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FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 1 OF 11

BUFILE NUMBERS:
62-20034, 62-24153, AND 62-27268

SUBJECT Capone, Alphonse

FILE NUMBER 62-20034

SECTION NUMBER

SERIALS 1-2

TOTAL PAGES 6

PAGES RELEASED 6

PAGES WITHHELD 0

EXEMPTION(S) USED —

WESLEY L. JONES, WASH., CHAIRM
CHARLES L. MCNARY, OREG.
FRANK B. WILLIS, OHIO
HIRAM W. JOHNSON, CALIF.
PORTER H. DALE, VT.
ARTHUR R. GOULD, ME.
WALTER E. EDGE, N. J.
FREDERIC M. SACKETT, KY.
ROBERT M. LA FOLLETTE, JR., WIS.
GERALD P. NYE, N. DAK.
DUNCAN U. FLETCHER, FLA.
JOSEPH E. RANSDELL, LA.
MORRIS SHEPPARD, TEX.
FURNIFOLD M'L. SIMMONS, N. C.
HUBERT D. STEPHENS, MISS.
WILLIAM J. HARRIS, GA.
ROYAL S. COPELAND, N. Y.
HARRY B. HAWES, MO.
LAWRENCE D. TYSON, TENN.
JAMES M. DAVIS, CLERK

United States Senate

COMMITTEE ON COMMERCE

June 20, 1928.

Mr. J. Edgar Hoover, Director,
Bureau of Investigation,
Department of Justice.

My dear Mr. Hoover:

If in order for you to furnish, I would be glad to have resume of any record on file concerning Al Capone - recently known as the Chicago Gangster.

Capone is now residing at Miami or Miami Beach, Florida.

Very truly yours,

Duncan U. Fletcher

62-

RECORDED & INDEXED
JUN 22 1928

62-20034-1
BUREAU OF INVESTIGATION
JUN 21 1928 A. M.
DEPARTMENT OF JUSTICE
Div. Two | FILED

6-21-28

231

62-310-303-307-314-427-429

WFT:FHS
58-30084-1

RECORDED

JUN 22 1928

Hon. Duncan U. Fletcher,
United States Senate,
Washington, D. C.

My dear Senator:

I am in receipt of your letter of June 20, in which you request that there be furnished to you a synopsis of any record on file concerning one Al Capone, reputedly known as the Chicago "Gangster."

A search has been made of the Bureau's files and the only information found therein concerning Al Capone is, that in December, 1925, some inquiry was made by the Bureau with a view to locating the whereabouts of Al Capone, inasmuch as it had been reported that a relative of Capone, who was acting as chauffeur for him, might be able to furnish some information concerning Martin J. Durkin, who was wanted for the murder of Special Agent M. C. Shanahan of this Bureau. It was subsequently ascertained that Capone's chauffeur had no information concerning him.

There is also found in the files a report to the effect that one Alfred Capone, at Chicago, was a defendant in a civil suit instituted by the Government for damage to a mail truck.

No references to the name of Al Capone other than the above are found in the Bureau's files.

With best wishes, I am

Very truly yours,

Director.

BUREAU FILES SECTION
MAILED
JUN 21 1928
DEPT. OF JUSTICE

62-20034-2
RECORDED & INDEXED

MAR 2 - 1930 WVB:FES

February 28, 1930

MEMORANDUM FOR ASSISTANT ATTORNEY
GENERAL YOUNG

I am attaching hereto a letter directed to the President by Mrs. E. V. Williams of Portchester, New York, in which the writer complains of the incarceration of her son, Donald, by "Al Capone at Miami, Florida.

This does not appear to be a matter falling within the investigative jurisdiction of the Bureau, and I am therefore forwarding Mrs. Williams' letter to you for such action or reply as you may deem appropriate.

Very truly yours,

Director.

Enc. 439908

BUREAU FILES DIVISION
MAILED
FEB 28 1931
A.M.
DEPT OF JUSTICE

233

From

ASSISTANT CHIEF CLERK

to

OFFICIAL INDICATED BELOW BY CHECK MARK

Attorney General		Mr. Gardner	
Solicitor General		Mr. Caldwell	
Asst. to the Attorney General		Mr. Allison	
Asst. Attorney General Sisson		Mr. Sornborger	
Asst. Attorney General Richardson		Mr. Robb	
Asst. Attorney General Youngquist		Mr. Bodholdt	
Asst. Attorney General Rugg		Mr. Goetz	
Asst. Attorney General		Mr. Kearney	
Asst. Attorney General		Miss Fitzgerald	
Mr. Hoover	✓	Miss Waddle	
Mr. Bates			

RECEIVED
FEB 24 1931 AM
DIV. 2

Mrs. M. V. Millman
Memo. Dodds
2/26/31 TB

MEMORANDUM 62-20034-2

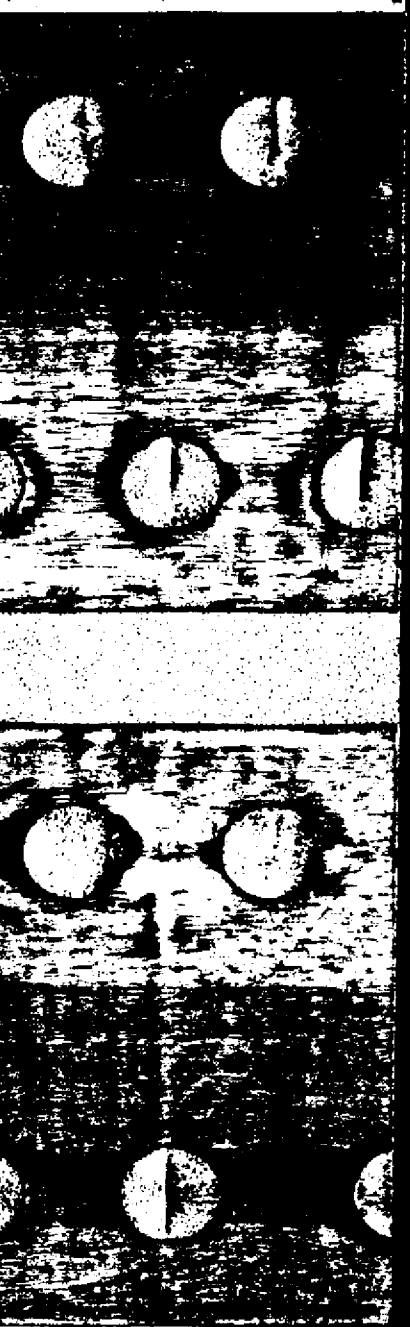
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MAR 2 - 1930

FEB 27 1931

FILE

254

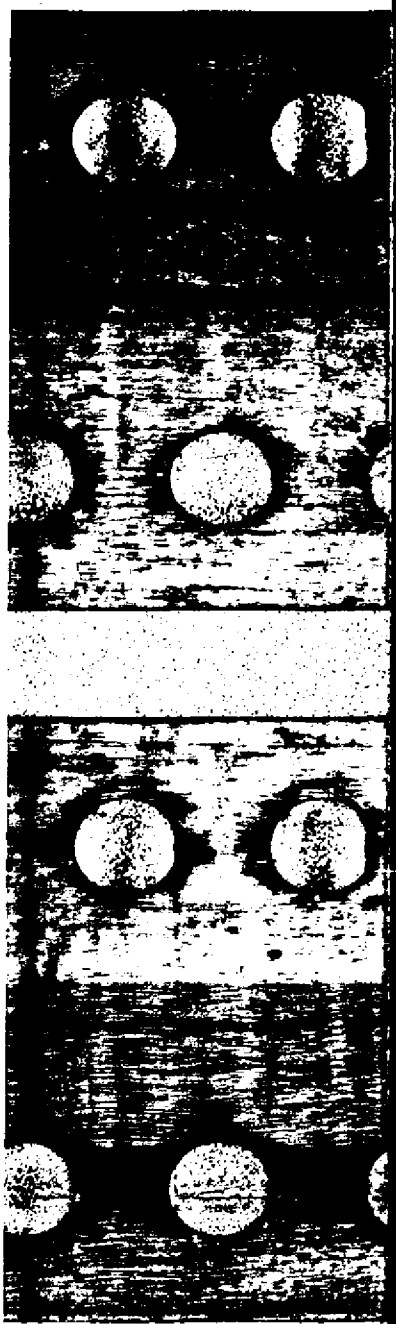


President Hoover

Dear Sir:

OFFICE OF THE
RECEIVED
FEB 23 1931
ATTORNEY GENERAL

I am taking the liberty of writing you this letter as I am a citizen of Miami Florida with two children and I am a soldier to please Mr. Donald Lowe, Smith is an American citizen and he has a Passport and has been kidnapped by Communists and I am a soldier and I am a citizen of the United States of America



SUBJECT Capone, Alphonse

FILE NUMBER 62-24153

SECTION NUMBER

SERIALS 1-57

TOTAL PAGES 215

PAGES RELEASED 212

PAGES WITHHELD 3

EXEMPTION(S) USED 6 7D

September 15, 1930.

Memorandum of telephone call from Mr. Richey, White House.

Mr. Richey said that Mr. Ralph Merritt, of California, was on his way over to the Department from the White House, to see Mr. Hoover, and suggested that it would be worth while for Mr. Hoover to talk to him.

Mr. Hoover said he would be glad to see Mr. Merritt.

Did.

HWG

RECORDED & INDEXED

62-24153-

SEP 17 1930

Sep 17 1930 A M

Dept. Ons | FILE

Memo for
Mr. Tolson
9/16/30

JOHN EDGAR HOOVER
DIRECTOR

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

September 16, 1930.

62-MS

MEMORANDUM FOR THE FILES.

Mr. Richey, Secretary to the President, called by telephone on the 15th. and said that Mr. Ralph Merritt, of California, would call to see me about a matter which he was desirous of submitting for the Bureau's consideration. Mr. Merritt called and stated that he was actively connected with the Grape Growers Association of California. He stated that the Farm Board had made extensive loans to this industry and that a Mr. Cann was the head of the industry, administering the funds advanced by the Farm Board. He said that Mr. Cann had been in receipt of several anonymous communications, as well as numerous 'phone calls, from alleged racketeer interests threatening his life if he continued to carry out his program. He stated that Mr. Cann had been informed that he should not come to New York or Chicago and if he did so he would be killed. Mr. Merritt wanted to know whether there was some protection the Department of Justice could furnish Mr. Cann in view of his semi-official status in administering the funds advanced as a loan by the Farm Board. I informed Mr. Merritt that off-hand I did not know of any law warranting any action being taken but suggested that he submit the entire matter to the representatives of the Farm Loan Board and if they thought it was possible to do so they might submit the matter to the Department of Justice, inquiring whether it was a matter falling within the jurisdiction of the Department and whether protection could be furnished Mr. Cann in the capacity he was serving.

Mr. Merritt left saying he would submit the matter to the Farm Loan Bureau.

Very truly yours,

62-24153-1

RECORDED & INDEXED

J. E. H.

SEP 17 1930

Director.

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120 JUL 27 1964

SEP 18 1930

September 17, 1930.

62-24-153

Memorandum of telephone call to Mr. Ralph Merritt.

Mr. Merritt said a mistake had been made in addressing the letter to Mr. Dodge instead of Mr. Dodds. That the Farm [redacted] Board had written it and it is now on the desk of Mr. Dodds, Assistant Attorney General.

Mr. Hoover said he had made inquiry late yesterday but had been advised that the letter was not yet in. Mr. Merritt said it was not sent over until late yesterday. Mr. Merritt said that when a conclusion is reached he will be very glad to come over and see Mr. Hoover. Mr. Hoover said Mr. Dodds would not be in town until tomorrow but that he will talk to him tomorrow morning, and will more than likely give Mr. Merritt a ring.

HWG

62-24153-2

SEP 19 1930

SEP 22 1930

September 18, 1930.

Memorandum of telephone call from Mrs. Willebrandt.

Mrs. Willebrandt said that Mr. Teague of the Federal Farm Board has been talking to her and has given her information concerning the holding up of cars in the Chicago yards by racketeers. Mrs. Willebrandt asked if it appears from the facts that the Board has disclosed - if the racketeers are holding up cars, and going thru the yards at Chicago - can the Bureau post men there to check up on it. Mr. Hoover said he thought it outrageous * * - Mrs. Willebrandt interrupted to say that she is not interested at all in the protection of the man (the man who disburses the Loan) personally.

DEPT OF INVESTIGATION SEP 22 1930

Mrs. Willebrandt says that Mr. Teague has the Chief Auctioneer of the Railroad yards here. She asked if the Bureau could not act if Mr. Hoover is given the story. She asked if it does not fall within the Bureau's work. Mrs. Willebrandt said that of course if the Federal Government steps in and makes the racketeers lose that much more money they will be all the more dangerous to the man.

Mr. Hoover suggested that Mrs. Willebrandt have Mr. Teague come over this morning and see Mr. Dodds. Mrs. Willebrandt said that while Mr. Teague was talking to her Mr. Dodds and Mr. Merritt were in conference. Mr. Dodds was very much interested but did not have the later information which is more complete. Mr. Dodds suggested that men be assigned to the Farm Board and paid by them, but it is thought that this will not be as practical. The racketeers keep the cars in a tie up so long that the ice melts and the contents of the cars are spoiled.

Mrs. Willebrandt said she has the name of the Capone Racketeer who is in charge of the yards. They insist on being paid from $5 to $100 per car before they will release them. Mrs. Willebrandt says there will be such a long delay if they do as Mr. Dodds suggests. Mrs. Willebrandt said she would give Mr. Hoover the details which Mr. Teague had given her. She said she wished to have the man see Mr. Hoover. Mr. Hoover said Mr. Dodds was the one he should see and talk to and that he would arrange while Mrs. Willebrandt holds the phone for a conference. (Called Mr. Dodds)
Mr. Dodds said he would see the men right away and Mr. Hoover said he would go in with them. Mrs. Willebrandt said all the assurance she desired was that Mr. Hoover would take care of the matter.

Mr. Hoover said he would be so glad to be able to get Capone in some way. [redacted] has not yet tried the case he has. Mrs. Willebrandt said she thought all [redacted] needs is for someone to back him and he would do much more than he has.

RECORDED & INDEXED 62-24153-3

Mrs. Willebrandt gave the names of the men from Chicago as Manny Schreiber; Ohrgang, and Mills. Mills is head of the Auctioneers.

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120 JUL 27 1964

SEP 24 1930

Nathan

Mrs. Willebrandt said that these men are very shy of talking to anyone but Mr. Teague. Mrs. Willebrandt said she would try to have the men "rounded up". That they were with Mr. Teague fifteen minutes ago. Mr. Hoover said he would talk to Mr. Dodds before they arrive.

****

Memorandum of telephone call from Mr. Teague.

Mr. Teague said he had talked with Mrs. Willebrandt and that the men are to return to his office at 12:30. He cannot get in touch with them until then. They will come in to see Mr. Hoover then. Mr. Teague will call Mr. Hoover and let him know. Mr. Hoover suggested that Mr. Teague call Mr. Dodds and let him know when they are coming over.

****

Mrs. Willebrandt telephoned to ask if Mr. Teague had gotten in touch with Mr. Hoover.

LMG

Howard A Comm

Mg. Director California Vineyards Inc
Chair Ex. Comm. Print Industries Inc
85 Second Street
San Francisco -

Home address
525 Hillsborough Blvd.
Hillsborough Calif.

Mr. Clark Clemson - Mr. Cohn will see him Thursday morning.

for Tamm - Not disturbed

Capt. A. Teague -

Mr. Cohn will get list of names of Congress - on Card

10

62-24153-3

JOHN EDGAR HOOVER
DIRECTOR

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

September 23, 1930.

62-24153-4
BUREAU OF INVESTIGATION
SEP 23 1930
SEP 24 30 A M
Nathan | FILE

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MEMORANDUM FOR THE DIRECTOR

SEP 24 1930

At 2 o'clock on the afternoon of the 20th instant I attended a conference in the office of Mr. Nugent Dodds, when there were present Mr. Dodds, Mr. Oseas of Mr. O'Brian's Division, Mr. Donald D. Conn, Managing Director of the California Vineyardists Association, Chairman, Ex-Commissioner of the Fruit Industries, Inc., 85 Second Street, San Francisco, and Mr. Merritt, formerly Managing Director of the Sunkist Orange Co. and now associated with Mr. Conn. The discussion first revolved about the question as to the power of this Department under the statutes to assign an Agent of the Bureau to the Farm Loan Board for such work as the Farm Loan Board might direct, presumably in connection with the protection of the person of Mr. Conn, whose life has been threatened by the gangsters of Chicago. Not having any very definite idea as to what the matter was all about, I requested Mr. Conn to relate the story which he did and which was in substance about as follows:

For several years back it seems that the gangsters of Chicago and New York particularly have levied tribute against the grape growers and shippers of juice grapes in the form of an assessment against each carload of grapes coming into Chicago and also in the form of an assessment of 3¢ against each lug or crate of grapes sold at the Chicago Freight Yards from the cars. Mr. Conn stated that they had endeavored to combat this practice which led to a depression of the grape market and in his efforts to ascertain exactly what was going on, he placed a gangster by the name of Joe Ferrera, one of the Capone group, on his payroll and ascertained the facts with regard to this racket which is designed to permit the gangsters to buy in the grapes arriving at Chicago at practically their own price because of the fact that they destroy the market for the grapes. He stated that the Chicago Police were absolutely under the domination of the gangs; that during the grape shipping season while the carloads of grapes were on the tracks at Chicago, the police invariably conducted numerous raids particularly in the foreign section of Chicago seizing and destroying small lots of home made wine and intimidating the foreign populace so that they would not go to the freight yards to purchase grapes and manufacture wine for their own consumption. He stated further that the gangsters employed several men to warn the foreign element at the freight yards to be careful as the police and Prohibition Department were active in searching out those who purchased grapes to manufacture wine. He stated further that Ferrera had given him the information relative to the persons behind this racket. Ferrera's employment with Conn, of course, was supposed to be unknown to Capone but apparently they learned something of his double dealing because a few months back Ferrera and his companion were shot and

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62-24153

killed at Chicago, and since that time Conn himself has received several communications warning him to discontinue his activities for the grape growers. On one occasion 2 gangsters made a personal call on him in his hotel room at Chicago and again warned him not to return to Chicago. Mr. Conn stated that there is no doubt but what the Capone crowd know of his connection with Ferrera and therefore are out to "get" him.

When Mr. Dodds observed that Mr. Irrgang had called on him the day before, Mr. Conn immediately stated that Irrgang was tied up hand and fist with the Airello-Moran gang and that Irrgang has not only been fully informed of all the circumstances with regard to this racket but has himself been a party to it; that now apparently the only reason he is complaining is because in addition to the $20 assessment against each car, which Irrgang himself has participated in, the Moran gang is adding a $20 assessment, making $50 in all and, of course, Irrgang is now squealing because the shoe is on the other foot. He stated that Messrs. Mills and Godding, who accompanied Mr. Irrgang to the office of Mr. Dodds, the day before, and had previously been in conference with Mr. Teague of the Farm Board, were henchmen of Irrgang, fully acquainted with all of the facts and parties to them. Mr. Conn did, however, state that Irrgang's facts were correct and that the Department might look with profit to Irrgang for his side of the story. Mr. Conn was particularly anxious to have the Department and Bureau place Agents in the freight yards at Chicago for the purpose of observing the actual payment of the 3¢ lug assessment on all persons buying grapes. There is no doubt in my mind but what his real purpose was, and in fact he admitted the same, to make a display of force on the part of the Federal Government in order to enhance the price of his grapes and obtain a better net therefor. In fact, he stated, that on the thousands of carloads of grapes which had recently been shipped to the East from California, no shipper had yet made any profit in fact practically all of them had lost money on grapes shipped to the East; and that they would continue to lose money unless something were done to break up the activities of the gangsters particularly in Chicago. Mr. Merritt endeavored to argue that the Department had a right under the law to assign a man or men to the Farm Board for any use that they might desire to make of them. Mr. Dodds, Mr. Oseas and the writer combatted that contention and it was therefore dismissed. Mr. Merritt, however, argued that the government and particularly the Farm Board had a property interest in the life and person of Mr. Conn inasmuch as he, Mr. Conn, had been designated after careful selection to disburse a million dollars for the Farm Board in alleviating the conditions in the grape industry. He related the fact that although the Farm Board had seen fit to take over four hundred thousand tons of grapes out of the market in order to take up the surplus by diverting these grapes to the making of medicinal wine for which Mr. Doran of the Treasury Department had issued a special permit, nevertheless, the retail price of grapes in the East this year is lower than ever before, and the Farm Board's plan, of course, will prove an absolute failure unless drastic action is taken.

12

Mr. Dodds asked Mr. Conn for names of persons who would be in a position to supply the Bureau and Department with facts relative to the assessment against the carloads of grapes and also relative to the tribute exacted against each lug at the freight yards. Mr. Conn stated that he would be glad to place the Agents of the Bureau in touch with a Mr. Mark Adamson, one of the receivers of carload lots of grapes at Chicago, in open competition with Charles Irrgang, the complainant, who had been to the Department the day before. Mr. Conn stated, however, that he was satisfied that Mr. Adamson would not give the Bureau Agents any information in the absence of his, Mr. Conn's, help and insistence and he suggested that if the Agents might meet him at Chicago on Thursday morning of this week, he would put them in touch with Mr. Adamson and would urge Mr. Adamson to disclose such facts as were in his possession. Mr. Dodds and Mr. Oseas agreed that this action at least might be taken and consequently it was arranged that Mr. Conn would advise Mr. Dodds or the writer on Wednesday morning, the 24th instant, of his reservation to Chicago, he expecting to arrive in that city on Thursday morning, the 25th instant. It was further agreed that the Bureau would arrange to assign 2 Agents to meet Mr. Conn on the train a short distance out of Chicago and proceed with him to a point where they might interview Mr. Adamson. Mr. Conn is to be in Chicago between trains only 1½ hours, consequently, it will be only possible for him to see Adamson for a short time, introduce the Agents to Adamson and do what he can to urge Adamson to disclose the facts.

It was also agreed that the Chicago office of the Bureau would immediately assign Agents to interview Mr. Charles W. Irrgang who had previously called at the Department, for the purpose of obtaining a complete statement from him and also interview Mr. Godding and Mr. Mills who accompanied Mr. Irrgang to the Department. The Chicago office was advised by telephone to have Irrgang interviewed on Monday morning and was also advised generally of the desire of the Bureau to have 2 Agents meet Mr. Conn on Thursday morning. Further telephonic instructions will be issued to the Chicago office when Mr. Conn had advised of his train reservation.

With regard to the situation at New York, it appears that the price on grapes is more or less controlled by an alleged conspiracy on the part of the Truckers Union, it appearing that the Union has increased its price for trucking grapes from 3¢ to 10¢ per lug during the past year. The 10¢ lug charge is a prohibitive charge, apparently out of all reason, and is really an assessment in another form. It was agreed that the New York situation might wait until we ascertain just what the facts are at Chicago. It was pointed out by Mr. Conn and Mr. Merritt that there are only three big markets for grapes in the East, the same being Chicago, New York and Pittsburgh, and that practically 90% of all grapes shipped from California went into these markets and by far the larger percentage to Chicago. The question of jursidiction of the Department in entering into the investigation at all was discussed at some length between Mr. Dodds and Mr. Oseas and Mr. Oseas was of the opinion that the jurisdiction even at best is doubtful, however, he agreed that a preliminary investigation should be made in an effort to determine the jurisdiction. The writer vigorously objected to any plan which might place Agents of the Bureau as ob-

13

servers in the freight yards at Chicago and stated that the Bureau was not accustomed to assigning its Agents to police work of this type. Mr. Oseas and Mr. Dodds supported the writer in that contention and it was agreed that that plan would not be adopted. Mr. Conn promised to obtain a list of the buyers of carload lots of grapes in order that the Bureau may interview said buyers for the purpose of ascertaining the facts with regard to the payment of a levy on one occasion of $20 and on another occasion of $30.

Respectfully,

W. W. Hughes.

U. S. Department of Justice

Bureau of Investigation

P. O. Box 1405
Chicago, Illinois

SEP 24 1930

62-24153-11
BUREAU OF INVESTIGATION
SEP 26 1930
Div. Three | FILE

September 22, 1930

RECORDED & INDEXED
SEP 26 1930

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

RE: Complaint Concerning Alleged Payment of Tribute to Racketeers by Buyers of Juice Grapes in Chicago, Illinois. Anti-Trust Matter.

Dear Sir:

Confirming telephone conversation of this date made by Special Agent R. N. Butterworth of the Chicago Bureau office to the Anti Trust Division of the Bureau of Investigation at Washington, D. C., in which the substance of this letter was telephoned, the following data is submitted:

Special Agents R. N. Butterworth and Albert Miller interviewed Charles W. Irrgang and C. R. Godding who supplied the following information concerning tribute paid to racketeers and gangsters by buyers of juice grapes in Chicago, Illinois: Charles W. Irrgang, 169 South Water Market, Chicago, Illinois, stated that in 1929 Joe Ferrera, a notorious gangster of Chicago, Illinois, representing the Aiello-Moran Gang, conducted a "racket" in which tribute was collected on all juice grapes sold on the Chicago and Northwestern "juice grape track" at Clinton Street, Chicago, Illinois. The tribute varied and was paid by the buyers to the racketeers. The first week of October 1929, Joe Ferrera stopped the auctioning of cars at the Chicago and Northwestern Railroad track and insisted that all juice grapes auctioned be sold at the Chicago Produce Terminal track, 27th & Ashland Avenue, Chicago, Illinois. The United States Fruit Auction Company agreed with Ferrera to pay $20.00 a car from the auction's funds on all cars auctioned at the Chicago and Northwestern "juice grape track" and the racketeers agreed not to interfere with the auctioning of juice grapes at the other three distributing points in Chicago, Illinois, where grapes are unloaded on the railroads. The United States Fruit Auction Company paid $1300 to Joe Ferrera by check at the end of the season of 1929 for the cars of juice grapes auctioned at the Chicago and Northwestern track at $20 a car.

On the other one thousand cars sold at the Chicago and Northwestern track at Clinton Street, Chicago, Illinois, Ferrera obtained from 5¢ to 30¢ a lug as tribute from the buyers Before he allowed the cars to be opened. Most of the juice grape buyers in Chicago are composed of ..

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Mr. G. Brown
Mr. Wodde
9-25-30 mlt

barbers, boot-blacks and peddlers, who purchase a car of juice grapes and resell it in small lots. Tony Butch was bodyguard of Joe Ferrera in 1929 and both of these men were shot in the Spring of 1930, Ferrera being killed and Butch seriously wounded. Butch subsequently fled to Milwaukee, Wisconsin, where he has been in hiding up until a short time ago when he returned to Chicago, Illinois.

Mr. Irrgang stated that the line-up for 1930 of the racketeers for the sale of juice grapes at the Chicago and Northwestern track is in charge of Ted Newberry who is aligned with the Al Capone gang and furnishes the money to buy the grapes. Manny Schrieber, of the Fruit and Produce Company, Chicago, Illinois, has been put in charge of this "racket," and Tony Butch has been brought from Milwaukee, Wisconsin, to work with Schrieber. Schrieber's "muscle man" is Tony Romano, a racketeer who represents Newberry and Schrieber in the intimidation of juice grape buyers and has charge of the gun men.

On September 12, 1930, three gun men in a Buick Sedan visited the Produce Terminal track at 27th & Ashland Avenue, Chicago, Illinois, for the purpose of intimidating the buyers, and on September 16, 1930, two other gun men came to this track in a Lincoln Sedan, showing their guns, and told Sam Grey and his partner Dave (last name unknown) that the gun men represented Manny Schrieber and that these buyers would hear more about this matter later. On September 19, 1930, Mr. Irrgang returned from the auction at 27th & Ashland Avenue, Chicago, with Manny Schrieber and Tony Romano, and on this trip Schrieber told Irrgang that Schrieber had taken Ferrera's place in the juice grape racket and that Schrieber would later see Irrgang to make a deal on the cars of juice grapes auctioned at the railroad tracks in Chicago, Illinois.

On September 21, 1930, Mark T. Adamson, a Chicago fruit broker, who handled the Ferrera juice grape purchases in 1929 on a joint account of Adamson and Ferrera, and Manny Schrieber talked to Perry Stern, assistant to Irrgang and an auctioneer in the United States Fruit Auction Company at the Atcheson, Topeka and Santa Fe track on 21st and Archer Streets, Chicago, Illinois. Mr. Schrieber stated to Mr. Stern that the representatives of the juice grape growers from California were coming into Chicago and selling juice grapes at lower prices than the market price and that these representatives would be prevented from doing this after Schrieber had organized the juice grape market. On the same afternoon at the Chicago and Northwestern juice grape track, Tony Romano told Perry Stern substantially the statement as given by Schrieber to Perry Stern.

It was known in Chicago, Illinois, on September 19, 1930, that Mr. Irrgang, Mr. Mills and Mr. Godding were in Washington for the purpose of discussing the juice grape matter because Mark T. Adamson on September 19, asked Joseph P. Scanlan, the representative of the California Fruit Growers Exchange in Chicago, while they were standing in the lobby of the Produce Exchange Building, whether Irrgang, Godding and Mills had accomplished anything by their visit to Washington, D. C. On September 20, 1930, Mr. Irrgang stated he was informed by Mr. Hal Pitt, the assistant to Mr. Scanlan, that Mark T. Adamson knew that Messrs. Irrgang, Mills and Godding had been in Washington, D. C., and further stated that the appointment of these gentlemen with Mr. Teague of the U. S. Farm Loan Board at Washington, D. C. was made by Mr. Joseph P. Scanlan of Chicago, Illinois.

Mr. Irrgang stated that on September 21, 1930, Tony Romano talked with Perry Stern, the assistant of Mr. Irrgang, at the Clinton Street yard of the Chicago and Northwestern Railroad, and that Mr. Romano made the following remark: "Give my regards to Irrgang. He should have seen us before going to Washington and will regret it."

Mr. Irrgang stated that Mr. Larry Archer of the American Fruit Growers, Inc., located in the Produce Exchange Building, Chicago, Illinois, had informed him that Newberry of the Al Capone gang had appointed Manny Schrieber to collect tribute in connection with the juice grape racket this year as was conducted last year by Joe Ferrara on behalf of the Aiello-Moran gang.

Mr. Irrgang stated that the juice grape cars are received in Chicago on the following tracks:

First, Atcheson, Topeka & Santa Fe, Chicago, Illinois, 21st Street and Archer Avenue.
Second, Chicago and Northwestern, Clinton Street near Kinzie Street, Chicago, Ill.
Third, Chicago Produce Terminal, 27th & Ashland Ave., Chicago, Ill.
Fourth, Rock Island, Taylor Street to 16th, South Chicago, Illinois.

During 1929 five thousand cars of juice grapes were unloaded in Chicago, Illinois, and of this number eleven hundred cars were unloaded at the Chicago and Northwestern track, thirteen hundred and sixty cars at the Chicago Produce Terminal track and the remaining cars were split between the Rock Island Railroad and the Atchison, Topeka and Santa Fe Railroad juice grape tracks.

Mr. Irrgang stated that there is a surplus of grapes this year and that 400,000 tons have been left on the vines, having been purchased by the Farm Loan Board, to be used as by products.

Mr. Irrgang also stated that Mark T. Adamson, of the Produce Exchange Building, Chicago, Illinois, was a very close friend of Joe Ferrera and was lined up with him and will probably be connected with Manny Schrieber in the buying of grapes this year.

Mr. E. E. Mills, 1425 South Racine Avenue, Chicago, Illinois, treasurer of the U. S. Fruit Auction Company, Chicago, Illinois, is out of Chicago at the present time and will not be back until Wednesday, September 24, 1930, when he will be interviewed by Agents of the Chicago Bureau office.

Mr. C. R. Godding, 66 South Water Market, Chicago, Illinois, secretary of the U. S. Fruit Auction Company, which is the auction in which the juice grape cars are sold, stated that he accompanied Mr. E. E. Mills and Mr. Charles Irrgang to Washington, D. C., on September 17, 1930, and that on September 18, 1930, these gentlemen had a conference with Mr. Teague of the Farm Loan Board in the morning, and in the afternoon had a conference with Mr. Dodd of the Criminal Division of the Department of Justice. Mr. Godding stated that Mr. Irrgang at these conferences did most of the talking as Mr. Irrgang was more familiar with the matter of the racket in the juice grape business in Chicago, Illinois.

Mr. Godding verified the data furnished by Mr. Irrgang, as reflected in this letter, concerning the payment by the U. S. Fruit Auction Company of $20 a car to Joe Ferrera on the juice grapes sold by this auction at the Chicago and Northwestern juice grape track during 1929 and added that he and Mr. Mills do not know the details of the other facts set forth in this letter as shown by Mr. Irrgang, except as they have been informed of them by Mr. Irrgang. Mr. Godding stated that the U. S. Fruit Auction Company was incorporated in 1926 in Chicago under the laws of the State of Illinois, with a capital stock of $250,000, $190,000 of which has been paid in. 51% of the issued stock of the U. S. Fruit Auction Company is owned by the Chicago Auction Company and the Independent Fruit Auction Company, of which the Independent Fruit Auction Company owns 60% of the 51%, and the Chicago Auction Company owns 40% of the 51%, the remaining 49% of the U. S. Fruit Auction Company being owned by individuals interested in the fruit and produce business.

The officers of the U. S. Fruit Auction Company are as follows:

F. E. Kellis, President.
C. W. Irrgang, Vice-President.
E. E. Mills, Treasurer.
C. R. Godding, Secretary.

These officers compose the Board of Directors with Victor Elting, a Chicago attorney.

The Fruit Auction Sales Company is engaged in the business of auctioning of table grapes and other fruit in broken car lots. The company was incorporated in 1927 under the last of the State of Illinois, with an authorized capital stock of $300,000, of which 60% is owned by the Chicago Auction Company and 40% by the Independent Fruit Auction Company.

The officers of the Fruit Auction Sales Company are as follows:

C. R. Godding, President.
C. W. Irrgang, Vice-President and General Manager.
E. E. Mills, Treasurer.
W. B. Clore, Secretary.

These officers compose the Board of Directors with Frank Cuneo of Chicago, Illinois, added.

Mr. Godding stated that the Chicago Auction Company and the Independent Fruit Auction Company were formerly in business in Chicago, Illinois, and incorporated the Fruit Auction Sales Company and the U. S. Fruit Auction Company to handle all sales of fruit on the auctions in Chicago, Illinois.

Very truly yours,

F. X. Fay

F. X. FAY
Acting Special Agent in Charge

FXF:EB

(The following information was received telephonically from Agent Butterworth at Chicago, Ill.)

Re: Interference with Interstate transportation of Juice Grapes

Charles V. Urgang, stated that in 1929, Joe Ferrera, representing the Capello-Moran gang, obtained a racket on all juice grapes sold at the Northwestern Track on Clinton Street, Chicago. The first week of October, 1929, Ferrera stopped the auctioning of cars at this track, and insisted that all juice grapes auctioned or sold at the Chicago Terminal Track, 27th and Ashland Avenue. The United States Fruit Auction Company agreed to pay $80.00 from the auction fund on all cars auctioned at the Northwestern Track if the racketeers did not interfere with the sales as to the auction on the other three tracks in Chicago. The Auction Company paid $1300 to Joe Ferrera at the end of the season in 1929 on the cars auctioned at the Northwestern Track at $80.00 a car. On the other 1,000 cars sold at the Northwestern Track, Ferrera obtained five cents a lug and up from the buyers of the grapes before the cars were opened at the track. The juice grapes buyers are barbers, bootblacks and peddlers who buy a car and resell it in small lots. Tony Bucca was body guard for Ferrera and both were shot this Spring, Ferrera being killed and Bucca wounded. Bucca subsequently returned to Milwaukee where he has been in hiding up until recently.

Line Up - The line up for 1930 on the sale of juice grapes at the Northwestern Track is in charge of Mr. Newberry, who represents the Al Capone gang and furnishes the money to pay the juice grapes to the buyers. Manny Schreiber of the Schrieber Produce Exchange has been put in charge of this racket and Tony Bucca had been brought from Milwaukee to work with Schrieber. Schrieber is muscle man for Tony Romano, who represents Mr. Newberry and Schrieber in intimidating the buyers and also has charge of the gunmen. On September 12, 1930, three gunmen, in a Buick Sedan, visited the Terminal Track at 27th and Ashland Avenue to intimidate the buyers, and on September 15, 1930, two other gunmen came to the Tracks in a Lincoln Sedan, and told Sam Grey and his partner, Dave, last name unknown, that the gunmen represented Manny Schrieber, and that the buyers would hear from them later. Recently, Urgang returned from the Auction at 27th and Ashland Avenue with Schrieber and Tony Romano in Schrieber's car, and Schrieber told Urgang that he, Schrieber, was taking Ferrera's place and would see Bucca later to make a deal on the cars auctioned at the Railroad Tracks. On September 21, 1930, Mark T. Adamson, a Chicago broker, who handled Ferrera's purchases of grapes in 1929, on a joint account of Adamson with Manny Schrieber, saw Mr. Perry Stern at the S. T. & S. F. Track, 21st Street, Chicago, and Schrieber said that the representative

RECORDED & INDEXED
SEP 26 1930

62-24153-11

62-24153

Div. Three

of the juice grapes growers in California was coming to Chicago and selling juice grapes at lower prices and that these representatives would be prevented from doing this after Schnieder has reorganized the market. On the same afternoon, Tony Romano, Wild Perry Stern, Mr. Bucca's Assistant, the same thing at the Northwestern Track. It was known in Chicago that Stern, Mills and Golding were in Washington on the grapes matter on September 19th, because Mark E. Adamson saw Joseph P. Scanlon, representative of the California Fruit Growers Exchange at Chicago on September 19th, in the lobby of the Mayflower Exchange Building, if Stern, Mills and Golding had accomplished anything in Washington. On September 20, Schnieder was informed that Mark Adamson knew they had been in Washington, D. C. The appointment with Mr. Teague of the U. S. Farm Board to see the Chicago man was made by Mr. Scanlon. On September 21, 1930, Tony Romano talked with Stern, Assistant to Mr. Uhrgang, of the Northwestern Railroad, saying, "Give my regards to Uhrgang. He should have seen us before going to Washington, and will regret it."

