfer \$3000.00 to destroy my fingerprints. He said he'd do it. He wanted the money for his mother. Well, one thing after another went along and he kept putting it off. He then, when he saw I really wanted them taken out of the Record Office and torn up, told me it would cost me six grand."

"I asked him where the Hell he thought I could get six grand. He said, 'Capone'll give it to you.' Can you imagine that?"

"Would he?" asks Sharvings.

"Sure he would! Look! What does this look like to you?"

Doc draws a yellow-back bill from his pocket.

"Looks like a thousand dollar bill, Real?" Sharvings asks.

"You bet it's real! And that's only one. I can produce more!"

"Well, when you wanted those fingerprints destroyed, didn't you know that they have a set in Washinton that could be duplicated easily?"

Sharvings asks.

"I can handle Washinton O.K. I've done it already!" brags

Doc.

"But Doc, what good will that do you? You'll be identified by other institutions as having served time, and then your record will be just the same when it's found out it's you, no matter what name you give. I think it's foolish." Sharvings is not enthusiastic about Doc's scheme.

"Listen, you want to make some money, don't you? Well, stick with me, alright? I want you to sit at my feet, you'll get, huh?"

"Well, Jesus! I heard too damn many stories about pigeons in here, alright. I wouldn't do anything till I got paid for it first."

"Well, I give you smokes, don't I?"

"I look for them, Joe. I write letters for you."

"Well, no one's got to want money sent to it, you turned me a

In the Record Office

"I'm not going to say anything."

"I'm not going to say anything."

"I'm not going to say anything."

"I'm not going to say anything. I was never sent to see you."

"I'm not going to say anything. I was never sent to see you."

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Doc dives into his locker, and produces a picture of a famous blonde motion picture actress.

"See that enlargement? Williams did that, made it from a snapshot. That's my sister."

"Your sister?" Garp Shavings.

"Here's the letter where she says she's sent it. Jay, my sister's a beauty!"

"She is, according to that. Seems like I saw that face before, though," says the skeptical Shavings, hesitating to confront Doc with the accusation that he is a liar. "Why, Doc, Shavings smiles, "that picture on the wall there . . . that woman has on the same kind of dress and beads as this one -- your sister!"

"That's the same girl," Doc informs Shavings.

"Jay, I ain't that cross-eyed! They're entirely different women. One's a brunette with a small nose, and one's a blonde with a sharp nose."

"It's 'cause the one there's a snapshot in bright sunlight, and this one ---" pointing to the picture on which the motion picture star's head has replaced that of the original head, "---when it was no picture on the wall there . . . that woman has on the same kind of dress and beads as this one -- your sister!"

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"Jay, I ain't that cross-eyed! They're entirely different women. One's a brunette with a small nose, and one's a blonde with a sharp nose."

She was close-mouthed, you know. He talked! That's why Al insisted she stay."

"How come you got here?" Shavings asks, knowing Doc was doing four years for stealing a T-Nedel Ford.

"We were making a getaway. Had nearly \$300,000.00 in the car. But we buried that in Kansas City. Still there, too?" Doc lies. Shavings, believing he has had enough of a bedtime story, yawns and bids Doc good night as he eases out.

"See you in the mornin'," he calls as he leaves.

August 10, 1930. Miss Tugale, unable to endure the strain longer, and confronted with the alternative of resigning or being discharged, now practically a nervous wreck, made in a request for two weeks leave of absence. The request is granted, and she departs for Alabama, to spend the time with her sister there.

Prior to her departure she is closeted with Doc in his little office.

Whatever happens, Doc, I'm not in it. I put up with enough of this world. All I got out of it was profane. You got the pay. So... no need to give me an alibi. The day's coming when I'm going to want something. I know more than you think I know! I know you won't make it necessary for me to plead and cry for what I want when I want it. . . You want if you know me as you say you do.

The given Doc a cool look. He shifts his gaze, realizing that she knows indeed that she has been used as a rubber ball by Carroll, and that she and himself. And now -- faced with disgrace and unemployment, unless she gets away while the smoke is thickest, she gives him time to consider her first appeal for assistance, which she infers she will have in due course of time.

The men are returning from evening strolls. The tramway is thronged with prisoners. . . Everyone is apparently in a jocular mood. It seems the entire population of the prison is out this evening -- excepting those in isolation, the hole or segregation. Two thousand men, talking, laughing, talking. . . Weirily, plucking to their cells for the night. Some are tired from recreational activities. Some are on the ward -- "detention", . . . One never knows in a place like this. Many appear suffering with that fatigue brought on by confinement. . . a wilderness for which there is no cure -- except freedom!

Arnold, an inmate in the Dental Clinic, is laughing and talking to a friend. He seems to have not a care in the world. In twenty-one days he is to be released. He is a first offender, having stolen an automobile to take some girls joy-riding. He pays -- and has now practically completed payment -- the debt the government imposed. More than that he does not owe.

know that it should not be compelled to pay.

Little Jones he dream as he walks along so carefree that within
 a moment his world will have changed. Little does he surmise that King
 Johnson has decided he is to pay the extreme penalty!

He is now concealed from us where the crowd is thickest.

By reason of this, since we are neither looking for him nor thinking of
 him, suddenly there is a piercing scream. . . a confusion. . . cursing. . .

The crowd falls back! Five men, delayed for some reason we
 cannot immediately learn, are forcing themselves into cover of the surround-
 ing crowd.

In the center of the widening circle lies a bleeding man.
 It is Arnold.

Four guards, as a rule, are on evening stockade. One to five
 hundred men, hot counting, of course, those with machine guns on the towers.
 An incident such as this, naturally, is beyond the power of the guards to
 prevent. They do not mingle with the men, but stand aside as they come up
 the tramway.

A deep gash from which blood is freely flowing now marks the
 face of the youth on the concrete tramway. . . A gash from beside the ear
 to the chin -- almost identical with the scar upon the face of Capone!

As the guards push through the prisoners several men offer
 to rush Arnold to the hospital. Though bleeding profusely he is still
 conscious as they lift him bodily and carry him to the hospital.

"Who did it?" asks the attending physician.

"I don't know," Arnold feebly murmurs.

An inmate, after an attack, seldom fingers his assailant while
 receiving medical treatment. Inmate inmates can -- and have been known to
 "finish the job".

The answer was expected. However, the attack can often be
 traced to a grudge. But no one had a grudge against Arnold, he protests.

"I saw it," speaks up one of the men who helped him to the
 hospital. "Turner was one of them. There were five of them. Turner had
 a razor blade. I could hear Turner say: 'Hold his legs and arms and I'll
 cut his throat.' But the others got scared, for after they grabbed you
 the crowd broke away and Turner just slashed out."

"Turner? I don't know him," Arnold says.

"One of the guys was one of Capone's men."

"Capone?" Whispers Arnold, surprised.

"You must keep quiet," the doctor orders. "I'll have to sew

that up." The surgeon then proceeds with his treatment. His ears absorbing

the information dropping from the lips of Arnold's friends.

Arnold is called before the Deputy Warden next day.

"What is behind this, Arnold?"

"I don't know, Deputy."

"Come, now. You know something."

"All I know is that the creditor me and tried to cut my throat."

"From the looks of the bandage there they did a pretty big

job, didn't they?"

"Yes, & scar. Like Capone's and in the same place, my buddy

said."

"I see. Did you have a run-in with Capone lately?"

"Not exactly. Maybe it started over the clinic. See, I was

supposed to do some work on his teeth, but another guy got the cigarettes,

so I told him: 'The Hell with that. You do it yourself.'" So Capone was

sitting in the chair, waiting, and this guy went out and told Capone I

said the hell with him. Which I didn't. Then, on top of that, I heard

today someone told Capone I was talking about to pull his gun in the

hospital. Which I wasn't. Maybe that's the cause of it all. I don't

know."

"Can you identify any of the men attacking you?" asks the

Deputy Warden.

"Turner was one of them. I think I can identify the other

if I see them."

The Deputy Warden reaches for the telephone and instructs

Captain Head to have Turner sent over.

Turner, like a whipped cur, walks in ten minutes later.

He sees Arnold and turns his gaze to the Deputy Warden.

"Turner, why did you attack this man?" the Deputy Warden asks.

"Who said I did?" Turner asks.

"Is this the man?" the deputy asks Arnold.

"One of them. Yes, that's the one who did the cutting."

"Turner, who are the four others? This is a serious offense.

The penalty will be lighter if you name them. If you don't, you know we can learn."

Turner names his companions. (This type of criminal is not unusual. Violence, and the desire to avoid a severe penalty -- when squawking might lessen it -- seem to go hand in hand with them).

"Why did you do it?" the deputy asks.

"Got paid," patently.

"By whom?" asks the deputy, a sense of satisfaction abiding with him in the realization that he is succeeding without any difficulty.

"I don't know the guy. He told me Capone wanted that guy cold-cocked. But we didn't have nothing to crack his head with. We tried to get a ball bat, but couldn't. So I had a razor blade. They were going to hold him while I did the job."

Having called for the four others they are now lead in. All are arraigned at one side of the deputy's desk; Arnold stands alone on the opposite side.

"Go each of you I have but one thing to say. You have attempted murder. You know the penalty. I shall confine you each in segregation until your term expires.

"Take the rats away!" he yells to the guard nearby.

"That's all, Arnold. You will remember not to discuss this

when you leave this institution."

"Yes, sir," Arnold proclaims.

"Just a minute, Arnold. You're leaving shortly. Just what seems to be the trouble over at the hospital. Why don't you men get along?"

"Well, Deputy, it's like this . . ."

Arnold recites to the Deputy Warden all he has learned since his assignment to the Dental Clinic. His story chiefly concerns Capone and Capone's ability to accomplish anything desired there. He is now extremely bitter towards Capone, but insists he is speaking the truth when he states all the dissension is caused by the inmates wrangling over Capone's favors

This recital coming at the same time as the order to investigate, results in the removal of seven hospital attendants. Miss Tuggle's name frequently bobbing up during the investigation, necessitates the postponement of further questioning because of her absence.

As a result practically every connection is severed. Dr. Lynn is transferred to New York. Dr. Fraser takes his place. Dr. Smith is being secretly investigated, and his every movement reported to Washington.

About this time Miss Tuggle returns and receives her duties. The second day of her return a tray is delivered. Miss Tuggle who had been substituting during Miss Tuggle's absence, is ignorant of the post mission or ownership of the tray she finds on her desk. She calls Dr. Hess to inquire if it might be his. Dr. Hess calls in Miss Tuggle. Miss Tuggle protests ignorance. The negro waiter is questioned and told to read the had instructions to deliver it to Miss Tuggle. She loudly protests her innocence, and in hysterics attempts to telephone the Police or the Treasury Department (under which the hospital is operated). The word brings on another, and she and Dr. Hess are smiling a "G" of it.

"I have nothing to do with Tuggle or anything along that line," she says, "you needn't insinuate I'm delivering that stuff to her. I can't!"

"It's not only rumored, but proven, Miss Tuggle," Dr. Hess explains.

"Proven or not proven, Dr. Hess. Who are you to accuse me? If you've a complaint to make, take it to Dr. Caswell, but I'll tell me I have this stuff brought here for Tuggle!"

Miss Ward stands silently by.

"Sut yourself. I'm merely trying to be friendly. I don't think it's necessary to engrave on your mind the fact that these things have come to a head in your absence. You should have known that. We've a lot in common. I must, after all, protest myself."

Claxton's argument with these parting words, Dr. Hess makes his exit. Miss Tuggle looks at Miss Ward. It is an unfriendly, yet pitying look. Sweeping past her she passes from the room and directly to the door. The door is closed behind her, and a conversation lasting

forty minutes, ensued.

Needless to say, however, Miss Tuggle is not permitted by Capone or Backlund to sever her connection with them. They need her, and at the price of exposure by them she renders them the demanded service.

The reception committee is composed of the Captain of the Morning Watch, Inmate Count Clerk, Receiving Clerk and Dressing-in Clerk. We have read in the papers that this former associate of Capone -- who recently stepped out for himself and bigger profits -- was being transferred to Atlanta because of bribes he had forced upon the Deputy Warden at Leavenworth.

We observe, from newspaper accounts, that he had made quite some progress at Leavenworth, and believe he will be successful at Atlanta. Yet, Atlanta is noted for its "bribe-proof" guards and officials! Somehow (and it is not at all improbable), Druggan had gotten word that Atlanta was a better joint than Leavenworth!

Let us look at his record.

(CONDUCT RECORD)

Forfeits 150 days Good Time! That "burns up" any prisoner. And Druggan, a born whiner, naturally is consumed. When we pass to stockade next day (he does not get to stockade the day of his arrival) we, among others, wait at the foot of the steps as we did for Capone's descent, to gaze awesomely at the beer baron . . . The millionaire who cheated the government of due taxes. Tried, so it is said, to get by with what Capone couldn't!

And all his legal talent, money, doctors and alibis, couldn't coerce the sentencing judge from his decision that Druggan was deserving of a sentence to prison.

And here he comes! Well. . . we are woefully disappointed. We thought we would see a big, broad-shouldered, swaggering fellow. Instead, we look at a typical clerk. His skin is unusually pinkish -- like a girl's. Sandy curly hair is combed straight back from his forehead. Stoop-shouldered. Mincing steps. Shifty gaze. And this. . . THIS, we realize with disgust, is a Chicago gangster!

Druggan is met by someone who knows him. Someone who knows Capone, too, for he is taking Druggan to the tennis courts where Capone holds sway.

"He could have met me," complains Druggan as we fall in line behind him and his companion.

"I never gets in a crowd, Terry," his companion apologizes for Capone.

"No?" astonished.

"Of course!"

"What's the idea of him always playing tea, is? A guy told me he used to do this morning that's all Al does."

"After!" is the terse, truthful answer.

"Here he is. Shall we go down?" asks the guide.

"I'll go down!" a nice drag on.

They descend the slope of the hill to the street. Someone calls to the guide, and he turns back to look. Al puts the game, treats the animal, and in his arms round his shoulder and patting his head, and says:

"Well, Terry! So you've made it back here after all. Say, the game is over. Where you got in a jam out there. How come?"

"Motten back (game). I wanted too bad, and I put thumbs down," the guide contemptuously answers.

"He'll get away from here. These yokels give me the willies the way they stare. I got used to it, but I know how you feel."

"Well, Al, don't worry about me! I can handle 'em," Druggan drags.

They proceed to the baseball diamond. A game is in progress. Lopez, a Spaniard, is at bat. Druggan, Capone and Capone's array of bodyguards stand nearby.

"A hundred he makes a hit," bets Capone.

"It's a go, Al," Terry agrees.

Lopez strikes out wildly and misses the ball.

"You're lousy!" Capone remarks. "Who ever told you you could

"And I don't want none of yours," retorts Lopez, advancing aggressively.

Lopez, too, has many friends among the convicts.

Capone, without further ado, leads a fight to Lopez's chin. In the melee which follows, Capone's bodyguards present an offensive which cannot be overcome by Lopez. Capone, separated from Lopez by his henchmen, spits vituperations at Lopez. Men, baseball bats ready, advance upon Capone. Guards interfere and quell the disturbance.

"I'll get you for that, you wop," threatens Lopez.

"Yeah? You'll never get another wop if you try, you spick!" Capone answers. "Come, Terry; let's get goin'."

Stepping beside Capone, Druggan, followed and surrounded by Capone's bodyguards, walks the track.

But this was not the end of the skirmish. Lopez happened to be a friend of Fontaine's. Fontaine is one of the quartet who had kidnapped Capone. And promise or no promise of ransom, a friend in need is a friend indeed -- in the penitentiary!

Capone, studying Spanish. . . as does Lopez (both with the same purpose in mind -- shirking work). . . hears his name hissed in the schoolroom. He turns, and looks into Lopez's face several rows behind. Fontaine sits near Lopez.

"Yes, you!" calls Lopez.

"And that goes for me, too," adds Fontaine.

"So that's how you feel about it?" asks Capone, rising.

Doubling his fists he advances menacingly towards the pair. Fontaine has not had the opportunity to rise to his feet. Capone strikes out and clips Fontaine on the jaw. They clinch and are punching bellies when the Director of Education rushes in and demands they cease.

"I aint through with you!" Capone warns Fontaine as the

who isn't one of Fontaine's gang. He doesn't know who might attack him while absorbed in his novel or magazine, or while talking to someone. Besides, he reflects, he's received no word that the ransom money has been paid, and Fontaine's attitude might be caused by impatience on the part of his associates.

He becomes so nervous that he decides to return to his cell, conveying word to his bodyguards that he is not enjoying stockade today. . . that he is retiring to his cell and they should not be uneasy about his non-appearance on the yard.

En route to his cell he passes Fontaine's cell. Fontaine is lounging on his bunk. Capone hesitates before Fontaine's cell door. Then, pushing back the grilled door he walks in.

"He'll have it out now," he reminds Fontaine.

Fontaine, hardly more than five feet tall, seems puny beside the giant Capone. Fontaine weighs less than 125 pounds. Capone tips the scale around 230. But Fontaine is game. He jumps to his feet. The ado draws several of Capone's gang and the guard of the cell house. Capone is ordered to his cell. The others are reprimanded and warned.

Fontaine, after the skirmish, nurses a bruised face and body. . . and a grudge!

Fontaine is in conference with Two-gun Yellow and The Darb.

"I'm not goin' ta let that dago get by with that!" he cries angrily.

"But for Christ's sake, man, you'll ruin our part. I can't you see that?" argues The Darb.

"I think Fontaine's right," intercedes Two-gun Yellow. "You'd feel the same way if you were in his boots. It's our place to give the wop a lesson. What say?"

"You know me, Two-gun. Anything you say's jake with me," agrees The Darb.

"Now let's look at this sensibly," Fontaine suggests. "If we bump him off now -- and that's what he deserves for all the screws he's had tightened on this joint since he's been here -- they'll know we're the birds what did it. There aint a chance unless we get some moonshiner sore at him, and get the moonshiner stick him in a crowd. First, though, we want to be sure we're getting the two-and-a-half' grand."

"God-damned if I'm af aid of him, or the hawks, either!" brags Two-gun. "I'd as soon twist the knife in him as I'd dunk that rubber coffee cake in that mud in the mornin'."

"Yes, but we got that two-and-a-half' grand to consider. Why not wait a while?" The Darb reminds him, an eye to money more than a aggrieved vanity.

"Yes, that's right," Fontaine agrees. "If we could . . ."

"I got it!" Two-gun belches excitedly, his eyes wide and his palms raised to signify he entertains a satisfactory solution. "I'll give him a date. If the money's not here. . . Get me!" he infers.

"You gotta head on you, Two-gun," Fontaine laughs.

"You betcha life I am," brags Two-gun. "In odder words, we hasten him up, see?"

"And then?" asks The Darb.

"And then!" repeats Two-gun, patting a concealed automatic beneath his arm-pit.

This agreement seems to pacify Fontaine. He does not speak to Capone when they pass each other or meet in the classroom. Fontaine, however, hears rumors of Capone's vengeful threats. Not to be taken unprepared, he secretes a razor-edged knife beneath his shirt. It is held secure by the belt of his trousers. He'll take no chances, he assures himself. An opportunity. . . an occasion, who knows. . . might present itself or demand he be protected against Capone or his henchmen.

To have obtained possession of this knife it was necessary he keep an eye on the Tailor Shop guard. Each movement of every inmate in the Tailor Shop is carefully watched. The swiftest flash of the hand, sometimes, signifies to the watchful guard that the inmate making it is up to some mischief. Fontaine, nonetheless, manages to slip the knife into his bosom. He proceeds to the toilet, where he securely wedges it beneath his belt and shirt. Any conspicuous article. . . the bulge in any pocket. . . an unopened parcel. . . is not permitted to pass the rear corridor guard. This, then, secreted as it is, is unnoticeable.

But Fontaine did not bargain on Capone's henchmen. Some, for Capone's protection --- insofar as they could hear things concerning him --- were assigned to the Tailor Shop, as to other duties in the penitentiary. And one, whose particular duty it is to watch Fontaine --- whom Fontaine never suspected --- observed the cautious act Fontaine had committed.

Fortwith, during Fontaine's absence from his machine, the spy makes his way to the guard. He informs him that Fontaine "packed a knife". The guard, knowing Fontaine to be a dangerous and desperate man, and having heard of his activities as the guiding genius in the importation of barrels of firearms at Leavenworth, permits him to leave the Tailor Shop unmolested. Immediately he, with others, has passed through the door, the guard telephones the cell house guard, suggesting he search Fontaine as he enters.

It is natural for any inmate carrying a contraband article to be nervous and apprehensive. Especially is this so when the article is a dangerous weapon! Consequently Fontaine, strive as he does not to be, is unduly alert. He reaches the cell house. No sooner does he step into it than the guard calls him from the line of inmates returning to their cells.

Fontaine realizes his game is up! There is no way in the world

to now dispose of the weapon. If he refuses to let the guard search him, the penalty will be the same.

"Remove your shirt!" orders Guard Finn.

Fontaine obeys. In so doing he inhales deeply, permitting the knife to drop from its position to his feet. It clinks on the concrete floor. The guard hears and sees it. Picking it up he looks at it closely, carefully running his finger along its razor-like edge. He directs a reproving look at Fontaine.

"All right," nods Guard Finn. "Go to your cell!"

Fontaine, cursing his luck, passes on to his cell. Just what he expected! he muses. Somebody snitched! Who? Who, he asks!

And the penalty, next day, as he stands before the Deputy

Warden:

"Why were you carrying this knife?"

"You know, Dep. Why ask me?" retorts Fontaine.

"Capone again, I suppose," remarks the deputy, his method of extracting confessions being amazingly successful.

"Damn' right! First chance I had he'd got it. . . front or back! I took enough off that dago. And get me, Dep," Fontaine raises a warning finger. "I'll get him yet!"

"Oh, no you wont!" admonishes the Deputy Warden.

"Says you!" spits Fontaine, his hands resting on the Deputy Warden's desk, his face thrust forward, his eyes blazing. . . a perfect picture of insolence and defiance.

"Says I!" yells the Deputy Warden. "For you'll spend the rest of your time in Segregation. Now get out! Take him out!" he yells to the guard standing nearby.

Fontaine is led out and placed in Isolation, there to await his transfer to Segregation. . . where he is compelled to spend the remainder of his term.

And Capone's life is preserved for further dangers!

The news of the premeditated attempt upon Capone's life spreads through the institution. The rumors that reach Capone are so mangled and garbled that he is compelled to increase his bodyguard. One-third of the inmates, it seems, are on his payroll. They are receiving cash, of course, having it sent to their relatives or directed to the institution under names corresponding with those on the correspondence record.

Capone can now take no chances with his precious life. Any little ear thief might stumble into a conspiracy against his life. He has so far found it safe to go to stockade; but never -- never during his incarceration has he dared to go to the chapel or to the movies. The impression has never left his mind that most riots start in either the Dining Halls or Chapels of penal institutions. The darkness of the movies is no invitation to accept. . . . Desperate, he reasons, like cats, see better in the dark. And how could he enjoy the show when each moment of it he would be expecting a spearlike weapon dug between his shoulder blades?

And the flesh there is soft. . . and tender. . . and the blood would pour. . . and I'd tumble forward and strike my face on the seat, maybe! No! NO! NO! . . . NO MOVIES!

When such an incident as Fontaine's skirmish with Capone occurs, and one of the men is apprehended with a weapon, it affects the morale of the men. They seem all to be under a spell. . . as if some strange drug were administered to them. Laughter becomes noticeably infrequent. Smiles do not come as often, nor linger as long. Miscracks are forgotten. A strange, gloomy oppressiveness descends and prevails eerily.

Cohen, one of the inmates confined in the Nut Ward, takes it upon himself to relieve conditions. A "nut", bear in mind, is not a maniac nor insane person. In no manner does he suffer the terrors of an asylum or institute for the demented. He is, the convicts will assure you, "damn' smart to get by with it!"

Cohen writes a letter to the Director of Prisons, Washington, D. C. He sets forth the shocking conditions existing in the institution -- part of which he, as an inmate in the Nut Ward, has witnessed. (The physiotherapy room is situated in the basement of the hospital, and incorporated in that section known as the Nut Ward. Capone's actions and conversations there, therefore, were not unheeded by the "nuts").

