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FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 9 OF 11

BUFILE NUMBERS:

69-180

62-20619

SUBJECT Capone, Alphonse

FILE NUMBER 69-180

SECTION NUMBER 3

SERIALS 12-14

TOTAL PAGES 244

PAGES RELEASED 224

PAGES WITHHELD 20

EXEMPTION(S) USED b7c, b7D

RECEIVED



DEC 11 1931

December 11, 1931.

TFB:OON
69-180-92

RECORDED

DEC 25 1931

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNG

Reference is made to a memorandum which I directed to you under date of December 4, 1931, transmitting a copy of a telegram received from the Special Agent in Charge of the Chicago, Illinois, office of the Bureau of Investigation relative to alleged irregular activities on the part of Alphonse Capone while in the custody of a United States Marshal at Chicago.

With further reference to this matter, I am attaching for your information a copy of a letter dated December 7, 1931, received from the Special Agent in Charge at Chicago concerning this matter.

Very truly yours,

Director.

Encl. 704350.



TFB
[Handwritten signature]

DEC 11 1931
P.M.
DEPT. OF JUSTICE

RECEIVED

U. S. Department of Justice
Bureau of Investigation

P.O. Box 1405,
Chicago, Illinois



DEC 9 1931 AM

AIR MAIL

December 7, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

69-180

Dear Sir:

Confirming my telegram of December 3, 1931, regarding alleged undue liberties being granted to Alphonso Capone, please be advised that on December 3, 1931, U.S. District Judge James H. Wilkerson handed me the original of the following telegram, with the request that I give same appropriate attention:

"WISH TO INFORM YOU THAT AL CAPONE IS USING THE COUNTY JAIL FOR HIS LUNCHEON BUSINESS AND TRANSACTS FROM THERE POSSIBLY AS MUCH IF NOT MORE THAN HE USED TO AT HIS OLD HEADQUARTERS AT THE LEXINGTON HOTEL HIS VISITORS SEEM TO BE COMING ALL DAY LONG AS WELL AS IN THE EVENING I AM EMPLOYED AT THIS BRANCH OF SERVICE AND CAN NOT UNDERSTAND WHY EVERY PRIVILEGE IS EXTENDED TO HIM AND NONE TO THE OTHERS PLEASE INVESTIGATE

▲

At the time of the discussion with Judge Wilkerson the question was raised as to whether the allegations even if true would constitute a violation or a contempt of court, inasmuch as Al Capone is not serving the sentence recently imposed upon him, but on the contrary has been remanded to the custody of the U.S. Marshal, pending the disposition of the case by the Circuit Court of Appeals.

Pursuant to Bureau instructions, I today conferred with U.S. Attorney George E.Q. Johnson, regarding this matter, at which time he informed me that on December 2, 1931, he likewise received a telegram concerning alleged undue liberties being granted to Capone. The wording of the telegram received by Mr. Johnson is identical with that received by Judge Wilkerson.

Alphonso Capone's communication

69-180-92
BUREAU OF INVESTIGATION
DEC 2 1931
U.S. DEPARTMENT OF JUSTICE
NATHAN
2/5/32

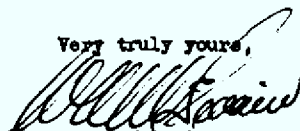
12-11-31

Mr. Johnson is having one of his assistants render an opinion as to whether the allegations even if true would constitute contempt of court or any Federal violation. Pending this decision by the U.S. Attorney's office I am taking no action. In the event that the District Attorney's office is of the opinion that by reason of subject Capone being remanded to the Marshal rather than committed to jail, there is no Federal violation or contempt of court involved, it would appear that the matter in question is more or less an administrative one to be adjusted by the U.S. Marshal. Naturally I shall take no part in any administrative measure, and assume that such action if desirable will be amicably adjusted by the U.S. Attorney and the U.S. Marshal, or by the Department itself.

I have caused inquiry to be made with a view to determining the source of the telegram in question, and am informed by the Western Union Telegraph Company that the message in question was delivered to the Western Union Office at 1512 West Madison Street, Chicago, Illinois, on December 2, 1931. The original message was typed on a Postal Telegraph blank, and bore no name or return address. Miss A. Kulatta, the employee who accepted this telegram, will not return to duty until tomorrow afternoon, at which time the manager of the Western Union Company will interview her with a view to determining whether she remembers the party who delivered the message in question to the branch office, or can give any information regarding the identity of this party.

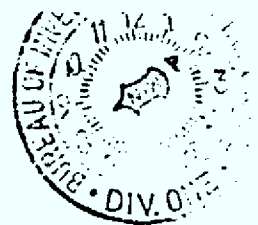
Upon being advised of the opinion of the U.S. Attorney's office regarding the matter in question as alluded to above, the Bureau will be advised accordingly. At any rate I shall undertake no investigative activity in connection with this case until the Bureau has been fully informed thereof.

Very truly yours,



W. A. McSwain,
Special Agent in Charge.

WAK/cec



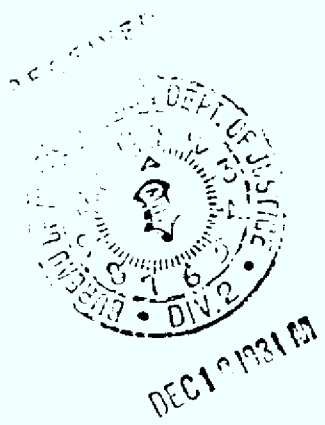
DEC 9 1931 PM

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QAB

CAPONE JURY PLOT IN TRIAL REVEALED

Star 12/8/31
**Judge Wilkerson Swaps Venire
After He Learns Ten Had Been
Approached by Gang.**

By the Associated Press.
CHICAGO, December 8.—An alleged attempt to tamper with justice in the recent income tax trial of Alphonse Capone was revealed last night by Dwight H. Greene, assistant United States district attorney, who said the plan was frustrated by Federal Judge James H. Wilkerson.
Addressing the Air Corps Officers' Association, Greene said that the prosecutors had learned that Capone agents had obtained the names and addresses of 100 veniremen called for Judge Wilkerson's court and had already approached 10 of them.
"At the last moment," he said, "Judge Wilkerson sent his whole venire to Judge Barnes and Judge Barnes sent his to Judge Wilkerson. Thus we got a venire that the Capone agents know nothing about."
The prosecutor added that the pistol brought into court by Capone's friend, Philip d'Andrea, was carried for a definite and serious purpose.
"It was a death threat for a certain witness to make sure his memory would be defective on the stand," he said.
Capone was convicted and sentenced to 11 years. D'Andrea was sentenced to jail for six months for carrying the weapon.



Washington Star 12/8/31

NOT RECORDED
69-180

MMS

JOHN EDGAR HOOVER
DIRECTOR

VWH:DSS

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

December 16, 1931.



DEC 16 1931 PM

MEMORANDUM FOR THE DIRECTOR.

69-180

On the 15th. instant Special Agent in Charge McSwain called on the telephone and advised that a conference was then in progress in the Bureau of Investigation between Assistant United States Attorneys and the Warden of the jail at Chicago relative to the reported privileges granted to Al Capone; that the office of the United States Attorney, after considering the facts in the case had decided that if the allegation proved to be true the same would constitute a Contempt of Court punishable in the Federal Court and that he, Mr. McSwain, anticipated that he would probably receive a request at the conclusion of the conference to conduct an investigation by interviewing the Deputy Wardens and employees about the jail. Agent in Charge McSwain was advised that in the event he did receive such a request from the United States Attorney he would be authorized to proceed with such an investigation.

Very truly yours,

V. W. Hughes
V. W. Hughes.

RECORDED

DEC 17 1931

69-180-94	
BUREAU OF INVESTIGATION	
DEC 17 AM	
DEPARTMENT OF JUSTICE	
Tolson	FILE

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U. S. Department of Justice

Bureau of Investigation

RECEIVED

P. O. Box 1405,
Chicago, Ill.

DEC 10 1931 AM

December 7, 1931.

69-180

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Re: Alphonse Capone;
Kenneth Phillips, M.D.;
Contempt of Court;
Perjury.

Dear Sir:

With reference to the above entitled case, please be advised that the United States Circuit Court of Appeals has rendered no decision on the appeal of Subject Capone from the sentence imposed by United States District Judge James H. Wilkerson on March 2, 1931, at Chicago, Illinois.

Pending the decision of the Circuit Court of Appeals on the appeal of Subject Capone, no action will be taken by the United States Attorney regarding the prosecution of Subject Phillips.

Very truly yours,

W. A. McSwain,
Special Agent in Charge.

WAM:RMB
#69-19



RECEIVED
DEC 10 1931 AM

RECORDED
DEC 10 1931

69-180-93
BUREAU OF INVESTIGATION
DEC 9 1931
RMB
BPP
MAY 1931

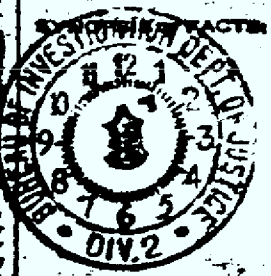
Form No. 1

THIS CASE ORIGINATED AT Chicago, Illinois

FILE NO. 62-80819-31



REPORT MADE AT: <u>Chicago, Illinois</u>	DATE WHEN MADE: <u>Dec 17, 1931</u>	PERIOD FOR WHICH MADE: <u>Dec. 14-17, 1931</u>	REPORT MADE BY: <u>E. A. Mosca</u>
TITLE: <u>DAVID T. MONEYPENNY, Superintendent; GEORGE GIBSON, Assistant Superintendent; COOK COUNTY JAIL</u>			CHARACTER OF CASE: <u>Contempt of Court</u>

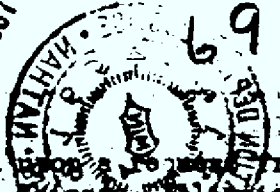


DEC 21 1931

Informants allege undue liberties and special privileges being granted Alphonse Capone, Federal prisoner incarcerated in the Cook County Jail. Interrogation of Subjects, other officials of institution, and prisoners unproductive of evidence to substantiate allegations.

DETAILS: AT CHICAGO, ILLINOIS.

DEC 18 1931



69-180

This investigation is predicated upon a letter from Honorable George E. Q. Johnson, United States Attorney, Chicago, Illinois, and a telegram received by Honorable James H. Wilkerson, United States District Judge, Chicago, Illinois, from an anonymous source, which telegram was handed to Agent by Judge Wilkerson for appropriate attention.

DETAILS:

On December 14, 1931, a conference was had in the office of the United States Attorney, Chicago, Illinois, at which time there were present Mr. Johnson, United States Marshal H. C. W. Laubenheimer, Mr. William Froelich, Special Assistant to the Attorney General, Mr. Dwight Green, Assistant United States Attorney, Mr. Arthur E. Madden, Special Agent in Charge, Intelligence Unit, Treasury Department, and this Agent. Mr. Johnson advised that he had received a telegram from an anonymous source, alleging

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	<u>69-180-95</u>	RECORDED AND INDEXED: <u>DEC 19 1931</u>
COPIES OF THIS REPORT FURNISHED TO: 2 - Bureau 1 - U.S. Atty. Chicago 1 - U.S. District Judge Wilkerson		BUREAU OF INVESTIGATION <u>DEC 19 1931 A.M.</u> DEPARTMENT OF JUSTICE	CHECKED OFF: JACKETED:
COPIES OF THIS REPORT FURNISHED TO: 1 - Chicago (111) <i>[Handwritten notes]</i>		ROUTED TO: NATHAN Div. 7	

that Alphonse Capone, a federal prisoner now incarcerated in the Cook County Jail, is receiving special privileges and undue liberties. This telegram is identical to telegrams received by Judge Wilkerson and Mr. David T. Money Penny, Superintendent of the Cook County Jail. In addition, information has been received by Mr. Madden, as well as Mr. Johnson, from informants concerning special privileges extended to Alphonse Capone. A resume of the information at hand and which was discussed at the above conference is as follows:

"Information has been received from time to time to the effect that Al Capone, since he has been confined in the Cook County Jail, has been receiving many privileges not accorded to ordinary prisoners. In the first place, it is said that he has been assigned to commodious quarters in the jail hospital, and that Philip D'Andrea and Three-Fingered Jack White, who are also incarcerated in the jail, and who occupy quarters removed from Capone, are very frequently permitted to visit Capone in the hospital quarters, and stay with him as long as they see fit.

It is said that Capone is allowed to receive visitors, sometimes in large numbers, at almost any hour of the day or night, regardless of the regularly established rules for visiting. Among those who are said to have visited Capone with greater or less frequency, and often at irregular hours, are Jack Guzik, Mrs. Jack Guzik, Jack Guzik's son, Frank Rio, Paul Villa, Lefty Louie (Little New York), Hymie Levine, Red Barker, Dan Serritella, Harry Hochstein, Miller the bondsman, Alderman Prigano, John Patton, Congressman Grenata, an Italian alderman whose name is not definitely known, another Italian said to be a sanitary district Trustee, Porky Dillon, Murray Humphries, Joe Fusco, George Howlett, Bon-Bon Allegretti, John Torrio, Marion (Al's girl friend), Sam Hars, Rocco DeGrezzia, Ed Strong, and others.

It is said that on Thanksgiving Day, Capone was permitted to have a dinner in the jail, at which time he had twenty or more guests. It is said that the dinner was prepared by a caterer or by some catering company, and was thereafter brought into the jail.

It is stated that on Monday, December 7, 1931, Capone received some twenty or twenty-two Italians and others from Buffalo, New York, and elsewhere in the East.

It is said that Capone has been permitted to keep a supply of whiskey in the jail, which he serves to his guests.

It is alleged that Don-Bon Allegretti on occasions has escorted a number of women to Capone's quarters in the jail and that on at least one occasion, these women put on an obscene performance for the entertainment of Capone's guests.

It is said that Capone's woman, Marion, has been permitted to visit him in his quarters in the jail on numerous occasions.

It is said that Capone has access to a telephone in the jail, and that opportunity has otherwise been afforded to him to conduct his illegal operations while incarcerated in the institution. It is stated that his liquor business has been continued from the jail, largely through Hymie Levine, Jack Guzik, and Frank Rio.

X It is alleged that Red Barker, the Labor racketeer, is a frequent visitor to Capone, and that together they have been planning various illegal Labor activities.

It is stated that since Capone has been in the Cook County Jail, his meals have been prepared and sent in by his regular chef, and that Superintendent Moneyenny has frequently been a guest of Capone at meals which have been thus prepared and sent in.

It is stated that Capone directly or through his representatives had distributed large amounts of money to jail employees, particularly to Superintendent Moneyenny and a man named Gibson, who is said to be one of Moneyenny's assistants.

It is stated that some time within the past two or three weeks, Superintendent Moneyenny, with some other man, had business in Springfield, Illinois, in connection with the case of Frank Bell, who is under sentence of execution on a murder charge. It is stated that Moneyenny and his associate took women with them to Springfield, Illinois, or met women at Springfield, and that Capone or his representatives furnished a substantial quantity of liquor to be used in some form of a celebration in connection with the trip to Springfield. It is recited that there are several

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hospital patients in the jail who sleep in a dormitory adjoining Capone's quarters, and that Capone has been permitted to conduct himself with respect to these prisoners very much as master and servant.

The following telegram, on December 2, 1931, was sent to Federal Judge Wilkerson, United States Attorney Johnson, and Superintendent Money Penny:

"WISH TO INFORM YOU THAT AL CAPONE IS USING THE COUNTY JAIL FOR HIS LIQUOR BUSINESS AND TRANSACTS FROM THERE POSSIBLY AS MUCH IF NOT MORE THAN HE USED TO AT HIS OLD HEADQUARTERS AT THE LEXINGTON HOTEL HIS VISITORS SEEM TO BE COMING ALL DAY LONG AS WELL AS IN THE EVENING I AM EMPLOYED AT THIS BRANCH OF SERVICE AND CAN NOT UNDERSTAND WHY EVERY PRIVILEGE IS EXTENDED TO HIM AND NONE TO THE OTHERS PLEASE INVESTIGATE

(SIGNED) A"

Investigation by this office disclosed that the above message was delivered to the Western Union Telegraph Office at 1512 W. Madison Street at 8:28 P.M., December 2, 1931, by a white man who is described as being 5' 9" tall, 35 years of age, and attired in dark clothes. The messages were typed at the time they were brought in and the individual bringing them in laid them on the counter of the office with \$1.25 and told the Western Union employee, Miss A. Kuleta, to send the messages and keep the change."

Mr. William Froelich, Special Assistant to the Attorney General, at the request of Mr. Johnson, rendered an opinion that the irregularities, if true, would constitute contempt of court, notwithstanding that Capone was not actually committed to the Cook County Jail by the Court, and is not serving a sentence. As a matter of information to the Bureau, it will be stated that Capone has been remanded to the custody of the United States Marshal by the Court, pending an appeal to the Circuit Court of Appeals, and the Marshal in turn has placed Capone in the Cook County Jail for safe keeping.

The advisability of initiating an inquiry in connection with this case was discussed at the conference, and Mr. Johnson was of the opinion that

newspaper publicity would in all probability be attendant to an inquiry of this nature, and thus, in the absence of any information of an evidentiary character, or anything to positively indicate that the allegations were true, he believed a general investigation unwise. Accordingly, he suggested that Superintendent Moneyppenny and the other officials of the institution be openly approached before following the matter further.

Accordingly, Mr. David T. Moneyppenny, Superintendent of the Cook County Jail, was questioned at the Chicago Office of the Bureau on December 15, 1931, by United States Marshal Laubenheimer, Assistant United States Attorney Clawson, Mr. Madden, and Agent. Mr. Moneyppenny stated that Al Capone is confined in the hospital ward, located on the fifth floor of the Cook County Jail; that this hospital can accommodate approximately twelve prisoners, but that the average number of inmates of the hospital since the incarceration of Capone therein has been four; that Capone was placed in the hospital ward rather than in a regular cell block because a man of his character would undoubtedly cause considerable trouble if placed in a cell block with forty or fifty other prisoners. The charges in question were called to Mr. Moneyppenny's attention, at which time he stated that he had no knowledge of any such privileges being granted Capone or any undue liberties being taken by that individual. He recited that visitors are allowed to see Capone on a pass, which is issued either by himself or one of the Assistant Superintendents; that these passes are a matter of record for the past thirty days, but passes issued prior to that time are not available, inasmuch as when they become a month old, they are destroyed. He recited that visitors seeing Al Capone must talk to the latter through the wire mesh, and none other than his attorneys and possibly Capone's mother and sisters are permitted to actually enter the hospital and talk to Capone other than through the wire mesh. He denied that D'Andrea or Three Fingered Jack White were permitted to visit with Capone or that Capone kept whiskey in his cell. Likewise, Mr. Moneyppenny denied any knowledge of any women visiting Capone's quarters other than Capone's mother and sisters. The various allegations previously mentioned were all denied by Mr. Moneyppenny, and he stated that if such conditions were existing, that it was without his knowledge, and certainly without his consent. Mr. Moneyppenny did state that food is sent in twice a day from the outside for Capone, but that this is not an unusual practice, as all prisoners are permitted to receive food from the outside. Mr. Moneyppenny was of the opinion that this food was being sent in by Capone's mother, but was unable to advise authoritatively.

B

Mr. Moneypenny stated that there is a telephone in the hospital quarters but that this is a local phone and no prisoners are permitted to use this telephone for making calls outside of the prison. With regard to the allegations concerning money, Mr. Moneypenny recited that when Capone came to the institution, he had \$500 which was deposited with the Chief Clerk, and no additional deposits have been made by Capone since that time. Mr. Moneypenny was unable to give detailed information regarding the withdrawal of this money, but stated that same is a matter of record and is available. Mr. Moneypenny denied that he had received any money from Capone, or had eaten meals with him in the institution. Mr. Moneypenny offered his cooperation in the investigation, and agreed to have the other Assistant Superintendents and such persons as were deemed necessary, call at the Chicago Office for interview. This procedure of having the officials come to the Chicago Office, rather than be interviewed at the County Jail, was deemed advisable by Assistant United States Attorney Clawson, in order to preclude the possibility of newspaper publicity.

While Mr. Moneypenny was in the Chicago office, Assistant Superintendent George Gibson of the Cook County Jail was called in and questioned. He corroborated the statements of Mr. Moneypenny concerning the reason for placing Capone in the hospital ward, and stated that to his knowledge no such privileges have been extended to Capone or undue liberties granted him. Mr. Gibson related that except on visitors day, which is once a week, all persons visiting Capone must have a pass, which pass is either issued by Mr. Moneypenny, himself, Gibson, or one of the other Assistant Superintendents. Mr. Gibson was confronted with all of the allegations hereinbefore mentioned, and denied any knowledge of same. Upon questioning he admitted that some time ago Superintendent Moneypenny had received certain anonymous communications concerning privileges being granted Capone, and that at Mr. Moneypenny's instance, he made a personal investigation, but found no evidence to substantiate the allegations.

While Mr. Moneypenny and Mr. Gibson were in the Chicago office, arrangements were made to have John O. Baster, an inmate of the hospital ward, brought to the Chicago office for questioning.

John O. Baster, inmate of the Cook County Jail, under sentence of one to fourteen years for forgery, was interviewed, and stated that he has been in the Cook County Jail since March, 1931; that he is designated as the attendant of the hospital ward, and is charged with the duty of cleaning the hospital ward and caring for the sick patients confined therein. He drew

a diagram of the hospital, which is attached hereto and marked Exhibit 1 which shows the bed occupied by Capone. It will be noted from this Exhibit that the hospital consists of one large room capable of holding twelve beds, and one ante-room which contains one bed. Baster stated that Capone sleeps in the large room and that the bed in the ante-room is used by any patient who has a contagious disease. He recited that the door connecting the main room of the hospital and the ante-room is never locked and that all prisoners in the hospital room have absolute access to both of these rooms; that visitors being brought to the hospital room sit on the outside of the wire mesh in the ante-room and the inmates sit on the inside of the wire mesh in the ante-room of the hospital ward. He states that Capone has an average of three or four visitors daily but that these visitors always talk to Capone through the wire mesh and are never permitted to enter the hospital ward itself; that the only visitors to see Capone whom he knows are Capone's mother, sisters, and one brother. He does not know their names, but states that Capone pointed them out as his relatives. Baster states that all of the prisoners eat together on one table in the large room in the hospital, and that Capone, who is a very light eater, sits at this table with them. Baster recited that Capone has two meals sent in each day, one at noon, and one at night; that Capone usually eats these meals in the large room with the other inmates of the hospital and shares his food with them at times. Baster claimed he did not know who prepared this food, but assumed that it was Capone's mother. He also recited that on occasions he has seen Capone's lawyers and Capone's mother inside the wire mesh in the ante-room, but has never seen any other visitors there. He denied that he had ever seen any whiskey in the hospital quarters in the possession of Capone or any of the other inmates, and that likewise, no women had ever visited there and put on an obscene performance. He likewise stated that no women prisoners or other women have been permitted in the hospital to see Capone or anyone else.

Concerning the allegation regarding the Thanksgiving dinner Baster recited that the noon Thanksgiving meal was eaten in the main room of the hospital by all of the prisoners, and that Capone was at this meal with them. According to Baster's recollection, there were present at this meal Capone, Prisoner Novak, Prisoner Keenan, a colored prisoner whose name he does not know, and himself. He stated that Capone had food brought in for the evening meal on Thanksgiving Day, but would not be specific as to whether this meal was eaten by Capone in the ante-room or in the main room with the other prisoners.

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He denied seeing any other prisoners eating Thanksgiving dinner with Capone in the ante-chamber, and scouted the idea. The various other allegations mentioned above were gone into with Baster, but he denied knowledge of any of them, and positively stated that Capone is receiving no privileges or liberties not granted to other prisoners. He stated that the hospital is not commodiously equipped and that the ante-room is not used by Capone exclusively, but is used by all the inmates of the hospital. When questioned concerning the door connecting the ante-room and the main room of the hospital, he stated that this door is usually open, but could not advise as to whether it is possible for same to be locked. He was rather hazy and vague on questions concerning the possibility of Capone locking the door connecting the ante-room and the main room and indulging in liberties in the ante-room. Baster stated that to his knowledge, neither Philip D'Andrea nor Three Fingered Jack White, who are inmates of the Cook County Jail, had ever been permitted to visit Capone in the hospital ward. He states that Capone plays cards with the other prisoners, reads, and does his share of the work; that Capone does not assume the attitude of master over the other prisoners. Baster denied that he had ever received any money from Capone, or was aware that Capone is distributing any money to prisoners or officials of the institution.

Edward C. Nittell, Assistant Superintendent, Cook County Jail, residence 1647 Burling Street, Chicago, Illinois, advises that he works at the institution from 7:45 A.M. to 3:45 P.M. and has been on this shift since the first of October; that one of his duties is to circulate throughout the jail every morning and take requests from the prisoners for special passes; that Capone usually asks for two or three a day and that sometimes these are granted and sometimes not; that he is not acquainted with any of the visitors that come to see Capone other than Capone's mother and sisters and brother; that Capone's mother usually comes once a day and Capone's sisters, three times a week; that he has never seen any other women come to visit Capone, and that the length of the visit of Capone's mother and immediate relatives is usually from ten to forty-five minutes; that while on duty he has never allowed but one individual to see Capone without a pass, and that was Capone's brother. Mr. Nittell states that he was on duty on Thanksgiving Day, and during the noon hour visited the hospital and found Capone and the three other inmates of the hospital having dinner in the large room of the ward; that there were no visitors present, and likewise no whiskey being consumed. He states that he has never eaten with Capone, and to his knowledge, no visitors have ever taken meals with him. With regard

to visitors being allowed in the quarters with Capone, he states that this has never happened to his knowledge, and that all of the visitors with the exception of Capone's mother and lawyers are required to remain on the outside of the hospital ward and talk through the wire mesh. Capone's lawyers and his mother are occasionally permitted to enter the hospital ante-room and talk personally with Capone, but this is done only when an official of the institution or a guard is present. He states that he himself on one occasion has taken Capone's mother up and allowed her to talk to Capone in the ante-room, but that he was present all the while and took her out of the institution upon the conclusion of the visit, which was approximately thirty minutes. He states that the largest number of visitors he has ever seen Capone have at one time were three, the names of whom he does not recall, but whom he believes to have been Italians.

Mr. Nittell generally denied all of the allegations hereinbefore mentioned, and positively stated that to his knowledge no such privileges or undue liberties were being granted to Capone.

Mr. Edward J. McDonald, Assistant Superintendent, Cook County Jail, residence 1904 George Street, Chicago, Illinois, states that he has been at the Cook County Jail for three years, and at the present time is working from 4 P.M. until 12 P.M. He stated that during this period he circulates through the jail and visits the hospital ward; that no visitors are ever allowed at the institution after 4 P.M. and that the lights of the institution are cut off at 9 P.M. With regard to the hospital, he states that the lights are cut off at 10 P.M., but that by reason of the arrangement, it is possible for the inmates of the hospital to cut on the lights after the guard has gone. Mr. McDonald denies that any large number of visitors had ever been to see Capone, and states that to his knowledge the usual average of visitors to see Capone is approximately three or four per day, although he has no positive knowledge concerning this as he does not report to duty until 4 P.M., at which time all visiting hours are over; that on one occasion since Capone has been in the institution, the latter's mother called at the jail after 4 P.M., and not having a pass, the doorman notified him, McDonald; that he made an exception and took Mrs. Capone up to see her son and remained with her there for a few minutes, but that this is the only occasion he has ever permitted any visitor to see Capone after 4 P.M.; that Capone usually has his dinner sent in each evening, and that this is taken up to the hospital by some guard at the institution; that he does not know who prepares these meals or who sends them in, but that this is a usual custom for

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prisoners to have meals brought in from the outside. He denied specifically the various allegations contained herein and stated that to his knowledge no special privileges have ever been granted Capone and no undue liberties taken by that individual. With regard to Red Barker, he stated that this party called at the jail one evening about 7 P.M. but that he refused to permit him to see Capone. McDonald denies that any liquor is allowed in the hospital ward or that any women have been entertained by Capone.

Herman Jordan, Assistant Superintendent, Cook County Jail, residence 6045 Dorchester Avenue, advised that he has been employed by the Cook County Jail for three years; that his hours are from midnight to 8 A.M.; that he is the only Assistant on duty at this time, and is therefore in complete charge of the institution; that he makes the rounds of the institution about every hour and can positively state that during his shift no visitors whatever have ever been allowed to see Capone or anything irregular has occurred in the hospital ward. He states that he frequently goes to the hospital ward during his shift and sees Capone and the other inmates sleep; that Capone sleeps in a bed in the large room of the hospital with the other prisoners, and does not use the ante-room as his exclusive quarters as charged. Mr. Jordan was very positive in his statements that none of the alleged privileges and undue liberties have ever been extended during his shift, namely, from midnight to 8 A.M., or for that matter, during any other time.

Mr. John Dohmann, Relief Assistant Superintendent, Cook County Jail, residence 1463 Rascher Avenue, Chicago, Illinois, was interrogated in the presence of Assistant United States Attorney Clawson, and stated that his hours at the institution vary; that on some days he is on the day shift, while at other times he is on the night shift. He states that he while on duty makes the rounds of the prison and is very familiar with conditions there, and is positive that if any special privileges were being extended to Capone or any undue liberties being exercised by that individual, that he, Dohmann, would be aware of it; that he saw Capone for the first time on December 15, in the morning, at which time while on duty, Assistant Superintendent Gibson handed him a pass and told him to take Capone's mother and sister up to see Capone; that they talked to Capone through the wire mesh, and did not go into the ante-room; that he has never seen any other women there to see Capone other than the above relatives; that he believes the allegation concerning the obscene show is ridiculous, and likewise, he

is positive that Capone has no liquor in the hospital. He states that he has never received any complaint from any of the other prisoners concerning such privileges to Capone, and likewise has never been aware of any unusual conditions existing. He states that he is positive that if such conditions were existing, even though while he were not on duty, that he would receive some information concerning them. Dohmann is of German extraction, and was very frank in his answers and created quite a good impression.

Mr. Joseph Novak, Officer, Cook County Jail, residence 2224 Melrose Avenue, Chicago, Illinois, was interrogated. He advised that he has been an officer of the institution for 2½ years, and works from 7:50 A.M. to 3:50 P.M. According to Novak, while on duty he has charge of the fourth and fifth floors, known as the U and D blocks. This includes the hospital ward, and accordingly, Novak has supervision over this part of the institution. He states that the largest number of inmates that have been in the hospital ward since Capone has been incarcerated therein has been four, and that at the present time the inmates at the hospital are Baster, prisoner Novak, and Capone; that these prisoners all live in the large room of the hospital and eat their meals there together. He likewise stated that Capone has two meals sent in each day, but that he does not know by whom. It is his belief that these meals are eaten by Capone in the large room with the other prisoners and the food at times shared with the other prisoners. He states that he has never permitted any persons to see Capone after visiting hours and has never allowed any person to see Capone even during visiting hours without the regulation pass except on visitors day, when no passes are required. The various allegations mentioned herein were fully discussed with Officer Novak and he denied that any of same are existing at the present time, or have existed while Capone has been incarcerated in the institution. He states that Capone has never given him any money or offered him any, and that he himself has never extended any special privileges to Capone.

William A. Daley, Guard, Cook County Jail, residence 5808 S. Sacramento Avenue, Chicago, Illinois, was interviewed and states that he has been employed as a Guard for about 20 months, and that his hours are from 7:45 A.M. to 3:45 P.M. Daley states that he has charge of the various prisoners who are termed as Trustees, and who perform the various

jobs in the jail; that twice a week he cleans the hospital ward, and that during the rest of the time the attendant, Baster, is charged with the duty of keeping the hospital clean; that it is Baster's duty to care for the sick inmates and do all the work necessary in the hospital ward; that he has never been in the hospital while visitors were there, and has nothing whatever to do with the admission of visitors to the institution; that he has never seen any women in the hospital or visiting Capone, and has no knowledge of any liquor being consumed there. Mr. Daley was questioned at length but could supply no material information regarding the matter in question.

At the Cook County Jail, Mr. H. C. Pfeuffer, Chief Clerk, was interviewed by Special Agent H. E. Hollis with reference to the disbursements made by Alphonse Capone since his incarceration in the Cook County Jail. In the presence of Agent Hollis, Mr. Pfeuffer examined the records, and his records disclosed that under date of October 26, 1931, Mr. Capone deposited with the Chief Clerk the amount of \$500. On November 4, 1931, on order of Capone, \$100 was delivered by the Chief Clerk to a Mrs. Kavicki, and under date of November 24, 1931, \$100 was given to Mr. James Gabries by the Chief Clerk. Under date of December 8, 1931, the amount of \$200 was disbursed to Mr. J. Russell, so that at the present time there is a balance of \$100 in the account of Alphonse Capone. The purposes for which these disbursements were made are not reflected on the records.

Mr. Joseph Keller, Law Clerk at the Cook County Jail, was interviewed by Special Agent H. E. Hollis with reference to the passes issued to visitors calling to see Mr. Capone. Mr. Keller advised Agent Hollis that the method in providing passes is as follows: The Assistant Superintendent of the institution calls on each prisoner daily and requests him to furnish the names of persons who will visit the prisoner during the following day. This list is then sent to the Superintendent's office and the passes made out by a minor administrative official. When the visitors call at the Cook County Jail, it is determined whether a pass has been issued for that particular individual, and if so, he is admitted to see the prisoner. Mr. Keller was requested by Agent Hollis to produce the passes as to the visitors calling to see Mr. Capone since his incarceration in the Cook County Jail. Mr. Keller stated that all of the passes had not been retained, and that the only passes in his possession at the present time are those passes issued since November 23, 1931, the balance having been destroyed. Mr. Keller further stated that there was no definite rule at the institution as to the period of time

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these passes shall be retained. An examination of the passes issued for visitors to see Capone since November 23, 1931, was made, and it appears that seventeen passes were issued. These passes do not reflect the name of the visitor, but carry the designation as either "wife", "mother", "cousin", "brother", or "friend". In some instances, the passes provide for two cousins, other instances, two friends, and likewise, - so that more than one individual was admitted to see Capone on one pass.

These passes reflect the following visitors:

November 23, 1931	1 cousin.
" 24	Wife.
" 27	1 friend.
" 27	Mr. Hockstein.
" 28	2 cousins.
" 30	Mrs. A. Capone.
Dec. 2	2 friends.
" 6	Brother.
" 6	Mrs. A. Capone and friend.
" 7	Wife.
" 8	Brother and one.
" 9	3 cousins.
" 11	Mrs. Capone, Mother and two.
" 12	Wife.
" 14	Brother and sister.
" 15	2 friends.
" 15	Mother and sister.

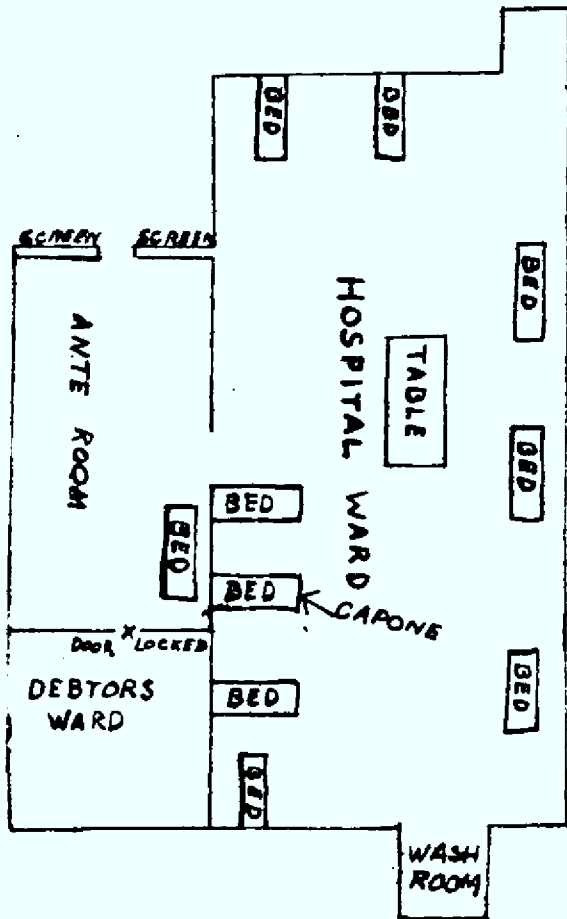
These passes all bear the initials J. K., indicating that Mr. Keller, the law clerk, approved all of same. Mr. Keller informed Agent Hollis that he was unable to make any statement as to the identity of any of the individuals visiting Capone, on the passes in question. He further stated that the passes on which the name of Mrs. Capone or other relatives appeared, he was not positive that the persons visiting Capone were actually the ones named in the passes. The only persons confined in the hospital ward on the fifth floor of the Cook County Jail at the present time are Al Capone, Walter Novak, and John O. Baster.

Mr. Walter Novak, inmate of the hospital ward, upon interview by Special Agent H. E. Hollis, stated that he was presently under a life sentence, and that he would make no statement of any nature to this Agent, and refused to discuss the instant matter in any manner.

Agent Hollis visited the hospital ward and ascertained that the arrangement of same is in accord with the diagram alluded to above and marked as Exhibit A. At the time of this visit on the part of Agent Hollis, he observed nothing in the hospital ward other than the regulation prison equipment consisting of beds, tables, and chairs. The bed occupied by Capone is in the large room of the hospital ward and is no different from the beds used by the other prisoners. In addition, Mr. Hollis states that from his examination, there does not appear to be any luxuries or special accommodations provided for this prisoner other than those enjoyed by all of the inmates of the hospital.

The above facts were discussed with United States Attorney Johnson and likewise there was discussed the advisability of subpoenaing before a Federal Grand Jury the persons mentioned in this report, as well as those individuals who are not inmates of the institution but who are alleged to have visited Capone. Mr. Johnson was of the opinion that an inquiry of this character would naturally result in considerable newspaper publicity, and in view of the facts to date, he did not believe such action warranted, and that further inquiry would be unnecessary at this time. In addition, Mr. Johnson informed Agent that arrangements had been effected with Mr. Money Penny to the effect that henceforth, no persons shall be allowed to visit Alphonse Capone in the Cook County Jail without a pass from the United States Marshal.

U.S. Department of Justice
Bureau of Investigation

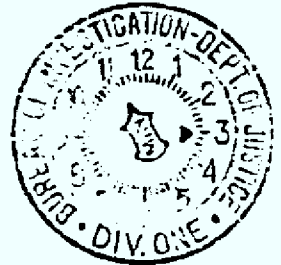


HOSPITAL WARD
5TH FLOOR

Exhibit I
copy of exhibit
to file
see 12-23-31
for assignment

23

U. S. Department of Justice
Bureau of Investigation
P. O. Box 1405
Chicago, Illinois



December 18, 1931

DEC 22 1931 PM

Director
Bureau of Investigation
Department of Justice
Washington, D. C.

69-180

Dear Sir:

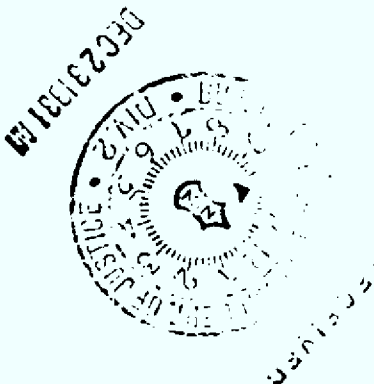
With reference to the investigation conducted by this office concerning alleged undue liberties granted Al^O Capone, who is now incarcerated in the Cook County Jail, there are attached hereto as of possible interest newspaper clippings taken from Chicago papers.

Very truly yours,

W. A. McSwain
W. A. McSWAIN
Special Agent in Charge

WAM:AB
3 Enclosures

*W
11/11/31
22*



RECORDED
&
INDEXED

DEC 22 1931

69-180-96	
BUREAU OF INVESTIGATION	
DEC 21 1931 P.M.	
DEPARTMENT OF JUSTICE	
Div. One	FILE
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Div. Three	
Div. Two	

24

W

U. S. Opens Inquiry Into Capone Gang Rule From County Jail Cell

Racket World Operating on Schedule Under Mys- terious System

MARSHAL CLAMPS LID

A searching inquiry into the racket world being accorded "Scarface" Al Capone in the county jail has been ordered from Washington, it was learned today, in reports reaching here that Capone has been receiving telephone, telegraph and postal service to enable him to carry on his racket by means of agents.

Agents of the intelligence division of the federal revenue department, which brought on Al Capone's sentence for tax evasion, have been at work for several days to determine whether Capone has been receiving the "just like home" treatment since given Tony Dragon and Frankie Lake while in the city jail.

Marshal Louis Wilson, United States Marshal E. C. Laubenthal, on learning that inquiry was in fact, sent a special messenger to Sheriff William D. McFarling and Warden David McFarling ordering that no visitors be allowed to see Capone except his wife, mother and attorney, unless they first received a pass from the marshal's office.

The marshal's office is to be alerted to guard against any contact with Capone except through the official channels. Since Capone was in the county jail, the marshal's office is to be alerted to guard against any contact with Capone.

69-186-96

2 CENTS
CITY AND SUBURBS
5 CENTS

DAILY ILLUSTRATED CHICAGO PICTURE NEWSPAPER

Vol. 2, No. 22

Full Associated Press Service

CHICAGO, THURSDAY, DECEMBER 22, 1933

AL CAPONE RULE

CHARGE CAPONE RULES FROM JAIL; U. S. PROBES

Investigation of the treatment accorded Alphonse Capone at the county jail was ordered today by officials of the department of justice at Washington following reports that Al still is operating his enterprises.

U. S. Marshal W. C. Laubenheimer some time ago ordered that no one be admitted to the gang chief's cell without a special pass from him, except Al's wife, child, mother and attorneys. Since then, Laubenheimer said, he had been besieged for requests for passes by politicians who, he fears, turn the papers over to Capone henchmen.

Agents of the special intelligence unit were ordered to conduct a quiet investigation into reports of Capone's continuing influence and especially to determine whether he has been per-

mitted to use a telephone, send out telegrams, employ a secretary and hold conferences with members of his board of directors, Murray Humphreys, Frank Rio, Ted Newberry, Frank Diamond, Rocce-De Gracie and Jack Gusk.

Sheriff John Porecca of Morris, Ill., several days ago was sentenced to serve 90 days in jail for special favors granted to Tony Reisch, former mayor of Stickney, while he was a prisoner in the Grundy county jail.