VWH:EPG:AH

September 23, 1930.

MEMORANDUM FOR ASSISTANT TO THE ATTORNEY GENERAL O'BRIAN

62-24153

With reference to the complaints of Charles W. Irrgang and Donald D. Conn in connection with interference with interstate transportation and sale of juice grapes by Chicago racketeers, there is transmitted herewith for your information, a copy of a memorandum of a telephone call received from Special Agent Butterworth of the Chicago office on the 22nd instant. Mr. Codding and Mr. Mills are also to be interviewed by Agents of the Chicago office.

Very truly yours,

Director.

Inc. 130507.

Chicago 210

RECORDED & INDEXED

62-24153-5
BUREAU OF INVESTIGATION
SEP 24 1930 A. M.
DEPARTMENT OF JUSTICE
FILE

BUREAU FILES DIVISION MAILED SEP 23 1930 A.M. DEPT. OF JUSTICE

22

EPC:
VWH:AM

September 23, 1930.

MEMORANDUM FOR MR. NUGENT DODDS, ACTING HEAD, CRIMINAL DIVISION

With reference to the complaints of Charles W. Irrgang and Donald D. O'Conn in connection with interference with interstate transportation and sale of juice grapes by Chicago racketeers, there is transmitted herewith for your information, a copy of a memorandum of a telephone call received from Special Agent Butterworth of the Chicago office on the 22nd instant. Mr. Godding and Mr. Mills are also to be interviewed by Agents of the Chicago office.

Very truly yours,

Director.

Inc. 159751.

RECORDED

62-24153-6
BUREAU OF INVESTIGATION
SEP 24 1930 A. M.
DEPARTMENT OF JUSTICE
FILE

BUREAU FILES DIVISION
MAILED
SEP 23 1930
P. M.
DEPT. OF JUSTICE

Department of Justice

TELEGRAM RECEIVED

CHICAGO ILL.
SEPTEMBER 25, 1930

DIRECTOR
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
WASHINGTON D.C.

JUICES GRAPE INVESTIGATION ANTI TRUST E E MILLS INTERVIEWED TODAY STATED BELIEVES DONALD CONN REPRESENTATIVE CALIFORNIA VINEYARDISTS ASSOCIATION NOTIFIED MARK ADAMSON WORKING WITH MANNY SCHRIEBER ON GRAPE RACKET OF AUCTION DELEGATION WASHINGTON VISIT SEPTEMBER EIGHTEENTH STOP CONN WAS FRIENDLY WITH FERERRA LAST YEAR WHEN FERERRA EXACTED TRIBUTE FROM CHICAGO JUICES GRAPE BUYERS MILLS DOUBTS CONN TRUSTWORTHY MILLS SAID AUCTION INTENDS CONFINING ACTIVITIES THIS YEAR AUCTIONING JUICES GRAPE AT OWN TRACK IRRGANG TRACING CHECK PAID FERERRA LAST YEAR BY AUCTION

PAY ACTING.

Rec'd and Decoded
9-25-30
4:56 pm. WTG.

RECORDED & INDEXED
SEP 26 1930

62-24153-7
BUREAU OF INVESTIGATION
SEP 25 1930 A.M.
DIRECTOR | FILE

BUREAU OF INVESTIGATION
SEP 25 1930
DEPARTMENT OF JUSTICE

Mr. Hughes:
Please watch this carefully. I suspect we may be drawn into an unworthy cause. We surely dont want to lend our resources to one group of racketeers against another gang.

7/25/30 9.2.M.

VEH:EPQ:AM

September 24, 1930.

62-24153-7

RECORDED & INDEXED

SEP26 1930

MEMORANDUM FOR MR. NUGENT DODDS, ACTING HEAD, CRIMINAL DIVISION

In connection with an investigation being conducted by the Chicago office of this Bureau with regard to interference with interstate transportation and sale of juice grapes by Chicago racketeers, there is transmitted herewith a copy of a telegram received from the Chicago office under date of September 25, 1930.

Very truly yours,

Director.

Inc. 139563.

62-24153

BUREAU FILES DIVISION
SEP 24 1930
P. M.
DEPT. OF JUSTICE

25

FWH:EPG:AM

September 24, 1930.

62-24153-7

RECORDED & INDEXED

SEP 26 1930

MEMORANDUM FOR ASSISTANT TO THE ATTORNEY GENERAL O'BRIAN

In connection with an investigation being conducted by the Chicago office of this Bureau with regard to the interference with interstate transportation and sale of juice grapes by Chicago racketeers, there is transmitted herewith a copy of a telegram received from the Chicago office under date of September 23, 1930.

Very truly yours,

62-24153

Director.

Inc. 139564.

BUREAU FILES DIVISION
MAILED
SEP 24 1930

G.

26

VHH:AM September 25, 1930.

MEMORANDUM FOR ASSISTANT TO THE ATTORNEY GENERAL O'MALLEY

For your further information in connection with the complaint of interference with the interstate shipment of juice grapes from California by gangsters of Chicago, there is inclosed herewith a copy of a letter addressed to this office by the Acting Agent in Charge of the Chicago office of the Bureau under date of September 22nd, relating in detail the results of interviews with Messrs. Charles W. Irrgang and C. R. Godding.

Very truly yours,

Director.

Inc. 189570.

62-24153

62-24153-8
BUREAU OF INVESTIGATION
SEP 25 3[illegible] P. M.
FILE

RECORDED

27

JOHN EDGAR HOOVER
DIRECTOR

RECEIVED

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

September 25, 1930.

SEP 26 1930 PM

SEP 25 1930

MEMORANDUM FOR THE DIRECTOR

Supplementing my memorandum of the 23rd instant in connection with the investigation of the activities of persons interested in the marketing of juice grapes, I desire to advise that Mr. Donald Conn's secretary called this office yesterday and gave Mr. Conn's reservation on the Liberty Limited train to Chicago, leaving Washington yesterday afternoon, as previously arranged. When the reservation was checked with the railroad, it was found that both the car number and time of departure were wrong, consequently, Mr. Conn was again called at the Carlton Hotel and his secretary when advised of the erroneous information, corrected the same and stated that Mr. Conn was leaving Washington yesterday at 3:25 on Train #59, Pennsylvania Railroad, known as the Liberty Limited, occupying drawing room "A" in Car #16.

On receipt of this information the Chicago office was advised by telephone to have Special Agents Butterworth and Miller board this train at Gary, Ind. this morning, it being due to arrive there at 8:16, to contact Mr. Conn and proceed with him to Chicago and to meet Mr. Mark Adamson who Mr. Conn states can give details with regard to the general allegations previously made by him, Mr. Conn.

In talking with Chicago, Acting Agent in Charge Fay advised that Mr. Irrgang had called his office yesterday and had suggested that Mr. Charles Smith of the DeJuria Fruit Dealers at Chicago who could give additional information. Incidentally, Irrgang also stated that he understood that Mark Adamson was organizing a grape juice association which would have for its object preventing independent dealers from buying grapes at the freight yards at Chicago. Agents Butterworth and Miller are, of course, in possession of all the information supplied by Mr. Irrgang, Mr. Mills and Mr. Godding and they are under instructions not to divulge that information to Mr. Conn or to Mr. Adamson and to collect such facts from these two men as they may desire to volunteer. Upon receipt of the reports covering interviews with Mark Adamson and the further interview with Charles Smith, which was authorized by me, the Department should be able to definitely determine whether there is a violation of the Federal laws involved and whether the investigation should proceed.

62-24153-9

RECORDED & INDEXED
SEP 26 1930

Respectfully,

V. W. Hughes.

NOV 25 1930 P. M.
FILE

Memo

September 24, 1935.

Re: Re telephone from Johnson.

MEMORANDUM FOR MR. NEBEL

62-24153

U. S. Attorney Johnson reported by telephone this morning that the President of some Chamber of Commerce had called his attention to the violation of the Sherman Act by the railroads operating on grape shipments. Johnson undertook an investigation, had not gotten far, and wished directions given to the local Special Agents to assist him.

Mr. O'Brien told him that this matter had already been reported here by a member of the Farm Board, that the Department was not yet clear whether the facts justified its intervention, and that a confidential investigation had already been ordered and was now in progress. The Department desired to avoid all publicity. On the surface it appeared as if this racket was a local matter.

Mr. Johnson replied that restraint of interstate trade was involved and that the State officials had no adequate force to make an investigation. He will await further word from the Department. If he is called upon to act he will undertake to get the cooperation of the local officials.

62-24153-10

SEP 25

OCT 6

RECORDED

62-24153

J. E. O'B.

Div. Three

29

VWH:AH September 25, 1930.

62-24153-11

RECORDED & INDEXED

SEP 26 1930

MEMORANDUM FOR MR. BUCKNER DODDS, ACTING HEAD, CRIMINAL DIVISION

For your further information in connection with the complaint of interference with the interstate shipment of juice grapes from California by gangsters of Chicago, there is inclosed herewith a copy of a letter addressed to this office by the Acting Agent in Charge of the Chicago office of this Bureau under date of September 22nd, relating in detail the results of interviews with Messrs. Charles W. Irrgang and C. M. Codding.

Very truly yours,

Director.

Inc. 139570.

62-24153

FEDERAL BUREAU OF INVESTIGATION
RECEIVED
SEP 25 1930
WASHINGTON, D. C.

JOHN EDGAR HOOVER
DIRECTOR

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

September 25, 1930.

62-24153

MEMORANDUM FOR THE DIRECTOR

A further conference was had with Mr. Oseas of Mr. O'Brian's Division this afternoon relative to the grape growers' association case. Mr. Oseas stated that from the information received to date, he was unable to determine whether the Federal Government would have jurisdiction and whether there had actually been any restraint of interstate commerce.

Inasmuch as I was awaiting word from the Chicago office of the Bureau relative to the interview with Mr. Conn this morning, I called Chicago by telephone and Agent Butterworth advised that he had met Mr. Conn at Ft. Wayne, Ind. and had ample opportunity to talk with him and get his point of view; that upon arriving at Chicago they had met Mr. Mark Adamson but had not gone into any detail on the case at that time, Adamson requesting that the interview be deferred until this afternoon at 2 o'clock, and Agent Butterworth was then awaiting a call from Adamson.

Agent Butterworth was instructed to immediately endeavor to obtain detailed facts with regard to the shipment, movement and sale of the juice grapes in question, that is, to determine whether said carload lots of grapes were shipped on consignment or whether they were shipped on a straight order bill of lading, whether the cars subsequently sold by the brokers and auctioneers at Chicago had been purchased outright by said brokers and auctioneers or whether the brokers and auctioneers were acting for the shippers. Agent Butterworth was also told to immediately ascertain just how the restraints were enforced, how the money was paid, the percentage of carload lots sold by auction as opposed to those received by the broker and sold privately; also, to endeavor to ascertain the reason for the imposition of an assessment of $20 against carload lots at certain freight yards and the imposition of a 5¢ to 30¢ lug charge against the grapes at other freight yards.

Mr. Oseas feels that if this information can be definitely obtained and forwarded, he will then be in a position to determine whether there have been any restraints on interstate commerce.

Respectfully,

V. W. Hughes.

62-24153-12

SEP 26 30

SEP 27 1930

Nathan

31

FEDERAL FARM BOARD

WASHINGTON

C. C. TEAGUE
MEMBER

September 30, 1930.

Mr. J. Edgar Hoover,
Director, Bureau of Investigation,
U. S. Department of Justice,
Washington, D.C.

Dear Mr. Hoover:

In reference to the investigation which you are carrying on of the situation that is prevailing in Chicago, pertaining to the distribution of grapes in that market, Mr. H. J. Eustace, Chief, Bureau of Markets for the State of California, was in Chicago recently and sent me two letters from there which I am enclosing herewith.

I thought perhaps you might care to have your men see the parties mentioned in these letters.

Very truly yours,

C. C. Teague,
Member, Federal Farm Board.

2 Enclosures.

RECEIVED OCT 1 1930 FBI

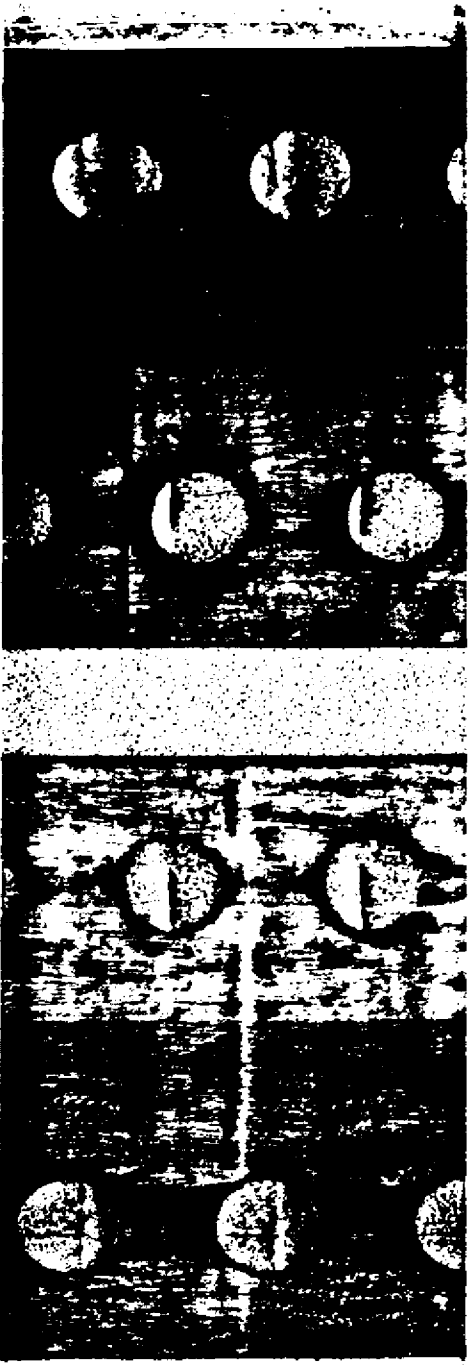
62-24153

2 encl

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62-24153-13
BUREAU OF INVESTIGATION
OCT 1 1930 A.M.
DEPARTMENT OF JUSTICE
Three

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120 JUL 27 1964



PALMER HOUSE

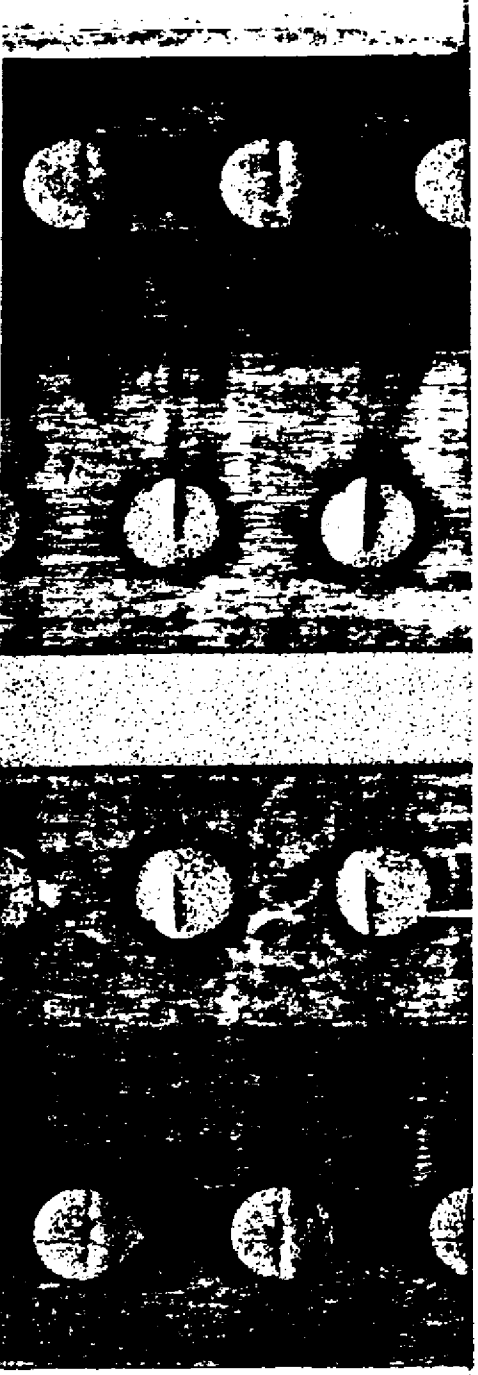
CHICAGO

My dear Mr Teague.

Since reading the enclosed letter I have seen more people and I believe that if you could make a quick quiet trip out here — alone and call on a few people — Mr V. C. Taggart (whom card I enclose —) and he would get a few men in his office and talk things over, it would be a splendid thing to do.

Get a first-hand picture for yourself and get some of the important men to support the grape plan as they would do when they understand it — directly from

12-24153-13



PALMER HOUSE

CHICAGO

V

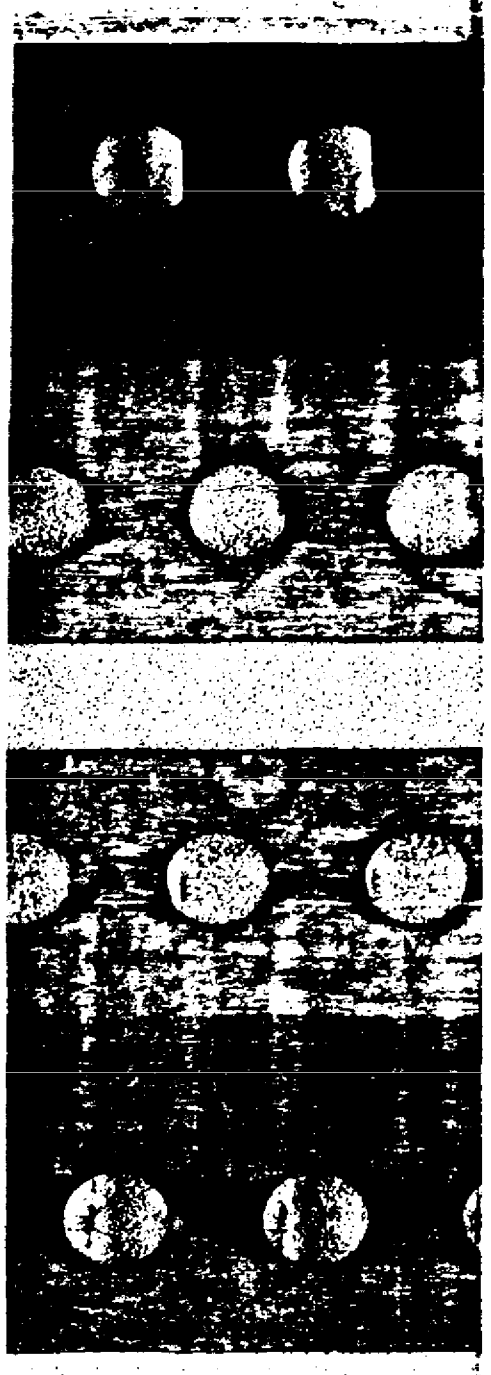
you. If you can come
may I suggest - you call on
Mr L. C. Bracken of American Trust -
Savings. - in addition to Mr Taggart.
I emphasize the desirability
of your coming alone and
quietly and get a direct
impression for yourself.

Cordially yours

Eustace

P.S. Pardon taking the liberty to
send this to your hotel - as
it may be just as well not to
go to your office

34



PALMER HOUSE

CHICAGO

September 25, 1930.

Hon. C. C. Teague,
Mayflower Hotel,
Washington, D. C.

My dear Mr. Teague:

I have been spending some time in the South Water Market here in Chicago, and have talked with a number of people, some of whom I know personally, and have for many years, and this gangster business is particularly bad on the Northwestern tracks. It seems the gangsters price is $50.00 per car, which means that the growers are losing just this amount. The whole racket seems to be confined particularly to this one yard, and people who are in a position to know say that it may extend to other yards. They have attempted to get the buyers in line on the other yards already, but so far have failed.

If you could possibly take the time to come to Chicago and look it over at first hand, it would be worth your time. It is quite essential, however, that you come out here unannounced and do not appear at first in any of the places where you would be recognized. I would suggest that you see the young man whose card I enclose, a member of a well known brokerage house, and I can guarantee in absolutely every way that he would have some of the juice grape buyers come into his office and give you the facts, with their ideas as to how the matter could be handled.

They tell me this morning that the demand for juice grapes is better, but prices are unchanged and net around $30.00 to $40.00 per ton.

Yours very truly,

H. J. Eustace.

EE:L

over 35

October 4, 1930.

~~62-24155-15~~
62-24153-13

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. O'BRIAN.

RECORDED

There is enclosed herewith photostatic copy of a letter addressed to your office by Mr. C. C. Teague, Member of the Federal Farm Board, under date of September 26, 1930, together with photostatic copies of of its two enclosures addressed to Mr. Teague by Mr. H. J. Eustace, the latter communications suggesting certain interviews at Chicago with further reference to the complaint received by this Department of a possible violation of the Antitrust Laws on the part of certain gangsters in the city of Chicago alleged to have interfered with the interstate shipment and subsequent distribution of juice grapes.

I am replying to Mr. Teague's letter, advising him that his communication, with its enclosures, has been transmitted to you, and that I shall be guided by your advice as to what, if any, further investigation should be made. I shall appreciate, therefore, receiving your views regarding the wisdom of conducting these additional interviews.

There is also enclosed herewith, a copy of the report of Special Agent R. H. Butterworth, of the Chicago Office of the Bureau of Investigation, dated October 2, 1930, and entitled: MANNY SCHRAIBERG; TONY ROMANO (Juice Grape Investigation) Antitrust Matter, which has attached an original cancelled check made payable to Joe Farrar in the sum of $1560.00 and signed by Charles W. Irgang and C. R. Codding. There is further enclosed, a catalogue of "California Grapes To Be Sold At Auction By United States Fruit Auction Company of Chicago". No doubt, you will want to consider the facts disclosed by the report of Agent Butterworth before advising with regard to the further investigation of this case in line with the letters received from Mr. TeagueYou will note in the report of Agent Butterworth that the investigation has been suspended, pending further instructions. At your convenience, please advise what, if any, further investigation you desire, and whether the persons mentioned by Mr. Eustace in his letter to Mr. Teague should be interviewed.

Very truly yours,

Director

BUREAU FILES DIVISION
MAILED
OCT 4 1930
P.M.

36

VEH:FBS

62-24153-13

RECORDED

OCT 6 1930

October 4, 1930.

Honorable C. C. Teague,
Member, Federal Farm Board,
Washington, D.C.

Dear Mr. Teague:

I wish to acknowledge receipt of your communication of the 30th ultimo, enclosing two letters sent to you by Mr. M. J. Eustace, Chief, Bureau of Markets for the State of California, with reference to the distribution of juice grapes in the Chicago market.

I am referring the letters to Mr. O'Brian, the Assistant to the Attorney General, who has this matter in hand, and shall be very glad to conduct additional interviews as suggested by Mr. Eustace, if Mr. O'Brian so desired.

Very truly yours,

Director.

FBI DIVISION
OCT. 4 1930

37

VHH:AM

OCTOBER 8, 1940.

E. E. GLEGG
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
FEDERAL BUILDING
CHICAGO ILL.

ADVISE WHEN REPORT GRAPE GROWERS CASE MAY BE EXPECTED EXPEDITE

JOHN EDGAR HOOVER
DIRECTOR

62-24153

RECORDED

62-24153-14
BUREAU OF INVESTIGATION
OCT 3 1940 A M
FILE

OCT 2 1940 PM

WESTERN UNION

CLASS OF SERVICE
This is a full-rate Telegram or Cable-gram unless its deferred character is indicated by a suitable sign above or preceding the address.

SYMBOLS
DL = Day Letter
NM = Night Message
NL = Night Letter
LCO = Deferred Cable
NLT = Cable Night Letter
WLT = Week-End Letter

NEWCOMB CARLTON, PRESIDENT
J. C. WILLEVER, FIRST VICE-PRESIDENT

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.

Rec'd at Commercial Nat'l Bank Bldg., 14th & G Sts., N. W. Washington, D. C. ALWAYS

1930 OCT 3 PM 5 44

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CC673 9 COLLECT=CHICAGO ILL 2 352P

DIRECTOR, BUREAU OF INVESTIGATION=
DEPARTMENT OF JUSTICE WASHINGTON DC=

RETEL REPORT GRAPE GROWERS CASE IN MAIL TONIGHT=

FAY ACTING.

3-MA

62-24153

RECORDED
OCT 8 1930

62-24153-15
BUREAU OF INVESTIGATION
OCT 3 1930
A. M.
DEPT. OF JUSTICE

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

9/2/30
5:55 PM
WG

39

Report No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	Oct. 2nd, 1930	9/23 to 25/1930	R. N. BUTTERWORTH - mk

TITLE: Changed:
MANNY SCHRAIBERG
TONY ROMANO
JUICE GRAPE INVESTIGATION

CHARACTER: ANTI-TRUST MATTER

SYNOPSIS OF FACTS:

Investigation discloses that title on all cars of juice grapes sold by private sale or on terms in Chicago remains in the shipper until purchase price is paid. Cancelled check for $1360.00, dated Dec. 10, 1929, drawn by U. S. Fruit Auction Company and payable to Tony Ferrara was obtained from Auction Company. E. E. Irrgang alleges that attempt by Subjects to exact a tribute of $50.00 a car from buyers has been made recently. U. S. Fruit Auction Company collects 1½% commission on gross sales of juice grapes from shippers and also collects three cents a package additional from buyers as a terminal charge. Descriptions of Subjects submitted. W. W. McFarland, President, Brokers' Division of the American Fruit and Vegetable Shippers Association sent a telegram to the Farm Loan Board protesting against terminal charge by Auction Company. Mark T. Adamson alleges that attempt to collect tribute has been stopped. Chicago Office of Bureau requests instructions as to whether further information is desired.

DETAILS:

REFERENCE: Letter to the Bureau dated September 22, 1930 and telegram to the Bureau date September 25, 1930.

DETAILS: AT CHICAGO, ILLINOIS.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: L. X. Fay — SPECIAL AGENT IN CHARGE

62-24153-16

RECORDED AND INDEXED: OCT 4 1930

COPIES OF THIS REPORT FURNISHED TO:

3- Bureau
3- Chicago

BUREAU OF INVESTIGATION
OCT 4 1930 A.M
DEPARTMENT OF JUSTICE

CHECKED OFF: OCT 9 1930

JACKETED:

ROUTED TO: Div. Three

FILED:

Agent interviewed Charles W. Irrgang, [illegible] Market, Chicago, Illinois, on September 22, 1930 [illegible] the efforts of Mark T. Adamson, a Chicago fruit broker, [illegible] being made to form a juice grape dealers' association, composed of juice grape buyers and Chicago brokers handling juice grapes in Chicago, [illegible] that the object of this association will be to shut out independent fruit growers from selling juice grapes on track in Chicago, Illinois. Mr. Irrgang stated that the brokers in Chicago handling juice grapes are as follows:

Mark T. Adamson & Company,	1425 S. Racine Ave.	Chicago, Ill.
Fry Brokerage Company,	1440 S. Racine Ave.	Chicago, Ill.
J. H. Twitchell,	1425 S. Racine Ave.	Chicago, Ill.
Riley & McFarland Company,	1425 S. Racine Ave.	Chicago, Ill.

He stated that these brokers controlled about 90% of the juice grapes sold privately in the Chicago market.

Mr. Irrgang further stated that Mr. Perry Stern, one of his assistants in the U. S. Fruit Auction Company, on September 22, 1930, had talked with a salesman of the Fry Brokerage Company and this salesman stated to Mr. Stern, as follows: "I don't know how far the forming of the association has gone, but the scheme is slowly going forward; the association will stop the grape growers in California from sending representatives to Chicago, Illinois and selling their grapes on track".

Mr. Irrgang stated that a brother-in-law of Joe Ferrara, who was killed in a "gang" war in Chicago, Illinois in the Spring of 1930, and who was in charge of the exacting of tribute at the Chicago and North Western Railway tracks from buyers of juice grapes during 1929, had applied for a position at the Chicago Produce Terminal freight track which is controlled by the Chicago auction companies, and that he, Mr. Irrgang, who is general manager of the Chicago Auction Company, had employed this man to work on the juice grape track of the Chicago Produce Terminal. Mr. Irrgang stated that he did not know the name of Ferrara's brother-in-law, but would obtain it and notify Agent of this man's correct name and address. Mr. Irrgang stated that this man told him that the Aiello-Lorch Gang have all been driven out of Chicago, Illinois or killed; that the Capone Gang now controls the "juice grape racket" in Chicago, Illinois and that at the Chicago and North Western Railway's "juice grape" track the racketeers have established a price of $50.00 a car which is to be exacted from all buyers on that track by Subject MANNY SCHRAIBERG before the car will be allowed to be opened. Mr. Irrgang advised Agent that Mr. Charles. W. Smith

4/1

who is manager of the Dickergib Fruit Corporation, area in charge of 1125 S. Racine Avenue, Agent was interviewed by Agent [illegible] information from Mr. Smith regarding the juice grape ra[illegible] Chicago, Illinois.

Agent interviewed Mr. [illegible]. Mills of Mills Bros., [illegible] S. Racine Avenue, Chicago, Illinois, who stated that he is treasurer and director of the U. S. Fruit Auction Company, and that all questions presented to him regarding this Auction Company are referred by him to Mr. Charles W. Irrgang, vice-president and general manager of the Auction Company.

Mr. Mills stated that he accompanied by Charles W. Irrgang and C. H. Codding, secretary of the U. S. Fruit Auction Company, proceeded to Washington, D. C. on September 17, 1930 via Pennsylvania Railroad arriving in Washington on the morning of September 18, 1930; that while in Washington they had a conference with Mr. C. C. Teague of the Farm Loan Board about 10 A. M. September 18, 1930, and in the afternoon of the same date they conferred with Mr. Dodd, Assistant to the Attorney General in charge of criminal cases; that this delegation from the Fruit Auction Company returned to Chicago, Illinois on the afternoon of September 18, 1930 via Pennsylvania Railroad; that Mr. Irrgang attended an auction at noon on September 19, 1930, and returned from this auction at 27th and Ashland Avenue to the South Water Market with Subjects MANNY SCHRAIBERG and TONY ROMANO in Schraiberg's automobile.

Mr. Mills stated that Donald D. Conn, representative of the Chicago Vineyardists' Association, San Francisco, California was in Washington, D. C. during the visit of the Chicago delegation from the Auction Company and Mr. Mills believes that Mr. C. C. Teague of the Farm Loan Board may have informed Mr. Conn of the Chicago delegation of the Auction Company's visit to Washington, D. C., and that Mr. Conn notified Mark T. Adamson that the Auction Company representatives were in Washington to confer with Mr. Teague. Mr. Mills stated that he believes that Mr. Conn is not to be trusted in the juice grape investigation because when Mr. Conn visits Chicago he always contacts with Mark T. Adamson, a Chicago broker, who has been linked up in 1929 with Joe Farrara who conducted the juice grape racket at the Chicago and North Western Railway tracks and who is now believed by Mr. Mills and the other officers of the Auction Company to have the same connection with Subjects in this case. Mr. Mills stated that he believes that Adamson is in close touch with Mr. Conn and that Adamson has notified the Subjects in this case regarding the Auction Company's delegation's visit to Washington, because Joseph P. Scanlon, the representative of the Southern California Fruit Exchange, informed Mr. Mills upon his (Mills')

return from Washington that Hank T. Ahmann had told the Secaloa ... that he knew Mills had been in Washington to consult [illegible] Farm Loan Board.

Mr. Mills stated that early in [illegible] Auction Company agreed to pay Joe Ferrara $20.00 [illegible] of juice grapes that had been sold at the auction on the [illegible] North Western Railway "juice grape" track and that the [illegible] had agreed not to sell any more grapes on [illegible] consideration of this agreement not to sell any more juice grapes at the North Western Railway track, Mr. Mills stated Joe Ferrara had promised not to interfere with buyers at the other three tracks in Chicago, Ill. where juice grape cars were opened and sold to buyers at retail. Mr. Mills stated that no juice grape cars were sold by the Auction Company at the Chicago and North Western tracks after this agreement was made with Joe Ferrara, and that at the end of the season the Auction Company paid a check of $1360.00 on 68 cars at a rate of $20 a car for all cars which had been auctioned by the Auction Company at the Chicago and North Western tracks, prior to the making of this arrangement by the Auction Company with Joe Ferrara. Mr. Mills stated that the U. S. Fruit Auction Company have arrangements with the Chicago and North Western Railway, the Rock Island Railroad and the Santa Fe Railway whereby juice grape cars can be transferred from the yards of these various railroads to the Chicago Produce Terminal in Chicago, which is operated by the Auction Company to be sold at auction and afterwards returned to the railroad yard of the company for unloading; that the Santa Fe Railway also has an arrangement by which juice grapes may be auctioned at the Santa Fe yard instead of sending it to the Chicago Produce Terminal to be sold by the Auction Company.

Mr. Mills stated that this year during the juice grape season, that the Auction Company intends to conduct auctions of juice grapes in carload lots only at the Chicago Produce Terminal, at 47th and Ashland Ave. Chicago, Illinois.

Mr. Mills stated that a car of juice grapes contains some 1040 to 1200 lugs or packages.

Mr. Mills gave Agent the following letter on the juice grape situation which he had received from the Pioneer Fruit Company, Los Angeles, Cal. which company Mr. Mills represents in Chicago, Ill.

It would not do any good to write to the California Grape Control Board as they have not yet completed their organization in California. All growers will be required to deliver their grapes to the Control Board at stabilized prices, both table and raisin grapes. With this money from the Government, the Control Board is now buying 200,000 tons of Muscats, Thompson Seedless and Sultanas. This is what is supposed to be the purchase for the season of 1930. Net prices being paid by the Control Board are as follows:

Sultana	@ $5.00	per ton for substandard quality
"	6.00	" " 50% substandard quality
"	7.00	" " standard quality
100% substandard Muscats and Thompsons	@ $4.00	per ton
75% " "	"	6.00 " "
50% " "	"	7.00 " "
25% " "	"	8.00 " "
Standard and better		9.00 " "

The above prices are net to the grower on the vine as he does not have to pay picking charges or other assessments made by California Vineyardists Association. Might add for your information that there is considerable difference between a net price on the vine and a U. S. No. 1 grade as the grower who picks his grapes takes all changes on rain, weather conditions, etc.

The Control Board is now buying from 30,000 to 40,000 tons of Black Juice Grapes at $17.50 per ton f.o.b. different points in California. This price includes the stabilization dues and C. V. A. assessments. Thus the net to the growers is practically $15.00 per ton.

The surplus bought by the Control Board will be mainly used by the Associated Fruit Industries for Grape Concentrates, Jellies, etc., and is not supposed to compete in any way with the fresh grapes shipped to eastern markets. It is figured after you take into consideration the amount of grapes being bought by the Grape Control Board, that eastern shipments this year will not exceed the light shipments of 1929, and is estimated by varieties as follows:

Thompson Seedless	- Not to exceed	5,000 cars
Muscats	- " " "	8,000 "
Tokays	- " " "	7,000 "
Emperors	- " " "	5,000 "
Black Juice	- " " "	25,000 "
Malagas	- " " "	5,000 "
TOTAL		55,000 cars

44

at this particular time, the whole plan is beginning to function fairly well. However, it is [illegible] will have to wait about another week to find out the exact [illegible] control this organization will have over the loading of cars [illegible] eastern shipment.

In view of the fact that their total shipment of grapes in California will probably be about 14,000 cars less than the [illegible], and 1,000 or 2,000 cars less than last year.

During the balance of the investigation contained in this report Agent was accompanied by Special Agent Albert Miller of the Chicago office of the Bureau.

Agents re-interviewed Mr. E. E. Mills of Mills Bros. at his office at 1440 South Racine Avenue, Chicago, Illinois, for the purpose of ascertaining who owned title to juice grape cars sold in the Chicago market, either by public sale or auction. Mr. Mills stated that in all cases of private sale or by auction, that the title remains in the hands of the shipper until the car is sold; that when the shipper in California delivers the car to the railroad he retains the bill of lading and that this bill of lading is not delivered to the buyer of the juice grapes unless there is a question of recovery from the railroad for damages to the contents of the car. Mr. [illegible] further stated that the following is an example of how a shipment is handled on a freight car of juice grapes:

Frank H. Buck Company, San Francisco, Cal., a shipper of juice grapes, ships a car in the name of Frank H. Buck Company, care of Mills Bros. Chicago, Illinois, representative for Frank H. Buck Company. Frank H. Buck Company has on file with all railroads shipping fruit from California, a blanket order for the said railroad to deliver cars routed over its line to the representative of Frank H. Buck Company in the various cities. The juice grape car shipped by Frank H. Buck Company on arrival at Chicago, Illinois is handled by Mills Bros. in accordance with instructions received by telegram from Frank H. Buck Company. According to these orders Mills Bros. either sells the car in the Chicago market or diverts it to another city. When the car is sold by Mills Bros. in Chicago, Illinois, Mills Bros. deducts the freight, icing and other charges from the purchase price and deposits Mills Bros. check for the balance in the checking account, in a Chicago bank, of Frank H. Buck Company. The cars sold by Mills Bros. are not opened except for inspection until the purchase price has been paid to Mills Bros.