Having thoroughly and at great length set forth many of the "faults" he finds, Cohen deposits his letter in the "snitch-box" in the Dining Hall. From there it is collected by a Government employe not connected with the institution, and conveyed to Washington.

The institution suffers a shocking surprise when the letter -- like all others deposited in the "snitch-box" -- boomerangs to the warden's desk. A photostat is made, as Washington directs. An investigation is demanded.

Yes, Washington advises, we concede the man is a "nut", but it is apparent the man knows of what he is writing. These reports have filtered through from men NOT confined in the "Nut Ward", and there **MUST BE SOME TRUTH IN THEM!**

Cohen, unknowingly, has taken the move which results in his transfer to the U. S. Hospital for Defective Delinquents, at Springfield, Missouri. For Cohen, Capone had thought, "hadn't sense enough to know he -- ~~wasn't~~" And for that reason did not fear discussing in his presence

his plans and conquests!

While the investigation is in progress, Doc is thoroughly "shakedown". Every article in the room he refers to as his "office" is minutely examined. Even the large bolts fastening the barber's chair to the floor are removed and their sockets searched. The padding of the chair is destroyed. The pictures are scraped from the walls. (Behind pictures, even, inmates conceal small packets of dope). The shelves are dismantled. The cabinets wrecked. The rolls of adhesive tape completely unwound and thrown away. Gauze, bandages and absorbent cotton are so carefully examined that not even an article the size of an ordinary pin head could be overlooked!

And when the "shakedown" has ended we have before us the following:

Six one-pound cans of ground Senate coffee.

Three roasted chickens.

Eight cans of pears.

Five cans of peaches.

Six jars of frankfurters.

Two cans of minced ham.

Five pounds of layer cake.

Two loaves of sandwich bread.

Four cans spaghetti.

Four cans of anchovies.

A jar of honey.

And a collection of smaller items.

Doc's stall, also, is turned "upside down", the locker being taken apart, and the mattress, chairs and pictures completely searched.

This, we gasp when we see it, is sufficient to start one in the grocery business. Two large canvas baskets (used ordinarily for removing laundry) are brought in and the groceries packed in them as Exhibits A, B, C and so on, to be produced before the Deputy Warden when Doc comes "to trial".

"How in God's name, Dunlap, did this stuff get into your office?" asks the deputy.

"You know as much about it as I do, Mr. Schoen," alibis Doc.

"What does that mean?"

"That I don't know a damned thing about it. It was planted there!" Doc tries to be serious.

"Planted!" gasps the Deputy Warden. "Do you think I'm fool enough to believe that, Dunlap? Do you think I'd believe anything so childish?"

"I'm telling you the truth. You can take it or leave it,"

Doc snaps.

"Dunlap, in all my experience in this institution, I have never yet known a man to try to make such a fool of me. . . as you do now! Now you look here, Dunlap. Any child would note that in an office the size of yours, these articles would actually be in the way: You couldn't turn around without stumbling over them. Yet, they are covered with dust! The Lord alone knows how long some of them have been there. You know they were there. Who for?"

"I got an idea who planted them there. That's as much as I know. You can put me in the hole from now till the day I leave, and I couldn't tell you any more." Dunlap continues to bluff.

But the deputy is not to be bluffed.

"Dunlap, just how long have you been acting as commissary for Capone?"

Doc blinks. Sure, the Deputy Warden must know! But except for finding the goods in his office, there's no proof that he (Doc) KNEW THEY WERE THERE! And no proof THAT THEY WERE FOR CAPONE!

So what can the Deputy do?

"Who told you that lies. Capone don't pay me nothin'!"

"Emph! I didn't say he did, but you practically admit he does. I'm going to close that office, Dunlap. I've heard enough about it. This is enough to cause me to put you in isolation. But because of your physical condition I won't. That's all. Get out!"

Doc returns to 'A' basement. What next? he asks himself.

Ignorant of the fact that Cohen had written Washington, but bearing a malicious hatred towards Dr. Lynn -- borne of envy, of course -- Doc conveys to Capone the disastrous result of the shakedown.

Gone! Gone is the little cubbyhole where big business was transacted! Where thousands of dollars passed, at Capone's instructions, from his possession into circulation among the convicts!

Ended is the foot treatments so essential (?) to Capone's health. Ended is the daily contact with hospital attaches!

What next? Capone asks himself.

"Lynn did it. I'll bet anything!" Doc tells Capone as they sit on the slope overlooking the tennis courts. "Fingering me before he left!"

Capone, this day, could not lift a tennis racket. His stomach, he moans, is already suffering.

"What makes you say that?" Capone asks, unbelieving.

"He's always been jealous of how much you give me. That quack aint satisfied with a hundred a month. He wants more. He figures if I'm out of the way he can handle things better!"

"That's fool's talk, Doc. I wonder if I'll get my pie today?"

"Pie? Why worry about your pie?" Doc snaps, his eyes blinking. "There's other things to worry about. Look at me! Suppose Schnozzle puts me in the Tailor Shop. With them real convicts! Sure as Hell one of them guys is gonna get me!"

"Christ, and I was figurin' on chicken today for a change. Damn it! Why did you talk me outa it when I wanted to have them put it down in the electric therapy room? You thought you knew best! Sure! Now I'll have to eat that garbage on the main line. Beans! Stew! Spinach! I can't do it, that's all!" He rises, anger and grief overcoming him. "Let's find somebody!"

Not mentioning whom he was looking for, except "somebody", Capone struts off with Doc at his side. A mountain and a molehill! They wend their way in and out of groups, down the track and back to the tennis courts, Capone's bodyguard shadow ever behind and to the side. The man he searches for, evidently, is not on stockade today.

"Now leave me alone!" Capone tells Doc. "Lemme think this out. When the jig told me you got shokdown, I couldn't believe it. Then, when I did, I didn't realize they'd confiscated everything. I thought the jig who took the stuff to the Dep's would swipe some of it back. Now I'm up against it. I gotta eat something. Get goin', Doc. Get goin' before I lose my temper!"

Doc toddles off, defeated and ill. His Big Boy! His Big Boy yelling at him! After all he done, too. That's gratitude for ya, aint it! Me risking my good time. . . getting them connections. . . Even fixing him up with the quacks! And that's what I get! Showin' me up in front of them bodyguard leeches!

Well, Big Boy, you'll pay now! You'll pay plenty! You been gettin' off light. Been doling out a few paltry hundred a month to me. Beale's got his grands. Bishop got his grands. Convict or no convict, I want grands too! And Big Boy, you're gonna pay 'em!

Let's see now. . . How tha Hell. . . Righto! The wife! Wife's sick. . . No, she needs an operation. That'll be better! And it'll cost \$500.00. No, better make it six -- sounds better.

Doc smiles the smile of a successful miser. His twitching fingers form fists as he struts along planning his big coup.

We know, from Doc's unenviable record, that he is one of the cleverest confidence men in captivity! And we believe as he thinks. . . that Capone shall pay PLENTY before Doc is through.

It is September 14th. . . . An outstanding event occurs today. Rumors have flown thick and fast as to what work Druggan would be assigned. He, like Capone, is confident he won't be given menial work. The bets are three to one that he'll land a cinch. At noon, when the Transfer Sheet is distributed to the various offices and cell houses, the prisoners gather around the desk to learn who has been transferred, placed in the hole, and otherwise punished, and what assignments new prisoners have been given. Since we are interested in the Transfer Sheet only in so far as Druggan is concerned, since we have heard that Capone assured him he "could handle the deputy's clerk, who does the work on the Transfer Sheet after a committee assigns a prisoner", we manage to work our way to the front desk, anxious to scan the sheet and see Druggan's number, name and to what cell he has been assigned. The assignment of cells occurs simultaneously with the assignment to work.

"There it is!" we point out. 43, 500. Druggan. Tailor Shop!"

"Tailor Shop!" someone echoes.

The words are re-echoed as the bells sweep over the shoulders and heads of those behind us.

"I'll bet he'll be burned up!" someone remarks.

"He aint no better than the other guys over there. Just 'cause he made a couple million in the beer racket don't mean he's too good to make pants. Some of those highknobs he travels with ought to see him sitting behind one of them machines. Boy, wouldn't that slay him!"

"God Almighty, look! He's transferred to 3-7! Capone's cell! Can you beat that!" someone shouts.

"No foolin'!" another asks.

"Look for yourself!" the doubting one is advised.

"Say, you're the guy been tellin' me you can't pull anything over here. What's that? Druggan celled with Capone?" we hear in a reproving voice.

Silence is the only answer.

But there is no silence when the Transfer Sheet reaches the warden's office. His secretary (a civilian) observes the assignment..... Tailor Shop. Yes, that's all right. But 3-7? No, sir! It must not be permitted.

"Deputy Warden," the warden instructs his secretary. The secretary rings the deputy on the telephone. He is now in the Dining Hall, advises the deputy's clerk. The secretary telephones there. The noon meal is being eaten as the deputy receives the message requesting he report to the warden immediately.

"Mr. Schoen, you've seen the Transfer Sheet, I suppose?" asks the warden as the deputy walks in.

"No, sir. I haven't been back to my office."

"Druggan assigned to 3-7. Did that have your approval?" asks the warden.

"It certainly did not!" exclaims the deputy. "Rouf has charge of that, as you know. I shall adjust it, immediately!"

The deputy telephones Rouf, inmate clerk in his office.

"What does this mean, Rouf - - placing Druggan in Capone's cell?"

Rouf has his alibi prepared. "There was a vacancy, Deputy."

"There's hundreds of vacancies elsewhere. Get him out of there! At once!"

Rouf issues a removal slip, which is delivered to 'A' cell house guard. Druggan, his baggage unpacked and congratulating himself that his \$500.00 worked wonders, is rebellious when requested to pack his belongings and march up two tiers above, to 5-1.

"That's a lousy trick! Lousy!" he bawls.

"Take it easy, Terry," Al pacifies. "I'll handle it later."

Terry, skeptical, quiets down. Perhaps Al can handle it later. He doesn't know just yet how much "pull" Al has.

The Transfer Sheet is revised. Druggan finds shelter in 5-1. He gripes continually because he has to climb five flights of stairs to his cell.

"They're burning me because of what I got by with in Leavenworth," he tells Capone on the yard. "I knew I'd get it!"

"Say, Terry, don't take it so hard. They did it to me when I come in, and now I've got 'em all steppin' like they're on hot coals. Leave it to me. I'll fix it up so you won't have to do that climbin'."

And, true to his word, Capone eventually has Druggan placed in 2-21, on the second tier. . . while the Deputy Warden was absent from the institution and the city.

The chicken, delivered to 3-7, to celebrate the get-together occasion, is consumed by Capone, while Druggan bites his finger nails in anguish!

Now, he concludes, it is going to be doubly difficult for Hackethal to deliver his food. In Capone's cell it was a single risk. One man could handle it. Separated from Capone it means a different ransman will have to carry it after it is brought up by one of the inmates employed in the Officers' Mess. Conveying this information to Hackethal, Hackethal says:

"I'll feed you regardless of consequences. You won't be jeopardizing Al's connections at all. Don't worry about that. You just take care of the monthly payment, and I'll take care of the rest."

But Druggan's tempestuous rebellion has an aftermath. He broods on the ill done him by the deputy, refusing to permit him to cell with Capone. And like a child whose toys have been taken from him, Druggan becomes sulky and obstinate. He will force them to realize that he is a Big Shot! That he is a beer baron, owns race horses, a breeding farm, and property! They're not going to make it harder for him than he can help it, he boasts. So his plan carefully laid, he becomes seemingly hysterical, going into tantrums.

He is taken before the Deputy Warden, charged with insolence when ordered to be quiet.

"You can't get by with that here, Druggan. So you just as well make up your mind to it," warns the Deputy Warden.

"I'm a sick man. I'm not getting proper medical treatment. I'm shifted around from one cell to another. I'm stuck in the Tailor Shop, where only disobedient, low-down prisoners are assigned, and I'm sick of it! Damned sick of it, if you want to know how I feel about it!" Druggan raves.

"So what?" sarcastically asks the Deputy Warden.

"So what!" Druggan repeats arrogantly. "I want attention!"

"You'll do well to return to your cell, report for work, as usual, in the morning, and take the hospital treatment prescribed. You'll not get anywhere with the attitude you've displayed. You'll not get one thing you demand! Dr. Ossefort has treated enough men to know when a man is ill, and when he pretends to be ill."

"I want a doc! I can't cut that garbage on the main line. I want nice baths; and I need massages. I got to have them. Dr. Ossefort tells me I don't. Well, I do!"

"Druggan, you'll do as I say or I'll place you in Solitary.... until you promise to obey the rules. You're in a penitentiary not, not a high school or health resort. You are expected to obey. Refusal makes it harder for you. . . not for me."

"Well, I won't do it! I'll not go back to work! I'll go to the hospital! I'll drop on my feet first!" His Irish temper is getting the best of him.

"You'll go to Solitary and think it over, then," admonishes the deputy.

"All right, put me in Solitary. Goddam it, I at least wont have to work in the Tailor Shop!"

"Take him away!" the Deputy Warden shouts.

Druggan is confined in Solitary for refusing to work. He is placed on a restricted diet (bread and water), and remains in Solitary four days before he sends word to the deputy that he is now ready to return to work - - - and obey orders!

A much-changed, obedient and defeated Druggan emerges from Solitary.

"Well, I dared him," Druggan boasts to Capone. "That's more than you did!"

"More than hell!" Capone retorts. "I defied him. You only dared him. Schnozzle knows he can't get by with that stuff on me."

And, to Druggan's chagrin, he is made the laughingstock of the penitentiary, because the guard obeying the deputy's instructions repeats the conversation he heard, and the antics of the prisoner "before the bar".

Once more the "screws" are put on. Things become harder to obtain. Hardly a piece of cheese finds its sorrowful way to the basement. Saltines. . . Cookies. The Commissary does a land-office business. The Officers' Mess is closely watched, and little, if anything, leaves it as contraband.

But Capone must eat! Capone must get something for the money he has paid. The Hell with the guy who carries it. Why worry about him? Let him go to the hole! There's always another one! Yes . . . but they're refusing. There's been too much of it getting out. They want it for their friends, now! As long as they can carry it for Capone, they figure, they can carry it for themselves.

Everytime Capone meets Mackethal it is the same argument. Mackethal is leery. He knows the officials are wise to his racket. Capone spares no one. His belly must be filled. . . at any cost! Any sacrifice! Any misery to another!

"They search everything!" exclaims Mackethal in protest.

"Every towel my men carry out is opened and examined for food."

"Say!" Capone has an idea. "Whitey Gregar. . . the laundry-man!"

"What about him?" asks Mackethal.

"Can't he bring it up to me?"

"They search him personally," Mackethal lies.

"They don't search his underwear!" Capone shouts.

"No; not unless they would be suspicious he had something on him."

"I'll talk to him. You give him the stuff. I know he'll carry it. He's on the pay roll, and he'll do it!"

Capone converses with Gregar. Gregar, we know, has the liberty of passing throughout the institution.

"Now look here, Whitey. That food's gotta get to me. Can you bring it?"

"It's going to be tough, Al. They're got clamps on me now."

"I'll double the pay if you make it," Capone offers.

"It's a go!" They clasp hands.

Whitey, on his rounds, stops at the Officers' Mess to gather soiled towels and tablecloths. He slips into the pantry. Hackethal comes in behind him. They whisper. Hackethal smiles approvingly. Whitey drops his trousers and exposes to Hackethal four pockets made in his drawers. . . . Pockets sufficiently large enough to carry Capone's food daily. With Hackethal's assistance the pockets are neatly filled with meats, cheese and bread. Whitey pulls his trousers up. Hackethal examines his appearance to satisfy himself he does not look conspicuous. Everything seems all right. Whitey, a bundle of towels in his arms, leaves the Officers' Mess. He stands before the gate leading into the prison proper. Guard Read is on duty at the gate. Read, according to the inmates, has eagle eyes and a rat's nose. He sees and smells uncannily!

"Step aside there," he orders as Whitey waits to pass through.

Whitey expected . . . no, feared this. He didn't suppose he could pass through with such a bundle of towels without their being searched. Read calls another guard to watch the gate. He invites Whitey into the lavatory.

"Drop your pants!" he commands.

Whitey, realizing he's caught, and knowing an excuse will not help, obeys. Read sees the stuffed pockets in the drawers, and orders Cregar to remove them. After doing so Cregar is sent on his way. Whitey's alibi is that he "stole the stuff". He must not implicate Hackethal -- or Capone!

"To the hole!" the Deputy orders. But the order is countermanded!

Cregar has not been dismissed five minutes when Kosulczyk, No. 43116, is brought in. A report slip is laid on the Deputy Warden's desk. It reads:

"No. 43116 - Kosulczyk.

The above named prisoner was coming along No. 3 range, and going to 5, with package containing 3 beefsteaks. He seemingly was going to deliver them to someone on 5.

Guard G. J. Finn.

... was for Druggan.

Deputy's action: This prisoner is orderly on Range 5.
Someone handed him the package and he took it down and
gave it to officer.

Julian A. Schoen.

Action: Reprimanded and warned."

"Someone handed him the package!" -- What an alibi! And
Druggan hardly settled! What a reflection on Atlanta. . . when one re-
members Druggan was transferred there because of bribery and connections
at Leavenworth!

What a laugh --- when one muses that the most dangerous
thing to do in a prison is accept a package from another prisoner. . .
regardless of the contents of said package! For packages are not exchanged
between prisoners!

Yet, Kosulozyk told the deputy that's exactly what he did!
And the deputy believed him (!)

Beefsteaks! Where, one would ask, could beefsteaks come from?
There are no butchers running around the yard after cattle. Only one place
in the institution would have delivered that beefsteak. . . You guessed it --
the Officers' Mess!

Hackethal is called before the Deputy Warden -- again.

"I think, Frank, that this thing's gone a little too far.
It is known that food finds its way out of the mess. You may or may not
know of it. I'm not accusing you. But when you begin operating a walking
cafeteria on every range in 'A' cell house, I think it's time for a word
or two. Cregar -- dressed like an automat! Kosulozyk, carrying a cow
around! Do you mean that you are inefficient? That you can't watch these
things?"

"I can't help what they steal, Mr. Schoen. I am kept so busy
that it's impossible - - -"

"Now, Frank, be candid! Capone and Druggan get hungry. I
know that. Everyone does. They can't 'stomach that garbage' on the main
line. They'll pay high for decent food, wont they? And they get it! It's
got to stop! It must stop or there'll be a change made."

"Yes, sir," whines Hackethal, knowing an argument with "His
Honor" is a futile thing.

Hackett is dismissed.

The following day Druggan and Capone are each enjoying a quart block of harlequin ice cream, ridiculing the deputy for his array of efficient (?) guards and stoolies.

Hackett, heeding orders from one who learns more about secret investigations, becomes more cautious.

Chattonier, a new guard is placed on the Rear Corridor. The Rear Corridor Guard stands in a position that permits him to see all prisoners passing from their cells to their work and back. It is not an enviable assignment because it offers no opportunity to converse with the prisoners -- and regardless of how severe a guard is, he spends his monotonous hours when the chatter of prisoners, their rumors and reports about others, is listened to. Nonetheless, the position can prove a lucrative one. An inmate with bulging pockets -- attempting to pass the Rear Corridor Guard -- is, generally, accosted. His pockets are duly examined and contraband confiscated. The inmate, forthwith written-up.

Today Capone pays fifty dollars for a racket brought in by Mr. Fenters. Whether it was negligence on Mr. Fenters part, or whether pre-arranged, he nevertheless left the racket on the tennis courts when he finished his game of tennis. Chattonier had observed him passing to the courts with it, and returning without it. Such things as these --- incidents that might not attract another's casual glance --- are the things that the Rear Corridor Guard must see. Naturally, he makes a mental note of it.

Later the same day, negroes, carrying soiled linens from the Officers' Mess to the laundry, are stopped by Chattonier. The linens are thoroughly searched. Hackethal made it his duty to follow the negroes, and to stand by and see just what method Chattonier used. Finding no contraband, Chattonier permits the negroes to proceed.

Hackethal steps over to Chattonier and begins a conversation. While thus engaged in a friendly chat, another bundle of laundry is conveyed from the Officer's Mess. The negro shouldering it continues on his way unmolested.

It worked!

Reaching the Laundry the bundle is set aside from other soiled linens and the negro nods to a confederate. The confederate, who unpacks the bundles of linens, removes two roasted chickens. He slips these under a counter and walks over to Capone.

Capone is "buried" in a love story magazine. He listens to the information whispered, his gaze never leaving the pages of the magazine. In a few minutes he rises, stretches, and walks over to the counter. Words pass between him and a prisoner who cells near him. Capone returns to his easy chair. The prisoner, keeping an eye on the guard in the distance, sets about carving the chicken. It is then carefully packed under his clothing. When he reaches Range 5 he proceeds with it to Capone's cell. When Capone returns to his cell at noon he finds and disposes of the chickens at one sitting.

Sackett, later, assures Capone that he can handle Chattonier. . . But, it will cost!

"Say, Shavings, what would you do? I been waiting for weeks now for that fifty dollars Al's sending, and aint got it yet. Do you think they'll give it to me when it comes?"

Lane is speaking. He has, since Riddell's assault on Lee, been again placed in charge of the tennis courts.

"You better get writing to somebody, pretending they owe it to you. You know darned well you can't get money here unless you prove where it comes from," Shavings advises.

"How'm I gonna do that? Who can I write to?" Lane asks.

"Don't you know anyone outside who would do it for you?"

"There's a guy on the other side leaving tomorrow. He goes to Knoxville, Ga. I guess I can trust him."

"All you have to do is tell him write you a letter and say in it that as soon as he gets the fifty dollars he owes you he'll send it in to you. Tell him write under another name than his."

"Then that'll be the letter I take up when the Chief Clerk calls me?" Lane is interested.

"That's all necessary. They wont investigate."

"You write it for me. Write what you want the guy to write me," Lane begs. Shavings complies. Next day, the inmate promising to write Lane the letter, bids him good bye.

Three days later the promised letter arrives.

"Now write back, and tell him you have his letter," advises Shavings. "and you'll sure appreciate his sending the money as soon as he can. That letter will be read going out, and will be further proof that he 'owes' it to you."

"You write it!" Lane pleads.

"You guys! Always depending on me to write," complains Shavings laughingly. He seems willing to oblige Lane but unwilling to be implicated in anything pertaining to Capone.

"Hell, it takes you no time to type them. It takes me an hour to even think what to say," Lane protests.

The letter, written by Shavings, is posted. A correspondence record is the result. The books show that Lane has sent three letters to Knoxville, Ga. They also show that he has received three letters from a "Mr. John Turner" residing there.

Then, impatient and doubtful of the outcome, he awaits Capone's information that the money has been sent to John Turner for relaying to Lane.

On September 27th, the day after Capone's last of his three monthly visits, at which time he informed his brother to be sure take care of the various amounts designated, Jack Wiggins -- Clerk in 'A' cell house -- is "knocked-off" with three hot apple pies and one pound of cheese, for Capone.

Arrested before the deputy, Wiggins insists that he stole the food for himself. Hackethal, when questioned, pleads ignorance of their theft.

"It stands to reason, Hackethal, these pies have just come from the oven. Do you wish me to believe they were baked on the hot water pipe lines?" The deputy is indeed angry that contrary to his warnings these violations continue.

"The man told you he stole them. I can't see what I have to do with that," Hackethal pleads.

"Stole them! Stole them with whose consent? Now this has gone far enough. It must stop! If it doesn't, then I'll go down there myself and supervise things!"

"Yes, sir," Hackethal answers humbly.

"I'll talk to you later," the deputy tells Wiggins. "Take him away!"

Hackethal leaves and the guard escorts Wiggins to the hole.

Capone is apprised of the situation. Fenters learns of the deputy's anger. Wiggins, they all know, has been delivering food to Capone for some time. They have reason to worry and know suspense. They have reason to fear, believing as they do that when the deputy calls Wiggins later, Wiggins is likely to squawk. He hasn't much longer to serve, and the possible threat of loss of Good Time might make him "open up". Capone is quite uneasy. Wiggins knows "too much" about him.