The investigation into Capone's influence also recalled the contempt sentence imposed on Sheriff Peter Hoffman several years ago for permitting Terry Druggan and Frank Lake to use the county jail as a mailing address while they were supposedly serving a sentence.

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69-180-96

CAPONE RUNS UNDERWORLD FROM CELL, U. S. REVEALS

Gangsters Daily Visitors at Jail, Tipster Wires Washington; Al Living in Luxury

MYSTERY CALLS TRACED

Warden and Aids Questioned; Politicians Linked; Ban on Passes Ordered by Marshal

(Picture on Back Page.)

Officials of the Department of Justice and officers of the United States District Court here have conducted a searching inquiry into reports that Al Capone has been accorded special privileges in the county jail, it was admitted in Washington last night.

The investigation, it was revealed, began ten days ago when three anonymous telegrams, all worded the same, were received by Federal Judge James H. Wilkerson, United States District Attorney George E. Q. Johnson and Warden David Moneypanny of the jail.

HOODLUMS 'DAILY VISITORS.'

They asserted that Capone was receiving hoodlum henchmen daily as visitors, that he was allowed to make phone calls and send telegrams and, in short, was running his underworld machine from behind the bars.

The order came from the Department of Justice at Washington that the inquiry must be pushed to the limit to determine whether the invisible power of the Capone machine, that flouts the law, is greater than that of the government, which makes that law.

INVASIVE ON PRISONER CAPONE

Investigators reported last night they "had been unable to substantiate" information that Capone had used telephone and telegraph to direct gang operations. There was no comment, however, on the number and identity of his visitors at the jail at all hours of the day.

Nor was anything said about the "unofficial" report that Capone, in jail or temporarily out, had held conference with his gang intimates at night.

When investigators visited the jail they found Capone confined to a dormitory on the fifth floor, where he has the use of a comfortable hospital cot, a soft mattress, clean linen and a private

Turn to Page 8, Column 2.

CAPONE PASS PLOT NIPPED

Continued From First Page.

shower. Such comforts are not allowed to the ordinary run of prisoners, who must occupy cells in the tiers and find restricted relaxation in the "bull pens."

STREAM OF CARS NIGHTLY.

They discovered that late at night expensive automobiles were parked within the jail shadows. Guarding them were men who had every appearance of hoodlums. The presence of these cars has not yet been explained, and federal investigators would not reveal whether any of the men had been questioned.

It was learned definitely, however, that Warden Moneypanny, Deputy Warden George Gibson and several guards and prisoners were interrogated to learn the nature of Al's life in jail.

BAN ON VISITORS ORDERED.

When this questioning was over, an order was issued by U. S. Marshal H. C. W. Leubenhelmer that no one should be allowed to visit Capone without a pass signed by the marshal or his chief deputy, Edward A. King.

Exceptions were made in the cases of Capone's mother, his wife, his son and his lawyers, Albert Fink and Michael J. Ahern.

Even when the pass order was issued, the determination to see Capone persisted, as shown in the flood of requests for these tickets.

POLITICIANS INVOLVED.

Leubenhelmer said he had been literally besieged with requests for passes by petty politicians who, he

fears, may turn them over to Al's lieutenants. Strengthening this suspicion is the conviction that the better known Capone leaders would hesitate to apply, themselves, for a pass from the marshal.

Ralph Capone Sends Self a Christmas Greeting!

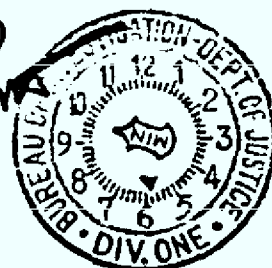
Ralph Capone, who is serving a three-year sentence for income tax evasion at the McNeil Island federal prison at Seattle, is devoting his leisure to the interior decoration of his cell, according to word received from the prison yesterday.

He has festooned the four steel walls of his sleeping quarters with little red balls and with green and white crepe paper. And on the lintel of his cell door he has chalked a greeting to himself: "Merry Christmas!"

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✓ Kansas City Journal-Post

December 18, 1931



DEC 23 1931 PM

OFFICIALS DENY AL CAPONE IS DIRECTING GANG

U. S. Investigation in Jail Finds No Basis for Reports

CHICAGO, Dec. 18.—The federal investigation of Al Capone's sojourn in Cook county jail was ended Friday with announcement that reports the gang chieftain was directing his crime syndicate from behind the bars were unfounded.

The investigation, conducted by United States District Attorney George E. Q. Johnson and United States Marshal H. C. W. Leubenhelmer, revealed that while the "big fellow" was not exactly languishing in a dungeon keep, he assuredly was not carrying on his interests by telephone, telegraph and special messenger, as an anonymous telegram to Johnson had declared.

White-haired Warden David Moneyenny, who takes pride in Cook county's "crack proof" jail, indignantly denied charges that Capone received special privileges while awaiting outcome of his appeal from his income tax sentence.

"These charges are a lot of poppycock," Moneyenny declared. "Capone's in a cell like any other hoodlum. He's getting no special privileges and I'm not letting anyone see him unless I know who he is and what he wants."

Marshal Leubenhelmer, when informed that Washington officials had directed an inquiry into Capone's jail life, ordered that all visitors except the gangster's wife, child and mother must have a pass from the marshal.

NEWSPAPER CLIPPINGS

NOT RECORDED

INDEXED

69-180

69-180-96X

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file

U. S. Department of Justice
Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

December 19, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

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PAPER CLIPPINGS

There is attached hereto as of possible interest a clipping taken from the Chicago Herald and Examiner, Chicago, Illinois, under date of December 19, 1931, relative to the recent investigation concerning alleged liberties granted Al Capone, an inmate of the Cook County Jail.

Very truly yours,

W. A. McSwain,
Special Agent in Charge.

MA:RMB

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DEC 21 1931

69-180-97	
BUREAU OF INVESTIGATION	
DEC 21 1931 P.M.	
DEPARTMENT OF JUSTICE	
ST. PAUL	CHICAGO

30

BAR MYSTERY PAIR ON FINAL VISIT TO CAPONE

U. S. Blocks Al's Last Contact
With Gang; One Arrival
Hides Name; 'Weiss' Felled

Two mysterious applications for passes to see Al Capone at the county jail dormitory, where he has been living in comparative luxury, were rejected yesterday.

The applications were suspected as a final effort by the gang leader to communicate with his underlings before his contacts with the outer world are stopped entirely by the federal policy of vigilance.

MARSHAL ENFORCES BAN.

The order that no one may see Capone unless he has a pass signed by United States Marshal H. C. W. Laubenhelmer or his chief deputy, Edward A. King, was issued after investigation of reports that hoodlum henchmen were visiting Al at the jail at all hours.

Al's wife, mother, son and lawyers are exempt from this ruling.

One of yesterday's applicants was a man who said his name was "Weiss," that he was going to California and that he wanted to bid his old friend, Al, adieu.

The request was referred to Assistant District Attorney Samuel G. Clawson, who has been investigating the Capone liberties.

CLAWSON BLOCKS VISIT.

Mr. Clawson decided the California trip could be made without Weiss saying farewell.

The other pass applicant gave no name but said he had talked to Marshal Laubenhelmer and that the latter told him it would be "O. K."

When asked when and where he talked to Laubenhelmer, the man gave an answer that Mr. King knew was impossible and he sent the man away.

Warden David Moneypenny of the County Jail explained why Capone had been assigned to the dormitory room, with its hospital bed, soft mattress, clean linen and private shower bath, instead of a cell in a tier with ordinary inmates.

"I didn't want him mingling with the other prisoners," he said, "because I was afraid he'd have a bad influence on them."

Chicago Herald &
Examiner
12/19/31

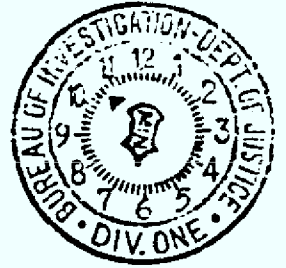
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69-180-97

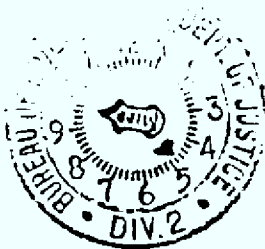
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U. S. Department of Justice
Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.



DEC 22 1931 AM



December 19, 1931.

DEC 22 1931 AM
Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

The Bureau's attention is invited to my report dated December 17, 1931, in connection with the case entitled DAVID T. MCKENRY, SUPERINTENDENT; GEORGE GIBSON, ASSISTANT SUPERINTENDENT, COOK COUNTY JAIL; CONTEMPT OF COURT, which relates to alleged privileges granted Alphonse Capone, an inmate of the Cook County Jail.

It will be noted that the inquiry in question was conducted in a manner suggested by United States Attorney Johnson, who was very anxious to preclude the possibility of any newspaper publicity. Notwithstanding this fact, the newspapers received information regarding the investigation, copies of which newspaper articles have been forwarded to the Bureau.

Yesterday afternoon I again conferred with Mr. Johnson with a view to determining whether any additional investigation was desired, inasmuch as the inquiry had been made public through the newspapers. Mr. Johnson expressed the opinion that he did not believe additional investigation warranted, and accordingly, no further action need be taken. Notwithstanding this decision of the United States Attorney which was a reiteration of the opinion quoted in the report alluded to above, I am holding this case open for a period of thirty days with a view to reporting any possible developments.

Very truly yours,

W. A. McSwain
W. A. McSwain,
Special Agent in Charge

WAM:RIP

RECORDED
69-180-182
BUREAU OF INVESTIGATION
DEC 21 1931 P.M.
DEPT. OF JUSTICE
FILE

98
32

HEB:ECB

December 23, 1931.

69-180-93

69-180-99 RECORDED

DEC 28 1931

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNG

In the case entitled DAVID T. MONKYPENNY, et al.
COOK COUNTY JAIL, Contempt of Court
there are transmitted herewith copies of the following reports:

<u>Agent</u>	<u>Office</u>	<u>Date</u>
W. A. McSwain	Chicago, Illinois	12-17-31

together with a copy of Exhibit I.

Very truly yours,

Director.

JMB
70B
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BUREAU FILES DIVISION
MAILED
DEC 23 1931

Incl. # 729102

33

FROM
ASSISTANT ATTORNEY GENERAL YOUNGQUIST

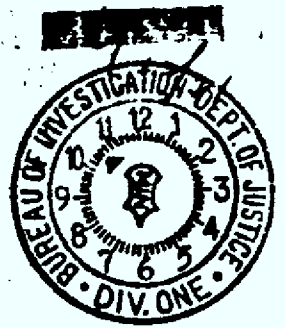
TO
OFFICIAL INDICATED BELOW BY CHECK MARK

NA

- The Attorney General.....
- The Solicitor General.....
- Assistant to the Attorney General.....
- Assistant Attorney General Sisson.....
- Assistant Attorney General Richardson.....
- Assistant Attorney General Rugg.....
- Assistant Attorney General Dodds.....
- Assistant Attorney General St. Lewis.....
- Mr. Henderson.....
- Mr. Key.....
- Mr. Kiefer.....
- Mr. Morrison.....
- Miss Lentner.....
- Director of Prohibition.....
- Assistant Director of Prohibition.....
- Bureau of Prohibition.....
- Bureau of Investigation.....
- Bureau of Prisons.....
- Division of Accounts.....
- Mails and Files.....
- Supply Division.....
- Chief Clerk.....
- Appointment Clerk.....
- Pardon Attorney.....

Memorandum

may I see it?



DEC 22 1931 AM

*Referred to report
rec'd in Div 2 in PM
of 12-21-31 dictated on
12-22-31 GAB*

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DEC 28 1931

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69-180-99	
BUREAU OF INVESTIGATION	
DEC 24 1931 P.M.	
DEPARTMENT OF JUSTICE	
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COPI

Department of Justice

UNITED STATES ATTORNEY

Northern District of Illinois

826 Federal Building

CHICAGO

December 18, 1931

Hon G. A. Youngquist,
Assistant Attorney General,
Washington, D. C.

My dear Mr. Youngquist:

I am in receipt today of a
copy of a report on the jail matter, and I assume that the
original has been transmitted to the Bureau in Washington,
so that it will be available. If not, kindly let me know and
I will have a copy made and have same forwarded to you.

Yours very sincerely,

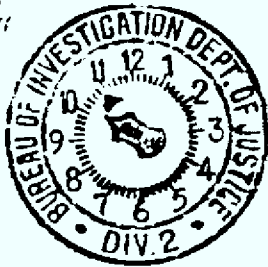
(s) George E. Q. Johnson,

United States Attorney.

GEQ:P

35

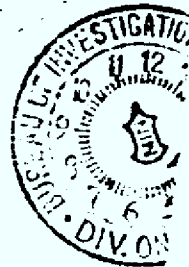
69-180-99



DEC 30 1931

H. S. Department of Justice
Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS.



DEC 29 1931 PM

December 23, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

69-180

Dear Sir: In re: DAVID T. MONEYPENNY, et al
CONTEMPT OF COURT

In connection with the above captioned case, there is being transmitted, as of possible interest to the Bureau, an article which appeared in the Chicago Daily Times of December 21, 1931, relating to a trip made by Warden Moneypenny, Superintendent of the Cook County Jail, in a Cadillac car supposedly belonging to Al Capone.

Very truly yours,

E. F. GUINANE, Acting
Special Agent in Charge.

EPG:MG

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36

JAN 2 1932

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THAN
GAB

BARE WARDEN'S CAPITOL TRIP IN AL CAPONE'S MOTOR CAR

'Only Guest'—Money Penny, 'I Didn't Know Owner'

Money Penny, of the county jail last week made a trip to the capitol in a big Cadillac car belonging to Al Capone, the gangster.

The trip was made yesterday afternoon. Money Penny was the only guest in the car. The warden, who was driving, said he was returning to Chicago from Springfield, where he attended a hearing yesterday in the case of Frank Bell, convicted slayer, whose appeal is pending before the supreme court.

In Lincoln Garage

Here's what the Evening Courier of Lincoln printed on Dec. 16: "One of Al Capone's 16-cylinder Cadillac automobiles spent several hours in a Lincoln garage last night. At about 8:30 p. m. the Cadillac, containing nine passengers, seven men and two women, was towed to the Rhode-Pemberton garage, disabled by valve trouble.

"The car bore license No. 1278 J28, which is listed in the Illinois records for a Cadillac car owned by Al Capone, 7244 Pershing ave., Chicago. (It is in Al's wife.)

The man who left the car said he was warden Money Penny of the Cook county jail. Al Capone is now a federal prisoner in the Cook county jail penitentiary.

Returning from Springfield

The warden, who evidently has taken over Capone's car pending settlement of Capone's personal affairs, said he was returning to Chicago from Springfield, where he attended a hearing yesterday in the case of Frank Bell, convicted slayer, whose appeal is pending before the supreme court.

Three members of the Chicago jury here last night went on to Springfield by train.

69-180

Vehicle Identification number classified by value trouble

The car bore license No. 1271221, which is listed in the license records for a Cadillac car owned by Margie Caspore, 7247 Franklin ave., Chicago. (Miss Al's wife)

The man who left the car said he was Warden Moneybenny of the Cook county jail. Al Caspore is now a federal prisoner in the Cook county jail, awaiting transfer to Leavenworth penitentiary.

Returning from Springfield

This warden, who evidently has taken over Caspore's car pending settlement of Caspore's personal affairs, said he was returning to Chicago from Springfield, where he attended a hearing yesterday in the case of Frank Bell, convicted slayer, whose appeal from execution is pending before the Supreme court.

Three members of the Chicago party here last night went on to Chicago by train, and the remaining six left at 11 o'clock last night after the Caspore car had been repaired.

At the time Caspore was arrested on income tax and prohibition charges, it was said he had run through his fortune, had been forced to sell his wife's jewels to raise funds and was behind on payments on his two 18-cylinder Cadillac cars.

Warden Moneybenny issued this statement:

"On Monday, Dec. 14, in the company of Allys, Harold Levy and Ernest Byrne, and Edward Evans, an investigator employed by them, I went to Springfield to appear before the pardon and parole board in behalf of Frank Bell. Evans and the attorneys called for me at my home in a large car. Later on the same day, we were returning when the car stalled at Elm coin, Ill.

Washed for Car

"Levy, Byrne and Evans went back by train and the rest of us walked until the car got fixed. I discussed the Bell matter with several people who were around the garage, telling them who I am. I don't know now, nor did I know then, to whom the car be

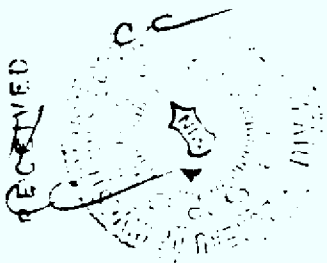
(Continued on page 1, col. 2)

U.S. Department of Justice
Bureau of Investigation

P.O. Box 1405,
Chicago, Illinois.

RECEIVED

January 11, 1932.



JAN 11 1932 AM

Director,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

69-180

Dear Sir:

Attached hereto as of possible interest, is a clipping taken from the Chicago Herald & Examiner, under date of January 8, 1932, concerning the appeal of Alphonso Capone from his conviction for income tax evasion.

Very truly yours,

W. A. McSwain,
Special Agent in Charge.

*NEWSPAPER CLIPPINGS

WAL/cec

Handwritten notes:
1. See
2. See
3. See
4. See
5. See
6. See
7. See
8. See
9. See
10. See

RECORDED
&
INDEXED
JAN 16 1932

69-180-107
JAN 17 1932
1st. One
2nd. Two
3rd. Three
39

CHICAGO HERALD & EXAMINER
JANUARY 8, 1932.

U. S. Court Ready for Capone Appeal

Al Capone's appeal from his conviction and eleven-year sentence for income tax evasion will come before the United States Circuit Court of Appeals at its term beginning Tuesday.

Also on the calendar, made public yesterday, are appeals of Tony ("Mops") Volpe from a deportation order, and of Jack ("Machine Gun") McGurn and his "blond alibi" wife, Louise Rolfe, from Mann act sentences. The government prepared to file its brief today.

69-180-101

40

January 29, 1932.

B77:EGE
69-180-102

RECORDED

1-1932

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL TOWNSEND

With further reference to my memorandum of December 14, 1931, concerning the alleged illegal activities on the part of Alphonse Capone, while in custody of a United States Marshal at Chicago, there is transmitted herewith, for your information, a copy of the report of Special Agent in Charge W. A. McQuinn, dated at Chicago, Illinois, January 22, 1932.

As will be noted, investigation of this matter has been concluded at the request of the United States Attorney at Chicago.

Very truly yours,

Director.

Incl. B77:EGE

B.O.G. T.F.F.

BUREAU OF PRISON
MAILED
JAN 29 1932
P.M.
DEPT. OF JUSTICE

[Handwritten signature]

41



Form No. 1

THIS CASE ORIGINATED AT **Chicago, Illinois** FILE NO. **49-41**

REPORT MADE AT: Chicago, Illinois	DATE WHEN MADE: Jan. 22, 1932	PERIOD FOR WHICH MADE: Jan. 22, 1932	REPORT MADE BY: W. A. McGowan
TITLE: DAVID T. MONEY PENNY, Superintendent; GEORGE GIBSON, Assistant Superintendent; COOK COUNTY JAIL			CHARACTER OF CASE: Contempt of Court

SYNOPSIS OF FACTS:

No additional developments in connection with this case, and United States Attorney Johnson, Chicago, Ill. advises no additional inquiry desired.

- C -

REFERENCE: Report of this Agent dated Dec. 17, 1931, Chicago, Ill.

DETAILS: AT CHICAGO, ILLINOIS.

DETAILS:

There have been no developments in connection with this case, and under date of January 18, 1932, Agent conferred with the United States Attorney, George E. Q. Johnson, Chicago, Illinois, at which time the latter advised that no additional inquiry in connection with this case is desired at the present time.

- Closed -

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>[Signature]</i> SPECIAL AGENT IN CHARGE	69-180-102 BUREAU OF INVESTIGATION JAN 25 1932 A.M. DEPARTMENT OF JUSTICE	RECORDED AND INDEXED JAN 26 1932 CHECKED OFF: JACKETED:
COPIES OF THIS REPORT FURNISHED TO: 3 - Bureau 1 - U.S. Atty. Chicago 2 - Chicago	ROUTED TO: <i>[Signature]</i>	FILE <i>[Signature]</i>

69-180-203

February 2, 1932

RECORDED

FEB 5 1932

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

I am attaching hereto a copy of a letter received from the Acting Special Agent in Charge of the Chicago, Illinois office, Bureau of Investigation, relative to an allegation that certain undue privileges have been accorded ALFRED CAPONE, while incarcerated in the Cook County Jail, Chicago.

I am entirely in accord with the statements made by Acting Special Agent in Charge Purdie to Assistant United States Attorney Clawson and the United States Marshal at Chicago, to the effect that there is no Special Agent of the Bureau of Investigation available for such an assignment, nor is there any necessity for a Special Agent of the Bureau of Investigation being assigned to work with the Deputy Marshals guarding Capone.

A copy of the attached letter has been forwarded to Assistant Attorney General Sizoo.

Very truly yours,

Director.

Enclosure #12672b.

BUREAU FILES DIVISION
MAILED
FEB 2 1932
P. M.
DEPT. OF JUSTICE

43

JOHN EDGAR HOOVER
DIRECTOR

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

P. O. Box 1405,
Chicago, Ill.

3
2173
DEPARTMENT OF JUSTICE
DIVISION ONE
JAN 23 1932 PM

January 26, 1932.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

69-180

Dear Sir:

Reference is made to the report of Special Agent in Charge W. A. McSwain, dated December 17, 1931, in connection with the case entitled DAVID T. MONEYPENNY, SUPERINTENDENT, GEORGE CLAWSON, ASSISTANT SUPERINTENDENT, COCK COUNTY JAIL; CONFLICT OF COURT, concerning possible privileges granted to Alphonse Capone, an inmate of said jail.

Yesterday afternoon I received a telephone call from Mr. Clawson, Assistant United States Attorney, during which he stated that it would be necessary to re-open the inquiry, inasmuch as he had received information to the effect that Capone had been allowed to have visitors other than those who possessed proper passes for such visits. I am informed that only six passes have been granted to persons for the purpose of visiting Capone in the County Jail. These six people are said to be his immediate family and attorneys.

Mr. Clawson and I discussed this matter this morning at his office. He stated that he had very little information so far upon which any definite inquiry might be based. However, Mr. Clawson believed that some inquiry should be made, in order that he might be in a position to request the Attorney General to grant the authorization for the employment of Deputy Marshals to be placed in this Jail as guards, to prevent unauthorized visits with Capone, and further to prevent the latter from carrying on his business from the Jail.

Handwritten notes:
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w...

Handwritten notes:
cc [unclear]
cc [unclear]
2-2-32
2-17-32

69-180-103-44
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
SEARCHED
SERIALIZED
INDEXED
FILED

Mr. Clawson suggested that I have a conference with Mr. Moneypenny at my office today, at which he intended to be present, together with Mr. Laubenheimer, the United States Marshal.

This conference was arranged and held in my office this morning, the same being attended by the four above mentioned parties. Mr. Moneypenny expressed surprise at the rumors prevalent, adding that all of his assistants and superintendents were persons in whom he had implicit faith. He added, however, that he realized the possibilities of unauthorized persons visiting Capone in the jail, but that he knew of no way in which the present manner of allowing such visits might be improved, and urgently requested advice and instructions, with emphasis upon the fact that he was extremely desirous of carrying out the wishes of the United States Marshal with regard to this matter.

Various probable solutions to this proposition were discussed, such as the placing of Capone in a cell block instead of the hospital or convalescent ward, a portion of which space he is now occupying. It was thought, however, that none of the matters discussed would solve the problem, except the placing of Deputy Marshals therein as guards to consider the passes and the persons allowed to visit Capone. Mr. Laubenheimer stated that he would write to the Attorney General today and request authority for employment of these. In this connection it might be stated that Mr. Laubenheimer mentioned that it would be very desirable if we could also place one of our Special Agents to work with the Deputies on the day shift until final disposition is made of this case. Mr. Laubenheimer was informed that while I would be very glad to cooperate to any extent possible, I did not believe that the assignment of an Agent to such duty would be possible, due to my limited personnel here at the present time.

It is my impression that four Deputy Marshals, properly selected, would be sufficient to carry out the plan and accomplish the purpose, and that the assignment of an Agent for work of this nature would not be at all necessary. It appears that at the present time no further action should be taken on this matter by this office.

For your information I am enclosing herewith a newspaper item appearing in the Chicago Daily Tribune in this morning's issue. I will keep in close touch with the situation here, and will advise you immediately when any developments take place.

Very truly yours,

M. H. Purvis

M. H. Purvis, Acting
Special Agent in Charge.

MHP:RMB
#09-41

45

~~6-11-35~~

Chicago file #69-41

DAVID T. MONEY-PENNY, SUPERINTENDENT;
GEORGE GIBSON, ASSISTANT SUPERINTENDENT;
COCK COUNTY JAIL; CONTEMPT OF CO. RT.

U. S. OPENS QUIZ INTO AL CAPONE'S CALLERS AT JAIL

A report that lieutenants of Al Capone were visiting the gang leader in his county jail cell regularly disguised as "Mr. Smith" or "Mr. Jones" reached the federal building yesterday and an immediate investigation was launched by both District Attorney George E. Q. Johnson and United States Marshal H. C. W. Laubenhelmer.

When Capone was given into the keeping of Warden Money-penny at the jail on Oct. 24 the warden was told not to allow him any visitors except those who obtained a pass from the marshal's office. This was done to prevent Capone from instructing his henchmen and carrying on his "business" while awaiting the outcome of his appeal from his income tax sentence of eleven years.

Warden Money-penny has followed those instructions faithfully and only six passes have been issued to Capone visitors. But gangland, according to the report, has found an open door by a simple subterfuge. Because of crowded conditions at the jail Warden Money-penny has had to place other prisoners in the "convalescent ward" with Capone. These men received "Mr. Smith" and "Mr. Jones" as their guests, it was reported.

Thus the gang leader is alleged to carry on his "business." Messages were carried to his cell, and messages went back to the underworld.

"I'll put a stop to that if I have to move him," Marshal Laubenhelmer declared when he learned of the system used to circumvent the government's ruling. "I can understand now why we haven't had a lot of gangster looking fellows coming to my office for passes."

THEFT OF CITY

4.6

69-180-109

JOHN EDGAR HOOVER
DIRECTOR

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

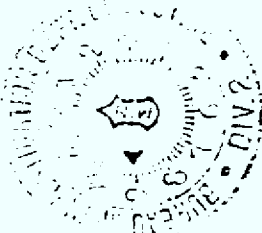
P. O. Box 1405,
Chicago, Ill.

RECEIVED



2

RECEIVED



JAN 30 1932 AM

January 27, 1932.

RECEIVED



69-180-104
over
JAN 30 1932 AM

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Re: David T. Money Penny,
Superintendent;
George Gibson,
Assistant Superintendent;
Cook County Jail;
Contempt of Court.

Dear Sir:

NEWSPAPER CLIPPINGS

There is attached hereto a newspaper
item appearing in the Chicago Herald and Examiner
dated January 27, 1932, concerning the above
entitled matter.

Very truly yours,

47

M. H. Purvis

M. H. Purvis, Acting
Special Agent in Charge

69-180-104	
BUREAU OF INVESTIGATION	
JAN 29 1932	
DEPARTMENT OF JUSTICE	
FILE	

MHP:RMB
#69-41

Handwritten notes and initials:
MHP
W
4/14

FEB 1 1932
Handwritten initials: MA

Handwritten initials: Jim

CHICAGO HERALD AND EXAMINER, JANUARY 27, 1932

DAVID T. MONEYPENNY, SUPERINTENDENT;
GEORGE GIBSON, ASSISTANT SUPERINTENDENT;
COOK COUNTY JAIL; CONTEMPT OF COURT.
CHICAGO FILE #69-41

Tighten Up Jail Rules on Capone

Further restrictions against visitors were ordered by United States Marshal H. C. W. Laubheimer and Warden David Moneyppenny yesterday, after an investigation of charges that Al Capone runs his business from within the county jail.

As a result of the orders, Capone will have contact with only two other prisoners in the hospital ward. At the same time, federal officials reconsidered the issuance of a pass to State Representative Charles Coa, who explained he wanted "to say 'hello' and how are you" to the gang chief.

48

69-180-104

U. S. Department of Justice
Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

RECEIVED
DEPARTMENT OF INVESTIGATION
DEPT. OF JUSTICE
DIVISION ONE
FEB 2 1932 PM

N
3

January 30, 1932.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There is attached hereto a newspaper item
appearing in the Chicago Herald and Examiner of today
concerning the pay-off headquarters for police in
connection with the various operations of Al Capone.

69-180

RECEIVED
DEPARTMENT OF INVESTIGATION
FEB-3 1932 AM
NEWSP.

Very truly yours,

M. H. Purvis

M. H. Purvis, Acting
Special Agent in Charge.

[Handwritten signature]

MHP:RMB

[Handwritten notes and signatures]
1/31/32
MHP

RECORDED

FEB 4 - 1932

69-180-105
BUREAU OF INVESTIGATION
FEB 1 A.M.
DEPARTMENT OF JUSTICE
SEARCHED INDEXED
SERIALIZED FILED

CONFESSES POLICE HELP TO CAPONE

**Aid of Alcohol Dealer Bares
Details of Protection and
Payoffs; Expect Indictments**

Confession of arrangements for the protection of Capone liquor operations, revealed yesterday, is expected to have a direct bearing on the return of income tax indictments against several police captains who have been under federal investigation.

The confession, made by Homer West, Negro chauffeur for Sam Rinella, convicted Capone distiller, tells of police convoys for deliveries of alcohol, districts in which the gang had immunity at all times and of regular collections by police at a "payoff" headquarters.

JURY GETS DATA.

Information on captains' incomes, first obtained by the special county grand jury a year ago, has been taken over by the federal staff. Adequate explanation was ever made by several of the captains for large deposits made at their banks.

West's confession, made after he had served a short sentence for operating a still, was disclosed by Daniel Anderson, assistant United States attorney. It is expected to be a major factor in the income tax cases.

COULD 'DO ANYTHING.'

"There were some police districts where we could do anything," West stated in his confession. "I could drive sixty miles an hour through them. If a motorcycle officer chased us, he would signal to go ahead when he saw that Rinella was in the car. Other districts we had to be careful about."

The "payoff" for police was made in a barber shop in Twenty-second st. It was stated officers and squads came there for their money.

CARRIES \$50,000 IN CASH.

Rinella's business was so profitable that he sometimes had \$50,000 in cash after a deal, West said.

West was sentenced Monday to a term of years in the penitentiary.

50

69-180-105

177-222
69-180-107

February 1, 1932

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL HISSON.

69

I am attaching hereto a copy of a letter received from the Acting Special Agent in Charge of the Chicago, Illinois office, Bureau of Investigation, relative to an allegation that certain undue privileges have been accorded ALFONSO CAPONE, while incarcerated in the Cook County Jail, Chicago.

I am entirely in accord with the statements made by Acting Special Agent in Charge Purvis to Assist United States Attorney Clarkson and the United States Marshal at Chicago, to the effect that there is no Special Agent of the Bureau of Investigation available for such an assignment, nor is there any necessity for a Special Agent of the Bureau of Investigation being assigned to work with the Deputies Marshal guarding Capone.

A copy of the attached letter has been forwarded to the Director of the Bureau of Prisons.

Very truly yours,

Encl. #126927

RECORDED

BUREAU FILES DIVISION
MAILED
FEB 2 1932
DEPT. OF JUSTICE

69-180-106
BUREAU OF INVESTIGATION
FEB 2 1932 P.M.
DEPARTMENT OF JUSTICE
FILE

51

RECEIVED



Accorded
FEB 10 1932

STAMP
67-120-107

February 6, 1932

FEB-31932

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL GIBSON.

With further reference to my memorandum of February 1, 1932, relative to an allegation that certain undue privileges have been accorded Alphonse Capone, while incarcerated in the Cook County Jail, Chicago, I am attaching hereto a copy of a letter received from the Acting Special Agent in Charge of the Chicago, Illinois, office of this Bureau.

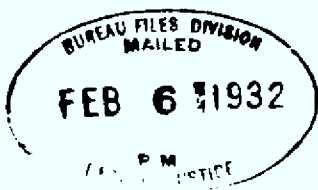
Very truly yours,

Director.

Enclosure 67-120-107.

B.O.D.

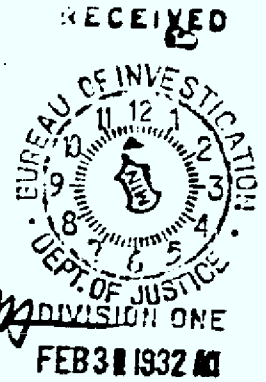
T.H.D.



52

U. S. Department of Justice
Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.



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2
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MM

February 1, 1932.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

69-180

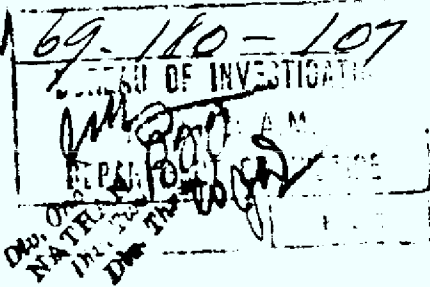
Dear Sir:

With further reference to my letters to you dated January 26 and 27, 1932, concerning the case entitled DAVID T. MONEYPENNY, SUPERINTENDENT; GEORGE GIBSON, ASSISTANT SUPERINTENDENT, COOK COUNTY JAIL, CONTEMPT OF COURT, while in the Federal Building today I talked with Mr. Clawson, Assistant United States Attorney, and later to Mr. Laubenheimer, the United States Marshal. Mr. Clawson informed me that the United States Marshal had not written a letter to the Attorney General requesting authority to employ additional Deputy Marshals as was indicated in my letter of January 26. The matter appears to be in the same status as it was on January 26, inasmuch as no definite action has been taken.

Shortly after the conference mentioned on January 26, I received two telephone calls from Mr. Money penny, wherein he stated that he had no definite developments to report, but that he had been very quietly investigating the matter at the County Jail. In his last conversation with me, he stated that he and the Sheriff had spent a great deal of time conferring as to possible means of clearing up the situation, but that no solution had been found. Mr. Money penny takes every opportunity to inform me of his sincere efforts to circumvent any action by which Al Capone might continue the supervision of his so-called business interests in Chicago. I have no information to the effect that he is insincere, and in fact, in view of the situation at the Cook County Jail, the manner in which it is built, etc., I am not certain that he has the means at hand with which to correct the situation.

FEB 10 1932

*Memo Mr. Gibson 2-6-32
Re Chicago 2-6-32*



53

Incidentally, Mr. Moneypenny informed us confidentially at the conference on January 26 that his seriousness of purpose might further be substantiated by the fact that he desired no unfavorable publicity, because he hoped at some time in the future to secure the position of Warden of the Penitentiary at Joliet, Illinois.

I was informed by Mr. Laubheimer that a conference was held last Friday with the Sheriff, and that the latter was to advise the Marshal concerning this matter at once. However, Mr. Laubheimer states that he has not received any call from the Sheriff up to the present time. The Marshal further advised me that he offered as a suggestion to the United States Attorney, that Capone be sent to the Great Lakes Naval Training Station or to Fort Sheridan, preferably the former, and placed in the brig there, but that this suggestion had probably not met with a favorable reaction.

Mr. Laubheimer again suggested that the presence of an Agent of this Bureau at the Jail to supervise the passes of persons visiting Capone on visiting days would, he felt sure, be the most logical solution. He was, of course, informed that I did not believe the solution to be quite logical, and that it was without my jurisdiction, and that the limited personnel of this office did not allow such procedure in any event. It is my belief that this idea is definitely out of his mind now.

Mr. Laubheimer further stated that the Sheriff has not called him, although he has been expecting him to do so momentarily, and it appears that no concrete action is being taken to prevent Capone's communication with outsiders, unless it is being done at the Jail, and at the present time no inquiry has been made there. I am holding this matter in the present status, and intend to make no inquiry at the Jail unless further developments take place, inasmuch as I believe such inquiry there would be fruitless.

For your further information, and with reference to my letter of January 27, 1932, with which was enclosed a newspaper item appearing in the Chicago Herald and Examiner of that date concerning State Representative Charles Coia, please be advised that Mr. Laubheimer informed me this morning that his information is that Mr. Coia is taking this matter up with Senator James Hamilton Lewis with the request that the Senator inquire of the Attorney General the reason why "a citizen who is clean" cannot be allowed the privilege of a visit with Capone. Mr. Coia, I am informed, still has the pass which grants him permission to visit with Capone, but the Marshal states that to date he does not believe Mr. Coia has used it.

Very truly yours,

M. H. Purvis

M. H. Purvis, Acting
Special Agent in Charge.

MP:mf
#68-41

59

NY:MK
69-100-

February 4, 1932

MEMORANDUM FOR THE DIRECTOR,
BUREAU OF PRISONS.

With further reference to the investigation concerning the alleged undue privileges which have been accorded Alphonse Capone, while incarcerated in the Cook County Jail, Chicago, Illinois, there is being transmitted herewith a copy of a letter received from the Acting Special Agent in Charge of the Chicago, Illinois, office of this Bureau.

Very truly yours,

Director.

Enclosure #73197L.

69-

RECORDED

B.O.O.

69-180-708	
BUREAU OF INVESTIGATION	
FEB 8 1932 P.M.	
DEPARTMENT OF JUSTICE	
	FILE

BUREAU FILES DIVISION
MAILED
FEB 6 1932
P.M.

John

55

Bureau of Investigation

From: Division Six.

February 12th 1932.

- To: _____ Director.
_____ Mr. Nathan.
_____ Mr. Tolson.
_____ Miss Gandy.
_____ Mr. Egan.
_____ Chief, Div. 2.
 Chief, Div. 3.
_____ Chief, Div. 4.
_____ Chief, Div. 5.
_____ Chief, Div. 7.
_____ Chief, Div. 8.
_____ Chief, Div. 9.
_____ Chief, Div. 10.

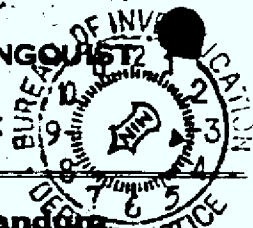
MR. COFFEY: Mr.

Attached is the record of Al Capone,
as requested.

JCM

RECEIVED

FROM
ASSISTANT ATTORNEY GENERAL YOUNG
TO
OFFICIAL INDICATED BELOW BY CHECK MARK



Memorandum
DIVISION ONE

FEB 11 1932 PM

*Have you
formation call
for in marked
for?*

*4
2/11*

*Memo Youngquist
2-13-32
EPC*

- The Attorney General.....
- The Solicitor General.....
- Assistant to the Attorney General.....
- Assistant Attorney General Sisson.....
- Assistant Attorney General Richardson.....
- Assistant Attorney General Rugg.....
- Assistant Attorney General Dodds.....
- Assistant Attorney General St. Lewis.....
- Mr. Henderson.....
- Mr. Key.....
- Mr. Kiefer.....
- Mr. Morrison.....
- Miss Lentner.....
- Director of Prohibition.....
- Assistant Director of Prohibition.....
- Bureau of Prohibition.....
- Director, Bureau of Investigation..... ✓
- Director, Bureau of Prisons.....
- Division of Accounts.....
- Mails and Files.....
- Supply Division.....
- Chief Clerk.....
- Appointment Clerk.....
- Pardon Attorney.....

RECORDED

INDEXED

FEB 17 1932

*2 end
msg
HJ*

69-180-109
 BUREAU OF INVESTIGATION
 FEB 15 1932 P.M.
 DEPARTMENT OF JUSTICE
 FILE

C
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P
Y

Richmond and Henrico County Branch
of
WOMEN'S ORGANIZATION
for

NATIONAL PROHIBITION REFORM

Hotel John Marshall
Richmond, Virginia
Dial 3.3138

February 10, 1932.

Department of Justice
Washington, D.C.

Gentlemen:-

Will you please send me information
on the items mentioned below:

How many times was Al Capone arrested before
his final conviction?

What charges were brought against him before
his final arrest and conviction.

How many, and what were the indictments were
against him in his final trial?

A copy of the Judge's charge to the jury con-
victing Capone.

Very truly yours,

(s) Julia Sully
Executive Secretary.

FEB 17 1932

69-180-109
BUREAU OF INVESTIGATION
FEB 15 1932 P.M.
DEPARTMENT OF JUSTICE
File

Dis Three
Dis Two
JMS
58

C
O
P
Y

DEPARTMENT OF JUSTICE
Bureau of Investigation

Washington, D.C.

October 30, 1931.

United States Marshal,
Chicago, Ill.

Dear Sir:

Referring to your print received Oct. 30, 1931, regarding Alphonse Capone, #---, the following is an abstract of subject's fingerprint record on file in the Bureau of Investigation:

Subject as Alphonse Capone, #B-3496, received Philadelphia County Prison, Holmesburg, Pa., May 14, 1929, crime carrying concealed deadly weapons; sentence 1 year.

As Alphonse Capone, #90725, arrested Philadelphia, Pa., (PD), May 17, 1929, charge suspicious character and carrying concealed deadly weapons; disposition not given.

As Alphonse Capone, #C-5527, received St. Pen., Philadelphia, Pa., August 8, 1929, from Philadelphia, crime carrying concealed deadly weapons; sentence 1 year.

As Alphonse Capone, #3563, arrested Miami, Florida, (PD), May 8, 1930, charge investigation - vagrancy; released on writ, May 8, 1930.

As Alphonse Capone, #C-28169, arrested Chicago, Ill., (PD), Feb. 25, 1931, charge general principles; disposition not given.

As Alphonse Capone, #---, arrested by U.S. Marshal, Chicago, Ill., date, charge and disposition not given. (Print received Oct. 30, 1931).

The following notations appear on our records:

- *Al Capone, New York City, suspected of murder; discharged.
- Al Capone, Chicago, Ill., suspected of murder; discharged.

59

69-180-109

U.S. Marshal,
Chicago, Ill.