Mr. Mills stated that the U. S. Fruit Auction Company charges 1% on the gross purchase price received on each car of juice grapes

45

and this percentage is deducted from the purchase price paid by the buyer; that the Auction Company also charges [illegible] on all juice grapes sold by the Auction Company [illegible] is a terminal charge for handling the [illegible]

Agents [illegible] Mr. Irrgang [illegible] ascertain from him the title of juice grapes [illegible] Mr. Irrgang stated that on private sales of juice grapes [illegible] in California bills the car to his representative in Chicago in the name of the shipper; that the bill of lading remains in possession of the shipper; that the shipper gives the railroads a blanket order to deliver all cars sent by the shipper to the shipper's representative in Chicago who has the right to sell it or divert it according to orders received from the shipper; that after the car is sold by the representative he pays the freight and other charges, deducts his brokerage fee and remits the balance of the purchase price to the shipper in California, either by wire or by draft to the shipper's credit in a Chicago bank.

When a juice grape car is placed for sale at the U. S. Fruit Auction Company for auction, the car is consigned to the U. S. Fruit Auction Company by the representative of the shipper the day before the car is to be auctioned, and immediately after the sale is consummated on the auction, a delivery order is given by the Auction Company to the buyer. After the purchase price has been paid by the buyer to the Auction Company, the Auction Company on receipt of the purchase price from the buyer, deducts the freight and other charges, such as icing, demurrage, etc. and deducts the auction charge of 1½ for selling the car, and then draws up a check for the remainder of the purchase price, either in the name of the shipper's representative or to the shipper, according to the instructions received when the car was placed on sale at the auction. Mr. Irrgang stated that while the cars are consigned to the Auction Company for sale, yet the title to the contents to the car remains at all times in the shipper and that the Auction Company is governed in remitting the proceeds from the sale by the order received from the shipper on each car. Mr. Irrgang gave the following as an example of selling a car of juice grapes at the U. S. Fruit Auction Company:

Frank H. Buck Company, Mills Bros. representative, consigns a car to the Auction Company for account of the shipper. When the car is sold at the auction the auction officials make out a check to Frank H. Buck Company, Mills Bros. representative. The check is delivered to Mills Bros. by the Auction Company and Mills Bros. deposits it to the account of Frank H. Buck Company in a Chicago bank.

Mr. Irrgang stated that 60 cars of juice grapes have already been sold by the U. S. Fruit Auction Company up to Sept. 25, 1930 and that all of these sales have been made at the Chicago Produce Terminal track, 27th and Ashland Ave. Chicago, Illinois. Mr. Irrgang

46

further stated that no juice grapes are consigned by shippers in California direct to the packing houses but that all juice grapes sold on quality are consigned by the producing shipper of the shipper on the terminal where the car is to be sold at auction and that up to the time of actual sale the owner of the car or his representative may withdraw the car from the auction and that instead of selling it at private sale or diverting it to some other market.

Mr. Irigaray gave [illegible] a check for $1,920.00, made payable to the order of Joe Ferrara, dated Dec. 26, 1930, signed by the U. S. Fruit Auction Company by Charles W. Irigaray, Vice President and by G. E. Gedding, Treasurer-Secretary, and stated that this check was paid to Joe Ferrara as tribute for 32 cars of juice grapes at $60 a car which were sold by the U. S. Fruit Auction Company at the Chicago and North Western Railway tracks in 1930. This check has been photostated by the Chicago office of the Bureau and the original and three photostatic copies are shipped with Bureau copies of this report, entitled EXHIBIT "A".

Agents according to instructions from the Bureau, met Mr. Donald D. Conn on September 25, 1930 at Fort Wayne, Indiana, on the Liberty Limited of the Pennsylvania Railroad and accompanied Mr. Conn and his assistant, A. J. Day, from Fort Wayne, Indiana to Chicago, Illinois, interviewing Mr. Conn enroute.

Mr. Conn stated that he is the representative of the California Vineyardists' Association and the Fruit Industries, Ltd., with offices at San Francisco, California. Mr. Conn stated that the juice grape crop is raised by the following growers:

California Vineyardists' Association, consisting of about 12700 grower members and 200 shipper members, who together control about 70% of the juice grape crop in the United States.

San Joaquin Growers-Shippers Association, consisting of about 1,000 grower members, who control about 10% of the crop.

California Fruit Exchange, consisting of about 1,000 grower members, who control approximately 5% of the crop.

The remaining 15% of the juice grape crop is raised by various independent juice grape growers in California. The principal ones consisting of the following growers:

A. J. Lucas, Cucumongo, Cal.	700 Acres
Ben Arkalian, Fresno, Cal. and Lerdo, Cal.	3000 "
K. Arkelian, Fresno, Cal.	3000 "
Tracy Waldron, Fresno, Cal.	1000 "

The most important shippers and growers of juice grapes belonging to the California Vineyardists' Association are:

[redacted]

Mr. Conn stated that the California Vineyardists' Association control about 75% of the juice grapes sold in Chicago.

Mr. Conn states that while he represents the California Vineyardists' Association and the Fruit Industries, Ltd., that his salary is paid by the State Chamber of Commerce of California, with an office at San Francisco, Cal., and that the Fruit Industries, Ltd. is owned by the United States Farm Loan Board; that the Fruit Industries, Ltd. have offices at 85 Second Street, San Francisco, Cal; that Mrs. Mabel Willebrandt, with an office in the Investment Building, Washington, D. C., is general counsel of the Fruit Industries, Ltd; that the general sales agent of the Company is Hugh Adams, Pure Oil Building, 35 E. Wacker Drive, Chicago, Illinois and that the office manager of this Company is L. H. Fisher, with an office in the Pure Oil Building, 35 E. Wacker Driver, Chicago, Illinois. Mr. Conn stated that his home is at 325 Hillsboro, San Mateo, California, telephone number San Mateo 1269, and if it is necessary to make an appointment with him, that a telegram sent to L. G. Godt, marked "Personal" to the office of the Fruit Industries, Ltd., 82 Second Street, San Francisco, California, will be forwarded to him by Mr. Godt and arrangements made whereby Mr. Conn may be interviewed.

Mr. Conn stated that he is not on friendly terms with the U. S. Fruit Auction Company at Chicago, Illinois, which Company handles the juice grapes sold by auction in Chicago, and stated that the terminal charge of 3½ ¢ per lug charged by the Auction Company on all juice grapes sold on auction is unnecessary and that this amount should go to the shipper instead of the Auction Company in Chicago, Illinois, and that if the growers could obtain the proceeds of this terminal charge they would be enabled to make a profit on all cars sent to the Chicago auction. Mr. Conn stated that he was a very close friend of Joe Farrara who operated in Chicago in 1929 on the juice grape market and who was killed by gangsters or racketeers in 1930. Mr. Conn stated that as far as he knows Joe Farrara was reliable and honest in all of his dealings.

Mr. Conn stated that [illegible] sold a lot of juice grapes on the Chicago market by private sale in 1929 and that Adamson, if he will talk, can give a true picture of the "juice grape racket" in Chicago at the present time. Mr. Conn upon his arrival in Chicago, telephoned to Mr. Adamson (name illegible) at the Chicago and North Western Railway station [illegible] at which time Mr. Conn's train left for Milwaukee. Agent accompanied Mr. Conn to the Chicago and North Western Railway station and was introduced by Mr. Conn to Mark T. Adamson, who was advised by Mr. Conn to allow Agents to interview him (Adamson) concerning the "juice grape racket" in Chicago, Illinois at the present time. Mr. Conn before leaving Chicago stated to Agents that he does not know what connection Adamson has with the racketeers on juice grapes in Chicago, or who the racketeers are who are trying to gain control of the "juice grape" traffic, but said that he is of the belief that the proposed racket is controlled by the Al Capone Gang.

Agents made an appointment with Mr. Mark T. Adamson to have a conference with Mr. Adamson in the Produce Exchange Building, 1425 S. Racine Avenue, Chicago, on September 26, 1930.

Agents interviewed Mr. Adamson at his office in the above mentioned building on September 26, 1930 and asked Mr. Adamson whether there was an association in Chicago, Illinois of the buyers and brokers of juice grapes. Mr. Adamson stated that there is a Brokers' Division of the American Fruit and Vegetable Shippers Association, of which W. W. McFarland of Riley-McFarland Company, is the president and J. H. Twitchell is the secretary and treasurer. He stated that the brokers composing this Division are as follows:

J. W. Cain Company, Chicago, Ill.
Fry Brokerage Company,
H. D. Rittenhouse,
S. H. Robinson,
McCaffrey Bros.,
Riley-McFarland Company,
Mark T. Adamson Company,
Carroll Bragg Brokerage Co.,
Frank Cleary,
H. D. Boehmer,
C. F. Olson,

Mr. Adamson stated that this Association sent a telegram to the Farm Loan Board under McFarland's signature, complaining about the Terminal charge made by the U. S. Fruit Auction Company on juice grapes sold by the Chicago auction.

Mr. Adamson obtained from Mr. [illegible] the Secretary of the [illegible] Division of the American Fruit & Vegetable Shippers Association, copy of this telegram, which is as follows:

[illegible]

American Fruit & Vegetable Shippers Assn.
Chicago, Illinois

Chicago, Ill., 2/16/29

Mr. C. C. Teague,
Member, Federal Farm Board,
Washington, D. C.

We as an organization composed of the principal distributors of grapes in the Chicago territory representing large California growers and shippers have for months past been endeavoring to secure for our growers and shippers equal rights on an authorized public teamtrack of the Chicago Produce Terminal which terminal is controlled by the Santa Fe and Illinois Central Railroads on which special privileges have been granted to private interests operating as an auction company of which Charles Irrgang, Edward Mills and Charles Godding are the dominating factors refusing equal privileges to our members unless they pay tribute in the form of terminal and auction charges amounting to forty or fifty dollars per car which we are trying to save for our California growers If your Board desires to assist California grape interests we respectfully suggest that you investigate this feature in which you will have our fullest cooperation.

W. W. McFarland, President
CHICAGO BROKERS DIVISION OF THE AMERICAN FRUIT & VEGETABLE SHIPPERS ASSN.

Mr. Adamson gave Agent the following history regarding the juice grape business in Chicago. He stated that before the South Water Market moved to its present location in 1925 that the juice grape business in Chicago was purely a peddling proposition on track; that the intention of the South Water Market was that all cars sold on auction were to be made at the Chicago Produce Terminal track at 27th and Ashland Avenue, and an agreement was made whereby only owners of a unit in the South Water Market Trust would be eligible to unload cars on this track; that three brokers, namely Mark T. Adamson Company, McCaffrey Bros. and Myer Shuman and Company were permitted to buy units in the South Water Market Trust and were to be the only brokers allowed

50

to unload cars at the Chicago Produce Terminal tracks; that in 1926 the U. S. Fruit Auction Company was organized to handle juice grape sales by auction in Chicago, Illinois; that all juice grapes sold by auction were handled at the Chicago Produce Terminal tracks in September 1926, and the other three tracks in Chicago, Illinois during 1926 for the opening deliveries grape cars were placed after the formation of the U. S. Fruit Auction Company; a charge of 3¢ per box gross sales to be paid by the shipper was made on all cars of juice grapes sold by the Auction Company, and in addition to this charge a Terminal charge of 3¢ a package was instituted by the Auction Company, which was paid by the buyer. Mr. Adamson stated that after a car is sold on auction that the Auction Company gives the buyer an invoice showing the price of the car, with a Terminal charge of 3¢ a package added, and that the Auction Company performs no duty in payment of this terminal charge. Mr. Adamson stated that if the Auction Company was prevented from charging a Terminal charge of 3¢ a package on grapes sold on auction that this amount would go for the benefit of the shipper.

Mr. Adamson stated that he believes that Subject TONY ROMANO represents the Al Capone Gang in the attempt to close the Chicago and North Western Railway track to buyers of juice grapes unless they pay a tribute to the racketeer; that Subject MANNY SCHRAIBERG, who has an office on the 10th floor of the Produce Exchange Building, 1425 S. Racine Avenue, Chicago, Illinois, has been placed in charge of the juice grape racket in Chicago and that he is assisted by Subject ROMANO. Mr. Adamson stated he had been informed that ROMANO had been interrogated at the Chicago and North Western Railway juice grape track on Sept. 25, 1930 by investigators from the State's Attorney's Office in Chicago, Illinois, who were accompanied by police detectives of the Chicago Police Department, and an investigator of the Chicago and North Western Railway, regarding the alleged juice grape racket operating on the Chicago and North Western Railway track. Mr. Adamson stated that in 1929 Joe Farrara was the largest juice grape buyer in Chicago, Illinois, but Mr. Adamson emphatically denied that Joe Farrara had intimidated any juice grape buyers at the Chicago and North Western Railway track in 1929 or had received any tribute through the juice grape racket. Mr. Adamson stated that he and Joe Farrara operated a joint account in 1929 for the buying of juice grape cars which were opened at the Chicago and North Western Railway track and peddled out to buyers. Mr. Adamson stated that in 1930 he also sold cars for the Chicago shippers at private sales and that the peddling of grapes from these cars had never been interfered with by Joe Farrara and that buyers had not been intimidated in any way in purchasing grapes from cars not owned by Farrara. Mr. Adamson stated that Joe Farrara had a brother-in-law named Dominick DeMore who was married to Farrara's sister and that Dominick DeMore supplied the money for Farrara to purchase the juice grapes in 1929; that Vincent DeMore, brother of Dominick DeMore, was also interested in the sale of juice grapes at the Chicago and North Western track, but

had no money invested in the deal, that [illegible] was the partner of Farrara [illegible] grape deals and was in company with Farrara when he was killed in June 1930 in Chicago, Illinois. Mr. Adamson stated that in 1930 Joe Farrara or his associates did not get any tribute from any buyers at the Chicago and North Western Railway track or on any other of the three tracks on which juice grapes were sold in Chicago, Illinois and that the juice grape market was open to all buyers.

Mr. Adamson stated that Subject ROMANO has never attempted, as far as he, Adamson, knows to intimidate buyers at the Chicago and North Western Railway track in 1930. He stated that Subject SCHNAIBERG had visited him and had suggested that a juice grape racket be established at the tracks in Chicago where juice grapes were unloaded. Mr. Adamson stated that he was quite opposed to this proposition and prepared a "fake" telegram dated Sept. 10, 1930, supposed to have been sent from Washington, D. C. by Mr. Donald D. Conn to Mark T. Adamson at Chicago, Illinois, and another telegram (fake), dated Sept. 10, 1930, supposed to have been sent from Los Angeles, Cal. by T. H. Pepper of the Pepper Fruit Company to Mark T. Adamson at Chicago, which telegrams are as follows:

COPY

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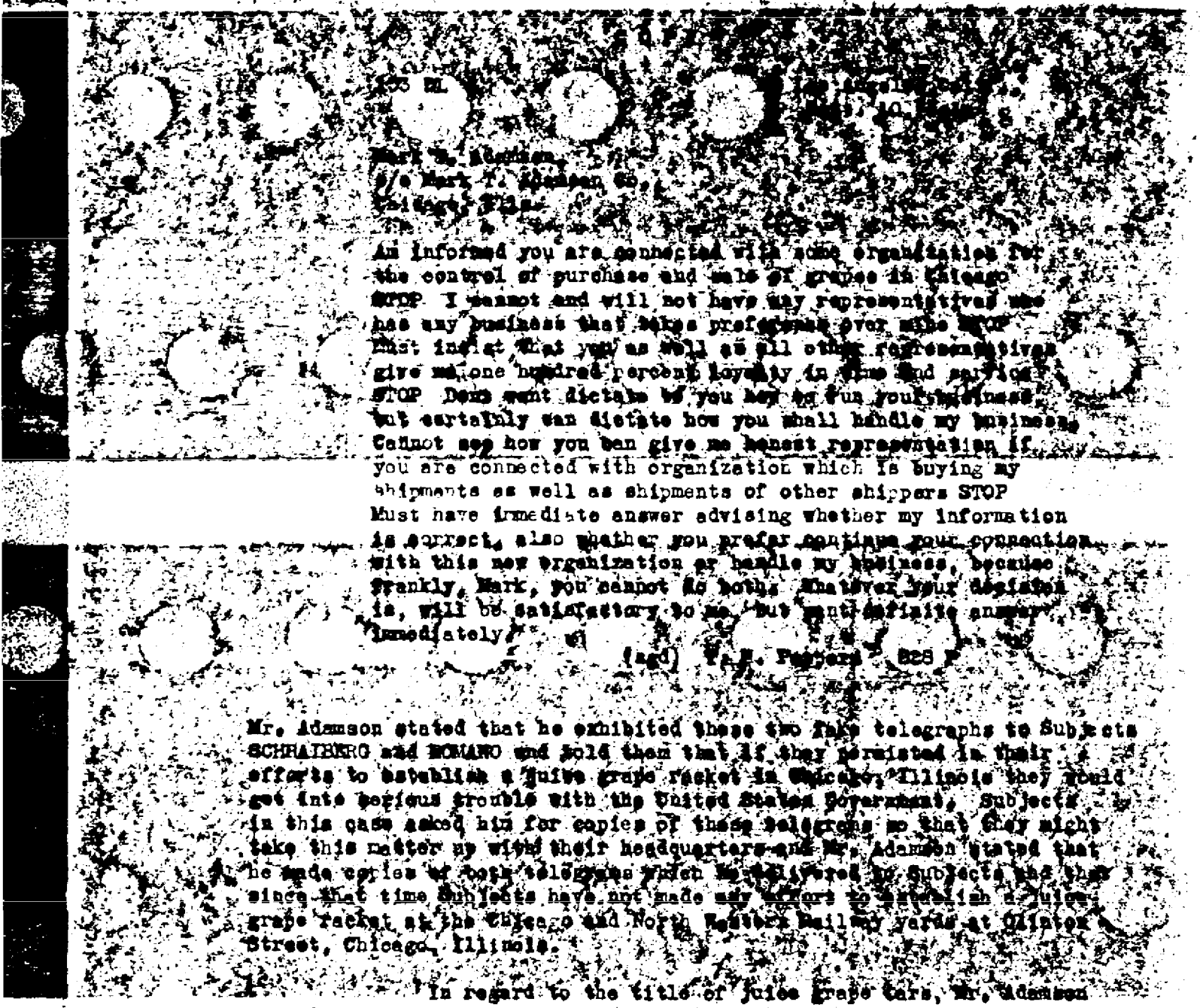
Washington, D.C.
Sept. 10 11 1930

Mark T. Adamson, Personal
[illegible] Adamson Co.,
Chicago, Ills.

Clearing House Control Board wire they are advised there is organization started in Chicago to control purchase and sale of all juice grapes. Do you know anything about this deal or people connected with it. You are aware Federal Government through Farm Board has already put approximately eighteen million dollars into grape relief program through Federal Control Board and are working on plan to put in additional eight to ten millions. We cannot tolerate any organization interfering with free sale and movement of grapes in Chicago or any other markets and if necessary the entire power of United States Government will be used to combat any such organization. If you know people connected with this organization, you will do them favor by conveying this information to them.

(sgd) Donald D. Conn.
714 A

52



Mark T. Adamson,
c/o Mark T. Adamson Co.,
Chicago, Ills.

Am informed you are connected with some organization for the control of purchase and sale of grapes in Chicago STOP I cannot and will not have any representative who has any business that takes preference over mine STOP Must insist that you as well as all other representatives give me one hundred percent loyalty in time and service STOP Dont want dictate to you how to run your business but certainly can dictate how you shall handle my business Cannot see how you can give me honest representation if you are connected with organization which is buying my shipments as well as shipments of other shippers STOP Must have immediate answer advising whether my information is correct, also whether you prefer continue your connection with this new organization or handle my business, because frankly, Mark, you cannot do both Whatever your decision is, will be satisfactory to me but must definite answer immediately

(sgd) T. E. Pepper 828 P

Mr. Adamson stated that he exhibited these two fake telegraphs to Subjects SCHRAIBERG and ROMANO and told them that if they persisted in their efforts to establish a juice grape racket in Chicago, Illinois they would get into serious trouble with the United States Government. Subjects in this case asked him for copies of these telegrams so that they might take this matter up with their headquarters and Mr. Adamson stated that he made copies of both telegrams which he delivered to Subjects and that since that time Subjects have not made any efforts to establish a juice grape racket at the Chicago and North Western Railway yards at Clinton Street, Chicago, Illinois.

In regard to the title of juice grape cars, Mr. Adamson stated that the cars from the Pepper Fruit Company for which Mark T. Adamson Company is the broker and representative in Chicago, are billed by the Pepper Fruit Company to the Pepper Fruit Company, Chicago, Ill, Mark T. Adamson Company, representative; that when the juice grape cars are sold that Adamson pays the freight and other charges, deducting his $25.00 brokerage commission and makes out Mark T. Adamson Company's check to the Pepper Fruit Company, which is deposited in a Chicago bank

53

So Pepper's [illegible] that he [illegible] Company can only [illegible] deposits to this account but cannot withdraw [illegible] checks thereon. Mr. Adamson stated that about 80% of all the [illegible] juice drinks sold at private sale in Chicago, Illinois are made in this [illegible].

DESCRIPTIONS:

The following descriptions of Subjects and Tornatore were furnished by Mr. Adamson:

Name:	Tony Romano.	Manay Behralberg
Age:	35 years.	40 years.
Height:	5'7"	5'6"
Weight:	190 lbs.	160 lbs.
Build:	heavy.	medium
Eyes:	black - squinted.	dark
Hair:	black	black
Complexion:	dark	very dark
Marital status:	married	married, two children
Occupation:	operates soft drink parlor, at corner of Wells and Erie St, Chicago, Ill.	fruit and vegetable broker lives in vicinity of Logan Square, Chicago.
Nationality:	American citizen, speaks good English.	American citizen, speaks good English, was born in Chicago, Ill.
Relatives:	brother, Frank Romano, formerly employed in Internal Revenue Bureau, Chicago, Illinois; has two brothers operating drug stores in Chicago; father operated a saloon in Chicago before prohibition.	Drives big Cadillac car, with wire wheels painted white.
Criminal record:	arrested when a woman was shot in a restaurant at the corner of Wells and North Ave, Chicago, identified the killer and Tony Romano released.	

Name:	Tony Tornatore, alias Tony Butch.
Age:	28 years.
Height:	6'
Weight:	200 lbs.
Build:	heavy.
Eyes:	dark, squinted
Mustache:	smooth face.
Hair:	dark brown
Marital status:	single.

was killed about June 1, 1930. Stanford had left at the same time in the firm. He immediately left [illegible] and [illegible] is unknown. Information there in that [illegible] Spoke English fairly well.

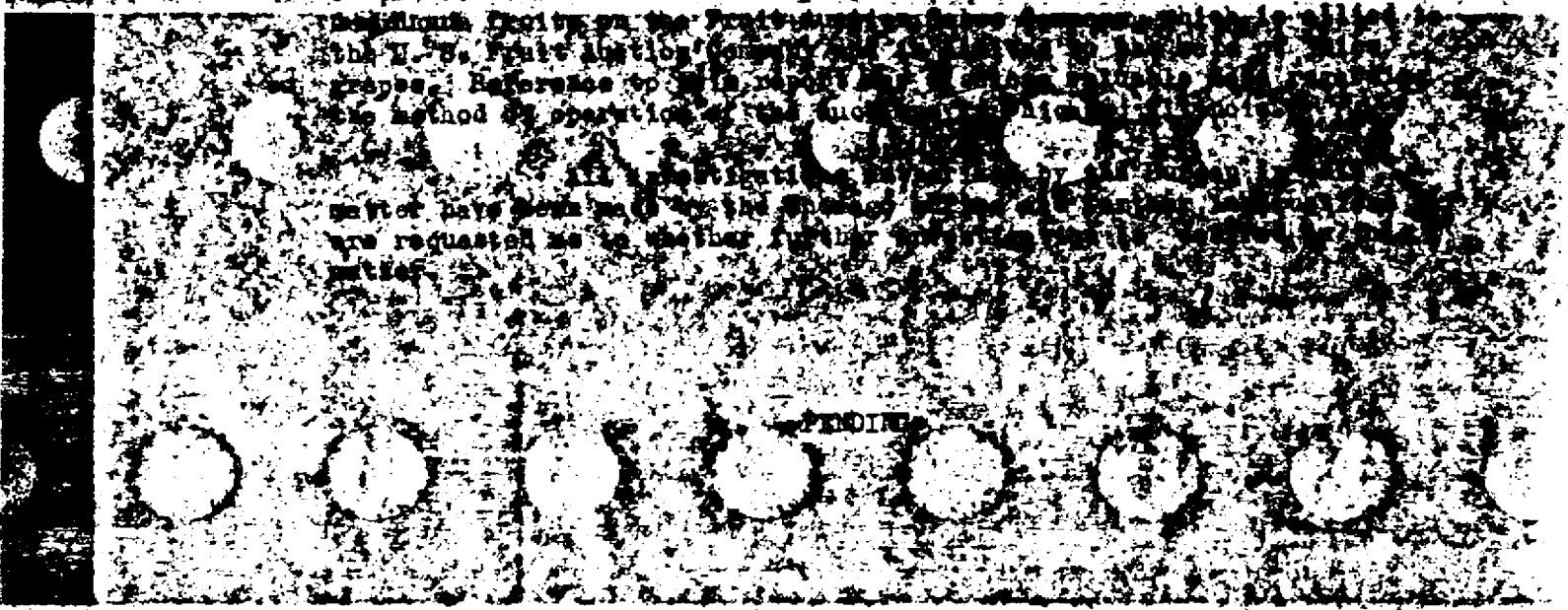
Agents interviewed Charles W. Irrgang, manager of the Michigan Fruit Company, with an office in the Chicago Produce Terminal, who stated that on Sept. 24, 1930 an Italian [illegible] whose first name is unknown to Mr. Smith, was a fruit peddler at the Chicago and North Western Railway tracks, which is all. Smith's office stated that a buyer at the Chicago and North Western track had told Phil that if he wanted to peddle grapes at the Chicago and North Western track that he (Phil) would have to buy the grapes at the price set by the racketeer; that if this gang of racketeers purchased grapes at $1.10 a lug that they would charge him $1.00 a lug, and also told Phil that the buyers of juice grapes at the Santa Fe and Rock Island delivery tracks would have to purchase their grapes from the racketeer and that the gangsters would not allow cars to be opened unless the buyer had previously paid $50.00 a car to the gang. Mr. Smith said that Phil further informed him that while he (Phil) was in the office of a Chicago broker that he heard a conversation in which a buyer stated that he had received $75,000 profit on a year of juice grapes and out of this $75,000 had been obliged to give $50.00 to the "Greek" representing the juice grape rackets. Mr. Smith stated he would attempt to ask this man known as "Phil" again and find out his last name so that "Phil" might be interviewed in this matter. Mr. Smith further stated his firm has not sold any cars of juice grapes at the Chicago and North Western track in 1930 because they fear that if they sell any cars there that personal violence will be done to their employees by the racketeers operating at that track. He stated if he has any cars arriving on the Chicago and North Western Railway juice grape track that he diverts them to the Chicago Produce Terminal where they are sold at auction, and if necessary, then they are diverted back to the Chicago and North Western track for distribution.

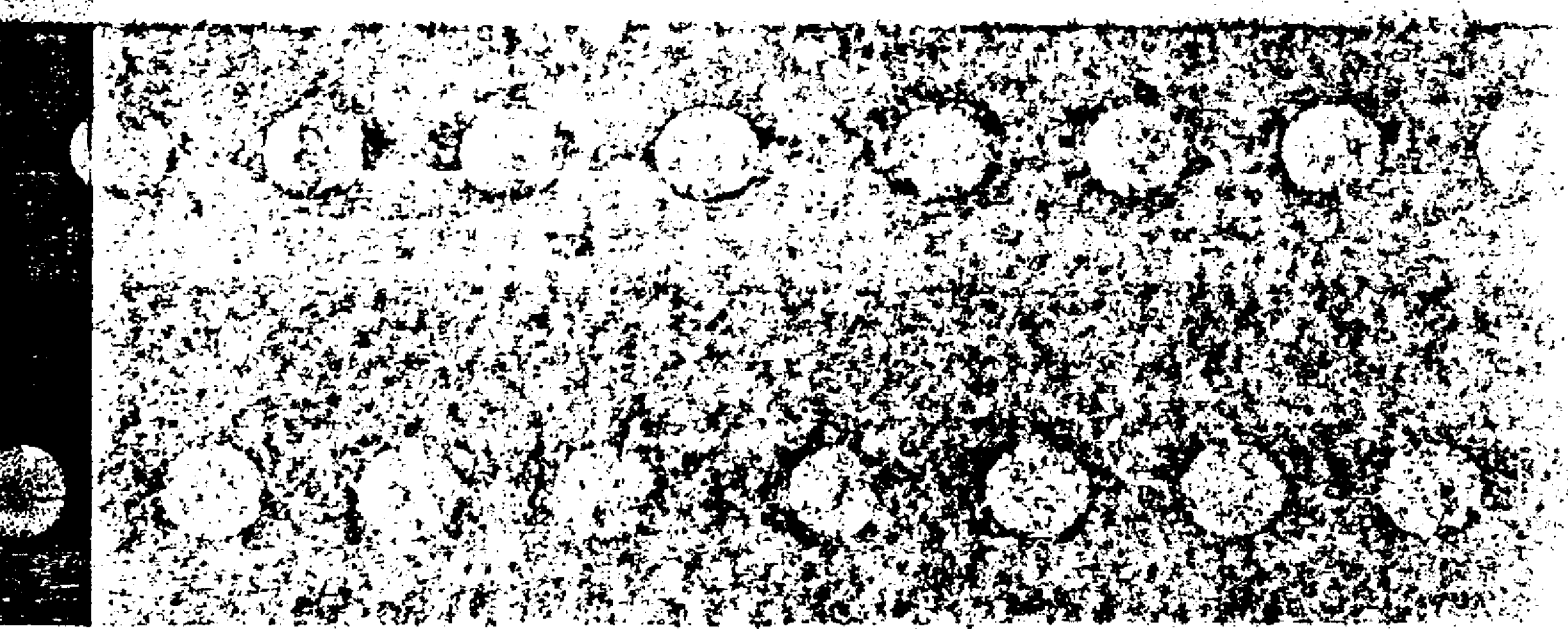
Mr. Charles W. Irrgang gave Agents a copy of a catalog [illegible] on California grapes to be sold by the U. S. Fruit Auction Company, dated Sept. 25, 1930 at the Produce Terminal, 47th and Ashland Ave. Chicago, Illinois. This catalog is attached to the Bureau copies of this report and marked EXHIBIT "B".

Agent R. N. Butterworth in 1929 made an investigation of the Minneapolis and St. Paul Fruit Auctions and in that investigation, entitled - GAMBLE-ROBINSON COMPANY ET AL, Agent Butterworth interviewed Mr. E. E. Mills and Mr. Charles W. Irrgang of the Chicago Fruit Auction Sales Company regarding the method of operating the auction in the sales of fruits and vegetables in Chicago. The method of selling juice grapes

55

on the U. S. Fruit Auction Company is the same as that used in selling



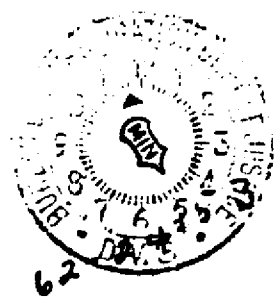


U. S. Department of Justice

Bureau of Investigation

P. O. Box No. 1405,
CHICAGO, ILL.

RECEIVED



October 3, 1930.

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

RE: MANNY SCHRAIBERG;
TONY ROMANO;
JUICE GRAPE INVESTIGATION
ANTI-TRUST MATTER

Dear Sir:

With reference to the above entitled case, it is respectfully requested that this office be advised if it is the Bureau's desire to have further investigations conducted in this district.

Very truly yours,

F. X. Fay

F. X. FAY,
Acting Special Agent in Charge.

FXB-mk

60-166.

for Tony Romano

RECORDED
OCT 10 19

62-24153-17

OCT 6 1930

Div. Three

United States Fruit Auction Company
27TH AND ASHLAND AVE.

Number 628

CHICAGO, DEC 10 192

$360

Pay to the order of

$360

Dollars

TO THE Continental and Commercial National Bank OF CHICAGO Chicago, Illinois. (2-3)

United States Fruit Auction Company

BY

VICE PRES.

TREASURER SECRETARY

United States Fruit Auction Company
27TH AND ASHLAND AVE.

Number 628

CHICAGO, DEC 10 192

$360

Pay to the order of

$360

Dollars

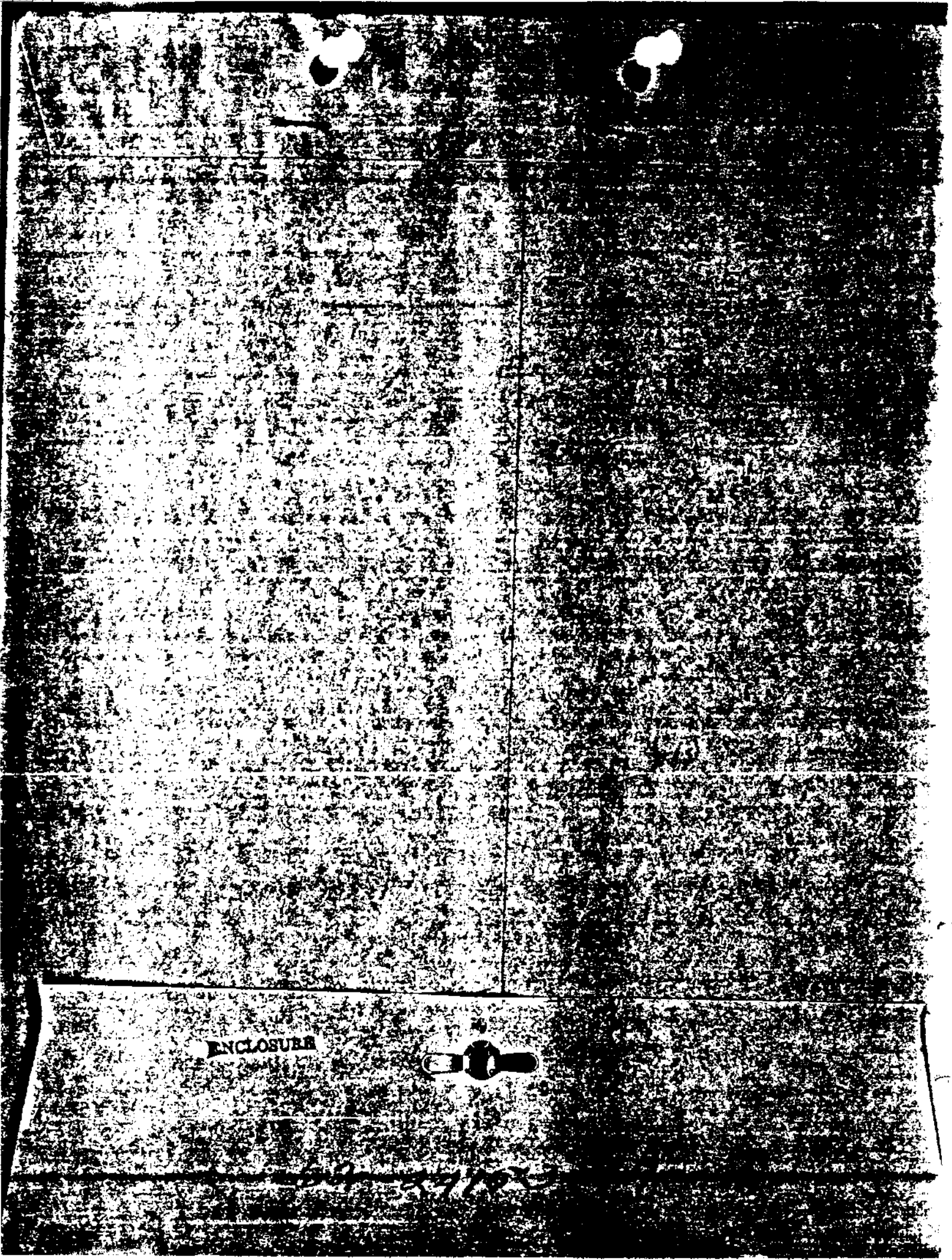
TO THE Continental and Commercial National Bank OF CHICAGO Chicago, Illinois. (2-3)

United States Fruit Auction Company

BY

VICE PRES.

TREASURER SECRETARY


ENCLOSURE



October 4, 1930.

MEMORANDUM FOR MR. ROBERT BORDS,
Acting Head, Criminal Division.

62-24153

For your information, in connection with the complaint received in the Department concerning possible violation of the Antitrust Laws on the part of gangsters at Chicago in interfering with the interstate shipment of juice grapes, there is enclosed herewith, copy of a report of Special Agent R. M. Butterworth of the Chicago Office, under date of October 2, 1930, to which there is attached a photostatic copy of a check in the sum of $1360.00, made payable to Joe Farrar, endorsed by Charles W. Irrgang and C. R. Codding. A copy of this report and enclosures have been transmitted to Mr. O'Brien, the Assistant to the Attorney General, and no further investigation will be made pending his instructions.

Very truly yours,

Director.

Encl. #643361.

RECORDED

62-24153-18
BUREAU OF INVESTIGATION
OCT 6 1930 A. M.

BUREAU FILES DIVISION
MAILED
OCT 4 1930
P. M.

October 8, 1930.

VWH:ANF
RECORDED 82-34153-17
OCT 10 1930

Agent in Charge,
P. O. Box 1406,
Chicago, Ill.

Dear Sir:

Confirming telephonic instructions of the 8th instant, it is desired that further efforts be made to obtain from Mr. Charles W. Irrgang, the reason for the complaint made by him to the Department and later to Agents Butterworth and Miller of your office, with regard to the interstate shipment and sale of juice grapes.

A review of the report of Agent Butterworth, dated October 2, 1930, reveals only that an assessment of $50.00 will be placed on each carload of grapes coming to the North Western Railway Track. It does not appear that any actual assessment has yet taken place. It also seems that Mr. Irrgang is apprehensive as to the duties of the association which, he claims, are now being performed by Mark T. Adamson, but on the other hand, it does not appear that this organization has been consummated. It is, of course, entirely possible that some action has taken place since the original interview with Mr. Irrgang, in view of the fact that this is a great shipping season and no doubt a large number of carloads have been received since the original interview.