Notwithstanding this development, and fearing to chance sending the food by another, to the cell house, a negro packs a half leg of slicedutton in his socks, and delivers it to Capone on the Tennis Courts that very day.

Lane, discovering the "screws are being put on", begins to worry about his money. . . the fifty dollars due him from Capone. He calls. Talks incessantly - - threatening to stop reserving courts for Capone; threatening to quit carrying his paraphernalia, and, indicating he has been gyped. Capone, naturally, bears the rumors. He assures Lane the monthly payment will be in or sure as, "and for Christ's sake, close up his mouth or, out!"

Lane is a peasant to an extent, but the delivery of mail to other men, and his receiving none, saps his patience. He begins a list of names, including every inmate connected with the Jail Office and District Clerk's Office, to inform him if his money has arrived. To his utter and bitter disappointment he learns that it has not.

At this time the supply of tennis balls is exhausted. These Capone is compelled to use prove useless. He claims they are no good when they do not bounce against his racket after someone has hit the ball to him and he has missed it. He now raves and tears because he has to buy all the tennis balls and hasn't any for use when needed.

Lane, when Capone is not near, gloats in Capone's deprivation.

"Served him right! Gyping me after all I done for him. If he pays out, he'll get tennis balls. I got a dozen of them stacked for just such an occasion!"

And he had! Oh for Capone? No, not one, until he pays!

Things are now really "tight!" Each day they tighten more. Cheese is now selling for \$20.00 a pound! Capone pays it. Steaks sell for \$8.00 each. Capone pays it! Ham is at a premium. But Capone is able to secure it. Chicken? Chicken is unobtainable -- it seems -- "but at \$10.00 a piece I may be able to get you one."

And Capone gets them!

"We're going to lose out," Mackethal tells Capone. "I have to see what's doing in another way."

He inquires regarding new inmates, and learns that Perla, a politician from Tampa, Florida (an Italian friend of Capone's) has but recently arrived. His financial rating is investigated. Hmm...not so bad! Well, we'll try, Mackethal concludes.

So Perla, a month after his arrival, finds himself (after paying an initial payment of \$1500.00 and promising to pay \$200.00 a month thereafter) baked in the Officers' Mess! And he had never baked in his life. Couldn't even fry an egg! But what difference does that make, he asks those who rile him, so long as he gets what he wants to eat. And can wear white clothes. Cheap at any price!

Captain Head, since the Higgins' incident, visits the Officers' Mess daily. This measure of interference not only makes it difficult to deliver any food to Capone, but doubly difficult to even prepare it! Only by daring boldness does a man accomplish this mission. And, needless to say, the man is paid very well for the risk involved.

Capone, it is the oft-repeated bon mot, must not starve!

"There seems to be no way around it, Al," Mackethal informs Capone in response to Capone's insistence his daily menu be observed. "This guy Perla. . . How's he stand with you?"

"He's C. K. But he won't carry grub for anyone!" Capone replies.

"I don't know, Al. We might be able to do something with him. After all, it's you first. The Hell with the other guys. If he gets caught, it's his funeral -- not ours, you know."

"Just a big, dumb Dago, that's all. Gets himself in politics; trying to ape me, you see. But Tampa's a dump and he couldn't make any headway. He did pretty well in politics so far's the town's concerned."

Then pulled a fast one on the Government.....bought apartment houses, insured them heavily, then set fire to them. And got this --'cause this is what burns me up -- endangered the lives of women and children! That's something I never done! And gets away with only five years here! The worst of it is -- and the reason I don't go for the guy much -- he dragged in four other wops. Couldn't get rich quick enough. You gotta watch a wop like that, Frank!"

"What difference does it make? He's paid for the job, and we're all brothers under the skin. He's doing five years. He can make it on his ear. Of course, Al, I wouldn't want it done unless you say so."

"Well, if you feel he can get by with it -- and as things stand now nobody else'll take a chance -- O. K. by me. I gotta eat. I'm not going to be deprived of it to save somebody else'll neck. The Hell with him, if you want to load him down."

Hackethal, ever ready to oblige Capone, gradually prevails upon Perla to "pack food" when he leaves the Officers' Mess. Regardless of who the man is on the outside, the guards do not trust him within the walls. The best of men . . . men whose honor and integrity would not permit them to misapply a postage stamp in the business world, without compunction or regret will pilfer anything they can lay their hands on in the penitentiary. It's a strange thing to analyze. A banker. . . a lawyer. . . a judge -- peddling for a package of cigarettes or a bar of candy, a bit of information to a convict who is anxious to know how his record stands. . . To know if he is wanted elsewhere. It is something, indeed, for the prison psychiatrist to look into!

Hackethal, though, does not go for cigarettes. He accepts nothing less than fifty dollars for a favor. It's true, the favors are worth it to those who can afford to pay. And, as Capone's chef, Hackethal, accumulated thousands. He amassed other thousands through connections with the guards -- for Capone. It stands to reason, therefore, that Capone's every wish is granted. . . That Capone's every desire is fulfilled. . . That Capone's most drastic decree executed!

While Hackethal completes negotiations with Perla for carrying the food to the basement, from where it is to be conveyed via the grilled stairway leading from 'A' basement to 'A' cell house - or to the yard, Druggan - the aspiring one - forms a connection with the

head waiter in the Dining Hall.

Druggan has but recently severed connections with Machehal because Machehal had confided to Lilly just how he was "going to take Druggan for about ten grand, and Lilly -- to gain the good graces of Druggan, repeated the conversation. Furthermore, Druggan being a born wetcher couldn't stand the high tariffs charged by Machehal.

As the men file into the Dining Hall they ordinarily occupy the same row at each meal. This is not a rule, but it is customary for every man to have a chosen friend with whom he likes to eat and converse while waiting. This, consequently, forces every man into the position he occupies at his former meal. Occasionally a man changes his usual row, but only by walking into the row behind or the one before. This, of course, causes no inconvenience to a man who has a dining hall "connection". A food concealed for him beneath the table (or row) he usually occupies, could be easily passed over to the man sitting there. Frequently a man's pen, knife, fruit, or eggs, etc., would be confiscated by the inmate occupying the place.

Druggan had a passion for custard. He used to have egg custard at every meal, and though it could not be obtained until a little while before a meal, which he was unwilling to pay, he still got it.

Meanwhile, Druggan had been forcing himself on Capone. Capone had carelessly dropped remarks about Druggan's business being so insignificant it was beyond his (Capone's) understanding, the Government could get Druggan for income tax. He had little respect for Druggan, and sarcastically referred to him as "my half-pint bootlegger friend, Terry". Capone, incidentally, insisted he had never employed Druggan in Chicago.

These rumors, of course, reach Druggan. Some prisoners, like some women, are ever ready to carry a tidbit of gossip if they feel they can profit by it.

As a result of Druggan's bragging about his custard connection, rumors reach the Dining Hall Guard, Mr. Baugus. Baugus keeps an eye on Druggan, and Druggan, consequently, is caught with his bowl of egg custard.

It is October 3, 1933. Druggan stands before the Deputy Warden. He recalls with a sneer what was said during the last "trial".

"Druggan, it seems you've made up your mind to violate every rule you can. Why do you feel you're entitled to egg custard at every meal?" The deputy impresses Druggan as being in the humor to let him off light.

"Aint I payin' for it?" insolently retorts Druggan.

The Deputy Warden detests a prisoner who is insolent. His attitude immediately changes.

"You're not supposed to pay for it -- because you're not supposed to have it! You nor any other inmates are required to pay for anything except that which you purchase at the Commissary."

"Capone gets what he wants. Why can't I get mine?" Druggan is resentful.

The Deputy Warden rises to his feet.

"What Capone gets, and what anyone else gets, has nothing to do with what YOU get. And YOU GET THIS! I don't want you coming before me telling me anything about Capone. I can handle Capone without any suggestions or reports from you. Take him out!"

Druggan goes to the hole!

On October 4th Miss Tuggle is permitted to visit the hospital on the pretext that she had left some personal articles there. No guard accompanies her. One always accompanies any visitor, but Miss Tuggle having been an employee in the hospital, is given carte blanche to walk through the institution unmolested, and unescorted.

After a few pleasantries with the hospital attaches, and the disappointment she cannot conceal when she discovers Doc's place has been converted into a barbershop, she inquires concerning his whereabouts.

"Din't you know what happened?" Dr. Beale's secretary asks.

"No. What?" She is alarmed.

"They shook the Hell out of the hospital! You know Eddie O'Brien's now in the Duck Mill? And Joe went to the hole? Ernie to the Tailor Shop? Well, everyone of them. . . they've been working here in the hospital for years. . . have been transferred to other assignments as a result of Doc's shakedown. (In a whisper)...Everyone who had anything to do with Capone!"

Miss Tuggle nervously twists her handkerchief.

"And Doc?" she asks breathlessly.

"They put him in the book bindery. He wasn't even put in the hole after all they found in his place here. Can you imagine that?"

It is incredible, Miss Tuggle admits. Most incredible, we agree, that Doc, with a small grocery store stock, obviously and unquestionably for Capone, was not confined in the hole, BUT, to the surprise of those who know of this affiliations, assigned under Mr. Miller, the civilian librarian!

Did the officials of the institution have a plan in mind when they made this assignment. Or, was Capone instrumental in insuring Doc was comfortably and advantageously placed? It is for the reader to later determine.

Miss Tuggle, aware that she did not ask permission to visit an inmate, and cognizant of the fact she was violating one of the stringent rules of the institution, concerning employees and former employees--visiting
 . . . an escort guard -- wends her way across the yard, behind

the Dining Hall kitchen, to the Library situated on the second floor of the Tailor Shop building. We cannot fathom what is in her mind except the normal curiosity of a woman. We conclude, after dismissing this probability from our mind, that the apprehensive glance over her shoulder is conviction of a guilt that assails her as she laboriously ascends the concrete steps and disappears into the book bindery.

A mother greeting a son after many years absence would hardly have been more able to render so poignant a greeting. The indelible impression created in our mind as we hang on to Miss Tuggle's hat brim threatens to stupefy us.

"You've come back?" Doc's eyes are afire, and a rare smile shines from his lips.

"For a few minutes only," Miss Tuggle whispers, looking apprehensively around. "What happened?"

"Everything!" Doc kisses. "Things so tight you can't pour water between them. It's awful! Here's what's become of me - - - here packing books together after the damned convicts tear them up! Me, a surgeon, mind ya!"

Doc contemptuously bangs his index finger on the book in his hand. Miss Tuggle smiles sympathetically.

"Better than the Tailor Shop," she laughs.

"Oh, I aint worried. I'm still handling Al's business. Did you make out all right? Did you get it?"

"Everything's O.K. Thanks. That's why I came." Doc can hardly hear the hoarse voice as it whispers in gratitude.

"Al will be glad to hear that," he assures her.

"And you?" Miss Tuggle asks.

"Who's that coming?" asks Doc, ignoring her question and directing his eyes towards the door towards which footsteps are approaching.

"I must be going!" Miss Tuggle stammers. She is visibly shaken, fearing it is a guard in search of her.

"Oh!" sighs Doc as an inmate enters. "Only Moody."

Moody, too, is assigned to the bindery. He greets Miss Tuggle, but with less warmth than Doc displayed. Realizing he has in-

Doc apologizes and immediately leaves.

A conference, lasting fifteen minutes, is held between Doc and Miss Tuggle.

"Can't get a damned one to do a thing," Doc complains.

"Can you blame them? Everyone who ever had a finger in the pie has got it burned. Look at me!" She extends her hands palms outward.

"You should complain!" Doc laughs.

"Well, I don't know," she answers reflectively. "But I must be going." She turns, and is about to leave the bindery when as if rehearsing an exit from the stage, her lips part as if to speak. Doc's eyes follow hers. A neat parcel reposes upon the book press. Their eyes meet. A slight nod of Doc's head, indicating the parcel, is given affirmation by Miss Tuggle's nod. No words pass as she makes her exit, and is lost to Doc's view.

What, we wonder, is in that parcel?!

We cannot dismiss the curiosity that abides with us. We simply must know what is in the parcel left by Miss Tuggle. Perhaps automatics! But no. . . we were hardly aware that she had a parcel when she entered the institution. There had been a rumor, spread by Lane, that John Capone was sending his brother "some things". We had no idea then what these "things" might be. Of course, one wouldn't suspect Miss Tuggle of carrying in contraband!

However, any of a score of guards could have passed it to her after she entered. And, we conclude, as we watch Doc unwrap the parcel, that had it been anything dangerous he would be more careful. As it is, he acts with the greatest of ease.

A sweat shirt comes into view. A white cap! A can of tennis balls! A roll of cat gut! So! Sporting equipment. It could have as easily been weapons, we argue. But why the jeopardy of bringing in weapons when there are now sufficient contraband weapons hidden in the institution, if ever needed? We know, because we have not only seen but inspected them! And Doc positively assures us that they are in such strategic places that only confusion of the inmate intending to station himself at one (if and when needed) would make them useless.

It's amusing to watch Doc "load down". The much-too-large sweat shirt is pulled over his head and covered by his worn gray sweater. The gut, in a hoop shape, is tied in the back to his belt; the cap is folded and stuffed in his hip pocket, and the cylindrical tin of tennis balls (containing three balls) stuffed between his belted pants and back.

Yet, as we watch him proceeding towards the basement, we would not dream that he has one contraband thing on his person!

Through Lane they reach Capone!

The significance of this transaction is lost sight of as, restless and in search of something more interesting, we hang by one leg to the lighted boudoir lamp over Capone's bunk. He is reading--and his interest has never been more fully evinced --of the plan to transfer all dangerous federal prisoners to Alcatraz Island . . . The Devils Island of the United States!

He is not the only one interested in the article. At least five hundred inmates, having read the same article in the daily paper, vision themselves westward bound! The government has made no definite statement. It merely infers that hardened criminals. . . inmates who successfully form connections with the outside world and violate the rules of the institution they now are confined in. . . are to be incarcerated and strictly prevented from enjoying such privileges in this impenetrable, connection-proof fortress in San Francisco Bay.

"Well, boys," Capone smiles as he drops the paper to his bunk, "that's that!"

"What do you think, Al?" asks Sage-sawguit.

"I don't know, Al," says Al.

"I mean -- you know, I mean 'meanin' . . ."

"Meanin' what?" Al interrupts. "It's here to stay!"

"How you go to Alcatraz, Al," says Sage-sawguit. "That's the old is the new, you know. And this article looks like you can't even get a chance to visit!"

"If you want my opinion," Dinty speaks, "you and me's going to like Alcatraz!" He looks directly at Al, who is now chewing a cigar.

"If I go to Alcatraz, Dinty, remember this: More than one son-of-a-bitch is going to be sorry he couldn't stop me!"

"Meanin' what?" laughs Dinty, a cynical smile on his lips. "You talk like you got the goods on the Big Boys, Al. But take it from me, the Big Boys let you down just like you let the little fellows down when you were out there making promises. That goes for me, too. It's all in the game. A case of snake eat snake. Long timers. . ." Dinty reflects. . . "Well, I got seventeen to pull, if I lose Good Time, and I don't think I will. So that makes it nine more. Nine years, Al's, a mighty long time," he concludes tunelessly.

"Cut it!" Al commands. "I wouldn't go through out there what I went through the first night here, for everything I got! Feature that pack of wolves out there waiting for me! Getting grapevine news I was arrivin'! Laying awake nights figuring what kind of reception they're

• Chapter 44 • I don't know why in Hell all you guys blame

me for things getting like they are. I got nothing to do with the rules and regulations. Hell, when I come here I could get anything I wanted. Then the small-change birds started hornin' in and now I have to pay as high as 20.00 a pound for cheese. And stale, at that! Feature that! So that I'm complainin' about the twenty bucks...I don't give a damn what anybody costs if I want it. It aint that! But it makes it hard on me to get my job done 'cause you guys have chiseled in.

"Well, if I do go," he says, rising and pacing his cell, "one thing's certain. I'm going to run that joint or know why! I'll have my own 'con' on my pay roll. I gotta, Dirty. I gotta! See? Fifty per cent of the bill be on my neck anyhow, and the other fifty'll have to be paid to work things. Boy, it's Hell. Just plain Hell...These joints!"

"One thing you bet your life you aint gonna do there, Al, and that is have the chucks knock your tennis balls back over the wall!"

"Is that supposed to be a wisecrack?" Al asks Carter. "If it is, I didn't do over. No more'n the ball's goin' over."

"Want him in?", Al's all," Carter apologizes.

"It is something useful," Capone complains. "And get this while you're all thinking: From now on the pay roll's going to be cut. I aint forkin' out any more than I have to. Not unless I know the goods are being delivered what I'm payin' for and as I want 'em!"

"You!" he points to Rock. "and you!" to Dago. "And you!" to Carter. . . "Get this in your heads --- If Capone goes to Alcatraz, he goes bound hand and foot. He aint goin' willingly. As much as I'd like to get away from all the yokels here, and be some place safe, I aint going to let the public know I'm licked. I'm going to give them the impression I went reluctantly.

"The public expects things of me. All right! They'll get it! They'll get all the sensational news they want, if I have to go to Alcatraz. I'm gettin' out of stir someday. Soon, maybe. When I do it's goin' to be somebody's rump. If they think they're doing me any good lettin' me sit here and brood, and fear and worry, they've got another thought comin'. For they aint! I done my stretch -- as much as I should have done. That Goddamned judge had it in for me. Else, he'd never have thrown the book at me." (Throwing the book, in prison parlance, is imposing

"Say, the guy who'll get the loc on that Devils Island stuff. That guy in the Record Office. He always knows when a transfer's goin' to be made a month before. They gotta get all the records and that stuff. What do you say, Al, I find out something? Rock is speaking.

"Who's the guy you mean?" Al asks, interested.

"Fellow they call Short Shavings. Bates secretary."

"Is that the guy that Doc knows?"

"I guess so. But he wont pull with Doc. Doc's poison to him for some reason. That's what Lane tells me."

"And you think you can handle him? How? When you don't even know his name!"

"Thorpe. Eddie, you know . . . in the physio therapy room. They're friends. "

"Uh huh! That's how it goes, is it? Well, I'll see Thorpe."

"Yeah, but Thorpe maybe can't handle him. Eddie's not the connection kind. Besides, the guy's afraid of money. I know. He's been tried out. Druggan had him do something, but I don't know what it was. Getting some dope on restoring Good Time, so I heard." Rock's enthusiasm seems to be encouragement to Capone.

"If Druggan cuts in on my connections, there's going to be more Hell poppin' around here than he can handle. I got everything in here under control. I work these cons my way. If Druggan's got the idea he can over-bid me, let him start something! That just goes to prove what I said --- he's a chiseler!"

Capone is furious. He shakes his hand menacingly, his face thrust forward, a cigar between his fingers. His flunkies stare stupefied at his harangue.

"That's what burns me up. The no-good gets shoved out of Leavenworth for squawking his head off, and comes here and chisels in on my men. Get that! Capone rants.

"Say, Al," the inmate clerk calls as he pauses outside the cell. "Two-gun said the money got to Albany C.I. And thanks!"

Capone, for an instant, couldn't recall the transaction -- the extortionists. Yes, he frowns, that settles them -- for a while! \$2500.00 to them. . . "What the Hell's it gonna be in Alcatraz? Jesus, walking the 'stem' (begging on the streets) when I get outta there will be what I'll

be doing!"

Something else to worry about, he reflects. Never gave that a thought...Kidnapping there -- Kelly, Bates, Bailey. Bad ones, too. And they've got nothing to lose -- Nothing! Wasn't for them there'd be no talk of Alcatraz. Gotta get out of it. . . Can't go, damn it! Ain't going to! No, sir! This joint's good enough for me. Cut out some of the connections; maybe they'll go easy with me then. That's the Hell of it. . . wanting everything my own way. and look what I get! From the fryin' pan to the fire! Where's your old cunning, Al -- there? Get your brain working, Big Boy, and find a way out of going to Alcatraz... when the time comes, if it does!

You must. . . Must! It aint gonna be safe out there. Can't be --- with those bosses. Cruel. . . Heartless... Like I was. Why'n Hell didn't I listen to Mom? Better if I had stayed poor and been happy. This Hell I'm livin's enough to kill anyone. Worry. . . Worry all the time. And them worryin' their heads off at home!

He paces back and forth, his head bowed, his eyes cast upon the concrete floor. He sees nothing but what his brain conjectures. . . helter-skelter thoughts and vivid scenes that he prays are never realized. Dreads that he hopes will never be lived!

Pay? He pays dearly. Pays every minute of the night and day for every crime he has committed! Pays in desperate fear. . . in disillusioned hope. . . in fruitless efforts for release! And each night and day ahead of him is bringing him endless hours of torment and anguish, from which there is no avenue of relief!

Wiggins, formerly Capone's most reliable man, upon release from Solitary is assigned the menial duty of "slinging hash" in the Dining Hall. This duty -- carrying a bucket of food and forming part of the detail that monotonously walks back and forth feeding the seated inmates -- is known as the degrading punishment. It is not only humiliating and embarrassing because he doing it is compelled to be subservient to other convicts, but it is the only resort the officials have for the ignorant and unintelligent. Naturally, an inmate feels, anything is preferable to "slinging hash".

Wiggins harbors an injured vanity. To think, he protests, that his last few weeks must be served at so menial a task! He had been looked upon by other inmates as one of Al's cronies. To now drag his weary legs from one end of the section of rows to the other end, "taking lip" from grumbling, dissatisfied and finicky inmates, goes against his grain. Further, he has discovered to his resentment and disappointment that Capone has not made the last payment -- the one due while he was in the hole.

A message to Capone is ignored. Wiggins knows the uselessness and futility of appealing further. He knows a lot about Capone, he boasts, and if he wants to talk. . .

Wiggins knows too that in a few days he will be "on the bricks" (free), and it is an annoying thing to live in constant fear of someone stepping up behind you and silencing you forever! He knows that other men have gone from the prison, and have been found along some deserted road . . . in a ditch. . . the dead occupant of a deserted house!

No, he resolves, he can't take the chance. He shall not go back to Miami, his bona fide residence to where passage has been arranged. Anything but that! Any place else -- providing Capone cannot learn where it is!

But Capone learns the most secret movements of his former aides. He learns everything, Wiggins reasons. Yet, he'll try. Maybe. . . maybe the Director of Prisons will understand. . .

Wiggins writes a letter to his sister in Omaha, Nebraska. He explains the situation thoroughly. The letter is "kited". (Mailed by a guard or civilian). The person kiting it cannot refuse Wiggins because Wiggins has availed himself of the service before.

Wiggins' sister expected the denouement. She had heard. . . had heard plenty about her brother John and his friendship with Capone. Had heard what a dangerous thing it was. . . Had known that though Capone had a \$200.00 monthly allowance sent her, it wasn't worth the worry entailed.

What to do? To do what John suggests -- write the warden to grant John transportation to Omaha instead of Miami. She writes. The warden interviews Wiggins. The conversation is absolutely and strictly private. No one can learn any of the details, except that the warden writes to the Director of Prisons, requesting Wiggins be furnished transportation to Omaha instead of Miami. A photostatic copy of Wiggins' letter and of his sister's letter to support the warden's request for approval, is forwarded to the Director of Prisons.

And Wiggins, a few days later - known to only a few of the clerical force - takes transportation to Omaha, Nebraska. He has, he congratulates himself, "put one over on Capone".

But has he? We wonder. . . knowing that Capone has spies in every department in the institution.

Capone, however, learns from Guard Curtis of Wiggins' action. His shrewd, receptive brain responds to the occasion. He immediately posts a letter to his brother. Its contents, of course, we can only surmise.

Close on the heels of this incident (on October 18, 1933) Mr. Sanford Bates, Director of Prisons, unexpectedly visits the institution again. His primary desire is to bring an end to Capone's apparent warden-ship. It seems unfortunate, he remarks, that so efficient a personnel cannot terminate these disgraceful affronts by Capone. It must be -- yes, it WILL BE stopped. And, by the grace of God, if no one else can stop it HE (the Director) will!