(Notations continued):

Alphonse Capone, Chicago, 1-23-24, suspicion; dis-
charged.
Alphonse Capone, New York City, 12-27-25, homicide; dis-
charged.
#3563, PD Miami, Florida, 5-13-30, investigation; re-
leased on writ.
#3563, PD Miami, Florida, 5-19-30, vagrancy; forfeited \$100
bond."

Very truly yours,

J. E. Hoover
Director.

Copy to -
Philadelphia Co. Prison,
Holmesburg, Pa.
PD Philadelphia, Pa.
St. Pen., Philadelphia, Pa.
PD Miami, Florida.
PD Chicago, Ill.
Bureau Office, Chicago,
Ill.

69-180-109

RECORDED
&
INDEXED

WPC:MS

February 13, 1932

FEB 17 1932

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL ROUSSELET

There is returned herewith the original letter addressed to the Department, dated at Richmond, Virginia, February 10, 1932, from Julia Sully, Executive Secretary, Women's Organization, National Prohibition Reform. In accordance with your request, there is also attached hereto a copy of the original record of Al Capone, as reflected in the files of this Bureau.

Very truly yours,

Director.

Incl. #730898

69-180
over

WPC

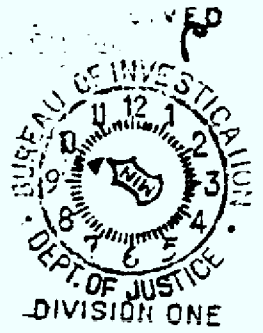
BUREAU FILES DIVISION
MAILED
FEB 13 1932
P.M.
DEPT. OF JUSTICE

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U. S. Department of Justice
Bureau of Investigation

P. O. BOX 1405,
CHICAGO, ILL.

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February 27, 1932. **MAR 1 1932 AM**

69-180

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Re: Alphonse Capone;
Kenneth Phillips, M.D.
Contempt of Court;
Perjury.

Dear Sir:

With reference to the above captioned case, please be advised that inquiry at the office of the Clerk of the U. S. Circuit Court of Appeals reveals that no decision on the appeal of Subject Capone on the sentence imposed by U. S. District Judge Wilkerson on March 2, 1931, has been given.

February 26th being the last day of the January session of this court, it would appear from the statement of K. J. Carrick, Assistant Clerk, that the chances for a decision on this case within the next thirty days are very good. He stated that the new term begins on the second Tuesday in April 1932 and that the prospects are good for disposition of all cases now on the docket before that time.

Very truly yours,

M. H. Purvis

M. H. Purvis, Acting
Special Agent in Charge.

LPO:HJ
69-19

dm

RECORDED

MAR 7 - 1932

69-180-110	
BUREAU OF INVESTIGATION	
FEB 29 AM	
DEPARTMENT OF JUSTICE	
Div. One	FILE
NATHAN	
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172 One Two Three

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2-26-32

U. S. POSTS CONTINUOUS GUARD FOR AL CAPONE

Three Eight-Hour Shifts at Cell After Charges Chief Is Running Gang From Jail

On orders direct from Washington, a twenty-four-hour-a-day guard by deputy United States marshals was placed over Al Capone in the county jail yesterday.

The action is the government's answer to persistent reports that Capone is running his gang from his cell.

Supporting this belief was the admission by Samuel G. Clawson, assistant United States district attorney, that he and his associates have received "confidential information," not sufficient to warrant criminal action, but important enough to demand inquiry.

BIG SHOTS CALL

Murray Humphries, Jake Guzik, Joe Fusco and George ("Red") Barker are among the "big shot" gangsters who have been visiting Capone at the jail, according to reports reaching the government.

Other reports have been that Capone has actually been allowed to leave the jail, that he has been allowed to entertain his friends at elaborate banquets and that he has been given numerous privileges.

Because of these reports three deputies have been assigned to watch the same chief's cell, each working an eight-hour shift.

Paul Wunderlich was the first deputy to take post by the home-like dormitory where Capone has enjoyed the clean sheets and comfortable surroundings that do not go with regular cells.

Newspapermen were called in by Marshal H. C. W. Laubenheimer, Sheriff William D. Meyerling and Warden David Monypenny to hear of the step. The trio had been in conference for almost two hours.

Laubenheimer said his orders are to permit only Capone's wife, his 20-year-old mother, his son and his attorneys, Michael Abarn and Albert Fink, to visit him. He will not even be allowed visiting day privileges accorded other prisoners.

The marshal said the orders resulted from several conferences of Department of Justice officials and district attorney's office representatives. He would not say whether Judge Wilkerson, who sentenced Capone to eleven years' imprisonment for income tax fraud, participated.

APPEAL RULING SOON

Capone's case is expected to be ruled upon soon by the United States Court of Appeals.

Reports that he had been receiving undue liberties have arisen before and resulted in investigation.

Orders were issued that no one should see Capone unless he had a pass from Marshal Laubenheimer, approved by the district attorney's office.

USE GENERAL PASSES

Despite this precaution, there have been persistent reports that hoodlums have obtained general passes to visit the jail and have used this entree to get to Capone.

Under the new and more rigid surveillance the government intends to make certain that, if Capone has not been properly guarded heretofore, he will be from now on.

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69-180-111

AL CAPONE'S CONVICTION

AL CAPONE'S CONVICTION IS UPHHELD

11-Year Term and Fine of \$50,000 Stand

The United States Circuit Court of Appeals, in a 10-9 decision, today affirmed Federal Judge James H. McMillan's conviction and 11-year sentence of Al Capone for income tax evasion. The conviction was affirmed by a 10-9 vote of the appellate court. The sentence was affirmed by a 10-9 vote of the appellate court.

DRUGS REMOVED FROM STORE
The store was searched for drugs and other contraband. The search was conducted by the Chicago Police Department. The results of the search were reported to the Federal Bureau of Investigation.

DECEASED EYE DOCTOR
Drugs were removed from the store of the deceased eye doctor. The removal was conducted by the Chicago Police Department. The results of the search were reported to the Federal Bureau of Investigation.

LEAVES COMPLAINED
Drugs were removed from the store of the complainant. The removal was conducted by the Chicago Police Department. The results of the search were reported to the Federal Bureau of Investigation.

Mary Doe
The bear man's partner, who was reported to be a partner in the business, was also arrested. The results of the search were reported to the Federal Bureau of Investigation.

44-180-111

N UPHELD

66

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B
U. S. Department of Justice
Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

RECEIVED
BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
DIVISION ONE
MAR 4 1932 AM

March 1, 1932.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There are forwarded herewith newspaper
items and editorials concerning Alphonse Capone.

RECEIVED
69-180
MAR - 7 1932 PM
DIV. 3

Very truly yours,

M. H. Purvis

M. H. Purvis, Acting
Spec. Agt. in Charge.

MELP:RMB

Head
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8/2
26/11/32
1/11/32

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DEPARTMENT OF JUSTICE
Div. One
NATHAN
176 Div. Two
Div. Three
FILE

67
HHS

EXPECT CAPONE TO WAIT IN JAIL A MONTH LONGER

U. S. to Withhold Action Pending Rehearing Plea

Al Capone, it appeared yesterday, will remain in the county jail for at least another month before being taken to a federal penitentiary to serve his eleven year term for income tax dodging.

United States Attorney George E. Q. Johnson and his assistants had been considering the propriety of requesting the United States Circuit Court of Appeals, which on Saturday affirmed the conviction, to issue a mandate for the gangster's immediate transfer to the penitentiary. But after a conference late yesterday, Mr. Johnson issued the following statement:

"Government's counsel do not expect to take any action until defendant's counsel have made clear their course."

Will Ask a Rehearing.

This course was made clear by Attorney Michael Ahern, who said he would file a petition for a rehearing within the twenty days he is allowed by the Circuit court. District Attorney Johnson was not officially apprised of this determination, but in view of the defense plans it was regarded as unlikely that the prosecution would take any action until after the motion for a rehearing was acted upon.

The government is allowed ten days after the defense files its petition for a rehearing in which to file an answer, although ten days are seldom needed, and the Circuit court usually acts promptly upon such a petition.

Prepared to Seek Writ.

Attorney Ahern said that he would

apply to the United States Supreme court for a writ of certiorari if the Circuit court refuses a rehearing of the Capone appeal, and he would be allowed ninety days to file this petition. But if the rehearing is denied, the prosecutors, it was reported, will certainly oppose the granting of a stay of execution for Capone for the three months.

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69-180-112

**METROPOLITAN
EDITION**

PRICE TEN CENTS

WELD

**GANGDOM CHIEF
LOSES FIGHT IN
APPEALS COURT**

**Faces a Quick Trip
to Leavenworth.**

The possibility of an early trip to Leavenworth penitentiary confronts Al Capone, foremost public enemy, whose conviction and sentence to seven years' imprisonment for income tax evasion was affirmed yesterday by the United States Circuit Court of Appeals.

Capone has been in the county jail, without credit toward his prison sentence, since Oct. 24. He was denied bail by both Federal Judge James H. Wilkerson and the Circuit Court of Appeals, but a writ of supersedeas was granted, staying his removal to the penitentiary.

Prosecutors Study Opinion

Under a rule of the Circuit court a defendant has twenty days in which to apply for a rehearing of his appeal, during which time the prison mandate is customarily stayed. However, this is within the discretion of the court.

United States Attorney J. Edgar Hoover, J. O. Johnson and his assistants said they desired until tomorrow to analyze the Circuit court's opinion before deciding what course to follow, but it was understood they will move for the issuance of the mandate to take Capone to prison at once.

Such a motion would be based on the fact that Capone was denied bail.



Al Capone, gang chieftain, whose eleven years' prison term and \$50,000 fine for income tax fraud was upheld yesterday by United States Circuit Court of Appeals.

(TRIBUNE PHOTOS)

69-150-112

If the opinion is not signed, it will be within the discretion of the Circuit court either to grant or to refuse a stay of execution after acting upon the motion for a rehearing, pending an appeal to the United States Supreme court.

After a motion for a rehearing is denied the defense has ninety days in which to file a petition for a writ of certiorari with the Supreme court. This can be done while the defendant is in the penitentiary, as in the case of Virgil Livingston, mail robber.

Neither Attorney Michael Ahern nor Attorney Albert Fink could be reached yesterday, but throughout their conduct of the defense they indicated that the case would be taken, if necessary, to the Supreme court.

Appeals Court Ruling.

The opinion of the Circuit court was unanimous and it upheld Capone's conviction on all of the five counts set up by the jury in its verdict of guilty, namely, willful attempts to evade and defeat income taxes for the years 1925, 1926, and 1927 and willful failure to file income tax returns for the years 1928 and 1929.

Judges Samuel Aischuler, Evan A. Evans, and Will M. Sparks heard the appeal and Judge Sparks wrote the opinion, which federal prosecutors termed exhaustive and clear cut.

The merits of the defense contentions were found by the Appellate court to be at most technical, and the errors relied upon, if conceded, not sufficient to affect the substantial rights of the defendant.

The Defense Contentions.

The defense contended that the indictment was phrased in the generic terms of the statute and was not sufficiently particular to enable the accused to prepare a proper defense. It was also contended that Capone could have been tried twice for the same offense, had he been found not guilty on the evidence adduced at the first trial.

Judge Wilkerson erred, it was charged, in not sustaining, first, a demurrer to the indictment, and second, a motion in arrest of judgment. These were the only assignments of error, there being no attack on the sufficiency of the evidence.

"Interpreting these constitutional provisions," said the Circuit court's opinion, "courts have quite generally held that where the offense is purely statutory, having no relation to the common law, it is, as a general rule, sufficient in the indictment to charge the defendant with acts coming fully within the statutory description in the substantial words of the statute."

An Essential of Indictment.

"But it is also true that the accused must be apprised by the indictment, with reasonable certainty, of the nature of the accusation against him, to the end that he may prepare his defense and plead the judgment as a bar to any subsequent prosecution for the same offense."

The opinion pointed out that the cases in which indictments have been attacked on these constitutional grounds are legion, that some have been held good and others bad, de-

113,691.24.

The sentence imposed by Judge Wilkerson, besides a \$50,000 fine and cost of the prosecution, aggregates ten years in the penitentiary and one year in jail, the jail term to be served after completion of the penitentiary term.

Capone pleaded guilty after the indictment was returned, having an understanding with the prosecution that a recommendation as to his punishment would be made to the court. But before he appeared for sentence, reports purporting to come from the defense and stating that the punishment was to be two and one-half years were published.

When the case was called Judge Wilkerson recognized the propriety of an agreement between the government and a defendant in exchange for a plea of guilty and the duty of the court to give consideration to the government's recommendation. But he made it plain that the court would not be bound as to its final judgment and told Capone:

"It is utterly impossible to bargain with a federal court."

Tried Before a Jury.

The plea of guilty was withdrawn and Capone went to trial before a jury. The government showed by the testimony of witnesses and by documentary evidence that Capone was engaged in the gambling business in Cicero as one source of income, and that he admitted this to state authorities in Miami, Fla.

The profit of these Cicero gambling establishments was shown to have run into thousands of dollars a month. Telegraphic records showing the transmission of some \$100,000 to Capone in Florida by Cicero gamblers were introduced.

A so-called confession letter, tendered by Capone's civil tax expert to revenue agents, admitted that he was the member of a "syndicate" and that his profits ranged as high as \$100,000 a year. Income of at least \$250,000 was admitted in this letter and the letter was received into evidence.

Finally, the government introduced evidence of Capone's lavish expenditures, including thousands of dollars a month for his bills at the Metropole hotel and later the Lexington hotel. The purchase of sixteen cylinder automobiles, luxurious household furnishings, personal effects befitting the wardrobe of an oriental potentate, and diamond studded belt buckles as gifts for friends also was shown by the government.

GEN. MA, REPORTED AS SLAIN, BEGINS JOB AS 'PUPPET'

TOKIO, Feb. 27.—(U. P.)—Gen. Ma Shan-shan, recently reported assassinated, has begun his duties as governor of Heilungkiang province at Taitshar. He will attend the proclamation of the new Manchurian state at Changchun March 1, the Nippon Gumpo News agency reported today.

[Gen. Ma, who became a hero in Chinese eyes as a result of his Hamai river battle in defense of Taitshar against the Japanese KAN YUI, was reported murdered in Chinese dispatches Thursday from Harbin, Manchuria. He has fallen low in Chinese public opinion since he apologized to Gen. Iwa Tomon, Japanese commander, for causing his "inconspicuous" at the Hamai river.]

PART I—PAGE

pending on the particular facts before the courts.

"In the instant case," the opinion went on, "the indictment is not deficient in this respect, for it states the total amount of appellant's income for the years in controversy; it sets forth the credit to which appellant is entitled; it describes his civil condition as that of a married man with one dependent, and informs him as to the exact amount of the tax due."

"It is contended by appellant that the indictment should have specified the means by which he attempted to evade or defeat the payment of the tax. But, the statute says that every attempt to evade or defeat the payment of income tax is a violation of the law."

"We are convinced that the allegation in relation to appellant's attempt to evade and defeat the payment of the tax in the instant case is sufficient, and that the objection thereto is one of form, rather than substance. The form is indeed quite general, and this fact would have abundantly justified appellant in asking the court to require the district attorney to furnish a bill of particulars as to the specific attempts to evade and defeat; and we cannot presume that the request would have been refused."

"But appellant made no such request, and he now has no reason to complain."

Other Cases Reviewed.

The opinion reviewed some of the citations of the defense, and referred to others, after which this conclusion was reached:

"In all the cases relied upon by appellant which we have specifically referred to, as well as other cases which he has cited, it is quite apparent that the defendant's constitutional rights were not sufficiently protected by the allegations of the indictment; but we find no such conditions existing with relation to the indictment now before us. It is not to be denied that appellant should be fully protected against a second or subsequent jeopardy for any offense involved in the instant indictment, and we think he is so protected."

The court's opinion coincided in most respects with the contentions of Assistant United States Attorney Jacob L. Grossman, who argued on the appeal and who, with Assistant District Attorneys Dwight H. Green and Samuel G. Chewson, prosecuted Capone.

News that his appeal had been lost was carried to Capone in his cell at the county jail by Assistant Warden Edward Nettles. Capone left a card game with his companions in his "emergency hospital" cell and met Warden Nettles at the door.

"Your case has just been upheld by the Appellate court," said the warden. Capone shrugged his shoulders, said nothing, went back to the card game on his cot. Reporters were barred from Capone's section of the jail by the deputy United States marshal on guard.

History of Capone Case.

Capone was originally charged, in an indictment returned last June, with maintaining a public house at 1212 S. Dearborn street, Chicago, at all times of the year from 1924 to 1929, in violation of the prohibition laws. He was charged with maintaining a public house at 1212 S. Dearborn street, Chicago, at all times of the year from 1924 to 1929, in violation of the prohibition laws.

Appeals Court Upholds Prison Term for Al Capone



Left to right: Judge Will M. Sparks, who wrote opinion upholding Capone sentence, Presiding Judge Samuel Aischuler and Judge Evan A. Evans, who concurred in finding.

JUDGE WILKERSON AND CAPONE.

The United States Circuit Court of Appeals has affirmed unanimously the conviction of Alphonse Capone. In so doing the court has underwritten and approved the conduct of the trial by Judge Wilkerson and the sentence of eleven years' imprisonment which Judge Wilkerson imposed.

The action of the higher court is significant in connection with the opposition which has developed to Judge Wilkerson's promotion to the Appellate bench. Before Capone appeared for trial an understanding had been reached with the government for pleas of guilty to some of the charges against him. Capone thought, rightly or wrongly, that he was going to receive a light sentence.

Judge Wilkerson refused to become a party to such an arrangement. He served notice that if Capone wished to plead guilty he must understand that no arrangements regarding his sentence would be regarded as binding by the judge. Accordingly, Capone pleaded not guilty, the jury returned its verdict and the judge imposed a sentence far more severe than Capone had expected to receive.

It would be astonishing, in view of these circumstances, if Capone and his criminal associates did not regard Judge Wilkerson as an enemy. It would be even more astonishing if men of gangster mentality did not seek to revenge themselves upon the man they regard as their enemy. That they have done so is clear. They have not dared to employ their usual methods against the judge but they have brought every influence they can wield against the judge's promotion. The opposition to the confirmation of Judge Wilkerson's appointment has come, nominally, from labor, but the animating force in the opposition is gangdom and its desire for vengeance.

Gangdom, as Chicago well knows, is not without its political allies. They are to be found in every branch of the government, federal, state and local. Gangdom has key men in office and organized voting strength. It is not without significance in this connection that Capone was able to come to an understanding regarding his sentence with the department of Justice. Today gangdom is moving heaven and earth to punish the man who defied its leader and upset his arrangements.

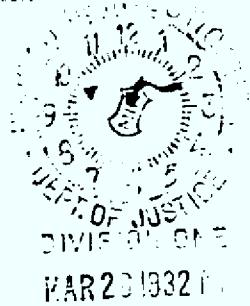
There is in the opposition to Judge Wilkerson's confirmation something more than a blind frenzy for revenge. If Judge Wilkerson is promoted the impotence of gangdom will have been revealed. If the confirmation is denied, every official, and particularly every federal judge, will have received unmistakable notice that gangsters are not to be treated like ordinary defendants but as a privileged class in the community. These are the alternatives which today confront the United States senate.

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RECEIVED

U. S. Department of Justice
Bureau of Investigation

P. O. BOX 1405,
CHICAGO, ILL.



March 23, 1932.

MAR 26 1932 P.M. Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There is attached newspaper item appearing in the
Chicago Herald & Examiner, dated 3/23/32, concerning the
disposition of the Income Tax Fraud case against Al Capone
by the United States Circuit Court of Appeals.

Another item is enclosed from the same paper
relative to five Capone henchmen being arrested.

Very truly yours,

M. H. Purvis

M. H. Purvis, Acting
Special Agent in Charge.

MEP:HT

NEWSPAPER CLIPPING

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MAR 28 1932

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BUREAU OF INVESTIGATION	
MAR 25 1932 A.M.	
DEPARTMENT OF JUSTICE	
FILE	

ONE
DATE
Three

75

FIVE CAPONE CHIEFS PARADE --IN SHOW UP!

Humphries, Gambling Leader,
Seized; Hunt, Appealing Gun
Charge, Caught With Pistol

Five Capone henchmen—directors of the Capone syndicate since Al has been put in jail—were arrested yesterday and paraded last night at the showup at the detective bureau.

Murray Humphries, known as general manager of Capone's gambling interests, was picked up as he sat in his automobile in front of the New Southern Hotel at Thirteenth st. and Michigan av. Seized with him were two lesser lights in the organization, Ben Swig and Ben Bahrin.

SQUAD NABS TWO.

About the same time a detective bureau squad picked up Sam and Joe Hunt, brothers, in front of 6831 Jeffery av.

Sam Hunt has an extensive police record. He was arrested following a shooting on the North Side, carrying a machine gun in a golf bag.

ARRESTED WITH GUN.

Later, Sam was arrested with a revolver after a shooting near the Art Institute. He is appealing a sentence for carrying concealed weapons. When he was arrested yesterday he carried a snub-nosed revolver.

Several hours after the five arrests, John H. Johatry, attorney, appeared at the Criminal Courts Building and asked for writs of habeas corpus for the quintet. He withdrew his application, however, after police promised to book the prisoners.

U. S. SPEEDING CAPONE'S CASE

Prospect for an early disposition of Al Capone's income tax fraud case by the United States Circuit Court of Appeals was in prospect yesterday when the government filed its answer to Capone's petition for a rehearing of his case by the Circuit Court.

The government's answer, filed by Jacob L. Grossman, assistant district attorney, was brief, asserting that the case had been "fully and forcefully argued" and given thorough consideration by the court in affirming the lower court conviction and sentence of eleven years in Leavenworth.

Observers expressed belief the Circuit court's decision may be made known this week.

193

[Handwritten signature]

- To: Director
- Mr. Nathan
- Mr. Tolson
- Mr. Baughman
- Mr. Hughes
- Mr. Egan
- Inspector _____
- Division Seven
- Bureau Files
- Personnel Files
- Stenographic Pool
- Identification Division

NOT RECORDED C. A. Appel.
Room 420.

69-180

77

The Man who got Al Capone

A DUST-COVERED BOOK
AND A BALTIMOREAN'S DEDUCTIONS
by
PAUL WARD

BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
DIVISION ONE
MAR 23 1932 PII



THE NEMESIS OF AL CAPONE

NEWSPAPER OF BALTIMORE

X Baltimore Sun
March 20 1932

INDEXED

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PWS

TREASURY officials are confident that the filing of income-tax returns, completed last Tuesday, produced several million dollars worth of tangible proof that agents of the Internal Revenue Bureau are effective aids to the exchequer. For by their work in the Capone case it is believed they have convinced tax evaders that the Government always gets its man, even if he be a king of gangdom. The work of those men scared nearly a million dollars in delinquent taxes out of racketeers in Chicago alone last year.

Those sleuths, who operated in Chicago, were led, incidentally, by a man who has called Baltimore his home for the last four years. He is Frank J. Wilson, 6008 Clover road, who probably appears to his neighbors more like an insurance agent or salesman than as the man who collected the fuel that went into the fires that burned the props that stood under the house that Capone jacked built.

THIS IS A heretofore untold story of a vast web of evidence woven by many agents and many agencies until it stretched into far corners of the land; of how they "built a lot of heat" around Capone; of a super-racketeer fighting back, struggling to sever each strand of evidence as it tangled about him; of terrified witnesses and of big-time gamblers unprofessionally addicted to bridge; of Scarface Al's "big mistake"; of an innocent-looking book covered with five years' dust, and, lastly, of the difference between a man's pen and pencil writing that dramatically solved the riddle of the book and sealed the web into an unshatterable whole.

Mr. Wilson, who, until the World War changed the course of his life, was a Buffalo real estate agent, is reticent about his part in the Capone case, but quick to elaborate the results the case is expected to effect. For example, explaining that men who have filed inadequate returns or none at all in the past may escape prosecution by voluntarily filing "delinquent" or "amended" returns and accepting the proportional fines and interest thereon, Mr. Wilson said:

"One big gambler who had not made any return for several years has come through with a payment of over \$300,000. He confessed that he had been scared by the Capone case. 'Delinquent' returns in Chicago during the investigations last year were almost double those of the previous year, increasing nearly \$1,000,000, and we know that we scared most of it in.

"SOME PEOPLE SAY," he continued, "that the Government shouldn't accept taxes on criminal incomes, that it's 'tainted money.' Well, if we didn't go after them and make them pay up, we'd not only be helping them convince themselves they're above all law, we'd also be setting up a tax-exempt group and discriminating against honest citizens, wouldn't we?"

That the conviction of Scarface Al Capone and the chain of income-tax evasion cases that led up to it have made a lasting impression on tax dodgers, Mr. Wilson is confident. He also is confident that the Internal Revenue Bureau under David Burnett, commissioner, can hold to the pace it set in the Chicago clean-up.

TO ILLUSTRATE the department's attitude toward men of the Capone ilk and its determination to bring them to the bar of justice, Mr. Wilson quoted Commissioner Burnett as saying:

"In the eyes of the Federal Government a gangster is merely a person—not a personage.

"Recently indictments have been secured against a number of men whose names have figured prominently in the press as opponents of constituted authority. Some are in the penitentiary. Others are headed in that direction, guided to their journey's end by the effective and determined work of the representatives of several cooperating agencies. The Bureau of Internal Revenue takes a natural pride in its part of this accomplishment, not because of the notoriety of the men involved, but because it is a forward and compelling step in the disintegration of organizations that had set themselves above the law.

"I've read that others are 'aspiring to the vacant thrones.' Speaking for one branch of the Federal service, my only observation is that the income-tax laws still are on the statute books, and there are no exemptions for 'master minds.'"

MR. WILSON'S modesty about his status as Uncle Sam's ace income-tax investigator and about his work as chief of the agents, sent to Chicago when word came down from highest Governmental circles that the income of Scarface Al was to be investigated once and for all, was emphasized by his insistence that there could have been no success without the flawless and wholehearted cooperation extended by many agencies of the Government.

These, as enumerated by Mr. Wilson, included not only his chief, Elmer L. Irey, head of the Internal Revenue Bureau's Intelligence Unit, and Commissioner Burnett, but also the Department of Justice, the Post-office Department, the Commissioner of Narcotics, the Bureau of Immigration, semi-public organizations and, last but not least, George E. Q. Johnson, and his staff in the office of the United States Attorney at Chicago.

It fell to Mr. Wilson's single lot, however, to uncover the bit of evidence that clinched the case against Capone, proving to the satisfaction of court and jury what the world had long known—that Scarface Al, beer baron and super-racketeer, though he had reported no taxable income since 1921, had been making incalculable thousands a year.

Baltimore
Sun
March 20
1932

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Here's the way Mr. Wilson tells the story:
 "We'd been working for months and we didn't seem to have got anywhere. I was pretty discouraged and if it hadn't been for the encouragement given us by Commissioner Burnet and Mr. Irey, would have given up several times and gone home. We just didn't seem able to get any evidence linking directly with Capone, and when we did we couldn't get witnesses to make it stick.

"EVERY ONE was hostile. Every witness we needed was dumb as an oyster when it came to talking about Capone. They were a hundred times more afraid of being killed by Capone guns than they were of having to serve a prison term for perjury.

"I was working late at my office, checking up to see just what we had accomplished. By midnight I had decided that it amounted to just about nothing and was ready to go home. I started to put my papers away and the file was locked. I was afraid to leave them out. There were some old files open there that couldn't be locked.

"I thought I'd take the papers out of them, put my stuff in and put the papers back on top of mine. As I was doing this I uncovered a ledger. It had been lying there in that file for about five years and the label on it didn't mean a thing to me. But curiosity made me open it.

"As soon as I looked inside that book I knew we had our case. It was the account of a big gambling house. The memorandum on it said it had been taken in a 1926 raid on a gambling joint in a little Illinois town. I knew the place and I knew there was no house there doing that big a business. I was certain these were the accounts of Capone's gambling joint at Cicero. Later we found out the police had made two raids that day and the books they seized had got mixed up.

"WE HAD BEEN COLLECTING SAMPLES of handwriting of all the men in any way connected with Capone. We compared them with the handwriting in the book, which showed that between May, 1924, when the place opened, and December, the house made about \$300,000, and in two years cleared about \$600,000. None of the handwriting samples matched.

"Well, we worked another month, collecting samples of handwriting and comparing them with the book, but they didn't jibe. I was pretty certain these accounts had been kept by Leslie A. Shumway, who we had established, was cashier of the house, but the

handwriting wasn't the same. One day I had an idea. We got another sample of Shumway's handwriting, this time one in ink; the other had been in pencil.

"That ink specimen solved our problem. It matched. Shumway had two different styles of writing. When he used a pencil his writing was swift and sure like a certified public accountant's; when he used a pen he wrote like a schoolboy, with a slow, unformed scrawl.

"Well, we had the evidence we'd been looking for. Now, our job was to find our witnesses and get them to stand up to it. We looked for Shumway. Weeks passed. Word came through underground channels that he was in Florida.

"It wasn't hard to find him there. Shumway, a confirmed gambler, liked cards so much that, whenever he had some time off, wherever he was he'd be almost sure to turn up at the Elks' Club for a friendly game of bridge.

"WE WENT TO FLORIDA and found Shumway working for Capone in a gambling house there. Now, Internal Revenue agents have power to subpoena a man and to examine him under oath. We issued a subpoena for Shumway to appear in a case involving the White Steel Company, which doesn't exist, to my knowledge. The subpoena was served on Shumway half an hour before he was to appear at the postoffice so he wouldn't have much time to think things over.

"Of course, Shumway said he didn't know anything about the White Steel Company. The agent serving the summons said there'd probably been some mistake but that Shumway had better appear, that he'd be excused as soon as the authorities found out their mistake.

"Once we had Shumway where we wanted him, we showed him the records. It took some time, but we finally convinced Shumway that Capone's day was done and that he had better come clean. You could do that with only a few of Capone's henchmen.

"But the fact that we got any of these men to talk was the result of a carefully laid plan. We had to convince them Capone could be convicted, that he was not bigger than the Government. We had to build a lot of heat around Capone, and we did it by

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building up a series of tax-evasion convictions against his henchmen.

"They began to crack-up fast when we got Jack Guzik, indicting, trying and sentencing him to a five-year term, all within thirty days. You'll remember, he was Capone's 'financial secretary.' He was the brains of the organization. Capone was the power that made the wheels go. Guzik's out on an appeal which the Supreme Court will probably reach in the latter part of this month.

"Frankie Lake, the ex-firefighter, is doing one and a half years in Leavenworth. Terry Druggan, who was a cabbie before he joined up with Capone, on March 5 started a two-and-a-half-year stretch. Ralph Capone, Al's brother, is doing three years. Frank Nitti's in for eighteen months. Sam Guzik has gone up for a year and Louis Lipschultz is under indictment.

"When the witnesses we needed saw those leaders of the Capone organization getting knocked off in rapid-fire order, it began to dawn upon them that the United States Government meant business and that Capone, perhaps, after all was up against something he couldn't beat this time. He'd failed to fix it for the fellows closest to him.

"SO SHUMWAY TALKED. It was his testimony that we needed most. It tied the account up with Capone and the Cicero establishment in a way that couldn't be untied. Of course, we had other evidence, and we presented plenty of it, all kinds of it, but none so clinching as this. However, we weren't taking any chances. For example, the United States Attorney must have taken about 500 possible witnesses before the grand jury just to get them on record as swearing they didn't know anything about Capone's business. That was so the defense couldn't use them as alibi witnesses later on.

"To go back a bit—Capone was fighting every inch of the way. Witnesses we needed were being smuggled out of town, out of the State, even out of the country.

"BUT AL had made one big mistake. And he had made it six years before—at noon on Kentucky Derby day in May, 1925. That was when the West Suburban Ministers' and Citizens' Association tricked the Sheriff and his deputies into raiding the Hawthorne Smoke Shop at Cicero.

"It was from the Hawthorne Smoke Shop, afterward called The Ship or The Subway, that the book, which I found, and which Shumway identified, had come. That little tobacco store, right in the heart of Cicero, on its main street across from its two leading banks, just about 300 feet from the main office of the Western Electric Company in Cicero, was the front for a luxurious gambling joint that occupied two floors and drew

a patronage of high-class men and women. It employed a hundred men and contained roulette wheels, blackjack layouts, craps tables and poker tables, as well as wire facilities for betting on the ponies.

"He also drew a large share of his income from a chain of very efficiently organized brothels, operated with very modern book-keeping systems and on definite schedules according to which the women in them were rotated about the circuit. He operated bars in these houses, but that was his only stake in retail liquor selling. Otherwise, he confined his operations to the manufacture and wholesale distribution of beer and alcohol.

"He had other rackets, too, particularly the cleaning and dyeing business.

"Well, when we raided Capone's place in

Cicero that day, Al came dashing across the street from his hotel with only his pants and coat over his pajamas. The guards tried to stop him, and right there Al began making mistakes. He said it was his 'party' and his place and he was going in.

"WHEN HE GOT IN he made his next mistake. He began ordering people around, telling Shumway to take away the cash on hand and in several other ways letting it be known definitely that the joint belonged to him. He threatened the raiders; he had them beaten-up by his gang as they left the place. And fifteen minutes after the raid, the house was operating full blast again.

"But the big mistake he made was to try to dicker with the minister in charge of the raid. He told their leader that he'd take his bawdy houses out of Stickney if they'd let him alone in Cicero. They'd had his houses in Stickney raided a week before. They wouldn't trade, so he threatened them.

"He made his threats good. One of the men in the minister's organization was shot before the case was to come to trial. His family then prevailed upon him not to testify. The other witnesses also decided to keep their mouths shut on that occasion. But when the Government took Capone before Judge James H. Wilkerson in Chicago last fall, they talked and presented evidence to prove that in the 1924-1929 period he had an income of more than \$1,000,000; how much more nobody knows.

"The account books we had from the Hawthorne Smoke Shop were seized in a raid in 1926 after W. H. McSwiggin, Assistant State's Attorney, was killed near the gambling joint, but their value escaped notice at the time."

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THAT is just a chapter—albeit the climatic chapter—in the story of the investigating that ended in Capone's sentence to eleven years in prison. The whole story would have to cover months of painstaking accumulation of fragmentary bits of evidence, pieces of a gigantic jig-saw puzzle patiently assembled.

Mr. Wilson began to put it together in the summer of 1929, when he was sent to Chicago for five months to work on the Lake and Druggan cases. That done, he returned to Baltimore, not to go back to Chicago for the final clean-up until May 1, 1930. It was then that he took charge of the Capone case and embarked upon a task that was not completed until November, 1931, eighteen months later.

"The reports that we had an 'army' of men working on the case were just a little exaggerated," Mr. Wilson said. "As a matter of fact, seldom were there more than eight of us, and only five were sent to Chicago for that particular purpose. I believe I was selected because of my familiarity with Chicago. I had worked there on and off since 1920. I had the very efficient cooperation of Agents H. N. Clagett, W. C. Hodgins, J. C. Westreich, Nels Tessem, M. F. Malone, J.

Sullivan and many other officers of the Bureau of Internal Revenue in gathering the evidence."

As he talked, Mr. Wilson, who will be 42 in June, chewed his cigar. The ace investigator's desk was strewn with papers. There was one book—a volume on birds.

Mr. Wilson was transferred to the Baltimore post after his marriage five years ago, so that he could settle down, wouldn't have to travel any more. He smiles when he speaks of it, smiles because in the last four years he has spent only about nine months in all in Baltimore. The rest of the time the house he and Mrs. Wilson bought has been closed.

MRS. WILSON accompanied him to Chicago when he went there to take up the Capone trail. It is an evidence of the secrecy with which he and his colleagues worked that for the first nine months they were there Mrs. Wilson thought he was "investigating some politicians."

Mr. Wilson was born in Buffalo and schooled there. He studied law for a while at the University of Buffalo, then embarked in the real estate business. He enlisted in 1917, but was discharged from the army after a few months for defective sight. Then he joined the Food Administration as an investigator, his first Federal post, and until the end of the war

all their checks as soon as they received their first book, so as to save trouble later, and it has doubtless occasionally happened, but it remained for a man, who was contemplating an expensive automobile trip, to ask his bank to certify his book of checks in blank so that he would have less difficulty in cashing them when he filled in the amounts and signed them.

And it was a lawyer who asked for a cashier's check made out to him with the amount left blank so that he could fill it in after he had ascertained what alimony his client would have to pay. Almost needless to add, this could hardly be done, even for a lawyer.

At the other extreme was the man who stated he was going to issue five or six checks, but that he wanted payment stopped on all of them as soon as they were presented.

Equally hard to fathom was the process of reasoning employed by some panicky people recently when one of the local chain systems was having a slight and altogether unjustified run on one of its outlying branches. They hurriedly withdrew their funds from this branch and, rushing down to the center of the town, redeposited them in the main office of the same institution.

A PECULIAR CUSTOM observed by a family of five was for each of them to give the others a \$5 gold piece at Christmas. One coin would have done the work, but twenty of them were always solemnly withdrawn just before the holidays and just as solemnly returned to the several accounts a few days thereafter.

A depositor who was a doctor made it a rule to place whatever fees he collected in the nearest bank in whichever town he hap-

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DEPARTMENT OF JUSTICE
BUREAU OF INVESTIGATION
OFFICIAL BUSINESS

QUALITY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, 2000

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Kansas City Times

4-4-32

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A BRAGGING CAPONE

Gang Leader's Boasting Ruined Deal for Short Term in the Penitentiary.

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NOTORIETY TO HIS HEAD

Rise From Bowery Bartender Caused "Big Shot" Complex, Senate Committee Is Told.

A SUIT EVERY OTHER DAY

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But when he bragged that everything was arranged for him to take two and one-half years on income tax evasion charges it cost him just eight and one-half years more in the federal penitentiary.

All this came out in the story George E. Q. Johnson, United States attorney, told the senate judiciary subcommittee that is considering the promotion of Federal Judge James H. Wilkerson to the circuit court of appeals.

No Definite Promise.
Senator Robinson of Indiana, in an exchange with Johnson, brought out there was no definite promise from the judge. Verbatim quotations:

Mr. Johnson—The judge knew what the recommendation would be, the one that I was to make.

Senator Robinson—The judge did not at any time say that he would follow the recommendation?

Mr. Johnson—Senator, no judge could.

Senator Robinson—I know that, but I am asking you for a definite statement that he did not at any time.

Mr. Johnson—No, sir, he did not. Senator, I would not have the security of the court.

NEWSPAPER CLIPPINGS

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Johnson, in response to a question by Senator Borah, expressed the opinion that Capone aroused Judge Wilkerson's ire by flaunting himself before the public and, particularly, by boasting of the sentence he was to get. The defendant, said Johnson, was a man of "unbelievable arrogance." He had reason to be convinced of that, because the very afternoon Capone's plea of guilty was entered, a Chicago newspaper published what the sentence would be. Johnson said he later was informed Capone himself had disclosed the agreement. The record continues:

To the Races.

"Then the defendant set out upon this course. The Derby came about that time, at Washington Park race track, and Al Capone has a manner of dressing in vivid colors that attract attention to himself. He is a fellow with a big, hulking figure, a flaming scar on his cheek, and everybody recognizes him. He had a box out in front that everybody could see, and that was heralded in the newspapers.

"Then he went across the lake to Benton Harbor. There he took a whole floor in a large hotel and disported himself. Then he went to a baseball game and shook hands with the famous baseball players, and pictured around him were his bodyguards. Everywhere he goes there is a crowd of men, and it is done brazenly, openly, with their hands in their right-hand pockets. In collecting the evidence against him there were large expenditures by him for such things as diamond belt buckles and things like that.

Bought Clothes Lavishly.

"He ordered a suit of clothes every other day, and the specification of these orders always was that the right-hand pocket be extra large and double lined.

"Now, all these things were blazoned constantly and Judge Wilkerson called this to the attention of the officers of the court and asked the officers of the court to consider whether it would not be advisable to deprive him of liberty and take him into custody. As I stated before, I never discussed this with Judge Wilkerson, but it seemed an affront to the court how this information got out."

The startling extent of gangdom in Chicago was discovered by Johnson when he first started after Capone, he related to the committee. He didn't know where to begin.

Made Up Gang Card Index.

"I finally made up a card index of gangs," he said. "Newspaper men have amazingly accurate information. It was rather astonishing. It was not evidence but it was very accurate information as to the names of the gangs and their leaders. So I had a newspaper man make up the card index. That gave me an understanding of the gangs."

"I learned who Capone's partners were and went after them first. Among them were Jake Guzik, Ralph Capone and Frank Nitti, to whom we traced millions of dollars.

Money Gives Power.

"Of course, it is the money that gives these people the power. These cases all resulted in convictions, appeals were allowed, and all cases were affirmed and they were denied certiorari, and the last ones, I think, are going to the penitentiary this week, that is, Jake Guzik and Gene Oliver, Lawrence O'Brien is there, and Sam Guzik, Jake's brother, is there. A man by the name of Jack McGinnis,

...the last raid you will ever make. Had they were very much afraid. They, however, did appear before the grand jury, but were very much alarmed."

1924 Indictment Suppressed.

Summing up the situation in which the government found itself at that time, including the menace of violence against witnesses, Mr. Johnson told of the indictment against Capone for 1924 income tax violations, which was later suppressed.

Nevertheless, Capone found out about it in some mysterious way, and his counsel approached the government for a settlement. Capone's counsel first approached Johnson in May of last year. These facts were recited to the committee, as follows: "I stated that one indictment was returned in March. In June, then, these final indictments were returned. We were very much concerned about our case. We had the knowledge of how many had been murdered before, many illustrations of that. These three witnesses, Hoover and Morgan and Bragg, were very fearful and are very fearful now."

"About early March, may I recall to you, we had returned for the year 1924 a tax indictment against Capone to stop the running of the statute of limitations—that was suppressed, because if the news got out we knew witnesses would be more reluctant than ever."

As an example of pressure that was put on witnesses, Johnson cited the case of a cashier, in a small bank that held the famous "James" accounts, which were supposed to be connected with Ralph Capone. The cashier, called before the grand jury, was very reluctant to talk.

"There were eight or ten of these accounts," Johnson said. "Every three months one was closed and another opened. The odd part was that in each instance the first name of the depositor was James—James Carter, James Brown, and so on."

"Sometimes there were overdrafts of as much as \$6,000. But the cashier insisted he did not know who owned the account. I was very severe with him and he broke down and wept. He was nearly frightened to death. Later his counsel told me that every night when he went home some gangster was there and threatened him."