The Department is curious to know why the North Western Railway Terminal should be discriminated against in the matter of the shipping and sale of juice grapes. From the report of Agent Butterworth, it appears that that terminal is the only one where assessments have been made against carloads and where the assessment of $50.00 appears to be made. The Department would like to have sufficient facts at hand to be able to determine why this particular terminal is used for the purpose of these assessments, rather than the several other terminals used by the grape shippers and brokers. It is desired that these matters be given your immediate attention and that a report be submitted at the earliest practicable date.

BUREAU FILES DIVISION MAILED OCT 8 1930

Very truly yours,

Director.

61

No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	Oct. 7, 1930	Oct. 6, 1930	ALBERT MILLER

TITLE: MANNY SCHRAIBERG
TONY ROMANO
JUICE GRAPE INVESTIGATION

SYNOPSIS OF FACTS: Charles W. Irrgang has not entered into the deal on behalf of his company with racketeers in Chicago this year to pay them any tribute on juice grapes sold at auction. Claims that Subjects Schraiberg and Romano or their agents are collecting $50 and upward per car from juice grape peddlers at Chicago & North Western Railway terminal, but cannot submit names of anyone paying said tribute; claims reason similar activity has not spread to other juice grape tracks is because news of recent trip to Washington, D. C. by himself and others and move of possible investigation by the Government has become known to gangsters. Chicago office requests instructions as to further investigation.

REFERENCE: Report of Special Agent R. W. Butterworth, dated at Chicago, Illinois, October 2, 1930.

DETAILS: AT CHICAGO, ILLINOIS.

DETAILS: The following investigation was conducted in pursuance to a telephone conversation on October 6, 1930, between Vincent Hughes of Division #3 of this Bureau and Frank X. Fay, Acting Special Agent in Charge of this Bureau office.

Agent Interviewed Charles W. Irrgang at 169 South Water Market, Chicago, Illinois. Mr. Irrgang stated the only definite data he could submit relative to the activities of the racketeers and gangsters

DO NOT WRITE IN THESE SPACES

Dir. Div.

APPROVED AND FORWARDED: F.X. Fay — ACTING SPECIAL AGENT IN CHARGE

62-24153-19

RECORDED AND INDEXED: OCT 9 1930

COPIES OF THIS REPORT FURNISHED TO: 3- Bureau, 3- Chicago

Copies to O'Brien + Caddis 10-11-30

BUREAU OF INVESTIGATION OCT 9 1930 A.M. DEPARTMENT OF JUSTICE

CHECKED OFF: OCT 15 1930

JACKETED:

ROUTED TO: Div. Three

FILE

OCT 8

in Chicago, Illinois in connection with the sale of juice grapes which directly affected the income of the companies in which he is interested. It was agreed information would be submitted to this office and Special Agent Butterworth here, and at this point Mr. Irrgang reported substantially the same data which is reflected in paragraphs 2 and 3 on page 2 of letter dated at Chicago, Illinois, May 22, 1930 from the Chicago Bureau Office to the Director, and also the data which is reflected in the last paragraph on page 2 of the report of Special Agent H. W. Butterworth, dated at Chicago, Illinois, May 8, 1930.

Mr. Irrgang further stated that as a result of not having made any deal with Subject Schraiberg and Romano (who told Mr. Irrgang that they have taken the place of Joe Parrara in the juice grape racket, as representatives of the Al Capone gang) and that because of intimidation by Subjects Schraiberg and Romano or their agents of small dealers who are peddlers of juice grapes, they are not selling as many cars of juice grapes at the auction at the Produce Terminal track, located at 37th and Ashland Avenue as they would sell under normal conditions.

Mr. Irrgang stated that Subjects Schraiberg and Romano are seen daily at the Chicago & North Western Railway juice grape track and their latest activity is that it is reported that they have made a deal with some of the more influential juice grape peddlers to permit these peddlers to open the juice grape cars on track and peddle juice grapes out of the cars only upon the payment to them of a $500 tribute for the entire season. This arrangement applies to peddlers who handle from 85 to 100 cars in the juice grape season. Smaller peddlers are obliged to pay Subjects Schraiberg and Romano or their agents the sum of $50 per car as tribute. Mr. Irrgang stated that the foregoing information comes to him second and third handed and he is not in a position at this time to submit any names or addresses of juice grape peddlers who have actually paid the above named tribute, nor the names and addresses of any persons who have submitted this information.

Mr. Irrgang stated that on Friday, October 3, 1930, an Italian peddler of juice grapes by the name of Frank Zamberdi (whose home address may be 845 W. Lexington Ave., Chicago, Illinois) called at his office and wanted to arrange to purchase juice grapes from the Produce Terminal juice grape track (37th and Ashland Ave.) and submitted as his reasons that these men (meaning Subjects Schraiberg and Romano or their agents) were demanding $50 per car from everyone opening cars

63

at the Chicago & North Western Railway juice grape track and as there was more than the profit he would make on a car of juice grapes he did not want to open any cars on the Chicago & North Western juice grape track this year under those conditions.

Mr. Irrgang reiterated that he knows the $50 and upward per car is being paid as tribute to Subjects Schraiberg and Romano of their agents; that he has obtained this information only from indirect reports and that he cannot submit the names of any car peddlers who have actually paid such tribute.

Mr. Irrgang stated that the reason the racketeers and gangsters appear to confine their activities to the Chicago and North Western Railway juice grape track is because in the past years the Ricillo-Moran Gang concentrated all of their efforts at this particular juice grape track; that it was Joe Ferrera's idea last year to organize the buyers at the other juice grape terminals in Chicago this year, but that he was killed before he could carry this plan into execution. In view of this situation, late in August or early in September of this year the Al Capone Gang placed Ted Newberry in direct charge of the juice grape racket under whom Subjects Schraiberg and Romano formulated plans to organize all of the juice grape tracks by "strong arm and muscling methods". However, due to the fact that information regarding the recent trip to Washington, D. C. by the officials of the U. S. Fruit Auction Company of Chicago (Messrs. Irrgang, Mills and Godding) had leaked out and had reached the Al Capone interests, and that information of a possible Government investigation has reached them, they have temporarily abandoned the plans to expand their activities to the juice grape tracks other than the Chicago and North Western Terminal and are concentrating all of their activities to the latter terminal for the time being.

Mr. Irrgang stated that if a proper interview could be had with a Mr. Butell, who is an employee of the Chicago and North Western Railway in charge of the grapes at the Chicago and North Western Terminal and if he would talk, he could give valuable information, as Mr. Irrgang feels that he (Butell) must be in full possession of all the facts relative to the activities of the racketeers in collecting tribute at the Chicago and North Western Terminal in the past years and knows what has occurred at this terminal this year. Mr. Irrgang is of the opinion that Mr. Butell could submit the names of peddlers who have been obliged to pay the $50 and upward as tribute. Mr. Irrgang stated he knows Mr. Fred Sargent, President of the Chicago and North Western Railway Company and that Mr. H. Beyers, Vice President of the Chicago and North Western Railway Company (in charge of traffic) are anxious and desirous to clean up this situation on the Chicago and North Western Railway Terminal, and that if they were interviewed they would instruct their employee, Mr. Butell who is cognizant of all that is transpiring at the Chicago

and North Western juice grape track; to [illegible]

Mr. Irrgang stated that on Friday, [illegible] the officials of the Chicago, Milwaukee, St. Paul & Pacific Railroad sent their representative, Mr. Casey, who is very active of traffic, to see him. Mr. Casey informed Mr. Irrgang that Mr. Thomas Proctor, Vice President of the Chicago, Milwaukee, St. Paul & Pacific Railroad desired to make an appointment with Mr. Irrgang with a view to discussing the situation regarding the giving of assistance to them to permit the opening and peddling of juice grapes out of cars on their rails, which are adjacent to the Chicago and North Western juice grape tracks. Mr. Irrgang stated that Mr. Casey had informed him that the Chicago, Milwaukee, St. Paul and Pacific Railroad had expended over $100,000.00 to construct a unit of five concrete tracks to be used for the peddling of grapes, but that the Gang (meaning the racketeers and gunmen) at the Chicago and North Western juice grape tracks had prohibited this from being accomplished. Mr. Irrgang stated that he had requested Mr. Casey to furnish him with the names and addresses, and instances of alleged interferances on the part of the racketeers and gunmen, but that Mr. Casey stated that this was impossible because of the fear of the Italians who have been intimidated to give any information.

It is requested that the Bureau issue instructions as to further investigation desired in this case.

- PENDING -

VWR:ECB October 11, 1930.

RECORDED 62-24453-19

62-24453-19

OCT 15 1930

MEMORANDUM FOR MR. HUGHES DOBBS, ACTING HEAD,
CRIMINAL DIVISION

In connection with the so-called Juice Grape Investigation at Chicago, there is inclosed herewith a copy of the report of Special Agent Albert Miller dated October 7, 1930, at Chicago, entitled MANNY SCHRAIBERG, TONY ROMANO, JUICE GRAPE INVESTIGATION.

A copy of this report has been forwarded to Mr. O'Brian, the Assistant to the Attorney General, and further investigation will be dependent upon his advice.

Very truly yours,

Director.

Incl. #139903

BUREAU FILES DIVISION
MAILED
OCT. 11 1930
P. M.

BUREAU OF INVESTIGATION
OCT 13 1930 P. M.
FILE

October 11, 1930.

RECORDED
OCT 15 1930

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. [redacted]

Attention: Mr. Cross

With further reference to the JUICE GRAPE INVESTIGATION at Chicago, there is inclosed herewith, for your information, a copy of the report of Special Agent Albert Miller, dated October 7, 1930, entitled MANNY SCHRAIBERG, TONY ROMANO, JUICE GRAPE INVESTIGATION.

The data included in this report was collected as a result of telephone conversation with the Chicago office on October 6, following advise received from Mr. Cross. It will be noted that apparently the Chicago & North Western Railway terminal was selected by the so-called racketeers as a place of operation. The racketeers were intending, no doubt, to later extend their operations to the other terminals.

It will be appreciated if you will advise whether you desire any further inquiry made, either in connection with the letter received from Mr. Teague, member of the Farm Board, which was sent to you recently, or in connection with the matter as disclosed in the reports of Agent Butterworth and Albert Miller.

Very truly yours,

Director.

Incl. # 139902

BUREAU FILES DIVISION
MAILED
OCT 11 1930
P. M.
DEPT. OF JUSTICE

October 11, 1930.

62 24153

ENTERED
OCT 13 1930 PM

Memorandum re telephone call from Mr. Richey.

Mr.Richey said this man Smith I gave you; we got information from Chicago that he is more or less responsible for the rai[illegible]ing; just got a call from Chicago and you might want to let your people know to put a spot on it; thought maybe your people might be able to get a line on it; they are going to break it on Tuesday; tell your boys to be careful the President is going to make a statement to the press.

Mr. Hoover said he has already taken care of the matter.

MO'B.

62-24153-28
INVESTIGATION
OCT 14 30

OCT 8 1930

Nathan

PATRONS ARE REQUESTED TO FAVOR THE COMPANY BY CRITICISM AND SUGGESTION CONCERNING ITS SERVICE 19014

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.

WESTERN UNION

SIGNS

DL = Day Letter
NM = Night Message
NL = Night Letter
LCO = Deferred Cable
NLT = Cable Night Letter
WLT = Week-End Letter

NEWCOMB CARLTON, PRESIDENT J. C. WILLEVER, FIRST VICE-PRESIDENT

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.

Received at 1416 K St., N. W. Phone National 7100 Br. 80

1930 OCT 15 PM 3 07

W134 21 GOVT COLLECT=BD CHICAGO ILL 15 152P

VINCENT HUGHES=

DEPARTMENT OF JUSTICE=

PLEASE OBTAIN FROM TEAGUE AND WIRE CORRECT NAME AND ADDRESS OF TAGGART REFERRED TO IN EUSTACE LETTER RE JUICE GRAPES=

OSEAS.

LOCATED & INDEXED

OCT 16 1930

Reply 10-15-30

62-24153-21

BUREAU OF INVESTIGATION

OCT 16 330 A

DEPARTMENT OF JUSTICE

Div. Three

WESTERN UNION MESSENGERS ARE AVAILABLE FOR THE DELIVERY OF NOTES AND PACKAGES

62-24153-21
RECORDED & INDEXED

OCT 16 1930

WIR:EDS OCTOBER 16 1930

SAC CLEGG
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
FEDERAL BUILDING
CHICAGO ILLINOIS

ADVISE SPECIAL ASSISTANT OSCAR TRACHE NOT IN TOWN HIS OFFICE
HAS WIRED EUSTACE IN CALIFORNIA FOR CORRECT ADDRESS TRACHEY
STOP EUSTACE LETTER GIVES INITIALS T O TRACHEY WILL WIRE
TOMORROW MORNING UPON RECEIPT WORD FROM TRACHES OFFICE

JOHN EDGAR HOOVER DIRECTOR

62-24153-3

JA

FBI AMP

October 16 1930

M H CLROO
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
FEDERAL BUILDING
CHICAGO ILL

ADVISE OSCAR V C TAGGART EMPLOYED WITH FBY BROKERAGE COMPANY RACINE [illegible]
FOURTEENTH PLACE CHICAGO IN SOUTH WATER MARKET NEIGHBORHOOD

JOHN EDGAR HOOVER DIRECTOR

62-24153

FEDERAL UNION

62-24153-22
BUREAU OF INVESTIGATION
OCT 16 1930
DEPARTMENT OF JUSTICE
FILE

RECORDED

OCT 16 1930

VHB:AM October 15, 1930.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. O'BRIAN

62-24153

Pursuant to your request for the assignment of Agents to assist Mr. Cocas at Chicago on the Juice Grapes Investigation, I desire to advise that Special Agent D. DiLille of the Pittsburgh office of this Bureau has been ordered to immediately proceed to Chicago and will meet Mr. Cocas there today. Arrangements have also been made with the Chicago office to have available two Agents additional to Agent DiLille for the service desired by Mr. Cocas. Special Agent Albert Miller, who has previously made investigation of the case, will also be available to inform Mr. Cocas of any additional developments.

Very truly yours,

Director.

RECORDED

62-24153-23
BUREAU OF INVESTIGATION
OCT 16 930 A M

BUREAU FILES SECTION
OCT 15 1930
P.M.

JOHN EDGAR HOOVER
DIRECTOR

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

RECEIVED

October 16, 1930

MEMORANDUM FOR THE DIRECTOR

OCT 17 1930 AM

62-24153-3

On the afternoon of the 15th instant, a telegram was received by the writer from Special Assistant to the Attorney General Oseas at Chicago, requesting that contact be made with the office of Mr. Teague, member of the Farm Board for the purpose of ascertaining the correct name and address of one Mr. Taggart, mentioned in a letter addressed Mr. Teague by Mr. Eustace, which letter had been forwarded to the Bureau some days ago by Mr. Teague.

I communicated with Mr. Teague's office and ascertained that he was out of town but learned through his Secretary that he probably had no personal knowledge of the address of Mr. Taggart. His Secretary, however, agreed to telegraph Mr. Eustace in Calif. and to advise this office promptly upon receipt of a reply. In the meantime, a telegram was forwarded to the Chicago office, advising that Taggart's initials were V. C. and that efforts were being made to learn his address.

This morning Mr. Teague's office called by telephone and stated that a reply had been received from Mr. Eustace, stating that Mr. Taggart's correct name was V. C. Taggart and that he was employed by the Fry Brokerage Company on Racine Avenue, 14th Place, Chicago in the south water market neighborhood. This information was promptly telegraphed to the Chicago office.

Respectfully,

V. W. Hughes.

RECORDED 62-24153-24

OCT 16 1930

JOHN EDGAR HOOVER
DIRECTOR

C O

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

October 20, 1930.

MEMORANDUM FOR THE DIRECTOR

The attached letter from the Chicago office in the matter of DANNY SCHRAIBERG, TONY ROMANO, JUICE GRAPE INVESTIGATION, describes the plan of investigation tentatively adopted at the time Mr. Oseas was at Chicago. This morning Agent Fay called me by long distance and advised that Agents Little and Miller had conferred with Charles Irrgang and perfected arrangements whereby a carload of grapes would be "knocked down" to Agent DiLillo under an assumed name. This transaction would require no transfer of money. However, Irrgang would furnish a cashier's check for $600 to be used by DiLillo to pay the freight on the car amounting to 500 odd dollars and to defray the expected racket charge of $50.00. The returns of sales will be placed in the bank by Agent Fay and later surrendered to Mr. Irrgang.

Upon receipt of information from Agent Fay, I advised Mr. Oseas, who in turn later saw Mr. O'Brian and has now requested that we proceed with the investigation as planned. Consequently, I have prepared the attached wire authorizing the Chicago office to proceed.

Agent Fay has been advised that the Bureau is desirous of having Agent DiLillo return to his headquarters at the very earliest practicable date.

Respectfully,

W. W. Hughes.

62-24153-25

RECORDED

74

C O N

U. S. Department of Justice

Bureau of Investigation

P. O. Box No. 1405,
CHICAGO, ILL.

62-0-24153-15

October 17, 1930.

OCT 20 1930 AM

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

RE: MANNY SCHRAIBERG; TONY ROMANO;
JUICE GRAPE INVESTIGATION;
ANTI-TRUST MATTER

Dear Sir:-

Pursuant to telephonic instructions received from Mr. Vincent Hughes on October 13th and 14th, 1930, Agents Albert Miller, M. T. Little and D. DiLillo conferred with Special Assistant to the Attorney General, Mr. I. B. Oseas, who arrived at the Chicago Bureau Office on the morning of October 15, 1930 at 9 A. M. The investigation conducted by Mr. Oseas and the above named Agents will be covered in the form of a report which will be submitted shortly.

During Mr. Oseas' visit he informed the writer that he desired Agents Little and Miller to interview approximately twenty persons, all located in the city of Chicago, and engaged in various phases of the juice grape business, and such other persons having useful information, which interviews with the foregoing may disclose. It was Mr. Oseas' idea to obtain, if possible, signed statements from all persons interviewed, and he was informed that the Chicago Bureau Office would make every effort to comply with this request.

As a result of the conference had by Mr. Oseas with Mr. Charles Irrgang, Mr. Oseas decided that Agent DiLillo could be used to advantage in conducting an under-cover investigation. The present plan is to have Agent DiLillo purchase a carload of grapes and sell them at the juice grape terminal of the Chicago & North Western Railway. It is expected that shortly after Agent DiLillo becomes engaged in the above business he will be approached and either requested to discontinue or contribute a certain amount of money for the privilege of conducting his juice grape business at the North Western Railway terminal. Mr. Oseas suggested that prior to the entrance of Agent DiLillo into this business that he (DiLillo) visit the various terminals where juice grapes are being sold and also the Auction for the purpose of becoming acquainted with the

RECORDED 62-24153-25

COPIES DESTROYED
120 JUL 27 1954

Wire Chicago 10/29/30

manner in which the juice grape business is conducted. Mr. Oseas also requested that Mr. DiLillo should not become engaged in the juice grape business until October 20, 1930, at the earliest, as he (Oseas) wanted to talk this matter over with the officials of this Bureau.

Mr. Oseas had no definite suggestion as to the manner in which Agent DiLillo's business would be financed. However, he stated in substance that Mr. Irrgang would finance this proposition, but had no information as to the details concerning same. Mr. Oseas was also undecided as to whether it would be best to have Agent DiLillo deal directly with Mr. Irrgang, or through an intermediary.

On the afternoon of October 17, 1930, the writer had a telephonic conversation with Mr. Charles Irrgang, at which time the latter informed the writer that he had knowledge that Agent DiLillo was the man who would be used under cover in this investigation. This would seem to indicate that since the writer's conversation with Mr. Oseas, the latter has informed Mr. Irrgang as to the identity of the man to be assigned under cover. While talking to Mr. Irrgang definite information was obtained concerning the manner in which Agent DiLillo would operate. Mr. Irrgang suggested that Agent DiLillo should "get next to one of the boys buying grapes at the Auction and request him to purchase a carload for him"(DiLillo). Mr. Irrgang stated that possibly it would be necessary to pay a small fee for this service,- probably fifteen to twenty-five dollars. He informed the writer that carloads of juice grapes were selling for approximately $1,000. He stated that he was ready and willing to furnish the necessary financial backing for Agent DiLillo's business venture, and related that the money obtained by Agent DiLillo, as a result of his selling a carload of grapes, could be delivered to an agent of this office, and in turn given to Mr. Irrgang. Mr. Irrgang stated that he was not interested as to whether or not the juice grapes could be sold at a profit by Agent DiLillo.

At the time the writer conferred with Mr. Oseas, prior to his departure from Chicago, Illinois, he stated he expected to return to Chicago about November 5th or 6th, 1930. He requested that he be immediately notified when Agent DiLillo enters the juice grape business, and further, that he be kept advised as to any unusual events which may arise therefrom. The writer advised Mr. Oseas that the Bureau would be promptly advised should any unusual developments occur in this connection.

16

Mr. Oseas also suggested that, if possible, Agent DiLillo pay tribute on two or three occasions, as demanded, and suggested that corroboration, if possible, be obtained in all instances where Agent DiLillo is approached by any person or persons engaged in interfering with the sale of juice grapes at the North Western terminal. At this time it is the intention of the writer to have Agents DiLillo and Palmera (the latter, it being advised, will report to this office for assignment on October 18, 1930) go into the juice grape business on a partnership basis in an effort to obtain the corroboration desired by Mr. Oseas.

The substance of the foregoing information was related to Mr. Vincent Hughes by long distance telephone on the afternoon of October 17, 1930, and as per instructions received at that time, this office will suggested that Mr. Irrgang draw a check in the amount necessary for the purchase of a carload of juice grapes, which will in turn be converted by this office into a cashier's check and used at the time the carload of juice grapes is purchased. Mr. Irrgang's check will be drawn in a sufficiently large amount to include the fee which may be charged by the person purchasing the juice grapes for Agent DiLillo, and also to cover the $50 tribute, which it is thought may be requested. Both of the latter transactions, of course, will have to be paid in cash, and this cash will be obtained as change at the time the cashier's check above mentioned is tendered in payment for the carload of juice grapes. Inasmuch as Mr. Oseas desires that Agent DiLillo pay tribute, if possible, on two or three occasions, the foregoing procedure will be repeated as often as is necessary. It is also Mr. Oseas' idea to pass marked money at the time the last tribute is exacted and immediately thereafter have the person or persons exacting such tribute taken into custody. Nothing definite, of course, can be decided upon this phase of the case at the present time, as it is not known what circumstances will arise in the course of the investigation. However, you may rest assured that the Bureau will in no way be embarrassed by the action taken by the Agents assigned to this matter.

Agents DiLillo and Palmera will be duly impressed with the fact that they are to do nothing which may form the basis for a defense of entrapment at a subsequent date.

77

The writer has endeavored to lay before you the present status of the foregoing investigation and if anything in the aforementioned plan of procedure does not meet with the approval of the Bureau, or if the Bureau desires to issue further instructions with respect to the conduct of this investigation, same will be greatly appreciated by this office. This office will endeavor to keep the Bureau constantly informed as to further developments, as they arise, in this investigation.

Very truly yours,

F. X. FAY,
Acting Special Agent in Charge.

FXF-mk

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Period of 30 1930

OCT 21 1930 PM

OCT 21 1930

M H CLEGG
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
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CHICAGO ILLINOIS

YOUR
PLAN DESCRIBED/LETTER SEVENTEENTH AND PHONE CONVERSATION WITH HOOVER TODAY APPROVED

JOHN EDGAR HOOVER DIRECTOR

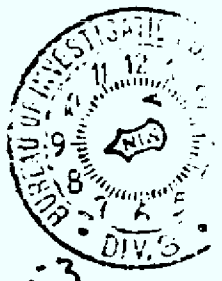
62-24153

U. S. Department of Justice

Bureau of Investigation

CHICAGO, ILLINOIS
P. O. Box 1405

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62-24153

OCT 20 1930

October 17, 1930

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

Dear Sir: Manny Schraiberg; Tony Romano; Juice Grape Investigation- Anti Trust

There are transmitted herewith two photostatic copies of editorial page of the Pacific Rural Press, San Francisco, California, dated October 11, 1930.

Attention is respectfully invited to the editorial appearing under the caption "Chicago Racketeering and California" and to the statements therein contained which relate to the investigation now in progress in this office in connection with the above entitled matter. The enclosures are submitted for the attention of the Department.

Very truly yours,

F. X. FAY, Acting
Special Agent in Charge

MTL/DD
60-166

OCT 24 1930

62-24153-26

OCT 20

Ack 10/24/30

PACIFIC RURAL PRESS

CALIFORNIA FARMER

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MARGARET [illegible]	Milk Sales

Chicago Racketeering and California

"THE [illegible] Al Capone [illegible] gave the [illegible] a real racketeering atmosphere [illegible]

[illegible] Paul and Chicago"

[illegible] Pacific Rural Press [illegible]

[illegible] racketeering [illegible] California

[illegible] [illegible]

And likely the drayage rolls also include some racketeering charges.

And doubtless there are many halls other than those.

Seems to need a little attention, does it not?

* * *

THE Chicago Daily News of September 22 has a very interesting story about Al Capone and his racketeering government of Chicago.

The article uses many names, both of racketeers now dead or likely to be, and of Hoyne, Lyman and collateral characters.

It introduces Chief Detective Alcock with racketeers and whom the police are looking, and apparently the latter is not. The police do not control the racketeers, would seem to be ample by them.

Now, some day with nothing for racketeers, while evidently the newspaper does keep them on the street and talk to them.

Here is a little of the News article. Worth we but space to reproduce all of it.

[illegible] become to the best and [illegible]

[illegible] together, the Hoyne [illegible] [illegible] [illegible]

California

"[illegible] At a meeting [illegible] "[illegible] Chicago [illegible] a lot of trouble," remarks the California

"Was the poor fools, he" got [illegible] dollar[illegible] [illegible] to let [illegible]

He has. Post said [illegible]

Mr. California turns back to introspection of local affairs

And yet it appears that racketeering in Chicago is a local affair for California.

Because the racketeers exact a toll of $60 on every car of grapes sold in the second largest [illegible] in the country.

Because grapes are used for wine making, the racketeers probably figure that California will go on producing in private.

And maybe they don't care if California does stop. But now the racketeers are bigger than the men in power and they may think they are never [illegible]

So the $60 toll on every car of grapes is [illegible] and collected. If you want to sell [illegible] without a little trouble at the racketeering [illegible] you pay it.

Of course the money is collected off the buyer of the grapes, but that means that the producers of the first part pay the toll. The producers of the first part always do. Farmers, "Good Lord, he's only a grape."

* * *

ASIDE the racketeers' toll is not the only one in Chicago, the toll city.

There is a [illegible] switching charge in Chicago which hits many grapes.

Grapes come into Chicago over many lines. They are sorted by the railroads. If they are sold and shipped back to the same railroad over which they came in, well and good, but if it is necessary to switch them to some other line for convenience, the [illegible] depends on the car. H. J. Ballantine, the market chief of California observes these things in a trip around the markets in Chicago.

Just why the $60 switching charge for grapes, while other fruits and vegetables pay only $12.50 a car, no one seems to know. Seemingly no one has troubled much to protest. It would appear to be time to raise a question here.

Obviously, tolls like this and their way back to the grower in the price the buyer is willing to pay.

A toll of $50 for the racketeers, plus a possible $60 switching charge is $110 per car.

Pretty heavy toll on the toll city of Chicago.

[illegible] The [illegible] of [illegible] of a [illegible] with [illegible] [illegible] [illegible]

62-24153-26

VHH:MP

OCT 24 1930

October 21, 1930.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. O'BRIAN

Attention: Mr. Cross,

This will confirm the delivery on October 20th to Mr. Cross of a copy of a letter addressed to this office by Agent F. X. Foy, Acting Special Agent in Charge of the Chicago Bureau office, under date of October 17th, together with a photostatic copy of an editorial from the Pacific Rural Press of October 11th referring to the racketeering in the grape industry at Chicago.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
OCT. 21 1930
P. M.
DEPT. OF JUSTICE

JOHN EDGAR HOOVER
DIRECTOR

C O N F

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

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October 14, 1930.

MEMORANDUM FOR THE DIRECTOR

With further reference to the request of Mr. O'Brian made to the writer on the 13th instant to have Special Agents assigned to cover the Northwestern Railroad Yards at Chicago under cover for the purpose of observing the activities of the gangsters there in collecting tribute from purchasers of grapes, I desire to advise that arrangements have been made to have Special Agent D. DiLillo of the Pittsburgh office at Chicago on the morning of the 15th instant to meet Mr. Oseas of Mr. O'Brian's division who is leaving this afternoon for Chicago. The Chicago office has been advised to have present tomorrow morning Special Agents Little and Scanlon as well as Agent Albert Miller. Mr. Oseas desires to obtain certain additional information from Agent Miller who has previously investigated the case and he may probably use either Agent Scanlon or Agent Little with Agent DiLillo in the Northwestern Railroad Yards.

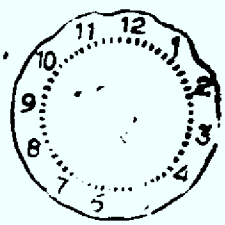
Mr. Oseas plans to have the work in the railroad yards continued for only several days because it is believed that by that time he will be able to ascertain just what is going on at the yards. However, in all probability, he will want the Agents to assist him in making some additional interviews and Agent Albert Miller no doubt will be used for that purpose.

62-24153-27

Respectfully,

V. W. Hughes.

Inv. Ons.



Chicago 10/15/30

OCT 20

Please see that the work in the yards does not extend beyond the period of one week & that the agents on it are then returned to their offices. We don't want another Sapoleski - Poultry case affair.

62-24153-27

WEH:EGB

October 17, 1930.

RECORDED 21

OCT 21 1930

Agent in Charge,
P. O. Box 1406,
Chicago, Illinois.

Dear Sir:

With further reference to the investigation of the Juice Crops situation at Chicago, I desire that you write promptly upon receipt of this letter, advising of all developments to date.

Pursuant to request of Mr. Ocean by telephone on the afternoon of the 16th instant, Special Agent Palmore of New York has been instructed to immediately proceed to Chicago, and will arrive there on the morning of the 18th instant. He is to be used, of course, to accompany Special Agent DeLille. It should be borne in mind that both Special Agent DeLille and Special Agent Palmore are not to remain in Chicago indefinitely on this case. They are assigned there solely to conduct under cover investigation at the Railroad Yards, and it is not contemplated that they should remain at Chicago, particularly in view of the fact that Special Agents Miller and Butterworth at your office are familiar with the case to date, and perhaps by this date Agents Seamlan and Little are also probably fully informed.

I will, of course, confer with Mr. Ocean upon his return to the Department tomorrow, but desire that you keep carefully in mind the fact that Special Agents DeLille and Palmore are to be released at the earliest practicable date, and should not perform any work other than that which specifically requires their type so that the Agents of your office may continue the matter when they are released.

Very truly yours,

Director.

BUREAU FILES DIVISION MAILED OCT 18 1930 P. M.

JOHN EDGAR HOOVER
DIRECTOR

62-24153

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

62-24153-28

RECORDED

OCT 21 1936

October 19, 1936.

MEMORANDUM FOR THE DIRECTOR

Nathan

With further reference to the JUICE GRAPE INVESTIGATION at Chicago, I desire to advise that this morning I had a conference with Mr. Oseas who left Chicago yesterday. Mr. Oseas stated there is no doubt whatever that there is a racket in the juice grape industry at Chicago, that it is controlled absolutely by certain gangsters, that the greater part of the shipment of grapes from the West Coast is routed to the tracks of the Northwestern Railroad, where the disposition of the grapes is entirely under the dominion of Italians. Mr. Oseas stated that he personally visited these tracks on Thursday of last week when there were 160 odd carloads of grapes being sold, that among the many hundreds of people, both sellers and purchasers, he did not see a half dozen persons of other than Italian origin, and had, therefore, concluded that it would be utterly impracticable for anyone other than an Italian to attempt to learn what was going on.

He stated further that he had conferred several times and at length with CHARLES IRRGANG who made the original complaint to the Department, and had discussed ways and means of ascertaining the facts in an effort to take some action. Irrgang advised that it would be utterly impossible to expect any persons engaged in the racket to talk; that several weeks ago a raid had been made by the State's Attorney's office on the Northwestern Railroad tracks and a considerable number of the vendors of grapes had been arrested and interrogated but nothing was learned from any of them. They do not refuse to talk but they know nothing concerning a racket when they are interrogated.

Mr. Oseas stated that Irrgang volunteered to furnish the funds for an Agent of this Bureau to enter into the grape business; that is, to actually purchase a carload of grapes through his (Irrgang's) auction, then to move that car to the Northwestern Railroad tracks for sale by retail by our Agent. Mr. Oseas stated that after discussing the matter with Irrgang and with the Agents at the Chicago office, he had concluded this was the only means of obtaining any information of value and tentative plans had been made along these lines.

Mr. Oseas stated further that he had interviewed the President of the Northwestern Railroad who lent a very sympathetic ear to the complaint and stated that it had been on his suggestion that the raid was made by the State's Attorney's office several weeks before but that the raid had been absolutely futile as far as results were concerned. The President of the Railroad arranged that Mr. Oseas

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would have a conference with the Railroad official in charge of the unloading of the tracks where the grapes are sold. This official talked freely apparently to Mr. Oseas and stated that he knew that the business was absolutely under the dominion of the racketeers but could offer no evidence to support that statement, other than circumstances at the tracks. Mr. Oseas stated that in view of the absolute dominion exercised by the racketeers, it could hardly be expected that anyone would volunterily testify against them. It had been our impression that the racketeers had confined their activities to the tracks of the Northwestern Railroad and while Mr. Oseas confirmed that impression, it was found that the reason for this was that no one would buy from the other tracks so apparently the racketeers have brought about a condition which permits of the purchase of grapes only at the Northwestern tracks where they do have absolute sway.

I inquired of Mr. Oseas what the plans were with regard to the handling of the money which might be furnished for Agent Di Lillo to make the purchase of grapes and account for the return of sales. He stated that that had not been definitely decided upon and requested me to notify the Chicago office to have the Agent see Irrgang again on Monday and perfect these plans. He stated that arrangements had been made to have a further conference with Irrgang after Agent DiLillo had learned something about the grape business at Chicago; that DiLillo has now had Thursday, Friday and Saturday and will have tomorrow, Sunday, one of the biggest days in the grape business at Chicago, to have observed generally how the business was conducted and consequently it would be in order to again see Irrgang and complete their plans. However, DiLillo has not seen Irrgang to date and Mr. Oseas stated that the Agents at Chicago, Agent Fay particularly, had felt that it would be wise not to have Irrgang meet DiLillo or to know DiLillo in any way. I concurred in this view because I believe it would be better for all parties concerned for DiLillo not to deal directly with Irrgang.

Mr. Oseas is to see Mr. O'Brian on Monday morning (Mr. O'Brian is not at the Department today) and will acquaint him with the plans. In the meantime, I have called Agent Fay at the Chicago office, suggesting that Agents Miller and Little see Irrgang on Monday morning and perfect the plans previously discussed but that they should take no action until they had called this office by telephone and had received authority to act. It is contemplated that as soon as they call this office on Monday, Mr. O'Brian will be fully informed and can then state whether he desires to have the plans proceed.

Respectfully,

V. W. Hughes.

TELEPHONE CONVERSATION BETWEEN MR. HUGHES AND MR. FAY, ACTING AGENT IN CHARGE OF THE CHICAGO OFFICE, ON OCTOBER 17, 1930.

Mr. Fay. "Mr. Oseas and Mr. Irrgang had quite a conference concerning the juice grape matter. Mr. DiLillo is going into the grape business. He is to bid for a carload of grapes and the carload will be knocked down to him, after which he is to go to the Northwestern Terminal and endeavor to dispose of that carload of grapes. I asked Mr. Oseas how the arrangements could be carried out to buy these grapes and he said he would take that up with you tomorrow when he gets to Washington. The carload of grapes will cost $1,000.00. Mr. Oseas stated he thought it would be better for Agent DiLillo to associate himself with a man in the grape business and request him to bid for the carload, even though it might be necessary to pay him a $15.00 or $25.00 commission, after which DiLillo can go down to the track himself and sell the grapes."

Mr. Hughes. "How are the grapes to be purchased?"

Mr. Fay "I imagine in cash."

Mr. Hughes. "I think by check would be better."

Mr. Fay. "The only thing is, Mr. Hughes, that he may buy through a second party."

Mr. Hughes. "Yes, I understand the check proposition. Well, of course, that check could be taken to the bank and exchanged for a cashier's check."

Mr. Fay. "Mr. Oseas wants DiLillo to do nothing so far as going into the actual business is concerned until Monday. That will give you an opportunity to talk to Oseas. I thought I would give you this in the meantime."

Mr. Hughes. "I am glad you did."

Mr. Fay. "In the meantime DiLillo is going out and familiarizing himself with the grape business in general, so that when he goes into it he will know something about it."

Mr. Hughes. "I will get in touch with Oseas and will call you up afterward."

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THIS CASE ORIGINATED AT CHICAGO.

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Chicago, Illinois	Oct. 22, 1930	10/15 - 22/30	[illegible]

TITLE: MANNY SCHRAIBERG; TONY ROMANO; JUICE GRAPE INVESTIGATION.

CHARACTER OF CASE: ANTI TRUST MATTER

62-24153-29

SYNOPSIS OF FACTS:

Mr. I. E. Geeas, Special Assistant to the Attorney General, in conference in Chicago with Agents conducting this investigation, recommends plan of procedure by which under cover investigation will be conducted to determine, if possible, the identity of the parties who are alleged to be soliciting tribute from juice grape purchasers at the Chicago and North Western Railway tracks in Chicago, and endeavor to obtain evidence sufficient for an indictment. Officials of the C. & N. W. Ry. interviewed and promise full cooperation. Officials of C. M. St.P. & P. RR. interviewed but express no interest in this matter. C. W. Irrgang, complainant, will furnish carload of juice grapes and defray all expenses necessary to effectuate sale of a carload of grapes by Agents DiLillo and Palmera on C. & N. W. juice grape tracks. Leads Chicago.