Before any of the inmates learn that he is actually in the institution, he proceeds to Capone's cell---3-7! Captain Head accompanies him. Mr. Bates had expected a surprise. . . but none so shocking as the

"Luxury! Comfort! A homelike atmosphere!" are a few of the exclamations that drop from his lips as he steps into and examines Cell 3-7. "A picture gallery --- nothing less! A rich man's den! Club chair! Silk covered cushions! Floor lamp! Silk underwear, silk pajamas, purple lounge robe of expensive silk! Specially made beauty-rest mattress for his lady body to recline on!" The words tumble from his lips as he touches the articles angrily, dropping some to the floor and kicking them aside.

"I want every contraband article cleaned out of this cell! Every one!" he storms.

"Yes, sir," answers Captain Head.

"It must be done immediately. The Georgia article appears on the 22nd. Too late then. Too late now! I don't know why ---" His words are lost to our ears as he stamps out and to the warden's office.

"And they are going to foist upon the public a story of Capone being a model prisoner! Well, if this is what a model prisoner is entitled to ---" he raves as he hurries towards the warden's office.

Captain Head is close on his heels as they enter.

Ten minutes later 3-7 has been stripped of its cozy, comfortable atmosphere. It becomes, for the first time since Capone's incarceration, a model prison cell. A cell with no more nor less than the hundreds of others in the prison.

And twenty minutes later, Capone entering it, subjects himself to one of the most violent fits of hysteria he has had in months. The vituperations, invectives and damnation he heaps upon the Director and the authorities in the institution, besides being too filthy to print are too senseless to recall. Nevertheless, though every effort is made by his fawners to pacify him he continues to rage throughout the entire day, his tennis for the nonce being an inconsequential thing.

And ironical as it may seem it is still more amusing -- The very day the Director arrives, with a view to terminating the connections and privileges Capone enjoys, five telegraphic money orders are received from Evansville, Indiana, for five of Capone's employes . . . each in the sum of \$50.00!

Lane, through the designing Short Shavings, is successful and given his due credit for \$50.00. Thorpe, the physio therapy inmate, having had no correspondence concerning money, is denied his.

Mr. Frick, the Chief Clerk KNOWS the money was sent by John Capone's syndicate, which each month takes care of the payments. Three negroes, when questioned concerning the origin of the money, the sender, and for what purpose it was sent, are unable to present an honest story. They have earned it from Capone. . .they claim it is theirs. . . and the Chief Clerk has no claim upon it! Mr. Frick, to the amazement of the negroes, informs them that they cannot have it. . . that it will be returned!

And returned it is! What disposition is made of it in Evansville is not our concern.

And once more Capone pleads for an interview with the Director. Oh, if only he could talk to him. . . get only a word with him! WHAT HE COULD ACCOMPLISH, he assures himself and others.

But no! And NO again, says the Director. He's heard enough!

Then, to Capone's amazement and humiliation, he is stripped of his nicely laundered blue shirt, bleached pants and silk underwear. He is paraded ignominiously to the Clothing Room, and his unique apparel cast aside. A new outfit -- similar to the first he wore when admitted to the institution -- is furnished him. His complaint about it scratching his skin, the seams being so rough they cut, and above all it is ill-fitting, avails him nothing. Captain Head is there to insure he does not bribe either civilians or inmates employed in the Clothing Room.

His chagrin and mortification is so pronounced, and so determined is he that he will have his way that he mutters, when leaving the Clothing Room: "Watch me!"

It's not a threat, but a warning. . . a warning that he will not tolerate such treatment! That he will not wear such clothes which reduce him to the level of the ordinary inmate!

Then the startling news that the Director is closeted with Dr. Beale, his inmate secretary, and other hospital employes, races through the institution. Questions and cross-questions are hurled at them, separately and privately! As a result of this investigation changes are made the

following day in the hospital personnel. And Dr. Falls, a dentist, enters the picture.

It seems that Dr. Falls, through a Dr. Brown from town -- who makes weekly visits to the G. U. clinic -- is recipient of a case of bonded whiskey. Just why Dr. Brown's residence should be the destination selected for delivery of the whiskey for Dr. Falls is more than we can discover. We knew, of course, that Dr. Falls and Capone had been intimate. But just what the whiskey represented we cannot say.

On the 20th -- after the Director had departed -- Capone's confiscated wardrobe was smuggled to him. On Cregar's second trip to the Clothing Room -- where he collected the soiled linen of discharged inmates -- he obtains Al's Florsheims. His confidence increasing, Cregar becomes bolder. And, upon presenting an absolutely new set of silk underwear -- not the discarded ones, but a set that had not yet been worn -- to the inmate clerk who stamps the prisoner's number on them, requesting "40-3831" his voice was not as low as it should have been.

The result: Another inmate heard, the guard was apprised of the incident, and Cregar, on the third and last trip -- as he leaves the Clothing Room -- is arrested!

For two days Capone was compelled to wear cotton underwear. Had he been chained to the ceiling by his feet he could not have made more noise!

Cregar, of course, is confined in the hole, and his conduct record duly noted. Upon discharge from the hole he is assigned to the Dining Hall. Disgraceful indeed! Slinging hash! Well, it won't be long. Al'll do something to get me outa here!

Capone, of course, in less than a week has re-established himself in his cell. He is again enjoying the ease and comfort that he knew before the Director's onslaught.

In the meantime, official orders are received that a new set of lunch boxes be made. Boxes that cannot conceal contraband dinners. Boxes that will hold only sufficient for the guard ordering. They are duly manufactured in the Carpenter Shop. Hackethal, it seems, has an intimate friend working there. Since a guard stands nearby, overseeing the work, specifications are complied with! Yet, two specially made compartments are so neatly worked into two boxes that not even the observant

guard detected them.

These, of course, for Capone's meals!

For, Capone MUST be fed. . . the best!

With a suspense that at times threatened to "drive us nuts", we have been looking forward to the article by the "Georgian". Week after week we had been on edge. According to advance notices we were to read the intimate details of Capone's model prisonership! Knowing Capone's authority and influence in the penitentiary, we could hardly believe anyone would dare prepare an article contending he was a model prisoner!

To no one's surprise, of course, practically everyone of the inmates had risen at 6:00 A.M. the morning of October 22nd. . . the date (Sunday, too) on which the first instalment was to appear. Not many were subscribers to newspapers, so it was a case of first come first served. Each wanted to be the first to read it. . . to satisfy his curiosity. We must be prepared for the arguments that would result after the article had been digested, and not being subscribers ourselves we rise a little earlier than the others so that we might finish the article and return the paper to its rightful owner before he awakens.

Words cannot describe the sensation we know! Words -- chapters of them! -- would be utterly futile and inadequate. Our nervous fingers have torn several pages in our anxiety to get to the page which carries the article, and, of course, in the condition we are now in (knowing we have to read in a hurry) we are ready to swoon when these headlines confront us:

CAPONE SURROUNDS SELF WITH CONVICT 'BODYGUARD' IN
PRISON HERE

- - -

STITCHES SIDES 8 HOURS DAILY

Then, beneath these glaring streamers, pictures showing Capone on his Miami courts, his home there, his brother John, Al and his son at the races, a prison cell house -- all captioned:

FROM MANSION TO CELL -- "SCARFACE BECOMES MODEL PRISONER"

This indeed was too much for us. Too, too much!

"Stitches shoes 8 hours daily!" Why, Capone has not stitched eight hours in all the time he has been at Atlanta! Men working in the Shoe Shop contend that he has the first time to even handle a shoe other than his own!

"Scarface' becomes model prisoner!"

That's the line that floored us. What does it make of the others, if he's a model prisoner? What kind of prisoner is he who obeys the rules and regulations? . . . who forms no connections? . . . who conducts himself as instructed? . . . who has no money to bribe officials?

What does it make of him, if Capone, with his conniving and connections, mandates, executions, and disrespect for the entire Bureau of Prisons and its subordinate officers, is a model prisoner?

So model a prisoner that his contamination with others has produced more criminals than the country would have had without him! A criminal who really MADE others originally inclined --- who moulded of decent citizens grasping, avaricious, murderous beings! Citizens who would have gone back into the society they had been dragged from, as clean and honorable as they were before disgrace, and lived respectable and law-abiding lives -- had he not dripped gold into their hands and poured contempt for the law into their ears!

So model a prisoner that he was permitted evasion of any and every punishment, though he violated all but two rules -- Assaulting a Guard and Attempting to Escape!!

And he threatened to violate the former in his run-in with Nelson!

So model a prisoner that the officials could not, with their universally recognized ability to operate a model prison, properly and with the authority they are vested with for incorrigible prisoners, handle HIM!

When Deputy Warden Schoen returned from Washington on October 24th (having left Atlanta on October 20th), his first official act was to release Cregar from the hole.

Why? Cregar hadn't been in the hole long enough to count the bars!

His next act was the temporary suspension of two guards -- Chattonier and another. Then followed the ignoring of the lunch box

incident, when three days in succession the box for Latlewson (civilian in charge of the laundry) was searched and food in it for Capone discovered and permitted to go unreported!

These things an intelligent prisoner cannot ignore. These things a mutinous prisoner needs not. They are strength for his rebellious attitude and discontent. Why, he asks, should Capone escape punishment for infractions so grave and severe when (any other prisoner) is punished because of a pain in the leg, he is reprimanded; and if he complains, punished?

Why?

None? Unquestionably.

Power? Certainly!!

Yet, all prisoners are to be treated alike. There is to be no favoritism. . . no pampering. . . no leniency and . . . indulgence. . . Fortunately, we all are not Capones. Were we. . . like ME, we could have, a comfortable prison the Atlanta institution would indeed be!

Turning Capone's conduct a "standard of propriety for his fellows in that bizarre twilight world", the author of the article certainly, we conclude, knew absolutely nothing but what John Capone and certain officials suggested to him! Never a prisoner has left the institution who will conscientiously admit so misleading and preposterous a statement to be correct!

The truth, as set forth in this article in chronological order, substantiated by official records and occurrences involving dismissal of several of the personnel, and transfer of others, corroborates the writer's contention that Capone timed the article to avoid Alcatraz!

It stands to reason, and can be deduced from what has been herein written, that Capone was the symbol of defiance and disrespect. His name was synonymous with bribery and corruption. How could he, under such a circumstance, be a model prisoner?

Warden Aderhold and his assistant warders, the "Georgian" article relates, "must shun the faintest suspicion of favoritism for No. 40666." Does he (the author of the article painting Capone a 'model prisoner') attempt to convey the fact that by shunning the faintest suspicion of favoritism they must necessarily conceal from Washington and the Bureau of Prisons every flagrant violation of the rules committed by Capone?

If so, his statements ring true!

Capone, it cannot be denied, has carte blanche within the prison walls!

He has, as do have others, the privilege of sending two letters each week. But, in addition, he has "connections" which permit him to mail as many as twenty letters each week! Or, as many as his prison secretary can write for him!

He has been interviewed innumerable times. His biography has been sought by several leading magazines. One national weekly offered him \$25,000.00 for the story of his life. Another offered \$50,000.00!

Capone will accept nothing less than \$200,000.00!

And then, he contends, the story must be as HE wants it written. . . Not the editor's idea, nor as the public would expect it!

In other words, it would be SAINT ALPHONSE VERDUS' CAPONE! He wants the public to believe he is being crucified! It would not, of course, include his shady operations in the Atlanta institution. The reflection on Mr. Aderhold would be too obvious. For after all, any article written within the prison would have to be censored! Yet, he or any other inmate can write for publication providing the article does not criticize the prison, its inmates, officials or anything pertaining to the institution.

It was a matter of record that Bishop was posting letters constantly for Capone before the article under discussion was written. To infer that authentic sources of information indicate Capone does not, nor did not enjoy this privilege, forces one to the ultimate conclusion that Capone -- as preposterous as it may seem to the reader -- actually suggested that the article bear witness for him against the very infractions he committed!

One is lost in a maze of uncertainty when he tries to analyze why Capone, who 'picks his friends', made a confidant of Doc, the most deceitful, avaricious and disliked inmate in the institution -- regardless of the fact that Doc could form favorable connections for him!

The writer is familiar with the details of Capone's prison pay roll -- more familiar than the author of the "Georgian" article. . . . The writer knows that Capone has never sent (nor had sent) money to anyone

reference to the two men

who 'had other charges hanging over their heads' can be applied to, first: Inmate Mills, formerly assigned to the tennis courts. Capone paid him for his services by having bond posted for him so that he might not come to trial until after the Prohibition Act had been repealed. Mills, when the case came to trial at Atlanta, was dismissed. The second man for whom Capone supplied money, was a negro in an analogous circumstance.

Such are our arguments the week of October 22nd, after a frightful night of booing and catcalls by the inmates for Capone, as the result of the "build-up" to keep him from Alcatraz.

A "build-up" which, ironically, becomes the key that opens Devils Island for Al Capone! For the public, after all, is not so gullible!

It is customary at the Atlanta institution to shift guards quarterly. A guard assigned to 'A' cell house from July 1st to October 31st, on the 7:00 A.M. to 5:00 P.M. shift, may find himself assigned to 'B' cell house, or one of the dormitories, for the next three months, on the Midnight to 7:00 A. M. shift, or 5:00 P. M. to Midnight shift in a tower.

Chattonier, assigned to the Rear Corridor since his entrance, has had occasional encounters with Capone because of Capone's employes attempting to carry contraband in or out. Chattonier's meals are delivered to him to be eaten at his post -- a desk at the entrance to the Dining Hall, on both sides of which are the exit doors to the yard. He spends his time standing at the desk, leaning upon it, or pacing back and forth between the exits -- approximately ten feet.

October is nearing its close. Hackethal has learned through Chattonier that he (Chattonier) is to be assigned to 'A' cell house. Chattonier, whose ghoul-like eyes, prominent cheekbones and corpse-like skin earns him the nickname "Ghost", welcomes the change, contending it's a tough assignment -- the Rear Corridor. But then, consoles Hackethal, the towers are worse!

and they are, for on tower duty a guard has no one to talk to during the hours of duty.

"Well, when you get in 'A' you'll like it. It's a good cell house. You don't have as much trouble as Old Daley in 'B'. The guys throw anything at him, just to get him sore. He used to be a preacher, and the things they call that poor guy is sinful!"

Chattonier has heard of Daley's troubles with the inmates in 'B'. 'B' cell house cells the most violent prisoners -- all of whom are employed in the Duck Mill industries. It is, Chattonier agrees, a disagreeable assignment.

"How're you an Al comin' on?" asks Hackethal.

"So-so," answers the interested Chattonier.

"Why don't you be nice to him? It'll pay you in the end.

"Well, you're going to be there together and you can't lose," Hackethal

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"He's bad business, I hear," Chattonier argues.

"Thinking about Bishop?"

"And a couple others," Chattonier smiles.

"You're foolish. If Lieutenant Oliver can take a chance, I don't see what you got to lose." Hackethal feels that he is gaining ground, and if he presents a strong, supporting argument in Capone's favor, he can win Chattonier over to the pay roll.

"Yeah, but Oliver's word would go against Capone's. Mine wouldn't. . . after Bishop's experience."

"Just think it over. If you get it in your head you want to make something, and be safe, you know Al's chief bodyguard. Give him the signal if I don't see you in the meantime. You'll be on midnight to 7:00 A. M., wout ya?"

"Yeah. Could see him in the mornings, that's all."

"Best time!" says Hackethal. "Aint a bunch around then."

"O. K." answers Chattonier as Hackethal walks away.

Hackethal, pleased with his success, personally informs Capone that he has Chattonier lined up for him. Capone, known to be one who cannot keep a secret, informs Doc. Doc, the braggart, boasts to others that he has made the connection.

Eventually, as rumors will, the information reaches the office of Captain Head. The officials hold a pow-wow. The conference, attended by Deputy Warden Schoen, Assistant Deputy Warden Pet Fry, and Captain Head, ends after thirty minutes of serious argument. Chattonier's proposed assignment to 'A' cell house is not vetoed. Yes, he can go to 'A' cell house, the officials agree. If it isn't Chattonier it will be some other guard. . . So why must the guard suffer?

Then, to everyone's astonishment and Capone's insufferable degradation and humiliation. . . to the chagrin of his bodyguards and delight of his enemies. . . Capone is transferred to 'C' cell house. . .
TO CELL ALONE!

'C' cell house is famous for its "movie stars". . . for its Hollywoodian atmosphere. . . its paper and living "dolls". It is the cell house which houses the abnormal and degenerate prisoners --- the "misses and madams".

And Capone, too stunned to understand, is breathless . . .
helpless!

It was in this cell-house, eighteen months ago, that he lived the most dreadful night of his life! The first time that he knew anguish . . . Hysteria . . . Fright! At that time it was not set apart for the degenerates.

Naturally, such an occasion demanded an appropriate reception, by 'C' cell house inmates. And in such startling contrast to his first reception, Capone was the guest of honor in the "daisy chain".

Needless to say he found this greeting much warmer than his former one. This alone was balm for his insulted dignity. And, before many days had passed he contended he wouldn't give it up for all the cell houses in the institution!

Now, he repeats, he can think for himself. Though he apparently seems to enjoy celling alone he determines to cast off all his leeches and parasites and make the best of it with his new cell house friends. After all, ten years is a mighty long time

And a man in the penitentiary. . . Well, it could be worse, he consoles himself.

Forthwith he stocks his cell with good things to eat, cigarettes, beads, balls of silk cotton for making scarfs, handbag frames and other things that may be desired -- all procurable at the Commissary. If he can get by with indiscretions in the hospital, why not here? After all, again, the guard is human and a few hundred would cause any guard to "forget" to make his rounds occasionally. Surely! In this analyzation of Capone's cunning we have a most intimate glimpse of Al Capone's love life in the Atlanta Penitentiary. . . a love life that astounding in its reciprocity, was nonetheless a magnificent gesture of a man's solitude being broken in response to the muffled cry of a quelled and subdued passion.

"Shavings, you goin' to stockade today?" asks Doc as Short Shavin slips on an athletic jacket sweater which only those on the football and basketball teams are permitted to wear.

"I'm thinkin' about it."

"I got a letter I'd like you to type. I - - -"

"I'll do it for you if you want to do it, after stockade. Got plenty of time now. So what's the news, Doc?"

"I don't want to do it. I don't like it. I want to go to work. I'm back to work at last school. It won't take you long, anyway you write."

"Let me see it. I'll bring it in about ten minutes. Maybe I can finish it by then."

Doc produces nine pages of strangely writing. Shavin's examination is cursory. He glances at the salutation: "Dearest, Darling Betty Jane."

"What is this?" Shavings suspiciously asks.

"Aw, it's a letter my girl wrote me. I want to make a copy of it," Doc unsatisfactorily explains.

"But you have a copy, Doc. This!" Shavings taps the nine pages of writing.

"Yes, I know. But I want a typewritten copy. This is the copy I had from her letter."

Shavings is hard to convince. The truthfulness of Doc's statement does not satisfy, yet, his policy is never to inquire into one's personal needs nor excuses. To perform the work, and accept the payment therefor, fulfills his obligation.

"If you don't mind, Doc, will you tell me why you went to all the trouble of copying this from the original letter, and then giving me this to write from, when you could have let me copy from the original?"

Shavings, unaccustomed to this type of business, is cautious.

"I always destroy her letters after copying them. You see, they are brought in from downtown, and I wouldn't want them found in my possession."

Shavings "does not see", but consents to type the letter. Three packages of cigarettes and a couple cartons of cakes to forfeit stockade privilege and type Doc's letter, seems reasonable enough.

Shavings, we understand, respects the confidence of his clients. A secret entrusted to him (we have been informed) remains a secret. But little did we know that Shavings was not as secretive as he pretended to be. Little did we know that through his association with Doc, in Dupone's behalf, he had descended the ladder of trust, and, like all inmates, had a confidant to whom he confided when worried or in doubt. This, it is later proved, comes to light when Doc late to avoid disaster.

The letter, Shavings confides to his intimate, was one of the strangest epistles he had ever read. Not only that, it was one of the most vulgar! The woman -- if woman it was who wrote it -- dwelled on exotic sexual orgies that had occurred between her and the addressee: "Dearest, Darling Daddy Mine". The identity of this "darling daddy" was never clearly disclosed, although references were made frequently to "Bob". Bob, Shavings knew, was the abbreviation of Doc's given name -- Robert. Then, it stood without argument, there was a plan afoot in which Doc had some important and conspicuous part!

But what? What? Shavings asked in vain.

Let us linger for just a few minutes near Shavings as he sits on the bed in Big Pat's stall, his legs beneath him Turk fashion, a cigarette between his fingers, his voice a hucky whisper.

"I don't know what to make of it, Pat. You know I don't like to talk about anybody's business, but I'm thinking Doc's up to something, and that something's All!"

"What makes you think that?" Big Pat asks.

"Well, this letter is signed by a girl named Ruth. She refers to Bob as 'her brother'. Ruth, it seems, has some compromising pictures of a judge and a movie actress. Their names are not mentioned, but one gathers from the references made who the actress is. Anyhow, Ruth is blackmailing this judge to go to Washington and urge the authorities or muck-a-mucks there to release this 'Dearest, Darling Daddy Mine.' Now, who that could be other than Doc I don't know. But Doc has told me that

the woman writing is one he met before coming here, and the release in question is HIS! It all seems so mixed up to me, for in the beginning he said the letters were from his 'girl'. I can't make head nor tail of it. Can you?"

Big Pat rolls a "Humming Bird" (Cigarette and pipe tobacco furnished by the institution).

"It's one on me," he surrenders. "How many letters have you written for him like that?"

"There's been three a week. I go by his stall often, you know, and he's always writing. I know he makes them up, for I went in once, without announcing myself, and he was writing one of the letters -- Page 4, for I noticed certain words on it which I remembered when he brought me the letter next day. Well, the funny part of it is I can only write them for him during stockade hour. . . He always has to have them by two o'clock. And while I write them he stands at the entrance to my stall so no one can come in! And that's another thing that makes me curious. Can you beat that?"

"I noticed him several times there, while you were writing. I wondered what it was all about, but you know me . . . I wouldn't ask."

"Yes, that's the strange part of it. Nobody can ask me anything, he said, while I wrote for him. Take it from me, Pat, something's fishy. Plenty!"

"Don't think Capone's trying to get you in a jam, do you?" Pat asks concernedly.

"Hardly! What for?" exclaims Shavings.

"You never know that Dago. He's a slick article, Shavings. Shrewd. . . cunning. . . foxy!"

"Yeah! And what am I, dumb?" Shavings snaps.

"Maybe you'll learn later. That gets me, though," Big Pat admits.

"Wonder if it's got anything to do with Alcatraz? You know Al said he's positive he won't go. Did you hear what he said about the Urschel kidnapers -- Bates and Bailey, and Machine-gun Kelly? Called them punks. Said they should've taken lessons from the Lindbergh kidnapers, and hung around instead of going places where they were unknown.

and becoming suspicious. Pretty smart, eh?"

"Did Doc ever say anything to you about the Lindbergh kidnapping? He'd know something, as close as he is to Al, if Al knew."

"Fat, I never gave it a thought. Al's business doesn't worry me. I'm not concerned with him for everybody who ever had dealings with him has paid in one way or another. And I got parole to consider. If I don't make it. . . O. K., I go on Al's pay roll. If I make parole, I'm free clear of him."

"What's he offer you?" Fat asks.

"Depends on what I do for him, Doc says. Won't easily get you, \$1 a month. Some pigs get that for less work than taking care of his clothes."

"Getting back to Doc, Short, what do you make of the way he stays in his stall all the time. Strange, isn't it?"

"I noticed that, too. To give you my frank opinion, I think he's plotting and scheming all the time. Scheming and planning day and night, I'll wager. He doesn't sleep four hours a night. No matter when I awake, he's awake -- coughing, usually. You know he's got a. . . . Don't you? Well, if ever you see him thinking you can bet your life he's some scheme in mind whereby he can make himself appear important to Capone. . . . and every one else. I know! Look how he starts on the bed from six till nine every night, looking out the window, that long cigarette holder between his lips, that purple velvet lounging robe Capone gave him! Mysterious-like, you know? Say, that robe would make him a complete lounging outfit, the way it fits him!"

"Hey, Shavings!" someone calls, "Doc's looking for you!"

Shavings trots off to perform his secretarial duties for Doc, leaving Big Pat to ponder.