The Horse Is Coming Back Into Its Own.

SANTA MONICA, CAL., April 3.—To The Star: Major Chamberlin and his troop of crack riders of our army were just up here at the ranch. They are our representatives in the Olympics.

Chamberlin has represented us in previous games, and he says that the horsemanship events are the most popular on the whole program. You talk about something coming

back. Say the old horse is coming back in a high lope. Thousands of people are riding horses today that five years ago couldn't sit in a Ford with all doors locked.

Equities racing in every state, sure, people will bet. But they get to see the horses run, and you certainly can't see General Motors and General Electric and General Utility run when you bet on them.

Will Bouma.



PRICE: In Kansas City... 8 Cents
Elsewhere..... 10 Cents

Capone Case Testimony Stirs Congress.

WASHINGTON, April 3.—The astonishing narrative before a senate committee by the man who prosecuted Al Capone of the gangster's undercover workings is being given a thorough going over in congress.

Not only might the testimony of George E. Q. Johnson of Chicago, district attorney, have a decisive effect upon the nomination of Judge James H. Wilkerson of Chicago to the circuit court, but other ramifications with a view of breaking gangland's power are being discussed.

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Mr. Johnson—Senator, no judge could.

Senator Robinson—I know that, but I am asking you for a definite statement that he did not do any thing.

Mr. Johnson—No, sir, he did not. Senator, I would not have the temerity to do that to any federal judge. Things are sort of taken for granted, as I have said.

Johnson, in response to questions by Senator Borah, expressed the opinion that Capone accused Judge Wilkerson's ire by flaunting himself before the public and, particularly, by boasting of the sentence he was to get.

The defendant, said Johnson, was a man of "unbelievable arrogance." He had reason to be convinced of that, because the very afternoon Capone's plea of guilty was entered, a Chicago newspaper published what the sentence would be. Johnson said he later was informed Capone himself had disclosed the agreement. The record continues:

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Kansas City Star.

Handwritten initials and scribbles.

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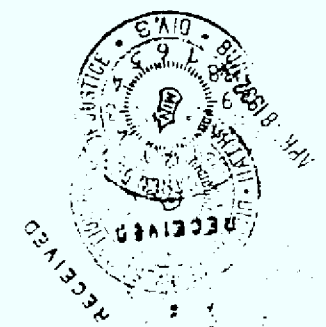
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who is said to be a machine gunner, and one of the big killers for the mob. Has been convicted on a Mann act charge."

"Machine Gun" Jack McOurn and his "blond alibi," Louise Rolfe, were sentenced to two years and four months imprisonment for violation of the Mann act and their convictions were upheld by the United States court of appeals Saturday. They were adjudged guilty of making trips to Miami and Jacksonville, Fla. and Gulfport, Miss., as man and wife in 1930.

Capone's History.

Johnson outlined to the committee Capone's history as dug up by government agents, told of the extreme difficulty in obtaining evidence against him and of events leading up to a conference with Capone's attorneys at which a curtailed sentence in return for a plea of guilty was first mentioned:

"Al Capone began his career as a bartender in the Bowery of New York when he was a young man. He was a member of the Five Points gang in New York. He came to Chicago in 1920 or 1922, I think it was, as a bouncer.

"Then he got into gambling in a small way, and in 1923, as we trace him down, he got to a point where he could buy a car for \$4,800.

"In 1924 they operated three gambling places in the suburb of Cicero, and the system briefly was this: When there was too loud an outcry of citizens he would move to another place. There were three places within a very short distance. Within an hour after they were raided in one place they would be going full blast in the next place.

Books Seized.

"They had a bookkeeper by the name of Shumway, who in 1924 began to keep the books. In a raid made by police these books had been taken and turned over to the government.

"The books were all in key numbers, and disclosed no names excepting in one or two instances, so by this process of investigation we built up a lot of circumstances against Capone, and how we happened to prove his ownership of these gambling places in which these books were kept was in this manner:

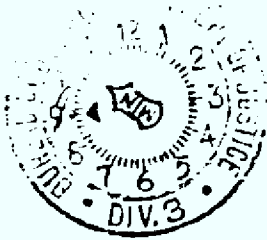
"A young minister, a young Engelman who had been naturalized, by the name of Hoover, the president of the real estate board and the Kiwanis Club, by the name of Bragg, and a man by the name of Morgan obtained help from the Kiwanis Club and the American Legion, and they organized a raid on Capone's place, got a search warrant and went there in the afternoon, and had a constable with them. It is one of the few places we have ever seen Capone in the flesh and blood. He is very elusive. He came with his trousers hastily pulled over his pajamas and rapped on the door and wanted to get in, and the man at the door said, 'Who are you?' and he said, 'This is my party, I own this joint.'

Raiders Were Terrorized.

"There were some more admissions to that effect. That was our evidence of his ownership of the place with which in the trial we expected to connect up the books. Here was the great difficulty about that. There were some very courageous, but after this raid showed the minister, was terrorized, and much more passed.

U. S. Department of Justice
Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS.



MAR 29 1932 AM



March 25, 1932.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

69-180

Dear Sir:

There is forwarded to you herewith
a newspaper item appearing in the Chicago
Daily Tribune, dated March 24, 1932, con-
cerning ALPHONSE CAPONE.

Very truly yours,

M. H. Purvis

M. H. PURVIS, Acting
Special Agent in Charge.

MEP:MG

X NEWSPAPER CLIPPINGS

Handwritten notes:
1 envelope
2/20
2/21
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BUREAU OF INVESTIGATION	
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DEPARTMENT OF JUSTICE	
Div. One NATHAN Dist. Three	FILE MAR

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ly and expressing his dis-
 content with the govern-
 ment's attitude toward
 his arrival for the trial.

"Well, it seems that
 motion here for a stay of
 trial," said Judge Alschuler.

Extra Guards Employed.
 "There is this situation," said United
 States Attorney George E. Johnson.
 "So far as the government is
 concerned, the matter relates solely
 to the marshal. The marshal has found
 it necessary to employ guards at the
 jail, at some expense, and the govern-
 ment would naturally like to be re-
 lieved of this obligation."

"Yes," replied Judge Alschuler,
 "the case ought to be disposed of
 without unnecessary delay, as all cases
 should. But if we can't take it for-
 granted that public officials including
 jail authorities, will perform their
 duties, I don't see how government
 can function. How long do you want,
 Mr. Fink?"

Asks for Sixty Days.
 Mr. Fink asked whether sixty days
 would be regarded as unreasonable,
 and Judge Alschuler informed him that
 it would.

"This case has been thoroughly
 tried," commented the judge.
 "Mr. Fink has been going to a
 dentist," interposed Aherm.

JUDGE ALSCHULER—I'll send him
 to a good one.

MR. FINK—I've got one I'll trade
 you.

JUDGE ALSCHULER—I suggest
 that the mandate be stayed for 30
 days, and that if in the meantime you
 have filed your petition for a writ of
 certiorari with the Supreme court it
 be continued again until the Supreme
 court acts. [Turning to Judge Sparks,
 who nodded]—Does that meet with
 your ideas?

Mr. Fink and Mr. Aherm then as-
 sured the judges and counsel for the
 government that their petition would
 be filed with due dispatch.

"That petition may be denied by the
 Supreme court as promptly as our mo-
 tion for a rehearing was denied here,"
 said Mr. Fink.

Time required for the Supreme
 court to act on petitions for review
 varies. It required about six weeks
 in the case of Gene G. Oliver, former
 county assessor, because the court
 was in recess. The minimum time
 is about two weeks, so that Capone's
 likelihood will remain in jail for six
 weeks.

No Reason Given for Guards.

Although Judge Alschuler mentioned
 no names in his reference to the trust-
 worthiness of jail officials, the respon-
 sibility for Capone while he is in jail
 rests with Sheriff William D. Meyerling.

United States Attorney Johnson
 gave no reasons for the placing of
 federal guards in the jail, but there
 have been persistent rumors that
 Capone had established a line of com-
 munications with the outside world
 through visitors.

Capone receives no credit toward
 his sentence while staying in the jail,
 where he has been for four and a half
 months. He must serve 10 years in
 the penitentiary and one year [later]
 in jail under the sentence of Judge
 James H. Wilkerson, who also fined
 him \$50,000.

GIVEN CAPONE

30-DAY STA

SUPREME COURT APPEAL STOPS TRIP TO PRISON

U. S. Judges Refuse a Rehearing.



Al Capone will not be taken to the
 penitentiary to begin serving his sen-
 tence until he has had a rehearing
 at least 60 days
 later. The United
 States Circuit
 Court of Appeals
 yesterday de-
 clined to grant
 the stay of his
 appeal, but re-
 quired that he
 be held in jail
 pending appeal in
 the district
 court.

At Capone's
 hearing during the afternoon,
 Marshal Henry C. W. Lambert
 was prepared to start Capone
 on his way to Leavenworth peni-
 tentiary but the expected mandate was
 issued. But W. Tracy Aherm, pro-
 secutor, and Miss Agnes Aherm, of the
 defense, were present.

RECEIVED



Handwritten initials and scribbles

HEAD OF SECRET SIX SAYS CAPONE'S FALL IS NOT END OF GANGS

Power to Continue as Long as Dry Law Remains, Randolph Says.

PRAISES PROSECUTOR'S EXPLANATION ON FACT

Does Not Fear Reprisal for Work; Thinks It Would Stir "Too Much Heat."

(Associated Press.)

Robert Isham Randolph, chairman of Chicago's "Secret Six," which is cooperating with public authorities to control organized crime, believes it will take more than the conviction of Al Capone and his allies to break up the gang racket.

In an interview, Randolph said Capone's crime ring was a "real business organization, with a board of directors" and that other men were ready to step into his place.

"The convictions that have already been secured of Capone and his agents like Gu and Nitti will have a salutary effect," Randolph said, "but they don't break up the criminal syndicates.

"They are going to continue as long as the big profits and the huge rewards are to be had from violations of the eighteenth amendment and the Volstead law."

Not Mysterious

Randolph, in Washington on other business, answered questions about crime conditions readily. He was far from the mysterious figure he might be pictured as head of Chicago's famous "Secret Six."

The amazing story told by District Attorney George E. C. Johnson, of Chicago, before a Senate committee about the power of Capone and his gangster group was described by Randolph as a "splendid picture of the situation."

He said he was glad Johnson had made public the details of the agreement under which Capone was to plead guilty and receive a comparatively short sentence of 3 1/2 years.

"That has taken the curse of the story that a deal was made," he said. "There was nothing sinister about it and heretofore it has had a sinister aspect."

Randolph said probably if Capone had not been "such a braggart" and announced the terms of the agreement Judge Wilkinson, who overturned it and gave him eleven years, would have given it serious consideration.

Describing the efforts of his own organization to protect witnesses and produce evidence against gangsters, Randolph said it had kept one of the Capone witnesses in hiding for eighteen months.

Before the gangsters learned that he had been found by the Government, Randolph said, his group took the man to a hotel in another city and paid him \$10 a day to stay in confinement. When he got tired of that they sent him on a trip to South America in the custody of a ship captain.

Still Being Protected

He is now free, in another city, but is under the constant protection of the "Secret Six," Randolph added.

"Why can't the Government protect the witnesses?" Randolph was asked.

"Because the Government has got to account for every cent it spends," he replied. "My organization doesn't want any accounting."

Randolph said the new municipal administration in Chicago was improving conditions through reorganization of the police department and a police chief who is "capable, competent, honest and fearless."

"Why don't the gangsters get you and District Attorney Johnson?" he was asked.

"They realize it would be very unwise to do anything to us," he said. "The heat would be too great."

NEWSPAPER CLIPPING

92

NOT RECORDED
69-180

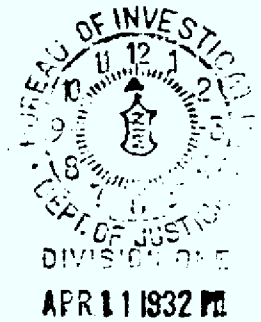
INDEXED

69-180-114X R.

U. S. Department of Justice
Bureau of Investigation
P. O. Box 1405
Chicago, Illinois

2
FIVED

N
3



April 8, 1932.

Director
Bureau of Investigation
Department of Justice
Washington, D. C.

h
cc

Re: ALPHONSE CAPONE; KENNETH PHILLIPS, M. D.
CONTEMPT OF COURT; PERJURY

Dear Sir:

With reference to the case above named, please be advised that inquiry of Mr. H. J. Carrick, Assistant Clerk, United States Circuit Court of Appeals, Chicago, Illinois, reveals that the case against Capone will be called on April 12, 1932, at which time the matter will either be continued or a date set for final hearing.

Very truly yours,

W. A. McSWAIN
Special Agent in Charge

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APR 11 1932 PM

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APR 12 1932

69-180-115
BUREAU OF INVESTIGATION
APR 11 1932 A.M.
U. S. DEPT. OF JUSTICE
NATHAN
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RECORDED
APR 27 1932

THS:BOB
69-180-116

April 26, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL TOMBOOSIE

In the case entitled ALPHONSE CAPONE, et al,
CONTEMPT OF COURT - PERJURY

there are transmitted herewith copies of the following reports:

<u>Agent</u>	<u>Office</u>	<u>Date</u>
L. P. Oliver	Chicago, Illinois	4-20-32

Very truly yours,

Director.

ms
TPOB
BUREAU FILES DIVISION
MAILED

APR 26 1932 Incl. # 176445

OFFICE

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REPORT MADE AT: Chicago, Ill.	DATE WHEN MADE: 4/20/32	PERIOD FOR WHICH MADE: 4/8, 12, 14/32	REPORT MADE BY: J. S. GILVER - 42
----------------------------------	----------------------------	--	--------------------------------------

TITLE: ALPHONSE CAPONE; EUGENE PHILLIPS	CHARACTER OF CASE: TAX
---	---------------------------

SYNOPSIS OF FACTS:
 Case set for hearing 4/18/32 before U.S. Circuit Court of Appeals at Chicago and called on that date, and on motion of S. Attorney, Chicago, was passed, no further date being set.



REFERENCE: Report of Special Agent in Charge E. A. McSwain, Chicago, Illinois, 9/10/31.

DETAILS: AT CHICAGO, ILLINOIS

The Chicago office has, from time to time since the date of reference report, communicated by letter with the Bureau advising of the status of the captioned case.

The present report is being presented in order that the office of origin as well as the Bureau may be informed concerning recent developments herein.

On April 8, 1932 agent contacted Mr. H. J. Carrick, Assistant Clerk, United States Circuit Court of Appeals, who stated that this case would be called on April 18, 1932, at which time same would be continued or a date set for final hearing.

On April 14, 1932 further interview with Mr. Carrick revealed that on the same date this case was called, and that Assistant United States Attorney Thomas S. Healy requested that the matter be passed. The informer stated that no date was set for further hearing, and that it was generally understood this matter would be held in abeyance pending the decision of the United States Supreme Court in connection with the appeal of Subject Capone, he having been convicted at Chicago in connection with violation of the Federal Income Tax Laws.

APPROVED AND FORWARDED: <i>[Signature]</i>	PENDING SPECIAL AGENT IN CHARGE	69-180-116	RECORDED AND INDEXED: APR 23 1932
COPIES OF THIS REPORT FURNISHED TO: 3-Bureau 3-Jacksonville 2-Chicago <i>IC [Signature] 4-26-32</i>		BUREAU OF INVESTIGATION APR 23 1932 A.M. DEPARTMENT OF JUSTICE	CHECKED OFF: APR 27 1932 INDEXED: 95
		ROUTED TO: Div. Two	

178:287
69-180-117

May 25, 1932.

RECORDED
MAY 27 1932

Special Agent in Charge,
Bureau of Investigation,
Box 32,
Jacksonville, Florida.

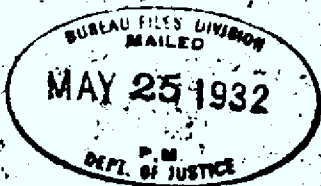
Dear Sir:

Receipt is acknowledged of your communication dated May 19, 1932, in re ALFONSE CAPONE; KENNETH PHILLIPS, N. D. — Contempt of Court; Perjury, in which you request authority to close this case, inasmuch as the United States Attorney having jurisdiction has declined prosecution.

Since the United States Attorney declines to proceed, it appears that the Bureau has no option in the matter, and the continuance of the case as pending would be worthless. You may, accordingly, mark the case closed.

Very truly yours,

Director.



TFC

96

U. S. Department of Justice
Bureau of Investigation

P. O. Box 32,
Jacksonville, Fla.

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3



RAA:SLH

May 19, 1932.

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m

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

69-180

Dear Sir:

RE: ALPHONSE CAPONE; KENNETH PHILLIPS, M.D.;
CONTEMPT OF COURT; PERJURY.

The United States Attorney here advised that in view of Capone's conviction and sentence at Chicago for violation of the Federal Income Tax Laws, no prosecution against him would be undertaken in this district in the above entitled matter.

Report of Special Agent L. P. Oliver, Chicago, dated April 20, 1932, reflects that this case was being held in abeyance in Chicago pending the decision of the United States Supreme Court in connection with the appeal of Capone from conviction and sentence for violation of the Federal Income Tax Laws. Previously the United States Attorney in Chicago declined prosecution as to subject Phillips.

In view of the facts that Capone lost his appeal and is now serving a long sentence and that no further prosecution in this case is contemplated in Chicago or Jacksonville, it is respectfully requested that authority be granted to close this case. Please advise.

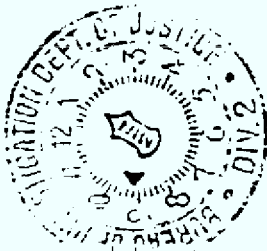
Very truly yours,

C. D. McKean
C. D. McKean,
Special Agent in Charge.

*memo report
ack'd 5-25-32
7/22*

Jax File #69-9

RECEIVED



MAY 23 1932 AM

MAY 27 1932

69-180-117	
MAY 21 1932	
DR. ON	FILE
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DR. THRE...	

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TFB:EMF
69-180-117

RECORDED

MAY 27 1932

May 25, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGHELY.

With reference to the case involving ALFRED CAPONE; KENNETH PHILLIPS, M. D. — Contempt of Court; Perjury, which, as you may recall, was in connection with the giving of an affidavit by Mr. Phillips to the effect that Capone was ill and unable to respond to the subpoena requiring his presence in Chicago, when as a matter of fact Capone was not so ill that he could not respond, I am attaching for your information copy of a letter from the Special Agent in Charge of the Jacksonville, Florida office of the Bureau of Investigation, dated May 19, 1932.

Inasmuch as it appears that the United States Attorney at Chicago will not proceed further in this matter, and that the United States Attorney at Jacksonville has advised that no prosecution will be initiated there, there appears to be no reason for keeping this case pending further, and accordingly the Jacksonville office is being authorized to mark the case closed.

Very truly yours,

BUREAU FILES DIVISION
MAILED
MAY 25 1932
P.M.
DEPT. OF JUSTICE

Encl. 4418006.

RECEIVED
MAY 27 1932 AM
DIV. 3

MAY 27 1932 AM

MAY 25 1932

RECEIVED
MAY 25 1932

RECEIVED

98

REPORT MADE AT: CHICAGO, ILL.	DATE WHEN MADE: May 29, 1932	PERIOD FOR WHICH MADE: May 21, 1932	REPORT MADE BY: ALPHONSE CAPONE KENNETH PHILLIPS, JR.	TITLE: CONTINUED COURT
---	--	---	---	----------------------------------

SYNOPSIS OF FACTS:

This case remains on docket in U.S. Circuit Court of Appeals at Chicago for hearing; in ordinary course of business will not come up until the October term, beginning the first Tuesday in October, 1932.



REFERENCE:

Report of Special Agent L. P. Oliver, Chicago, Illinois April 20th, 1932.

DETAILS:

AT CHICAGO, ILLINOIS

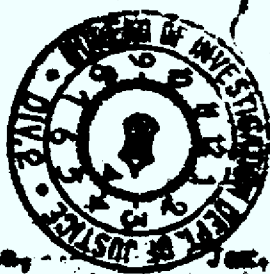
On May 21st, 1932, agent interviewed Mr. L. J. Carrick, Assistant Clerk, U.S. Circuit Court of Appeals, who after examining the records of that office stated that this case still appears on the docket, but that in the ordinary course of business it will not come up for hearing until the October term, which begins on the first Tuesday in October, 1932. Mr. Carrick stated however, that upon motion of the United States Attorney the case could be dismissed at any time.

P E N D I N G

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>M. H. Quinn</i>	SPECIAL AGENT IN CHARGE	69-780-178	RECORDED AND INDEXED MAY 31 1932
COPIES OF THIS REPORT FURNISHED TO: Bureau - 3 Jacksonv. 3 Chicago - 2		BUREAU OF INVESTIGATION MAY 31 1932 A.M. DEPARTMENT OF JUSTICE	CHECKED OFF: JUN 3 - 1932
		ROUTED TO: Div. Two	JACKETED:

MAY 31 1932 PM



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Form No. 1

THIS CASE ORIGINATED AT

Jacksonville, Florida,

FILE NO.

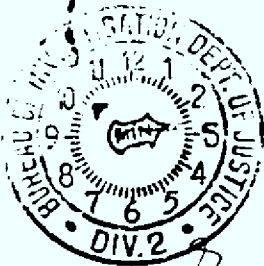
69-9

REPORT MADE AT Jacksonville, Florida	DATE WHEN MADE May 28, 1932	PERIOD FOR WHICH MADE May 28, 1932	REPORT MADE BY [Illegible]
TITLE ALPHONSE CAPONE; KENNETH PHILLIPS, et al.			
SYNOPSIS OF FACTS: Since the United States Attorney, Jacksonville, Florida, declined to proceed further with the prosecution in this case, the Bureau authorized closing of same.			
REFERENCE: Bureau letter dated May 25, 1932.			
DETAILS: At Jacksonville, Florida: On May 19, 1932, Miss Edith House, Assistant United States Attorney, Jacksonville, Florida, advised that in view of Capone's conviction and sentence at Chicago, Illinois, for violation of the Federal Income Tax Laws, no prosecution against him would be undertaken in this District in above entitled matter. Upon receipt of above information, the Bureau was communicated with, requesting authority to close the case. Reference letter informs that since the United States Attorney at Jacksonville, declines to proceed in this matter, authority is granted for closing this case.			

APPROVED AND FORWARDED: <i>[Signature]</i> SPECIAL AGENT IN CHARGE	69-184-119	RECORDED AND INDEXED: MAY 31 1932
COPIES OF THIS REPORT FURNISHED TO: 3-Bureau 2-Chicago 1-United States Attorney, Jacksonville 2-Jacksonville	BUREAU OF INVESTIGATION MAY 31 1932 A.M. DEPARTMENT OF JUSTICE	CHECKED OFF: JUN 4 - 1932 JACKETED:
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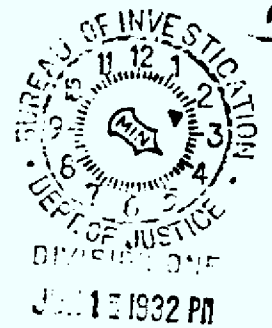
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JUN 2 1932 AM

U. S. Department of Justice
Bureau of Investigation

POST OFFICE BOX 1405,
CHICAGO, ILLINOIS.



May 27, 1932.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There are attached hereto newspaper items appearing in the Chicago Herald and Examiner and the Chicago Daily Tribune, May 27, 1932, indicating that Al Capone is now petitioning the United States Supreme Court for reconsideration of his appeal.

Very truly yours,

M. H. Purvis

M. H. PURVIS, Acting
Special Agent in Charge.

MHP:PM

1 Encl.

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JUN 7 - 1932

69-180-120
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
CHICAGO, ILLINOIS
JUN 7 1932
SEARCHED
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INDEXED
FILED
JUN 7 1932
FBI - CHICAGO

NEWSPAPER CLIPPING

101

Chicago Herald & Examiner
★ 5/27/32.

Chicago Daily Tribune
★ 5/27/32.

CAPONE OPENS NEW FIGHT FOR FREEDOM

Refusing to abandon the legal battle for freedom, "Scarface Al" Capone, already in Atlanta penitentiary, filed a petition in the United States Supreme Court yesterday, asking reconsideration of his appeal from the conviction on income tax law evasion charges.

Michael Ahern, counsel for the gangster, asserted, in asking the rehearing, that legal errors in the indictment justified consideration of the appeal.

He stated that the indictment was so drawn that Capone was not protected against a second prosecution for the same offense. He also argued that the ten-year sentence was imposed for offenses which were shown by the government to be barred by the statute of limitations.

He further contended that the indictment itself showed Capone was a resident of Chicago continuously from the time the evasion was alleged to have occurred, and the government, therefore, could not contend Capone was absent, to excuse the delay in bringing proceedings against him.

LAWYER MAKES A FINAL PLEA FOR AL CAPONE

Counsel for Al Capone, who is in Atlanta penitentiary serving an eleven year term for income tax fraud, yesterday asked the United States Supreme court to reconsider its action in refusing to review the gang chief's case. Attorney Michael Ahern, who filed the petition, argued that Capone could have been prosecuted twice for the same offense under the indictment on which he was tried and that the statute of limitations had run on certain years involved in the income tax charges. Cases in which the Supreme court reconsiders after refusing to review are rare.

69-180-120

102

69-180-121

RECORDED
&
INDEXED

JUN 27 1932

69-180

4

June 11, 1932.

Special Agent in Charge,
Bureau of Investigation,
201 Liberty National Life Bldg.,
Birmingham, Ala.

Dear Sir:

I am transmitting, attached hereto, a copy of a communication addressed to the Director of the Bureau of Prisons by the Warden of the Atlanta Penitentiary, together with a copy of a letter addressed to Alphonse Capone by one E. H. Walden, connected, apparently, with the Atlanta Women's Weekly, Incorporated, 201 William Sliver Building, Atlanta, Georgia.

Will you please have a discreet and confidential inquiry made for the purpose of ascertaining the identity of E. H. Walden and the nature of this publication.

Very truly yours,

Director.

Encl. 400121.



COPY

Department of Justice
UNITED STATES PENITENTIARY
Atlanta, Georgia

Office of the Warden
June 1, 1932.

Director, Bureau of Prisons,
Department of Justice,
Washington, D.C.

Dear Sir:

Enclose herewith letter from [redacted]

[redacted] addressed to Al Capone, regarding a series of articles entitled "The Life Story of Al Capone, The Chicago Mussolini", in which the writer is seeking to get Capone's permission for the publication of this story. I might add that this article was written after the writer had been denied permission to interview Capone in the institution.

Very truly yours,

(s) A. C. Adershold,

A. C. Adershold,
Warden.

MA-7.

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&
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JUN 16 1932 AM

JUN 27 1932

69-180-121	
BUREAU OF INVESTIGATION	
JUN 13 1932 A.M.	
DEPARTMENT OF JUSTICE	
NATHAN	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.

_____ 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.

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

For your information: _____

The following number is to be used for reference regarding these pages:
62-111031

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

105

U. S. Department of Justice
Bureau of Investigation
P. O. Box 1405
Chicago, Illinois

94
4



June 15, 1932.

8
cc

Director
Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Sir:

As of interest to the Bureau, I am transmitting herewith a copy of "Real Detective" Magazine for the month of July, 1932, which contains an article, beginning on page 26, entitled, "Capone's Girl Racket", which article supposedly discloses secrets of Chicago's white slave mart.

Very truly yours,

E. P. GUINANE
Acting Special Agent in Charge

EPC:AB
/ Enclosure

Enclosure 15 RB
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back of file 9
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69-180

Given Chicago
6/20/32

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&
INDEXED
JUN 23 1932

69-180-122
BUREAU OF INVESTIGATION
JUN 15 1932 A.M.
U. S. DEPARTMENT OF JUSTICE
FILE

106

GALE
69-100-122

June 20, 1932.

RECORDED
JUN 23 1932

Special Agent in Charge,
Bureau of Investigation,
Box 1405,
Chicago, Illinois.

Dear Sir:

The Bureau has received your letter of June 13, 1932, and the copy of the "Real Detective" magazine for the month of July, which contains an article in regard to the alleged operation of a conspiracy in violation of the White Slave Traffic Act, the article being entitled "Caplan's Girl Racket". It is noted that this article refers to the case of Charles White, investigated by your office. The source of some of the other information was given. It is believed that you should consider the advisability in connection with the investigation of the case growing out of the case of Charles White and the Babas brothers of seeking from the author or the source, which he mentions information which may be used to verify or disprove the charges in the article. Of course, the statements in the article are no doubt exaggerated in order to make the article of value for publishing in such a magazine. The Bureau desires, however, that every possible effort be made to ascertain the truth or falsity of charges that any ring or rings was operating in violation of the White Slave Traffic Act in Chicago and the surrounding cities.

Very truly yours,

Director.



[Handwritten signature]

107

U. S. Department of Justice
Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS

69-180

June 20th, 1932.

Director,
Bureau of Investigation
Department of Justice,
Washington, D.C.

RE: ALPHONSE CAPONE
CONTEMPT OF COURT
PERJURY.

Dear Sir:

The Bureau's attention is called to the report of Special Agent R. A. Alt, of the Jacksonville office, dated May 28th, 1932, closing the above entitled case upon authorization of the Bureau's letter dated May 25th, 1932,. The Chicago office is carrying this case as pending, in order to follow and report the appeal which will be heard in the Circuit Court of Appeals at Chicago, Illinois in October of this year.

In view of the fact that all activity in this case is within the jurisdiction of the Chicago office, it is suggested that the Bureau change the office of origin from Jacksonville, Florida, to Chicago, Illinois.

Very truly yours,

J. E. P. Dunn
J. E. P. DUNN,

Acting Special Agent in Charge.

RECEIVED

JUN 22 1932
RECEIVED

CGS:JMS

CC Jacksonville

69-19

RECORDED

JUN 28 1932

Send change

*Chicago
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BUREAU OF INVESTIGATION	
JUN 22 1932 A.M.	
RECEIVED	JUSTICE
NATHAN	FILE

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RECORDED
JUN 28 1932

June 24, 1932.

Special Agent in Charge,
United States Bureau of Investigation,
Post Office Box 1405,
Chicago, Illinois.

Re: ALFRED CHYK,
Partner of Smith & Barlow

Dear Sir:

Receipt of your letter dated June 20, 1932, advising that this case is being carried pending by your office in order to follow and report the appeal, is hereby acknowledged.

In view of the fact that this case has been closed by the Jacksonville office and all subsequent activity will be within the jurisdiction of the Chicago office, you are advised that the office of origin is changed from Jacksonville, Florida, to Chicago, Illinois.

Very truly yours,

Director.

CC-Jacksonville.

BUREAU FILES DIVISION
MAILED
JUN 24 1932
DEPT. OF JUSTICE

Handwritten signature

109

Form No. 1

THIS CASE ORIGINATED AT

BIRMINGHAM, ALA.

FILE NO. 62-745 MLP

OFFICE ORIGINATING Birmingham, Ala.	DATE WHEN MADE 6-22-32	PERIOD FOR WHICH MADE 6-1-32	TITLE [REDACTED]
SYNOPSIS OF FACTS: Subject is the son of [REDACTED] Atlanta, Georgia and started the Atlanta Woman's Weekly in March of this year. The publication has been in financial difficulties from the start and has temporarily suspended business. Subject now located in 601 Gilway Building, Atlanta, Georgia. A copy of the Atlanta Woman's Weekly is furnished herewith to the Bureau.			
REFERENCE: Bureau Letter dated 6-11-32.			
DETAILS: AT ATLANTA, GA. Reference letter desired that an investigation be made to determine the identity of subject and the nature of his publication entitled the Atlanta Woman's Weekly. Agent first made inquiries at the City Library in Atlanta and found that subject and the Atlanta Woman's Weekly were unknown there. A similar result followed inquiry at the Chamber of Commerce. News stands visited by Agent did not carry this publication.			
DO NOT WRITE IN THESE SPACES			
APPROVED AND FORWARDED <i>M. A. Quinn</i> SPECIAL AGENT IN CHARGE	69-180-124 JUN 24 1932		
COPIES OF THIS REPORT FURNISHED TO: 3 Bureau (ENCLOSURE) 2 Birmingham	JUN 24 1932 A.M. JUN 30 1932 DEPARTMENT OF JUSTICE		

b7C
b7D

[REDACTED]

With respect to the personal history of subject,

[REDACTED]

Agent called at 501 Silvey Bldg., and obtained the last copy of The Atlanta Weekly which is forwarded herewith to the Bureau. This copy is dated April 30, 1932 and the young man who was in the office in the absence of subject stated that publication would probably resume in the near future.

A.C. Aderhold, Warden, U.S. Penitentiary, was interviewed by Agent and stated that he had been informed that

[REDACTED]

Mr. Aderhold stated that he forwarded this letter to the Bureau of Prisons, Washington, D.C. and that he has no other information in the matter.

It will be noted that subject's letter head refers to his publication as the Atlanta Woman's Weekly, while the published name on the copy furnished to the Bureau is The Atlanta Weekly which latter name is also used by subject in his communication to Capone.

CLOSED.

ENCLOSURE

69-180-124

112

74

FAMOUS ACTRESS'S HAND TELLS SECRETS

Story on page 6

JAPS SEEK WAR WITH U.S.

Story on page 3

EXTRA THE ATLANTA WEEKLY EXTRA

VOL. 1. NO. 6.

ATLANTA, GEORGIA, APRIL 30, 1932.

5c Per Copy

JAP-RUSSIA ARMY CLASH THREATENS WAR



Above is a photograph of Ruth Roland, the famous movie and stage star and also a photograph of the print of her hand made recently by Alice Dutton Jennings, the famous palmist and astrologist for The Atlanta Weekly. Ruth Roland's interesting story as revealed by her hand appears on page 6.

New York, April 29.—Special radio dispatch direct to The Atlanta Weekly—Two armies of 350,000 men, backed by the tanks, planes, artillery and armored cars of modern combat, are facing each other along the Siberian border as the Russo-Japanese clash threatens to flare into open war for economic control of all Asia.

The arrival of spring in Manchuria, freeing the roads for transportation of troops and supplies has removed the one barrier, observers believe, which has kept Russia and Japan technically at peace since the Mikado's soldiers swept through Manchuria last fall.

Added to the menace of a strained diplomatic situation is China's own fruitless fight against the invasion of its richest province by the Japanese army. Russia, Japan believes, has been secretly aiding the Chinese troops with supplies and rifles.

Behind the veil of censorship which all three governments have imposed is a complicated series of military and naval maneuvers which, similar to those which preceded the war in 1914, are almost certain to end in open battle, observers here fear.

KIDNAPING RING DEFIES U. S.

Story on Page 3

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O'Neill's Six-Hour Tragedy Season's Sensation

Jap Fascisti Seek War With U. S. On Pacific

ALICE BRADY
POWERFUL IN
LEADING ROLE

Eugene O'Neill's "Marathon Trilogy," "Mourning Becomes Electra," broke all stage records when it opened at the Colonial, running from 5:40 to midnight, with an hour out for dinner. It is glossy, grisly diversion, with its two murders and two suicides, its love-crazed woman who chooses her husband's illegitimate first cousin for her soul-mate, its modern Electra pushing all around her to the grave and at last offering herself lustfully to the only man left; its thrice unhappy youth driven mad gradually by war, crime and conscience.

Yet these three plays, as presented by the Theater Guild, are apparently among the things the show-going people want. The Colonial was packed at the previews and, they say, will be packed for the next three weeks. The O'Neill here, the exceptionally strong cast, with Alice Brady, Alla Nazimova, Earl Larrimore, Lee Baker and Thomas Chalmers in the principal parts and the bargain prices, all combine to spell box office success. In New York they got \$6 when this same production opened six months ago. Here the top price for the three plays is \$8.

with "pigtails" several years ago. Five times a week during the fall and winter months Mrs. Moody has been on the practice courts. The leading men players in this section provided the opposition. The national title holder has been tested by such net stars as Howard Kinsey, one-time internationalist, an Phil Neer and Ed Chandler, both former national intercollegiate champions.

Japanese Troops Are Ready

Japanese Troops Urged on by the Newly Organized Fascist Party are Busy Preparing for War with U. S. Which They Believe Inevitable.

Secret Men Are Active

April 29. — That Japanese Fascists are bent on forcing a war between America and Japan for control of the Pacific is becoming more and more apparent. The Fascist groups, made up of young militarists, are regarded as the Prussians of the Far East. Their power is growing steadily.

Overthrow of the Diet and a military dictatorship is the Fascist objective, according to those closely in touch with the movement. So definite has this threat become that even high government officials are frankly admitting that if the present political parties in Japan are to continue, they will have to model their policies more closely to conform to Fascist demands.

Kidnap Ring Defies U. S. Department of Justice Plans War On Organized Baby Stealers

The United States Government faces a defiant foe in the kidnap ring which, it is feared, plans further major kidnappings in the near future. Conferences during the last few days between high officials of the Department of Justice presage the most determined and carefully planned drive on kidnapers ever organized.

State authorities throughout the country, furthermore, are preparing measures designed to track down and punish these "cruelest of criminals." They realize that the Lindbergh case, for all its publicity and consequences, has revealed how arrogant the kidnapers have become, and how well they can secure themselves against capture. Public leaders agree that the situation calls for numerous reforms.

Apart from the Federal and State authorities now engaged on the problem, there are at the present time more private detectives at work fighting the kidnap evil than ever before. They have been hired by wealthy

families and in some instances by communities to guard against another such tragedy as the Lindbergh case.

These sleuths, working under cover for the most part, are co-operating with the public agencies.

Criminologists predict that the snatching of Charles A. Lindbergh, Jr., will have far-reaching results — not only in the passage of effective laws to curb kidnapers, but more generally in improving the whole system of fighting organized crime. They believe that the reverberations of the Hapewell, M. J., crime have been so overwhelming, and the emotions of the people have been so profoundly touched that public leaders cannot help but act.

Helen Duels Men On Court; Game Gains New Power

San Francisco, April 19. — Backed by a more dazzling, powerful game than at any time in her brilliant career, Helen Wills Moody returns to foreign tennis competition this season after a year's absence.

America's greatest woman star will seek the Wimbledon crown she defaulted in 1931, and her opponents of a strenuous winter practice grind describe her play as "the most flashing" since she came into prominence as a girl

Senate Group Rejects 5 Per Cent Beer

Reports Adversely On Bingham Bill To Legalize Brew

The Bingham bill to legalize 4 per cent beer was reported adversely by the senate manufacturing committee, 7 to 4.

Meanwhile, at the resumption of prohibition hearings before a senate judiciary subcommittee Rice Hoop of Washington, representing the federal dispensary tax reduction league, urged repeal of the dry amendment and substitution of government regulation.

Among the spectators were Bishop James Cannon Jr., of the Methodist Episcopal church, South; and Rufus Lusk of the crusaders, anti-prohibition organization.

Hoop assailed prohibition as a "Pharisee, Mohammedan, Mormon, Methodist Doctrine."

"If the honest leaders of prohibition," he said — "and I eliminate the mercenaries and ecclesiastical politicians — would only get together with the forces of temperance and permit the word temperance to be written into this compact, the question might easily be solved."

He said prohibition is "pagan" and temperance is "Christian" and held the 18th amendment responsible for the "crime wave."

Labor's national committee for modification of the Volstead act — through John P. Colpys, then advocated 2.7 per cent beer.

Colpys said legalizing 2.75 per cent beer would put 800,000 men to work within three months.

Sen. Bingham expressed disappointment over the vote, but announced he would make a fight for the bill on the senate floor.

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MENTAL TELEPATHY

Science of Silent Mental Communication Between Persons

By Ivan Kerloff

Today, Science is devoting more and more time to the art of Mental Telepathy; for the artist has come to appreciate the value of thought transfer, and the fact that it can be used as a practical scientific aid. Until recent years, the sage scientist ridiculed or ignored this great mystery, being loath to admit that it existed and could not explain it. However, the constantly recurring examples of its existence forced before him, he was finally obliged to recognize it; and when this happened, he naturally sought a scientific explanation. Thus, today, we have scientists throughout the world trying and experimenting with this newest and most remarkable of human powers. This most fascinating of all sciences will be discussed in a series of ten articles in simple language anyone can understand in order to present the truth and amazing possibilities of this great natural power in a manner all can grasp and understand.

Marvelous Feats of Ancient India and Egypt

What greater medium can mortal man visualize for perfect communion and understanding between two souls than Mental Telepathy that is, the art of broadcasting one's thoughts to others, wherever they may be? In the following articles, an effort will be made to describe in some small measure this wonderful science as it is understood at present.

Miracles of Mental Telepathy have been a cause for amazement and perplexity among scientists as well as laymen almost since the inception of time.

This extraordinary science has formed a basis for innumerable

able modes of magic and sorcery, both ancient and modern, most of which had their origin among the ancients of India, Egypt, Greece, Persia, and the Orient. In the worship of the sun and moon, the Aztec and Mayan philosophies, the intricate theories of the Yogis, this astonishing communion has played its part.

For example, the story of the Oracle of Delhi, which could recall past events of utter strangers, has for many centuries been an unexplainable enigma. According to the story of the Oracle, she hovered in a dark cave at Delhi over a steaming kettle in which she read the stories of all who came to her. Modern telepathy teaches us that the cave and kettle were merely "atmosphere" created to arouse the curiosity of those who besought aid of the prophet. The amazing accuracy with which she could read the past of men was in reality no deep mystery, but merely the results of a profound knowledge of mental telepathy.

During ancient times and the dark ages, only the wealthy could hope to benefit by the miracles of telepathy; for those who held the key to this great science refused to use its influence unless highly rewarded. Even the Kings and Queens of mediæval Europe, who offered dukedoms in return for the power of this magical art, could not hope to learn its secret. The "sorcerers," whose aid they besought, willingly exerted its influence upon them at a high price, but refused to divulge the secret of how to use it.

That which puzzled the world for centuries and for which royalty once willingly paid the price of dukedoms, is now available to anyone sufficiently interested in acquiring it, for a few hours' study.

Everything in Life Produces Vibrations

Everything in life produces vibrations. Sound, light, scents—the murmuring of the brook, the buzzing of the bee, the radiant glow of the moon—reach the human senses as vibrations. The radio, broadcasting beautiful music, is merely creating vibrations in the ether, which reach the human mind through the sense of hearing. These vibrations scatter in every direction and are picked up by every radio receiving set that happens at the moment to be in tune with them.