DETAILS:

REFERENCE: Letter from Acting Special Agent in Charge F. X. Fay, Chicago, dated Oct. 27, 1930 and Bureau letter dated Oct. 25, 1930.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:		RECORDED AND INDEXED:
F.X. Fay act SPECIAL AGENT IN CHARGE	62-24153-29	OCT 25 1930
COPIES OF THIS REPORT FURNISHED TO: 3- Bureau 3- Chicago	BUREAU OF INVESTIGATION OCT 25 1930 A.M. DEPARTMENT OF JUSTICE	CHECKED: OCT 29 1930 JACKETED:
	ROUTED TO: Div. Three	FILED

7—1223

DETAILS: AT CHICAGO, ILLINOIS

This is a joint report of Special Agents [redacted] and Albert Miller.

Pursuant to instructions received by Acting Special Agent in Charge F. X. Fay on October 13, 1930 from Mr. Vincent Hughes by long distance telephone, Agent Miller inspected the Chicago and North Western Railway Company's juice grape track on the morning of Oct. 14, 1930 from 7 AM. to 8 AM. and observed that no colored help are employed, purchase grapes or congregate at the said juice grape track. All of the peddlers of juice grapes, purchasers and employees at the said track appear to be Italians and are roughly dressed.

On October 15, 1930, Mr. I. B. Oseas, Special Assistant to the Attorney General, arrived at the Chicago Bureau Office and as per instructions from Mr. Vincent Hughes to Acting Special Agent in Charge F. X. Fay, Agents DiLillo and Little, together with this Agent, conferred with Mr. Oseas and plans for the further investigation of this case were considered and outlined by Mr. Oseas. Mr. Oseas stated, particularly, that it would be well at this time to obtain a written statement from Mr. Charles W. Irrgang of 169 South Water Market and from his assistant, Mr. Perry Stern, setting forth in detail all information known to them and the basis of their complaint; that V. C. Taggart, in care of theFry Brokerage Company, Chicago, Illinois, be interviewed; that, if possible, the names of some of the peddlers who purchase juice grapes at the Chicago and North Western terminal be obtained, either from Mr. Irrgang or from other important commission brokers. Mr. Oseas also requested that all pending leads be investigated and that in the event any new leads develop they also be investigated.

This Agent accompanied Mr. Oseas and met Mr. Fred W. Sargent, President of the Chicago and North Western Railway Company, located in room 1400, Daily News Building. Mr. Oseas explained that the purpose of his visit was to obtain the cooperation of Mr. Sargent in arranging an interview with Mr. F. S. Boutel, Assistant Claim Agent of the Chicago and North Western Railway Company, who is alleged to have definite knowledge of overt acts committed by Subjects and others at the Chicago and North Western Railway's juice grape track. Mr. Oseas also requested the Chicago and North Western Railway Company to cooperate with this Bureau in any investigation undertaken in order to obtain evidence of

90

the alleged racket at the Chicago and North Western Railway's juice grape track. Mr. Sargent assured Mr. Osoas that the officials and employees of the Chicago and North Western Railway Company would render full and complete cooperation in this matter, and Mr. William Wallizer, Vice President in Charge of Personnel and Mr. W. C. Johnson, Freight Claim Agent, were called in by Mr. Sargent and were introduced to Mr. Osoas and this Agent. Mr. Sargent instructed Mr. Wallizer and Mr. Johnson to extend their fullest cooperation in the matter under investigation, and a general discussion occurred in which it was brought out that Mr. Sargent and Mr. Wallizer, also Mr. Johnson, had heard rumors of the existence of the alleged juice grape racket at their Clinton Street tracks, but they could not furnish any definite data. Mr. Sargent instructed Mr. Wallizer and Mr. Johnson to arrange a meeting of several of their employees, including V. C. Boutel, in order that Mr. Osoas might interview them. It was also brought out at this conference that the Chicago and North Western Railway Company now have two of their private uniformed men patrolling the Chicago and North Western Railway's juice grape track.

In accordance with arrangements made by Mr. W. C. Johnson, Freight Claim Agent, Mr. Osoas and Agent called at room 1212, Daily News Building, where in addition to Mr. Johnson, the following employees of the Chicago and North Western Railway Company were present:

S. A. Dickson	Special Agent
M. J. Gebhardt	" "
W. A. Jeffery	Inspector of Police
V. C. Boutel	Assistant Claim Agent

Later Mr. B. W. Hoops, Assistant Freight Traffic Manager and Mr. William Wallizer, Vice President in Charge of Personnel, joined the conference. Mr. Johnson requested Special Agent S. A. Dickson to explain to Mr. Osoas and this Agent the scope of a recent investigation which the Chicago and North Western Railway Company had conducted jointly with Sergeants Harry Larson and William Brady, officers of the State's Attorney's office, both of whom work under Lieutenant William V. Dieul.

Special Agent Dickson explained briefly what had occurred recently at the Chicago and North Western Railway's juice grape track, where several independent Italian peddlers, who were suspected of having been "shaken down" or approached by Subjects Schraiberg and Romano, were subpoenaed to the State's Attorney's office and questioned, but were subsequently released after they denied any knowledge of anyone paying

tribute or being approached for tribute by anyone. One copy each of the reports which were submitted by Special Agent Dickson of the Chicago and North Western Railway Company to W. P. Dinneen, Chief Special Agent of the Chicago and North Western Railway Company, were obtained by this Agent from the latter. Mr. Dinneen explained that Special Agent Dickson was the author of the said reports and that he (Dinneen) submitted copies of these reports to this Agent with the strict understanding that the nature of the said information contained therein is to be considered strictly confidential. Photostatic copies of said reports are marked "Exhibits "A" and "B" and are attached to this report.

Mr. Beutel was questioned by Mr. Deeas as to his knowledge of any concrete evidence of any peddlers or buyers of juice grapes paying tribute to Messrs. Schraiberg and Romano or their agents. Mr. Beutel stated that while it was generally rumored that tribute was being paid to Subjects Schraiberg and Romano, he had no definite knowledge of anyone actually paying such tributes. He stated that Subjects Schraiberg and Romano are seen at the Chicago and North Western Railway's juice grape track daily, and that while Subject Schraiberg actually does purchase and sell grapes, it appears that Subject Romano seems to be merely "hanging around" the juice grape track. Mr. Beutel stated that on September 28th, 1930, Subjects Schraiberg and Romano appeared at the Chicago and North Western juice grape track in Subject Schraiberg's Lincoln automobile and that while Subjects Schraiberg and Romano were mingling among the crowd of peddlers and buyers, he (Beutel) observed a man in the Lincoln car with a gun protesting from his belt. Mr. Beutel could not see the man's face, nor did he recognize him from the manner of his dress. Mr. Beutel was of the opinion that the said man with the gun was a drunk Subjects Schraiberg and Romano had picked up. The Chicago and North Western Railway representatives present at this conference were of the opinion that the juice grape racket of collecting tribute from the peddlers had been broken up since the recent raid by the State's Attorney's office and they were also of the opinion that it would not recur again this season.

The matter was discussed as to the possibility of placing a special agent of this Bureau, who had a knowledge of the Italian language, in some position as an under cover operative at the Chicago and North Western Railway's juice grape track, either as an employee of the Railway or otherwise, but the Chicago and North Western Railway representatives stated they did not believe this could be accomplished successfully at this time. However, another plan of action along this line was determined upon. All of the representatives of the Chicago and North Western Railway Company at this conference promised their fullest cooperation in the matter under investigation.

Mr. W. C. Johnson made arrangements by telephone with Mr. Dineen on the following day to see four various juice grape tracks located in Chicago in order that Mr. Dineen might observe the relationship and the layout of the several juice grape tracks in Chicago. On Oct. 16, 1930 Mr. Dineen accompanied Mr. W. C. Johnson, Freight Claim Agent of the Chicago and North Western, on a tour of the juice grape tracks and upon his return Mr. Dineen dictated the following memorandum:

"Pursuant to arrangements made the day before I met Mr. W. C. Johnson, Freight Claim Agent of the Chicago & Northwestern Railroad Company, at his office, on October 16, 1930 at 9 o'clock a.m. Mr. Johnson first took me to the office of Mr. W. F. Dinnen, Chief Special Agent, with whom I discussed the situation in a general way. He also promised us full cooperation.

Mr. Johnson stated to Mr. Dinnen in my presence, that this inquiry was with the cooperation of the president, and that the railroad was to cooperate in every way. Mr. Johnson and I were first driven to the grape juice track of the Chicago & Northwestern Railroad. There we met Mr. F. E. Boutel, Assistant Claim Agent. In order that I might see Mr. Schraiberg, one of the alleged racketeers, Mr. Boutel took us over to a lunch wagon where Schraiberg was eating. Boutel stated that Schraiberg's bodyguard was there at the time, but I did not notice him. There were about 138 cars of grapes on the track. The track stretched for several blocks in three or four lanes. Every car is open for inspection. The buyer's trucks drove up to the cars for loading, and as nearly as I could determine every car was in charge of one or more Italians, and we stopped to look at them, and a number of them offered to sell us grapes.

I had previously requested that Mr. Johnson let me have the names of the consignees of all the cars on the Chicago and Northwestern tracks for the past two weeks. Mr. Johnson made this request of Mr. Boutel, and Mr. Boutel stated freely that there was no doubt that all of the grapes on that track were controlled by Mark T. Adamson.

In this connection Mr. Boutel stated that a short time before he had been with Mark T. Adamson when an Italian whose name he then mentioned, asked to buy some grapes. Adamson asked whether he had seen Romano. When the man said he had not, Adamson sent him to Romano. Thereafter Adamson turned to Boutel and said: "We have a new corporation working this year, and I get all the business on the Northwestern track". Boutel also said that Romano had told him that if the Northwestern interfered with what they were doing, that they (Schraiberg and Romano) would then transfer all of

23

their business to the Chicago, Milwaukee, St. Paul and Pacific R. R. tracks, which immediately adjoined the Northwestern. Beutel had disclaimed any knowledge of the situation, and said that all regulatory work was done by the railroad police. Romano then told him to give that message to the police from him. Beutel had given the message to Dixon, who had then stated (I think he said to Romano, but I am not sure), that the investigation previously conducted had been by direction of the State's Attorney, and that they had no control over it.

I discussed with Beutel and Johnson the statement made by Irrgang, that if he did try to sell grapes at all on the Northwestern track, there would either be a riot or no one would bid for the grapes. Mr. Johnson said that that was precisely what had happened one day last year when Irrgang had tried to sell there; there was not a single bid. The Chicago & Northwestern yard at this point is not particularly inviting. It is paved in brick. The paving has holes in a good many places. At the car drives the boards are loose. After the rain of last night the walk was very muddy. Immediately adjoining these tracks are the newly built runways of the St. Paul R. R. They were built especially as juice grape tracks. They are laid out in concrete and are beautifully white and clean. At the time of my visit the Northwestern was loaded almost to capacity. Mr. Beutel said that he had room for perhaps 35 cars more. There was not a single grape car open on the St. Paul tracks. Mr. Beutel also took occasion to state that it required great diplomacy for him to work at these yards, and that he had already been shot at once.

From that point Mr. Johnson took me to their Wood Street Yards, and explained the way the grapes come in at those yards, and that brokers will sell at those yards to Italians, who, thereafter, have their cars switched to the Clinton Street Yards for peddling.

Mr. Johnson also took me to the produce terminal track near the Santa Fe Yards and showed me the location of the Auction track and the location of the cars for peddling there.

It was arranged with Mr. Beutel that he is to call at my office at 10:00 o'clock tomorrow morning, October 27, 1930.

At Mr. Oseas' request Mr. Charles W. Irrgang of 169 South Water Market, was asked by telephone to call at the Federal Building, where Mr. Oseas interviewed him in the presence of this agent as to the details of his complaint. Mr. Irrgang stated he was certain that the $50 per car was still being paid at the Chicago and North Western Railway's juice grape track as tribute, but he could not submit the names of any of the peddlers who have paid such tribute or who have been approached for payment of tribute. Mr. Irrgang stated that the

news that the Government was investigating the matter had apparently reached Subjects Schreiberg and Romano and their agents, and this had doubtlessly deterred them from extending similar activities to the other juice grape tracks. At this point Special Agent DiLillo was called into the conference and he was introduced to Mr. Irrgang. The matter was also discussed then as to the possibility of placing Special Agent DiLillo as an under cover agent at the Chicago and North Western Railway juice grape track, either as an employee or as a peddler of juice grapes, and Mr. Irrgang thought such a plan would furnish evidence of the exist tence of this alleged racket very quickly. Mr. Osgas left this matter open during this interview with Mr. Irrgang, and Special Agent DiLillo was requested by Mr. Osgas to spend the next several days around the produce terminal and the Chicago and North Western Railway juice grape track in order to become familiar with the manner in which juice grapes are bought and sold by peddlers and the public.

On October 26, 1939, Mr. R. C. Archer, manager of the Chicago office of the American Fruit Growers' Exchange, 1435 South Racine Avenue, was interviewed by Mr. Osgas in the presence of Agents Miller and Little, who stated substantially as follows, concerning the matter of the practices prevailing in the terminals at Chicago with reference to the sale and marketing of juice grapes: Several years ago the Chicago and North Western juice grape yards insofar as the sale of juice grapes on those tracks was concerned was in the hands of Joe Aiello, a well known gangster of Chicago, and his aids. Many carloads of grapes were sold to Aiello direct,-- all of the buyers or peddlers doing business on the North Western track had to pay to Aiello or his representatives, a certain amount of money, ranging from $25 to $50 for the privilege of selling grapes on the Chicago and North Western track. In one sense of the word, this racket, in Mr. Archer's opinion, was a good thing, for one of the results thereof was to exclude independent growers from marketing their grapes at the Chicago and North Western track in competition with growers whose representatives in Chicago did business direct with Aiello and his gang and were under the protection of that gang. Following the regime of Joe Aiello about 1926, Joe Ferrara assumed control of the juice grape situation on the Chicago and North Western tracks and retained control of the juice grape market on those tracks until Ferrara was shot and killed in June 1930. Following Ferrara's death, Tony Romano called to see Mr. Archer and told him that he (Romano) would in the future have charge of the North Western tracks and that he represented Al Capone. Mr. Archer stated he has heard from other reliable sources, which he did not care to disclose, that Tony Romano and his partner, Manny Schreiberg, as well as Fred King and Nathan Rubin, are all members of the Capone gang. Schreiberg, Romano and Rubin all hold themselves out to be representatives of the Northern Fruit and Produce Co.,

816 S. Water Market, and have in their possession, according to Mr. Archer, printed business cards with the name of the above company [illegible] thereon and with their names as representatives thereof.

The visit of Subject Romano to Mr. Irrgang occurred early in September of this year. He told Mr. Archer that he and his gang wanted to work with him and that it would be their purpose not to allow anyone to come in and sell their grapes except on a price in line with competitors. Romano stated he desired to purchase grapes from Mr. Archer and that Freddie King and Manny Schreiberg would do all of the buying. Shortly after the visit of Romano, Mr. Irrgang reported to Mr. Archer that there were some "strong armed men" who came to the terminal yards with guns and threatened a number of the Jewish boys who operated at the terminal yards and told them that if they did not leave that yard and go over to one that was closely adjacent they would be killed. This action, according to Mr. Archer, represented an effort to divert carloads of grapes from the Auction. Mr. Archer stated that it is his understanding that Mr. Irrgang and certain other officials made a trip to Washington, D. C. to lay this matter before the Federal Farm Loan Board, and it is Mr. Archer's opinion that since this visit took place no further efforts towards intimidating buyers have been made by Subjects or their assistants.

Concerning the matter of the question of a tribute of from $25 to $50 per car from peddlers of juice grapes on the tracks of the Chicago and North Western Railway, Mr. Archer stated he has frequently heard that such a situation does in fact exist, but all of his information has come to him in an indirect way and he could not furnish the name of a single individual or peddler who had so stated to him or would be willing to testify that he had been approached and requested or forced to pay money to Subjects for the privilege of selling grapes on the Chicago and North Western tracks. It was Mr. Archer's belief that peddlers are operating at present rather freely on the Chicago and North Western Tracks and that no efforts are, for the present at least, being made to collect tribute from them or to prohibit them from marketing grapes on these tracks. Mr. Archer furnished the names of the following persons who purchase grapes through the American Fruit Growers' Exchange and sell them at the terminals in Chicago:

Carl Catone, who sells his grapes on the North Western tracks; Andrew Catone, who markets his grapes on the tracks of the Santa Fe Railroad; Charlie Barbaro, who markets his grapes on the C. R. I. & P. R. R. tracks; Sam Russo and Vincent DiMori, both of whom market their grapes on the North Western tracks.

Mr. Archer stated that the last named individuals had no office address so far as he was aware, and transacted all of their business at the terminal yards.

Mr. Archer stated also that Joe Mills and a party by the name of Tourino (first name unknown) who are independent growers and shippers, also market their grapes in the Chicago terminals. He does a man by the name of Lachenier, an independent grower who markets his grapes on the tracks of the Rock Island and Santa Fe railroads, and is described by Mr. Archer as the "worst croak in the business".

It was Mr. Archer's information that Mark T. Adamson, broker, sells grapes on all of the tracks, but does the majority of his selling on the tracks of the Santa Fe and North Western.

Mr. Archer stated that the gross profits accruing to a peddler on a car of juice grapes would amount to approximately $1200, out of which must be deducted demurrage and all incidental expenses, so that in the event a peddler were forced to pay a tribute of $50 to a gangster for protection, the net profit which would remain from the sale of a carload of juice grapes would be very small. Mr. Archer confirmed information already of record in this case, that the reason for the removal of the Auction conducted by Mr. Irrgang from the tracks of the North Western Railway to the present site of the Auction was brought about through the efforts of Joe Ferrara in causing a buyers' strike.

On October 17, 1930 Mr. F. C. Beutel, Assistant Claim Agent of the Chicago and North Western Railway, was interviewed by Mr. Oseas in the presence of these Agents and Mr. Beutel was questioned at length by Mr. Oseas concerning the methods employed in marketing a car of juice grapes on the tracks of the Chicago and North Western Railway juice grape track. A copy of the statement furnished by Mr. Beutel and signed by him is attached to each copy of this report, marked Exhibit "C".

On the morning of October 17, 1930, Mr. Oseas conferred with Mr. H. A. Scandritt of the Chicago, Milwaukee, St. Paul & Pacific Railroad, with particular reference to the juice grape situation as it exists on the tracks of the last named Railroad. Mr. Oseas stated that Mr. Scandritt frankly admitted that his Company had constructed a new juice grape track adjacent to the tracks of the Chicago and North Western Railway, for the use of peddlers and buyers in the marketing of grapes reaching Chicago via the rails of the Milwaukee Railroad, but that in spite of the superior equipment and facilities afforded by the Milwaukee Railroad, as compared with those of the North Western Railway, practically all of the business is at present being conducted on the tracks of the Chicago and North Western Railway. Mr. Oseas stated also that Mr. Scandritt did not appear to be interested in removing the source of the trouble and intimated that so long as his Company received its line haul from California they were not concerned with whether or not the peddlers and buyers of grapes used the tracks of the Milwaukee in Chicago to market their juice grapes. Mr. Scandritt stated to Mr. Oseas that

if desired he would have prepared and furnished to this office, a statement showing the movement of grapes via the Milwaukee Railroad consigned to the Chicago market for the entire season of 1930.

On October 17, 1930 this office was advised by Mr. Charles W. Irrgang over the telephone that he had received information to the effect that a press dispatch in a California newspaper contained information concerning the instant investigation, and on the same date the article in question, which is an editorial entitled "CHICAGO RACKETEERING AND CALIFORNIA" appearing on the editorial page of the PACIFIC RURAL PRESS, San Francisco, Cal., dated Oct. 11, 1930, was handed to Agents by Mr. Irrgang and photostatic copies thereof are attached hereto, marked Exhibit "D".

Pursuant to instructions received via long distance telephone on October 18, 1930 from Mr. Vincent Hughes, Washington, D. C., on October 20, 1930 Agents contacted Mr. Irrgang and obtained the details of the plan under which Agents DiLillo and Palmera are to engage in the sale of a carload of juice grapes on the track of the Chicago and North Western Railway. Mr. Irrgang suggested the following plan:

He will select a carload of excellent quality White Muscat grapes and he will set this car apart from other cars on the Auction tracks, and at one of the auctions held at 1 PM. on each day, with the exception of Saturdays and Sundays, will sell the car publicly to one Joe Roman, [illegible] to be used by Agent DiLillo). Agent DiLillo will not be present at the Auction but the transaction will be duly recorded by Mr. Irrgang on the Auction books and a bill of sale will be prepared covering this purchase in the name of Joe Roman and handed by Mr. Irrgang to a representative of this office. Mr. Irrgang will have drawn a cashier's check for $600 to defray the freight charges on the carload of grapes, which will amount to between $540 and $575, the balance of the check to be used for incidental expenses, including the payment of tribute, if and when demanded, and such other incidental expenses, as the hiring of laborers to assist in loading the grapes from the car to the trucks. The handler's check will be converted into cash and the freight charges will be paid by Agent DiLillo direct to the cashier of the Chicago and North Western Railway Company on the juice grape track of that Company, thereafter the car will immediately be opened by Agents DiLillo and Palmera and the sale of the grapes in the car will commence. It is anticipated that prior to, or shortly after the car is opened, the last named Agents will be approached by Subjects or their representatives and a tribute demanded. Should no tribute be sought, the carload of grapes will be sold to retail buyers and another car purchased in the same manner as above outlined.

98

Should demand be made for a tribute, the same will be paid by Agent DiLillo and all information possible with respect to the identity of the parties and the general scheme of collection, which has been employed by Cohen and their agents will, if possible, be ascertained. Mr. Egan suggested even though tribute is demanded and paid at the time of the purchase the sale of the first carload of grapes, it would be advisable to purchase and sell two or three additional carloads of grapes and make payment of tribute two or three times, as demanded, and upon payment of the last tribute, suitable arrangements will be made whereby the money which is passed in payment of the tribute will be marked for identification and the party or parties collecting same taken into custody, in accordance with arrangements which will be perfected as soon as definite course of action in that respect may be outlined.

It should be noted that Mr. Irrgang has stated that he is interested solely in assisting the Bureau in obtaining information of value in this investigation and is not concerned with obtaining a profit on the grapes sold by him to Agents DiLillo and Palmore and in turn sold in retail trade by them to purchasers from the cars. A record will be kept by the last named Agents of all monies collected by them as a result of the retail sales of grapes from day to day, as well as all expenditures made in the course of their business and at the conclusion of each day's sales the money collected during that day will be turned in by them to the Agent in Charge of this office for deposit in a joint account which will be opened by Agents Miller and Little at the National Bank of the Republic of Chicago. The money collected from the sale of the grapes from the car will be paid over to Mr. Irrgang by check from this joint account each day or after the sale of a carload of grapes has been completed, in which ever manner preferred by Mr. Irrgang.

The following investigation has been made by Agent DiLillo to date. In accordance with suggestions made by Special Assistant to the Attorney General, Mr. I. E. Dacus, Agent DiLillo on October 16, 17 and 18, 1930 visited the Chicago produce terminal at 37th and Ashland Aves., and the Chicago and North Western produce tracks at the Clinton and Kinzie Streets yard, for the purpose of acquainting himself with the procedure used in the buying and in the selling of juice grapes. Agent DiLillo ascertained at the Chicago produce terminal that the juice grapes sold at auction are divided into lots, each lot representing a particular railroad car duly identified in a pamphlet prepared and distributed by the

auctioneer and identified by the initials of the railroads and the car numbers.

At the auction sale Agent DiLillo noticed that the vast majority of the buyers were of Jewish abstraction. Italians, however, were seen about and were observed making bids. Agent DiLillo engaged in casual conversations with a number of Italians and learned that the juice grape market in Chicago was very good during the season of 1930; that at present, however, the demand for juice grapes has somewhat reduced due to the fact that the season is almost over, but that never-the-less grapes are sold at a profit of about $100 per carload. Agent DiLillo expressed his intentions to various persons interviewed of engaging in the juice grape business in Chicago. No intimations whatsoever were made to Agent DiLillo that the market in Chicago was infested by the racketeers but that the buying and selling of such a commodity as juice grapes is being conducted freely without any interferences.

Agent DiLillo also visited the Santa Fe Railroad tracks in the vicinity of the Chicago Produce Terminal where a large business is being done in the retail of grapes. Agent DiLillo noticed that persons engaged in the said business in the locality just given, are mostly Jewish and Italian. Inquiries made there brought out the fact that no interferences with the free movement of grapes are occurring on the tracks of the Santa Fe railroad.

At the team track of the Chicago and North Western Railway Company, in the vicinity of Clinton and Kinzie Streets, Agent DiLillo found that the juice grape business there is being conducted by Italians entirely. A number of persons were approached by Agent DiLillo and asked if an outsider could engage in a similar business in the given location. Agent DiLillo was invariably informed that "this is a free country and if you have the necessary money you can do almost everything you want to". Agent DiLillo did not question the meaning of this statement, inasmuch as at the time the inquiries were made, no definite plan had been formulated as to what action was to be taken in that matter.

From inquiries made by Agent DiLillo outside of the team tracks herein referred to, it appears, however, that there was a "gang" engaged in exacting tribute from persons who are in the grape business on team tracks. Information was secured that Ercole Liberatore, who was at one time engaged in a similar business in Chicago, had to discontinue the same due to the pressure brought about by "a gang" demanding of him sums of money for one reason or another. Ercole Liberatore, who is well known to one of Agent DiLillo's acquaintances in Chicago, could not be located.

10

UNDEVELOPED LEADS.

CHICAGO. This office will follow out the plan of the sale of grapes by Agents Willis and Gilmore, as directed by the Bureau.

This office will attempt to locate and interview, if possible, obtain signed statements from the following individuals, all of whom are believed to be purchasers and vendors of juice grapes on the various railroad juice grape tracks at the Chicago terminal, some of whom have permanent office or residence addresses in Chicago, so far as is known: Carl Catone, Sam Russo and Vicent DiMori, all of whom are alleged to sell grapes on the tracks of the Chicago and North Western; also Andrew Catone, who sells grapes on the Santa Fe tracks and Charlie Barbaro, who may be located on the track of the Rock Island Railroad; also Joe Calle and Mr. Lachemier and Mr. Tourtum, the last three being independent growers and shippers who may be located on either the Rock Island or the Santa Fe tracks; also Nick Pandoleo, A. Martini, Ray Teiello and his brother (first name unknown), as well as Carlo Shitoma, independent growers and dealers, who may be found on any of the terminal juice grape tracks.

This office will also interviewed Mr. W. S. Taggart; re-interview Charles W. Smith, manager of the Digiorgio Fruit Company, 1425 S. Racine Avenue, and through Smith endeavor to locate and obtain a statement from the party named "Phil", a juice grape peddler on the Chicago and North Western Railway's juice grape track, who is referred to on page 16 in the report of Special Agent Butterworth, dated Oct. 8, 1930; also obtain from Mr. Charles W. Irrgang, complainant in this case, a signed statement covering all the facts material to this investigation. Mr. Perry Stern, Assistant to Mr. Irrgang, will likewise be interviewed and a statement taken from him.

-PENDING-

C O

MEMORANDUM

Chicago, Illinois,
September 29th, 1930.

"Reporting on partial investigation of grape situation at Clinton St. team track relative to consignees being compelled to contribute for privilege of selling from cars.

We were advised that any person having a car of grapes on track for sale, are forced to make arrangements with an alleged racketeer named Tony Romano who is running a lunch room and soft drink parlor at one of the corners of Wells and Erie Sts.

Associated with Romano is a Walter Shraiberg who has an office in the Produce Traders Bldg. on South Water Market, phone Canal 2829, 1425 So. Racine Avenue, residence phone Keystone 1548, address not given and suppressed in phone book. There is an H. M. Shraiberg given in phone book at same business address.

It would appear from what was told us, after fixing with Romano, grape sellers are compelled to sell or buy through Mark Adamson located at 1425 So. Racine Ave. Adamson receiving the O.K. from Romano. None of the men having cars at Clinton St. would talk, or offer any evidence because of fear. All that we gathered was with the understanding no mention would be made of where information was obtained.

Sergt. Larson and his partner from the States Attorney's office and assigned to Rackets, is now working on this case. In the event they develop anything you will be advised. A man from California with whom some trouble was expected has arrived and has been permitted to do business without interference thus far. We know a conference between Adamson and Romano was held in the morning of September 27th, 1930 and from what we could learn, this crowd has decided they better not force an issue at this time. Our latest information is that matter is being brought to the attention of Asst. States Attorney Mueller for any action he desires to take.

On Friday, Sept. 26th, 1930 at time Sergt. Larson, his partner, Special Agent M. J. Gebhardt and the writer went to to Clinton St. to look situation over, some unknown party evidently got in touch with Romano and Shraiberg, as they came to yard within a very short time after we arrived. Romano was in auto bearing Illinois license #1-179-449 belonging, so we found, to Walter Shraiberg for a Cadilla This is make of car license was on. Address given as South Water Market. From the abo we figured Romano, etal had someoneat the yard to keep in touch should anything turn up. Larson conversed with Romano and Shraiberg for sometime but did not reveal the conversation. Neither man was armed."

Exhibit "A"

2

MEMORANDUM

Chicago, Illinois,
October 15th, 1930.

"Reporting further in the grape situation at Clinton St. team track. With the assistance of Asst. States Attorney Donald L. Thompson, Sergts. Harry Larsen and Wm Brady of the States Attorneys office, the following listed men were brought before Mr. Thompson and questioned relative to the alleged activities of Romano and Shraiberg.

Pietro Surdo, 612 North Green St., Chicago, Ill.
Angelo Marteno, residence Oakland, California
Tom Pallela, Modesto, California
Sam Romano, 2102 Kostner Avenue
John Rizzo, 1645 Melrose Street
Charley LaPresto, 624 North Monticello Avenue
Roy Pallela, a brother of Tom, Modesto, California
Nick Pantaleo, Modesto, California.

All made statements in writing in the presence of the gentlemen mentioned above and M. J. Gebhardt, John Barth and the writer of this office.

In these statements they fail to implicate the men under investigation with anything that would be concrete evidence to present before the Grand Jury.

On October 7th, 1930 Walter Shraiberg was brought before Mr. Thompson and made a statement in which he denied having any connection whatsoever with a racket or an attempt to extort money from any of the men handling grapes at our team track. Volunteering that he intended to take up with the Chief Special Agent the matter of an investigator who he claimed was the instigator of this investigation and have this man discharged from the service of the C&NW Ry. (this refers to me.)

Shraiberg, Tony Romano and a man named Rubin are in the produce business and I have been given to understand that Shraiberg and Ruben conduct a firm known as the Northern Fruit & Produce Co., with an office at 1423 South Racine Avenue, phone Roosevelt 3156.

In the handling of this matter by Sergts. Larsen and Brady and with the assistance of Mr. Thompson of the States Attorneys office, it would appear from all outward evidence, that all attempts to organize or collect from the men on the team track handling grapes at Clinton St. has been eliminated at least for this year."

Exhibit 'B'

123

Q. They handle the juice grapes the same as the others, do they? I mean that instead of going through a commission house, they have their own business?

A. They pay no brokerage.

Q. Is there a fixed brokerage charge?

A. I believe it is $25.00 per car. The brokerage charge isn't always $25.00. Sometimes they turn it over for a profit of a nickel a lug. A broker will sell the same car two or three times at a profit of a nickel.

Q. A nickel a lug?

A. A nickel a lug.

Q. How do the shippers' representatives fit into this picture, I mean, people like Fry - they represent independent people, don't they?

A. No, there may be various shippers, and they act as their agents.

Q. Just like any other broker?

A. Just like any other broker.

Q. Do the brokers ever sell the grapes at auction?

A. They would rather not.

Q. They have to stand the auction charges themselves?

A. I think that possibly the shipper pays that.

Q. After grapes arrive on the Northwestern tracks, there is an extra charge for switching the car down to the auction tracks?

A. No.

Q. Is that true generally, that switching from all tracks to the auction tracks is free of charge?

A. Yes.

Q. And from the auction tracks to the tracks of the various lines for peddling?

A. Yes.

Q. How did Irrgang come to start the auction business?

A. I don't know exactly. He has been engaged in the auction business for a number of years, and I also understand that at one time he went out to California and bought up a lot of grapes so he could ship them in order to start this auction, and I suppose because he was in the auction business. I don't know any particular reason.

Q. In general -- let's get to the atmosphere at the hearing. Isn't it was pretty well understood that Joe Ferrara was the

A. Yes, that was the understanding.

Q. Joe Ferrara was a buyer of juice grapes?

A. A buyer of grapes.

Q. And he was financing other buyers?

A. Yes.

Q. Now, going back to the beginning, how long has this been going on?

A. I think maybe the last 4 or 5 years.

Q. In the past, has Irrgang been able to sell at the Northwestern tracks?

A. He sold there one year.

Q. Which year was that?

A. I believe it was 1928.

Q. That is three years ago. And did he get away with it?

A. They started in, and then there was something came up between Ferrara and Irrgang and Ferrara told all the peddlers [illegible] not to buy from the Auction.

Q. Was that the incident Mr. Johnson, your Freight Claim Agent was telling us about?

A. Yes.

Q. Thereafter did Mr. Irrgang confine his activities to the auction track?

A. Yes.

5

Q. Now, that was 1928. Last year did he sell on the Northwestern tracks?

A. No, last year he didn't sell.

Q. Didn't he sell some last year at the Northwestern?

A. I don't believe he did. I am sure he didn't sell.

Q. I thought he made some attempt last year. Your memory is that he didn't sell any there?

A. Yes, that is my recollection right now. I am pretty sure that is right.

Q. All right, you can check that up later. Now, while Ferrara was active, Schraiberg and Romano weren't in the business?

A. No, this is the first year that they were ever there.

Q. Was Schraiberg in the business at all before this year?

A. I don't believe that Schraiberg was. I hadn't ever heard of him.

Q. And Romano appears to be a partner of Schraiberg's.

A. As far as I know. I don't know positively, but from what I got, Tony Romano, Fred King, and a fellow named Rubin are partners.

Q. Let's take King. I've heard his name recently. Isn't he an Italian?

A. Yes. That isn't his right name, his father goes under the name of King.

Q. Does he hang around the tracks?

A. Yes, he is running the gang. He has charge of the peddlers for Romano.

Q. Do Romano and Schraiberg finance peddlers just the same as Ferrara did?

A. That's my understanding. In fact, Tony Romano told me he had $20,000 invested in this grape deal and he wasn't going to let anybody skin it.

Q. Whose money?

A. His money.

Q. What is Romano's background? Who was he?

A. Well, I know only what I hear, that he is a bootlegger, has a soft drink restaurant or cafe at Erie and Wells Streets, I understand that he has a liquor route.

Q. For which mob? Which gang?

A. Ted Newberry.

Q. He claims this connection?

A. He does claim this connection.

Q. He told you this?

A. He hasn't told me, but others. He told another party, and this party told me.

Q. Who is Roy Palella?

A. Palella is one of the Palella Brothers, that are handling grapes on all tracks now. He said he'd pay nothing, or wouldn't let Romano stop him from making an honest living by peddling grapes.

Q. Well, how much do you know about the details of this outfit? Do you know how it works?

A. No, I don't. About this new outfit I don't know much. First I heard was the start of the grape season this year. Several of the independent peddlers came around and said that they didn't know whether or not they would be able to peddle grapes on Clinton Street. There was one fellow by the name of Pete Serdo came over and said that these fellows had visited him at his home.

Q. Who had visited him?

A. Romano and Schraiberg and those fellows. I don't know just the exact parties, but that outfit. Told him that he couldn't peddle any grapes on Clinton Street unless he went along with them, and he would have to join the association and make a payment, I believe of $1,000. and that all grapes would have to be purchased on an O.K. from Romano from Mark Adamson.

Q. That would be sometime around September?

A. Around September 11. And about that time I happened to be in Mark Adamson's office and talked over some things with him, and Pete Serdo was there. Mark said to Pete "You better go over to Tony. You know I can't sell you anything till you see him". Adamson went on and said

"There's going to be a new association on Clinton Street this year; this new outfit is not going to let these Italians that have been people in and handle their own stuff. We are going to sell them up the Pittsburgh or New York or some place. All grapes that are peddled on Clinton Street will be bought through Romano."

Q. That was in September?

A. Yes.

Q. That reminds me, in connection with that request I made of you yesterday for the names of all who are handling the Clinton Street grapes, can you give me that data for the entire season?

A. I am going to do that. I'll give you a copy of their track sheets. You will find a blank card now and then, and they belong to Nick Pantaleo. He asked us not to show his name. He didn't give any reason, but he asked us not to do it, and we complied with this request.

Q. These track sheets will be the best indication of what's been happening - if Adamson virtually controls the Clinton Street business?

A. I think that he started and nobody came down except the Palellas and a man by the name of Martini from California. He also came in and told us he didn't know whether he would have any more cars come in. He didn't come right out and say he had been approached or threatened, but we know that Romano talked to him.

Q. Well, are they the only ones that Romano talked to?

A. One of our brokerage salesmen said something about not being able to sell. He has an office. His name is Flood. I don't know his first name.

Q. Since then has that plan been made good? Are other people being allowed to sell?

A. Yes, they are. I think that for some reason they have given up for this year, but they have made the remark that there would only be about seven or eight people allowed to peddle on Clinton Street next year.

Q. From whom does Peleiha buy?

A. I don't know. He buys from the Victory Fruit Company, and several others. He buys and resells, or peddles them. He does a car lot business, also to out of town customers, and sometimes to customers here. He has most of five cars.

Q. Has he an office on South Water Market?

A. No. He handles watermelons and other things during season. And I would say for the Peleiha Brothers that I think they are two of the finest fellows in the business.