As time is Doc's letters become more urgent. They reach the point where "Ruth" has visited the judge and demanded a definite answer. Either the judge goes to Washington and effects the release of 'Dearest, Darling Daddy Mine', or the compromising photographs will be sent to "Ruth's" friend, who works for the publisher of a tabloid newspaper. The judge, of course, is pleading for time. He beseeches Ruth to have patience, and assures her he will have Bob's friend out by Christmas!

Shavings, unable to decipher the scheme of a paranoiac, since his characters are moved around so confusedly, gives up in despair. He continues to write the letters, but pays little attention to the contents. He is interested now in only the cigarettes he receives for writing them. They are, he confides to another inmate, stereotyped --- the same thing over and over, the language slightly varying. In a few words: Ruth, having the judge on his knees begging for mercy, warns him that unless he effects the release promised she will send the pictures to her newspaper friend.

Then, it develops, a date is set for the release of 'Dearest, Darling Daddy Mine!' Yes, he will walk out of the penitentiary a free man. . . two days before Christmas! Oh, how happy she (Ruth) will be to greet him! To live over again those days and nights of the past! To crush him once more to her heaving bosom. . . To feel his warm flesh against her own! Happiness too complete to dare dream of! She fears. . . fears for the gods are jealous! Fears. . . fears for his safety until then! Fears. . . fears that his happiness upon being released will make him forget all that she has done for him!

Fears. . . fears of fears! . . that he will go back to his wife, instead of proving to her (Ruth) that he loves her more! Wretched Ruth! Poor Ruth! Suppose she has worked in vain? Suppose all her effort and toil has been for an ungrateful man? Suppose?! Suppose many things, she reminds him.

But alas! the day comes. . . the day goes. . . Christmas passes and the New Year has begun, and "Dearest, Darling Daddy Mine", Ruth forlornly regrets, is still behind the walls of the Atlanta penitentiary. And Fred, the guard who is supposed to be bringing in the letters from downtown, is scheduled to go to Alcatraz for duty!

Woe is me! Doc complains.

This situation progresses to the point where Ruth, in desperation, and because of enormous sums of money she has spent flying to California once a week to see the judge, is compelled to ask for reimbursement and sufficient to continue with. Of course, it is immediately received, and her gratitude is overwhelming! Words . . . puny words seem inadequate to express her gratefulness for the money, the new car and the diamonds! All are too beautiful! Daddy, Dearest Daddy. . . how I love you!

Thus she pours out her heart to her 'daddy', who, it seems, is doomed to remain in the penitentiary until the judge is able to go to Washington!

Again and again. . . and yet again. . . she suffers the embarrassment of having a depleted banking account. Again and yet again is a fabulous sum acknowledged by her. From where, Shavings says, he has no idea. But it is so strange. . . so far-fetched. . . he opines, that the letters, though he knows they are composed by Doc, should admit the receipt of these thousands of dollars and presents!

So strange that he begins, like a fool eventually will, to see daylight!

Now let me think, Shavings reflects as he lies abed at night. Let me think! Brother Bob? Yes, that could be Doc. Fred! That could be Guard Clarke or Guard Perkins. Ethel, who is always mentioned as Bob's sister, could be his sister. But the correspondence sheet shows he has a sister Stella, not Ethel!

There is, Shavings assures himself, no record of Doc writing to a Ruth! And certainly, calling Doc "My Dearest, Great Big Handsome Cavalier" is like calling a kitten a tiger! There's a plot somewhere, but Doc's too shrewd to unfold it.

Could it be . . . My God! I'll bet on it! Shavings jumps out of bed and walks hurriedly to Big Pat's stall.

"I've got it!" shouts Shavings as he shakes Big Pat into wakefulness. "I've got it at last!"

"Got what?" growls Big Pat. "A nightmare?"

"No! Doc's racket!"

If the records of the institution were examined into by the public, what would it say to such favoritism shown Capone? For instance:

"Joseph Matchok - No. 34001

Suspected of conniving in an attempted escape.

(Signed) JULIAN A. SCUDER,
DEPUTY WARDEN.

Forfeits 180 days good time.

Isolation on restricted diet.

Reduced to Third Grade.

To be handcuffed to the door 6 hours each day until
he gives information of two keys found in his cell.

To remain in isolation until further orders.

In isolation 10 days."

It will be observed that the man was "suspected". . . not that he actually did attempt to escape! The penalty inflicted is the severest he could suffer. True; he had two keys in his cell. But, men are allowed keys for their private lockers. This alibi did not seem to "take".

Now, let us compare that with the assault on Arnold! A man's life is decreed forfeited because he refused to attend to Capone's teeth! Refused, it has been proved, to be a slave to Capone!

Or, let us compare it with another case . . . A case in which the prisoner, whose name is immaterial, was justified in protecting himself from a deadly assault:

"ASSAULT WITH DEADLY WEAPON.

The above named prisoner assaulted Colson, No. 37333, with a knife which appeared to be a surgical knife, wounding him, the said Colson, in the abdomen.

LIEUTENANT L. E. OLIVER.

Action: Isolation on restricted diet.

This prisoner acknowledges that he did cut No. 37333, Colson; the condition of wound will decide further action.

"ASSAULT WITH DEADLY WEAPON.

(See report on above charge)

"The above named prisoner assaulted prisoner No. 37335,
Colson, with a knife inflicting a wound in his abdomen.

Deputy Warden Julian A. Schoen.

Action: Already in solitary.

Forfeits all Good Time.

To be segregated upstairs in the Isolation building, when
released from Solitary.

In Isolation 13 days."

- - -

Colson, serving an aggregate sentence of fifty years, is
one of the most dangerous inmates in the prison. His attacks on others
are frequent and unjustified. This attack on him, as will be noted,
brought forth such drastic action.

We weigh the above and conclude that there is something
radically wrong in the method of punishment IF CAPONE HAS A FINGER IN
THE PIE! And, if there is yet some doubt in the reader's mind that
Capone's authority does not exceed that of the Deputy Warden, we examine
the Disciplinary Report dated June 13, 1933, which reads:

"Cooper. . No. 39245. Cell D-4. Employed: Laundry.

Offense: Possession of Contraband Food.

Specifications: While passing through the Shoe Shop
this A. M. I caught the above named prisoner with a quantity
of bread and cheese which had been stolen from the kitchen.
When caught he was in the act of cutting sandwiches and
wrapping them in a cloth. Contraband accompanied with
report.

CLAUDE H. NELSON, GUARD."

(Nelson, we know, is the Stockade Guard, an enemy of Capone;
and intimate of Captain Head.

Was Cooper punished?

"Action: Placed in isolation on restricted diet until he has
given promise of obedience!"

How's that for an illustration? Cooper, like any other convict,
will promise and DID promise obedience within an hour after his arraignment
before the Deputy Warden!

Prison of Prisons! Atlanta! Capone! Punishment!
Favoritism!

We need no further conviction that Capone can "get by with murder". It has been proven. Wiggins' write-up, as shown by the accompanying Conduct Record, is a striking example of how lenient offenders are treated if the offenders have the good fortune to be on Capone's pay roll.

For instance:

"POSSESSION OF CONTRABAND FOOD.

The above named prisoner who is the Runner in 'A' Cell house, came into the Cellhouse with a bag containing a big bunch of different kinds of food. There was pie, chicken, roast pork and cheese, and plenty of it. I have suspected this man for some time of using the job he had to carry stuff in the cellhouse, for #40886.

Guard - JOHN FINN.

ACTION: Isolation on restricted diet. This loot consisted of about three pounds of cheese, two pounds of select roast beef, one pound of baked chicken and one large apple pie. To be placed in dark cell.

In isolation 9-27-33 3:30 P. M.

Released from isolation 10-1-33 3:00 P.M.

5 days"

. And it was NOT five days. . . it was exactly 96½ hours. Figure it out! One half hour less than FOUR days! Does it not prove favoritism when EVEN THE RECORDS OF THE INSTITUTION ARE DELIBERATELY MISLEADING if Capone is concerned with the violation?

But, we say to ourselves, Capone is powerful! Capone is mighty! Capone is supreme! For we KNOW!

We know because Capone tells. . . We know because we see men do the things he commands!

Yet, an article inferring Capone is shown no favoritism, is foisted upon an incredulous public! A public anxious to know just how severe is Capone's punishment. Anxious to know if Capone has been whipped into submission!

Yes, anxious to know if Capone's imprisonment has been a lesson to others!

Shades of the Catacombs! If Capone had to suffer one hour incarceration! . . . If he was divested of his prison authority and power. . . HE WOULD EXPERIENCE THE MOST DESPERATE DREAM IN PRISON ANIMALS!

But he doesn't have to suffer -- except from his conscience. He is prepared. . . has been prepared for months. . . to participate in any wholesale positive break for freedom! Has been able to obtain, through sundry channels, as much ammunition and firearms as he can conceal!

When the day comes. . . well, one dare not surmise! It may never come, if it depends on him. Suffice to say, once he steps outside the forbidding walls --- where an army of his henchmen shall be waiting --- the swiftest airplane shall carry him to a kingdom all his own! A kingdom in the South Seas, where now his fortified mansion is built and awaiting him!!

A dream? Poppycock? To those who do not know Capone, yes. But a reality! A dream that he has made come true --- except for his occupancy of the mansion.

Still, a threatening shadow hangs over his head. . . The shadow of solitude in Alcatraz --- Devils Island! It becomes darker. . . it grows nearer! It is frightful. . . awful!

In a futile attempt to close the vision from his mind, he shuts his eyes as if to shun some descending catastrophe. . . Deeper and deeper are the fear and misgivings engraved!

Alcatraz, he confesses. . . he dreads! . . . shall be his tomb!

"Those letters I write for Doc? Well, can you imagine it. . . the son-of-a-gun is writing them to himself! This 'Ruth' person, you know? She's a myth! She doesn't even exist! He's using those letters to get money from Capone, telling him, I'll bet, that this Ruth will get him out through this judge. He's told me several times that he doesn't expect to serve his time out -- June 20th, it is. So that's it! Between now and June 20th he'll have Al paying out the shekels, see?"

"Yes," feebly protests Big Pat. "But that doesn't fit. The woman's supposed to be first, his sister; then, his girl. And if it were either, she surer than Hell isn't going to write those lousy letters. No decent woman would write them to another man, least of all a woman to her brother. That copy you showed me was the rottenest thing I ever read. Smut to the nth degree! And he thinks you're dumb enough to believe he receives them?"

"Sure!" exclaims Shavings. "I have to let him think that or I lose the business. Say, I haven't done so bad -- the cigarettes and cakes I got from him. Have I?"

"Boy, you have 't!" Big Pat agrees, "What was it last month -- thirty-five dollars worth or forty-five dollars worth cigarettes?"

"I don't remember now," Shavings answers.

"Did you ever stop to think what HE'S getting! Money, Kid, and more money! You're a chump. You ought to be getting it too!"

Shavings reflects the truth of this advice. Sure enough, Doc's getting thousands of dollars! I'm getting cigarettes! Well, so that's how the wind blows, huh!

It doesn't take Shavings long to drop in and see Doc. Doc, as usual, is penning a letter "from Ruth". He buries it as Shavings enters, but not too soon to prevent Shavings from seeing it. He still insists he copies the letters from originals. Shavings, for a long time, has known this to be untrue.

"Say, Doc, that last letter I wrote -- the one where Ruth said they were all in an accident on the way here, and she received the \$8000.00 for the hospital expenses and a new car! Where's that at?"

shone", continues to get cigarettes and sweets.

Now, Doc informs Shavings, since the pictures are in his possession he will insure that the judge act quickly. . . simply by enclosing one of the pictures in a letter to the judge!

Welfare Island! Joie Rae and his police dog! Drugs!
Degeneracy! Women! Favors! Luxury! Comfort!

When Capone read of the expose at Welfare Island he laughed!
Laughed hilariously!

"Imitators!" he shouted, throwing his head back scornfully.
"Get wind of what I'm doing and shoot the works. Just like the bunch of
punks they are. Aint got sense enough to buy the right men. Fool with
chiselers.

"Kelly's another one. And Lates and Bailey, too. Punk!
That's all. Get a big idea and aint got brains enough to work it out.
That's what burns me up! That's what galls me! Me, in here, having to
sit back and read what that damned toy-gunner tries. Imagine it . . .
\$200,000.00, and couldn't make a getaway! Imagine it!"

he throws the newspaper on his bunk. The rangeman, to whom
he is addressing his words of derision, stands outside the open cell door.
Capone rises, anger gripping him.

"You know what!?" he exclaims, conveying the impression he
is about to expound a theory. "You know what! It's a bunch of clucks
like that who make it tough for me! Everytime the public reads something
like that they think of me. Get worryng what I get away with. Well, Buddy,
take it from me --- If I have to go to Alcatraz with a bunch of tripe like
that, I'll have so Goddamned many men there that it's going to be too bad!
I mean it, too! When they think. . . this Uncle Sam of yours. . . when he
thinks he can match his wits with Scarface Al's, he's got another thought
comin'. That's on the level.

"And get this. Buddy. I got it straight from Washington. . .
I aint goin' to Alcatraz. That's fixed up. Cummings knows damned well
if he sends me there it means trouble. Plenty trouble! And Cummings
aint fool enough to brew trouble. Only through ignorance will he ship
me out there.

"Now look at Dillinger! Look at Prettyboy Floyd! Good guys,
get me! But they aint got brains! It's brains that puts a guy over.
Hell, yes. . . they've got nerve. But what the Hell good is nerve if you
aint got brains to back it up?"

"But Al," protests the rangeman. "Floyd and Dillinger are cop haters. They shoot the law. That's what the guys here admire 'em for. That's why they always cheer when the radio mentions them or the movies show 'em. They say your gang always shoots each other. Bump off their own brothers! That's why the boys say Dillinger's got it all over you. Personally, though, Al, I got a lot of respect for you. I know you got brains. Hell, I wish I had been one of your men."

Flattery, such as this, never impressed Capone. He was immune to it because he KNEW his power.

"Listen, Buddy," Capone says, a finger waving, "anytime I can't pull a string and get what I want on the end of it, I aint Al Capone no more. I got stuck once! Only one time, get me? The biggest thing this country ever had. I made my plans A to Z. It would have gone through without a hitch, but someone had to throw a wrench in the works. Dumb Dutchman! If it weren't for that, I'd be out of here today! Out, get me!"

Capone drifts into recollection. What, the rangeman wonders, does he refer to. Is it presumptuous to ask? No, he decides; Al might say something more to give him an idea of this "biggest thing", which, if it terminated as Capone planned, would have had him "out of here today!"

"That's how it goes," Capone continues, thinking aloud. "Always someone to gum the works. Another thing that burns me up is that St. Valentine Day massacre. Massacre, the papers called it. Hell, them guys got only what they deserved. Everyone of them! But I aint thinking of that. I'm regrettin' the one big chance I had to get out that was jammed up. . . . Spital! Just another Dago who thinks he's got brains and proves he aint!"

He sighs as though fatigued. "\$50,000.00 for a corpse! Clever cops!"

What, we ask ourselves as we note the defeated look upon his face, makes him so morose. He dejectedly drops on his bunk, and, his eyes looking into space, seems to be on the verge of tears. What, we further ask, could make him so sad?

Is it because this "biggest thing" didn't pan out as he planned? Does he see the freedom he so nearly found through this scheme now so far from realization?

The ranganan walks off, leaving Capone with his dreams, regrets and sorrows. For deep is the sorrow that now shrouds him in her sombre arms. Deep, indeed.

For we realize, with shocking amazement, horror and even pity, that IT COULD HAVE BEEN HIS SON!

"COMMING PLAN TO MURDER CAPONE!"

This startling title on the lurid cover of a magazine in the possession of Mr. Henry Bates, the Record Clerk, is seen by Short Shavings. The magazine, of course, is listed as one forbidden in the institution. However, Mr. Bates is a civilian, and he undoubtedly is curious to know WHO plots to murder Capone. Short Shavings, on the other hand, is curious, too. But how to get the magazine without Mr. Bates learning of its loss?

"Say, Shavings," Doc begins when Shavings' day's work is done. "I hear Bates is got a magazine with an article in it about Al. Did you see it?"

"Yes, but not the article," Shavings replies.

"But chance is there getting it?"

"Absolutely none!" Shavings retorts with crisp finality.

"Any chance reading it and telling us what it says?"

"I can read it up there; sure! While I'm talking dictation. You know how slow Bates dictates!"

"The big dog'd give anything to get that," Doc begins to bribe.

"Does he know of it?"

"No, but I know he'd pay plenty for it."

"How much?" Shavings asks.

"That's it worth!" Doc bargains.

"I've told you plenty times, Doc, I don't want nothing to do with Al. I've got a parole now, and I can't risk losing it for him or anyone else. I been here over a year, and have kept off Al's pay roll, and I intend to keep off."

"Yes, but that's where you're a fool. Other guys are getting it. Why not you?"

After all, Shavings realizes, it might be worth the risk.

"See what he'll give for it. If he makes it interesting I'll get the magazine for him. But he's got to destroy it soon as he reads it."

"Once it's taken out of that office it can't go back! For Bates will know I had it out. And I'd rather let him think it was stolen by someone else."

"I'll see Al soon. Keep an eye on it," Doc advises.

"All right. But remember, Doc, he's not supposed to know who's doing it."

"Hell, why don't you play along with the Big Boy? He's all right!"

"All right Hell!" Short Shavings answers. "I've seen too much up in that office. He's all for himself. He never protects a guy after he gets in a jam. The guy that does the dirty work for him suffers. He sits back and enjoys things. He makes a lot of pawns out of them. I don't want nothing to do with anyone like that."

"But you'll get the magazine, won't you?"

"If he makes it worthwhile," Shavings agrees.

At stockade hear Doc visits Capone in the Shoe Shop. Capone is visibly upset when he learns of the article, and the magazine being in the institution. He must have it! Regardless of how much it costs, he must have it!

"Find out the name of the magazine. . . if Shavings can't get it, I'll get one brought in. I gotta have it! Who in Hell could've written it?" Capone is wrought up and pale.

Doc does not know. Capone cannot guess. It has been written. . . that's all! And is now being sold on the newspaper stands throughout the country. And the public'll believe it!

On the spot! Well, let them start something here!

"Al said name your price, Shavings. I got the money here. You got any way to get it out?"

Doc produces a roll of fifty-dollar bills. Shavings fully aware that there is \$100,000.00 worth of counterfeit in the institution --- the officials having already found \$10,000.00 worth of it hidden in a jar in the Duck Mill, and photographed the fingerprints on the jar --- is unwilling to accept Doc's money.

"What do you want him to do, send it to your wife?"

"No, she might write back and say she received it. She's not wise enough about these connections."

Capone, now extremely annoyed because he is compelled to send continual messages to Shavings, raising the price of the magazine from \$10.00 to \$500.00 -- for its immediate delivery! -- causes the rumor to circulate that Capone's bodyguards have deserted him, and he is to be kept off the graying buzzer. The officials, through Capone's inability to retain a secret, learn of the bribe. The magazine is hidden from Dr. Lator's desk. No questions are asked, but a close check is made of Shavings' movements. Also, the movements of all those assigned to the Record Office.

It is rumored -- and believed -- that Capone paid \$1000.00 for the magazine, believing it would divulge the names of those who plot to murder him!

Meanwhile, Dr. Fracer, and Dr. Falls, the dentist, learning of the price offered for the magazine, determine to sneak one in. Dr. Lator's successor (Dr. Fracer) lost no time in seeing this favor, if he could accomplish it, a great stepping stone to Capone's esteem. The unfortunate thing, he admits, is that neither he nor anyone knowing of the article knew the name of the magazine. However, that won't deter him from searching for the correct one. Besides, Dr. Falls resigns himself, he must make some effort to earn his monthly allowance from Capone!

Shavings, hearing of this, calls on Doc. He "soft-scapes" Doc into believing he understands how the suspense must annoy Al, and turns his hands over the article which he had clipped from the magazine, explaining that he returned the magazine to its rightful place in Dr. Lator's desk.

Doc avidly absorbs the contents of the article. It is a true distorted story of Capone's danger. Other than mentioning that Capone had a few blows exchanged with another prisoner in the shoe shop, the story falls far short of being either exciting or convincing. It entirely and completely omits any reference to Capone's indiscretions.

"Mooney wrote that!" Doc later informs Shavings.

"You know anybody you'd want it sent to who you can trust?"

"Yes. Here's the name and address. How's two hundred dollars strike you?"

"O. K." agrees Doc. "I know Al will approve any amount you want."

"All right. Send it here." Shavings gives Doc a name and address. "Now, when that guy wires me he got the money, you get the magazine. Meanwhile, I'm keeping it stashed."

"But Al wants it right away!" Doc protests.

"Nothing doing. Money first or no magazine." Shavings walks away. Doc follows him to his stall.

"Listen, Shavings. You don't mean you don't trust Al, do you? I'm offering you the money cash! Here!" He holds out four fifty-dollar bills. "I can't do more than guarantee you'll get it if you don't take this."

"Kop. You know there's a lot of counterfeit around here. Besides, I haven't anyone to send it out with. I don't fool with the guards. If I had to send it out it'd cost me half, and why should I give a guard a hundred for taking out a hundred? I'm no damned fool!"

"Where's the magazine now?" Doc asks.

"Stashed. I stashed it when I went back to work at noon."

"All right. Al gets a visit on the 24th -- tomorrow. John will be here and he'll tell John send it to this address. Is that O. K.?"

"It's O. K. with me. But no magazine until I hear that the money's received."

"He won't like that, but I see you want to business any other way. If you knew how easy it is to get your two hundred taken out, you'd not hesitate, Shavings."

"Any guy that gives a guard a hundred for carrying out a hundred isn't used to money. I'd pay twenty-five, no more. But after all, I'd rather it be sent from outside. I don't want any guard to know my business. I see too much what they report, when they're caught."

Doc walks off to his stall.

"How'd he get it out?" Shavings asks.

"Miller, the librarian, I suppose. Maybe he wrote it after he left, I don't know."

"I see!" Shavings exclaims.

"See what?" Doc asks.

"Washington asked for Miller's resignation. I wondered why. That's it, then. Moody evidently talked."

"Al'll burn up when he reads this. And listen, don't worry about the money. You get it if I have to steal it for you. And I'll stand there with Al while he reads it, and make him burn it up when he's through. Take my word for it!"

Shavings didn't take Doc's word. And Shavings wasn't surprised the next day when he heard from half a dozen Capone's cronies that they had read the story after it was passed on to them by Capone.

Trust Capone? Shavings said he wouldn't again. . . money or no money. But Shavings, after all, is a convict, and a convict's vows are silly prattle.

When Capone heard of Shavings ultimatum, he vehemently denied having shown the article to anyone. Doc substantiated Capone's statement in this respect. But it was evident, since Capone's own henchmen admitted it, that he had shown them the article to give them an idea just how matters stood.

"We need that guy on the pay roll," Capone tells Doc. "He's in a position to do good. What the Hell's the matter with him that he won't come in?"

"Says he doesn't want anything to do with you. Claims you let a guy down when he needs you. A smart kid, I guarantee, Al. All them bankers and lawyers use him. He even does work for the guards. . . writes letters and things for them. I can't make him out, though. Think he might be a D. J. man? He once said he used to work for the government."

"D. J. or S. B., I gotta talk to him! I been hearing a lot about him, and I know he knows a lot that I want to learn. He's got access to my file, hasn't he?"

"Yeah, Al. Has charge of them. Writes the letters and sees the answers. I can't get much out of him, though. Pretty close-mouthed

with everybody but one guy. A guy named Dick. Old gray haired fellow. They're always eating together. Guess you've seen them. At night, too, they get stuff from the Officers' Mess. This guy Dick used to work down there. He's a friend of that no-good Mackethal. I got a suspicion sometimes Shavings is a government investigator. . . getting the goods on the officials here.

"Well, for Christ's sake, don't tell me your suspicions. You get paid for knowing and doing things. Find out! Do something!"

Doc promises Al that he surely will. Al, it seems, had heard otherwise about Shavings. If Shavings, he reasons, were a U. S. man, he would not be peddling conduct record information to the other inmates. He would not be averse to accepting a position on the pay roll, "if he actually wanted to get the goods on the officials. No, Doc must be wrong. He is wrong!"

"Say," Doc spouts as he rushes to Al on the female corridor that same afternoon. "Shavings is on Druggan's payroll! Feature that, will you. I just found it out!"