The chemist informs us that everything in the universe is made up of atoms. On the vast territory surrounding the earth, there are many varieties of atomic actions to which man is completely insensible. We look up into the sky through what, insofar as we are conscious, is merely empty space. Yet, if we stopped to consider, we would realize that no such thing as absolutely empty space exists. That which seems a mere vacuity is filled with billions of atoms, busy about their business of traveling through the atmosphere and forming hydrogen, oxygen and various other chemical results of vibration. Thus, we see that vibration is a combination of atoms all working together to form a definite single entity.

Without vibrations, television would be impossible. It is only through vibrations created by a picture or photograph in a New York broadcasting station that a duplicate picture can be made to appear at once in a Los Angeles receiving station. The distant star, twinkling down on us from trillions of miles above our earth, sends vibrations to man at the rate of 618,000 miles per second. To science, these are known as light waves. Just as light and sound broadcast vibrations into the ether, so the human mind is capable of broadcasting vibrations, known as thought waves. According to psychologists, thought vibrations travel at an even greater rate of speed than radio waves. It is said that often vastly important world conditions—commercial, political and religious—can be traced to thought vibrations sweeping over the earth.

According to the accepted belief, the human mind is equipped to receive as well as to send thought vibrations. Thus, all minds are connected by thought. This idea is the backbone of the amazing science of telepathy.

Editors Note: The second article in this series will appear in the next issue.

Now she works with a pianist every day, singing her in her home, anything upon request, versatile she has become. Miss Bennett sings with a group of musicians: E. E. Mason, Soprano; Eugene J. Tenor; Leo D. Basso, and these four a constant demand. Miss Bennett sings in the known Church every week and is keeping her own amazement. She is a beautiful woman, full of kindness, and her success has won her audience from the opera. It is a treat to hear her sing in the concert opera, or any other. And music is her work, though she has another side that is a joy to watch her grow into a pretty girl into a glorious beautiful woman of racial and artistic talent.

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To Defend Her Title

Berkeley, Cal., Apr. 30.—Mrs. Helen Wills Moody herself has spiked the rumors that have been flying up and down the Pacific Coast relative to a long-legged bird having been seen flapping around the vicinity of the Moody home here. If there really was a bird, it was not a stork. That is settled. Aspirants for the world's premier tennis honors will have to depend entirely on their own skill with the racket if they hope to see Queen Helen relinquish the throne.

"I have been invited to play on the team," said the pretty national champion in a recent interview, "and so has Helen Jacobs. But I told them I could not let them know definitely until April. I will, however, defend my national championship at Forest Hills in September. I also intend to play in the regulation United States Lawn Tennis Association tournament prior to the nationals. Except for that, my plans are indefinite."

Marriage seems not to have worked any more changes in "Little Poker Face" than any of the other momentous events

in her career. As a woman, Helen Wills Moody is the same imperturbable, self-reliant person she was when, at 15, with pig-tails down her back, she rebounded the tennis world by winning the national junior championship. And she still smacks the old ball with the same fierce intensity. She still takes things just as seriously, apparently. Helen will be 27 this coming October. If you are interested in birthdays, hers falls on the sixth of that month.

which was gracious but not friendly. A kind of cool indifference seemed to prevail within her. Her very coolness left me with a hungering desire to take her and warm her up. I wanted to take her hand and walk with her, I wanted to talk to her, I wanted to be with her alone. While these emotional breakers were flooding me, Mrs. Gaines kindly bid me good-bye, and Mrs. Gary only bowed her head.

As I walked to my office in the Peachtree Building, my thought ran riot. Here was a character worth knowing. What was the story back of her? I knew there was one. My curiosity was on the verge of turning me detective for my own satisfaction. It was going to take some clever work on my part, if I found out what I wanted to know, without bringing down a storm of criticism upon my own head. You can't ask a friend, let alone an acquaintance to tell you their life history. They may have already some doubts about your mental status; and such a stunt would confirm their suspicion.

It is true, the people that leave us guessing are the ones that keep us on our tip-toes. I was on my tip-toes all right. To find something you believed to be lost for good does often give us a jolt. I had found my ideal in the flesh, and I was determined to find out all I could about her.

The telephone directory gave me Mrs. Gary's address and also informed me that her husband was an attorney. I was not interested in either just then. The city directory said Mrs. Gary's given name was Doris. So much for that, from now on I would think of her as Doris Gary.

Two evenings later, I was leaving a cab in front of my hotel, when I saw Doris Gary walk by with a handsome man a few years older than she. I

Aside from skill with a eye-shade, pig-tails under fire we drew most at Wills, as a 15 in a national proceeded to championship following year dethrone the woman except has ever been gainst her. titles, Queen her triumph difference. they dubbed took the spec courts. Her wrong.

spoke, she a nod of her head, but a smile. I watched that she traveled. Now and then write-up, but already know. Luck favor two later w. Tea Rose te coffee to c ting headac meet, but friend, Mrs alone havin waved and table.

"How do nes?" said "It is great Mrs. Gain smiled and join her. you sit down moved her the chair. "I'll be g Mrs. Gain "You see I came in he tea and to r

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"BROKEN SOUL"

Delpha M. Bridges
 Chapter I

If your work is of such a nature you have to spend half of your time waiting to see an executive or manager of some advertising firm, you will find time hanging heavy on your hands.

I said to myself after I entered this game of trying to influence big executives into buying my ideas on sales and promotion: "Mack Strong, you've got to do your stuff, if you make a dent in Atlanta. You have got to keep yourself polished mentally, well physically, clever socially, and clean spiritually, or you will not be long in joining the list of forgotten men. The best study of man is still mankind." Thus I began my career.

For a number of years now I have been getting a big kick out of reading the faces that pass by. Seldom do I find a face that does not tell a complete story at a first glance. Still there are a few stories that you will enjoy reading the second time, and there are a

few faces that arouse our curiosity and make us want to know them better. Such was the case with me recently.

I was leaving the Fox theater after a matinee and ran into one of my mother's best friends, Mrs. Francis Gaines, who is one of Atlanta's big club workers when it comes to the Women's Clubs and Child Welfare. She introduced me to a friend with her: Mrs. Malcolm Gary, whom I knew by her pictures in the papers and her record of Welfare work. I have met many people of charm and personality and beauty; Mrs. Gary had all of these and more, still there was something about her I could not name or describe. I only knew she left me cold with excitement. It finally dawned on me that this woman was a picture of my youthful ideals and dreams. Here was the one woman I had been hoping to meet.

I looked at her keenly, but her deep gray eyes told me nothing, nor did her voice,

Are Women More Spiritually Minded Than Men?

by Whitaker

Are women more spiritually minded than men, and if so why? There's new fuel for argument about this age-old question in "The Miracle Man," Paramount's much discussed production of the famous screen classic starting today at the Paramount Theatre.

Sylvia Sidney, as the underworld girl who "goes straight" (the role first played by Betty Compson) beats her boy friend to reformation; the sincerity of "The Miracle Man" is welcomed by the innate decency in her own soul, and she sheds, quickly and gratefully, the hard shell that was developed in her underworld environment. Hired to masquerade as the sweet, simple niece of the old man elected for exploitation by the gang, she smiles scornfully enough when told to "forget that you ever saw a gin bottle." But in the sunny little village she finds herself at home, and ends by wiping off her wickedness as easily as she wipes off the lipstick.

Not so with Chester Morris, the clever crook, (played before by Thomas Meighan) whose reaction to religion is "How much will it get me in cold cash?" Having decided that, rightly managed, the religious racket will get him plenty, Morris goes about collecting from the faithful with neatness and dispatch. He isn't bothered by conscience, reverence, pity, or any such weakening virtues. Keen as a razor, modern as a machine gun, he applies the efficiency of the city crook to cashing in on the faith, hope and charity of the small-town healer. When even his crook pals desert him, he merely says in effect "All right, reform if you like—there'll be that much more money for me!"

This looks as if, in self-improvement, the woman wins. A man chooses money—his girl values honesty more! But wait. These two, crooks and lovers together until this difference separates them, are not alone. If Miss Sidney is more responsive to good influences that Mr. Morris, she is influenced by another man—an old man, the Patriarch who works, among other miracles, the miracle of her redemption. And she is not the earliest convert, for a crippled child (Robert Coogan) is first to feel the healing power. Furthermore, if Mr. Morris is hard-boiled, the other crooks—that thieving beggar, the Frog (John Wray) and the wise-cracking pickpocket (Ned Sparks) aren't so difficult to win over. They follow Miss Sidney. In the end even the village atheist (Irving Pichel) joins the faithful.

So, if Miss Sidney gets there first, there are strong men to follow her in the steps of "The Miracle Man." And though her conversion is for a time a barrier to shut out the man she loves, such barriers can be melted even in such a stubborn realist as Mr. Morris never wholly acknowledges defeat.

On the whole, you see, "The

Miracle Man" leaves this question of "Who is noblest among you" just where we found it. But meanwhile you will have enjoyed a strange, intensely moving story of love and redemption. If this wonder picture leaves you untouched, you must be a tougher customer than any of the gang who admit themselves conquered by the marvelous power, and the simple kindness, of "The Miracle Man."

We'll Hatch Our Own

(Continued from page 2)

What do you mean, order baby chicks and ducks now? When you order baby chicks do they deliver them in egg form by throwing them, and do you have to duck?

The idea, bring them my eggs! I will not do no such terrible thing.

No Reason To Worry

Jones—Brown had his life insured for a hundred thousand dollars.

Mrs. J.—I've noticed his wife has stopped telling him to be careful when he leaves home.

Lord Will Provide

Friend—Don't you believe "the Lord will provide"?

Divorce Seeker—I wouldn't be

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FAMOUS AFFINITIES OF HISTORY

By LYNDON ORR

A TALE OF RECKLESS LOVE Of Hate, Ambition, Secret Intrigue

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WORLD HAS NEVER KNOWN!

Cleopatra—maise to conjure with! Men called her Siren of Old Nile—most alluring, most bewitching of women. Inlustrated by her charms, Julius Caesar made her Empress of Egypt. To win her favor, Mark Antony flung away the mastery of the entire ancient world.

But was Cleopatra a reckless wanton and nothing more? Why did she submit to Caesar's will? Why did she desert her lover Antony in his hour of need? And why—when she had been defeated in battle—did she join him, in all the flower of her loveliness, in death?

The answers to these questions make a story of strange loves, of amazing intrigues which for twenty centuries has astounded historians and students. Most people do not know the facts—they are so sensational that text books often ignore them completely. And yet they are the very fabric of history.

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LOVELY WOMEN!

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SCORES OF CHARACTERS AND INCIDENTS LIKE THESE:

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PAULINE BONAPARTE—Favorite sister of Napoleon. Terrifying, capricious, wanton, and adored. She led the life of every woman's dreams—beauty, riches, jewels were hers. She had two husbands and many, many lovers. Canova modelled his exquisite Venus Victoria from her undraped figure. She was called the enfant terrible of the Empire; but her life was devoted to her hero brother.

CHARLOTTE CORDAY—So beautiful that even on the scaffold she inspired a love in one of her beholders that caused him also to seek death that he might join her. A simple country maid, Charlotte slew Marat—cloud of the French Revolution—to save France. They sentenced her to death, cut her beautiful hair for the guillotine, and led her to an end she gladly faced because she had done her duty by her country.

revolution—to save France. They sentenced her to death, cut her beautiful hair for the guillotine, and led her to an end she gladly faced because she had done her duty by her country.

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Book Dept., The Atlanta Weekly—501 Bivley building, Atlanta, Ga. I enclose \$1.85 for one copy of "Famous Affinities of History."

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FAMOUS ACTRESS'S HAND TELLS SECRETS

Story on page 3
JAPS SEEK WAR WITH U.S.

EXTRA THE ATLANTA WEEKLY EXTRA

VOL. 1. NO. 6.

ATLANTA, GEORGIA, APRIL 30, 1932.

5c Per Copy

JAP-RUSSIA ARMY CLASH THREATENS WAR



Above is a photograph of Earl Tolson, the famous movie and stage star and also a photograph of the print of her hand made recently by Alice Queen Jennings, the famous palmist and astrologer for The Atlanta Weekly. Earl Tolson's interesting story as revealed by her hand appears on page 6.

New York, April 29.—Special radio dispatch direct to The Atlanta Weekly—Two armies of 250,000 men, backed by the tanks, planes, artillery and armored cars of modern combat, are facing each other along the Siberian border as the Russo-Japanese clash threatens to flare into open war for economic control of all Asia.

The arrival of spring in Manchuria, freeing the roads for transportation of troops and supplies has removed the one barrier, observers believe, which has kept Russia and Japan technically at peace since the Mikado's soldiers swept through Manchuria last fall.

Added to the menace of a strained diplomatic situation is China's own fruitless fight against the invasion of its richest province by the Japanese army. Russia, Japan believes, has been secretly aiding the Chinese troops with supplies and rifles.

Behind the veil of censorship which all three governments have imposed is a complicated series of military and naval maneuvers which, similar to those which preceded the war in 1914, are almost certain to end in open battle, observers here fear.

KIDNAPING RING DEFIES U. S.

Story on Page 3

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E. M. WALSHEN
 Editor

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Saturday, April 30, 1932.

OUR POLICY
 This newspaper is published for the people of Atlanta. Its policy is to foster, preserve and promote the interests, welfare and progress of Atlanta's intelligent and active people, and to bring to them each week a large variety of news, articles, photos, stories and serials of paramount and vital interest to each and every one of them; to co-operate with the many fine clubs, civic organizations and welfare associations in their splendid efforts, aspirations and achieving of their elevating and inspiring ideals; to the greater freedom of thought and action and that fine broadening of interest of Atlanta people.

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Stories Wanted
 This newspaper wants good short stories, articles on things of current interest, news of unusual happenings, photos of people who are doing things or of interesting scenes. Poems and verse are also welcome. Reporters or correspondents are also needed. Send all manuscripts, photos and communications to the Editor, The Atlanta Weekly, 601 Silvey Building, Atlanta, Ga.

EDITORIAL

W. L. Hatcher
 weaken and a weak life if you don't stiffen.
 Bricks and baguets, midnight streets make it a lively and pleasant pastime—for one with nerves of steel. A sigh of relief, and a moment's respite as the deserted streets announce midnight and the last shrill cry of "uh-ho" fades into the dawn of Sunday. How good Sunday does seem. A whole day with nothing to do but sleep and eat.

Then Monday—the mad scramble to get out the next edition is on and day and night the quest for news, the plea for articles and the battle for advertising rates. And so goeth life in a newspaper office. All of which is merely and purely a prelude to the introduction to some people—rich in time—of one, inconspicuous but all important little fact—newspaper editors are notoriously paupers when their wealth is gaged in time.

Punch-Stewed
 SCENE: Dressing room, local fight club. CHARACTERS: Boxer and manager. TIME: (Ten minutes before fight.)
 MANAGER: "You gotta take this bum in the second round."
 BOXER: "What am I gonna do—a brick?"
 MANAGER: "Your right, ape; your right."
 BOXER: "I gotta date with Mable after the fight. I'm gonna marry her."
 MANAGER: "She just wants your dough, chump."
 BOXER: "Yeah? Then I must be married to you—all you want is my dough."
 MANAGER: "If it wasn't for me, you would never get a shot at any clubs. I'm the guy who was the linchpin for you."
 BOXER: "Nerts—and I ain't gonna layo this bum in the second round, get me?"
 MANAGER: "If you don't, I'll brain you."
 BOXER: "That boy ain't done nothin' to me. He's a nice boy. He bought my lunch today."
 MANAGER: "I'll tell you what I'll do: If you sock this tramp in the second round, I'll let you marry Mable."
 BOXER: "You ain't my keeper."
 MANAGER: "You need a keeper."
 BOXER: "Nerts."
 MANAGER: "You are."
 BOXER: "Why should I layo this boy in the second round?"
 MANAGER: "Why d'yer suppose I got a heavy bet on you, that's why."
 BOXER: "What does that get me—a load of boloney?"
 MANAGER: "I'll give you five per cent of what I win."
 BOXER: "Yeah, but I'm the guy who takes it on the chin."
 MANAGER: "Well, what's your chin for?"

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That is the advertisement I found in the columns of the "Spectator."
 Now why should I bring my eggs to the Hatchery to hatch? I'll hatch my own eggs.
 The idea of giving somebody else your eggs to hatch is something that I do not like. Anybody who can't hatch their own eggs should not have any eggs. Nature intended, I believe, that you should hatch your own eggs and it ain't doing your duty when you send them off to a stranger to hatch.
 Maybe this Rosebush Hatchery hatches pilots also. Now, there is something I would like to get them to hatch for me. If I could get a nice, carefully hatched pilot, I would give them an order.
 But think of sending them your eggs to hatch. Suppose they put them mixed with somebody else's eggs! You would never know. All your life you would wonder whether they was your eggs or another person's, and you would certainly regret that you hadn't hatched your own eggs properly, like you should.
 (Continued on page 7)

BOXER: "I ain't gonna hurt this guy, I tell you. He's a nice feller."
 MANAGER: "What's t a s idea, ape!"
 BOXER: "If I layo him, Mable won't marry me."
 MANAGER: "Mable won't marry you! Why?"
 BOXER: "He's Mable's pet brother."

Five Little Firecrackers

The little firecracker
 Said one little firecracker,
 "I feel so funny;
 Something is happening
 Inside my tummy."
 Second little firecracker,
 "My head will burst."
 Third little firecracker,
 "I'm dying of thirst."
 Fourth little firecracker,
 "I'm going to cough."
 Fifth little firecracker,
 "I'm going—off!"
 Poor little firecrackers,
 There they all sat—
 And bang! went the shirt-
 stickers
 Until they were all shot.

Laugh Your Troubles Away
 Practical jokes

Prevent Kissing
 "How can I prevent Georgie kissing me at night when I come to see me?"
 "See him only in the daytime, dear."

Foam of Crowding
 Tommy—What name please? Calter—Edward, why?
 Tommy—His wants to know whether to be prepared to greet you with a kiss or just shake your hand.

Pedestrian Beffed
 Maggie—Whatas pedestrian? Sadie?
 Sadie—Aw, a girl wot won't neck, Mag.

Certainly Was Good
 "Let's wife was certainly a good woman."
 "How so?"
 "Wasn't she the salt of the earth?"

Poor Servant
 "I think a politician should not be the dictator of the people but the people's servant."
 Ah, not servant. They stick with us too long for that."

His Technique Won
 She—Do you think you did right kissing me?
 He—Well, I can't be blamed for my technique, I'm young.

Neill's Six-Hour Tragedy Season's Sensation Kidnap Fascisti Seek War With U. S. On Pacific

**ALICE GRADY
POWERFUL
LEADING**

Japanese Troops Are Ready

Japanese Troops Urged on by the only Organized Fascist Party in the U. S. Which They Believe Inevitable.

Criminal Men Are Active

April 29. — That Japanese fascists are bent on forcing a war between America and Japan for control of the Pacific is becoming more and more apparent. The Fascist groups, made up of young militarists, are regarded as the Prussians of the 20th Century. Their power is growing steadily.

Overthrow of the Diet and a military dictatorship is the Fascist objective, according to those in touch with the movement. So definite has this great become that even high government officials are frankly admitting that if the present political parties in Japan are to continue, they will have to model their policies more closely to conform to Fascist demands.

Kidnap Ring Defies U. S. Department of Justice Plans War On Organized Baby Stealers

The United States Government faces a defiant foe in the kidnap ring which, it is feared, plans further major kidnappings in the near future. Conferences during the last few days between high officials of the Department of Justice passage the most determined and carefully planned drive on kidnapers ever organized.

State authorities throughout the country, furthermore, are preparing measures designed to track down and punish these "cruelest of criminals." They realize that the Lindbergh case, for all its publicity and consequences, has revealed how arrogant the kidnapers have become, and how well they can secure themselves against capture. Public leaders agree that the situation calls for numerous reforms.

Apart from the Federal and State authorities now engaged on the problem, there are at the present time more private detectives at work fighting the kidnap evil than ever before. They have been hired by wealthy

families and in some instances by communities to guard against another such tragedy as the Lindbergh case.

These sleuths, working under cover for the most part, are co-operating with the public agencies.

Criminologists predict that the smothering of Charles A. Lindbergh, Jr. will have far-reaching results — not only in the passage of effective laws to curb kidnapers, but more generally in improving the whole system of fighting organized crime. They believe that the reverberations of the Hopwood, N. J., crime have been so overwhelming, and the emotions of the people have been so profoundly touched that public leaders cannot help but act.

Helen Duels Men On Court; Game Gains New Power

San Francisco, April 19. — Backed by a more dazzling, powerful game than at any time in her brilliant career, Helen Wills Moody returns to foreign tennis competition this season after a year's absence.

America's greatest woman star will seek the Wimbledon crown she defaulted in 1931, and her opponents of a strenuous winter practice grind describe her play as "the most flashing" since she came into prominence as a girl.

Eugene O'Neill's "Mourning Becomes Emma," broke off stage when it opened at 6:40 to 10 with an hour out for dinner in glossy, grisly diversion for two murders and a child, its love-crazed wife chooses her husband's mate first cousin for mate, its modern Electraing all around her to and at last offering her fully to the only man thrice unhappy youth mad gradually by war. conscience.

Yet these three plays sent by the Theater apparently among the show-going people was Colonial was packed at theaters and, they say, packed for the next three. The O'Neill lure, the ally strong cast, with a day, Alla Nazimova, E. more, Lee Baker and Chalmers in the price and the bargain price bined to spell box office in New York they got this same production months ago. Here they for the three plays is

with "pigtailed" seven ago.

Five times a week fall and winter months Moody has been on the courts. The leading ers in this section pro opposition. The nation holder has been tested net stars as Howard one-time international Phil Neer and Ed both former national giate champions.

Senate Group Rejects 5 Per Cent Beer

Reports Adversely On Bingham Bill To Legalize Brew

The Bingham bill to legalize 4 per cent beer was reported adversely by the senate manufacturers committee, 7 to 4.

Meanwhile, at the resumption of prohibition hearings before a senate judiciary subcommittee Rice Hoop of Washington, representing the federal dispensary tax reduction league, urged repeal of the dry amendment and substitution of government regulation.

Among the spectators were Bishop James Cannon Jr., of the Methodist Episcopal church, South, and Rufus Lusk of the crusaders, anti-prohibition organization.

Hoop assailed prohibition as a "Pharisee, Mohammedan, Mormon, Methodist Doctrine."

"If the honest leaders of prohibition," he said — "and I eliminate the mercenaries and ecclesiastical politicians—would only get together with the forces of temperance and permit the word temperance to be written into this compact, the question might easily be solved."

He said prohibition is "pagan" and temperance is "Christian" and held the 18th amendment responsible for the "crime wave."

Labor's national committee for modification of the Volstead act —through John P. Colpys, then advocated 2.7 per cent beer.

Colpys said legalizing 2.75 per cent beer would put 300,000 men to work within three months.

Sen. Bingham expressed disappointment over the vote, but announced he would make a fight for the bill on the senate floor.

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MENTAL TELEPATHY RADIO COLUMN

The Science of Silent Mental Communication Between Persons

By Ivan Karloff

Today Science is devoting more and more time to the art of Mental Telepathy; for the scientist has come to appreciate the value of thought transference and the fact that it can be put on a practical scientific basis. Until recent years, the average scientist ridiculed or ignored this great mystery, being loath to admit that it existed as he could not explain it. However, with the constantly recurring examples of its existence forever before him, he was finally forced to recognize it; and when this happened, he naturally sought a scientific explanation. Thus, today, we have scientists throughout the world studying and experimenting with this newest and most remarkable of human powers.

This most fascinating of all sciences will be discussed in a series of ten articles in simple language anyone can understand in order to present the truth and amazing possibilities of this great natural power in a manner all can grasp and use.

Marvelous Feats of Ancient India and Egypt

What greater medium can mortal man visualize for perfect communion and understanding between two souls than *Mental Telepathy* that is, the art of broadcasting one's thoughts to others, wherever they may be? In the following articles, an effort will be made to describe in some small measure this wonderful science as it is understood at present.

Miracles of *Mental Telepathy* have been a cause for amazement and perplexity among scientists as well as laymen almost since the inception of time.

This extraordinary science has formed a basis for innumerable

able modes of magic and sorcery, both ancient and modern, most of which had their origin among the ancients of India, Egypt, Greece, Persia, and the Orient. In the worship of the sun and moon, the Artec and Mayan philosophies, the intricate theories of the Yogis, this astonishing communion has played its part.

For example, the story of the Oracle of Delhi, which could recall past events of utter strangers, has for many centuries been an unexplainable enigma. According to the story of the Oracle, she hovered in a dark cave at Delhi over a steaming kettle in which she read the stories of all who came to her. Modern telepathy teaches us that the cave and kettle were merely "atmosphere" created to arouse the curiosity of those who sought aid of the prophet. The amazing accuracy with which she could read the pasts of men was in reality no deep mystery, but merely the results of a profound knowledge of *mental telepathy*.

During ancient times and the dark ages, only the wealthy could hope to benefit by the miracles of telepathy, for those who held the key to this great science refused to use its influence unless highly rewarded. Even the Kings and Queens of mediæval Europe, who offered dukedoms in return for the power of this magical art, could not hope to learn its secret. The "sorcerers," whose aid they sought, willingly exerted its influence upon them at a high price, but refused to divulge the secret of how to use it.

That which puzzled the world for centuries and for which royalty once willingly paid the price of dukedoms, is now available to anyone sufficiently interested in acquiring it, for a few hours' study.

Everything in Life Produces Vibrations

Everything in life produces vibrations. Sound, light, scents—the murmuring of the brook, the buzzing of the bee, the radiant glow of the moon—reach the human senses as vibrations. The radio, broadcasting beautiful music, is merely creating vibrations in the ether, which reach the human mind through the sense of hearing. These vibrations scatter in every direction and are picked up by every radio receiving set that happens at the moment to be in tune with them.

The chemist informs us that everything in the universe is

made up of atoms. In the vast territory surrounding the earth, there are many varieties of atomic actions to which man is completely inensible. We look up into the sky through what, insofar as we are conscious, is merely empty space. Yet, if we stopped to consider, we would realize that no such thing as absolutely empty space exists. That which seems a mere vacuity is filled with billions of atoms, busy about their business of traveling through the atmosphere and forming hydrogen, oxygen and various other chemical resultants of vibration. Thus, we see that vibration is a combination of atoms all working together to form a definite single entity.

Without vibrations, television would be impossible. It is only through vibrations created by a picture or photograph in a New York broadcasting station that a duplicate picture can be made to appear at once in a Los Angeles receiving station. The distant star, twinkling down on us from trillions of miles above our earth, sends vibrations to man at the rate of 618,000 miles per second. To science, these are known as light waves.

Just as light and sound broadcast vibrations into the ether, so the human mind is capable of broadcasting vibrations, known as thought waves. According to psychologists, thought vibrations travel at an even greater rate of speed than radio waves. It is said that often vastly important world conditions—commercial, political and religious—can be traced to thought vibrations sweeping over the earth.

According to the accepted belief, the human mind is equipped to receive as well as to send thought vibrations. Thus, all minds are connected by thought. This idea is the backbone of the amazing science of telepathy.

Editors Note: The second article in this series will appear in the next issue.

All things with will have a voice—
As memories—
But music to the home puts sunshine in the heart.
In happiness its worth is untold.

New York City, April 25, 1932.—Lillian Bennett sang at Town Hall on Tuesday, and gave a splendid recital. She has a rich, velvet-smooth Contralto, and in the years she has been studying and working has made a beautiful thing of it.

Miss Bennett is originally from Marietta and is another Georgia girl who "has made good" in New York. She was a pupil of de-Reszkis and has studied here under Arthur Haines, and several other well known teachers.

Now she works with an accompanist every day, and hearing her in her home, singing anything upon request, reveals how versatile she has become.

Miss Bennett sings also in a group of musicians: Ethel Harrison, Soprano; Eugene T. Scudder, Tenor; Leo D. Hierapolis, Bass, and these four are in constant demand.

Miss Bennett sings in a well known Church every Sunday, and is keeping her job, to her own amazement. She is a beautiful woman, full of life, and kindness, and her smile wins her audience from the very first. It is a treat to hear her in concert Opera, or any old thing. And music is her whole life though she has another homey side that is a joy who have watched her grow from a pretty girl into a glorious and beautiful woman of rare musical and artistic talent.

A Heavy Load

"It was a weight off my mind when my wife told me she could cook."

"And she really could cook?"

"No, the weight is now on my stomach!" — Pathfinder Magazine.

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To Defend Her Title

Berkeley, Cal., Apr. 30.—Mrs. Helen Wills Moody herself has spiked the rumors that have been flying up and down the Pacific Coast relative to a long-legged bird having been seen flapping around the vicinity of the Moody home here. If there really was a bird, it was not a stork. That is settled. Aspirants for the world's premier tennis honors will have to depend entirely on their own skill with the racket if they hope to see Queen Helen relinquish the throne.

"I have been invited to play on the team," said the pretty national champion in a recent interview. "and so has Helen Jacobs. But I told them I could not let them know definitely until April. I will, however, defend my national championship at Forest Hills in September. I also intend to play in the regulation United States Lawn Tennis Association tournament prior to the nationals. Except for that, my plans are indefinite."

Marriage seems not to have worked any more changes in "Little Poker Face" than any of the other momentous events

in her career. As a woman Helen Wills Moody is the most unperturbable, self-reliant person she was when, at 15, with pig-tails down her back, she founded the tennis world by winning the national junior championship. And she still smacks the old ball with the same fierce intensity. She still takes things just as seriously, apparently. Helen will be 27 this coming October. If you are interested in birthdays, hers falls on the sixth of that month.

which was gracious but not friendly. A kind of cool indifference seemed to prevail within her. Her very coolness left me with a hungering desire to take her and warm her up. I wanted to take her hand and walk with her, I wanted to talk to her, I wanted to be with her alone. While these emotional breakers were flooding me, Mrs. Gaines kindly bid me good-bye, and Mrs. Gary only bowed her head.

As I walked to my office in the Peachtree Building, my thought ran riot. Here was a character worth knowing. What was the story back of her? I knew there was one. My curiosity was on the verge of turning me detective for my own satisfaction. It was going to take some clever work on my part, if I found out what I wanted to know, without bringing down a storm of criticism upon my own head. You can't ask a friend, let alone an acquaintance to tell you their life history. They may have already some doubts about your mental status; and such a stunt would confirm their suspicion.

It is true, the people that leave us guessing are the ones that keep us on our tip-toes. I was on my tip-toes all right. To find something you believed to be lost for good does often give us a jolt. I had found my ideal in the flesh, and I was determined to find out all I could about her.

The telephone directory gave me Mrs. Gary's address and also informed me that her husband was an attorney. I was not interested in either just then. The city directory said Mrs. Gary's given name was Doris. So much for that, from now on I would think of her as Doris Gary.

Two evenings later, I was leaving a cab in front of my hotel, when I saw Doris Gary walk by with a handsome man a few years older than she. I

Little Poker Face Wins on

Aside from her astounding skill with a tennis racket, her eye-shade, pig-tails and cocoonas under fire were the things that drew most attention when Helen Wills, as a 15-year-old, appeared in a national competition. She proceeded to win the junior championship. She repeated the following year and went on to dethrone the great Molla Malory as national champion. No woman except Susanne Lengler has ever been able to stand against her. Holder of over fifty titles, Queen Helen has taken a her triumphs with seeming indifference. "Little Poker Face" they dubbed her when she first took the spotlight on Easter courts. Her friends say it wrong.

spoke, she recognized me with a nod of her smartly coiffure head, but did not speak a smile. I wondered why. I watched the papers to see she traveled or entertained now and then there would be write-up, but nothing I did not already know.

Luck favored me a week two later when I went into the Tea Rose tea room for a cup of coffee to chase away a splitting headache, whom should I meet, but my mother's friend, Mrs. Gaines, sitting alone having a cup of tea. I waved and walked toward her table.

"How do you do, Mrs. Gaines?" said I in my greeting. "It is great seeing you again." Mrs. Gaines turned to smile and motioned for me to join her. "I am fine, would you sit down?" said she as she moved her hat and gloves from the chair.

"I'll be glad to," I replied. Mrs. Gaines sighed, and said, "You see I am quite tired and came in here to get a cup of tea and to relax a minute. (Continued on page 6)

"BROKEN SOUL"

Dolpha M. Bridges
 Chapter I

If your work is of such a nature you have to spend half of your time waiting to see an executive or manager of some advertising firm, you will find time hanging heavy on your hands.

I said to myself after I entered this game of trying to influence big executives into buying my ideas on sales and promotion: "Mack Strong, you've got to do your stuff, if you make a dent in Atlanta. You have got to keep yourself polished mentally, well physically, clever socially, and clean spiritually, or you will not be long in joining the list of forgotten men. The best study of man is still mankind." Thus I began my career.

For a number of years now I have been getting a big kick out of reading the faces that pass by. Seldom do I find a face that does not tell a complete story at a first glance. Still there are a few stories that you will enjoy reading the second time, and there are a

few faces that arouse our curiosity and make us want to know them better. Such was the case with me recently.

I was leaving the Fox theater after a matinee and ran into one of my mother's best friends, Mrs. Francis Gaines, who is one of Atlanta's big club workers when it comes to the Women's Clubs and Child Welfare. She introduced me to a friend with her: Mrs. Malcolm Gary, whom I knew by her pictures in the papers and her record of Welfare work. I have met many people of charm and personality and beauty; Mrs. Gary had all of these and more. Still there was something about her I could not name or describe. I only knew she left me cold with excitement. It finally dawned on me that this woman was a picture of my youthful ideals and dreams. Here was the one woman I had been hoping to meet.

I looked at her keenly, but her deep gray eyes told me nothing, nor did her voice,

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The Character of a Famous Actress

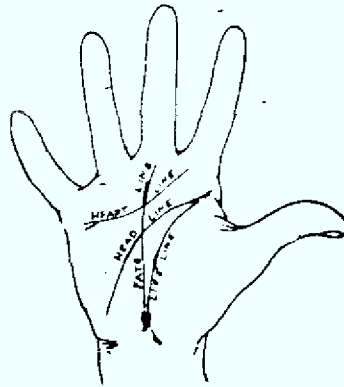
As Revealed by Her Hand
Ruth Roland Hand Tells Interesting Story

ALICE DENTON JENNINGS

The outstanding characteristic of Miss Roland's hand are the love of beauty and remarkable talent for self expression through artistic-forms. (This is shown by the conic shape, the fine texture of the skin, the long, dominant third finger, the highly developed Mount of Apollo, which runs into an equally well developed Mount of Mercury without any breaks.)

Miss Roland thinks of beauty first and of material regards second (The finger of Mercury is set much lower than the Apollo finger) but she has far too much sense to ignore money (the long clear head line slopes only slightly). She has a remarkably well rounded personality (every mount on the hand is well developed) and a finely balanced mind (the first and second phalanges of the thumb are equal in length and the head line is long and clear and only slightly sloping.)

Miss Roland is sympathetic (conic hand) affectionate (well developed Mount of Venus and chained heart line) She is impulsive (smooth jointed fingers) Generous (turned back thumb) Adaptable and somewhat unconventional. (The fingers have supple joints and the thumb joins the thumb at a true right



angle. She has a great deal of ambition (The Mount of Jupiter inclines towards the Mount of Saturn. She cares very little for dominating others (short finger of Jupiter) She is not morbid but takes a keen aesthetic pleasure in tragedy (Well developed Mount of Saturn that inclines towards the Mount of Apollo) She has a charming sense of humor (Well developed Mount of Mercury) and tremendous courage (Both mounts of Mars well developed) She has remarkable imagination (Star on well developed Mount of Luna—this is all the more significant because her Head Line is not the imaginative kind you would expect to find on the conic hand). She will enjoy excellent health (pink and white palm, short straight health line that does not touch the life line and clearly marked life line.)

She married a brilliant man (Star on the Mount of Jupiter) but will have a successful career of her own (Fate Line shows no break corresponding to the marriage date and does not stop at the heart line.)

Her successes are all due to her own effort. She will add to her achievements in the movies as well as business by developing her voice. Musical success will come later in life and will be most gratifying when it does come (Line of brilliancy starts from the head line and rises clear and straight to the Mount of Apollo).

"BROKEN SOUL"

(Continued from page 5)
nites meetings have become a horn in the flesh after all these years. But what is a woman to do—if she is not needed by her husband or children?"

I shook my head. "I do not know."

Editor's Note: The next installment of Mrs. Bridges' fascinating story of Atlanta life will appear in next week's issue.

ASTROLOGICAL

PROSCOPPE

If you have a girl friend or a boy friend born between April 12th to April 24th, the nature is what is known as the Aris-Taurus type, as this is the time known as the "crisp" when the sign Aris is merging into the sign Taurus. People born within this period are strong and active in mental capacity and easily acquire new knowledge. They have the courage of their convictions and will push their enterprises to the limit. They are often stubborn and will not admit defeat. They have great imagination, and should strive to direct their imaginative qualities along good, honest lines, for once they have started an enterprise, they will not readily abandon it. Their intuition and knowledge are deep set; Thus they inspire confidence, and being affable, they are well liked and make many friends. They are fond of personal comfort and use their powerful characteristics in the pursuit of pleasure and the good things of life. They are glad to give these comforts to other people, and they obtain satisfaction from seeing other persons as well situated as themselves. However, they do not care to sacrifice their own personal enjoyment. They prefer to be free and generous with their money rather than to give up their own comforts. Their sympathies, when aroused, control them. They should make important decisions when free from interference and excitement. Reasoning faculties should be developed, and excesses avoided.

The April born should marry one born in June, August or January. Due to planetary influences governing the latter part of April, where matrimony is anticipated, the following are the preferred dates and time for the announcement.

April 18th after 9:00 P. M.

April 24th at 6:00 P. M.

Children born in April this year should be unusual from more than one standpoint. They will be inclined to be headstrong and with temper all their own. These children will need to be taught the lesson of concentration early. They will have erratic tendencies, though if properly directed, they are likely to be geniuses of some sort. The best advice of some parent of the child born April of this year is to teach them

NUMEROLOGY

...the 21st, 12th, 3rd, 20th of each month, ... what is known as a Number 3 person. The No. 3 person is usually capable of broad vision. One who sees all sides of a question, but is sometimes inclined to exaggerate. The No. 3 individual has a strong instinct for defending and taking care of the helpless. Such a one would make a good physician or a nurse, or in any position where accuracy is required.

The No. 3 person is very versatile. No. 3 people sometime find it hard to keep money and are apt to scatter its forces.

The No. 3 person is never satisfied in a subordinate position. Their aim is to have authority and control over others. They love discipline and order in all things. They will obey orders themselves, but at the same time insist on having their orders obeyed.

The fault of the No. 3 persons is that they are inclined to be dictatorial and to lay down the law and to insist on carrying out their ideas, for this reason although they are not quarrelsome, they often succeed in making many enemies.

The No. 3 person will find the following years of life the most eventful. 3rd, 12th, 21st, 30th, 39th, 47th, 56th and 75th.

The No. 3 person should endeavor to carry out plans and ideas on the days that vibrate to their own number, such as the 3rd, 12th, 21st and 30th of any month.

The days of the week most fortunate for the No. 3 person are Thursday, Friday and Tuesday, Thursday being the most important. These days are especially good if a number making 3 falls on it, such as the 3rd, 12th, 21st or 30th.

The interchangeable numbers for the No. 3 person are the 6th, 9th, 15th, 18th, 24th or 27th.

No. 3 persons are more in harmony and will find more congeniality with those born on the 3rd, 12th, 21st, 30th. Next in order, 9th, 18th and 27th.

self control and to use the wonderful gifts latent within them for constructive purposes. The parent should not attempt to force them into their way of doing things, but rather cultivate their trend towards originality.

Are Women More Spiritually Minded Than Men?

by Whitaker

Are women more spiritually-minded than men, and if so why? There's new fuel for argument about this age-old question in "The Miracle Man," Paramount's much discussed production of the famous screen classic starting today at the Paramount Theatre.

Sylvia Sidney, as the underworld girl who "goes straight" (the role first played by Betty Compson) beats her boy friend to reform; the sincerity of "The Miracle Man" is welcomed by the innate decency in her own soul, and she sheds, quickly and gratefully, the hard shell that was developed in her underworld environment. Hired to masquerade as the sweet, simple niece of the old man elected for exploitation by the gang, she smiles scornfully enough when told to "forget that you ever saw a gin bottle." But in the sunny little village she finds herself at home, and ends by wiping off her wickedness as easily as she wipes off the lipstick.

Not so with Chester Morris, the clever crook, (played before by Thomas Meighan) whose reaction to religion is "How much will it get me in cold cash?" Having decided that, rightly managed, the religious racket will get him plenty, Morris goes about collecting from the faithful with neatness and dispatch. He isn't bothered by conscience, reverence, pity, or any such weakening virtue. Keen as a razor, modern as a machine gun, he applies the efficiency of the city crook to cashing in on the faith, hope and charity of the small-town healer. When even his crook pals desert him, he merely says in effect "All right, reform if you like—there'll be that much more money for me!"

This looks as if, in self-improvement, the woman wins. A man chooses money—his girl values honesty more! But wait. These two, crooks and lovers together until this difference separates them, are not alone. If Miss Sidney is more responsive to good influences that Mr. Morris, she is influenced by another man—an old man, the Patriarch who works, among other miracles, the miracle of her redemption. And she is not the earliest convert, for a crippled child (Robert Coogan) is first to feel the healing power. Furthermore, if Mr. Morris is hard-boiled, the other crooks—that thieving beggar, the Frog (John Wray) and the wise-cracking pickpocket (Ned Sparks) aren't so difficult to win over. They follow Miss Sidney. In the end even the village atheist (Irving Pichel) joins the faithful.

So, if Miss Sidney gets there first, there are strong men to follow her in the steps of "The Miracle Man." And though her conversion is for a time a barrier to shut out the man she loves, such barriers can be melted even in such a stubborn realist as Mr. Morris never wholly acknowledges defeat.