Q. Do the others handle other fruits?

A. Yes, most of them do.

Q. Don't they peddle vegetables on the same plan down there as at the Northwestern tracks?

A. Well, to a certain extent, and on the S. & E. I. tracks.

Q. Have you any other fruit business at the C. & N. W. tracks?

A. No, we don't.

Q. Your trade then, is confined to grapes?

A. Yes.

Q. I wonder why?

A. Lots of money in it. The way they intended it to work, (for the different peddlers to join this association) for $1,000, more or less the car, they would have to buy all grapes through Adamson. For example, the shipper's price was 90¢, Adamson would ask from 95¢ to $1.25, saying that you have to peddle them for $1.35, or less.

Q. They would fix the retail price?

A. Yes.

Q. Has that been done?

A. That was what they were going to try to do.

Q. If I tried to buy grapes now, they would quote me varied prices, no fixed price?

A. Yes.

Q. Due to variation in grades?

A. Yes. You might get a different price due to different grades. But I think their intention was to absolutely fix the retail price.

Q. You don't think that's been done?

A. No, something stopped them - maybe this investigation.

Q. You don't think there's any "shaking down" at the present time? That the peddlers are perfectly free?

A. I wouldn't say that. I would say that I know some of them won't give it, or haven't given anything, I am pretty sure.

Q. Do you know the names of any who have definitely given?

A. No, I don't.

Q. Have any of them ever complained to you about having to pay, or being approached and asked to pay?

A. Not to pay, but to have to go along with the association. This Romano is pretty smooth. He wouldn't demand money. He'd tell them this is to pay membership fees.

Q. Well, aside from the names you have mentioned, you couldn't say any more have been approached?

A. I believe Carl B. Cuttone.

Q. Is he an independent?

A. Yes.

Q. Is that his brother, A. Skitone?

A. No, that is Cuttone. This is Skitone. Then A. Martini was talked to,

Nick Pandelis was talked to.

Q. Who were the ones who wouldn't pay anything?

A. Pelella brothers.

Q. Have they an office?

A. Pelella brothers? No.

Q. Most of these peddlers have their offices in their hats, don't they?

A. Yes, never have any records.

Q. Where do they make their headquarters? Their homes?

A. Homes, relatives, or friends.

Q. Are any of these California people shipping now?

A. They all are.

Q. Well then, as far as eliminating the California people goes, that phase seems to have been dropped very definitely?

A. For the present, yes.

Q. And from your observation, you couldn't say they ever attempted to keep up the retail price.

A. Not at the present time.

Q. Then, all that Schreiberg and Romano are doing at the present time, as far as you can say, is conducting a legitimate grape business?

A. Yes.

Q. That seems awfully doubtful to me, does it to you?

A. It does to me.

Q. Think a legitimate business has enough in it to satisfy those birds?

A. No, I don't.

Q. At a guess, what would you say the [illegible] is now?

A. I think it's in the [illegible].

Q. They are just there, getting in the groove, getting ready to [illegible] it next year?

A. Yes.

Q. Have they ever muscled in on any other business except this juice grape business?

A. Not that I know. I never saw them before? - Schraiberg I never met before; Romano I never met before. I knew King before, him and his father.

Q. In what connection did this threat of Romano's to give all the business to the St. Paul road come out?

A. I understand that the State's Attorney's men went down there one day and picked up those fellows, searched them for arms, then some subpoenas were issued for some of those peddlers, and the next day Tony came up to me and said, "I understand that the Northwestern has made a complaint about me over to the State's Attorney's office." I said "How do you know?" He said "I have a way of getting that information". I said "I don't think the Northwestern has made a complaint about anybody." He said "They did, and I am being persecuted". I said "That is a matter that should be handled by our police department". He said "I have no way to convey this message to your police department, and if the Northwestern don't quit persecuting me, and calling me a muscle man, I will take this business all over to the St. Paul tracks. I have been offered a bonus to go over there." I did convey the message to our police department and they told me that the Northwestern was not investigating him, but if the State's Attorney's office asked for records and information our police department would cooperate with them.

Q. Have they ever tried this expedient that if the Northwestern was a bit laggard in settling a claim, they would go over to the Milwaukee tracks, which are adjacent to the Clinton Street tracks?

A. No. I settled practically all the claims, and this has never been done. I always dealt with Ferrara on the claim proposition, and he would say "Whatever you do

is all right with me. I was always fair with him, and all of them. The first year I went over there, in 1925, several attempts were made to kill me, but they didn't get by with it. Then I was told, "Well, we'll get somebody else on the track here". They made complaints about me through a broker, tried to get me moved off the track, but it never worked. In the last four or five years they have never even made a proposition.

Q. At the time you were shot at, in what connection was that?

A. Well, we were closing up the cars, and I heard some shots on the crossing, saw a man running down the other side of the string of cars, threw my flash light, told him to halt. I saw the officers coming, but the minute I said "Halt", he shot at me.

Q. That has nothing to do with any of their activities?

A. No, I don't believe it did.

Q. Just an ordinary car thief?

A. No, they shot a man on the crossing.

Q. Is this fruit auction company confined to the sale of juice grapes? I understood they handled fruits and vegetables.

A. No, I think it's a separate concern. The United States Fruit Grape Auction. [illegible] is the auctioneer and I guess the main officer. I understand, in fact, I know that some peddlers from Clinton Street have gone over and bought grapes and peddled them.

Q. No objection to that, is there?

A. No, there doesn't appear to be.

Q. If they were to keep Irrgang off the Northwestern, I shouldn't think it very effective when the peddlers can go over there, buy the grapes, and have the cars put on your tracks. How do they gain anything by keeping Irrgang away?

A. Well, of course their main argument is that if the auction is in the same place where the peddlers trade, buyers will hear the carload market price and are not willing to pay any more.

Q. They don't know it if the cars are brought in from somewhere else?

A. That's it. If no auction is held on the peddling track they don't know the difference. I think that's one reason.

Q. And if there's an auction, the temptation is too strong for buyers are going to bid anyway?

A. Yes.

Q. This may keep the price to the shipper down?

A. Either up or down, according to supply or demand.

Q. Well, I think that probably Adamson is splitting with some body?

A. It looks that way, he must be.

Q. Is Adamson the only broker?

A. Well, Schreiberg and Rubin.

Q. Any other?

A. I don't think so. The other tracks, as I understand it, are not all Italian, the way with the Northwestern. I think they're mixed, some Jews.

Q. You think that's one reason why they warped the Northwestern first?

A. It seems this north side gang were a little tougher. I guess they thought they could get control.

Q. Oh, I see, it's a question of locality? Are they under the domination of this gang?

A. Yes, I think Ferrara was with the Aiellos but Newberry is Capone. There might be a pact between them now.

Q. Newberry is recently Capone, isn't he?

A. Yes.

Q. I suppose they're linked up with the bootlegging trade?

A. There isn't any question about that.

14

Q. Of course, that's not the point right now. I wonder whether Romano doesn't control all the [illegible]

A. The Italians make their own [illegible] There's quite a little knowledge about those track sheets. I will get you a copy from the first time the cars come over up to the present time. I'll keep a copy to the end of the season for you.

Q. I wish you would. It may be possible that nothing will happen this season. It may be they're lying low waiting for next season.

A. That's the way I have it figured out now.

Q. Was King hooked up with Ferrara?

A. No. He was simply a peddler, although I have been told that Mr. King did pay Ferrara some money.

Q. Along with others?

A. Probably along with others.

Q. In this financing arrangement that they have, do these Italians pay for the use of the money, or do they go it on shares?

A. I think they hire some of those fellows by the week. The main ones probably split the profits. Ferrara used to work that way. Sometimes he would buy a car for a fellow, and split the profit.

Q. Have the Italians any secret organization?

A. Yes. They won't talk. They'd deny that they told it to me. The two Fusella brothers belong to the Masons.

I, F. C. Beutel, Assistant Claim Agent of the Chicago and North-western Railway Company have read the foregoing statement, consisting of 13 typewritten pages, containing questions by Mr. I. B. Opens, Special Assistant to the Attorney General, and the answers thereto made by me on October 17, 1930, and the same were made willingly, without threat or promise of reward, or immunity, and are true to the best of my knowledge.

F. C. Beutel

Witnesses:
Albert Miller.
M. J. Little
Special Agents, Bur. of Invest., Dep't of Justice

5

STATEMENT OF MR. F. O. BEUTEL, ASSISTANT CLAIM AGENT, CHICAGO AND NORTHWESTERN RAILWAY COMPANY.

Question (by Mr. Cecco) Mr. Beutel, I should like for you to give us a general outline of the juice grape situation as it exists at the Chicago terminals, and in this connection, describe briefly the method of handling a carload of juice grapes received in Chicago by the Chicago and Northwestern Railway.

Answer. Well, the grapes arrive at what is known as our Wood Street yard, and the consignee is notified, and usually the broker takes out some interested party, shows him the car, and if satisfactory, the deal is made. The car is then re-consigned to our Clinton Street tracks for peddling purposes. Of course there are some shipments made by the shipper to himself at Chicago.

Q. How much is done that way?

A. Well, I think around 12 or 15% of cars received at Clinton Street, and I would say that at least 25% of the cars are handled that way.

Q. They are what are known as the Independents?

A. Independent shippers and receivers?

Q. Who would you say are the larger Independent shippers?

A. Well, there is Nick Pantaleo, A. Martini is another, A. Skitone is another. And then there is this class of trade: where Independents like Palella Brothers may have a connection with a grower in California, and enter into a contract for 25 or 30 cars; and there is a man by the name of Sam Romano who has some one in California ship to him direct, also Trotti and Deture, and sometimes brokers or their representatives go to California, buy the grapes, and ship them in, and they are handled as they arrive here.

Q. These independent people have regular offices in Chicago?

A. I don't believe that any of them have regular offices. You find them on the tracks.

Q. Is that business largely a cash business?

A. Practically a cash business entirely.

Exhibit "C"

1-6

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Chicago Racketeering and California

"THIS fellow Al Capone, seems to give the Chicago folk a lot of trouble," remarks the Californian.

"Yes, the poor boobs, he's got 'em buffaloed," chimes in his neighbor.

"Ho hum. Poor old Chicago."

And California turns back to introspection of local affairs.

And yet, it appears that racketeering in Chicago is a local affair for California.

Because the racketeers exact a toll of $50 on every car of grapes sold in the second largest market in the country.

Because grapes are used for wine making, the racketeers probably figure that California will do its growling in private.

And mayhap they don't care if California does

And likely the drayage tolls also include some racketeering charges.

And doubtless there are many tolls other than these.

Seems to need a little attention, does it not?

* * *

THE Chicago Daily News of September 22 has a very interesting story about Al Capone and his racketeering government of Chicago.

The article uses many names, both of racketeers and of their lawyers and collateral assistants.

It intimates that policemen drink with racketeers for whom the police are looking, and apparently the booze is such as the policemen cannot see the racketeers well enough to identify them.

Men scour the city with looking for racketeers, while evidently the newspaper men meet them on the street and talk to them.

Here is a little of the News article. Wish we had space to reproduce all of it:

The main source of revenue is the beer and booze business.

Jake Guzick, supplying the loop district, is the main beer boss. Jake got his start as a watch boy in a bawdy house and became allied with Capone in the days when they both took orders from Johnny Torrio. Now he dwells in state at a downtown hotel, has ambitions of entering society and forgetting the sordid details which have given him his wealth.

Guzick has his miniature breweries and his up-an-alley distilleries where his beer and whiskey are made. He has brewers and distillers. He has his roughneck crews who deliver the whisky and beer.

And he has Harry ("Greasy Thumb") Guzick, his brother, and Hymie ("Loud Mouth") Levin, as his personal representatives for the loop. Harry and Hymie, accompanied by their gorillas, make the rounds of the loop regularly. Even when they buy a drink for a policeman, he can't see them with sufficient distinctness to arrest them. They move about with the caution of a five-ton truck, with efforts at concealment scarcely surpassed by a brass band marching down a busy street.

They do such soliciting as is necessary and they do all the collecting. Monday finds them regularly in the loop. Monday finds them—but the police don't.

* * *

CHESTER ROWELL has said many times that racketeering will be stopped in Chicago when the "good" citizens want peace more than they want booze. So long as they demand the liberty of a drink they will have the "license" of the racket.

Perhaps most of us have thought of it as a local problem. But it is more than that.

If the racketeers exact toll on grapes how long will it be before they demand it on other fruits and vegetables?

canned goods.

Good luck to the endeavor.

Henry Hobson, formerly of the State Market Office, once made inquiry along this line and found a lot of response among cooperatives of the Middle West.

"If you do it you will make the middleman sore," some one says.

Possibly. But whom are we trying to please, the middleman or ourselves?

Perhaps we could give the middleman his regular cut and do it with his cooperation.

Has anybody tried?

Light Needed on Fish and Game Policies

A COMMITTEE of the legislature has been investigating the Fish and Game Commission.

The murmuring is that sportsmanship is not as high as it might be.

Meanwhile the Farm Bureau has been causing the Fish and Game Commission annoyance by demanding to know when they propose to do something about deer damage. The last legislature gave them authority to protect farmers who have heavy crop damage from deer, but the game commission has produced nothing more substantial than explanations.

A subscriber writes from Oroville. He wants to have a bird refuge but he charges that he gets no help from the commission and less from the sportsmen.

We do not profess to know anything about the merits of his case, but he describes something which seems to indicate a need and something which stirs the heart. Observe the picture as he paints it. Quail and doves feeding in his yard. Look out of the breakfast window and see them. Signs posted on his place to keep out hunters, but hunters not keeping out.

If the mission of the commission is to protect wild life, the question arises as to whether a case such as this man describes should not have an active and effective support of the commission.

Protection should be a two-way thing. Agriculture must be protected against criminal depredations by wild life. By the same token it should have effective rights in protecting wild life when producers want to make a refuge of their farms for such creatures.

It has been charged many times that the commission policies do not make good faith mean anything.

If this is true, the public deserves to [illegible]. If it is not true, the [illegible] have the facts known.

The matter ought to have [illegible]

Chicago in power and they may think they are bigger than any mere state.

So the $50 toll on every car of grapes is enforced and collected. If you want to get along without a little trouble of the racketeering variety you pay it.

Of course the money is collected off the buyer of the grapes, but that means that the paying party of the first part pays the bill. The paying party of the first part is always the farmer. Think him, he's only a boob."

• • •

AND the racketeer's toll is not the only one in Chicago, the toll city.

There is a $60 switching charge in Chicago which hits many grapes.

Grapes come into that city over many lines. They are yarded by themselves. If they are sold and switched back to the same railroad over which they came in, well and good, but if it is necessary to switch them to some other line for convenience, the $60 swat descends on the car. H. S. Mustaco, the market chief of California observes these things in a trip around the markets in Chicago.

Just why the $60 switching charge for grapes, while other fruits and vegetables pay only $12.50 a car, no one seems to know. Seemingly no one has troubled much to protest. It would appear to be time to raise a question here.

Obviously, tolls like this find their way back to the grower in the price the buyer is willing to pay.

A toll of $50 for the racketeers, plus a possible $60 switching charge is $110 per car.

Pretty heavy toll in the toll city of Chicago.

Exhibit "D"

turned out to be general lawlessness. Originally a moral problem, it graduates into an economic one.

Racketeering vests originally in booze, prostitution and gambling—the illegal things—but the appetite of growing crime is insatiable.

It is said that in Chicago if a cleaner and dyer does not "lay it on the line" some one may sprinkle acid over the clothes of his customers and bring him to time.

The practice of "musceling in" grows.

Where will it stop and when and how?

• • •

FROM time to time this paper has made a nuisance of itself suggesting that there are other markets in the United States besides New York, Chicago, Philadelphia and Boston.

There is a market beyond Podunkville—the market of the farmer.

This year we might have sold a lot of peaches on the sidings of the country for home canning But no one took the problem up.

We might sell table grapes that way if we tried.

We could probably sell a world of dried fruits in 10 and 20 pound boxes to the farmers of this country if we set out to do it in an intensive way, but we do not do it.

There are a world of farm cooperatives in this country that might take a carload of our farm products if the thing were pushed. Such a project would not have to pay so many tolls as Chicago exacts.

F. E. Laney, of the Sutter Cooperative Growers, is sending a man into the Middle West small towns to try this very thing in the matter of

Unofficial.

SOME time ago a prizefighter "murdered" another prizefighter in San Francisco. Did it for money.

It was not called murder in the newspapers, but the victim is just as dead as if his assailant had clubbed him with a gas pipe instead of his fists.

About the same time two men and a woman descended upon a recluse in a Bay county and clubbed him to death. Did it for his money. One of these men was a prizefighter, according to the newspapers.

One of the prizefighters was exonerated.

The other has a good chance of having his neck stretched.

The main difference seems to be that one of these murders had the sanction and sponsorship of the State.

The San Francisco grand jury is investigatin the state-sponsored murder. Don't try holdin your breath until it fixes responsibility.

The San Francisco News indulges in some pert talk in its editorial page. It says:

"However, everyone seems to agree that the boxing business is not, at present, honest and decent, which is fairly convincing evidence that the State Athletic Commission is not doing the job for which it was created. And that, if true, is a condition that should not be tolerated. The job may be too difficult for any commission to handle properly, or the present commission may not be competent, but, at any rate, there's something seriously wrong.

"One of the commissioners, Charles F. Traung, has been talking mysteriously about being 'propositioned.' But he refuses, by advice of counsel, to be specific, and he apparently has no intention

THIS CASE ORIGINATED AT Chicago, Illinois

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	Oct.23,1930	Oct.21-23,1930	ALBERT MILLER RM

TITLE: MANNY SCHRAIBERG;
TONY ROMANO;
JUICE GRAPE INVESTIGATION

CHARACTER OF CASE: ANTI TRUST MATTER

62-163

62-24153

SYNOPSIS OF FACTS:

Two checks in the amount of $700. received by Agents from Charles W. Irrgang and deposited in joint checking account in the National Bank of Republic, subject to checks of Agents Little and this Agent. Freight car number WRX9295 "sold" at auction to Joe Roman (Agent DiLillo) who with Agent Palmero will pay freight on same out of money received from Mr. Irrgang, amounting to $616.24, and who will peddle said grapes at the juice grape track and await developments as to demand for payment of tribute. Duplicate team track sheets furnished by F. C. Beutel, Assistant Claim Agent for attention of Mr. Oseas. V. C. Taggart and employees of Fry Brokerage Company interviewed, who could only submit hearsay evidence of rumors of collection of tribute at C.& N.W. tracks. Lead Chicago.

- P -

REFERENCE: Report of this Agent dated Chicago, Illinois, 10-22-30 and telegram from Director dated 10-20-30.

DETAILS: AT CHICAGO, ILLINOIS.

DETAILS:

This is a joint report of Agent M. T. Little and this Agent.

In accordance with reference telegram Agents Little and this Agent contacted Mr. Charles W. Irrgang on the morning of 10-21-30, who handed Agents check number 375 in the amount of $600. drawn on the Commerce Trust Savings Bank, dated 10-21-30, payable to the order of Charles W. Irrgang and signed by the United States Fruit Auction Company, by Charles W. Irrgang,

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: F.X. Fay act SPECIAL AGENT IN CHARGE

62-24153-30

RECORDED AND INDEXED: OCT 24

BUREAU OF INVESTIGATION OCT 25 1930 A.M.

CHECKED OFF: OCT 30 1930

DEPARTMENT OF JUSTICE

JACKETED: 114

COPIES OF THIS REPORT FURNISHED TO:

3 - Bureau
3 - Chicago

ROUTED TO:

10/29/30

President, E. E. Mills, Secretary-Treasurer, and approved by J. C. Rocca bearing the endorsement of Charles K. Irrgang, the said check is to be used in paying the freight charges and the tribute, if demanded, on a carload of juice grapes in accordance with bulletin submitted to the Director in letter from this office dated October 17, 1930 and in accordance with telephone conversation had by Acting S.A.C. Fay with Mr. Vincent Hughes on 10-20-30. The said check was taken to the Chicago Bureau Office and in accordance with instructions of Acting S.A.C. Fay same was deposited for collection in a joint checking account started in the National Bank of the Republic of Chicago on 10-21-30. Said funds are subject to withdrawal on order either of Agent Little or this Agent.

Later in the day, Agents learned by telephone from F. C. Rocca financial representative of Mr. Irrgang (Lafayette 9000) that the freight car of juice grapes "knocked down" at the auction in the name of Joe Roman (alias used by Agent D. DiLillo in this investigation) was car number WRX9295 - a car of white muscat juice grapes of excellent quality. Mr. Irrgang informed that the price of juice grapes had improved a little, and that the price of the juice grapes in the above described car would be $1.00 per lug, and he stated that it would be well to start selling the said grapes at either $1.10 or $1.15 per lug in order to insure rapid movement.

Agents DiLillo and Palmera ascertained that the freight on the said car of juice grapes amounted to $618.24. Therefore, with the approval of Acting S.A.C. Fay Agents Little and this Agent contacted Mr. Irrgang again and secured another check in the amount of $100. dated 10-22-30, which check has been deposited in the joint account of Agents Little and this Agent.

Agent telephoned to F. D. Boutel, Assistant Claim Agent of the C. & N. W. Railway, who called at the Chicago Bureau Office on 10-22-30 and Mr. Boutel examined the typewritten statement of questions which had been propounded to him by Mr. E. B. Dodd, Special Assistant to the Attorney General, and his answers to the same, which was written up in the form of a statement, and after examining the same and making a few minor corrections, he signed the same in the presence of Agents Little and this Agent. This statement is attached to the reference report as "Exhibit C".

In accordance with the request of Mr. W. S. Gross, Mr. Beutel handed Agents duplicate copies of C.& N.W. loss check sheets showing daily receipts by that company of grapes for the period from September 14, 1930 through and including 10-31-30. These sheets, Mr. Beutel explained, reflect total receipts of cars each day in the juice grape tracks of the C.& N.W. Railway and include different commodities, in addition to grapes, such as other fruits and vegetables, hay, etc. On some of the sheets the space under the word "consignee" is blank, and Mr. Beutel advised that the blank spaces represent shipments of the juice grapes consigned to Nick Pantaleo of Modesto, California, to himself at the C.& N.W. team track. These spaces were left blank, Mr. Beutel explained, in accordance with specific request by Nick Pantaleo for the reason, as Mr. Beutel believes, that Pantaleo did not desire his competitors to know exactly how many cars were consigned to him in Chicago. These sheets are hereto attached to this report for the attention of the Department, and cover period of 34 days.

Agent communicated with Mr. Charles W. Smith, manager of the DiGorgio Fruit Company of 1425 S. Racine Avenue, Chicago, Illinois, by telephone. Mr. Smith advised that he has not been able to learn the identity or the address of "Phil" referred to on page 16 in report of Special Agent R. N. Butterworth dated Chicago, Illinois, 10-2-30, and in the event Mr. Smith does learn of the identity of "Phil" he will communicate with this office.

Agent interviewed Mr. Larry Archer, Chicago representative of the American Fruit Growers Exchange, 1425 S. Racine, by telephone. Mr. Archer had previously advised Mr. Oseas and these Agents that he had a carload of juice grapes placed on the C.M.St.P.and P. railroad juice grape tracks for the purpose of being sold to juice grape peddlers. Mr. Archer stated that his men on the juice grape tracks received several offers of 80 and 85 cents per lug for the said grapes from various peddlers, which would amount to approximately $15. per ton below the present market price of juice grapes. No further offers were received, and after leaving the car of juice grapes on the Milwaukee tracks for two days the same was diverted to Pittsburgh, Pa. Mr. Archer stated that the reason the said car was not switched to the C.& N.W. juice grape tracks for sale there was because it would cost their company between $60 and $70 as a switching charge, whereas to ship it through to Pittsburgh, Pa. would only cost them approximately $10. for icing.

21

On 10-21-30 Agents interviewed Mr. V. J. Taggart, partner, and Paul Donnely, and James Flood, salesman of the Fry Brokerage Company at 1440 S. Racine Avenue. Mr. Taggart stated that he is familiar with the juice grape situation as it prevails now and for the past four or five years in the Chicago district, and confirmed what has been heretofore stated by Mr. Irrgang and others interviewed, namely, that he, Mr. Taggart, has received indirect information to the effect that Subjects, with Fred King and Nathan Rubin, are engaged in a "racket" on the tracks of the Northwestern railway at present under which grape peddlers are forced to pay tribute of $50 per car to Subjects and their representatives. Mr. Taggart could furnish no names of individuals who could likely furnish direct information in this regard. However, Mr. Taggart stated that prior to the commencement of the juice grape shipping season this Fall Mark T. Adamson, a commission broker, 1425 S. Racine Avenue, heretofore mentioned in reports in this case, made the statement to Mr. Taggart that he, Adamson, had contacted directly with Al Capone and that arrangements had been made between him and Capone whereby Adamson would head a "corporation" which would completely control the marketing of juice grapes on the tracks of the C.& N.W. Railway. Mr. Taggart stated it was his impression that Adamson was intoxicated at the time he made this statement and he did not "take much stock" in Adamson's recitals.

Mr. Taggart stated that Subjects and their association are operating some kind of organized racket on the C.& N.W. tracks at present, and it is his opinion one of the methods of operation of this gang is to distribute the business of grape buying by peddlers under the domination of this gang to certain of the brokers in addition to Mark Adamson. In this manner, peace is preserved amongst the brokers even though the free contract between buyers and brokers is interfered with and the progress of the business on the Northwestern tracks is handled by Mark T. Adamson. In support of this, Mr. Taggart stated that his company has during the present season received numerous orders for grapes from one John Pizzo, amounting to approximately a carload a day and that in other seasons, this man conducted only a very small business and purchased none of his grapes from the Fry Brokerage Company. Mr. Taggart further stated he has received from various sources, which he could not recall, information to the effect that Frank Raia and Amatore Dejicis (addresses unknown) have been forced by the gang on the Northwestern tracks to leave those tracks and that Raia is now conducting his business on the tracks of the Chicago, Rock Island, and Pacific

Railway, and DeJoia is located on the tracks of the Rock Island and Santa Fe. Mr. Taggart stated that in the summer of 1929 a partner of DeJoia's, whose first name is Frank and whose last name and address are unknown, was shot three times while resisting efforts of Joe Ferrara and his gang to eject him from the Northwestern tracks. With respect to Ferrara, Mr. Taggart stated that there was no question but that he was a lieutenant of Joe Aiello, inasmuch as checks signed by Aiello were frequently received by the Fry Brokerage Company in payment of carloads of juice grapes delivered direct to Ferrara. Mr. Taggart furnished to Agents the names of the principal buyers of juice grapes who purchase their grapes from the Fry Brokerage Company. The local addresses for these buyers were unknown to Mr. Taggart, their names being as follows:

Tony Spalla - Santa Fe tracks
Mike Vinci - "
Joe Scardini - "
Charlie Barbara - Rock Island tracks
Vincent Damora - Northwestern tracks
Carl LaSalle - "
Galla Brothers - "

Mr. Taggart stated that the Fry Brokerage Company is the Chicago representative for the following California grape growers and shippers: Nehls and Huhner, Fresno, California; Federal Fruit Distributers, Fresno, California; D. H. Feinn, Lodi, California; William Pabs, Ontario, California; L. K. Small Company, Los Angeles, California; G. Nave Fruit Company, Fresno, California; Marshall Mueller, Lodi, California; E. J. Foley and Company, Fresno, California.

Mr. Taggart stated he would not be willing to make any written statement or complaint in regard to the juice grape situation which would contain any names of individuals, but that he would in the very near future prepare and submit to this office a statement outlining the situation as the same is known to him, omitting names, however, but setting forth the manner in which the activities of the various gangs have affected the business of the Fry Brokerage Company during the past several years. Mr. Taggart indicated that inasmuch as his company sells juice grapes at present to members of the gang controlled by Subjects it would not be "good business" for it to become known that he is actively engaged in transmitting information to the Government in connection with the instant investigation.

Mr. Paul Donnely, sales representative of the Fry Brokerage Company, and who conducts the business of this company on the tracks of the Rock Island and Santa Fe railroads, was present during the interview above set forth with Mr. Taggart and confirmed statements made by Mr. Taggart. Mr. Donnely could not furnish any specific instances where demand for tribute had been made or money paid, but affirmed that this practice is doubtless in existence at the present time on the tracks of the Northwestern railway, and stated that early in the present season some efforts had been made by Subjects to put into effect the same general scheme on the tracks of the Santa Fe and the Rock Island railroads, but had met with such strong opposition from independent buyers and peddlers that it had been abandoned, for the present at least.

James Flood, sales representative of the Fry Brokerage Company on the tracks of the Northwestern railway was interviewed also by Agents. While Mr. Flood is in daily contact with the buyers and peddlers on the Northwestern tracks, and is familiar with the conditions prevailing on those tracks, and while stating that he has likewise heard rumors of the racket now in progress, he could furnish no specific names or cite instances in which tribute had been demanded and collected, except that in one instance during the past season a man known to Mr. Flood only as Frank, but who is believed to be a partner of Dejioia told Flood that he had been forced to pay $50 per carload to Subjects for the privilege of selling grapes on the Northwestern track. It is Mr. Flood's opinion, however, that this informant and his partner Dejioth are in league with Schraiberg and Romano, and could not be trusted in any way to furnish information in regard to the racket. Mr. Flood stated further that Fred King informed him recently that the "gang" had blown up. Mr. Flood stated that he has never observed any strong arm methods on the Northwestern tracks, and so far as he has been able to discover, Romano and Schraiberg are simply engaged in buying and selling carloads of juice grapes. Mr. Flood stated that Mark T. Adamson controls nearly all of the brokerage business on the Northwestern tracks and that his representative on those tracks is Bill Reardon. Mr. Flood added that the firm of Palella Brothers do a large business on the Northwestern tracks and purchase practically all of their supply from Mark Adamson, and that while Palella Brothers could doubtless furnish information concerning the racket, if one exists, and had earlier in the season made a complaint with respect to the existence of the alleged racket, nevertheless it was Mr. Flood's opinion that Palella brothers were now directly allied with Mark T. Adamson, and with Subjects Schraiberg and Romano and would not cooperate with the Government in their work, in fact, would attempt to block efforts to obtain information.

121

UNDEVELOPED LEADS:

The CHICAGO Office will carry out leads set forth in the captioned report, but in this connection interviews will not be had with the Italian juice grape buyers and sellers until such time as the sale of grapes by Agents DiLillo and Palmera shall have been completed, for the reason that it is believed that any interview had with Italian dealers or peddlers at this time will have the effect of putting the Subjects and their Agents, as well as Italian peddlers, on notice that the Government is engaged in investigation.

- Pending -

5

VM:AMP
62-24153-31

October 28, 1930.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, Mr. O'Brian

Attention: Mr. Cocas.

62-2415

For your further information in connection with the investigation entitled MANNY SCHRAIBERG; TONY ROMANO; CRIME CRIES INVESTIGATION, there are enclosed herewith copies of two reports made by Special Agent Albert Miller at Chicago, dated October 22nd and 23, 1930, respectively.

Attached to the October 22nd report are Exhibits A to C as described in the report.

Attached to the October 23rd report will be found 34 duplicate team track sheets furnished by F. C. Bantel, Assistant Claim Agent of the Northwestern Railroad as requested by Mr. Cocas.

Very truly yours,

Director.

Encl. 6475000.

RECORDED

62-24153-31
BUREAU OF INVESTIGATION
OCT 29 930 A. M.
FILE

BUREAU FILES DIVISION
MAILED
OCT 28 1930
P.M.
DEPT. OF JUSTICE

C

Q

VHL:EMP
60-84183-19

October 28, 1920.

RECORDED

OCT 30 1920

MEMORANDUM FOR MR. RUSHEE DOZIER, Acting Head,
Criminal Division.

For your further information in connection with the investigation entitled HENRY SCHRAIBERG; TONY ROMANO, JUICE GRAPE INVESTIGATION, Anti-trust Matter, there are enclosed herewith copies of two reports of Special Agent Albert Miller, dated October 22nd and 23rd, respectively.

Very truly yours,

Encl. 4425810.

Director.

BUREAU FILES DIVISION
MAILED
OCT 28 1920
A.M.

Form No. 1

THIS CASE ORIGINATED AT CHICAGO.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	Oct. 28, 1930	10/22 to 10/27/1930	ALBERT MILLER

TITLE: MANNY SCHRAIBERG; TONY ROMANO; JUICE GRAPE INVESTIGATION

CHARACTER: ANTI RACKET MATTER

62-24153-32

SYNOPSIS OF FACTS:

Carload of juice grapes sold by Agents DiLillo and Palmera for a total amount of $928.85, representing a loss of $194.95. Observations of Agents DiLillo and Palmera made during sale of said grapes set forth in detail herein. No threats of any kind or solicitations for tribute made to Agents by any parties. Signed statement obtained from Perry Stern, Asst. to C. W. Irrgang and attached hereto as Exhibit "A". Summary of monies received and disbursed in connection with the sale of the carload of grapes set forth herein. Signed statement furnished by Mr. Irrgang and attached hereto as Exhibit "B".

REFERENCE: Report of Special Agent Albert Miller, Chicago, Ill., October 23, 1930.

DETAILS:

DETAILS: AT CHICAGO, ILLINOIS.

This is a joint report on behalf of Special Agents D. DiLillo, W. R. Palmera, M. T. Little and Albert Miller.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:	RECORDED AND INDEXED:
J. X. Fay, Special Agent in Charge	62-24153-32 NOV 18 1930

COPIES OF THIS REPORT FURNISHED TO:

3- Bureau
3- Chicago

BUREAU OF INVESTIGATION
OCT 31 1930 A.M.
DEPARTMENT OF JUSTICE

CHECKED OFF: NOV 4 1930

JACKETED:

ROUTED TO: Div. Three

FILE

COPIES DESTROYED
120 JUL 27 1964

The following investigation was conducted by Agents DiLillo and Palmera:

On October 21, 1930 Agents were informed by Agents Miller and Little that, in accordance with pre-arrangements made by them, Charles W. Irrgang of the U. S. Fruit Auction Company had sold at auction to Joe Roman (the assumed name of Agent DiLillo), a carload of juice grapes, the car being initialled and numbered WFX-2895, known as Lot #7 and containing 1040 lugs of "Muscats" at $1.05 per lug, or a total of $1092.00, including freight charges in the amount of $616.24, to be paid by the purchaser at the time of release. The said total shipment did not include, however, the amount of $51.00, representing "terminal charges".

Agents were also informed that they received a draft from Mr. Irrgang in the amount of $600.00, a full description of which will be given by Agents Miller and Little, so as to pay the freight charges at the time the car was released, and also to pay whatever tribute would be demanded by any of the persons operating in the juice grape racket on the Chicago and North Western Railway team tracks on Clinton Street, Chicago. Mr. Irrgang made it understood that the freight charges to be paid on the carload of juice grapes herein described would amount to from $550.00 to $575.00. The freight car was to be transferred from the tracks of the U. S. Fruit Auction Company to the team tracks of the Chicago and North Western Railway at the location herein given.

Upon the suggestion made by Mr. Irrgang and conveyed to Agents by Agent Miller, Agents DiLillo and Palmera, as Joe Roman and Giorgio Russitto, called at the freight office of the Chicago and North Western Railway Company and informed Mr. Schultz that Roman had purchased a carload of juice grapes which would, no doubt, arrive at the Clinton Street freight station the following day. Agent DiLillo begged of Mr. Schultz to place the car in a conspicuous position so as to facilitate the business venture. Mr. Schultz informed Agent DiLillo that he could favor no one and that Agent DiLillo was to be satisfied with the position in which the car arrived.

On the morning of October 22, 1930 Agents again called upon Mr. Schultz, who, after examining his records, stated that the car had not yet arrived. When asked as to the approximate date on which the car would arrive, Schultz said it would be possibly within the next two or three days, as the car would, in all possibility, come to Chicago via Joliet, Illinois.

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Notwithstanding the information received from Schultz, Agents visited the team tracks and located the car. It was numbered and initialled WFX 7005, was consigned to Joe Roman and was placed on track #4. The finding was brought to the attention of Mr. Schultz who stated that he would not release the car unless Joe Roman furnished either a bill of sale, a release order or a bill of lading with the transfer. As Agents were not supplied with any of the said papers Mr. Irrgang having stated they were not necessary as the car was to be released.

The bill of sale and the release were subsequently secured by Agent Little at the office of Mr. Irrgang and were turned over to Agents. The release was signed by Frank Rosen.

On the afternoon of October 24, 1930 Agents returned to the freight office of the Chicago and North Western Railway on Clinton Street and again attempted to have the car released to them, to no avail. It was then found that the freight charges to be paid amounted to $616.24 instead of $550 or $575.

Out of the draft in the amount of $600, furnished by Mr. Irrgang, Agent DiLillo was furnished with $590.00, which amount did not cover the payment of the freight charges and the expected demand of a $50 tribute.

Agent Miller, therefore, again contacted with Mr. Irrgang, who furnished an additional draft in the amount of $100, a more complete description of which will be given by Agent Miller. Out of the latter draft Agent DiLillo was furnished with $75 on October 25, 1930.

On October 25, 1930 the car of juice grapes was finally released to Agents upon payment of freight charges in the amount of $616.24, which amount was paid to Mr. Schultz in the presence of Agent Palmera and a Chicago and North Western Railway employee, who was addressed by Schultz as "Fred". "Fred" accompanied Agents to the car located on track #4. The car was found consigned to a Pacific Fruit Express Company car numbered #2211, consigned to one Joe Caruso, Chicago, and directly opposite to a car consigned to Calogero Cutillo, also Chicago. The latter mentioned car contained the same quality of Muscats ["Tiger" Brand, produced by the Mahoney Fruit Company, Selma, California] as those sold to Agents. This latter mentioned car was in charge of one of Cutillo's nephews, also named Cutillo (first name not known). The car consigned to Joe Caruso, on the other hand, was in charge of a short, red headed Sicilian whose name is believed to be Salerno.