Doc is breathless and excited. He knows Al's contempt for Druggan, and what interest such information arouses.

"That lousy Irishman! No wonder we can't get him on our pay roll. Druggan keeps him off, I guess. Tryin' to put something over on me. How come?"

"Mack Lilly, the clerk in the Tailor Shop, makes a connection with Cannon, the guard, for Druggan. He loads Druggan down what Shavings can do for him, writing letters and all. Druggan's tryin' to get his Good Time restored. And this Lilly guy composes the letters and Shavings revises and types them. I just heard it all! Every damned bit of it! A guy what works in the Record Office told me. He said he saw one of Druggan's letters in Shavings' desk. . . a letter to a woman named Chichester, in Leesburg, Virginia. Druggan reminds her that he saved her life in a fire at Hot Springs, Arkansas, and asks her to return the favor by seeing Roosevelt and having his Good Time restored. She's related to the Roosevelts. Can you feature a guy like that?"

"So that shrimp is still trying to get his good time restored.

"What the Hell would he do if he had my time? And he's got Short Shavings on his pay roll, huh? And writing to a woman to help him! Went that look good to his friends?" Al is gleefully disturbed.

"I know it! This guy knows Shavings took some records out of a guy's jacket who had eight years restored what he lost for running away. Well, Druggan gave him \$10.00 for it. Sent it to his wife. That's straight. Mack Lilly told a guy about it, and the guy told me." Doc is now enthusiastic, feeling that he has Shavings in a position where he can induce him to cater to Al.

"Tell that guy I wanna see him. If he wont come to me --- Goddam it --- I'll go to him! Turning me down for Druggan. Can you beat that? That's some of Druggan's underhand work. And it must be true, then, that loose Druggan's payin' Cannon three hundred a month for grub. I heard the report, but I couldn't believe it! Cannon brings a lunch can, don't he? Well, that's it! That's where Druggan gets his custard now.

"Get that guy Shavings out here! Arrange a meeting! Get me! And if you can't, you're through! See!"

Capone has spoken! Doc knows he means it. But, Capone does not reckon he has an entirely different type of criminal to deal with when he deals with Shavings. Shavings will not be browbeaten, he boasts. But we shall see whose will is the strongest --- Capone's or Shavings'.

Upon informing Shavings that "The Big Boy wants to see you. When can you meet him on the yard?" Shavings replies that he is not interested.

Is Shavings wary? Alarmed? Conceited? Or really a D. J. man?

"Yeah, but he's gotta see you! Somebody told him you were working for Druggan, and Al's burned up over it. Says that's an insult to him. Take my advice, Kid, and don't make him sore."

"And why not?" asks Shavings defiantly. "That's final, Doc. I'm supposed to get two C's for that article. If I don't get it, O. K. But talking to Capone on the yard is OUT. Absolutely out! If Head saw me it's my turn in the hole, and I'm not going in the hole for Al or anyone else. Besides, I told you I got a parole to consider."

"But you don't understand," Doc insists. "No one will see

"And then what?" Shavings sarcastically replies.

"It's no use, I guess," Doc admits.

And no use is right, for Shavings flatly and finally refuses to talk to Capone.

Why?

That is the question the inmates ask each other when the rumor circulates that Shavings refuses to go on Capone's pay roll or even obey his command to see him.

Why?

Had Shavins seen Capone in February (1934), when this conversation took place, Capone would have been richer to the tune of \$35,000.00! Capone would have learned, perhaps, that he was --- notwithstanding the fact that he was positive he was not --- scheduled to go to Alcatraz Island!

Capone, to his amazement, would have learned who were his friends and who his enemies. . . and, incidentally, that fifty per cent of his supposed friends --- to whom he paid from \$80.00 to \$200.00 a month --- were regularly and deliberately reporting his every movement and speech!

Capone, to his grief, would have learned which of the guards and civilians to whom he doled a certain monthly sum, were sincere or not.

Capone, however, with the brain he so proudly bragged about, had not the ability to weed the good from the bad. . . the straight from the crooked. Thus it happened that Shavins, who, now, did not care to become contaminated by association with the parasites and leeches that clung to the silken strings of the golden purse of Capone's.

Yet, when the most despicable and carefully planned betrayal and deceit perpetrated by a traitor of the most contemptible type was about to enrich the scoundrel \$25,000.00 more, it was Shavins who -- regardless of discretion and consequences -- apprised Capone of the disappointment in store for him.

It seems that Thorpe and Shavins were friends. Thorpe, it will be remembered, treated Capone to his daily massages and baths. Never during the acquaintance of Shavins and Thorpe -- so far as could be learned -- had they discussed Capone.

About the middle of March Shavins decided to investigate the failure of the \$200.00 to reach the friend whose name he gave Doc. He inquired of Thorpe if he would object to asking Al about it. Thorpe did. Al contended that he instructed Doc to send the money. Doc, he understood, had given it to one of Al's bodyguards to hand to Chattonier. Chattonier was supposed to mail it. Chattonier, when asked about it, denied ever having received it!

Doc, you know, knew nothing, of the inquiries being made, and as a consequence, was proven a cheat and thief before he had the opportunity to rectify his deliberate theft of the \$200,000.

"That's just what I've always been told," George tells Thorpe. "he did the same thing with Berg. He had Berg make a lot of dirty pictures for him. I don't know what he wanted them for because he could have taken them out. And he promised Berg \$70,000.

Well, Berg got a hundred. He put it in a bible, between the cover and back, and had a pastor a leader of it, and got it out. I never ---"

"What kind of pictures were they?" George asks.

"Pictures from civil magazines and medical magazines. They did some composite work on them, you know."

"Did he ever tell you about that girl who's a nurse? All the one side of a bunch of dirty pictures of a judge?"

"Did he ever tell me? I wrote the letters for him," George says about.

"You wrote them? How come?" Thorpe is puzzled.

"Well, he used to pay me to type out of me a couple times a week to type letters he wrote. Supposed to be from his sister. When they were supposed to be from this girl. . . well, I think her name is. His sister's name is Stella, and he never wrote to any girl, according to the records. He's such a liar he didn't think she could say to the next man he had said the day before."

Thorpe laughs. It is no merry laugh. It is a strange, uncertain laugh. . . What is known as the "horse-laugh".

"What'll Al hear that!" he exclaims.

"What'll Al got to do with it?"

"He told Al that judge was going to get him out by June 2nd. First it was Christmas. . . then it was January. . . then February. . . then April. Now June! Doc, you know, goes out on June 20th. And he's supposed to get Al out first! That's a rich one!"

"Do you mean that Doc told Al he received those letters and pictures?"

"He certainly did! Al talks pretty confidential to me, and I know Al believes it! He's paid out around \$35,000.00 so far, to Doc,

"Well, I'm a . . . !" Shavings is speechless. "Say, Eddie, do something for me. Tell Al I want to meet him. I turned him down a couple times, but this is important now. I have to see him if what you say is true. Imagine that! Thirty-five grand! \$35,000.00! What a racket!"

"Racket is right. I always suspected Doc was working a confidence game on Al. How about coming over the hospital in the morning. You can always catch him there at 9:00 o'clock. I'll send you a pass."

"Good! If I don't get it in time I'll tell Old Man Lates I have neuritis and he'll have to give me permission to go. See that no one's around when I come in, will you?"

Whenever Shavings had a "business appointment" -- was negotiating for writing letters, writs and so on, and the man for whom the work was to be done could not pass to stockade at the same hour Shavings did, Shavings would make an appointment with him to be kept at the hospital! Thus, when these engagements were to be fulfilled he'd pretend he had neuritis, and receive special permission to pass through the institution, at any hour of the day, to the hospital!

"O. K!" Thorpe agrees. "I'll not say anything to Al except that there's something mighty important you want to talk to him about. Is that right?"

"Boy, you got a head on you!" Shavings laughs. "You'll be President Thorpe, some day. . . if you leave money orders alone!"

The following morning Capone is sitting in the steambox. Shavings walks in, looks at him calmly, and receives a cordial greeting.

"Hello, Buddy!" Capone smiles. "What's on your mind?"

"Plenty!" Shavings answers.

"You're a hard guy to get an interview with," Capone says. "Busier than a bank president!"

"You're getting an important interview now, Al. Now listen, Al, you always do the talking and the other guys the listening. This time I'm going to talk and you'll have to listen. If you can't, there's no use my wasting time here and running the risk of being caught. It means something to you! I think you've enough sense to realize I wouldn't be here . . .

article is a past and forgotten issue. So money's not prompting me to this interview.

"Tell me this," Shavings rattles on. "Did Doc show you some dirty pictures?"

"What do you know about them?" Capone fences.

"I'm asking you! How you've got to be honest with me. It doesn't mean a damned thing to me one way or the other. All I want to know now is did he show them to you?"

"He surely did!" Al answers.

"And what did he say about them? Did he tell you how and where he got them?"

"He did that!"

"Well, it looks like there's no use talking," Shavings says disgustedly. "You seem to be convinced Doc, like Ceaser's wife, is above reproach. However, I'm inclined to believe Doc's more clever than you give him credit for, or dare admit. Am I right?"

"What do you mean?" Al becomes interested. Shavings is too sincere and earnest to be ignored, Al decides, and he'll quit 'stalling' him along.

"I hear things, you know. See them, too. I understand, in plain words, Al, you've paid Doc something like twenty-five grand or thirty-five grand, even. Am I right?"

"No need to mince matters. I paid him \$35,000.00."

"For what?" Shavings asks, expecting the verification of Thorpe's information.

"You know?" Capone asks.

"I got a sneaking suspicion."

"Cough it up!" Al sweats.

"What kind of story did he put across about letters from a girl named Ruth?" Shavings hurls at Capone.

"His sister? That girl's crazy about me! Why, Buddy, she's working night and day to get me out of here. Do you know her?"

"Do I know her? NOBODY knows her. She doesn't exist!"

"What?" gasps Capone, rising and catching his neck in the opening of the sweat-box lid. "Don't exist?"

Shavins nods affirmatively.

"Let's hear more!" Capone commands, stepping from the sweat box.

"O. You tell me!" Shavins suggests. The presence of two of Capone's bodyguards standing nearby tend to cause Shavins to prefer he be the listener, not the narrator. After noting the experience of others in analogous circumstances, realizing that rumors spread swiftly and certainly, he has cause to hesitate. Furthermore, he is cognizant Doc pays money to Capone's bodyguards for information that they furnish him about Capone, which he has no other way of learning.

"Let's see, eh," Capone begins. "About Christmas, I guess it was, Doc brings me a letter. No. . . it was before Christmas. It was a typewritten letter. It was from his sister. Well, he ---"

"Was it addressed Dearest, Darling, Baby Mine?"

Flushing deeply, Capone nods assent.

"And did it have a lot of vulgarity in it?"

Capone again nods assent.

"It's telling you anyhow, I see. Go ahead," urges Shavins.

"Well," Capone resumes, "Doc's sister - she's nuts about me. Reads everything in the papers she can get hold of concerning me. Made a sort of god of me, you know."

"I gathered as much from the letters," Shavins smiles.

"Anyhow, they were just love letters at first. Then she started telling me how much she wanted me out. And then later she tells me about these pictures Doc took of some movie actress and a judge. Well, she started coming here in a Packard Roadster I bought her. Doc's girl, Ethel, and Ethel's kids were coming along.

"Well, they never got here. The next letter told of an accident they had on the way, and how they were all banged up, and Ethel pretty well cut. She had to go to the hospital.

"Am I right?" Capone asks.

"Exactly! Well, you know that much and I'll tell you the rest," Shavings says, ignoring the jeopardy he courts talking about Doc in the presence of anyone. "After the accident you sent \$5000.00 to cover hospital expenses and for plastic surgery. Then, you bought her another car. Then, it was decided, because of the accident they'd not come, but return home. And they did!

"All the time the letters were being apparently sent from the same place, although I suppose you never saw an envelope with the post-office mark on it. Meanwhile, the judge had not gotten to Washington, although he begged Ruth to wait patiently, assuring her that he would go there immediately. Right?"

"Right you are!" Al assents.

"Al, how could you be so big a fool?" Shavings boldly asks. "How come you didn't think to ask what the judge's name was? I asked him once, for you see I typed those letters for him. Everyone of them! I saw the pictures. They were made up in the Record Office. Al, there is no Ruth! There never was one except in Doc's distorted brain!"

"YOU typed those letters. . ." shouts Capone. "Well, I'm a dirty son-of-a-bitch! Say, if anybody ever paid for doing me a rotten trick, that bird's gonna pay. I been like a father to him. Believed him. Trusted him! And he's played me the dirtiest trick I ever had played on me. It all seemed too real. . . the letters and all. And he telling me his brother-in-law -- the guard, Clark, -- was bringing in the letters from town. And I been forking out grands like they were pennies, figuring the judge would have me out. Supposed to be a retired Supreme Court judge. . ."

"Doc has no wife and no brother-in-law, Al," Shavings informs Capone. "So all his characters were mythical!"

Capone is lost in reverie. . . Slowly, wearily. . . he trudges forlornly desolate down the Boulevard of Shattered Dreams. . . his head bowed, his eyes dimmed with tears.

Betrayed! he inaudibly murmurs. Betrayed!

Absently he pulls on his prison clothes. Thorpe, Shavings and Capone's bodyguards stand silently by. They gaze pityingly at the man who half an hour ago bubbled with joy and expectation. Dejection. Surrender. Desolation. All are apparent in the eyes of King Capone as

he resigns himself to Fate.

Then, like a storm in all its fury, he rages. His audience, act-
traged is suddenly awakened from a lethargy, just horror-stricken as he
bile on both occasions.

"Get it?" he addresses his bodyguard. "That stripson-
off-the-back page. Says, I say! PAYS! Don't let him get back into that
barment when he leaves that bindery today. He's living now longer than
he should! And ever, how longer he lives is cutting my scull!"

"O. K., Al," they respond in unison.

"I'll see you later, kid," he says to Shavings. "And don't
be afraid of anyone after what you've done for me!"

Shavings returns to his detail, the Record Office.

"That guy's on the level, Al," Thorpe informs. "He didn't
know the way Doc's been doing you until I let something slip yesterday,
and he was so surprised he begged me arrange a meeting with you. I under-
stand, Al, that Doc's working the same thing on Druggan. Lilly cells with
no, you know, and he said something about Doc being able to get Druggan out."

"Christ, if Druggan finds out I been taken for thirty-five
grand by a confidence man, he'll lord it all over me. Don't tell him!
Don't tell Lilly! Tell Short Shavings not to say anything to anybody!
Let Druggan find out for himself, the chiseler!"

Capone, it is a fact, has nothing but utter contempt for
Druggan. It existed before they found themselves guests of Uncle Sam.
It continues during their incarceration together. Yet, Druggan and Capone,
to all appearances, act friendly when together.

However, fear that Druggan might be apprised of his loss and
suffering, before Druggan himself loses, galls Capone. The money he has
wasted, he claims, means nothing! The ridicule he will silently suffer,
is another thing. Particularly when it shall have its origin in the mouth
of an enemy -- Druggan.

Through some source Mack Lilly learns what occurred in the
electric therapy room. He pages Druggan on the yard at evening stockade.
Druggan and Lilly, congratulating themselves on the narrow escape from
Doc's fraudulent scheme, poke fun at Capone!

Capone "can't take it!"

There were five men in the physio therapy room when Capone and Short Shavlin discussed the "racket" Doc found so remunerative.

There were five men who heard every word uttered!

Five men who wished the execution of Capone's mandate: "Don't let him get back into the basement!"

Let us, merely, to illustrate how rapidly and unerringly the grapevine operates, eliminate one by one the ones who must have seen Doc the message that he was to die before noon! That he would never reach the basement once he left the bindery that morning!

Armand "Duke" Marquis, the tall, sleek Valentino-like Italian, long Capone's trustworthily bodyguard, despised Doc with the scorn a man has for the who takes advantage of a friend's faith for mercenary purposes. His hatred ate at his brain like a cancer. He idolized Capone. His reports to Capone, concerning Doc's double-crossing methods, had been like water upon a duck's back. Capone completely ignored them. Of the five he, under such circumstances, would really gloat in the opportunity to dispose of Doc.

"Bumawee", a lanky, slouch-buckling, bull-necked and cruel mountaineer, serving twenty-five years for mail robbery, had the reputation of being tight-lipped. He enjoyed neither relaying gossip nor listening to it. His association with Doc was too inconspicuous to even consider their acquaintances, though he was aware Doc disliked him as much as Capone's other bodyguards. . . Disliked him because his physique and strength was to Doc an enviable, unattainable thing. No, we can conclude without hesitation, would have thought as little of Doc's welfare as he would think of getting wet under a shower!

Thorpe? Thorpe knew more about Doc than any other inmate in the hospital. He knew because Capone confided in him, and he respected Capone's confidence. He never spoke of Doc unless his words were tinged with contempt and derision. He always referred to Doc as "Dr. Jehyl and Mr. Hyde". And, considering his attachment for Al, and Al's promise of remuneration to him, it is unlikely in the extreme that he would have grapevined Doc what fate awaited him.

Short Shavings. . . The fact that Short Shavings fingered Doc and double-crossed him in conversing with Capone against Doc's explicit instructions, dispels all doubt in our mind that he informed him of Capone's decree. It is certain that he gave thought to the outcome of the decree, and feared his first meeting with Capone might have been observed by some hospital inmate, and, in the investigation, might prove damaging. It is also possible that he permitted his sympathy to conquer him, for he was always the defender of the underdog. However, he could not have relayed the message to Doc without admitting to him that he had personally seen and talked to Capone -- which, as stated above, would have brought Doc's anger upon him.

After all, Shavings was sensible enough to conclude, Doc and Capone might continue to be friends. Why should he make an enemy of Doc, Doc possessing so strong a brain as he did?

He was, therefore, compelled to eliminate Shavings as the guilty one.

It leaves Doc Capone! Capone, who uttered the sentence that Doc died!

Could Capone, after assigning the possible but logical of what an attack on Doc, and Doc recovering, tighten the noose around his own neck? Could he actually depend on his bodyguards to retain silence? On Shorge? On Shavings? It was too great a risk. . . Too much to expect!

Besides, we believe, Capone "who treated Doc like a son", and who (we were actually advised to learn later) still believed Doc might be on the level, may have decided he was too hasty in issuing his mandate!

None of the five, one alone had any concern for Doc. . .

One alone actually FEARED Doc, dead or alive!

One -- and only one! -- placed his hope for early freedom in Doc's hands!

And he alone, it is indisputable, through a strictly private grapevine, warned Doc his life was forfeit!

For, to the surprise of Luanes, Dago, and Shavings, Doc - on leaving the bindery - was accompanied by two guards! Two escorts!

Notwithstanding this exposure of Doc, Capone continued to keep him on the pay roll. For, in truth, Doc handled a portion of the pay roll. The same Doc disposed of relieved the Chicago syndicate of double risk, if investigated.

When being questioned concerning his action, Capone offered as excuse that he did not wish Doc to get wise. . . that he wanted Doc to believe he had upleveled faith in him and "Ruth"! And further, that he would continue paying him \$100.00 a month; but, would not furnish "Ruth" another dollar!

He learned, through suggestions and information furnished by Short Shavings, how to cross-examine Doc without giving him an idea he was in possession of information which proved Doc an arch cheat. He gradually gained conviction that Doc had really played him to the sweet tune of \$15,000.00, and would have had another \$40,000.00 had not Short Shavings risked his parole and courted danger by informing Capone of Doc's racket!

Was Capone grateful? Shavings continued to deny that he ever received anything from Capone, but authentic and unquestionably reliable information induces us to believe that Shavings received the comfortable sum of \$10,000.00 for his daring visit to Capone!

Doc, of course, was shrewd enough to suspicion Capone had been in touch with Shavings. He was careful enough, too, to avoid Shavings, and eventually absolutely ignored him.

But Capone was not through! He had not had enough! Nor was Doc to be outwitted by an ordinary stenographer! He would show them! He would get that other \$40,000.00 -- or die attempting it!

And, fool like, he continued to write the phoney letters to Capone; continued to pretend they were from "Ruth", and went so far as to include in them reference to "convicts who tell you Bob is not your friend, but only a fake!"

Doc, indeed, was a character. A more confirmed paranoiac never lived!

Yet, in his greed and anxiety to amass a huge fortune -- part of which was then in a safety deposit box outside the institution -- he failed to use discretion. He pitched head first into an idea that actually convinced Capone, beyond the shadow of a doubt, that Doc had gyped him. Doc, discovering this too late, had no alibi!

It resulted in disaster. . . as do all deceptions. Believing everyone now knew of his fraudulent racket, Doc dared not ask anyone to type the "Ruth" letters. He could not type himself. There was one alternative -- to write them with pen and ink! He would have presented them thus in the beginning were it not that he feared his handwriting was familiar to Capone, and would be recognized immediately.

Nevertheless, he wrote two -- two quite similar to the others, incorporating the same erotic vows and declarations of undying love! Those, Capone admitted, looked genuine; but their contents caused him to be suspicious, because "Ruth" dwelled too much on the loss of his love. . . and he had not told her in the letters HE wrote her (which Doc pretended to have mailed through Chattoier!) that he had ceased to love her!

Capone, the genius who amassed millions. . . the man who regarded the penitentiary as a haven of safety. . . the cunning, shrewd and artful Capone being tricked in a racket that resulted in his writing endearing letters to a woman who did not exist!

His vanity was offended. He could not endure this longer. Every inmate in the institution would learn of it. He must do something! Anything! Or lose his reason.

"Tell that guy Shavings I want to see him. And I won't take no for an answer," he tells Thorpe one morning.

Thorpe informs Shavings. Shavings regrets that he cannot comply, if he must meet Capone at the hospital. On the yard would be O. K. Yes, but you go to stockade at one -- Al goes at 2:30. All right, I'll fake a pass to the hospital for 2:30, and you can meet him on the yard.

So they meet again. And after rehashing Doc's entire racket Capone promises Shavings anything he wants.

"I don't want anything you have, Al," Shavings answers. "I wanted that two hundred because my mother was sick. I don't want that

"But Kid, you've done more for me than anyone in here. You have, and that's no kiddin'! You can have any damned thing you ask for. You saved me at least fifty grand. Seventy-five grand's as far as I was going to go before I gave up Doc's plan. He kept putting it off and putting it off. I actually believed him, to tell the truth. It aint the thirty-five grand I done paid -- that's nothing! It's realizing that he took me for a chump. And now he tells me the damn's set for July and."

"Yeah? He's going out on June 20th, isn't he?" Shavings reminds Capone.

"Wise, aint he?" Capone smiles.

"Too wise, if you ask me, Al."

"Well, lil, that's how it goes. The better you treat a guy the less he appreciates it. Here I've taken care of his wife and buried his two kids in the last six months, and ---"

"What kids?" Shavings asks, astonished.

"Doc's. Two of them died, you know."

Shavings cannot control the laughter that rocks him. He slaps Capone on the thigh. "Doc didn't have any kids! He isn't even married!"

Capone sits upright. Another shock! Shavings feels that he should not have spoken. Well, it's done now.

"You giving me the straight?"

"Nothing else, Al. I know his family history like a book. I've seen it time and again."

"But he showed me telegrams from his wife, saying they had died, and I sent \$2000.00 each time!"

"It's no use, Al. He just took you for a ride. An expensive one, too. I see now why he wanted me to stay away from you."

"Do something for me, Kid. Name your price! Nothing's too much for I'm indebted to you now more than words can express. Get me his record. Bring it to me, or send it to me. And I want to see if there's any telegrams in his jacket, from his wife."

"That's a big order, Al. But I can tell you now - No! I file them. If he showed you a typewritten telegram, he faked it himself. We keep the originals in the jackets and send copies to the inmates. None

came for him about kids dying. There is one or two from some party downtown here -- about everything being received O. K. That must refer to the money you've been giving him for Ruth, and he's sending to someone here to put in bank. Well, to convince you, however, I'll bring you the telegrams that are there. What else do you want?"

"I want to see a copy of his record -- criminal record."

O. K. I better be skipping now. Bates is likely to call the hospital to see if I'm there. Doc'll hear about me seeing you again, and finger me surer than hell."

"Wait a minute!" Capone commands as Shavings rises. "I owe you something. You don't want to take it. What're you going to do when you get out of here? Got a job?"