On the whole, you see, "The

Miracle Man" leaves this question of "Who is noblest among you" just where we found it. But meanwhile you will have enjoyed a strange, intensely moving story of love and redemption. If this wonder picture leaves you untouched, you must be a tougher customer than any of the gang who admit themselves conquered by the marvelous power, and the simple kindness, of "The Miracle Man."

We'll Hatch Our Own

(Continued from page 2)

What do you mean, order baby chicks and ducks now? When you order baby chicks do they deliver them in egg form by throwing them, and do you have to duck?

The idea, bring them my eggs! I will not do no such terrible thing.

No Reason To Worry

Jones—Brown had his life insured for a hundred thousand dollars.

Mrs. J.—I've noticed his wife has stopped telling him to "be careful" when he leaves home.

Lord Will Provide

Friend—Don't you believe "the Lord will provide"?

Divorce Seeker—I wouldn't be

CAPITOL

Today

"Behind The Mask"

with

Boris Karloff

Jack Holt

Constance Cummings

Golden Yacov Crouser

Bert Parks

in Person

Balcony

15c

Main Floor

25c

7:30 P. M.

11:30 P. M.

trying to get out of when it...
Would Take a Chance...
"By God, I'd be willing to..."

A Mighty Love...
Lifted Them From The Depths
Frends, cheats, tom
swayed by a power
they couldn't resist!

THE MIRACLE MAN

SYLVIA SIDNEY
CHESTER MORRIS
HOWARD BOSWORTH
IRVING PICHEL
ROBERT COOGAN

Paramount
THEATRE
Now Playing

some of the other I...
"Didn't I say I'd be willing to..."
TEAM **GRAND** 25c

Starting Monday
Which Is The Greatest
LIONEL **JOHN**

BARRYMORE

Avenue Lupin

KAREN MORLEY

Five Cartoons
"The Midman"
Fox Movie-tone News

M. C. M. Picture
STARTING THURSDAY
It Might Happen To Your Boy!
Don't Fail To See
YOUNG AMERICA
With
Spencer Tracy—Dorris Kanyon
Tommy Condon
Selected Junior Feature Types
Fox Movie-tone News

The kind of hit that makes the

GEORGIA

the most popular theatre in town!

BARBARA STANWYCK

50 BIG

A Warner Bros. Hit
Directed by William A. Wellman.

NOW PLAYING

FAMOUS AFFINITIES OF HISTORY

By LYNDON ORR

A TALE OF RECKLESS LOVE Of Hate, Ambition, Secret Intrigue

THE LIKE OF WHICH THE
WORLD HAS NEVER KNOWN!

Cleopatra—came to conjure with! Men called her Siren of Old Nile—most alluring, most bewitching of women. Infatuated by her charms, Julius Caesar made her Empress of Egypt. To win her favor, Mark Antony swung away the mastery of the entire ancient world.

But was Cleopatra a reckless wanton and nothing more? Why did she submit to Caesar's will? Why did she desert her lover Antony in his hour of need? And why—when she had been defeated in battle—did she join him, in all the flower of her loveliness, in death?

The answers to these questions make a story of strange loves, of amazing intrigues which for twenty centuries has astounded historians and students. Most people do not know the facts—they are so sensational that text books often ignore them completely. And yet they are the very fabric of history. So often the secret lives, the hidden emotions of famous men and lovely women have changed the entire destinies of nations! You read that overnight a throne was lost; that between the setting and the rising of the sun a genius found himself; that at some unknown moment a leader of armies allowed his cohorts to go down to defeat.

Why? Unless you know—unless you understand the hidden reasons, you cannot truly understand the course of history. To help you get them, to give you the actual facts, we offer you

LOVELY WOMEN!

Here they are—described for your pleasure in "Famous Affinities of History." In a vividly fascinating style, the author gives you the hidden background of history. His work will bring you hours of the most entertaining reading. But it will do more—it will make you better educated and more interesting than you were before. Now you can have at your fingertips facts about which most people are ignorant. Now you can talk interestingly and convincingly on subjects about which everyone wants to hear.

SCORES OF CHARACTERS AND INCIDENTS LIKE THESE:

NELL GWYN—Daughter of the filiest London slums, versed in every form of evil. Under the protection of a British noble, she became an Orange Girl at a London theatre. The king incognito saw her there. Her robust, frank, and open manner captivated his jaded palate. He gave her place in his gilded, dissipated court, and died with her name upon his lips.

PAULINE BONAPARTE—Favorite sister of Napoleon. Terrifying, capricious, wanton, and adored. She led the life of every woman's dream—beauty, riches, jewels were hers. She had two husbands and many, many lovers. Canons modelled his exquisite Venus Victoria from her undraped figure. She was called the infant terrible of the Empire, but her life was devoted to her hero brother.

CHARLOTTE CORDAY—So beautiful that even on the scaffold she inspired a love in one of her beholders that caused him also to seek death that he might join her. A simple country maid, Charlotte slew Marat—fiend of the French Revolution—to save France. They sentenced her to death, cut her beautiful hair for the guillotine, and led her to an end she gladly faced because she had done her duty by her country.

revolution—to save France. They sentenced her to death, cut her beautiful hair for the guillotine, and led her to an end she gladly faced because she had done her duty by her country.

Now You Can Learn the TRUTH About

The Love of Antony and Cleopatra.
The Constancy of Heloise to Abelard.
Queen Elizabeth and the Earl of Leicester.
The King of Bavaria and Outrageous Lola Montez.
Irresponsible Charles II and Nell Gwyn.
General Houston's Wives.
The Mysterious Meeting of Leon Gambetta and Leonie Leon.
The Fastidious Count D'Orsay and Lady Blessington.
Lord Byron's Inspiration Countess Guiccioli.
Mrs. De Stael's Many Love Affairs.

Formerly 4 Volumes at \$10
Now in One Book Complete

So many of us read the half-truths, the surface facts of history, and think we know the entire story. The other side—the startling, fascinating, personal side—is hidden from us.

But now this need no longer be the case. Now everyone can have at his elbow the stories which have made history, but which historians often do not tell. Everyone can have the true details of the many loves of the notorious Catherine of Russia; of George Sand and her amazing methods of getting inspiration for the emotional novels she wrote; of Lord Byron and the curious affair which drove him from England even in a day notorious for its moral laxness.

Here you will read how patriots became traitors, how chaste women turned wanton, how strong men were bound in webs of silken gossamer. You will learn how a wanton woman dominated the most lascivious court of England; how a pure and noble lady made an amazing sacrifice for her country; how a woman's relatives took an unspeakable revenge on the lover who had deserted her!

This splendid work was formerly published in four volumes selling at \$10.00. Now by means of the modern book maker's art, you can have it all—not a word nor a line omitted—in this single handsome volume. Send for it today. See how many hours of interest, enjoyment, of incomparable mental stimulation it will give—how tremendously it will add to the storehouse of facts on which you can draw.

Buy this book now and read more about the famous men and lovely women whose love lives moulded the world's history.

Book Dept., The Atlanta Weekly—501 Silvey building, Atlanta, Ga. I enclose \$1.85 for one copy of "Famous Affinities of History."

Name

Address

City

State

~~69-10~~

69-180-124

RECORDED
JUL 19 1932

CH:EK
69-150-125

July 15, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL TOSNOGHI.

Transmitted herewith is a copy of the report of Special Agent L. P. Oliver, dated at Chicago, Illinois, July 7, 1932, entitled ALFONSO GAPORE; KENNETH PHILLIPS, M. D., Contempt of Court; Perjury.

You will note the report reflects that this case is closed by the Chicago Office and, accordingly all investigation of the matter is terminated.

Very truly yours,

Director.

Encl. #410256

EM

RECEIVED
JUL 15 1932
P.M.

RECEIVED
 DIVISION OF INVESTIGATION
 DEPT. OF JUSTICE
 JUL 11 1932 PM

Form No. 1
 THIS CASE ORIGINATED AT **Chicago, Illinois.** **Chicago** FILE NO. **69-180** JUL 11 1932 PM

REPORT MADE AT Chicago, Illinois.	DATE WHEN MADE 7/7/32	PERIOD FOR WHICH MADE 7/1, 3 & 4/32	REPORT MADE BY L. P. Oliver
TITLE ALFONSE CAPORE; LEWIS PHILLIPS, M. D.		CHARACTER OF CASE REVENUE	

SYNOPSIS OF FACTS:

On motion of Counsel for Capone, appeal of instant case was dismissed by United States Circuit Court of Appeals, Chicago, Illinois, on 6-20-32. It appears from records of Clerk, United States District Court, Chicago, Illinois, that service by Capone of ten years sentence imposed after his conviction for violation of income tax laws, will satisfy the six months sentence imposed herein.

REFERENCE: Bureau letter dated June 24th, 1932, and report of Special Agent L. P. Oliver, Chicago, Illinois, dated May 25th, 1932.

DETAILS: At Chicago, Illinois.

The writer interviewed Mr. H. J. Carrick, Assistant Clerk, United States Circuit Court of Appeals for the Seventh Circuit, who, upon examination of the records of that office, stated that on June the 20th, 1932, Counsel for Capone entered a motion of dismissal of appeal on behalf of Capone, and that on the same date a writ was filed with the Clerk, United States District Court, dismissing the appeal in connection with this case.

MADE BY <i>[Signature]</i> Acting SPECIAL AGENT IN CHARGE	69-180-725 JUL 12 1932
COPIES OF THIS REPORT FURNISHED TO: 3-Bureau 3-Jacksonville (1 U.S. Atty. Jacksonville) 1-U.S. Atty. Chicago 3-Chicago <i>10 Youngquist</i> <i>7-15-32</i>	JUL 19 1932 DEPARTMENT OF JUSTICE ROUTED TO: FILE <i>RAITHAN</i> <i>Dis. Div. Two</i>

In order to determine the status of Capone in connection with the sentence of six months imposed in this case, Agent examined the records in the office of the Clerk, United States District Court, and ascertained that on October 24th, 1931, United States District Judge James M. McLaughlin, when imposing sentence upon Capone after his conviction on charges of violation of Income Tax Laws, stated as follows:

"The sentence hereinabove imposed shall be in addition to the sentence of six months imprisonment in the County Jail of Cook County Illinois imposed on April the 8th 1931 by this Court against said Defendant for Contempt of Court in Case No. C. 19178, the judgment in which said case is now pending on appeal in the Circuit Court of Appeals of the U. S. for the 7th Circuit in Case #4553 execution of which said judgment has been stayed for a supersedeas granted in said case.

"The imprisonment part of the sentence on Counts 1 and 5 shall run concurrently with said six months contempt sentence to this extent that Defendant's service of imprisonment in said penitentiary under Counts 1 and 5 shall be credited as service by Defendant on said contempt sentence, and said penitentiary imprisonment for the length of time covered by said contempt sentence shall be considered as satisfaction of said contempt sentence."

It would, therefore, appear that the service of Capone of ten years imposed in the case from which the above is quoted, will satisfy the six months sentence imposed in instant case.

Agent interviewed Assistant United States Attorney William J. Froelich, who stated no further prosecution would be undertaken as to the Defendant Kenneth Phillips, M. D., and that no further investigation was desired in connection with this matter.

of reference, the office of
Illinois.
upon the filing of an information, and
Subject Capone, and in view of the fact
the United States Marshal at Chicago,
above outlined, it appears no further investigation is
necessary on the part of this Bureau concerning this case.

[This section of the document is heavily obscured by noise and artifacts, rendering the text illegible.]

RECORDED
AUG 13 1932

MEMPHIS

August 10, 1932

69-180-326

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

I beg to acknowledge receipt of your communication of August 1st, advising of the receipt by you of requests from various members of Congress and other persons, for permission to visit Al Capone at the Atlanta Penitentiary, said permission to be accorded certain individuals, mentioned in said requests.

When possible so to do, without jeopardizing the current work of this Bureau in criminal investigations, I will arrange that inquiries be made along the lines indicated, confining such inquiries, of course, to such as will not involve any embarrassment because of the official status of the persons from whom letters have been received.

I am returning the original communications in question for your files.

Very truly yours,

Director

Enclosure #270299

FEDERAL BUREAU OF INVESTIGATION
DIVISION MAILED
AUG 10 1932
U. S. DEPARTMENT OF JUSTICE

134

SA: FORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

August 1, 1932

BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
AUG-2 1932

69-180

MEMORANDUM FOR THE DIRECTOR,
BUREAU OF INVESTIGATION:

Within the last two or three weeks there have come from various Members of Congress and other officials in widely separated parts of the east requests for various people to visit Prisoner Al Capone at Atlanta Penitentiary. Among others such requests have been forwarded to us from [redacted]

Bureau of Prisons

In each instance the permission has been refused in a letter similar to one of those in the attached file.

I reported this matter to Assistant Attorney General Youngquist, and he felt that it was possible that your Bureau might run down some of these requests to see what was behind it all.

Very truly yours,

Saeferd Bates
Director.

I don't see how we can do this. We are short handed in handling the criminal work & I doubt the wisdom of prying into reasons for correspondence from members of Congress.

69-180-126
BUREAU OF INVESTIGATION
AUG 2 1932 A.M.
DEPARTMENT OF JUSTICE
FILED

AUG 13 1932

J. C. ...
Reply
8/10/32

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135

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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.

_____ 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:

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XXXXXX
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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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136

JOHN EDGAR HOOVER
DIRECTOR

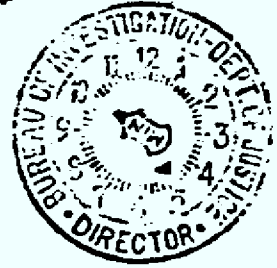
RE: DSS

U. S. Bureau of Investigation

Department of Justice
Washington, D. C.

October 5, 1932.

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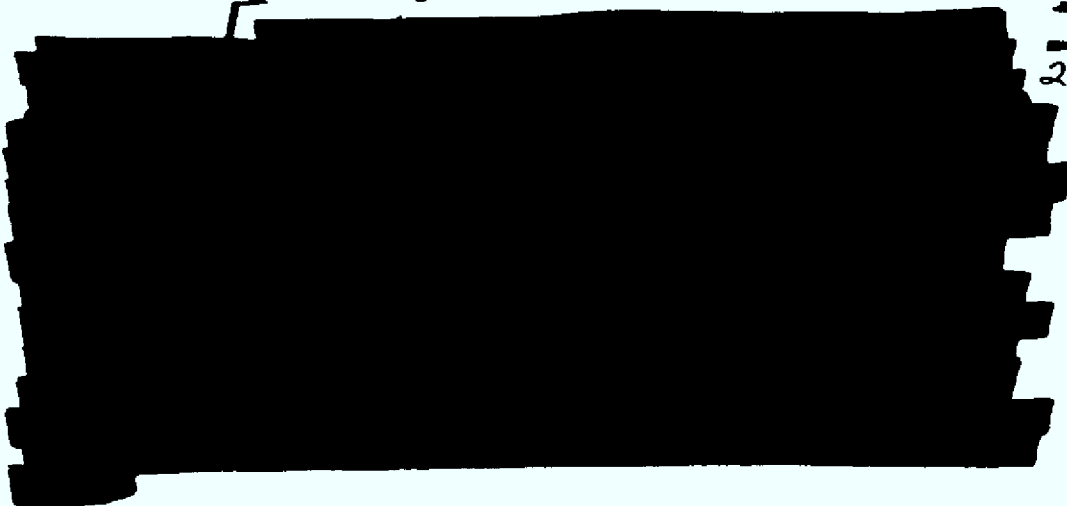


OCT - 5 1932 PM

MEMORANDUM FOR THE DIRECTOR.

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IRS
26 U.S.C.
6103

Very truly yours,

H. Nathan.

69-180

x Du Janice 1120

RECORDED
&
INDEXED
OCT 7 1932

69-180-127	
BUREAU OF INVESTIGATION	
OCT 6 1932 P.M.	
DEPARTMENT OF JUSTICE	
Div. One	FILE

157
Mr

LCS:MAN

September 30, 1938.

MEMORANDUM FOR THE DIRECTOR.

Colonel Poole, of the District Jail, phoned in today, making inquiry whether we could send him two of the large charts of the fingerprints of Al Capone for exhibition purposes in his office. I told the Colonel that we would prepare some of these charts very shortly, and send him a set of charts then. You will recall that General Glasford also desired this chart. I am keeping in touch with all of these requests from miscellaneous sources, as well as with those made for sending charts to field offices, and will mail the charts out as soon as they are finished by Mr. Remebarger's section. I have asked him to expedite them.

Respectfully,

L. C. Schilack.

ORIGINAL FILED IN

66-3020

[Handwritten initials and scribbles]

[Handwritten "SPC" and "138"]

NOT RECORDED

69-180

ME:DOE

October 6, 1932.

RECORDED

69-180-129

OCT 10 1932

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL, BISHOP.

I am transmitting, attached hereto, a copy of some typewritten and autographic notes which were sent to this Bureau from the White House.

Aside from certain references to the United States Attorney's office at Chicago, which I thought might possibly be of interest, there would appear to be nothing therein requiring investigation by this Bureau.





Very truly yours,

Director.


Encl. 270344.

BUREAU FILES DIVISION
MAILED
OCT 6 1932
P. M.
DEPT. OF JUSTICE

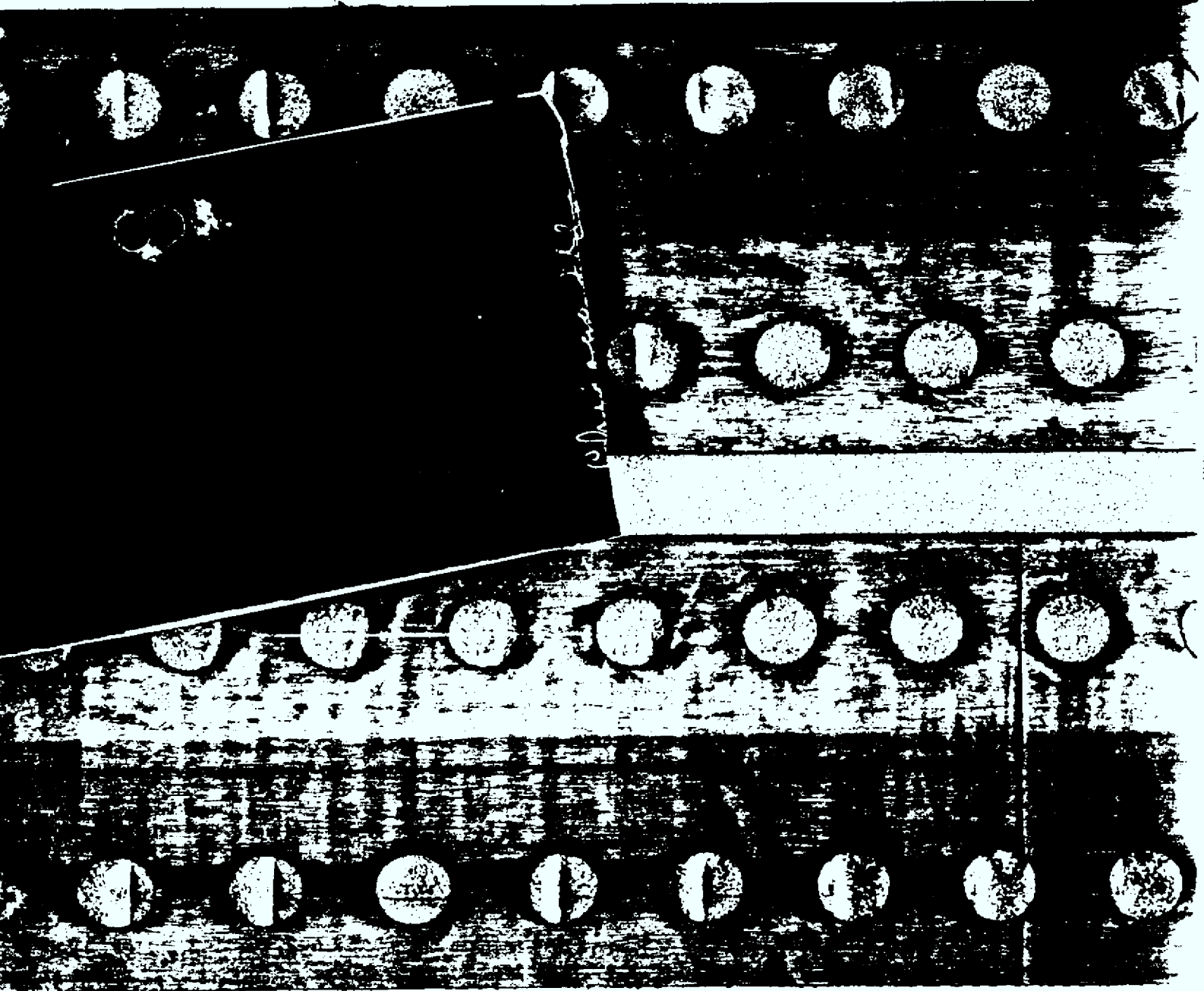
139

Please Law   give this to   J. Edgar Hoover
for special investigation in Chicago.

Names of persons to subpoena are:
Sam Hunt - Al. Capone's Lt.

 New Southern Hotel th 13th Po. Mich.
Race track (woman several horses)

67c]



141

September 2 1932

Bank Robbery - State Bank Trust and Savings.
Clark and Central

1:20 P.M, I walked into DevonShire Hotel and the six guards of Al Capone from Lexington Hotel was there, restless, nervous and in and out. I sat until ten after two watching the ~~women~~ birds and they divided up in groups when they left, busy at the phones, different times. It struck me so petular that some thing was going on out of the ordinary. I called up Chief Alcot. I also called upon the bank, the Cashier's name is [redacted] too excited to observe the height, weight or looks of the men that robbed the bank. Loks like like Capone's high pillars work. It can be traced to [redacted], or the guards of Capone of Lexington Hotel.

69-180

142

September 21st, 1931

Grant Park shooting

Gangster imported from New York on last day of August and reservation at New Southern at 13th and Michigan, made by [redacted] Gave up his own quarters. Gangster stayed in Chicago until the date given at Grant Park or next day. Not positively. Returned to New York. Their work was done. Al Capone sent for those gun men to do a job for him. They got their man and that's the car that was seen driving that had the heavysset man on the starboard. [redacted] is gobetween for police department and Capone. Lives at [redacted] also a partner of [redacted] and [redacted] Residence New Southern. Not Southmore as the press had it. [redacted]

Dr. Park Police

b7c

CC

Chicago Illinois.

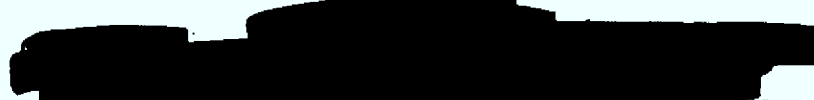
Sept. 30, 1932.

Mr. Lawrence Ritchie
Secretary to President Hoover.
Washington D. C.

Dear Sir:

I enclose this part of my investigation for the latter part of 1931. Although I sent you every now and then the workings of Al. Capone and his lieutenant's syndicate. The strength of the syndicate is even reaching into the criminal court beginning 1929-30-31. This was operated by his

b7c

 protected by him and two blocks away from his station, Al. Capone's den. Part of State Attorney Swanson now running on the Republican ticket for re-election. He is losing heavily by his own foolishness by getting himself into the clutches of the de

C.C.

00

I had a tilt with the high minded U.S. prosecutor, Dwight Green newly elected.

On this report I am sending you he refused to let me go on before the Grand jury to testify against Al Capone and his criminals the real

truth about it is the dangerous workings in another Dept. that of the prohibitionists they are also working against me in preventing me from opening this inquiry.

The names are [REDACTED] and ^{b7c} Elliott Ness, particular friends of Dwight Green and D. Johnson now a judge and an outside party named [REDACTED] of the so called "Secret Six". He is an outside member of the Dept. of Justice and is used by [REDACTED] and his brother-in-law

CC 3. 10
who calls himself the Ace of prohibition.

Dwight Green. U.S. atty sent a very insulting and disrespectful answer to Atty Moody ^{one} of the staff a true republican and a "Hoover".

Allen is working his best for himself. U.S. Atty Dwight Green b7c is a democrat, a relative of [REDACTED] and he is partial in a good many ways. He is rushing this Lussel affair which looks mighty bad with election coming on. It is a trick of [REDACTED] some of his old strategy. It could have been left until after election. It is done to put president Hoover in the limelight for narrow minded people who believe all the propoganda and making harm out of it.

THE WHITE HOUSE

Mr. J. E. Hoover,
Bureau of Investigation,
Department of Justice.

3

147

JOHN EDGAR HOOVER
DIRECTOR

Handwritten initials
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
OCT 8 1932 AM

U. S. Bureau of Investigation
Department of Justice
Washington, D. C.
October 7, 1932.

TFB:CGM

MEMORANDUM FOR THE DIRECTOR

Mr. McEvers of Mr. Youngquist's Division telephoned to inquire whether the Bureau files contained a copy of the opinion rendered by Judge Wilkerson at the time he imposed sentence upon Alphonse Capone in the Contempt proceedings in Chicago. I advised him that the files did contain a copy of the opinion, and that a copy thereof would be furnished to him. It is being done by a memorandum directed to Mr. Youngquist.

Respectfully,

T. F. Baughman

T. F. Baughman.

69-180

RECORDED
&
INDEXED
OCT 11 1932

69-180-129
BUREAU OF INVESTIGATION
OCT 10 1932 A.M.
DEPT. OF JUSTICE
NATHAN
FILE

148

TFB:CGM
69-180

October 10, 1932

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL TOWNSEND

Attention Mr. McEvers

In compliance with telephonic request made upon Mr. Baughman of this Bureau by Mr. McEvers of your division, there is transmitted to you here with a copy of the opinion rendered by Judge Wilkerson at the time he imposed sentence upon Alphonse Capone in Chicago in the Contempt proceeding which was there held.

Very truly yours,

Encl. 324406.

Director.

69-780

BUREAU FILES DIVISION
MAILED
OCT 10 1932
P.M.
DEPT. OF JUSTICE

RECORDED
&
INDEXED

69-180-130	
BUREAU OF INVESTIGATION	
OCT 11 1932 P.M.	
DEPARTMENT OF JUSTICE	
	FILE

149
P

PATRONS ARE REQUESTED TO PRINT THE ADDRESS AND TELEPHONE NUMBER ON ALL MESSAGES IN STANDARD TIME

WESTERN UNION

Day Letter
Night Letter
Day Letter
Deferred Cable
Cable Night Letter
Week-End Letter

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable sign above or preceding the address.

Received at 708 14th St., N. W. Washington, D. C.

1932 OCT 19 PM 4 34

MINUTES IN TRANSIT
FULL-RATE DAY LETTER

bb299 22 GOVT COLLECT=ATLANTA GA 19 321P

DIRECTOR UNITED STATES BUREAU OF INVESTIGATION=

PHONE CALL EGAN YESTERDAY MATTER POSTPONED TILL NOVEMBER
FOURTEENTH NO ACTION TAKEN BY ME PROCEEDING MACON TOMOR

AM CARE USA THERE=
PURVIS.

69-180

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OCT 21 1932

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69-180-1

BUREAU OF INVESTIGATION
OCT 20 1932
DEPARTMENT OF JUSTICE

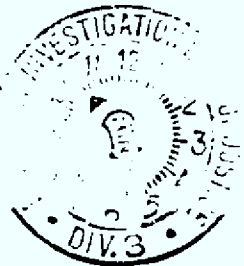
Al. Capone case

COPIES FILED IN 66-2127

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

150

RECEIVED



OCT 25 1932 AT

U. S. Bureau of Investigation

Department of Justice

201 Liberty National Life Bldg.,
Birmingham, Alabama,
October 21, 1932.

RECEIVED



OCT 24 1932 AT

O/m
3

Director,
United States Bureau of Investigation,
Washington, D. C.

69-180

Dear Sir:

With reference to the telephone call from Mr. Egan to me on Tuesday, October 18, 1932, please be advised that I saw Mr. Dwight Green, United States Attorney of Chicago, and Mr. Youngquist, Assistant Attorney General, on October 19, 1932.

The hearing on the writ of habeas corpus on the part of Alphonse Capone was not held on that date, and has been postponed until November 11, 1932. Therefore, no action was requested by Mr. Green, and he stated that he did not believe any would be necessary.

There are attached hereto newspaper items concerning this matter which appeared in the Atlanta newspapers.

Very truly yours,

M. H. Purvis

M. H. PURVIS,
Special Agent in Charge.

MHP:T
2 Encl.

EDH

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OCT 25 1932 AM

OCT 26 1932

M. H. Purvis

<i>69-180-132</i>	
BUREAU OF INVESTIGATION	
OCT 24 1932 A.M.	
DEPARTMENT OF JUSTICE	
FILE	

FILE

151 mm

ATLANTA GEORGIAN
Atlanta, Ga.
Oct. 29, 1932.

CAPONE FREEDOM PLEA DEL

LATER DATE FOR HEARING TO BE SET

Habeas Corpus Writ in Tax
Case May Be Heard Week
of November 14.

Al Capone's battle of law books, in which his attorneys seek his release from the Atlanta penitentiary on a writ of habeas corpus, was postponed indefinitely by Federal Judge Underwood Wednesday and probably will be heard the week of November 14.

The hearing had been set for Wednesday, but was delayed by the Starnes narcotic trial. It then was booked tentatively for Thursday, but the press of other court business induced Judge Underwood to take it off the calendar.

Judge Underwood announced that "the case of Alphonse Capone vs. Warden Aderhold" would be reset later. It was said in the District Attorney's office that it probably will be argued the week of November 14.

AID IN FIGHT

Assistant Attorney General A. G. Youngquist and Dwight Greene, United States District Attorney in Chicago, were here to assist District Attorney Hager and his staff in fighting the latest effort to save the ex-gang chief from the 11 years of prison he faces for evasion of income tax.

The visiting officials left on a noon train for Washington. They flew here from the capital.

Capone's new attorneys, William E. Leahy and William J. Hughes, Jr., of Washington, retained by the gangster's aged mother, are basing their plea on the contention that the statute of limitation in income tax cases is three years and not six, as assumed in the Capone trial. They have a Supreme Court decision which, they say, supports their claims.

Immediately after the hearing was put off Leahy and Hughes went to the penitentiary and conferred with Capone. They planned to leave for Washington shortly.

Capone expressed keen disappointment at the delay. His attorneys says he told them he started under the lack of action in the move he believes will win for him his freedom.

CAPONE AT TALKS

The attorneys said Capone appeared to be in excellent health.

AYED BY BUSY COURT

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have a hearing, which, they say, supports their claims.

Immediately after the hearing was put off Leahy and Hughes went to the penitentiary and conferred with Capone. They planned to leave for Washington shortly. Capone expressed keen disappointment at the delay. His attorneys says he told them he smarted under the lack of action in the move he believes will win for him his freedom.

CAPONE AT TASKS

The attorneys said Capone appeared to be in excellent health. They explained to him the necessity for the delay. One factor was said to be the health of Judge Underwood, who is suffering from throat trouble, with physicians almost ready to order him to bed for a rest.

Their petition for Capone's release on habeas corpus was filed with dramatic suddenness in Federal Court here September 24.

The deposed czar of Chicago's underworld was brought into court immediately under heavy guard, and, despite the swiftness of the unheralded proceeding, a throng gathered about the Federal Building and the corridors were choked with people eager for a glimpse of "Scarface Al."

All they got was a glimpse, for Capone was whisked into the court and whisked out again almost at once.

CAPONE, LAWYERS MAP COURT FIGHT

Washington Attorneys,
Government Men Here
for Hearing Thursday.

In a dimly-lighted conference room at the federal prison Al Capone late Tuesday laid his final plans for his last brush with the United States government.

Garbed in his prison denim, the former Chicago gang czar conferred with his attorneys, William E. Leahy and William J. Hughes Jr., of Washington, and put his approval on the course of action they will follow here Thursday when Capone's plea for reduction in his 11-year prison sentence to three and a half years is argued before Judge E. Marvin Underwood in federal district court.

Leahy, who defended former Secretary Albert B. Fall in the famous Teapot Dome case, and Hughes arrived Tuesday morning from Washington and went to the prison for a conference with their client after luncheon. They are seeking the reduction in the sentence on the ground that some of the charges on which Capone was convicted were outlawed by the statute of limitations. The claim is based on a recent decision of the supreme court of the United States which reversed a district judge who had refused to sustain such a plea made on behalf of a Boston lawyer, whose case, Leahy and Hughes say, is identical with that of Capone.

Meanwhile, the government was marshaling its legal brains to combat the former gangster's plea.

From Washington came Assistant Attorney-General A. G. Youngquist and from Chicago came District Attorney Dwight Greene, brilliant 35-year-old former football star, who won his post through the assistance given former District Attorney George E. Q.

Continued in Page 4, Column 1.

CAPONE, LAWYERS MAP COURT FIGHT

Continued from First Page.

Johnson in the prosecution of the Capone case. Johnson was rewarded with a federal judgeship.

Youngquist and Greene arrived late Tuesday afternoon and immediately went into conference with District Attorney Clint W. Hager and his assistant, Hal Lindsey, who have been preparing the Atlanta end of the case.

The government attorneys would make no statement regarding the case other than to say they felt certain that Capone's plea would be rejected by Judge Underwood.

Attorney Hughes said Capone appeared in good spirits, was optimistic concerning the plea but not by any means confident of its success.

Capone, contrary to his former actions, was not concerned with what he will wear when he comes downtown to court, Hughes said. He was, the attorney added, interested only in the legal phases of the court action and was not bothered about the "show" his appearance in court is sure to make.

Word came Tuesday that Mrs. Capone, who had planned to be here for the hearing, could not attend. She is in Chicago with young Al, who recently underwent a minor operation at Johns Hopkins hospital in Balti-

more from which he has not completely recovered.

The Capone hearing originally was set for today but was postponed because the trial of Dr. W. A. Starnes on narcotic charges is still in progress. The Capone case follows the Starnes case on the calendar.

U. S. Bureau of Investigation

Department of Justice
Post Office Box 1405,
Chicago, Illinois
December 30, 1932

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Edwards	✓
Mr. Clegg	✓

W.A.S.S.
722

Director,
United States Bureau of Investigation,
Washington, D. C.

Dear Sir:-

There is attached hereto a copy of photograph
and fingerprint cards of Alphonse Capone, which appeared
in the CHICAGO HERALD AND EXAMINER December 30, 1932.

Very truly yours,

M. H. Purvis

M. H. PURVIS,
Special Agent in Charge

MHP/dr
Att.

[Handwritten signature]

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2-24-33
1-1-33
48*

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INDEXED

JAN 7 - 1933

69-180-133

BUREAU OF INVESTIGATION
JAN 3 1933 A.M.
DEPARTMENT OF JUSTICE

DIRECTOR
NATHAN
CLEGG
EDWARDS
TOLSON

FILE

Emt 155

25-3084

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Edwards	✓
Mr. Clegg	✓

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U. S. Department of Justice
Bureau of Investigation

905 Federal Reserve Bank Building,
 Kansas City, Missouri.

MAILED
[Signature]

1933
 January 3, 1933

Director,
 United States Bureau of Investigation,
 Washington, D.C.

Dear Sir:

The attached clipping appeared in to-day's
 Journal Post at Kansas City, Missouri.

Very truly yours,

R. E. Vetterli

R. E. VETTERLI
 Special Agent in Charge.

REV-ebc
 Encl.
CDH
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[Signature]
98
[Signature]

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69-180-134

BUREAU OF INVESTIGATION

JAN 5 1933 A.M.

U. S. DEPARTMENT OF JUSTICE

DIRECTOR

NATHAN

FILE

One 4RC

JAN 10 1933
[Signature]

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Shot

United States Bureau of Investigation
Washington, D. C. Special Agent in Charge

Explanation of Fingerprint Classification of Alphonse Capone

The image is a composite of several elements. In the center is a large, black and white portrait of Alphonse Capone, a man with a receding hairline, wearing a dark suit and a white placard with the number '40886'. To the left of the portrait is a grid of fingerprints, with the word 'MASTER' written above it. To the right of the portrait is a circular inset showing a smaller portrait of Capone, with an arrow pointing from it to the main portrait. Below the main portrait are two more sets of fingerprints. The entire composition is framed by a border with some text and markings.

Here is the first rogues' gallery photo and fingerprint record ever published of Al Capone, notorious Chicago gang czar, since the racket king was sentenced to

eleven years in Atlanta federal penitentiary for income tax evasion. The picture, on file in the United States bureau of investigation at Washington, gives a com-

plete classification of Capone's physical characteristics, criminal record, various aliases and photographs. Inserted closeup is an enlargement of the small photo at the top of the record.

Journal Post, Kansas City, Mo., 7-5-33.

LCS:AM

69-180-135

January 2, 1933

RECORDED
&
INDEXED

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS.

JAN 28 1933

I beg to submit the following comments with reference to Mr. Merhold's letter of January 2, 1933 addressed to you relative to the fingerprint record of Alphonse Capone:

The reproduced fingerprints appearing on the exhibit which accompanied Mr. Merhold's letter cited were taken from the original fingerprint card received in this Bureau from the Eastern State Penitentiary at Philadelphia, Pennsylvania, when Capone was committed there on August 6, 1929. The photograph of Capone with the original record was reproduced from the obverse side of the fingerprint card of Capone received in the Bureau's Identification Division from the Atlanta Penitentiary on May 16, 1932. The photographic side of the Atlanta card was utilized because it contained the more recent picture while the fingerprint side appearing on the Eastern State Penitentiary card was employed as the characteristics shown thereon could be reproduced with greater clarity.

The exhibit containing Capone's fingerprint and photograph was prepared in this Bureau in connection with a chart reflecting the system or method of attaining a fingerprint classification. A similar chart has been prepared in the case of another subject whose activities evoked nation-wide comment. These charts have been used for instruction purposes relative to the attainment of fingerprint classifications and to publicize the science of fingerprinting. It does not appear from Mr. Merhold's letter that the criminal history shown on the back of the card from the Atlanta Penitentiary is incorrect.

With reference to the difference in the fingerprint classification mentioned in Mr. Merhold's letter, I beg to state that the difference in ridge counting represents the difference which is commonly observed in the work of any two fingerprint operators. The rules of referencing, of course, in this case would enable an identification to be established despite the fact that the classification attained in this Bureau is slightly different from that attained in the Atlanta Identification Bureau.

Mr. Merhold's letter and the inclosures which accompanied it are returned herewith.

JAN 6 1933

Very truly yours,

Director.

139
H. C. [Signature]

Inc. 914831.

United States Bureau of Investigation

File

1/20 1933

To: Director
 Mr. Nathan
 Mr. Tolson
 Mr. Clegg
 Miss Gandy
 Chief, Div. _____
 Inspector _____
 Secretary _____

*The classification
of Capone's prints
as indicated on the
chart has been checked
by the technical men
and found to be
correct.*

JOHN J. EDWARDS.

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Department of Justice
UNITED STATES PENITENTIARY
Atlanta, Georgia

January

Director, Bureau of Prisons,
Department of Justice,
Washington, D. C.

Dear Sir:

Enclosed please find newspaper clipping taken from the Saturday
December 29, 1932, edition of the New York Journal, reproducing copy of
photographs and fingerprints of Alphonse Capone, registration No. 40986, an
inmate of this institution.

While the photographs and fingerprints are identical with those
on file in our record office, the actual reproduction as carried in this
news item was not taken from the copy on file in our office, as you will
note from the photostatic copy of the fingerprints, which is enclosed here-
with, that the classification and other data appearing in the newspaper
reproduction, are not identical and could not have been made from our
prints. For comparison your attention is called to the fingerprint classi-
fication. You will note in the fingerprint classification on the opposite
side of this card that a count of 8 and 10 in the little fingers is shown,
while our card shows 6 and 11, and that the criminal record on the front
side of the production is preceded by a column of capital letters repre-
senting the city which does not appear on our card. You will also note
that the ridge counts in the individual fingerprint classification does
not agree entirely with ours, which is conclusive proof that it was not
taken from our copy on file in this office, and could not have been taken
from the copy furnished the Bureau of Identification before being forwarded
to that Bureau, as no entries in the classification or ridge counts are
made on their copy before being forwarded to that Bureau.

This is the second time that Capone has appealed to me for pro-
tection against what he terms as malicious use of his prison record which
he states he had been led to believe was to be held in confidence, the
first being the newspaper story which appeared, exposing mentality, nervous
system, complexes and various mental and physical defects.

Yours very truly,

(Signed) A. C. ADENHOLD,
Warden.

69-180-135
BUREAU OF INVESTIGATION
JAN 7 1933
DEPARTMENT OF JUSTICE
Div Six
1-6-33

AQA-T.

RECORDED

INDEXED

JAN 22 1933

JEM:MO'B

m/

January 8, 1933

MEMORANDUM FOR MR. TOLSON.

Mr. Sanford Bates called me regarding the fingerprints published in a New York newspaper on Capone which was sent to Mr. Bates by the Warden at Atlanta Penitentiary. The Warden stated in his letter that the chart on Capone differed from the prints which are on file at Atlanta.

I told Mr. Bates that this chart was shown to the Appropriations Committee during the hearings and that if there was any difference I would like to ascertain it and asked him to send the material to me. Mr. Bates said he would send us the correspondence.

Please have this matter carefully checked when the material is received.

Very truly yours,

Director.

69-180-136

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BUREAU OF INVESTIGATION

JAN 9 1933

DEPARTMENT OF JUSTICE

FILE

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FEDERAL FILES DIVISION
MAILED
JAN 7 1933

JOHN EDGAR HOOVER
DIRECTOR

Mr. Nathan.....
Mr. Tolson.....
Mr. Edwards.....
Mr. Clegg.....

U. S. Bureau of Investigation

Department of Justice

Washington, D. C.

January 6, 1933.

WHDL:HCB

MEMORANDUM FOR THE DIRECTOR.

In preparing an Interesting Case on Alphonse^{7-1-9.} Capone, File #69-180, Contempt of Court, the writer noted that Capone's criminal record as contained in the Identification Division of the Bureau showed:

"Alphonus Capone, #B-5496, received Philadelphia County Prison, Holmesburg, Pennsylvania, May 14, 1929; crime, carrying concealed deadly weapons; sentenced one year."

The next entry showed:

"As Alphonse Capone, #90725, arrested Philadelphia, Pennsylvania Police Department, May 17, 1929; charges, suspicious character, carrying concealed deadly weapons; disposition not given."