13

Salerno, young Cutillo and a third Sicilian, whose name could not be learned, assisted Agents in opening and repacking, as well as the displaying of the grapes for sale. The grapes did not appeal to Agent DiLillo to be of the first quality due to their color and the lack of sugar. Agent DiLillo remarked to Agent Palmera at the time that $1.05 per lug was an excessive price. Salerno, Cutillo and the third Sicilian also stated, then and there, that the grapes were not of the first quality, adding that in all possibility they would not sell at more than $1.05 per lug retail. When they were advised, upon request, that the grapes cost $1.05 per lug, plus 5 cents per lug for auctioneer's fees, they stated that the auctioneer had played "a dirty trick" on Agents and that the Agents would, no doubt, lose money on the deal. They estimated that Agents would lose from $50 to $100 on the entire car of juice grapes. A most amiable spirit existed between Agents, Salerno, Cutillo and others throughout the entire day. These persons honestly sought customers for Agents' grapes, and merely to show that they suspected nothing of Agents' presence at the yards it is well to state here that Cutillo invited Agents - if they had any more money left - to go with him in the restaurant and liquor business. Calogero Cutillo, who had five carloads of grapes to be sold, was not later and sympathized with Agents in the bad buy they had made, adding that they to had made a similar bad purchase.

It was during a conversation with young Cutillo that the latter voluntarily warned Agents as follows: "Do not pay anything to anyone, not even ten cents worth of graft". During a conversation later had with Salerno, he was asked if all the persons there engaged in the grape business were Italians. Salerno replied in the affirmative, adding however, that there was only one Jew who was in partnership with an Italian. Very shortly after a man who answered Subject Romano's description chanced to pass by, whereupon Salerno stated, "There goes the Italian who is in partnership with the Jew". Subject Romano was looking at all vendors on the platforms, and though he observed Agents he did not approach nor speak to them. Subject Romano again passed by in a Ford automobile with a younger man, but only looked on.

About twenty persons stopped, looked, handled and tasted the grapes on display, but no one made a purchase, stating that $1.10 per lug, the price agreed upon to be demanded, was too much. It is to be noted here that no buyers were had by Cutillo for the identical quality of grapes which he was selling across the platform.

The findings of the day were, during the evening of October 23, 1930, brought to the attention of Acting Special Agent in Charge Frank X. Fay and Agents Miller and Little. Agent Miller

communicated by telephone with Charles W. Irrgang who suggested that the price of the juice grapes, namely $1.70 per lug, be [illegible] about 2 P. M. of Saturday, October [illegible] and that subsequently [illegible] be dropped to $1.50 per lug.

On October 24, 1930 at 7:30 A.M. car [illegible] was located between cars initialled and numbered [illegible] and [illegible] SFB-11637, the former was consigned to Joe Caruso, while the latter, bearing no tag, was in charge of a man named Napolotano, meaning a man from Naples, the correct name unknown. Car initialled and numbered PFE-22211 was immediately followed by car initialled and numbered MDT-22316, in charge of Anthony Mirabella. Directly opposite to car numbered and initialled WEK-9295 - Agents' car - was located a Union Refrigerator Transit Company car number 96669, in charge of Philip Morozzo who claimed ownership of the contents of same. The grapes sold by Morozzo were produced by the Fresno Grape Exchange of Fresno, California. Car initialled and numbered PFE-22211 had only a few lugs, which lugs were taken away in a truck bearing the name of Joe Caruso.

Philip Morozzo examined the Muscats contained in the car belonging to Agents and described them as being of a very poor quality. He stated that they were too green, that they were sour, that the berries were rather small and that instead of containing 25% sugar, they only contained 22% sugar. When informed, upon request, as to where Agents purchased the grapes, Morozzo stated that they (Agents) had not been given a square deal; that the grape auctioneers are not interested in the welfare of the grape buyers, and suggested that, being inexperienced in the grape business, Agents should have paid a sum of money to some confident person and instructed him to buy for them, the most salable grapes. It is well to note at this point that the latter suggestion by Morozzo had been advanced by Mr. Irrgang when the investigation was in its inception. Mr. Irrgang, however, for a reason unknown changed his mind and sold the car of grapes to Roman(Agent DiLillo) without giving the latter the opportunity to examine the same.

The comments as to the poor quality of grapes sold by Agents, made by Morozzo were reiterated by one Rocca who stated that he knows the Rocca employed by "the German" of the U. S. Fruit Auction & Co. Company, but that he is not related to him. He also stated that a man must watch "the German" very closely; that "the German" is the most important factor in the auction, having invested his money in it. The German, according to Rocca, may do anything to further his interests. As to the Rocca employed by "the German", the Rocca at the yards stated "he is honest, but he does not amount to much in the auction, he being merely "the German's " bookkeeper".

12

Subject Romano was seen passing the car three times, always followed by another man, possibly his bodyguard. Approximately forty people visited the car of juice grapes, handled the grapes and tasted same, but left without purchasing, or even asking the price. No sales were made on October 26th during the time the car was kept open, that is from 7:30 AM. to 5 PM.

On the morning of October 25, 1930 at 7:30 AM Agents' car was located between cars initialled and numbered MOT-23516 and PFE-11637, in charge of Anthony Mirabello and the Napoletano, respectively. Car initialled and numbered PFE-11637 was followed by car initialled and numbered Santa Fe-19209, in charge of a Piedmontese, meaning a man from Piedmont, Italy, whose name could not be learned. Directly opposite Agents' car was located car initialled and numbered PFE-11722, which was opened at about 7:35 AM. by a short, young Sicilian. It was a new shipment of Malaga grapes which arrived during the night. The Malaga grapes were of fine quality, so much so, that the persons unfamiliar with grapes bought the same as Muscats. The vendor had no fixed price and sold the Malagas from 90 cents to $1.10 per lug. The grapes moved so fast that at 11 AM. he had sold about one half of the car.

At 11:30 AM. Subject Romano followed by his escort, walked through the platform in a westerly direction. Subject Romano was observed by the short young Sicilian in charge of the car, No. PFE-11722, who appeared to be much disgusted by Subject Romano's presence. Subject Romano again walked past the platform, going towards the east. He stopped in front of car PFE-11637 and spoke to the Napoletano. The latter was observed by Agent DiLillo handing Subject Romano a certain amount of money and a white paper. The money and the white paper were pocketed by Subject Romano who proceeded in an easterly direction. The short Sicilian who with Agent DiLillo saw the passing of the money remarked that the Napoletano was working for Subject Romano.

At 12:15 PM. Subject Romano followed by his escort again approached car PFE-11722, directly opposite to Agents' car. He stopped right in front of it and yelled "Who is handling this car" the short Sicilian man pointed to another person, also a Sicilian, standing nearby, whereupon Subject Romano and his escort entered the car and invited the owner into the same, taking him to the further corner so that they could not be seen or heard. Five minutes later Subject Romano's escort left the car and ran in an easterly direction returning soon after with a tough looking customer followed by a third Sicilian whose name it was subsequently learned was Aspano. Subject Romano's escort and the tough looking man entered the car. Aspano remained outside.

In the meantime Anthony Mirabello, who was near the car, inquired as to what was going on in the same and upon being informed of Agents' ignorance on the matter he volunteered the information that the man who entered the car was Romano, a fugitive man, and who, too, had interests in the [illegible]. Mirabello added, that possibly something wrong had occurred and concluded, "We will [illegible] it some day".

Subject Romano and his associates were evidently talking to the owner of the car in the far corner of same, while the third man kept the people away from the entrance. A fifth man then came up, evidently looking for someone. He was told by Mirabello that the person he was looking for was in the car. The man entered the car. It is not known whether the fifth man was looking for Romano or the owner of the car.

Subject Romano and his party left the car about one hour later and went away. The owner of the car also came out with the fear of God painted over his face. He was questioned by Mirabello in the presence of Agents as to what had occurred but he did not reply one word.

Subject Romano passed by Agents' car and looked in on several different occasions and at 4 PM. he again stopped and spoke for a few minutes with the owner of car initialled and numbered PFE-11722, and, thereafter, with the Napoletano. By that time Agents' had been successful in making a sale of 105 lugs of juice grapes at $1.00 per lug. The money secured from the sale of the 105 lugs of grapes in question was on the evening of October 25, 1930 turned over to Acting Special Agent in Charge Frank K. Fay.

A conference was had with Mr. Fay and Agents Miller and Little, who conferred by telephone with Mr. Irrgang concerning an offer made by one Russo, a grape vendor on the team tracks of the Chicago and North Western Railway Company to Agents to buy the entire car at a loss of $100 to $150. Agents were advised to accept the offer should it be repeated.

On the morning of October 26, 1930 at 7:35 AM. Agents' car was found in the identical position as on the previous day with reference to the other cars hereinbefore mentioned.

It was found, upon arrival at the yards, that car initialled and numbered PFE-11722 contained a padlocked seal and a padlock. The car had not been opened. At about 10:30 AM. Subject Romano appeared with the owner of the car whose name -- it was subsequently learned -- is A. Scaduto, 1819 Frontier Ave, Chicago. It was noticed that while Scaduto broke the seal Subject Romano opened the padlock. Subject Romano was followed right along by his escort, and by Aspano. From the time that the car was opened to about 1:30 PM. Subject Romano was almost continuously in and about the car in question. His escort and Aspano were with him. It was noticed that the grapes moved very fast and that new grapes of different qualities were substituted for those sold. Subject Romano was continuously in Agents' presence but never spoke to them. His escort was at times leaning against Agents' car, but never said a word to them. The most communicative of the trio was Aspano, who was engaged in conversation with Agent Palmera as to the grape business, told Agent his name and also gave Scaduta's name. Scaduta's address was copied from a truck seen on many occasions in the vicinity of car PFE-11722.

Subject Romano observed Agents doing considerable business and taking in quite a large amount of money. He did not appear to be disturbed or upset about the matter, merely looking on and saying nothing. While in conversation with a man unknown to Agents Romano was heard by Agent Palmera to say "Some S. B. around here are selling for a dollar or less". It is unknown as to whether he had reference to Agents who were at that time selling grapes at $1.00 and $1.05. Agents sold 25 cases of grapes at $1.00 per case, from 7:35 AM. to 12:30 PM; also during that time, 34 cases at $1.05; 80 cases at $1.05 and 185 cases at $1.00, or a total of 287 cases at a total sum of $293.85. The said amount of money was on October 26, 1930 turned over to Acting Special Agent in Charge Frank X. Fay.

On the morning of October 27, 1930 at 7:30 AM. Agents' car was located between a car initialled and numbered MDT-82316, in charge of Anthony Mirabello, and American Refrigerator Transit Co. #17155, the latter containing seedless grapes. The location of Agents' car was very poor inasmuch as it was out of the beaten path. Due to the situation, Agents conferred by telephone with Acting Special Agent in Charge Frank X. Fay who suggested that they do the best they could. In the meantime a railway employee who approached Agents to collect demurrage charges for Saturday, October 25th and Monday, Oct. 27th (no charges for Sunday), inquired as to the business conditions and upon being informed that they were not so promising he suggested that the entire lot be sold to some dealer.

Agent DiLillo requested him to advise Agent should he find a buyer who would purchase the entire load. About one half hour later Subject Romano and another Italian man, unknown to Agents, called upon Agent DiLillo and stated that the railway man there had told him that Agent would sell the balance of the grapes to some dealer. He stated that he was a dealer and would contemplate purchasing the balance of the grapes if they were satisfactory. With Agents DiLillo and Delaney, Subject Romano and his companion entered the car. Subject Romano examined the grapes, tasted them, squeezed them, handled them and finally said that Agents were badly stung and offered to buy the balance of the grapes at 80 cents per box. Agents objected to the price, whereupon he stated that he could throw a nickel more in and make the price 85 cents per box. He explained that the grapes were bad, but that he had various cars of grapes on the tracks; that he would divide the grapes purchased from Agents among his other cars and thus sell them with the better grapes; his offer was again rejected and he went away. He returned shortly, however, stating that he would pay 45 cents per lug for the grapes. He was, however, discouraged by his companion who said that 45 cents per lug was too much. Subject Romano did suggest that Agents think the matter over and give him a reply by 4 PM. In the meantime Agents made two sales of 75 lugs at 80 cents per lug and 34 lugs at 85 cents per lug, respectively or a total of 189 lugs for $113.40.

Anthony Mirabello who had seen Agents confer with Tony Romano inquired as to what Romano wanted of Agents. It was explained that Agents decided to sell the remaining 520 lugs of grapes to one dealer and informed Mirabello that Subject Romano had offered only 45 cents per lug. Mirabello informed Agents that Tony Romano is a millionaire engaged in a liquor and gambling business and that this was the first year he appeared on the Juice grape tracks as a grape vendor; that he is an "S. B." and no grapes should be sold to him at 45 cents per lug. Anthony Mirabello further stated that he knew of a man who could buy the grapes at a more reasonable price and introduced Agents to Joe Caruso who has been dealing in grapes for many years. Joe Caruso at first offered Agents 75 cents per lug for their grapes, but finally, subsequent to some dickering, stated that he would buy the 520 lugs of grapes for not more than 80 cents per lug. The sale was consummated, the bill of sale which Agent DiLillo, as Joe Roman, received from the U. S. Fruit Auction Company was turned over to Mirabello, who for Caruso, paid Agents the amount of $416.00, representing the sale price of the 520 lugs of grapes. The said money was turned over to Special Agent Albert Miller, together with the amount of $113.40 secured from individual sales effected during the morning of October 27, 1930.

136

From the $665.00 in currency received from Agent Miller the following disbursements were made by Agent DiLille:

Oct. 25, 1930 -	Freight charges	$18.00
" 25, 1930 -	2 hampers	1.00
" 25, 1930 -	2 hatchets	[illegible]
" 27, 1930 -	2 days demurrage [illegible] to C&NW Ry	[illegible]
Oct. 27, 1930 -	Balance turned over to Agent Miller	[illegible]
Total disbursements		$665.00

Total amount of currency received from Acting Special Agent in Charge F. X. Fay $665.00
Amount due Agent DiLille [illegible]

Resuming the various sales made by Agents Palmera and DiLille from October 25th to October 27th, 1930, the following is submitted:

Oct. 25, 1930 -	105	lugs	@	$1.00	$105.00
26	25	"	"	1.00	25.00
26	83	"	"	1.05	84.15
26	34	"	"	1.05	35.70
26	80	"	"	1.05	84.00
26	125	"	"	1.00	125.00
27	96	"	"	.80	97.00
27	34	"	"	.80	40.80
27	520	"	"	.80	416.00
Total	1041				$ 980.85

The difference between the number of cases received (1040) and that of the cases accounted for (1041) is due to the fact that Agents, through error, delivered to one of the buyers 35 cases of grapes instead of 34, receiving payment for 34 cases.

It may be of interest to note that dealers engaged in the grape business for years explained the presence of water and the lack of sugar in Agents' grapes by stating that the vineyards were irrigated too often and that the growth of the said grapes took place in shady fields.

It may be also of interest to note that the apparent failure to show profit in the business venture was not only due to the quality of grapes, but was also due to the fact that Agents had no friends who might have bought from them - as other vendors had - in addition to the fact that Agents' experience in such a line of business was and is limited.

The following investigation has been conducted by Agents Miller and Little since the reference report was submitted.

On October 24, 1930 Mr. Harry Stern, Assistant to Mr. Charles W. Irrgang of the W. H. Kraft Auction Company, called at the Chicago Bureau office and in response to questions propounded by Agents Miller and Little, set forth in detail in a signed statement hereto attached and marked Exhibit "A", the facts as they are known to Mr. Stern in connection with the marketing of juice grapes at the Chicago terminals. As will be noted from this statement, Mr. Stern was in possession of no first hand information concerning the collection of tribute by Subjects or their representatives from juice grape vendors. Mr. Stern stated that should he at any time become informed of any facts bearing directly upon the investigation now in progress he will communicate same at once to Mr. Irrgang, who will in turn notify this office.

On Sunday morning, October 26, 1930 Agent Little made a trip to the juice grape tracks of the Chicago and North Western Railway Company and the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and found the conditions under which grapes are sold by peddlers from the cars as hereinbefore described. Agent did not observe either of Subjects engaged in any solicitation from peddlers and no business was being conducted on the Milwaukee tracks, all of the activity being confined to the North Western grape tracks. Numerous groups of Italians were actively engaged in the solicitation of prospective buyers and it appeared to be the practice for a group of Italians to immediately surround a prospective buyer as soon as he appeared in the vicinity of the tracks and escort the buyer to the cars owned by the group. Neither of Subjects was observed by this Agent on the tracks during the time of the visit.

On Sunday evening, October 26, 1930, Agents Miller and Little conferred with Mr. Charles W. Irrgang at the Medinah Athletic Club, 505 N. Michigan Ave. Chicago, with particular reference to the progress which had been made by Agents DiLillo and Palmera in connection with the sale of the carload of juice grapes purchased by Mr. Irrgang through the Auction Company. Agents informed Mr. Irrgang of the fact that Subject Romano had been active in the sale of a car-load of juice grapes on Saturday and Sunday, which car was located on a track directly opposite to the car which was then being sold by Agents DiLillo and Palmera. Mr. Irrgang seemed to regard this fact as significant and stated that heretofore Romano has not personally engaged in the sale of juice grapes, leaving such details

to a subordinate, Mr. Irrgang also stated that in view of the fact that F. C. Bentel, Assistant Claim Agent of the Chicago and North Western Railway, has in the past been a close associate and friend of Joe Aiello who was killed in Chicago on Oct. 23, 1930 and was likewise very friendly with Joe Ferrara and is at present in close daily contact with Subject Schraiberg and Romano, it is Mr. Irrgang's opinion that Mr. Bentel could not be trusted with any information pertaining to the under-cover investigation now in progress by this office, and this phase of the matter will be carefully borne in mind and further contact will not be had with Mr. Bentel.

Mr. Irrgang also stated that on October 24, 1930 while he was at the Juice grape tracks of the North Western, Subject Schraiberg informed him that he desired to speak to Mr. Irrgang on a confidential matter and to this end requested a private interview. Accordingly Mr. Irrgang stated he informed Mr. Schraiberg that he would see him at his (Irrgang's) office on Tuesday, October 28th. It is Mr. Irrgang's thought that at the conference on Tuesday, Subject Schraiberg will either advance some kind of proposition in connection with the marketing of juice grapes or will definitely threaten Mr. Irrgang and attempt to dictate the part to be played in the future by the Auction Company in connection with the sale of juice grapes. Mr. Irrgang stated he bases his opinion upon the statement made by Schraiberg that the "organization", meaning the Capone gang had instructed Schraiberg "to get rid" of Fred King, one of Schraiberg's lieutenants and that Schraiberg stated he would dismiss King on the morning of Oct. 24, 1930 and that in the future he, Schraiberg would be in complete charge of operations on the North Western tracks for the "organization".

Mr. Irrgang was informed by Agents of the progress made to date in the sale of the carload of juice grapes and recommended that the remainder of the carload be disposed of at whatever price could be obtained and that as soon as the present car had been sold he would supply another car since it is his conviction that Subject Schraiberg or Subject Romano will sooner or later interfere in some manner with Agents DiLillo and Palmera in the sale of juice grapes.

Mr. Irrgang stated that he has received information during the past week to the effect that six carloads of juice grapes were placed on the North Western Railway tracks which cars had been consigned to a brother of Pasquale Prestigiacomo, the last named being a close friend and associate of Joe Aiello and from whose home Aiello emerged on Oct. 23, 1930 to be shot down by machine guns, and that Subject Schraiberg had informed Mr. Irrgang personally that these six cars would be "turned off the track" and no sales would be permitted to take place from those cars.

Mr. Ferrang reiterated that he and his company are prepared to assist the Bureau in every way in the further conduct of this investigation and to this end will furnish carloads of grapes and supply whatever financial assistance is required in order to bring about the successful consummation of the matter.

The following is a statement of receipts and expenditures of all monies in connection with the sale of the carload of juice grapes by Agents DiLillo and Palmera:

DEPOSITS. In joint checking account of Agents Miller and Little, trustees, in the National Bank of the Republic in Chicago, Illinois.

Oct. 21, 1930 -	Check of U. S. Fruit Auction Co., dated 10/21/1930	$900.00
Oct. 23, 1930 -	Check of U. S. Fruit Auction Co., dated 10/22/1930	100.00
Oct. 27, 1930 -	Cash received from Acting Special Agent in Charge, F. X. Fay	396.85
Oct. 27, 1930 -	Received from Special Agents DiLillo:	
	Cash	553.40
	Cash	41.00
Total		$1670.85

DISBURSEMENTS. From joint checking account of Agents Miller and Little, trustees, in the National Bank of the Republic in Chicago, Illinois.

Oct. 22, 1930 -	Cash withdrawn by check and given to Agent DiLillo	$ 600.00
Oct. 23, 1930 -		65.00
	Total	$ 665.00

RECAPITULATION.

Total Deposits	$1670.85
Total Withdrawals	665.00
Total Cash in bank 10/27/1930	$1005.85

40

Before arrangements are made for the sale of another carload of juice grapes, the Bureau will be advised by telephone by the Special Agent in Charge of the progress made to date and further instructions in this connection will be requested.

UNDEVELOPED LEAD.

CHICAGO, Interview will be had with Mr. Irrgang on Tuesday, Oct. 28, 1930, following his conference with Subject Schreiberg. Obtain from Mr. Irrgang a written statement which he is now preparing, setting forth in detail, such acts in connection with the juice grape situation, as are known to Mr. Irrgang personally. Further interviews in connection with leads set forth in reference report will be held in abeyance until such time as the under-cover investigation on this matter shall have been concluded.

ADDENDUM.

Since the foregoing report was dictated, Mr. Charles W. Irrgang, the original complainant in this case, has furnished the Chicago office with a signed statement, consisting of three pages, the original of which is attached hereto, marked Exhibit "B" and photostatic copies whereof are likewise attached to each copy of this report. The statement sets forth such facts as are known to Mr. Irrgang and which bear upon the salient features of this investigation and was furnished at the request of this office.

- PENDING -

. STATEMENT OF MR. PERRY STERN, AUCTIONEER FOR
THE U. S. FRUIT AUCTION COMPANY

QUESTION. Mr. Stern, as you are [illegible] by Mr. Charles [illegible] are doubtless familiar with the investigation in regard to the [illegible] Grape situation in Chicago, which is now in progress, and is desired that you submit such facts as are within your knowledge, concerning the sale and marketing of juice grapes on the railroad terminals of Chicago, commencing with the year 1928. How long have you been associated with the U. S. Fruit Auction Company?

ANSWER. As an auctioneer, for the last five years, with the auction company as it is now formed, for the last two and a half years.

Q. You are familiar with the situation on the various tracks where juice grapes are sold?

A. Fairly so, yes.

Q. You are more familiar with the conditions as they prevail inside the Auction Company than on the tracks adjacent to the Auction Company?

A. I am fairly familiar with every track where they are sold in addition to the Auction Company itself.

Q. In connection with the sale of grapes at auction, where has this business been conducted for the past three years?

A. In order to have a proper distribution of the grapes and have liberal supplies on the various tracks sold through auction, we found it necessary to have sales at the various railroad yards and we sold at the Clinton Street Team Track of the Northwestern three times weekly during the juice grape season in 1928, at the Santa Fe at 21st Street five times weekly and at 27th and Ashland five times weekly, all during the year 1928. In 1929, we sold only at the 27th and Ashland team tracks known as "the Auction Terminal tracks."

Q. Did you sell grapes during the year 1928 on the tracks of the Chicago and Northwestern?

A. No, we did not.

Q. Explain why juice grapes were not sold on the Northwestern Auction tracks during the season 1929.

A. At one time during 1928 while acting in the same capacity I am now, as assistant to Mr. Irrgang, in the handling of the juice grapes, we encountered a bit of difficulty down on the Northwestern track. They had what they called a "clique", or at least it was so considered, a number of fellows

Exhibit A

142

who were very friendly with me and I was very friendly with them, and we discussed the auction with them daily and explained our situation to them and cars were displayed on their tracks. Every now and then they would complain that our selling on the Northwestern track in the presence of the retail trade would conflict with their business in this way: they thought that by purchasing carload lots at a certain price they were entitled to a certain margin of profit. They thought the retail trade felt that if they could buy a car at $1.05 per lug their argument was that the retailers also felt they should not pay over $1.05. Of course, that was our real argument with them. We tried to prove to them that it was not the retailer's business what they were paying and as long as they displayed salesmanship they should get whatever price they asked as long as it was within reason.

Q. Who were the parties?

A. I mean car-lot buyers.

Q. And the principal car-lot buyers were who?

A. On the Northwestern track, Joe Ferrara was one party. There was a fellow associated with him - first name Tony - Tony Torentino, known as Tony "Butch." Ferrara's party was the heaviest buyer on the track. There was a little fellow by the name of Joey - I don't know his last name - and Joe Caruso, but the heaviest buyer of these was Joe Ferrara. At times it appeared as though Joe Ferrara did the buying for a number of the other independent parties on the track and the impression that it left with one, at least with me, was that Joe wanted to buy in order to eliminate the outside bidding from others and buy at a more reasonable price.

Q. Who was Joe Ferrara particularly known to be allied with?

A. Of course, I never heard it said but it has been known that Ferrara was associated with Tony Lombardo and Joe Aiello, both of whom are now dead.

Q. You did no business at all on the Northwestern Tracks in 1939?

A. No, we did not.

Q. Was that at the request of Ferrara?

A. At one time during 1938, while I was on the Clinton Street team track, or as I arrived on the team track, I saw a gathering of about twelve or fifteen Italians at the intersection. I didn't know just what was going on but I walked over to a sandwich stand and bought a sandwich. Nobody spoke in English but all of it was in Italian but I overheard Irrgang's name mentioned and I overheard the auction mentioned and my name mentioned and it sort of put the fear of God into me because I saw no one inspecting our fruit. We had about fifteen or twenty cars on the track at the time

and the fruit displayed as usual, I took the sandwich and walked into the team track office at Northwestern and sat there for a few minutes until I had both feet on the ground again, then walked on, but nobody said anything to me yet. Shortly afterwards, Mr. Irrgang came in his car and I believe Mr. Frank Nellis was with him at the time. I walked over to Mr. Irrgang's car and said, "Mr. Irrgang, I don't know what there is in the air here today but I sense some pressure. He wanted to know what I meant and I said, "I can't explain further except that I fear we are going to be boycotted". He asked for further details and I said I was just as ignorant as he was except that I heard these boys mention these names.

Q. Was Ferrara in the group?

A. Ferrara was in the group and all the other fellows were boys from the track, regular men who operate from the track but enough to make up a group. That day most of the cars, if I remember correctly, were bought there by Jewish dealers from other tracks or bought in by Mr. Nellis. Unless I am mistaken, it was a Friday sale. I didn't show up on the track the following Saturday, contrary to my usual custom, to make the rounds of the tracks every day, Saturdays and Sundays to make sure just how the fruit was moving. That Saturday I just wasn't feeling right. I didn't have enough nerve to show up on the track. Sunday morning, I decided to go down the usual way and I walked down and met Joe Ferrara and exchanged greetings the usual way and wanted to know what was wrong and he said, "Oh, nothing, everything will be all right by Monday." I said, "Joe, I wish you would explain what happened." He said, "The boys don't want you to sell down here." It would interfere with the business. That was the extent of his explanation. But to go a little further, we started to unload a lot of other stuff and he accused me of making the statement to some one that every time I go to the Northwestern Railroad yards I was afraid of being shot and I corrected Joe by saying that I never made such a statement and told this to Joe on my word of honor as a man but did tell him that the statement I made at one time in answer to a question as to where I was going was that I informed the party asking the question that I was going to the "shooting gallery," meaning the Northwestern tracks and explained to Joe the reason I made that statement was because a couple of days ago there was a shooting match on the track and two men were wounded and that phrase of "shooting gallery" was not my own but had been used by some one else.

Q. Had those tracks the reputation for being a bad spot?

A. It has been said that they were controlled for a number of years by the gang.

Q. Had you ever received from Aiello checks in payment for grapes which you sold to Ferrara?

A. Not to my knowledge, although I would not have occasion to see them.

144

Q. Have you sold any grapes on the Northwestern tracks this year?

A. Yes, we have. In fact, we sold five cars [illegible] last Monday to Sam Russo; two cars on the same day to Joe Caruso. On Thursday, that was yesterday, we sold one car to Joe Caruso and one car to Freddy King. We sold some the week before and the week before that.

Q. Did you personally sell those cars?

A. No, Mr. Irrgang. The cars were sold at the terminal yards and diverted to the Northwestern tracks to these buyers.

Q. They were diverted on their orders?

A. Yes.

Q. But no cars had been sold by you or Mr. Irrgang on the Northwestern tracks this year?

A. We did not operate on the Northwestern tracks or any tracks except the Produce Terminal. As far as the Auction Company is concerned, if we felt for a moment that the fruit business was hurt by selling through auction we would immediately quit, but the Auction Company has felt that the auction method is the only way of selling because other commodities have proven a success.

Q. Do you know anything about the arrangements or conditions which prevail on the Northwestern tracks this year?

A. Very little, except that I know, of course, that fellows have made their appearances on the track who have never been there before.

Q. For example?

A. Manny Schraiberg and one other fellow by the name of Tony Romano. Manny, of course, has been very active in other years to my knowledge up to this year and has been quite a factor in the watermelon business. This other party I have never seen in my life up to the time of the grape business and the first time I met him was through Manny. I have known Manny for many years and have always been friendly with him. In fact, it was rather a shock to me that I found he was on the Northwestern tracks and that he was supposed to be a trouble-maker.

Q. Do you know anything about the methods which are alleged to be employed by Schraiberg and Romano?

A. No, I don't know of anything definite. I say that honestly. It has been said that they were going to adjust and levy tribute to a certain amount on each car.

FRUIT AUCTION SA...
AUCTIONEERS
CHICAGO
CHARLES R. GEDDING
CHARLES W. HOUGHTON
VICE-PRES. & GEN. MGR.
WALLACE B. CLARK
E. EDWIN WILLS
OFFICE OF THE
GENERAL MANAGER

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

Gentlemen:

On Thursday, September 18th, 1930, Mr. Charles R. Gedding, Mr. E. Edwin Wills and the writer had an audience with Mr. G. C. Teague of the Federal Farm Board in Washington and presented to him the conditions existing in the past few years on the teamtracks at the grape industry in Chicago. On the same morning we were referred to the Department of Justice and we presented conditions to them as they existed in Chicago, especially on the Clinton Street teamtracks of the Chicago & Northwestern Railway, where approximately one-third of the unloads of the grapes were made in previous years.

The tracks have been virtually under control of a number of persons under the direction of Joseph Ferrara (who has since been murdered) and Tony Fornieri. These two gentlemen had been operating under orders and with the finances furnished by one Joseph Aiello (who has also in the past week been murdered in Chicago). For three years it has been impossible for any free and open selling by growers, receivers, or auction company in this yard. They have had for these number of years a monopoly of the tracks and only those who met with favor with these people were permitted to open and peddle cars. Their practice has been to levy a tribute varying from $10.00 per car to $200.00 before permitting a buyer to peddle a car to the public. In some instances they made a season's agreement by certain amounts of money. This has been common practice and known by every one in the industry but nothing concrete could be gathered which would definitely establish such things as time of payment or proofs that would stand in court, the United States Fruit Auction Company being the only outstanding instance where definite payment demanded.

During the grape season of 1928 the buyers who operated in the Northwestern tracks were prohibited from purchasing at the auction. However, in 1929, in order to

BUREAU OF INVESTIGATION
OCT 29 1930
DEPARTMENT OF JUSTICE
CHICAGO, ILLINOIS

Exhibit B

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Department of Justice - cont.

give the shippers full buying power of the entire market, it was necessary to have some of the buyers at their track purchase cars. We, therefore, held sales for a short period twice weekly within the teamtracks of the Northwestern yards. There was very bitter feeling and many definite threats made to the auction company officials that they would not permit these sales to continue and on one particular occasion, under the leadership of Ferrara and Terlizzi, the crowd that followed the auctioneers was terrorized, and they prohibited the auction selling to continue, even with threats of guns. The following day, Ferrara agreed if we discontinued selling auction at teamtrack, they would permit their boys to buy from us at our regular selling place in the Chicago Produce Terminal Yards and divert cars from there to the Northwestern teamtrack for sale to the public. For this service, however, they demanded a certain sum of money per car and it was definitely agreed to pay them $30.00 per car under the guise of they assuming the credits for this irresponsible lot of buyers who are the sellers to the public of grapes. They purchased last season [illegible] cars on which they were paid $20.00 a car. This money was paid by check, the original of which is in your possession.

After the death of Ferrara and the breaking up of the so-called Aiello gang, it was generally made known that the Al Capone organization had taken charge of the Northwestern tracks and had installed one Manny Shpeitzer with one Tony Romano as his organizer and the general word was passed out that a charge this season would be $30.00 per car for anyone not having made previous arrangements with this organization to open and sell cars. Also the word was passed that they were going to organize all other tracks in Chicago on a similar basis, which were the following: The Chicago Produce Terminal peddling yards located at 47th and Ashland Ave., the 21st Street yards of the Santa Fe, and the Rock Island yards at Taylor Street.

On or about September 12th, and again the following Monday, several men in high powered automobiles appeared in the Produce Terminal Yards and advised some of the men there

FRUIT AUCTION SALES CO.
AUCTIONEERS
130 SO. WATER MARKET
CHICAGO

CHARLES R. GOODING
PRESIDENT
CHARLES W. INGRAM
VICE-PRES. & GEN. MGR.
WALLACE B. CLARK
SECRETARY
E. EDWIN MILLS
TREASURER

OFFICE OF THE
GENERAL MANAGER

Department of Justice - cont.

that they were going to organize that part, then this information reached us we immediately got in touch with Mr. Teague of Washington.

For many years the Division Street yards of the Chicago, Milwaukee & St.Paul were used for the selling of grapes to the public. At the opening last year, the Ferrara men, fully armed, swooped down on these men who were opening these cars and compelled them to close and get rid of same and refused to permit any further business on these tracks, thereby closing up one of the big outlets for grapes. This same railroad at a great expenditure built concrete tracks this season but no cars have been handled there so far.

The matter was placed before Mr. Teague, advising him that the city authorities apparently were helpless in the matter and we hoped that there might be a violation of interstate laws and that we might be able to secure the assistance of the Federal Government in breaking up this condition in Chicago but, as we advised the Department in Washington, it was impossible for us to present anything concrete as most of these transactions were made among the illiterate Italian class who were afraid to put themselves on record, and all that we could get was hearsay evidence, feeling that the Department might be able, with different leads, to secure enough data and information that would show violation of federal laws.

As this letter is written, the organization is hanging on but has not dared to function openly and as freely as was their intention. The results therefrom are now shown by the larger increase in sales on this particular track, also the investigation which was started has evidently changed their plans for this season of expanding their operations to other tracks.

BUREAU OF INVESTIG
OCT 29 19
DEPARTMENT OF JU
CHICAGO, ILLIN

I might add that we returned from Washington on Friday, September 19th, and this organization knew of our visit and the mission of same in Washington, this information having apparently emanated from Washington.

Very truly yours,

I, PERRY STERN, of the U. S, Fruit Anction Company, have read the foregoing statement consisting of nine typewritten pages containing questions by Special Agents M. E. Gillis and Albert Miller and the answers thereto made by me on October 24, 1930, and the same were made willingly without threat or promise of reward or immunity and are true to the best of my knowledge.

Perry Stern

PERRY STERN

Witnesses:

Albert Miller

M. E. Gillis

JOHN EDGAR HOOVER
DIRECTOR

RECEIVED

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

October 31, 1930

NOV 1 1930 AM

MEMORANDUM FOR THE DIRECTOR.

62-24153

On the afternoon of the 30th instant, Agent Fay of the New York office called by telephone to advise that Mr. Charles Irrgang, who has financed Agents DiLillo and Palmera in the Juice Grape business, had advised that he had received word from Subject Manny Schraiberg and two others who had made certain inducements looking towards a partnership ~~had advised~~ that they were informed that government agents had entered into the grape business; that they were not in any way fearful of the consequences; and Mr. Irrgang stated that he would not finance another car for these Agents; that he would not testify to the facts which he has already disclosed to our Agents; that he would no longer cooperate with the Government, and that he was through. Agent Fay stated that Mr. Irrgang made these statements in no belligerent attitude whatever, but in an attitude clearly indicating, in fact supported by the statement that he was fearful for his life and would under no circumstances have anything more to do with this investigation. In view of this information, I promptly communicated with Mr. Oseas, in Mr. O'Brian's Division, and it was agreed that Agents Palmera and DiLillo would be promptly released from this work in Chicago, and that further investigation would necessarily be suspended until the full facts with regard to the Irrgang statement were received. Agent Fay stated he would place a report in the mails on the night of the 30th instant.

Respectfully,

For V. W. Hughes.

NOV 1 1930

NOV 1 1930

62-24153-33

Nathan FILE

154

Form No. 1

THIS CASE ORIGINATED AT CHICAGO.

REPORT MADE AT	DATE REPORT MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Chicago, Illinois	Oct. 31, 1930	10/28 to 10/30	ALBERT MILLER

TITLE: MANNY SCHRAIBERG
JOHN ROMANO
JUICE GRAPE INVESTIGATION

CHARACTER OF CASE: ANTI-TRUST MATTER

62-24153

SYNOPSIS OF FACTS:

Chas. W. Irrgang informed that second car of juice grapes selected by Agents DiLillo and Palmore would sell too high, and suggested postponement of sale of grapes until the following day. After conference between Irrgang and Subject Schraiberg, accompanied by two alleged Capone representatives, Irrgang declined to assist further in instant investigation. Bureau advised by telephone and memorandum. Awaiting Bureau instructions as to further investigations, case is

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INVESTIGATION DIV.
NOV 1 1930 M

REFERENCE: Report of Special Agent Albert Miller, Chicago, Ill., October 28, 1930 and memorandum dated October 30, 1930.