"Al, if it's one of the jobs you've been promising these other guys that have left, I'm not interested. I hear every day of how disappointed they are to learn it is only a promise."

"but those guys aren't like you, Shavings... They've not done what you've done for me. They've not got the education you have. You'd be helpful in one of my offices. See, I ain't what people think... just a gangster. I have interests in stock and bonding houses, stock companies, hotels, syndicates and all that. I own the million dollar Hialeah race track. Also a big interest in the one in Chicago. I can give you a job there paying \$25.00 a day. Summer in Chicago, Winter in Miami. That's not bad money these days."

"Sounds interesting," Shavings admits, "but improbable."

"Why?"

"Because I don't want anything. I never got the two hundred, and if what I done wasn't worth it, then nothing else is. You promised, then the bird that's supposed to take care of the promise uses his judgment about it, and either keeps it or sends it to someone he knows. All you can do for me, Al, is remember me. . . Remember what I've done for you. That's enough. If you had told your brother to send that two hundred, I'd have had it. Since you didn't, O. K."

"Hell, I'll do that!" Capone protests.

"Oh, no you won't! You'll have plenty else to talk about and think of. You'll see plenty new faces when I'm gone. When you go to ---" Shavings halts. Almost! he condemns himself! Almost told him! And if he knew he'd write about it; and if he wrote, Washington would investigate and learn where he got his information!

"What were you going to say?" Capone asks, a strange catch in his voice.

"When you go to Doc, don't tell him what I told you," Shavings quickly alibis.

Capone is not convinced, but being no mind reader is unable to learn what Shavings was about to say.

He wondered, afterwards, if Capone had paid Shavings the two hundred dollars he was promised, would Shavings have been grateful enough at that time to have posted him? Or, was Shavings hesitancy in then informing Capone of the impending transfer due to fear of the consequence, because of Capone's inability to respect one's confidence?

Shavings, it need not be explained, produced the desired telegram and record for Capone. True enough, there were no telegrams notifying Doc of his "children's demise."

"And now," Capone sends back the message, "tell Shavings I got to have a copy of Doc's handwriting. Any piece of paper at all will do. It must be Doc's writing, though."

Shavings did not then know, but learned later, that Doc's "Ruth" letters were losing their power to convince. And Capone, when informed that there was no available writing of Doc's, demanded that the same be obtained AT ANY COST!

Every department in the institution was called upon, by Shavings, with the request that an interview slip with Doc's writing be found. There was not one procurable! Doc, it seemed, was careful with his writing!

Weeks passed without an opportunity to get his mind straightened out. Meanwhile, Doc was bombarding Capone with letters -- written by himself, with pen and ink, ON IRONIC STATIONERY!

You ask "How could Capone be so dumb?" he asked, Doc, not only by answering: He is naturally, inherently dumb. Ambition --- not brains --- acquired for him the power he held in the outside world. And money -- not brains --- retained it for him in the penitentiary!

Believing the tall yarn Doc assiduously spun, Capone, clutching at every straw of hope that drifted beside him as he sank deeper and deeper into the years of imprisonment and solitude ahead, was not, in our opinion, committing a surprising mistake. Considering his poor judgment, his lack of perspective and inability to analyze character, he did only what anyone else of his propensities would do.

He became desperate. He was not content with committing the many violations of the rules. . . he went further! He dragged others deeper into the mire of crime and disrespect for law and order. He determined to have Doc's writing. . . a sample of it to compare with the letters Doc was foisting upon him! Regardless of whose honor was trampled in the dust of his desire to satisfy his egotistical nature, the handwriting **MUST BE OBTAINED!** He was not completely convinced Doc was "bleeding" him. He was not, yet, sensible enough to realize that a dracula, with a lust for money, was sucking the happiness still left in his heart!

A sample of Doc's handwriting -- **AT ANY COST!**

Shavings was at his wits end. He knew not where to get it. Doc was too cautious, and since no one associated with him he could not be inveigled to write anything which could be carried away. Berg, long since gone, might have obtained it easily.

Capone was not satisfied with this failure.

"He writes letters, doesn't he?" he asked Shavings, two weeks before Doc was to be discharged.

"Yes, but I wouldn't be able to get one of them."

"Why not?" Capone demands.

"The fellow that collects the mail in the basement is a friend of Doc's. That is, he speaks to him. The fellow who lists his letters on the correspondence sheet is asked every time Doc writes a letter 'Did it go out?' What can I do with them, if they'd later tell Doc they gave me, for you, one of his letters?"

"Toll 'em I'll pay 'em what they want!"

"They're not that kind. They have money."

"They might do it as a favor for you," Capone suggests.

"They might. But they absolutely won't do it if they know it's for you. They are afraid." Shavings argues.

"Buddy, if you want to do something for me, like you did before, you'll get that letter. If you don't - -"

"Is that a threat?" asks Shavings amusingly.

Capone is lost in deep reflection.

Shavings wonders just what that unfinished sentence means. Does it convey an admonition? Veiled as it is, Shavings is uncertain. He is no longer the indifferent, reliable and trustworthy secretary he was six months ago. Capone has him in an octopus grip. . . There is no release unless he holds out a sample of Doc's handwriting. Then the tentacles might relax, and he may find himself free from worry and despair.

"Get Capone the next letter Doc writes," Shavings informs one of the mail office inmates. "He must have it!"

"What's up?" asks the man in a position to get the letter.

"Doc wrote a rap against you and Capone. Capone wants to prove it's Doc's handwriting." Shavings is a clever liar.

"I never did like that rat," the mail office inmate answers, his ire now aroused against Doc.

The letter, therefore, is promised. It is not immediately produced due to the unforeseen illness of the inmate relied upon to "get" the letter the morning after Doc deposited it in the mailbox. A substitute, of course, is not approached.

So what apparently is the last opportunity to get the desired handwriting is lost!

Doc has one more letter permissible under the privilege granted all inmates. It is Tuesday evening. Doc is to be discharged in the morning. Shavings has been passing up and down before Doc's stall, wondering if and wishing he will write that final letter. The hours pass. . . Doc reads a book. Fourteen hours from now Doc will be free . . . !

Thirteen hours. . . He still reads.

Twelve hours! It is now 9:00 P. M. At 10:00 P.M. all must retire!

The letter that must be delivered to Capone is not being written. Doc is preparing to retire!

Then, as if receiving a telepathic message from Shavings, an urge. . . a command, almost. . . Doc sits down and writes. He destroys the letter before it is completed!

Again he begins a letter. He finishes it as the 9:45 signal, to prepare for bed, is sounded! Indolently walking to the mail box, unaware that his every movement is carefully and breathlessly watched, Doc drops the letter for posting. He returns to his stall and creeps into bed.

In less than twelve hours he will be a free man!

Yet, in less than twelve hours much can happen. He has been expecting it daily....Hourly! Capone will not let him get by with that racket! Never! He dreads the darkness that will soon descend on the basement. . . the night of horror that it brings along!

\$35,000.00! Not so bad, he muses. If he can only get out alive! And enjoy it! Mexico? Maybe. Then there's Europe, too! Some place where he'll never find me. Well, I can stay awake tonight. . . Aint no use taking any chance on the last night!

The letter, of course, is stolen the next morning after it reaches the mail office and posted on the correspondence book. In that way, it is explained to Shavings, there's no come-back.

The letter is immediately delivered to Capone. Doc, meanwhile, has passed to the front on his way out. The letter, later, is turned over to John Capone. What it contained remains a mystery to us. We were not able to creep between its folded pages.

"Just as I thought! Same handwriting. That louse! Good thing I didn't have this before he left. He'd never have left!"

Doc has not as yet left. He has been closeted with the warden an hour and a half! An usual procedure, all later agree!

And all wonder: What did he say? Did he trade his freedom for all he knew about Capone and every man on his pay roll? For after all, we remember, he had never been punished for his misdemeanors and connections. Inmate Sellers, we argue, rather than divulge from where he had received the \$50.00 bill he was caught with, after being dressed out and ready to step out the front gate, Christmas week 1933, was led back into the institution, forfeited his Good Time, and defied all efforts of the officials to force him to incriminate others, including the donor of the \$50.00 bill!

Doc, we know, had secreted on his person not less than ten fifty dollar bills. He dared not trust these to be posted since there would be no opportunity for him to complain if they were not. Since the Sellers' incident every discharged inmate is thoroughly and shamefully examined before he puts on his "going out" clothes -- which, too, are minutely examined.

Doc's dream. . . his life-long dream at last realized! A shining new Buick, a chauffeur at the wheel, and a woman reclining in the rear, spacious, beautifully upholstered seat, await Doc as he casts off his number, resumes a new name, and leaves the penitentiary grounds.

"An hour and twenty-five minutes! Boy, what he must have told! I'll bet he had Al deep in the grease. Scorched him, I bet!" "Al said he'd give his left arm to know what Doc told the warden. You'd imagine with all the connections he's got he could find out, wouldn't you?" "But that's the one thing they're going to guard -- that statement Doc made. I heard a D. J. man from downtown was in there, and a stenographer took it down as they talked."

"Did you?"

He was eavesdropping on Pogley and Sumner, as they discuss the impending and dreaded investigation, the unquestionable removal of Mackethal, and the incorporation of other names in the list for Alcatraz!

Gloom and despair has apparently slain their spirits. Every man who ever had the least thing to do with Capone is unnerved and ready to scream when approached, feeling it is a call to the warden's office.

Capone, King Midas himself, is bereft of every vestige of life. He sits alone. . . absolutely and completely alone! He suffers a solitude of regret, berating a brain that he boasted was imperial. He knows now what it means to be forlorn, wretched, hopeless! What poor judgment, he condemns himself! The man he treated like a son. . . the man to whom he confided his innermost and sacred secrets. . . Squawking! Battering! He protect himself.

And all the money he got. . . .

Hell, I should have listened to someone who knew! That guy in the Record Office. . .

By God! That's it! He can get that statement. Then I'll know just what's what!

Capone snaps out of his stupor. He calls the rangerman. The rangerman bends an ear to Capone's whispering.

"O. K., Al. You say his name is Short Shavings? In the basement? All right, I'll get word to him. You want it tonight on the yard, is that it? O. K!"

The rangerman walks away. Capone returns to his reveries.

"I can't do it," protests Shavings when Capone's message is

delivered. "I can't get a copy of Doc's statement because it's too closely guarded."

"Al said he's gotta have it before you leave. Tonight on the yard, he wants it."

"Sorry," Shavings apologizes. "I'm under suspicion now. I'm not going to lose my parole for Capone or anyone else. I've done enough, and I ask nothing in return."

"Cap, that's off, Shavings. We know how much you got!"

"You know more than I do, then," Shavings replies.

"You better see him, then. He'll be waiting for you."

Shavings escorts Capone near the vernis courts.

"Did you get it?" Capone asks, anxiety betraying the strain he labors under.

"Impossible, Al! In the first place, it's now in your jacket. In the second place, the file clerk's wise. I can't do it!"

"No, if you can get me that statement . . ." Capone leaves unfinished the promise of gratitude . . . of riches.

"IF I CAN I WILL!" Shavings promises.

"And if you do, you've nothing to worry about the rest of your life. You'll be sittin' pretty!"

Shavings ignores the grandiose promise of remuneration. He decides, nevertheless, to make an attempt to get the statement. And he learns, later, that he DID GET THE STATEMENT. But let us see what he has to say to Capone. . . .

"How much did he say? Did you see it?"

"No," Shavings answers. "But another guy in the office heard the file clerk say it was 50 pages, double spaced. Questions and answers."

"That lousy - - -!"

"Al, it makes a guy sore the way you let him get by with what he did. Even after I warned you what he was doing! And you're supposed to get out July 2nd! July 2nd Doc'll be in South America. And you'll be here!"

"Take it from me, Buddy. If he goes to the jungles of Africa. . . If he goes to the North Pole -- I'll get him! I'll get him! Maybe I won't myself, but he'll know who it is when the time comes. . . He can't go no place in this world that I can't find him. And when I do. . . I aint gonna be here all the time, you know. And if I don't have the pleasure of putting my hands around his neck, like that" (Capone makes a gesture as if he were strangling someone) "the guy that will will get as much pleasure out of it as I would!"

"He'll be dead before you ever see freedom again," unwisely informs Shavings.

"Why?" Capone excitedly asks.

"You aint out yet!"

"No," dejectedly. "I aint. And here I thought even until the last moment that maybe -- you know how it is, how you hope? -- maybe after all he might have been on the level about that judge, and you were wrong. Then I got that letter though, and saw that handwriting, and some of the things he said in it, I know then it was a frame-up. Can you beat that? A guy I'd stake my life on. . . Two-timin' me after all I done for him!"

"He's just a little more clever than you, Al. This prison- - every prison -- is filled with men who have but one thought when they're backed against the wall: Themselves! Every man for himself; the Hell with the others. Even you. . . No, I'm not trying to be smart, Al. . . even you sacrifice your best friend when the critical moment arrives. I've seen it. I've read it on the reports. I've been amazed at it. . . at what one friend will do to another and for another. Nothing for him, when he needs him most. Everything to him, if he can gain anything by so doing.

"Take that guy Cowboy. Perla paid me \$50.00 a month to write his letters. Love letters and business letters. I couldn't have it sent in, so had it sent to Cowboy. He tries to bleed Perla's brother for two grand, and keeps my money in the bargain. That's the kind of lice a guy nests here!

"There's only one human being in this joint --- a guy that's been through the mill and found it doesn't pay. It's made a real guy of him. That's the one friend in all I know here. . . for whom I would

sacrifice my parole and everything else! You don't often meet a guy like that! When you do, cling to him like a drowning man to a raft!"

"You must know, Kid," Al opines. "No wonder you steered clear of me."

"For all you have, Al. . . For all you own, and all you can do and get. . . I wouldn't trade places with you. I wouldn't give one year of my life for one year of yours! All you know is worry. Fear. Misery. A desolate solitude which no one but yourself can understand! You're master of your own destiny. You created your own world, and the people you've put in it are human snakes and rats and leeches who suck your blood and leave you pale and shaken. I know! I've been around a lot. Traveler. I wanted experience. I wanted it in the depths as I had known it in the heights. Only in that way do we know what life really is.

"And Al, believe it or not, I wouldn't sell my memories for all your wealth. They're too precious."

"You're sort of a philosopher, or what do you call it?"

"Dreamer, maybe. Philosopher, if you want to call it that. But whatever it is, money can't buy it. What I've done for you I check off to friendship. If I took money for it time would erase the value of the favor from my memory. Things done for the sake of friendship never fade nor can they be erased."

"Euddy, you're the tonic I need right now. If I had had you or other guys like you in here, instead of the parasites that hang on, maybe I would have been lots better off."

Al is really sincere in his statement. (He confides, later, that had he to do it over again the suffering and anguish he knew would have been avoided.)

"There's no question about it. You would have been. Now, all you know and will know, until you're free, is repentance. And the man in prison who worries and grieves is really making his time."

"Do you think I'll go to Alcatraz?" Capone asks, attempting to take advantage of Shavings' present attitude.

"Yes," Shavings admits. "I know you will!"

"You do?" Capone is extremely upset. "How do you know?"

"How do I know anything around here?" Shavings declares.

"Listen, and this is from the shoulder, Kid. You get me a copy of the letter that tells that, and get me a copy of Doc's statement, and tomorrow. . . today, if you want me to. . . I'll have ten grand sent to your mother. How's that?"

Shavings is not interested. He is gazing at a series of rings and circles he is drawing with a small stick, in the sand. He doesn't look up nor even indicate he has heard.

"\$50,000.00 couldn't buy a favor if I didn't want to do it. If I do anything, as I said, it is out of friendship. I know, of course, once I'm gone from here I'm forgotten. You won't remember anything but disappointments. You'll remember Doc, for you hate him, now. You won't remember the ones who risked suffering for you. . . Bishop and the others. That's the way of your world. You can't do a thing to remedy it."

"But I want to do something for you!" Capone insists.

"All right. That original \$200.00. I'll keep it for a souvenir."

"Yes, but it. You like to rub it in, don't you, Kid?" Capone pretends he is peeved.

"I mean it, Al," Shavings protests.

"All right. Guess you do, after what you've said. I'll have it sent to you so you'll get it when you get home. On the straight, now! I'll 'tend to it personally!"

"Right! And between now and the time I leave you can have what you want from the office. If I can't get you the original statement, I'll get a copy --- if I have to set fire to the office to get it!"

We desert Capone for a few days since nothing but a pronounced morbidness seems to dwell with him. He seems, in fact, obsessed with the idea that he can force Doc to retract his statement. Silly, of course, but one cannot prevent thoughts from developing into hopes. This reminds us that Shavings has promised to get Doc's statement, and also a copy of the letter informing Capone was to go to Alcatraz. Being curious we hang on to Shavings' night and day.

After an uneventful week has passed we conclude Shavings has either clandestinely delivered the statement to Capone, or could not get it. In any event, we hear no more about it. Rumors circulate that several pages of Doc's statement are missing. These rumors cannot be verified as Shavings spends all his leisure time with a Tennessee desperado. The friendship that has been progressing for sometime has only recently created comment. "Tennessee" seems to act as Capone's assigned bodyguard for Shavings.

The night before Shavings is discharged Capone sends for him for a final conversation. "Tennessee" stands in the background, his eyes glued on Shavings. Does he suspicion foul play? Suspicion Shavings is being put on the spot? Or, is he party to suspected foul play? One never knows. . . . A prison is a breeding place of intrigues and false friendships. One's most dangerous enemy occasionally develops into one's dearest friend. And vice versa.

Shavings and Capone, we observe, are engaged in an earnest conversation. It seems Capone is instructing Shavings what to do after his release. They clasp hands. . . Capone's big, rough hand enclosing Shavings' small, smooth one. Their eyes seem floating in liquid. We are surprised! Is Capone really sentimental!

The conversation --- the only one Capone held sacred --- is never repeated! Whatever was said between them shall always remain a mystery. The bell summoning men in from stockade that evening rings unusually early. We watch Capone and Shavings as they become lost in the crowd of convicts trudging to their cells.

At times we are apprehensive. Again, certain that no harm is to befall him. And the night passes into the limbo of the empty past.

Then comes the morrow. Giovanni is gone! How now, he ask,
is to become of Capone?

Capone is forlorn. How can he be trusted and loved? . . . He is
whom he gave without reserve. . . He who has believed and acted on the evidence of
his thoughts, desires and fears, is gone -- gone!

Capone is desolate. One whom he admired. . . One whom he loved
in a way he has no other man. . . One whom he found was his friend for his friend-
ship's sake (we are expected to believe!). . . who sacrificed his life, and
life to warn Capone of the fraud Doc was perpetrating, is gone -- gone!

Capone is grieved. Grieved because he has for months believed
the story of "Buth" and the judge, and the promise of freedom now shattered
and gone!

Capone is resentful. Resentful because his inspiring, idealistic and
will has blinded him to the violations he has committed, and prepared him for
Alcatraz.

Capone is determined! Determined that if no other arrangement
his being sent to Alcatraz Island -- the Devils Island of the United States --
he will force his way to freedom, in time! He is powerful. . . a king
who commands an army and the army obeys! Descent by air. . . descent by water!
It will be a signal for a simultaneous mutiny within the walls! Better to
try than wish he had. . .

The years stretch ahead. . . each day a year of yearning.
The Supreme Court's decision threatens to be discouraging. . . they, too, will
turn thumbs down when asked to decide if his confinement is illegal. For it
is not! It means, then, he must serve his time. He can hope for no legal
release before January 19, 1939!

The chances, 99 against 1, are that he shall lose Good time.
He cannot, with his arrogant attitude, his aggressiveness and uncontrollable
Latin temper, serve that time among the nation's most desperate criminals
without brawls and a murder or two.

Participation in a wholesale attempt to escape, if unsuccessful,
and he should live, would mean release May 3, 1942!

To Capone that is Eternity!

Above all, Capone is still Capone. There is no other like him. There never was another like him. There can never be another like him! He is unique. . . distinct. . . as conspicuous in the public's eye as the sun in a clear sky. And so long as Capone lives the original Public Enemy No. 1 -- the Emperor of the South -- shall live! The man whose power was gained by trusting beneath his machine gun the corpses of friends and foes. . . the man who was so shall always be -- in Gangland!

One would think Capone knew the agony of true grief for his crimes. Yes, he does. After all, he is human. . . as human as you or I. His one object fear is the kidnapping of his son. He not only dreads it, but he will, expect it! It shall come to pass, he knows! His kingdom. . . his rule. . . his life itself, he would, would he forfeit and would be a slave to the man who would kidnap his son, providing they return him safely!

And so he indulges to express Capone's nervous habit of overreacting to the slightest suggestion of his son is broached. He idolizes his son. . . worships him. . . as a part of his life. . . as the homage of all the world would be his! His one prayer -- for he prays -- is for the safety of his son!

Is it not a pity that this man, Capone, continues to prove to himself a lucky charm? Is it not amazing that he forges ahead and onward to new fields of conquest? And it cannot be contradicted that he has successfully and comfortably maintained actual wardenship of the Atlanta Federal Penitentiary, since his incarceration there!

What shall the end be?

There are two ends for Capone. If he is not killed he will crucify himself! Yes, crucify himself.

We shall now attempt to establish our well-founded predictions.

It is the evening of August 15th. Capone is on stockade. He walks and talks with Joe McCann, a powerfully built Irishman -- one of his favorite bodyguards. McCann, like Doc, has a personal racket which he plays on Capone. Al believes that the woman in town (McCann's sister) is what McCann represents her to be -- his wife. McCann's wife deserted him years ago.

The past ten years of his life have been spent in jails and penitentiaries. All petty missing raps. The "wife" acts as banker in connection with Capone's pay-offs. That is, she is at all times in possession of not less than \$5000.00. Each month \$2000.00 of it she turns over to a guard -- for delivery within the walls of the penitentiary. . . "In case of emergency" she retains the remaining \$3000.00. What that "emergency" might be we cannot guess.

McCann, trusted implicitly by Capone, induces Capone to consent to paying \$1000.00 to an "attorney" to re-open his (McCann's) case. The \$1000.00 is presented to McCann's "wife". Capone, be it understood, will not give unless he receives something in return. He pays McCann \$2000.00 a month. That's a bedguard's salary. Naturally, if McCann asked for \$4000.00 outright, he would be refused. He must lie to get it. And lie to get \$4000.00 more when the "attorney" informs the "wife" that it will cost that much to bring the prosecuting attorney over to McCann's side!

And this is not an unusual illustration of how Capone is fleeced -- by his supposed friends! But fleeced he is, no matter which way he turns.

"Didja ever hear from Doc, Al?" McCann inquires.

"That rat'll never write me. He's buried himself. Had John go to New Orleans and get some private dicks on his trail. He gave them the slip. The house told me before he left he was going to St. Louis. Didn't even take the ten bucks they give each con when he leaves. Didn't need it, no doubt!"

"You know, don't you, Al, he's the one caused that investigation of Dr. Seale?"

Capone nods.

"Just what did he get you for, Al? I heard plenty rumors, of course, but how much?"

"Thirty-five grand," Capone replies indifferently.

McCann whistles. "That a fact!" he gasps.

"The rat. He can't get by with it. I don't mind the money, Joe. I got it! But I was thinking he was on the level. On the up and up, you know. And he lets me down like this! Squels his rotten head off to

the warden and a D. J. the day you got out. That's what came of it!

"Well, this is a small world after all. I see how it is. You see you guys were following me in and Nelson told me to stop. But I told him if he pointed that club at me again I'd take it out of him. Remember that! Tryin' to get a bar on his shoulder. . . . Nelson's captain! He'll get a bar, I told him --- over his head! . . . Nelson's captain!

"But I'm getting off my point. He told me after that he was glad he was getting transferred to Alcatraz. . . . Nelson's Captain Head's flunkey. He went, too.

"Well, Wronk gives him the contact: 'Doc, we'll make it for you out there, Nelson. Better watch your step!' And Nelson says, 'No, yeah? Well, he don't love you too much, either.' . . . Nelson says the bigger the space that separates him from the bar, the better he'll like it. . . . that the world ain't big enough for us! See?"