Since these records indicated that Capone was received at Holmesburg, Pennsylvania, three days prior to his arrest by the Philadelphia Police Department on the same charges, the writer communicated with Division Six to verify these two dates, and was advised by Mr. Schilder that the dates as set out above had been received by the Identification Division, but agreed that both dates could not be correct. He suggested that the Philadelphia Office should be called for the correct dates.

Upon authority of Mr. Nathan, this was done and Special Agent in Charge Harvey at Philadelphia checked the records at Holmesburg and Philadelphia and informed the writer that Alphonsus Capone was received at the Philadelphia County Prison, Holmesburg, Pennsylvania, on May 18, 1929, and that Alphonse Capone was arrested May 16, 1929, by the Philadelphia Police Department.

These dates and this spelling of Capone's first name by the Philadelphia County Prison, as given by Special Agent in Charge Harvey, have been included in the Interesting Case on Alphonse Capone.

Division Six was furnished this information by telephone immediately upon its receipt from Philadelphia.

RECORDED

Respectfully,
JAN 12 1933

W. H. D. Lester
W. H. D. Lester.

69-180-137

RECEIVED IDENTIFICATION

JAN 12 1933 A.M.

EDWARDS Div Six

JOHN EDGAR HOOVER
DIRECTOR

U. S. Bureau of Investigation

Department of Justice

Washington, D. C.

January 24, 1933.

Mr. Nathan	_____
Mr. Tolson	_____
Mr. Egan	_____
Mr. Clegg	_____

CT:ACS

MEMORANDUM FOR THE DIRECTOR.

Mr. Lewis, Local Representative of the Universal News Service, called at my office today. He stated that Mr. White, the New York Manager of the Universal News Service, had communicated with him suggesting that he make inquiries with a view to writing up interesting angles of the Capone case. When I was in New York recently talking with Mr. McCarthy of the King Features Syndicate, he indicated that Mr. White might call at the Bureau and request you to place him in touch with Mr. Irey. You will recall that efforts were made to make an appointment for Mr. McCarthy to see Mr. Irey when Mr. McCarthy was in the city.

Mr. Lewis knew nothing of the background of the Capone case and I gave him no information with respect to your conversation with Messrs. Lait and McCarthy other than to state that they talked with you about the Capone case and were advised by you that the real Capone story was not contained in the files of this Bureau but that Colonel Woodcock and Mr. Irey might be able to furnish data concerning angles of the Capone case handled by their services. Mr. Lewis appeared to be entirely satisfied with this statement and indicated that he would contact Mr. Irey and Colonel Woodcock. He stated he did not believe that the Contempt of Court angle would be of any particular interest but, if so instructed by the New York headquarters, he might return with a request for information concerning the Contempt of Court angle from this Bureau. If he does return, I see no reason why he should not be given a copy of the memorandum furnished Mr. Lait on the Contempt of Court angle of the Capone case. A copy of this memorandum is attached hereto for your information.

Respectfully,

C. A. Tolson.

1 Encl.
[Handwritten initials]

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INDEXED

JAN 30 1933

69-180-138	
BUREAU OF INVESTIGATION	
JAN 27 1933 P.M.	
DEPARTMENT OF JUSTICE	
NATHAN	OLEGG

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UNITED STATES BUREAU OF INVESTIGATION

January 7, 1931.

L.S. 70-180

ALFONSO CAPONE

CONVICT OF CRIME

In the early part of 1929, in the United States Court for the Northern District of Illinois, Federal Judge James H. Wilburson issued a subpoena for the appearance of Alphonse Capone before the Federal Grand Jury at Chicago on March 12, 1929, to testify in the case entitled UNITED STATES versus D'AMICO, et al, Conspiracy to Violate the National Prohibition Act. This subpoena was served on Capone February 27, 1929, at his home on Palm Island, near Miami, Florida.

On March 11, 1929, Capone entered an appearance in the Federal Court at Chicago through his attorneys and petitioned for a postponement of his appearance in response to the subpoena. With his petition for postponement he submitted to the Court an affidavit executed March 5, 1929, at Miami, Florida, before John F. Spittler, United States Commissioner for the Southern District of Florida, by a practicing physician of Miami, Florida, formerly of Chicago. This affidavit stated that Capone had been ill and under the doctor's professional care since January 13, 1929, and had thereafter been confined to his bed with hepato-pneumonia for six weeks and was now out of bed only ten days prior to March 5, 1929, and that therefore it would be dangerous to Capone's health for him to answer the subpoena in person as required.

Special Agents of the United States Bureau of Investigation, upon request, immediately began an investigation for the purpose of establishing the truth or falsity of the affidavit. This investigation disclosed that between January 13 and March 5, 1929, Capone had frequently attended the races at the Miami Jockey Club, the Hialeah Race Track, Florida, and had frequently appeared in public in apparently good health during the time when the affidavit alleged he was in bed. This investigation revealed further that between January 13 and March 5, 1929, Capone, in addition to having attended the races regularly, had made a trip by boat and another trip by aeroplane from Miami, Florida, to the Bahama Islands and return.

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Special Agents of the United States Bureau of Investigation obtained affidavits from five police officials and an employee of the News Week to the effect that Capone had attended the races on a number of occasions between January 13 and March 5, 1929, at which times he had appeared to be in good health. A pilot for a flying service at Miami, Florida, made an affidavit that on February 2, 1929, he had piloted a certain sea plane from Miami, Florida, to Nassau, Bahama Islands, British West Indies, and San Juan, carrying as passengers Al Capone and three other individuals, and that Capone appeared to be in good health during the entire trip.

An affidavit was obtained from an official of a Steamship Line operating between Miami, Florida, and Nassau, Bahama Islands, British West Indies, stating that on February 8, 1929, while checking the passenger lists of one of his company's vessels, he personally observed Alphonse Capone, together with Alfred Capone and several other individuals on the deck of one of the company's boats as it departed for the Bahamas.

An affidavit was obtained from an officer of this same vessel to the effect that Alphonse Capone and his party had sailed aboard his boat from Miami to Nassau on February 8, 1929, and had returned by the same boat from Nassau on February 12, 1929, and that on both trips Alphonse Capone appeared to be in perfect health.

Affidavits were obtained that on February 14, 1929, Alphonse Capone had been questioned for two hours by the County Solicitor for Dade County and an Assistant District Attorney of King's County, New York, in the office of the County Solicitor in the Court House at Miami, Florida, the questions and answers being taken down by a stenographer, and that upon this occasion Capone appeared to be in good health.

The above affidavits, of course, established the falsity of several statements in the affidavit presented to obtain a postponement of Capone's appearance before the Grand Jury at Chicago and served to disprove his contention that he was sick in bed upon certain dates, and was thus too ill to appear in Chicago.

On March 27, 1929, Capone was cited in the Federal Court at Chicago for Contempt of Court for his failure to respond to the subpoena served upon him in Florida ordering his appearance before the Federal Grand Jury at Chicago, and on the same date he was arrested and released under \$5,000 bond.

On May 17, 1929, Capone was arrested in Philadelphia and charged with carrying concealed weapons. He was convicted in the Pennsylvania

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State Court and sentenced to serve one year in the Eastern State Penitentiary, which sentence he served. At the expiration of this sentence he was arraigned in the Federal Court at Chicago, February 25, 1931, entered a plea of not guilty, and was tried and convicted.

On March 2, 1931, Federal Judge James H. Wilkerson sentenced him to serve six months in the Cook County, Illinois, Jail. His attorneys immediately gave notice of appeal. The United States Circuit Court of Appeals for the Seventh Circuit, on motion of counsel for Capone, dismissed this appeal.

Federal Judge James H. Wilkerson, in sentencing Capone on October 24, 1931, for violation of the Income Tax Law, provided that Capone's sentence for Contempt of Court should be served concurrently with that for the violation of the Income Tax Law.

The records of the Identification Division of the United States Bureau of Investigation reflected the following criminal record for Alphonse Capone, in addition to the instant case and his subsequent violation of the Income Tax Law:

As Alphonse Capone, #B-5496, received Philadelphia County Prison, Holmesburg, Pennsylvania, May 18, 1929; crime, carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #90725, arrested Philadelphia, Pennsylvania, Police Department, May 16, 1929; charge suspicious character and carrying deadly weapons.

As Alphonse Capone, #C-5527, received State Penitentiary, Philadelphia, Pennsylvania, August 8, 1929, from Philadelphia; crime, carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #3563, arrested Miami, Florida, Police Department, May 8, 1930; charge investigation - vagrancy; released on writ, May 8, 1930.

As Alphonse Capone, #C-23269, arrested Chicago, Illinois, Police Department, February 25, 1931; charge general principles.

As Alphonse Capone, arrested by United States Marshal, Chicago, Illinois, October 30, 1931.

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GT:ACS

January 18, 1933.

MEMORANDUM FOR THE DIRECTOR.

Mr. McCarthy of the King Family Syndicate advised me yesterday that a Mr. White of the Universal Service in New York City is following up the Capone matter which Mr. McCarthy and Mr. Laid discussed with you recently. Mr. White may come to Washington in this connection and if so he will probably call at the Bureau for the purpose of arranging an appointment with Mr. Irey. You will recall that Mr. McCarthy tried to see Mr. Irey when he was in the city but was unable to do so because of Mr. Irey's absence.

Respectfully,

C. A. Tolson.

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COPY FILED IN

69-180

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RECEIVED

735 Philadelphia Saving Fund Bldg.,
Philadelphia, Pa.



Special Agent in Charge,
United States Bureau of Investigation,
201 Liberty National Life Bldg.,
Birmingham, Ala.

Dear Sir:

The "Philadelphia Evening Bulletin" recently carried a series of articles concerning certain special privileges enjoyed by Al Capone, now incarcerated in the U.S. Penitentiary at Atlanta, Ga.

These articles were supposed to have been written by ex-convict #35,503, who was alleged to have been sentenced to the Atlanta Penitentiary from Philadelphia, Pa., on the charge of impersonating a Federal officer.

Will you kindly inform this office the identity of ex-convict #35,503 for our information?

Very truly yours,

R.O. Harvey,
Special Agent in Charge.

RGH:AO.

cc: Bureau

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&
INDEXED

69-100-139
BUREAU OF INVESTIGATION
FEB 2 1933 I.M.
Div. Two
TFB

Letter Philadelphia
2-8-33
TFB
FEB 9 1933

TFB:EB
69-180-139

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FEB 9 - 1933

February 8, 1933.

Special Agent in Charge,
United States Bureau of Investigation,
735 Philadelphia Saving Fund Building,
Philadelphia, Pennsylvania.

Dear Sir:

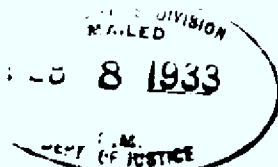
Reference is made to your letter dated February 1, 1933, addressed to the Birmingham, Alabama Bureau office, advising that the Philadelphia Evening Bulletin recently carried a series of articles concerning special privileges enjoyed by Al Capone, now incarcerated in the Atlanta Penitentiary. These articles were supposed to have been written by convict #35503.

Atlanta Penitentiary number 35503 was the number given to Lee E. Molnar alias Hunsicker.

Very truly yours,

Director.

CC-Birmingham.



JOHN EDGAR HOOVER
DIRECTOR

U. S. Bureau of Investigation

Department of Justice

Washington, D. C.

January 7, 1933.

I. C. #69-180

ALPHONSE CAPONE

CONTEMPT OF COURT

In the early part of 1929, in the United States Court for the Northern District of Illinois, Federal Judge James H. Wilkerson issued a subpoena for the appearance of Alphonse Capone before the Federal Grand Jury at Chicago on March 12, 1929, to testify in the case entitled UNITED STATES versus D'AMICO, et al, Conspiracy to Violate the National Prohibition Act. This subpoena was served on Capone February 27, 1929, at his home on Palm Island, near Miami, Florida.

On March 11, 1929, Capone entered an appearance in the Federal Court at Chicago through his attorneys and petitioned for a postponement of his appearance in response to the subpoena. With his petition for postponement he submitted to the Court an affidavit executed March 5, 1929, at Miami, Florida, before John F. Spitler, United States Commissioner, for the Southern District of Florida, by a practicing physician of Miami, Florida, formerly of Chicago. This affidavit stated that Capone had been ill and under the doctor's professional care since January 13, 1929, and had thereafter been confined to his bed with broncho-pneumonia for six weeks and had been out of bed only ten days prior to March 5, 1929, and that therefore it would be dangerous to Capone's health for him to answer the

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subpoena in person as required.

Special Agents of the United States Bureau of Investigation, upon request, immediately began an investigation for the purpose of establishing the truth or falsity of the affidavit. This investigation disclosed that between January 13 and March 5, 1929, Capone had frequently attended the races at the Miami Jockey Club, The Hialeah Race Track, Florida, and had frequently appeared in public in apparently good health during the time when the affidavit alleged he was in bed. The investigation revealed further that between January 13 and March 5, 1929, Capone, in addition to having attended the races regularly, had made a trip by boat and another trip by aeroplane from Miami, Florida, to the Bahama Islands and return.

Special Agents of the United States Bureau of Investigation obtained affidavits from five police officials and an employee at the race track to the effect that Capone had attended the races on a number of occasions between January 13 and March 5, 1929, at which times he had appeared to be in good health. A pilot for a flying service at Miami, Florida, made affidavit that on February 2, 1929, he had piloted a certain sea plane from Miami, Florida, to Bimini, Bahama Islands, British West Indies, and return, carrying as passengers Al Capone and three other individuals, and that Capone appeared to be in good health during the entire trip.

An affidavit was obtained from an official of a steamship line operating between Miami, Florida, and Nassau, Bahama Islands, British West Indies, stating that on February 8, 1929, while checking the passenger lists of one of his company's vessels, he personally observed Alphonse Capone, together with Alfred Capone and several other individuals on the deck of one of the company's boats as it departed for the Bahamas.

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An affidavit was obtained from an officer of this same vessel to the effect that Alphonse Capone and his party had sailed aboard his boat from Miami to Nassau on February 8, 1929, and had returned by the same boat from Nassau on February 12, 1929, and that on both trips Alphonse Capone appeared to be in perfect health.

Affidavits were obtained that on February 14, 1929, Alphonse Capone had been questioned for two hours by the County Solicitor for Dade County and an Assistant District Attorney of King's County, New York, in the office of the County Solicitor in the Court House at Miami, Florida, the questions and answers being taken down by a stenographer, and that upon this occasion Capone appeared to be in good health.

The above affidavits, of course, established the falsity of several statements in the affidavit presented to obtain a postponement of Capone's appearance before the Grand Jury at Chicago and served to disprove his contention that he was sick in bed upon certain dates, and was thus too ill to appear in Chicago.

On March 27, 1929, Capone was cited in the Federal Court at Chicago for Contempt of Court for his failure to respond to the subpoena served upon him in Florida ordering his appearance before the Federal Grand Jury at Chicago, and on the same date he was arrested and released under \$5,000 bond.

On May 17, 1929, Capone was arrested in Philadelphia and charged with carrying concealed weapons. He was convicted in the Pennsylvania State Court and sentenced to serve one year in the Eastern State Penitentiary, which sentence he served. At the expiration of this sentence he was arraigned in the Federal Court at Chicago, February 25, 1931, entered a plea of not

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guilty, and was tried and convicted.

On March 2, 1931, Federal Judge James H. Wilkerson sentenced him to serve six months in the Cook County, Illinois, jail. His attorneys immediately gave notice of appeal. The United States Circuit Court of Appeals for the Seventh Circuit, on motion of counsel for Capone, dismissed this appeal.

Federal Judge James H. Wilkerson, in sentencing Capone on October 24, 1931, for violation of the Income Tax Laws, provided that Capone's sentence for Contempt of Court should be served concurrently with that for the violation of the Income Tax Laws.

The records of the Identification Division of the United States Bureau of Investigation reflected the following criminal record for Alphonse Capone, in addition to the instant case and his subsequent violation of the Income Tax Laws:

As Alphonse Capone, #B-5496, received Philadelphia County Prison, Holmesburg, Pennsylvania, May 18, 1929; crime, carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #90725, arrested Philadelphia, Pennsylvania, Police Department, May 16, 1929; charge, suspicious character and carrying deadly weapons.

As Alphonsus Capone, #C-5527, received State Penitentiary, Philadelphia, Pennsylvania, August 8, 1929, from Philadelphia; crime, carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #3563, arrested Miami, Florida, Police Department, May 8, 1930; charge investigation - vagrancy; released on writ, May 8, 1930.

175

As Alphonse Capone, #C-28169, arrested Chicago, Illinois,
Police Department, February 25, 1931; charge general prin-
ciples.

As Alphonse Capone, arrested by United States Marshal, Chicago,
Illinois, October 30, 1931.

REEL: 21
69-120-148

RECORDED

FEB 14 1933

February 13, 1933

Special Agent in Charge,
United States Bureau of Investigation,
Post Office Box 907,
San Francisco, California.

Dear Sir:

Reference is made to your letter of February 3,
1933, requesting small size photographic copies of the finger-
print cards of Alphonse Gapeze and the DeLutremont Twins.

There are being prepared at the present time copies
of these two particular charts, together with copies of several
other similar charts. As soon as they have been completed, copies
of all such charts will be forwarded to you.

Very truly yours,

Director.

W. A. D. S.

BUREAU FILES DIVISION
MAILED
FEB 11 1933
FBI - SAN FRANCISCO

FEB 11 1933 AM

RECEIVED
FEB 11 1933
FBI - SAN FRANCISCO

178

U. S. Bureau of Investigation

Department of Justice

735 Philadelphia Saving Fund Building,
Philadelphia, Pennsylvania.

February 28, 1933.

Director,
United States Bureau of Investigation,
Washington, D. C.

Dear Sir:

Harry Bodkin, in charge of the Identification Division, Philadelphia Police Department, would like to have an enlarged photograph of Alphonse Capone, together with a photograph of his fingerprints.

If you consider such action feasible it is kindly requested that a photographic copy of photograph and fingerprints of Capone be forwarded to this office for transmittal to Bodkin, or direct to the Philadelphia Police Department for Bodkin's attention.

Very truly yours,

R. G. Harvey
R. G. HARVEY,
Special Agent in Charge.

RGH:EPL

So Div. 10 for enlargement 3/2

asker
3-7-33
MAR 9 - 1933

69-180-141	
MAR 1 1933 A.M.	
DEPARTMENT OF JUSTICE	
CLEGG	FILE

ENC. REC

March 7, 1933.

69-180-141

RECORDED

MAR 9 1933

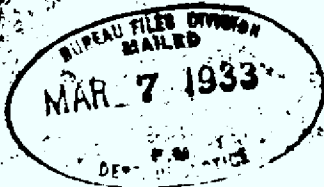
Mr. R. S. Harvey,
United States Bureau of Investigation,
735 Philadelphia Saving Fund Building,
Philadelphia, Pennsylvania.

Dear Mr. Harvey:

With reference to your letter dated February 28,
1933, requesting a large photograph of the chart showing
the fingerprints of Alphonse Capone, which you desire for
Mr. Bedkin, of the Philadelphia Police Department Identifica-
tion Division, I am pleased to transmit to you, under separate
cover, this chart for this purpose.

Sincerely yours,

Director,



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U. S. Department of Justice

Bureau of Investigation
735 Philadelphia Saving Fund Building,
Philadelphia, Pennsylvania.

March 15, 1933.

Director,
United States Bureau of Investigation,
Washington, D. C.

Dear Sir:

I beg to inform that under date of March 8, 1933 I turned over to Harry Bodkin, Superintendent of the Identification Division, Police Department, Philadelphia, Pa., the fingerprint chart forwarded by the Bureau regarding Alphonse Capone. Mr. Bodkin was very pleased to receive this chart and desires that I express my thanks to you for same.

Very truly yours,

R. G. Harvey

R. G. HARVEY,
Special Agent in Charge.

RGH:AVM

RECORDED
MAR 17 1933

69-180-142	
BUREAU OF INVESTIGATION	
MAR 16 1933 A.M.	
DEPARTMENT OF JUSTICE	
ELEGG	<i>[Signature]</i>

JOHN EDGAR HOOVER
DIRECTOR

WHDL:EB

69-180

U. S. Bureau of Investigation

Department of Justice
Washington, D. C.

March 17, 1933.

ALPHONSE CAPONE

CONTEMPT OF COURT

*not used
in view of
Div. 6 chart*

In the early part of 1929 a subpoena was issued in the United States District Court of Illinois at Chicago for the appearance of Alphonse Capone as a witness in a Prohibition case. The subpoena was properly served on Capone in Florida. Capone's attorney appeared in Federal Court at Chicago and presented a petition for postponement, presenting an affidavit dated March 5, 1929, to the effect that Capone had been out of bed only ten days prior to March 5, 1929, and that it would be dangerous to his health for him to answer the subpoena in person as required. Special Agents of the United States Bureau of Investigation began an investigation, upon request, to establish the truth or falsity of the affidavit. This investigation disclosed that Capone had attended the races regularly and was apparently in good health during the time the affidavit alleged he was in bed and that he had made one trip by boat and one by airplane to the Bahama Islands and return during the same period. As a result of this investigation Capone was cited for contempt of court in the Federal Court at Chicago and released under \$5,000 bond. Before his hearing on the contempt charge, he was arrested in Philadelphia and given a one year sentence for carrying concealed weapons. On February 25, 1931, he pleaded not guilty to the contempt charge in Federal Court at Chicago, was tried and convicted and on March 2, 1931, was sentenced to serve six months in the Cook County Jail. The United States Circuit Court of Appeals dismissed his appeal on motion of his counsel and the Federal Judge of the United States District Court at Chicago in sentencing Capone on October 24, 1931, for violation of the Income Tax laws, provided that Capone's sentence for contempt of court should be served concurrently with that imposed for violation of the Income Tax laws.

*2 Encl. 9B
3
7*

RECORDED
MAY 23 1933

69-180-143	
FEDERAL BUREAU OF INVESTIGATION	
MAY 10 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
CLEGG	FILE

2

JOHN EDGAR HOOVER
DIRECTOR

U. S. Bureau of Investigation

Department of Justice
Washington, D. C.

January 7, 1933.

I. C. #69-180

ALPHONSE CAPONE

CONTEMPT OF COURT

In the early part of 1929, in the United States Court for the Northern District of Illinois, Federal Judge James H. Wilkerson issued a subpoena for the appearance of Alphonse Capone before the Federal Grand Jury at Chicago on March 12, 1929, to testify in the case entitled UNITED STATES versus D'AMICO, et al, Conspiracy to Violate the National Prohibition Act. This subpoena was served on Capone February 27, 1929, at his home on Palm Island, near Miami, Florida.

On March 11, 1929, Capone entered an appearance in the Federal Court at Chicago through his attorneys and petitioned for a postponement of his appearance in response to the subpoena. With his petition for postponement he submitted to the Court an affidavit executed March 5, 1929, at Miami, Florida, before John F. Spitler, United States Commissioner, for the Southern District of Florida, by a practicing physician of Miami, Florida, formerly of Chicago. This affidavit stated that Capone had been ill and under the doctor's professional care since January 13, 1929, and had thereafter been confined to his bed with broncho-pneumonia for six weeks and had been out of bed only ten days prior to March 5, 1929, and that therefore it would be dangerous to Capone's health for him to answer the

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subpoena in person as required.

Special Agents of the United States Bureau of Investigation, upon request, immediately began an investigation for the purpose of establishing the truth or falsity of the affidavit. This investigation disclosed that between January 13 and March 5, 1929, Capone had frequently attended the races at the Miami Jockey Club, The Hialeah Race Track, Florida, and had frequently appeared in public in apparently good health during the time when the affidavit alleged he was in bed. The investigation revealed further that between January 13 and March 5, 1929, Capone, in addition to having attended the races regularly, had made a trip by boat and another trip by aeroplane from Miami, Florida, to the Bahama Islands and return.

Special Agents of the United States Bureau of Investigation obtained affidavits from five police officials and an employee at the race track to the effect that Capone had attended the races on a number of occasions between January 13 and March 5, 1929, at which times he had appeared to be in good health. A pilot for a flying service at Miami, Florida, made affidavit that on February 2, 1929, he had piloted a certain sea plane from Miami, Florida, to Bimini, Bahama Islands, British West Indies, and return, carrying as passengers Al Capone and three other individuals, and that Capone appeared to be in good health during the entire trip.

An affidavit was obtained from an official of a steamship line operating between Miami, Florida, and Nassau, Bahama Islands, British West Indies, stating that on February 8, 1929, while checking the passenger lists of one of his company's vessels, he personally observed Alphonse Capone, together with Alfred Capone and several other individuals on the deck of one of the company's boats as it departed for the Bahamas.

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An affidavit was obtained from an officer of this same vessel to the effect that Alphonse Capone and his party had sailed aboard his boat from Miami to Nassau on February 8, 1929, and had returned by the same boat from Nassau on February 12, 1929, and that on both trips Alphonse Capone appeared to be in perfect health.

Affidavits were obtained that on February 14, 1929, Alphonse Capone had been questioned for two hours by the County Solicitor for Dade County and an Assistant District Attorney of King's County, New York, in the office of the County Solicitor in the Court House at Miami, Florida, the questions and answers being taken down by a stenographer, and that upon this occasion Capone appeared to be in good health.

The above affidavits, of course, established the falsity of several statements in the affidavit presented to obtain a postponement of Capone's appearance before the Grand Jury at Chicago and served to disprove his contention that he was sick in bed upon certain dates, and was thus too ill to appear in Chicago.

On March 27, 1929, Capone was cited in the Federal Court at Chicago for Contempt of Court for his failure to respond to the subpoena served upon him in Florida ordering his appearance before the Federal Grand Jury at Chicago, and on the same date he was arrested and released under \$5,000 bond.

On May 17, 1929, Capone was arrested in Philadelphia and charged with carrying concealed weapons. He was convicted in the Pennsylvania State Court and sentenced to serve one year in the Eastern State Penitentiary, which sentence he served. At the expiration of this sentence he was arraigned in the Federal Court at Chicago, February 25, 1931, entered a plea of not

5

guilty, and was tried and convicted.

On March 2, 1931, Federal Judge James H. Wilkerson sentenced him to serve six months in the Cook County, Illinois, jail. His attorneys immediately gave notice of appeal. The United States Circuit Court of Appeals for the Seventh Circuit, on motion of counsel for Capone, dismissed this appeal.

Federal Judge James H. Wilkerson, in sentencing Capone on October 24, 1931, for violation of the Income Tax Laws, provided that Capone's sentence for Contempt of Court should be served concurrently with that for the violation of the Income Tax Laws.

The records of the Identification Division of the United States Bureau of Investigation reflected the following criminal record for Alphonse Capone, in addition to the instant case and his subsequent violation of the Income Tax Laws:

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As Alphonse Capone, #90725, arrested Philadelphia, Pennsylvania, Police Department, May 16, 1929; charge, suspicious character and carrying deadly weapons.

As Alphonse Capone, #C-5527, received State Penitentiary, Philadelphia, Pennsylvania, August 8, 1929, from Philadelphia; crime, carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #3563, arrested Miami, Florida, Police Department, May 8, 1930; charge investigation - vagrancy; released on writ, May 8, 1930.

126

As Alphonse Capone, #C-28169, arrested Chicago, Illinois,
Police Department, February 25, 1931; charge general prin-
ciples.

As Alphonse Capone, arrested by United States Marshal, Chicago,
Illinois, October 30, 1931.

17

R

COPY

JSE:GAT

September 6, 1933

MEMORANDUM FOR THE DIRECTOR

Mr. Joseph B. Keenan, Special Assistant to the Attorney General, called at my office this morning and stated he had just met Mr. Pierson Hall, United States Attorney from Los Angeles, and wondered if we had any information upon the case at Los Angeles which was reported to the Department through a Mr. Kegley, Bureau file 762-29339, attached. I, not being familiar with the case, called Mr. Hughes, who informed me of the facts in the case, and they were communicated to Mr. Keenan. He stated he would have a further talk with Mr. Hall before Hall leaves Washington. He also at this time asked me if he could have a photographic copy of the fingerprints of Alphonse Capone, particularly the side showing the number of arrests and releases, together with one or two other cards from the Identification Unit, to be used in a speech by the Attorney General on September 11. I immediately called Mr. Edwards but in his absence talked to Mr. Schilder and requested that this information be furnished so that I could deliver the same to Mr. Keenan about noon Friday.

Respectfully,

J. B. Keenan

JW

Alphonse Capone

62-29339
ORIGINAL FILED IN

RECORDED & INDEXED

SEP 7 - 1933

69-180-144	
SEP 7 1933	
Unit One	FILE

REC:NCB

May 19, 1933.

MEMORANDUM FOR THE DIRECTOR

Mr. Parrish completed his examination of the charts. No others were recommended for exclusion from the exhibit in addition to the Almer Siegal and ex-congressman bribery case which he originally recommended be withheld. He indicated that there was always a likelihood of some question coming up, particularly on the part of friends of Alphonse Capone and others whose photographs were being shown; that in the case where some of the individuals on the charts had been released from jail, even though they had a long previous record, there was a chance also that they might raise some objection, in which event he recommended that the chart objected to be immediately withdrawn and another one substituted. He said there was likewise a possibility that some of them might endeavor to take some such action on the basis that they were being held up for public ridicule, but he thought that their grounds for such action were probably not good. He felt the Bureau would be justified in taking the chance, with speedy action as to substitutions in the event complaints were made.

Respectfully,

H. H. Clegg.

NOT RECORDED

69-180

190
H

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Clegg	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Hughes	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Harbo	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

September 12, 1933.

MEMORANDUM OF TELEPHONE CALL.

Mr. Keenan inquired whether I would have any objection to the Chicago papers taking a photostat of the picture and record of Alphonse Capone. I cited the instance of the time that one of the New York papers published this material and Capone registered a very vigorous protest to the Superintendent of Prisons of what he called infringing upon his privacy, and Mr. Bates was rather indignant that the photograph and prints had been given out. I advised that personally I could see no objection but suggested that he contact Mr. Bates before taking any steps in this regard.

Mr. Keenan further stated that United States Attorney Hall from Los Angeles had just called at his office and advised that he had received a telegram from the NRA group in Los Angeles in which it was stated that there is a nuisance racket going on there of people who rent three or four rooms, have a telephone installed, sell NRA stickers and indirectly represent themselves to be Government agents, although they do not say in so many words that they are. Mr. Hall requested that Mr. Dunn be assigned to bring in these individuals to his office and let him, Mr. Hall, talk with them. I advised that personally I would be glad to so assign Mr. Dunn but suggested that he talk with Mr. Parrish before taking any steps as there has been quite a controversy about NRA investigative jurisdiction and we have been ordered by the Department to leave all such investigations to the NRA and take no part therein, but that if Mr. Parrish gives permission I would be glad to have Mr. Dunn cooperate.

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69-180-145

SEP 20 1933

U.S. DEPARTMENT OF JUSTICE

Wm. G. TOLSON	FILE
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Wint...
9-14-33
9-15-33
9-15-33

91

RECORDED COPY FILED IN 62-111933-100

ATTENHOOKE 2237

Mal. 3736

ROOM 309 KEYSTONE BUILDING
BROAD & VINE STS., PHILA., PA.



DEPT. OF JUSTICE
BOARD OF PARDONS
PAROLE SUPERVISION
DISTRICT NO. 1

ROOM 1202
MKT. ST. NATL. BANK BLDG.
JUNIPER AND MARKET STS.
PHILADELPHIA

69-182-146

COMMONWEALTH OF PENNSYLVANIA



DEPARTMENT OF JUSTICE
BOARD OF PARDONS

ROOM 309 KEYSTONE BUILDING
BROAD & VINE STS., PHILA., PA.

November 25th, 1933

PAROLE DISTRICT OFFICE NO. _____

United States Bureau of Investigation
Washington, D. C.

Gentlemen:

Will you please send the writer one photograph
No. 32-14, called Explanation of Fingerprint
Classification of Alphonse Capone.

Very truly yours,

Clinton Butler

Clinton Butler

CB:w

*ack 12-4-33
JCS*

*1 Encl
ms
AM*

RECORDED

69-180-146

DIVISION OF INVESTIGATION

DEC 5 1933

U. S. DEPARTMENT OF JUSTICE

DEC 6 1933

102

LCS:AM

December 4, 1933

69-180-146

RECORDED
&
INDEXED

Mr. Clinton Butler,
Field Agent,
Board of Pardons,
Department of Justice,
Room 308 Keystone Building,
Broad and Vine Streets,
Philadelphia, Pennsylvania.

DEC 6 1933

Dear Sir:

In reply to your letter of November 25, 1933, I am pleased to enclose for your information a copy of the chart prepared in this Division reflecting the explanation of the fingerprint classification assigned to the fingerprint impressions of Alphonse Capone.

Very truly yours,

Director.

Encl. #372511

FILE SECTION
MAILED
★ DEC 4 1933 ★
F. B. I.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

193

WHDG
Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Lester
Mr. Quinn
Mr. Nease
Mr. Locke

The National Daily

TUESDAY—OCTOBER 17

CAPONE BECOMES FINE TENNIS PLAYER

Forger Who Was One Of His Net Mates Gives Report

NEW YORK, Oct. 17.—"Scarface Al" Capone, still optimistic about getting out of Atlanta, Ga., Federal prison without serving his full 11-year sentence for income tax law evasion, has developed into a "crackerjack" of a good tennis player, as well as a model prisoner.

The first authentic report of the Chicago "Big Shot's" activities behind the walls of the Southern Institution was brought to New York today by one of the "Scarfac'd One's" erstwhile "net mates"—a forger, who completed his term and intends "going straight."

A "Sore Loser"

As a tennis player, however, Capone is a decided "sore loser," according to his friend. On more than one occasion when luck was against him, he showed this by cracking his racket across his knee.

Of course, it was pointed out, this was Capone's prerogative, inasmuch as he pays for his own racquets, as do most of the Federal prisoners within the jail, who go in for "sports."

The Windy City racket czar tried to make the prison baseball nine soon after his arrival there,



AL ("SCARFACE") CAPONE

but was entirely too heavy—too slow on bases.

Hopes For Change

He is regularly employed in the prison shoe repair shop, where he labors a full eight hours every day, but he has visions of an easier assignment in the cotton "duck mills," where prisoners are awarded an extra "two days off a month" for good work and continued good behavior.

His tennis playing occurs during the regular prison recrea-

Al Gets "Sore" When He Loses, Breaks His Racket

ional period—1½ hours a day, weekdays, and Saturday and Sunday afternoons.

Despite his wealth, Capone neither receives, nor has he sought any special favor at the hands of Warden A. C. Aderhold, who, if anything has held Capone a little closer down to actual regulations simply because of fear of adverse public opinion.

Gets No Favors

Of recent months, Capone has had a "break," so far as friendship is concerned, however, because of the presence of Terry Druggan, another Chicago "Big Shot," who recently was transferred to Atlanta from the Fort Leavenworth, Kan., Federal prison.

This kind gets more recreation than we do. No wonder prison walls fail to instill fear.

The newspaper boys will make a hash out of Al.

NOT RECORDED

69-180

WHDG file 47 4

JOHN EDGAR HOOVER
DIRECTOR

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

HN:DCS

December 22, 1933.

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Edwards.....
Mr. Egan.....
Mr. Hughes.....
Mr. Quinn.....
Mr. Lester.....
Mr. Locke.....
.....
.....

MEMORANDUM FOR THE DIRECTOR.

Mr. Cusack, of the Universal Service, called and wanted to know if we knew anything about Al Capone being transferred to Leavenworth. I told him I had heard nothing about it and arranged for Mr. Cusack's transfer to Mr. Bates.

Very truly yours,

H. Nathan
H. Nathan.

RECORDED
&
INDEXED

69-180-147

DEC 27 1933

FILE

W
cc
P. O. BOX # 987,
PITTSBURGH, PA.

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
1900 Bankers Building,
Chicago, Illinois.

Dear Sir:

The County Detective office, which has always given us the fullest cooperation, desires information pertaining to Frank Nitti of the Capone organization. Can you ascertain from informants in Chicago if Nitti is now in Pittsburgh; his Pittsburgh address; who accompanied him and send photographs, if available, of the men with him? It is believed that Nitti is connected with the recent dynamiting of motion picture houses in Pittsburgh and is being assisted by three Italians who accompanied him from Chicago. One of the three, "Johnny", last name unknown, is about 5'2" tall, has a flat nose, looks like an ex-fugitive; the other two, names unknown, are both approximately 5'8" tall. Witnesses here may be able to identify photographs of the latter two.

Very truly yours,

J. A. HANCOCK, Acting
Special Agent in Charge.

EJC:7
62-0-434
cc Division

INDEXED

69-180

DIVISION OF INVESTIGATION	
MAY 28 1934 A.M.	
U. S. DEPARTMENT OF JUSTICE	
ONE	FILE

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JEM:KCB

May 28, 1934.

Mr. J. A. Bowd,
Division of Investigation,
U. S. Department of Justice,
303-a S. S. Court House and
Post Office Building,
Salt Lake City, Utah.

Dear Sir:

I have received confidential information to the effect that Mrs. Alphonse Capone, Sr., wife of Al Capone, has established a residence in Reno, Nevada, with a view of divorcing her husband. I do not know whether there is any foundation to this statement, but when an Agent of your office is next in Reno, I would like to have you make such inquiries as you can discreetly and diplomatically, to determine whether there is any foundation to this story.

Very truly yours,

Director.

FILES SECTION
MAILED
★ MAY 28 1934 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECEIVED
MAY 28 1934 P.M.

Handwritten initials/signature

RECORDED
&
INDEXED

69-180-148
DIVISION OF INVESTIGATION
29 1934 P.M.
U. S. DEPARTMENT OF JUSTICE
FILE

DIVISION OF INVESTIGATION

From: UNIT #1

1934.

To: Director
 Mr. Nathan
 Mr. Tolson
 Mr. Edwards
 Unit Two
 Unit Four
 Files Section
 Personnel Section
 Equipment Section
 Chief Clerk's Office
 Unit Five
 Identification Unit
 Statistical Section
 Technical Laboratory

Mr. Nathan
 Mr. Tolson
 Mr. Clegg
 Mr. Baughman
 Chief Clerk
 Mr. Coffey
 Mr. Keith
 Mr. Quinn
 Mr. Tamm

Mr. Abbaticchio
 Mr. Cowley
 Mr. Little
 Mr. Listerman
 Mr. Lott
 Mr. Lowdon
 Mr. Newby
 Mr. Rosen
 Mr. Schroeder
 Mr. Smith
 Miss Gandy
 Mrs. Kelley
 Washington Field Office
 Stenographic Pool
 Secretary

Correct
 Re-write
 Re-date
 See me
 Send file.

E. A. TAMM

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DIVISION
U. S. Bureau of Investigation
Department of Justice

503A U.S. Court House & P.O. Bldg.,
Salt Lake City, Utah.
July 12, 1934.

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

JUL 17 1934 AM



Dear Sir:

Under date of May 28, 1934, you wrote me to the effect that you had received confidential information that Mrs. Alphonse Capone, Sr., wife of Al Capone, had established a residence in Reno, Nevada, with a view of divorcing her husband. You asked that when an agent was next at Reno, that such inquiries as can be discreetly and diplomatically made, should be made to determine whether there was any foundation to the story.

On July 7, 1934, Special Agent J.F. O'Connell of this office, while at Reno, Nevada, interviewed Postmaster W.E. Kinnikin, who stated that he had heard nothing of the matter, and had not heard that Mrs. Alphonse Capone Sr., was receiving mail at Reno. If Mrs. Capone is, or has been at Reno for the purpose referred to, it is quite probable that she would be living under an assumed name, with her identity known only to her attorney, while if she had instituted a suit for divorce she would, of necessity, file complaint under her right name, and as soon as filed, the newspapers at Reno would learn it and publish it, as is their practise. It is a daily routine matter for representatives of the newspapers at Reno to learn the identities of the persons filing suits for divorce.

If the Division wishes this matter pursued further at Reno, I suggest that the Division, through its Jacksonville or Chicago Division offices, in which territory Mrs. Alphonse Capone Sr. is said to have resided in the past, endeavor to determine her last known address, and then make such inquiry as is possible for the purpose of determining if she has been absent from that place, and if so where.

Either one or both of these offices might also learn the name and address of the Attorney who has represented her interests in the past, and through some contact with the office of the attorney, determine the accuracy or inaccuracy of the information relating to any contemplated divorce on her part.

Very truly yours,

John A. Dowd
JOHN A. DOWD,
Special Agent in Charge.

JAD:J
RECORDED
&
INDEXED

69-180-149
JUL 16 1934
199
DOWD
FILE

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

LCS:EP

July 16, 1934.

MR. TOLSON.....
MR. NATHAN.....
MR. CLEGG.....
MR. COWLEY.....
MR. EDWARDS.....
MR. LIGAN.....
MR. QUINN.....
MR. BAUGHMAN.....
MR. GLAVIN.....
MR. LAMM.....
MR. REEBER.....
MR. WELLS.....
MISS GANDY.....

MEMORANDUM FOR MR. TOLSON.

This morning Colonel Gates telephoned and asked me whether we had any information available as to the age of Al Capone. I informed the Colonel that the fingerprint card reporting Capone's incarceration in the Atlanta Penitentiary gave his date of birth as January 17, 1899. I told Colonel Gates I could not vouch for the accuracy of this date and suggested he might want to make further inquiries. He thanked me for the information.

Respectfully,

L. C. Schilder

L. C. Schilder.

Adm. Div. 7/19/34

*Memo Schilder
7-19-34*

RECORDED
&
INDEXED

JUL 21 1934

14-180-150	
DIVISION	
JUL 20 1934	
U. S. DEPT. OF JUSTICE	
TOLSON	FILE

RECORDED

CT:LC

July 19, 1934.

RECORDED

W
69-180-150

MEMORANDUM FOR MR. SCHELDER

With respect to your memorandum dated July 16, 1934, concerning information given Colonel Gates of the Department regarding Al Capone, you are advised that all requests for information for publicity purposes from any source should be referred to me or to Mr. Tolson, Assistant Director. Under no circumstances should information be given to parties over the telephone concerning official matters which are clearly for press purposes.

Please call this instruction to the attention of the supervisory personnel in the Identification Unit.

Very truly yours,

cc - Mr. Edwards

John Edgar Hoover,
Director.

- Mr. Nathan
- Mr. Tolson
- Mr. Clegg
- Mr. Baughman
- Chief Clerk
- Mr. Coffey
- Mr. Cowley
- Mr. Edwards
- Mr. Egan
- Mr. Harbo
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Tamm

FILES SECTION
MAILED
★ JUL 18 1934 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECORDED IN 69-1

V

201

JEB:HCB

August 21, 1934.

MEMORANDUM

Mr. Holtzoff, of the Department, telephoned today and inquired if I had any means of sending a confidential message to Mr. Carusi since he did not care to send it by public telegram. I suggested that it might be transmitted in our code to Mr. Clegg, for transmittal to Mr. Carusi. Mr. Holtzoff stated his attention had been called to the fact that the Attorney General is being quoted to the effect that Capone is not being transferred to Alcatraz. Mr. Holtzoff said that since this is not a fact he wanted to "head him off" from making such a statement. I then suggested, in order to save time, that I call Mr. Clegg at San Francisco on our direct wire and give him this message. Mr. Holtzoff remarked that he understood the shipment is due to arrive out there Wednesday morning and that Capone is in that shipment. I stated that the shipment is due to arrive at 10:30 tomorrow morning. Mr. Holtzoff was perfectly agreeable to my conveying the message to Mr. Clegg by long distance. I told him I would take care of it right away.

I immediately telephoned the San Francisco Office and instructed Mr. Guinane to get in touch with Mr. Clegg at his hotel and have him call me back.

Mr. Clegg called and I advised him that I had been informed by Mr. Holtzoff that the Attorney General is being quoted in this part of the country to the effect that "the big boy of Chicago" is not being taken to Alcatraz. I asked if the Attorney General had made such a statement. Mr. Clegg said that he had not; that he, Mr. Clegg, received a call last night from the Associated Press, stating that they were going to broadcast that information as having been given to a reporter for the San Francisco Chronicle; that he, Mr. Clegg, stated at that time that he desired that they wait until he could see the Attorney General; that he saw the Attorney General, who gave them the message that he is not making any statement; that he had not and would not make any statement about that situation. I told him that we feared here that perhaps he had made such a statement, whereas as a matter of fact Capone is going to Alcatraz. Mr. Clegg remarked that he believed the Attorney General knows Capone is going to Alcatraz. I stated that we wanted to get this word to him because we did not want him to be embarrassed, and Mr. Holtzoff was somewhat concerned since the dispatch was being carried in this part of the country. Mr. Clegg said he had been informed by the Associated Press that the Attorney General would be quoted in this way. I explained that Capone is included among those due to arrive tomorrow, and that we didn't want the Attorney General to be taken by surprise. I stated that the train was due to arrive tomorrow evening, but it is running ahead of schedule, and will arrive at 10:30 tomorrow morning. I remarked that Mr. Gus Jones is with the train.

RECORDED

69-140-151

AUG 23 1934

AUG 23 1934

ORIGINAL FILED IN 7-2-20

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

March 12, 1935.

MEMORANDUM FOR THE FEDERAL BUREAU OF INVESTIGATION

In order that we may check up on certain letters requested to be sent out by Alphonse Capone, will you kindly advise what the records of your Bureau reflect as to one [redacted], recently deceased in Chicago, - including the possible connections as a gangster with Alphonse Capone and his associates - and oblige.

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

Sanford Bates,
Director.

RECORDED
&
INDEXED
9961 92 11/11/35

*11/11/35 3/29/35
pet*

See 31-4530-1-2

69-180-152

DIVISION OF INVESTIGATION

MAR 21 1935

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ONE

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PEF:CSH
33-4590

March 20, 1935

69-180-152

RECORDED
&
INDEXED

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

APR 26 1935

Reference is made to your memorandum of March 12, 1935, requesting that this Bureau furnish you with information as to one [redacted], including any possible connections that he might have with Alphonse Capone and his associates. The Bureau's files disclose the following information relative to one Frank Reo, whose true name is Frank Klien and who may possibly be identical with the individual to whom you refer:

During the year 1923 the Bureau conducted an investigation in a White Slave Traffic Act case in which one Nick Lundén was charged with having transported a woman by the name of Margaret Kieboldt from Milwaukee, Wisconsin to Chicago, Illinois. The victim in this case stated that upon arrival in Chicago, Lundén contacted an Italian by the name of Frank Reo, who she stated had a police record in Chicago and who was associated with a number of houses of ill fame. Frank Reo then transported the victim in an automobile from Chicago, Illinois to a roadhouse located at Posen, Illinois.

Information was received from a Lieutenant Grady of the Detective Bureau, Chicago Police Department, to the effect that he was particularly familiar with the activities of Frank Reo, and that he had been arrested several times on charges of burglary, general suspicion and other charges. Lieutenant Grady advised that Frank Reo was an alias of this individual and that his correct name was Frank Klien. It also appears that Detective Sergeant O'Malley of the Chicago Police Department was familiar with Frank Reo.

Inasmuch as Reo was not indicted by the Federal Grand Jury in this matter, the Bureau's files contain no further information with reference to him.

Very truly yours,

John Edgar Hoover,
Director.

FILES SECTION
MAILED
*2 copies
APR 20 1935
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

204

REC-11

Post Office Box 516,
Chicago, Illinois.

April 12, 1935

Special Agent in Charge,
Pittsburgh, Pennsylvania

Red

Dear Sir,

On May 27, 1934, a letter from Mr. W. A. Bangert, Acting Special Agent in Charge was received requesting certain information with respect to one Frank Nitti of the Capone organization, and desiring to know whether or not Nitti was in Pittsburgh, Pennsylvania.

I have to advise that this Office has been unable to ascertain the whereabouts of Nitti during the time referred to in your letter. However, attached hereto will be found a photograph of Nitti, together with one Joseph Coscino, and same is being forwarded to you for whatever purpose it may serve.

Very truly yours,

M. H. PURVIS,
Special Agent in Charge

THM:rec
Enc.
CC-Bureau ✓
L-8

RECORDED
&
INDEXED

69-180-159
DIVISION OF INVESTIGATION

APR 20 1935

ONE
huts
205

LWB:EBG

April 27, 1935.

RECORDED

69-180-154

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

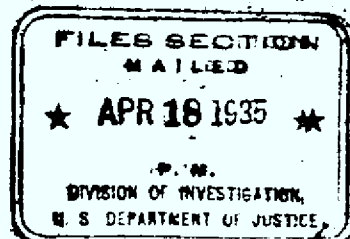
Receipt is acknowledged of your memorandum dated April 13, 1935, inclosing a letter dated April 8, 1935 from J. A. Johnston, Warden of the United States Penitentiary, Alcatraz Island, California, relative to a telegram addressed to "Al" Capone by [redacted]. This matter has been referred to the New York Office of the Bureau for appropriate attention.

The letter from [Warden Johnston] is being returned herewith, inasmuch as a copy has been retained for the Bureau's file.

Very truly yours,

John Edgar Hoover,
Director.

Inclosure 301644.



C U

LMS:KDG

RECORDED

69-1804954

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

Receipt is acknowledged of your memorandum dated April 13, 1935, including a letter dated April 8, 1935 from [redacted]

Bureau of Prisons

[redacted]

The letter from [redacted] is being returned herewith, inasmuch as a copy has been retained for the Bureau's file.

Very truly yours,

John Edgar Hoover,
Director.

Inclosure 301644.



FILES SECTION
MAILED
★ APR 18 1935 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

28

MAY - 9 1935 PM

55

Per

Post Office Box 612
Chicago Illinois

May 7, 1935

AIR MAIL
SPECIAL DELIVERY

Special Agent in Charge
Dallas, Texas

Dear Sir:

Please be advised that [redacted]

[redacted] Chicago, Illinois, called at the Chicago Bureau Office today at which time he furnished a letter received by him from [redacted] of Mount Pleasant, Texas. This letter is being forwarded to your Office herewith and is self-explanatory; photostatic copies of the same have been made, two of which are being forwarded to the Bureau with its copy of this letter.

b7c
b7D

[redacted] advised that he does not know [redacted] and has no idea as to why she directed a letter to him inasmuch as he has no knowledge or contacts concerning Al Capone or any member of the Al Capone gang.

It is to be noted from the contents of the letter that the writer, [redacted] may be referring to some actual kidnaping or it is possible that she may be referring to the possibility of conducting a kidnaping whereby financial compensation may be received as well as the release of Capone from the Penitentiary.

Upon receipt of the above letter the Bureau was telephonically advised of the same and Mr. Tamm of the Bureau suggested that the original be forwarded to your Office for assistance in conducting an investigation concerning [redacted] at Mount Pleasant, Texas. Mr. Tamm suggested that if the circumstances permitted, an interview with [redacted] should be made under suitable protection.

WVA 101833

RECORDED & INDEXED

Very truly yours,

69-180-153
DIVISION OF INVESTIGATION

MAY 13 1935

MAY 9 1935

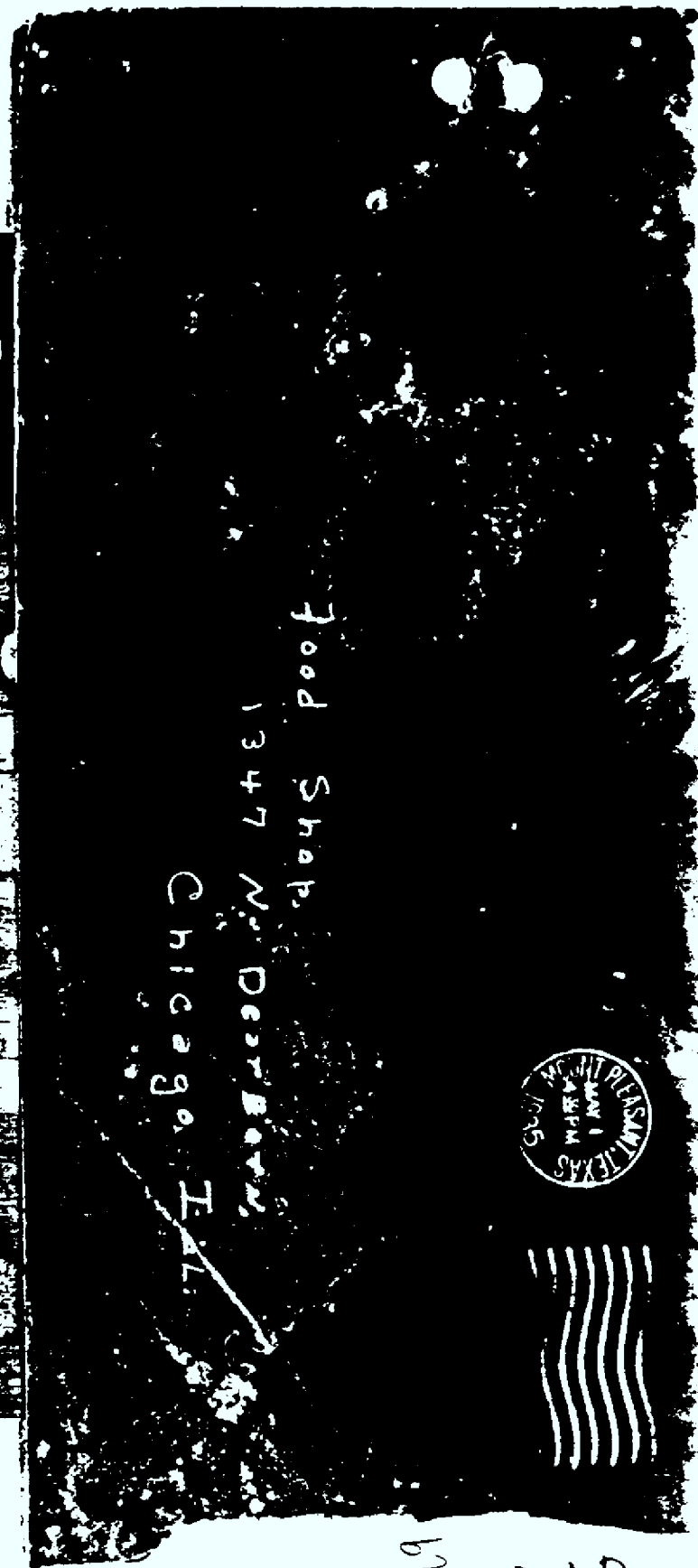
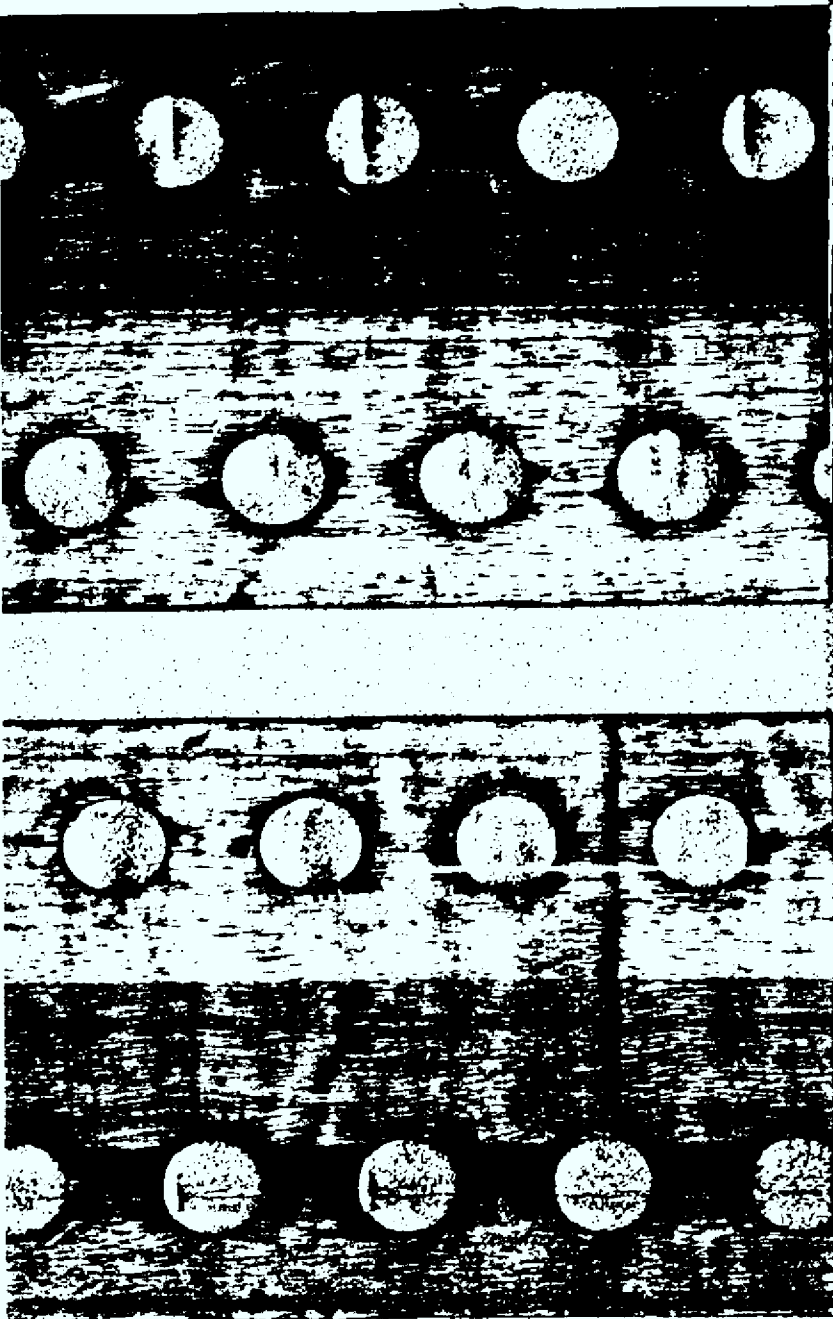
M. H. PURVIS,
Special Agent in Charge

VCE:RP
Enc.
cc Bureau - Enc.

HENC - [redacted] DW

Sub [redacted]

209



Food Shop,
1347 N. Dearborn,
Chicago, Ill.

210

MT. PLEASANT, TEXAS

May 1, 1935

Al's Food Shop,
1347 N. Dearborn,
Chicago, Ill.

Dear Sir:

I wish to get in touch with a close relative or friend of Mr. Al Capone. I would, I believe, receive a communication from such a person at my residence mail box, Route no. , Mt. Pleasant, Tex. The number of the house is . I could see a representative of Mr. Capone here or in New York City if I can arrange to leave here as I wish to visit my sister there.

I have a kidnapping case which is bigger than the Lindbergh case and, if managed properly, will secure Mr. Capone's liberty. I will also compensate those assisting me financially.

I shall look forward to hearing from you soon.

Very truly yours,

Miss

Route no.

N.Y. 62-5442

and he would see him in the month of July. He had seen
Marie Gordon, Jack Quack, Morris Kleiman, and
most of the boys."

Herbert A. Stang, Attorney at Law, Eastern
Telegraph Company, 60 West Street, New York City, was interviewed
and checked the telegraph records which disclosed that the
mentioned telegram was hand printed and sent from the Eastern
telegraph office at 480 East 149th Street, Bronx, New York, on
August 8, 1935 at 8:54 P.M. Mr. Goodbody and Miss Keating, clerk and operator
of the aforementioned office, advised Mr. Stang over the telephone
that they could not recollect who sent this message. The only information
they had was that the given address of Henry Logeman was
"Deportation Division, Ellis Island, New York".

In the case entitled BRUNO AUGUST HAUFMANN, with
aliases; Kidnaping and Murder of Charles A. Lindbergh, Jr., New York
File #62-8057, it was noted that Henry Logeman, identical with the
party who was held at Ellis Island for deportation, was mentioned
frequently with the Gaston B. Means phase of this case. The file
reflects that he had given information relative to Means, which he
obtained while an inmate of the United States Northeastern Peniten-
tiary at Lewisburg, Pa. The file in general reflects that this man
Logeman is very unreliable. His number at the United States North-
eastern Penitentiary was 1275, and the file disclosed that he had
quite a lengthy criminal record.

Mr. Philip Foreman, Inspector in Charge, Deportation
Division, Immigration Service, Ellis Island, New York, was interviewed,
identified the photograph of Henry Logemann, United States Penitentiary
#1275, and from the files on this man obtained the following information:

That his true name is Heinrich Karl Logemann, that he
is also known to the Immigration authorities under the aliases set out in
the title of this case. Logemann was delivered from the United States
Penitentiary at Lewisburg, Pennsylvania to Ellis Island, New York, on
February 22, 1935 under a deportation warrant issued May 19, 1934. It
is noted that Logemann was sentenced subsequent to the act of May 1, 1919 to
imprisonment for more than once for a term of one year or more, while
an alien, and for a crime involving moral turpitude, to wit: larceny
by check and the passing and possessing of counterfeit bills. The
Immigration records further disclosed that Logemann, who is of German
birth, last arrived in the United States on February 2, 1931 on the
S/S Mageburg. During his incarceration at Ellis Island Logemann had
only one visitor and that was his wife, Tessie Logemann, who resides

N.Y. 62-5462

at 27 Geneva Street, Elizabeth, New Jersey. She visited him on April 2, 1935 and 24, 1935. Mr. Foreman further advised that Logemann sailed on the Deutschland, the North German Lloyd Line for Europe, Germany on May 3, 1935.

With reference to the telegram which was sent to the Bureau, Mr. Foreman stated that while Logemann was incarcerated on Ellis Island awaiting deportation he, Foreman, received confidential information that while Logemann was an inmate of the New York State Penitentiary at Lewisburg, he contacted there one Eli Goldsmith, who was then serving two years for immigration fraud. Prior to Goldsmith's conviction in the United States District Court, Southern District of New York, Mr. Foreman states that Goldsmith handled immigration matters although he was not an attorney; that while Logemann was on Ellis Island awaiting deportation, Goldsmith endeavored to get on the Island to see him and that a short time thereafter an attorney named Maurice B. Gladstone, who is also a Certified Public Accountant and has offices at 11 W. 42nd Street, New York City, argued Logemann's case on a writ before the United States District Court, Southern District of New York. In this case Mr. Rutter, Assistant United States Attorney, represented the government.

Mr. Foreman further advised that Eli Goldsmith is connected with Gladstone, and it is therefore apparent that Goldsmith sent the telegram mentioned in the reference letter, on the suggestion of Logemann in order to raise attorney's fees to fight his case which was argued on a writ in the Southern District of New York sometime during the month of April, 1935.

CLOSED

214

Chief J. E. H.

Bureau of Investigation
Washington, D. C.

End
Skipper:-

ANONYMOUS COMMUNICATION
KEEP ENVELOPE ATTACHED

Keep your skull away from the

Riffs.

Storm are brewing. It was no surprise to me on the outcome of the ex stepping out. Something very mysteriously are brewing. I stay at the light house to watch.

I came across ~~some~~ Al Capone's left over and unfinished at 22 and + Lexington Hotel.

Here is something that is a nice days wonder to me. What Al Capone out of prison this year? Pastors in the Kuro see him, his chauffeur, body guard, his wife, her mother and their son driving through south of Georgia.

He bought a home for \$18,000 cash. It is a mansion worth \$40,000 estimate. Is there any truth in this?

RECORDED & INDEXED

69-180-157

I will let you know later

low things stand among
JUL 29 1935

JAN 21 1935

ONE

In Orleans is a man in the service and one of your staff. His name is Frank and that is all I know. While the trial of Al Capone was going on, and after his sentence and at the present time - did your Bureau send him to interview Al Capone in prison?

There is something that Al has in his possession before his sentence and now. If he gives that one thing up he is allowed to go out a free man. Is there any truth in this?

And what is it the government wants so bad as all that?

In my judgement this man Frank is too closely connected with the racketeers both men and women. It sounds rather doubtful to me that Bureau trusts and gives to a man of this kind of integrity.

He is associated with underworld women and goes as race horse followers.



P.O. ANNEX
JUL 15
3:30 PM
1935
CHICAGO ILL. U.S.A.

Chief *John Edgar Hoover*
Bureau of Investigation,
Department of Justice,
Washington, D.C.
Personal.

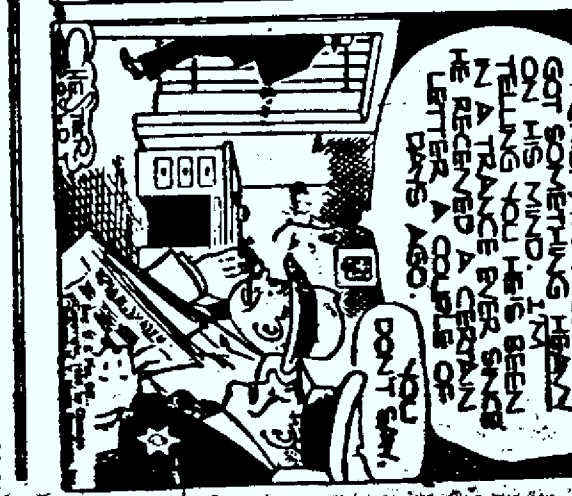
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181-69
219

TRACY



THE GUMPS

A Full Page of This Comic Appears in The Sunday Journal Each Week

BY SIDNEY SMITH

A Full Page of This Comic Appears in The Sunday Journal Each Week

BY CHESTER GOULD

FAG:ER

October 4, 1935.

RECORDED

69-180-158

Market Street,
Knoxville, Tennessee.

Dear Sir:

Reference is made to your communication of
September 28, 1935, in which you inclosed a cartoon
entitled "Pick Tracy" appearing in a daily newspaper.

I wish to thank you for your interest in
bringing this matter to my attention.

Very truly yours,

John Edgar Hoover,
Director.

cc-Nashville

- Mr. Nathan
- Mr. Tolson
- Mr. Egan
- 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

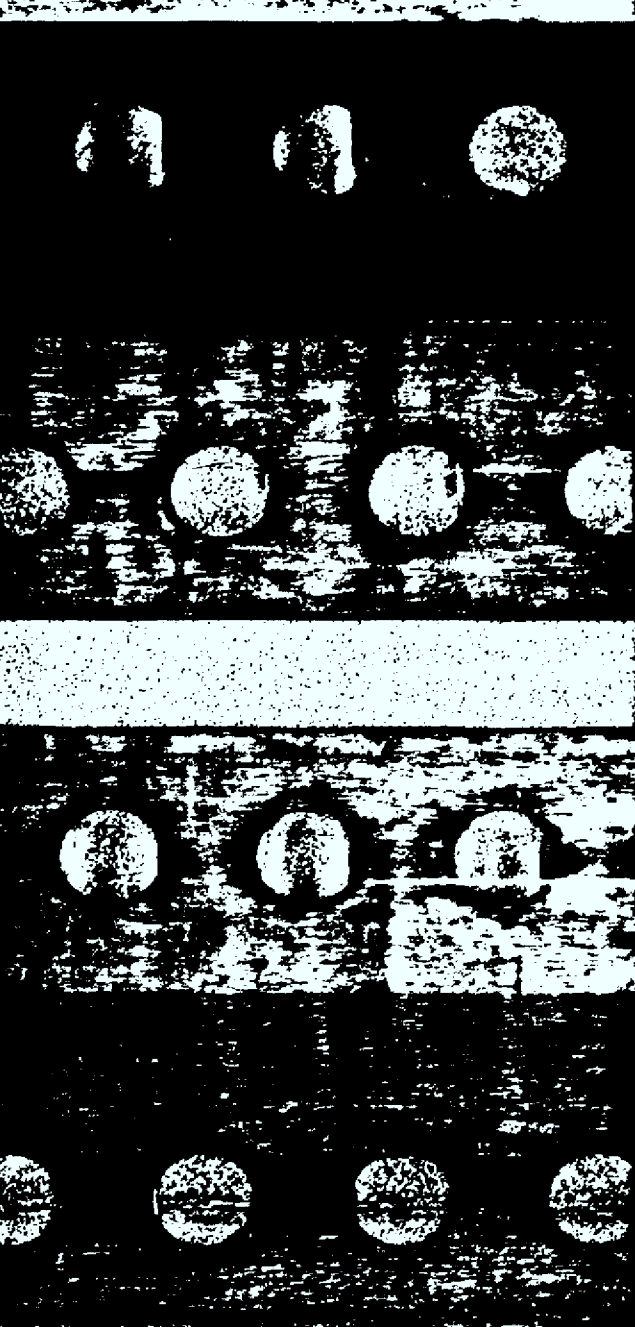


COMMUNICATIONS SECTION
 MAILED
 OCT - 4 1935
 P. M.
 FEDERAL BUREAU OF INVESTIGATION,
 U. S. DEPARTMENT OF JUSTICE

Huss

Eupom

220



Delavan
- Delavan, Wis -
April. 22-36.

MAY 1 1936
RECORDED
&
INDEXED

69-180-159

Mr. Edgar J. Hoover -
If you want information
on the Badare group
in this territory watch
the house at 207 Racine
Street - Delavan - Wisconsin -
If you have any men
working in this territory,
watch the resort known
as Dutch Mill at Delavan
Lake - also a resort
run by two Italians
[redacted] - on the
Jannerville - White water road -
a short distance from here
and also an Italian

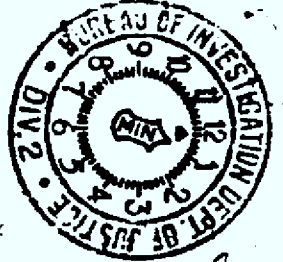
APR 24 1936

EWON



APR 25 1936 AM

APR 27 1936 M



REC'D V I E

recently rented my uncle's garage at Allens Grove Wis - about six miles from here - who lives next door to my uncle with a family named [redacted] b7c

As this doesn't happen to be any Italian families in Allens Grove - and the fact that I have been followed by Italian from the Under world - Chicago - who have threatened me - Take my advice and watch this locality -

Miss [redacted]

- Delavan Wisconsin -

Copy
4/27/36
[unclear]

22

KFE:TD
69-180-150

April 30, 1936

RECORDED

Miss [redacted]
Bellevue, Wisconsin

676

Dear Madam:

I wish to acknowledge receipt of your letter dated April 22, 1936, advising that information might be obtainable relative to the Capone gang by maintaining a surveillance over certain places which are being operated by a group of Italians in the vicinity of Bellevue, Wisconsin.

Please be advised that the jurisdiction of this Bureau is restricted to conducting investigations of violations of specific Federal laws. In the absence of any indication that the activities of the Italians to whom you refer are in violation of any such Federal law, I regret that no action can be taken by this Bureau in the premises.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
APR 30 1936
P. M.
cc-Milwaukee
DEPARTMENT OF JUSTICE
U. S. DEPARTMENT OF JUSTICE

COX [signature]

StE
2231

TD:sa

January 18, 1937

MEMORANDUM FOR MR. TOLSON

Mr. Tolkins, Manager of the Rialto Theatre, telephoned and stated that they have booked for showing the motion picture "Scar Face" which is a take-off on the life of Al Capone and he was wondering whether the Bureau had any educational reels concerning the Bureau's activities which could be shown following the showing of "Scar Face" in order to show what the Government is going to prevent crime.

Mr. Tolkins was informed that we had no such reels and it was suggested to him that probably the most complete picture ever made of the work of this organization was that entitled "You Can't Get Away With It". He stated he had made inquiry concerning this and ascertained Keiths had already booked the picture and that several other runs were already ahead of them.

Respectfully,

T. A. GISH,

NOT RECORDED

69-180

224

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols ✓

DATE: November 28, 1956

FROM : M. A. Jones

SUBJECT: Alphonse Capone

There are attached excerpts concerning the above-captioned case taken from "The FBI Story, A Report to the People," by Don Whitehead published by Random House, 1956. These excerpts are from page(s) 83, 84 of the book.

The full text of the book may be found in the FBI Library.

Enclosure

ENCLOSURE

69-180-
NOT RECORDED
B MAIL 22 1956

COMM. DIV.

CRIME REC.

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THE gangsters shot and bribed their way into places of power in the Roaring Twenties and the FBI was virtually powerless to deal with such hoodlums as Alphonse "Scarface" Capone, who rose from an errand boy in a bawdyhouse to become the overlord of Chicago's underworld.

These were the years in which the gangsters created their own invisible empires through unholy alliances with crooked politicians, crooked lawyers, crooked doctors and crooked police. The gangsters' revenues from bootleg whiskey, beer, alcohol, robberies, prostitution, gambling, narcotics and "protection" rackets ran to uncounted hundreds of millions of dollars. The income of Chicago gangs alone was estimated variously as from \$100,000,000 to more than \$300,000,000 at the peak of their power.

Curiously, the FBI was powerless to move against these underworld empires unless and until the gangs violated a federal law, such as the Antitrust Act, which forbids restraint of interstate commerce.

Capone was only in his mid-twenties when he took over full command of the Chicago underworld. Even when he "retired" to a plush estate on Palm Island, near Miami, Florida, in 1927, he ruled the mob by remote control and remained a symbol of evil and terror. When he issued a command—men died.

Capone was virtually untouchable for years. But finally he made slip and the FBI went after him. In 1929 he pleaded illness as an ex-

Page 83 of "The FBI Story,
A Report to the People" by
Don Whitehead

69-180-✓

SEARCHED

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cuse for failing to answer a subpoena to appear as a witness in a federal Prohibition case in Chicago. Claiming he had been bed-ridden for six weeks while suffering with broncho-pneumonia, he produced a doctor's sworn statement as proof that he was in no condition to travel.

FBI agents checked into Capone's story. They found that during the time he was supposedly ill and in bed, he had gone to the horse races, taken a boat trip, flown to the Bahama Islands, and visited public places with a glow of health on his cheeks.

As a result of this investigation, Capone was cited for contempt of court and ordered before a federal grand jury in Chicago. He was arrested in Florida and released on \$5,000 bond on March 27, 1929. Two months later, Capone was arrested in Pennsylvania and convicted of carrying a concealed weapon. When his one-year sentence expired, he was prosecuted on the contempt of court charge and given six months in jail. While Capone was serving this sentence, Internal Revenue Bureau agents took a close look at Capone's financial affairs. He was charged with income tax evasion. The one-time bawdyhouse courier couldn't beat this rap. He was sent to prison for ten years.

*Excerpt from page 84 of
"The FBI Story, A Report
to the People" by Don
Whitehead*

1

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

FROM : Mr. Edw. A. Tamm *EAT*

SUBJECT:

DATE: January 25, 1947

- Mr. Tolson ✓
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd ✓
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Carson
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Pennington
- Mr. Quinn Tamm
- Tele. Room
- Mr. Nease
- Miss Gandy

Drew Pearson telephoned and inquired for "color" that he might use in connection with the anticipated death of Al Capone. I furnished Mr. Pearson with the general information as contained in the attached interesting case write-up emphasizing the fact that the Bureau was the first agency to secure Capone's conviction in the Federal Court. I furnished him the date and background of the contempt proceedings against him.

Attachment

EAT:DMG

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 215

69-160-160

FEB 7 1947

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JOHN EDGAR HOOVER
DIRECTOR

U. S. Bureau of Investigation

Department of Justice

Washington, D. C.

January 7, 1933.

I.C. #69-180

ALPHONSE CAPONE

CONTEMPT OF COURT

In the early part of 1929, in the United States Court for the Northern District of Illinois, Federal Judge James H. Wilkerson issued a subpoena for the appearance of Alphonse Capone before the Federal Grand Jury at Chicago on March 12, 1929, to testify in the case entitled UNITED STATES versus D'AMICO, et al, Conspiracy to Violate the National Prohibition Act. This subpoena was served on Capone February 27, 1929, at his home on Palm Island, near Miami, Florida.

On March 11, 1929, Capone entered an appearance in the Federal Court at Chicago through his attorneys and petitioned for a postponement of his appearance in response to the subpoena. With his petition for postponement he submitted to the Court an affidavit executed March 5, 1929, at Miami, Florida, before John F. Spittler, United States Commissioner, for the Southern District of Florida, by a practicing physician of Miami, Florida, formerly of Chicago. This affidavit stated that Capone had been ill and under the doctor's professional care since January 13, 1929, and had thereafter been confined to his bed with broncho-pneumonia for six weeks and had been out of bed only ten days prior to March 5, 1929, and that therefore it would be dangerous to Capone's health for him to answer the

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69-180 16

subpoena in person as required.

Special Agents of the United States Bureau of Investigation, upon request, immediately began an investigation for the purpose of establishing the truth or falsity of the affidavit. This investigation disclosed that between January 13 and March 5, 1929, Capone had frequently attended the races at the Miami Jockey Club, The Hialeah Race Track, Florida, and had frequently appeared in public in apparently good health during the time when the affidavit alleged he was in bed. The investigation revealed further that between January 13 and March 5, 1929, Capone, in addition to having attended the races regularly, had made a trip by boat and another trip by aeroplane from Miami, Florida, to the Bahama Islands and return.

Special Agents of the United States Bureau of Investigation obtained affidavits from five police officials and an employee at the race track to the effect that Capone had attended the races on a number of occasions between January 13 and March 5, 1929, at which times he had appeared to be in good health. A pilot for a flying service at Miami, Florida, made affidavit that on February 2, 1929, he had piloted a certain sea plane from Miami, Florida, to Bimini, Bahama Islands, British West Indies, and return, carrying as passengers Al Capone and three other individuals, and that Capone appeared to be in good health during the entire trip.

An affidavit was obtained from an official of a steamship line operating between Miami, Florida, and Nassau, Bahama Islands, British West Indies, stating that on February 8, 1929, while checking the passenger lists of one of his company's vessels, he personally observed Alphonse Capone, together with Alfred Capone and several other individuals on the deck of one of the company's boats as it departed for the Bahamas.

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An affidavit was obtained from an officer of this same vessel to the effect that Alphonse Capone and his party had sailed aboard his boat from Miami to Nassau on February 8, 1929, and had returned by the same boat from Nassau on February 12, 1929, and that on both trips Alphonse Capone appeared to be in perfect health.

Affidavits were obtained that on February 14, 1929, Alphonse Capone had been questioned for two hours by the County Solicitor for Dade County and an Assistant District Attorney of King's County, New York, in the office of the County Solicitor in the Court House at Miami, Florida, the questions and answers being taken down by a stenographer, and that upon this occasion Capone appeared to be in good health.

The above affidavits, of course, established the falsity of several statements in the affidavit presented to obtain a postponement of Capone's appearance before the Grand Jury at Chicago and served to disprove his contention that he was sick in bed upon certain dates, and was thus too ill to appear in Chicago.

On March 27, 1929, Capone was cited in the Federal Court at Chicago for Contempt of Court for his failure to respond to the subpoena served upon him in Florida ordering his appearance before the Federal Grand Jury at Chicago, and on the same date he was arrested and released under \$5,000 bond.

On May 17, 1929, Capone was arrested in Philadelphia and charged with carrying concealed weapons. He was convicted in the Pennsylvania State Court and sentenced to serve one year in the Eastern State Penitentiary, which sentence he served. At the expiration of this sentence he was arraigned in the Federal Court at Chicago, February 25, 1931, entered a plea of not

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As Alphonse Capone, #C-28169, arrested Chicago, Illinois,
Police Department, February 25, 1931; charge general prin-
ciples.

As Alphonse Capone, arrested by United States Marshal, Chicago,
Illinois, October 30, 1931.

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guilty, and was tried and convicted.

On March 2, 1931, Federal Judge James H. Wilkerson sentenced him to serve six months in the Cook County, Illinois, jail. His attorneys immediately gave notice of appeal. The United States Circuit Court of Appeals for the Seventh Circuit, on motion of counsel for Capone, dismissed this appeal.

Federal Judge James H. Wilkerson, in sentencing Capone on October 24, 1931, for violation of the Income Tax Laws, provided that Capone's sentence for Contempt of Court should be served concurrently with that for the violation of the Income Tax Laws.

The records of the Identification Division of the United States Bureau of Investigation reflected the following criminal record for Alphonse Capone, in addition to the instant case and his subsequent violation of the Income Tax Laws:

As Alphonse Capone, #B-5496, received Philadelphia County Prison, Holmesburg, Pennsylvania, May 18, 1929; crime, carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #90725, arrested Philadelphia, Pennsylvania, Police Department, May 16, 1929; charge, suspicious character and carrying deadly weapons.

As Alphonsus Capone, #C-5527, received State Penitentiary, Philadelphia, Pennsylvania, August 8, 1929, from Philadelphia; crime, carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #3563, arrested Miami, Florida, Police Department, May 8, 1930; charge investigation - vagrancy; released on writ, May 8, 1930.

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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.

2 Page(s) referred for consultation to the following government agency(ies); Department of Treasury 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:
62-20619-1

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TREASURY DEPARTMENT

BUREAU OF PROHIBITION

WASHINGTON

OFFICE OF
COMMISSIONER OF PROHIBITION

Pro: [unclear]

October 24, 1928



Mr. J. Edgar Hoover,
Director, Bureau of Investigation,
Department of Justice,
Washington, D. C.

My dear Mr. Hoover:

There is transmitted herewith for your information and such attention as it may seem to deserve, a copy of a memorandum just received in this office from a special employee of the Prohibition Bureau, indicating that there are, at present, in the city of Washington, some members of a well known gang of gunmen and criminals.

Very truly yours,

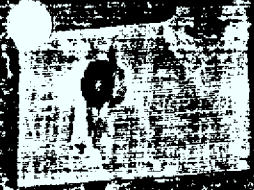
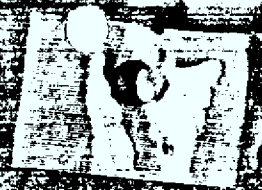
J. M. Moran
J. M. Moran,
Commissioner.

Encl. #308.

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Handwritten notes:
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BUREAU OF INVESTIGATION
OCT 28 1928 A.M.
DEPT. OF JUSTICE



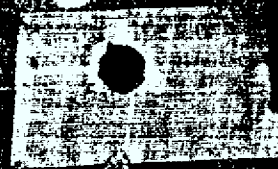
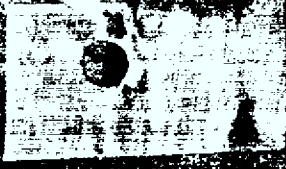
MEMO
TO THE DIRECTOR

Reference is made to the letterhead memorandum dated October 24, 1928, entitled "Prohibition, with which you transmitted a copy of memorandum prepared by a Special Employee of the Prohibition Unit indicating that there are persons in the City of Washington, who are in possession of guns and cartridges."

I am taking the liberty of referring a copy of the Special Employee's memorandum to Inspector [Name] of the local Police Department for information and such action as he may deem advisable in the premises.

Very truly yours,

MAILED
OCT 29 1928
P. M.
U. S. DEPT. OF JUSTICE



October 29, 1928

MEMORANDUM
TO THE DIRECTOR
FROM THE ASSISTANT ATTORNEY GENERAL

The following is a copy of a letterhead memorandum from the Assistant Attorney General to the Director, dated October 29, 1928. The memorandum is in the name of the Assistant Attorney General and is addressed to the Director. The subject of the memorandum is the prohibition against the sale of certain goods to the public. The memorandum states that the prohibition is in effect and that it is necessary to take certain steps to enforce it. The memorandum also states that the prohibition is in effect and that it is necessary to take certain steps to enforce it.

Very truly yours,
Assistant Attorney General



Government of the District of Columbia

METROPOLITAN POLICE DEPARTMENT

DETECTIVE BUREAU

WASHINGTON, D. C.

REPLY TO

MAJOR AND SUPERINTENDENT

October 30, 1928

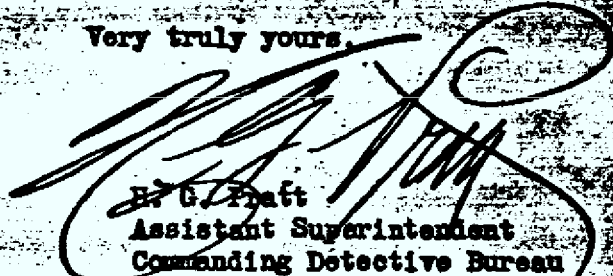
J. E. Hoover, Director
Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Hoover:

Your letter, with which was enclosed a report made by the Prohibition Unit indicating the presence of a Chicago "racketeer" in this city, received.

Thanking you for bringing this matter to my attention, and assuring you that every effort will be made to apprehend the man if here, I remain

Very truly yours,



H. G. Pratt
Assistant Superintendent
Commanding Detective Bureau

HGP:DS

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BUREAU OF INVESTIGATION	
OCT 31 1928	