"Now, Joe, here's my laugh. That guy in the Prison Office tells me I'm going to Alcatraz. He's got friends in the Attorney General's Office. That's how he knows. And Nelson'll be at Alcatraz. Now Nelson'll find out, Joe, the world ain't so big after all. JUST LIKE YOU! GET OUT! See?"

"I get you, Al. You mean - - ?"

"I mean one thing! Doc nor no one else can get by with anything like that on me. Me falling for a confidence game! Boy, when I think of it I can go wild!! What do those cons think of me when they hear these things? Laugh behind my back, of course. I don't blame them. Any clown who'd fall for a gag like that ought to be laughed at. But if it's the last thing I do, Doc'll pay! I'll torture him until he can't beg for mercy! The rat!"

So Capone, you see, bragging and boasting, is paving his way to doom!

Revenge. . . It's in the heart of every criminal. In the mind of every prisoner! Some seek and find it. Others forget, and to forget is easy after one has been released from confinement.

During the past two weeks Capone has been unusually quiet. Occasionally some inmates would step close to him on the yard or in the Shoe Shop, whisper something mysterious, and then go on. Plans. Schemes. We know not what is coming! Yet, something is brewing. . . Something dreadful! Something that makes us fearful. Apprehensive. The most dangerous inmates are constantly together when permitted on stockade in the evenings. The force of stockade guards has been increased. Capone's bodyguards have increased the score. They never permit him out of their sight.

As we enter there, we look we see groups whispering. The vulgar, obscene and denunciations are uttered as a guard approaches and disperses the group. They, too, we recognize, are prepared for some unexpected development.

Yesterday. The day before. And again today -- shakedown! Everything searched. Not so thoroughly as the orders directed. After all, we know, the guards are human. And one cannot quite decently expose an inmate from whom he receives gratification.

But the officials are dissatisfied. They know, through their stoolies and pigeons, that there are sufficient guns and ammunition concealed by the inmates to furnish an arsenal! They know it continues to come in. . . and are helpless to prevent it! To find it! That is it --- to find it and confiscate it before too late.

August 15th. Nothing stirring.

August 16th. The weirdness increases, but the day is uneventful.

August 17th. We are forcing the noon meal in the Dining Hall. For some strange reason we find it unpalatable. Just can't swallow a thing! The indefinable silence hanging over the heads of the men make it hardly possible for us to keep still, so anxious are we for the bell to dismiss us.

Then, so loud that it is deafening. . . so raucous that it makes us tremble. . . so frightening that it leaves us white and pale, we are apprised, in surprised whispers and shouts, that the transfer from the Lewisburg Penitentiary has arrived!

We hear them cursing, swearing, fighting! They hurl invectives and obscene, unprintable vituperations at the guards, the institution and the government. They use their free hands to remove the bloody prison shoes from

their feet and hurl them at the walls, chairs and windows. They are rebellious. Boisterous. Mutinous.

To prevent our joining in the demonstration the doors to the Dining Hall are quickly closed. The noise continues to reach us. We seem to catch the evil influence created by the uncontrollable newcomers, but are not permitted to leave the Dining Hall until everyone of them is placed in the Isolation Building. Reaching there they continue voicing their displeasure at being transferred and on the way to Alcatraz!

The day is fraught with omens of ill portent.

Rumors circulate freely. They generally presage serious forebodings. They do, in this instance, verify our suspicions. A break is imminent!

A concerted attack on the East Gate!

When? When?

Tomorrow...Tomorrow at evening stockade! Everything's ripe now. When the guard blows the police whistle it shall be the incentive for every man's dash to his door or freedom!

and we hear: 5:30 P. M. tomorrow, on stockade! On stockade tomorrow evening. 5:30! Tomorrow! Yeah, 5:30! Huh? Yeah. . . I'll be under the Parole Tree. . . No, Hell. I'm not going! You are? Who's leading it? He is! Where can I get a gat (gun)? Sure, I'm in on anything, Brother! What the Hell, we all get punished so we just as well have the fun. Yeah, that's right --- dance and pay the piper! You said it, they sure will dance when them machine gun pellets bounce around their feet! Them Tommys can talk, too! I'll say! I aint coming out, Buddy. Not me! Umpum! Da Hell wit' Capone. He aint never gob me nuttin'. Why should I lose my Good Time for him? You'll probably find him packed like a sardine in da middle of da crowd when dey get goin'. He aint gonna be up front, I can betcha dat!

The noise and racket of the telephones continues throughout the day. They learn of the proposed attempt to "break". Pop! Pop!

Quiet. . . . Peace! So unlike the minds and nerves of those on the verge of freedom or death. Radios are listened to without the usual enthusiasm. Baseball, poker, dice. . . . These games are forsaken tonight. For tomorrow. . . . Tomorrow!

Ten o'clock. Lights out! There are no cat-calls. No harassment for the guards. No badmouthing talk and cursing of fellow prisoners - the customary evening prayers of some. Not even once is heard the most repeated phrase: "Well, that's another day!"

Midnight. Change of guards. Many men are still awake. Choking cigarettes. Pipes. No words are spoken. The guards count. The count is 0. . . . The lights are extinguished.

Two A. M. Most prisoners have fallen asleep. To the majority sleep is far away. Impossible. Can't, that's all! Just can't sleep. Twist. Turn. Roll. Get up. Lay down. Shake. Hit on the edge of the bunk. Can't sleep. . . . for tomorrow! . . . Tomorrow. . . .

Three A. M. Peace. Quiet. Occasional snores in the distance. What's this -- footsteps? Stopping in front of Capone's cell! Barely hear the rangeman slide the lever back. . . . Two, three, five men in uniforms! Guards? Uh-uh! Got a flashlight playing it on Capone! Yeah, he's gettin' up! The guards are packing guns. Look! Sub-machine! Capone's gettin' dressed. My God! they put irons on 'im! Takin' 'im out now!

Look! Two in front, three behind. What the hell - - -!

"Kidnapped?" a cell-mate asks.

We don't know. Inmates could have smuggled uniforms from the Tailor Shop. Maybe there's going to be an execution in the yard. . . . stand him against the wall and mop him down! We wonder. . . .

Then our wonder becomes curiosity. For over the grapevine comes the message that Colson's been yanked out of bed, dressed and bracelets put on him! Who? Yeah! Him too! We gasp as other names are relayed to us. We can't believe it! They're taking them out one by one. . . . Operating secretly and in the dark. . . . One can't even hear the shuffling feet. . . .

Follow? How we wish we could follow! Follow them to wherever they are going at this hour of the morning. . . This dark, dreary hour before dawn! Dawn. . . The dawn of Capone's new home --- Alcatraz!

There goes the engine's highball! Blow, Old Boy, blow! We'll be riding you again some day. . . But not as forlorn as the guest aboard who trembles at your signal. . . Who buries his shattered hopes beneath a smiling face.

And Capone is gone!

Gone, with forty-two other desperate --- but not pampered --- convicts, to Devil's Island. . . the connection-proof prison in San Francisco Bay. But Atlanta Penitentiary is supposed to be "connection-proof", is it not?

And what of it?

And Capone, we know, dreading Alcatraz as he does, knows as well as you and I now know, that he'll get his chicken, cheese, steaks, pier and other contraband. He knows he'll have the same protection as he had in Atlanta!

Only. . . only he is afraid! Afraid, that's all!

For the hand of Lady Luck is tired of holdin' him. Fate, sinister and cruel, shall take him from her as one would candy from a child. Then discard him to an end parallel to the finis he had written to the lives of others. For three months he --- as well as other inmates there --- are to be deprived of all contact with the outside world. Not a letter may be sent; not a letter received! Not a visit! Complete and severe isolation from the outside world, except for the contact with the guards.

Has Capone's three months denial of all the things he wanted --- and notwithstanding the rules and regulations in the Atlanta Penitentiary, GOTTEN -- been as genuine as the public and officials believe? We'll never know unless and until someone is released from this Island of the Damned.

FEDERAL BUREAU OF INVESTIGATION
FROM: DIVISION #1 & DIVISION #2

1936.

TO: Director
 Mr. Nathan
 Mr. Tolson
 Mr. Edwards
 Mr. Quinn
 Mr. Tamm
 Division Three

Files Section Identification Division
 Personnel Files Statistical Section
 Mechanical Section Technical Laboratory
 Chief Clerk's Office

SUPERVISORS

Mr. Chambers Mr. Rosen
 Mr. Emrich Mr. Smith
 Mr. Foxworth Mr. Soucy
 Mr. Hood Mr. Spear
 Mr. Johnson Mr. Vincent
 Mr. Lindquist Mr. Weeks

Letter work for Butler
Mr. Rosen
Mr. Vincent
Mr. Weeks

Typists, Room #24
 Miss McCarthy
 _____ Room
 correct
 Re-write
 Re-date
 See me
 Send file
 Please return

Handwritten initials/signature

Do this up to date

Emrich
Supervisor.

FEDERAL BUREAU OF INVESTIGATION
FROM DIVISION #1 & DIVISION #2.

1936.

TO

<input type="checkbox"/> Director	<input checked="" type="checkbox"/> Files Section
<input type="checkbox"/> Mr. Nathan	<input type="checkbox"/> Mechanical Section
<input type="checkbox"/> Mr. Tolson	<input type="checkbox"/> Chief Clerk's Office
<input type="checkbox"/> Mr. Tamm	<input type="checkbox"/> Identification Division
<input type="checkbox"/> Mr. Quinn	<input type="checkbox"/> Statistical Section
<input type="checkbox"/> Mr. Edwards	<input type="checkbox"/> Technical Laboratory
	<input type="checkbox"/> Division Three

SUPERVISORS

<input type="checkbox"/> Mr. Chambers	<input type="checkbox"/> Mr. McIntire
<input type="checkbox"/> Mr. Emrich	<input type="checkbox"/> Mr. Smith
<input type="checkbox"/> Mr. Fletcher	<input type="checkbox"/> Mr. Soucy
<input type="checkbox"/> Mr. Foxworth	<input type="checkbox"/> Mr. Spear
<input type="checkbox"/> Mr. Hood	<input type="checkbox"/> Mr. Vincent
<input type="checkbox"/> Mr. Johnson	<input type="checkbox"/> Mr. Weeks
<input type="checkbox"/> Mr. Lindquist	
* * *	
<input type="checkbox"/> Mrs. Fisher	<input type="checkbox"/> Re-write
<input type="checkbox"/> Typists, Room 4250	<input type="checkbox"/> Re-date
<input type="checkbox"/> Stenographers, Room	<input type="checkbox"/> Send file
<input type="checkbox"/> M _____ Room	<input type="checkbox"/> Note and return
<input type="checkbox"/> Correct	<input type="checkbox"/> Search, serialize and return.

*Send proper file on this -
what in office of origin*

E. F. EMRICH
SUPERVISOR

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

June 1, 1936.

WGB:MM
62-28933

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Boardman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Foxworth	.....
Mr. Glavin	.....
Mr. Harbo	.....
Mr. Joseph	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Schilder	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

MEMORANDUM FOR MR. EDWARDS.

Re: Alphonse Capone, with aliases, et al;
Conspiracy to receive and send contra-
band out of the United States Pen-
itentiary, Atlanta, Georgia.

Reference is made to the Director's Memorandum dated May 27, 1936 transmitting photostatic copies of two hundred and forty-four pages of the typewritten "Biography of Al Capone's Life in Atlanta Penitentiary", together with a photostatic copy of a typewritten letter addressed to Real Detective Story Magazine, dated April 29, 1935, and signed "F. Barrett"; a photostatic copy of a typewritten letter addressed to Mr. R. W. Mickam, dated May 10, 1935, and signed "F. Barrett"; and numerous photostatic copies of newspaper clippings regarding Al Capone; prisoners' photographs, and prison records of the United States Penitentiary at Atlanta, Georgia.

As requested the typewriting appearing on the photostatic copies of the "Biography of Al Capone's Life in Atlanta Penitentiary" was compared with the typewriting on the photostatic copies of the letters from F. Barrett to Real Detective Story Magazine and Mr. R. W. Mickam and the examiner finds that these three specimens were written on the same typewriter which is a Royal equipped with Elite type. The typewriting on none of the other specimens submitted is similar to the typewriting in the Biography or on the letters signed "F. Barrett".

The specimens submitted will be retained in the Laboratory's file for use in any subsequent examinations which may be desired.

Respectfully,

E. P. Coffey
E. P. Coffey

J. A. / 8

RECORDED
&
INDEXED

JUN 25 1936

62-39128-38

JUN 16 1936 P.M.

EDWARDS
E. P. COFFEY
JUN 16 1936
FILE

RECORDED
&
INDEXED

EFE:AF

62-39128 - 38

June 13, 1936

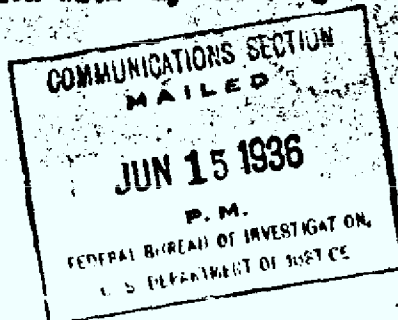
Special Agent in Charge,
Washington, D. C.

Re: ALPHONSE CAPONE, with aliases, et al.,
Conspiracy to Receive and Send Contraband
Out of the U. S. Penitentiary,
Atlanta, Georgia.

Dear Sir:

Reference is made to your letter dated May 6, 1936, in which you advise that all logical leads in instant case have been exhausted, and request the Bureau's authority to consider the matter closed. You are advised that a thorough review has been instituted in the files of the Bureau, and it is requested that the following investigative action be taken by your office before the matter of closing instant case will be taken into consideration.

It appears that Frank J. Guinan, the party who is suspected as being the author of the manuscript entitled "Biography of Al Capone's Life in Atlanta Penitentiary", by reason of his address at Baltimore, Maryland, together with his duties while incarcerated at Atlanta Penitentiary, and the identification which has previously been made by the Bureau's Technical Laboratory in connection with his handwriting, received his parole from Atlanta Penitentiary during the month of July, 1934, and was thereafter employed in the printing and stationery establishment of his brother, Raymond Guinan, at 217 West Franklin Street, Baltimore, Maryland, until March, 1935. Inasmuch as the Technical Laboratory of the Bureau has examined the typewriting specimens appearing in the photostatic copies of the typewritten pages of this manuscript, as well as the typewritten letters addressed to Mr. Mickan of the Real Detective Story Magazine, dated April 29, 1935, and May 10, 1935, and has identified all of these specimens as having been written on the same typewriter, which is a Royal, equipped with Elite type, the Bureau desires that at this time appropriate investigation be conducted at the printing and stationery establishment of Raymond Guinan, for the purpose of obtaining typewriting specimens from any Royal typewriters which he may have on the premises. The Bureau deems it advisable, further, to have Raymond Guinan thoroughly questioned in connection with any knowledge he may have of this matter.



Very truly yours,

John Edgar Hoover,
Director.

OFFICE OF DIRECTOR
 FEDERAL BUREAU OF INVESTIGATION
 U. S. DEPARTMENT OF JUSTICE

- Nathan
- Tolson
- Mr. Baughman
- Chief Clerk
- Mr. Clegg
- Mr. Coffey
- Mr. Edwards
- Mr. Egan
- Mr. Foxworth
- Mr. Harbo
- Mr. Joseph
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Schilder
- Mr. Tamm
- Mr. Tracy
- Miss Gandy
- Mr. Kleinlauf

H
 Record of Telephone Call of Visitor.

WPA
 June 20, 1936.

Time 4:25 P. M.

Name Representative of United Press tele

Referred to

Details:

Stated he had been unable to locate Col. Gates and he wished to verify a report from the West Coast that a request by Al Capone for parole had been denied. Was informed that any statement from the Bureau would have to come from the Director who was now out of the city.

Caller inquired if the Bureau was the proper place to seek this information. Writer merely suggested he might wish to communicate with the Bureau of prisons.

A.S.

RECORDED
 &
 INDEXED

62-39128-39

JUN 23 1936

JUN 25 1936

TOLSON

RECORDED

H

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Record of Telephone Call of Visitor.

June 20, 1936.

Time 3:39 P. M.

Name Mr. Glynn of the Trans-Radio
Service tele

Referred to

Details:

Requested that a comment be made on the information that he received that Al Capone was refused a petition for parole. Was advised that the Director is out of the city at the present time and that any comment would have to emanate from Mr. Hoover. Mr. Glynn asked if the writer knew Mr. Hoover's whereabouts. Was advised that the writer had not been advised of the Director's whereabouts. rhb

- Mr. Nathan
- Mr. Rosen
- Mr. Baughman
- Chief Clerk
- Mr. Clegg
- Mr. Coffey
- Mr. Edwards
- Mr. Egan
- Mr. Foxworth
- Mr. Harbo
- Mr. Joseph
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Schilder
- Mr. Tamm
- Mr. Tracy
- Miss Gandy
- Mr. Kleinhaus

RECORDED
&
INDEXED

JUN 25 1936

62-39128-40

JUN 28 1936

U. S. DEPARTMENT OF JUSTICE
ROLESKY
TAMM

DE-INDF
DATE:
34

ANONYMOUS SOURCE
IF ENVELOPE ATTACHED

Watson
May.

Dear Chief:

62-39128-36

MAY 20 1936

MAY 19 1936

Seven members of
the Al Capone gang syndicate,
with three Swedish
sailors, who have
two other hired stations are

disturbing Japanese settlers
late at night on phones ring-
ing and threatening their
lives around Watsonville.
I wish this would not lead
into any complications in
Tokyo, Japan. The gang is
trying to cause trouble with
Ital settlers in order some wa-
have Al Capone released &
Alcaresz prison. This gang
calls long distance with

FILE

TWO

aid of at least two dial phon
in some hotel or rooming house
in the Middle West, probably
Missouri, or Indiana, and
could be trailed in some telephone
exchange. They have a family
in Des Plaines, Ill., who have
been forced to help them phone
by connections. They have caused
considerable trouble ringing up
private people from San Francisco
to Monterey, including such
county seats as San Jose and
Santa Cruz. They have used extr
ely indecent and improper language
on phones. They are guilty of abduc
ting the Swedish alien sailors
and one Italian.

Yours truly,
Interested Citizens.



Special
Delivery

Chief of Investigation Edgar
Bureau of Investigation
Department of Justice
Washington

May 27, 1936

KFE:DT
62-39128-37

MEMORANDUM FOR MR. EDWARDS

RECORDED

Re: ALPHONSE CAPONE, with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

I am transmitting herewith a photostatic copy of the typewritten manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", which was delivered to Mr. R. V. Mickam, editor of Real Detective Magazine, New York City, New York, for publication by one F. Barrett of Baltimore, Maryland, whose identity the Bureau is at the present time attempting to establish. There is likewise being transmitted a photostatic copy of two typewritten letters which were also addressed to Mr. Mickam by the party F. Barrett.

It is desired that the Technical Laboratory examine these specimens for the purpose of ascertaining the make of the typewriter used in typing both the manuscript and the letters referred to, and likewise determining whether the typewriting specimens appearing in the manuscript are identical with those in instant letters. This matter should receive your prompt attention.

Very truly yours,

John Edgar Hoover,
Director.

- Mr. Nathan
- Mr. Tolson
- Mr. Baughman
- Chief Clerk
- Mr. Clegg
- Mr. Coffey
- Mr. Edwards Enclosure #1141291
- Mr. Egan
- Mr. Foxworth
- Mr. Harbo
- Mr. Joseph
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Schilder
- Mr. Tamm
- Mr. Tracy
- Miss Gandy

COMMUNICATIONS SECTION
MAILED
MAY 27 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

Bohannon
CF

Federal Bureau of Investigation

E.M.

U. S. Department of Justice
Washington Field Office, Room 5252,
Washington, D. C.

May 20, 1936.

Director,
Federal Bureau of Investigation,
Washington, D. C.

RE: ALPHONSE CAPONE with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U.S. PENITENTIARY, ATLANTA, GA.

Dear Sir:

In compliance with the oral request of Mr. E.F. Emrich of the Bureau, there are attached hereto two copies each of letters dated April 29 and May 10, 1935, respectively, signed by F. Barrett.

Very truly yours,

J. M. Keith

J. M. KEITH,
Special Agent in Charge.

EKT:MBL
ENC. W

62-2696

E.M.

behind file
ENCL. BEHIND FILE

RECORDED
&
INDEXED

MAY 28 1936

Edmond
5-27-36
F F E

62-39128-37
FEDERAL BUREAU OF INVESTIGATION
MAY 21 1936 A. M.
U. S. DEPARTMENT OF JUSTICE

TAMM
TWOYS

AM

Baltimore, Md.
April 29, 1935.

Real Detective Story Magazine,
444 Madison Avenue,
New York City.

Attention: Secretary to
Mr. R. W. Mickam, Editor.

Dear Sirs:

Friday noon, April 26th, 1935, I called on Mr. Mickam with a manuscript entitled "Biography of Al Capone's Life in the Atlanta Penitentiary", and being advised Mr. Mickam was out of the city, and you were not expected back before an hour, I took the liberty to place the manuscript and records and photographs, etc. with the young lady with whom I conversed regarding the possibility of the story's acceptance by Real Detective Story Magazine. At that time I informed her it was compulsory I return to Baltimore before the following day, in order that I may make my parole report in person, and for that reason could not remain, since I was depending chiefly on free transportation home.

In order that you may better comprehend the story I give you a brief outline of its origin. While incarcerated in Atlanta I was secretary to the Record Clerk. In such position I had access to all correspondence and records, and was cognizant of every incident that occurred within the walls, not alone concerning Capone, but confidential matters between the prison and the Department of Justice in Washington. Recognizing my position Capone bid for and obtained my services as his prison secretary, even purchasing and giving to me a typewriter to use in the evenings with which to do his correspondence. Naturally, I was aware of every thought and desire that was born within him. My services, of course, were to be rewarded, but John, his brother, disagreed with Al concerning the lump sum I was to receive at the time I was paroled, and as a consequence I have been the loser.

The story is absolutely authentic. There is no fabrication whatsoever. Insignificant incidents, of course, have been omitted. Otherwise it gives in detail his daily life, his aspirations and so on. No significant occurrence has been overlooked, since I made it my duty to code all incidents and "kite" them out to a place where I could obtain them upon my release, knowing as I did that John would not consent to Al's wishes so far as remuneration was concerned.

Any question you desire answered I shall be glad to answer. Of course, I am still on parole and as a parolee forbidden to write of the institution, its inmates or officials. To wait until my parole expires may be too late to be of interest to the public since Al is due to go before the Parole Board in September. The article by Hearst (Tarleton Collier) left with you is a paid article and a gross fabrication, which the manuscript proves false. The desire to sell this information arises from the fact that employment is out of the question. If it is worth anything to you - I shall be glad to discuss it either personally or by mail.

Very truly yours,

Barrett

323 N. Fulton Avenue

Baltimore, Md.

May 10, 1935

Barrett

Mr. P. W. Mickam,
Editor, REAL DETECTIVE STORY MAGAZINE,
444 Madison Avenue,
New York City.

Dear Mr. Mickam:

I trust you have had an opportunity to read the manuscript concerning which I telephoned you yesterday, and also, to examine the records, photographs and other 'paraphernalia' accompanying it. I am quite anxious to dispose of this biography, and taking into consideration the fact that Capone is now preparing his application for parole, I do not think a better opportunity - so far as public interest is concerned - will arise. It was necessary I telephone in order that I might make arrangements regarding an appointment in New York, which appointment, of course, is for the discussion of the sale of the story. I have every confidence in your magazine, and sincerely believe - and have been definitely informed - that it would be to the financial advantage of any publisher to run the story as it is. This, of course, is entirely up to the purchaser. He may alter or revise it as he sees fit, excepting, of course, falsifying facts. Such revision of facts would naturally tend to cheapen the authenticity of the biography, and it now is absolutely and entirely true.

So in conclusion I would suggest you inform me as early as you conveniently can just what your opinion is---whether you can or cannot use the material. The question of its being obtained should be a concern of mine, and being a parolee and not desirous of inflicting unnecessary punishment on myself, I do not fear the consequence of its publication since there is no proof as to how it was conveyed from the institution at Atlanta.

Please be kind enough to write me the early part of the week, for which consideration I thank you.

Very truly yours,

F. Barrett.

323 N. Fulton Avenue.