DETAILS: AT CHICAGO, ILLINOIS.

This is a joint report on behalf of Special Agents M. F. Little, Albert Miller, P. DiLillo and W. H. Palmore.

In view of Agents DiLillo and Palmore having completed the sale of a car of juice grapes at the Chicago & North Western Railway Company's juice grape tracks on October 27, 1930, Acting Special Agent

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:		RECORDED AND INDEXED:
F.X. Fay SPECIAL AGENT IN CHARGE	62-24153-34	NOV
COPIES OF THIS REPORT FURNISHED TO: 3- Bureau 3- Chicago	BUREAU OF INVESTIGATION NOV 3 1930 A.M. DEPARTMENT OF JUSTICE	CHECKED OFF: NOV 6 - 1930
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Copy to Wm. B. Bryant 11/1/30

T—1222

in Charge F. X. Fay communicated with Mr. Vincent Hughes by long distance telephone on October 28, 1930 and briefly outlined the situation concerning this investigation, and requested further instructions. Mr. Hughes instructed that any further under-cover investigation by Agents DiLillo and Palmera should be held in abeyance until the Chicago office had learned the result of Mr. Irrgang's contemplated interview with Subject Schreiberg, which was to occur on October 29, 1930. On the evening of the latter date, Mr. Irrgang by telephone informed Agents that Subject Schreiberg had failed to appear for conference. This information was conveyed to Mr. Vincent Hughes by long distance telephone by Acting Special Agent in Charge Fay who was then instructed to have Agents DiLillo and Palmera proceed with the sale of another car of juice grapes in the same manner as heretofore.

Agents Little and Miller contacted with Mr. Irrgang on October 29, 1930 and made arrangements with him to permit Agents DiLillo and Palmera to inspect the cars of juice grapes on the tracks of the Produce Terminal in order that they might select a suitable car of juice grapes. Mr. Irrgang informed that Agents DiLillo and Palmera could select any car of juice grapes which they thought desirable and stated he would have same switched to the Chicago and North Western Railway's juice grape tracks where the said Agents could pay the freight on same on the morning of October 30, 1930 and proceed with the sale of same as heretofore. At this conference Mr. Irrgang informed Agents Miller and Little that he (Irrgang) had met Bill Reardon, sales representative for Mark T. Adamson, broker, on the Chicago & North Western Railway's juice grape tracks on the previous day and that the latter had informed Mr. Irrgang that the "organization" was disgusted with the amount of profit that they had realized through Schreiberg and his assistants this season and that the "organization" had instructed Schreiberg to get rid of Tony Romano and Fred King.

Agents DiLillo and Palmera inspected the cars of juice grapes at the Produce Terminal on October 29, 1930 and selected lot 29, which was a car of Muscats, and informed Mr. Irrgang and Perry Stern, who approached them, of their selection. Mr. Irrgang informed Agents DiLillo and Palmera that the selection which they made was a car of good juice grapes, but that the cost of the same would run very high in comparison with the rest of the juice grape market, and Mr. Irrgang suggested that the matter of obtaining another car of juice grapes be postponed until the following day (October 30, 1930).

156

Later in the day October 30, 1930, Mr. Irrgang telephoned at this office and informed Agent that Subject Rehrenberg had telephoned to him and that he had advised Rehrenberg he would meet him immediately at his (Irrgang's) apartment on the evening of October 30, 1930 in the Medinah Athletic Club. Agents Little and Miller interviewed Mr. Irrgang after this telephone conversation at his apartment and Mr. Irrgang requested that Agents contact him on the following day for details of the interview which was to occur with Subject Rehrenberg.

Agents Little and Miller contacted with Mr. Irrgang at his office on the morning of October 30, 1930, at which time a conference was held. The details of this conference have been submitted to the Bureau under separate cover in the form of a Memorandum, dated October 30, 1930, and the present developments which have occurred were briefly outlined by Acting Special Agent in Charge Fay to Mr. Vincent Hughes by long distance telephone.

The Bureau is respectfully requested to furnish the Chicago Bureau Office with instructions as to further investigations in this matter.

PENDING

157

VHH:FHS
62-34153-84

RECORDED

November 4, 1930.

NOV 6 - 1930

MEMORANDUM FOR MR. HUBERT DODDS
ACTING HEAD OF ORDINAL DIVISION

For your further information in connection with the Juice Grape Investigation at Chicago, which is entitled "Manny Schraiberg and Tony Romano", there is enclosed herewith a copy of the report of Special Agent Albert Miller, dated October 31, at Chicago, Illinois, from which you will note that Mr. Charles Irrgang has refused to cooperate further with the Government, and as a consequence, Agents DiLillo and Palmera have been released from the assignment at Chicago.

No further action will be taken in this matter pending additional instructions from the office of the Assistant to the Attorney General.

Very truly yours,

Director.

Enc. 431171

BUREAU FILES DIVISION
MAILED
NOV 4 1930
A.M.
DEPT. OF JUSTICE

VHH:FHB
62-24153-24

RECORDED

November 4, 1930.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. O'BRIAN

...6-1930

Supplementing my memorandum of the 1st instant with regard to the Juice Grape Investigation, which is entitled "Manny Schraiberg and Tony Romano," there is enclosed herewith, for your further information, a copy of the report of Special Agent Albert Miller of the Chicago office of the Bureau, dated October 31.

As indicated in my memorandum of the 1st instant, the Chicago office has been instructed to take no further action in this case pending receipt of additional instructions. The enclosed report, which contains an inquiry with regard to the advisability of proceeding with the investigation, was, of course, prepared and submitted prior to the time that the instruction to take no further action was issued.

Very truly yours,

Director.

Enc. 421190

BUREAU FILES DIVISION
A.M.L.E.C.
NOV 4 1930
A.M.
DEPT OF JUSTICE

159

JOHN EDGAR HOOVER
DIRECTOR

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

RECEIVED

October 29, 1930.

62-24153

NOV 1 1930 PM

MEMORANDUM FOR THE DIRECTOR:

OCT 30 1930

Agent Fay at the Chicago Office called by telephone yesterday morning to advise that Special Agents DiLillo and Palmera, assigned to the Juice Grape Investigation had succeeded in disposing of a carload of grapes on the Northwestern Railroad tracks at a loss of $195.00; that no approaches have beenmade to either of these Agents while working on the railroad tracks, although subject Romano, one of the leading racketeers, had sold grapes from a car placed next to that of the agents, and it was assumed that Romano had performed that work for the purpose of sizing up Palmera and DiLillo, as it has not been his practice to sell grapes but merely to circulate around the cars where they were being sold. DiLillo observed the passing of funds, from one grape vendor to Romano but did not overhear the conversation and does not know the circumstances attendant upon that transfer of finds. Agent DiLillo, however, obtained the number of the car from which these grapes were sold and can identify the vendor when it becomes necessary to do so at a later date.

Agent Fay also advised that subject Manny Schreiberg had communicated with Mr. Charles Irrgang, who is financing the grape business for the Agents, requesting a conference yesterday. Irrgang, of course, had agreed and will advise the Agents promptly upon the conclusion of said conference, the subject thereof.

Agent Fay desired instructions as to whether an additional car of grapes should be purchased and sold. I advised him to make no further arrangements until I had an opportunity to confer with Mr. Oseas of the Department. I conferred with Mr. Oseas, who stated he would like to have the Agents purchase and sell another car of grapes, even though the Agents were under the impression that possibly a leak had occurred and the racketeers were advised of their plans, because he stated that if they suspected anything, the withdrawal of the Agents after the sale of only one carload of grapes would confirm that suspicion and upon the other

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62-24153-35

NOV 3 1930

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120 JUL 27 1964

NOV - 8 1930

hand, if the racketeers were only suspicious of these Agents, their presence with another carload of grapes might allay that suspicion and they might be approached on the second occasion. In view of this request of Mr. Osens, I will instruct the Chicago Office to permit the Agents to proceed with the sale of another carload of grapes, unless developments growing out of the conference between Irrgang and Schreiberg make the same impossible. I expect to learn of the results of the conference before the close of business today.

Respectfully,

V. W. Hughes.

VIA: AM November 3, 1936.

RECORDED

62-24153-36

INVESTIGATION

NOV 3 930 A.M.

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MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. STEDMAN

I desire to confirm the delivery to Mr.Cross on the 31st ultimo of a copy of the report of Agent A. Miller of the Chicago office of this Bureau, dated October 30th, and entitled HARRY SCHRAIBERG, TONY ROMANO, Juice Grape Investigation. I also desire to confirm the delivery to Mr. Cross on that date of a copy of a memorandum prepared by Agents H. T. Little and A. Miller at Chicago on October 30th covering information received from Charles Irrgang concerning a conference between Harry Schraiberg and two associates and Irrgang, and relating the statement of Mr. Irrgang to the effect that he wished it definitely understood by this Bureau and the Department at Washington that he would not testify in this case and was not willing that any signed statement made by him be used as evidence; that he would no longer cooperate with the government and would not finance any further operations on the part of the Agents.

When advice of the statement of Mr. Charles Irrgang was received by telephone on October 30th, this office after conferring with Mr.Cross, instructed Special Agents Dillie and Palmer, who had been working on the case at Chicago, to discontinue it and to return to their respective headquarters. The Bureau is at this time writing the Chicago office instructing that they take no further action pending additional instructions from this office other than to report such developments as may occur.

It is believed that any further investigation along the lines heretofore pursued would be futile. It is believed further that inasmuch as Charles Irrgang originally complained to the Department regarding the activities of the gangsters in Chicago in the grape industry, and knew full well of the character of the persons with whom he was dealing, he should be called upon to present his facts to a grand jury despite his statement to the effect that he will not testify as to any of the information which he has trans-

BUREAU FILES DIVISION
MAILED
NOV 3 1936

162

mitted orally and in writing to this Department and Bureau. There would seem to be no greater reason for his fear of the gangsters at this time than was present at the time he first complained to the Department. On the other hand, it is possible that the investigation made by the Department and Bureau may have accomplished a more lucrative arrangement for the disposition of gangs by the Chicago section.

Very truly yours,

Director.

The Evening Star, November 4, 1930.

GANGSTER TRAILED TO HOSPITAL, SLAIN

Star 11-4-30

Two Gunmen Walk Into Private Room and Fire Three Shots Into "Ape's" Body.

By the Associated Press.

NEWARK, N. J., November 4.—A racketeer who sought sanctuary in a private room of the Newark General Hospital was tracked down by two gunmen last night and killed in his bed.

Walking by the information desk without a word, the slayers went directly to the room occupied by John Passelli, known in the underworld as "The Ape," and fired three shots, killing him instantly. They then walked out in the confusion and escaped in an automobile.

Passelli, who had been listed at the hospital as Joseph Caruso, walked into the institution Sunday with a slight scalp wound and bruises. Hospital authorities said he told them he had fallen from an automobile. His injuries were dressed, but he insisted on staying in the institution, and asked for a private room.

Police said they believed his injuries were received in jumping from a moving automobile when he realized he was being taken for a ride and that his killers, balked in their first attempt, trailed him to the hospital. The police attributed the killing to New York gangsters, saying Passelli had been attempting to cut in on the New York grape racket, by which gangsters levy a tribute on the shipments of grapes.

Doctors and nurses at the hospital were taken to police headquarters to view rogues' gallery picture in an attempt to identify the slayers.

3

file tony Romano Gandy Johnson Mott

104

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS

62

October 30th, 1930

AIR MAIL.

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

RE: TONY ROMANO; MANNY SCHRAIBERG - JUICE GRAPE INVESTICATION
ANTI TRUST MATTER.

Dear Sir:

Attached hereto you will please find an original and two copies of a memorandum submitted by Special Agent s M. T. Little and Albert Miller of this office, dated October 30th, 1930, relating to a conference had with Mr. Charles W. Irrgang at the latter's office, on said date.

Very truly yours,

F. X. FAY,
Acting Special Agent in Charge.

FXF:JMS

60-166

RECORDED & INDEXED

NOV 5 1930

62-24153-37
BUREAU OF INVESTIGATION
NOV 4 1930 A.M.
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3 39

October 30, 1930

MEMORANDUM TO ACTING SPECIAL AGENT IN CHARGE
F. X. FAY

Re: TONY ROMANO; MANNY SCHRAIBERG
JUICE GRAPE INVESTIGATION

At 11:30 A. M. on this date Agents conferred with Mr. Charles W. Irrgang at his office, 169 South Water Market. Mr. Irrgang stated that at 7:30 P. M. on October 29, 1930 Subject Manny Schraiberg called at Mr. Irrgang's apartment at the Medinah Athletic Club and was accompanied by two men whom Schraiberg introduced as Benny Byrne or Byrnes and Mickey Sax or Saxson. After Schraiberg had made certain that Mr. Irrgang's apartment was occupied only by Mr. Irrgang and his wife, he stated that the two men with him were his financial backers, and that it be understood that they were "big shots" in the "organization", meaning the Al Capone organization.

The man named Byrne or Byrnes undertook to act as spokesman and stated flatly to Mr. Irrgang that their purpose in coming to see him was to work out some arrangement in regard to marketing of juice grapes in the various terminals so that the "organization" and the auction company could both profit by such arrangement. Byrnes stated, according to Mr. Irrgang, that he was in possession of records which the Capone organization had obtained in a raid on the former headquarters of Joe Aiello and his gang on North Michigan Avenue, which records showed that up to November 1, 1929 Joe Ferrara had paid in to the Aiello organization a net profit of $43,500.00, and that the records further indicated that for the entire juice grape shipping season of 1929 a total of between $100,000.00 and $110,000.00 had been paid in as profits by Ferrara to Aiello.

Byrnes stated that the organization, believing that Subject Schraiberg was entirely familiar with the juice grape situation, and based upon his representation that large profits were to be obtained in this "racket", had placed the sum of $100,000.00 in a loop bank to be used to finance the juice grape racket for the season of 1930 but that to date Schraiberg had been able to show but a small profit to the great disappointment of the Capone gang, and that it was for this reason in particular, that is, to effect some plan whereby larger profits could be guaranteed to the Capone organization, that Byrnes, Schraiberg and Sax had called upon Mr. Irrgang. The last named stated that Byrnes requested Irrgang to suggest a plan whereby the organization and Irrgang could both reap a profit from the sale of juice grapes in the Chicago terminals, and Byrnes stated to Irrgang that for a consideration he was prepared to guarantee that his organization would force every peddler engaged in the sale of juice grapes in the Chicago

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120 JUL 27 1954

62-24153-37

terminals, including those peddlers engaged in business on the Rock Island; the Santa Fe and the Northwestern tracks, to purchase grapes exclusively from Mr. Irrgang and the U. S. Fruit Auction Company.

Mr. Irrgang stated he explained that the juice grape market to date had been unprofitable for all concerned, and that since the season was nearing a close, and in view of the further fact that the prospects for good prices between now and the close of the season were very poor, he did not consider that it would be worth the while of all concerned to agree upon any plan for the remainder of the present season. Mr. Irrgang explained that he did not wish to enter into negotiations with the organization at this time and used the last above argument as a means whereby to postpone any definite arrangements with the Capone organization.

Mr. Irrgang further stated that he went to some pains to point out to Byrnes and his two companions that the Government, while interested in the juice grape situation, was concerned chiefly with the past activities of Joe Farrara and the Aiello organization, and that his, Mr. Irrgang's, trip to Washington was made in connection with the Government investigation which has been in progress for a long period of time and had nothing to do whatever with the situation as it has existed during the present juice grape market. At this point in the conversation Byrnes remarked that the organization has been aware for some time that the Government was conducting an investigation and had reliable information, and that for some time past the Government had opened seven or eight cars of juice grape on the tracks of the Northwestern Railroad. Byrnes stated further, according to Mr. Irrgang, that the organization was fully able to deal, not only with the city Government and the States Attorney's office, but with the Federal Government as well, and stated that even "the Government men at Washington must earn a living".

Mr. Irrgang stated that the three parties above mentioned freely discussed the murders of Tony Farrara and Joe Aiello and rather plainly indicated that both were brought about through the Capone organization. Frequent mention was made by Byrnes of machine guns and millions of dollars in capital and strong arm methods which have in the past been employed, not only on the juice grape tracks but in other rackets in Chicago by the Capone organization, citing these instances as an indication of the great strength and power of the Capone gang.

Mr. Irrgang stated that Byrnes seemed to be fully conversant with the juice grape industry, including the growing of the grapes in California, the shipment of carload shipments to Chicago, and other points of distribution in the East, and cited the fact that 450 carloads of juice

grapes were being disposed of daily at present in the New York terminals, and in this connection stated that arrangements were now being made by the local organization and a similar organization in New York whereby, commencing with the next 1931 juice grape season, the "racket" in New York would be controlled also by the local Capone organization.

Mr. Irrgang stated further that during the conference the three parties stated that they were preparing to control the juice grape situation in Chicago in its entirety, and that the organization would dictate to the railroads, including the Northwestern Railroad through President Sargent, and the Chairman of the Board, Mr. Marvin Hewitt, Jr., with whom Byrnes stated he had attended school, the terms upon which the railroads would be permitted to switch cars to the various team tracks, and in this connection Byrnes stated that just prior to the killing of Joe Farrara in June of this year, it was understood that Farrara had made arrangements with the Chicago, Milwaukee, St. Paul and Pacific Railroad whereby the Northwestern tracks would be closed to peddlers and the latter forced to do all of their selling from the tracks of the Milwaukee Railroad, and that it was at the request and dictation of Farrara that the new cement juice grape tracks were constructed by the Milwaukee Railroad in anticipation of this year's juice grape business on those tracks.

Mr. Irrgang stated Byrnes informed him that Tony Butch, formerly a member of Aiello gang, is now engaged in a juice grape racket at Milwaukee, Wisconsin, and Rockford, Illinois, and that Tony Butch is "gunning" for Mark Adamson for the reason that Adamson owes him money and will not pay.

Mr. Irrgang stated that no arrangements were made between him and the three parties above named, and at the conclusion of the conference it was understood by those present and stated by Mr. Byrnes that the organization would withdraw entirely from any further participation in the juice grape market for the remainder of the present season, but that Subjects Schraiberg and Romano would be permitted to conduct whatever business they desired for their own personal benefit during the balance of this season.

Mr. Irrgang stated that after his conference with the three parties above named, he became convinced that it would be futile to continue the present investigation, and that he was not willing to furnish any more grapes to be used in an under cover investigation; further that he was frankly concerned with his personal safety and alarmed that should it become known to the Capone organization that he was assisting the Government in this investigation, the penalty for such assistance would be his life. Mr. Irrgang stated he wished it definitely understood by the Bureau and officials in Washington that he would not testify in this case and was not willing that any signed statement made by him be used as evidence in this case.

Mr. Irrgang stated he would be willing to communicate verbally to any official of the Government the matters hereinabove set forth, but that he would not make any written statement covering his conference with the parties above named.

It was the impression of these agents that Irrgang was badly frightened by the above named parties.

The money now on deposit in the joint account of the writers as trustees, all of which was furnished by the auction company and which includes the proceeds of the sale of the carload of juice grapes, can be returned to the auction company by check whenever desired, according to Mr. Irrgang.

The foregoing will later be incorporated in an investigative report.

Very truly yours,

M. T. LITTLE
Special Agent

ALBERT MILLER
Special Agent

MTL:AB
CC-Director

60-166

9

[redacted]

November [redacted], 1930.

62-24153-37

RECORDED

NOV 5 1930

Agent in Charge,
P. O. Box 1408,
Chicago, Ill.

Dear Sir:

Your letter of the 30th ultimo was delivered to this office by Agent Palmore on the afternoon of October 31st and the memorandum of Agents Little and Miller, which was attached thereto, with regard to the Julee Grape Investigation, has been carefully noted. I am of the opinion that any further investigation at this time would probably be futile. The matter, however, is being referred to The Assistant to the Attorney General, and of course no further action should be taken by your office in the absence of additional instructions, except that you should advise, of course, of any information which you may hear of covering developments since the conference between Charles Irrgang and Manny Schraiberg.

It is desired, however, that you immediately arrange to surrender to Mr. Charles Irrgang all monies which are now held in the joint checking account of Agents Miller and Little at the National Bank of the Republic at Chicago. In other words, the Bureau desires that you promptly surrender to Mr. Irrgang all of the monies that he has advanced and that have been obtained as a result of the sale of grapes by Agents Palmore and Miller. It is believed that this money should be surrendered by check, Cashier's or otherwise in order that a permanent record may be had of the transaction.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
DEC 3 1930

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILL. 80-166

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
CHICAGO, ILLINOIS	Nov. 5, 1930	Nov. 4, 1930	

TITLE: MANNY SCHRAIBERG
TONY ROMANO
JUICE GRAPE INVESTIGATION

SYNOPSIS OF FACTS: Check in the amount of $1,004.51 surrendered to Charles W. Bryngang, Vice President of the U. S. Fruit Auction Company, Chicago, Ill., same representing total receipts of all monies used, less expenses incurred. Joint checking account of Agents Little and Miller as trustees of fund in the National Bank of the Republic of Chicago closed. Awaiting instructions from the Bureau as to further investigation, case is

REFERENCE: Report of this agent dated Chicago, Ill. 10-31-30.

DETAILS AT CHICAGO:

DETAILS: This agent, as one of the joint trustees of the fund used by the under cover investigation in this case, gave check in the amount of $1,004.51 to Mr. Charles W. Bryngang, Vice President of the U. S. Fruit Auction Company at 140 South Water Market, Chicago, Ill., on 11-4-30. The said check represents the original $700.00 furnished by the U. S. Fruit Auction Company, plus the amount of $928.35 received for the sale of the carload of juice grapes by Agents DiLillo and Palmero, less $623.74 expended for freight, demurrage and incidentals. The said check for $1,004.51 issued to the U. S. Fruit Auction Company withdraws all of the funds in the joint trustee account of Agents Little and Miller in the National Bank of the Republic of Chicago, Ill., and the said bank account is therefore being closed.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: [signature]

62-24153-38

RECORDED AND INDEXED: NOV 7 1930

COPIES OF THIS REPORT FURNISHED TO:
Bureau - 3
Chicago - 3

BUREAU OF INVESTIGATION
NOV 7 1930 A M
DEPARTMENT OF JUSTICE

CHECKED BY:

JACKETED

ROUTED TO: Mr. Thurs

FILE

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Attached hereto is the original and two photostatic copies of a receipted statement by Charles E. Wyman reflecting the receipts and disbursements made in connection with the instant investigation.

The Bureau is requested to furnish the Chicago Division Office with instructions as to further investigation desired in this case.

PENDING

172

RE: CAR LOAD OF JUICE GRAPES SOLD ON C. & N. W. JUICE GRAPE TRACKS.

RECEIPTS

10-21-30,	Check from U. S. Fruit Auction Co.,	$600.00
10-23-30,	Check from U. S. Fruit Auction Co.,	100.00
	Total sale of car load of grapes.**	928.25
	Total Receipts	$1628.25

EXPENSES

10-23-30,	Paid to C. & N. W. Ry. Co. for freight,	$616.24
10-23-30,	Purchase of one hatchet,	.25
10-23-30,	Purchase of one hammer,	1.25
10-27-30,	Paid to C. & N. W. Ry. Co. for Demurrage,	6.00
	Total Expenses	$623.74

Total Receipts - $1628.25
Total Expenses - 623.74
$1004.51 Due U. S. Fruit Auction Company.

**Receipts account one car load of juice grapes:

10-25-30,	105 Lugs	@	$1.00 . . .	$105.00
10-26-30,	25 "	@	1.00 . . .	25.00
10-26-30,	23 "	@	1.05 . . .	24.15
10-26-30,	34* "	@	1.05 . . .	35.70
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

113

VH:AH
62-24153-98

November 10, 1939.

RECORDED

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

For your further information in connection with the juice grape investigation at Chicago, entitled HARRY SCHRAIBERG and TONY ROMANO, there is inclosed herewith a copy of the report of Special Agent Albert Miller dated November 8, 1939 at Chicago, setting out the account and settlement by Special Agents Miller and Little with Charles W. Irrgang, Vice-President of the U. S. Fruit [illegible] Co. of Chicago.

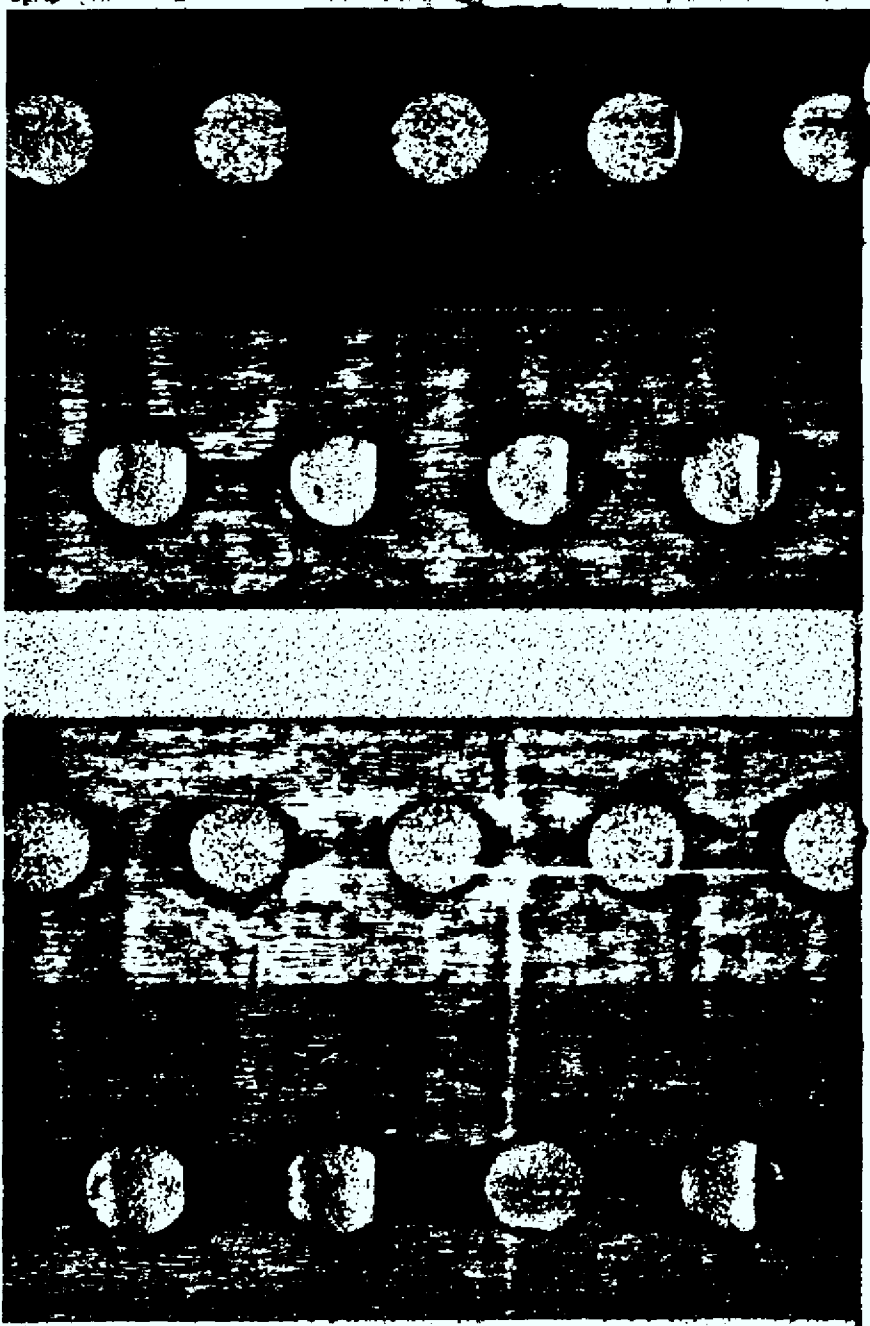
Very truly yours,

Director.

Inc. 136611.

BUREAU FILES DIVISION
NOV 10 1939
DEPARTMENT OF JUSTICE

124



FOR ATTENTION OR ACTION

AS INDICATED

Director	
Mr. Nathan	Room 320
Mr. Tolson	" 318
Mr. Baughman	" 428
Mr. Appel	" 416
Mr. Egan	" 433
Mr. Guinane	" 419
Mr. Harvey	" 419
Miss Matthew	" 420
Miss Beahm	" 420
Mrs. Peake	" 420

Inspectors..... NOV 14 1930
Division Seven.....
Bureau Files Division.....
Personnel Files Division.....
Local Bureau office.....
Identification Division.....

NOV 14 1930

Washington Post

Nov. 14, 1930.

V. W. Hughes,
Room 418.

175

California Fights Invasion By 'Al' Capone's Gangsters

Law Enforcement Agencies Act After Rumors of Kidnaping Plots and Reports That Chicago Gunmen Have Decreed "Grape Juice" War.

Los Angeles, Nov. 13 (A.P.).—Tips on kidnaping plots and newspaper reports that "Scarface Al" Capone, Chicago gang leader, was in Southern California, sent the heads of three law enforcement agencies into a secret conference here today, to plan action against "an invasion by gangsters."

The danger in the situation was outlined by District Attorney Buron Fitts, who said: "It is time to take concerted action against these criminals." Fitts declared that within sixty days, he had obtained "astonishing information" from underworld sources.

The reports of Capone's arrival here sent detectives in a vain search for the gangster. On several other occasions he had been reported here but no trace of him was found. Two years ago, he made a 20-minute visit in Los Angeles, 15 minutes of which was spent in going to a hotel and 15 more in getting back on a train, in custody of police.

The authorities indicated that their campaign to prevent gangsters from gaining a foothold here would be one of scattering the criminals as quickly as their presence is learned.

Today's conference came upon the heels of an alleged plot to kidnap Harry Chandler, owner of the Los Angeles Times. The veteran publisher showed little perturbation over the information, but Fitts assigned two detectives to guard him against any attempt to carry out the threat.

Meeting with Fitts at the conference were Chief of Police Roy Steckel and Sheriff William I. Traeger.

Continued on Page 2, Column 6.

CALIFORNIA FIGHTS CAPONE INVASION

Continued from Page 1.

Fresno, Calif., Nov. 13 (A.P.).—The Fresno Bee said today that orders had gone out from the headquarters of Al ("Scarface") Capone, Chicago gangland chief, that grape concentrates, the new product of the Fruit Industries, Ltd., of California, should not be sold in Chicago, and that death would be the price of disobedience.

It was understood, the Bee said, that gangland's orders were handed down to those in a position to act as selling agents for the new product—a highly concentrated grape juice capable of fermentation.

Officials of the Fruit Industries, Ltd., the Bee declared, are in Chicago to see what can be done. The concern is part of the Government-sponsored grape-control organization in California.

The newspaper asserted that its information was obtained in Washington, Chicago and San Francisco, and that the Capone order to his henchmen came at a time when the concern was preparing to enter Chicago with the legal grape product after launching a campaign in Milwaukee.

Representatives of Fruit Industries, Ltd., in Washington are said to be consulting with Government authorities on what should be done.

Chicago, Nov. 13 (A.P.).—Chicago branch officials of Fruit Industries, Ltd., of California, said today they had received no threats from "Al" Capone and that their only knowledge of the gangster had been gleaned from newspaper columns. They had heard nothing, they declared, of a report from Fresno that Capone had warned against introduction of their product into Chicago.

L. M. Fisher, the local manager, said the company's product had been on the market for ten years.

(Associated Press.)

Officials of the Department of Justice and Prohibition Bureau said yesterday they had never heard of the reported threat by Chicago gangsters to kill officials of Fruit Industries, Ltd., if they sold grape concentrate there.

NEWSPAPER CLIPPING

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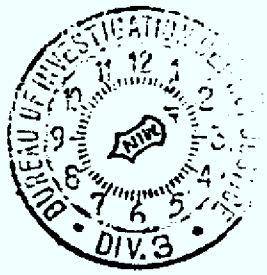
176

Department of Justice

Office of the Assistant to the Attorney General

Washington

RECEIVED



November 10, 1930

MEMORANDUM FOR MR. HOOVER

Re: JUICE GRAPES

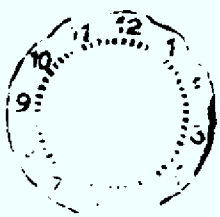
62-241 NOV 9 1930 AM

It is requested that Agents of the Bureau permanently stationed at Chicago keep this matter under general surveillance making reports from time to time of any new developments that they consider relevant. No active investigation is to take place, nor are new witnesses to be interviewed without instructions from this office, but leads should be reported.

Any information volunteered by Irrgang or others to be received but care should be taken that under no circumstances should the Bureau promise to treat Irrgang's information as confidential.

A resumption of this conspiracy next year may reasonably be expected and it is as a foundation for possible future investigations that this general surveillance is requested.

JOHN LORD O'BRIAN
The Assistant to the Attorney General



RECORDED

62-24153-39

NOV 11 1930 A M

Reply Letter Chicago 11-12-30

VWR:MB
62-24155-69

RECORDED
NOV 14 1930

November 12, 1930.

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

Dear Sir:

There is enclosed herewith for your information and guidance copy of a memorandum addressed to this office by Mr. John Lord O'Brian, the Assistant to the Attorney General, under date of November 10, with regard to the Juice Grape investigation entitled TONY ROMANO and MANNY SCHRAIBERG.

You will note Mr. O'Brian's request that the Bureau keep in touch with developments in this matter, but that no further investigation should be made, nor any additional witnesses interviewed without specific instructions. It is suggested only that Special Agents Little, Miller and Butterworth keep in touch with the general situation in the grape selling industry and report any information which they may feel will be of value to the Department in the event that investigation is made next year.

Very truly yours,

Director.

Enc. #420356.

BUREAU FILES SECTION
MAILED
NOV 12 1930
P.M.

178

VWR:EB
62-64139-69

RECORDED
NOV 14 1930

November 12, 1930.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL,
MR. O'BRIAN.

I wish to acknowledge receipt of your memorandum of the 10th instant suggesting that the Chicago office of the Bureau of Investigation keep in general touch with the situation in the grape industry, in order that the Department may be fully informed in the event a decision is reached to resume the inquiry next year at the time of the grape selling season.

I have instructed the Chicago office to keep in touch with this situation, but to make no further investigation and to conduct no further interviews without specific instructions. I have suggested that Special Agents Little, Miller and Butterworth, who have conducted the investigation, arrange to keep in touch with the general situation and to report any developments which may be of interest.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
NOV 12 1930
P.M.

179

THE WASHINGTON POST: FRIDAY, NOVEMBER 21, 1930

GRAPE JUICE HUBBUB IS SEEN AS PUBLICITY

Government Believed Goat of Incident Revolving About Capone and Conn.

WAS BUILT UP TO CLIMAX

By CARLISLE BARGERON.

Behind the guarded statements with which official Washington has sought the last few days to deal with this business of Al Capone's threatening the California "wine growers," is the definite conviction that it is the greatest publicity hoax that has been put over in this country in a long time. And it is beginning to get on the official nerves.

It is, in fact, just about the climax of the harassment the officials have suffered at the hands of that creature of Mrs. Mabel Walker Willebrandt, the California fermentable grape industry.

First, the Farm Board was pooned into financing it.

Then, on the strength of this and an understanding of the Government's future policy, the wine growers launched upon a bold, Nation-wide advertising campaign claiming they were under Government protection.

On the question of just what assurance they were given that their grape concentrates would not be molested, Attorney General Mitchell and Prohibition Director Woodcock insist there has been no change in the policy announced more than a year ago that the sale of grape juices and the possession of the fermented product in the home would not be molested. The interpretation of the law was made at that time, incidentally, by Mrs. Willebrandt, then Assistant Attorney General.

But the great difference that has come over the wine growers since the announcement of that policy and the Farm Board's financial support is this:

Formerly they marketed their grape juices intended for wine according [illegible]

Now the concentrates are being marketed through grocery stores with the very plain intimation in the [illegible] advertising that one has only to add water to get wine.

Officials have grown apprehensive at the boldness of the advertising of late, and now that the wits have begun to make sarcastic references to the hypocrisy of the business, these officials have been kept busy pondering the observations of Government commentators all the way from Plato and Machiavelli down to Calvin Coolidge in order to make just the right kind of public statements on the matter.

Into this delicate situation came the story the other day that Al Capone was out in California demanding that the vineyardists keep out of the Chicago area. He was afraid they would cut too deeply into his beer and "alky" trade.

Reaction of Drys.

Here was an announcement from the California housetops for all the country to hear that there must be something in that California grape juice if it could compete with Al Capone's beer and alky. And manifestly there must be.

At the same time the story carried a profound thought for the drys. If that grape juice could interfere so greatly with Mr. Capone's trade, well why not, in the end of temperance, let it flourish.

Officials here have no definite explanation of just how the story was planted, but they have their suspicions. And it was, they agree, a masterpiece of work, the work of a psychologist, one, in fact, who knows every convolution in the mass mind, just what it takes to make each and every one of those convolutions turn over and form what is affectionately termed a thought.

Apparently [illegible] head of the [illegible] Willebrandt [illegible] that head until such [illegible] Mr. Mitchell, [illegible] U. and Dr. [illegible] Wirt Mahaffey, and the Rev. R. C. [illegible] unanimously [illegible] took the story seriously. Within a day or so after the Bill Conn telegram to the Department of Justice demanding protection from Al Capone racketeers whom, according to the original story, the vineyardists were about to put out of business.

Attorney General Mitchell has [illegible] told newspapermen in his wide-eyed honesty that he has looked all over the department, even in the private files of the Assistant Attorney General, John Lord O'Brian, who is away, and he can't find that Conn telegram.

All he can find is a complaint several months ago from a Chicago grocery merchant who sells apples, cabbages, celery, grapes and green stuff in general, that the racketeers were bothering him. And before the department could do anything in this instance the complaint was withdrawn. There was no suggestion that the apples, cabbages and celery were interfering with Mr. Capone's beer and alky trade. It was presumably simply a case of the man being a victim of the knocking racket which exists in Chicago.

Al's Only "Kick."

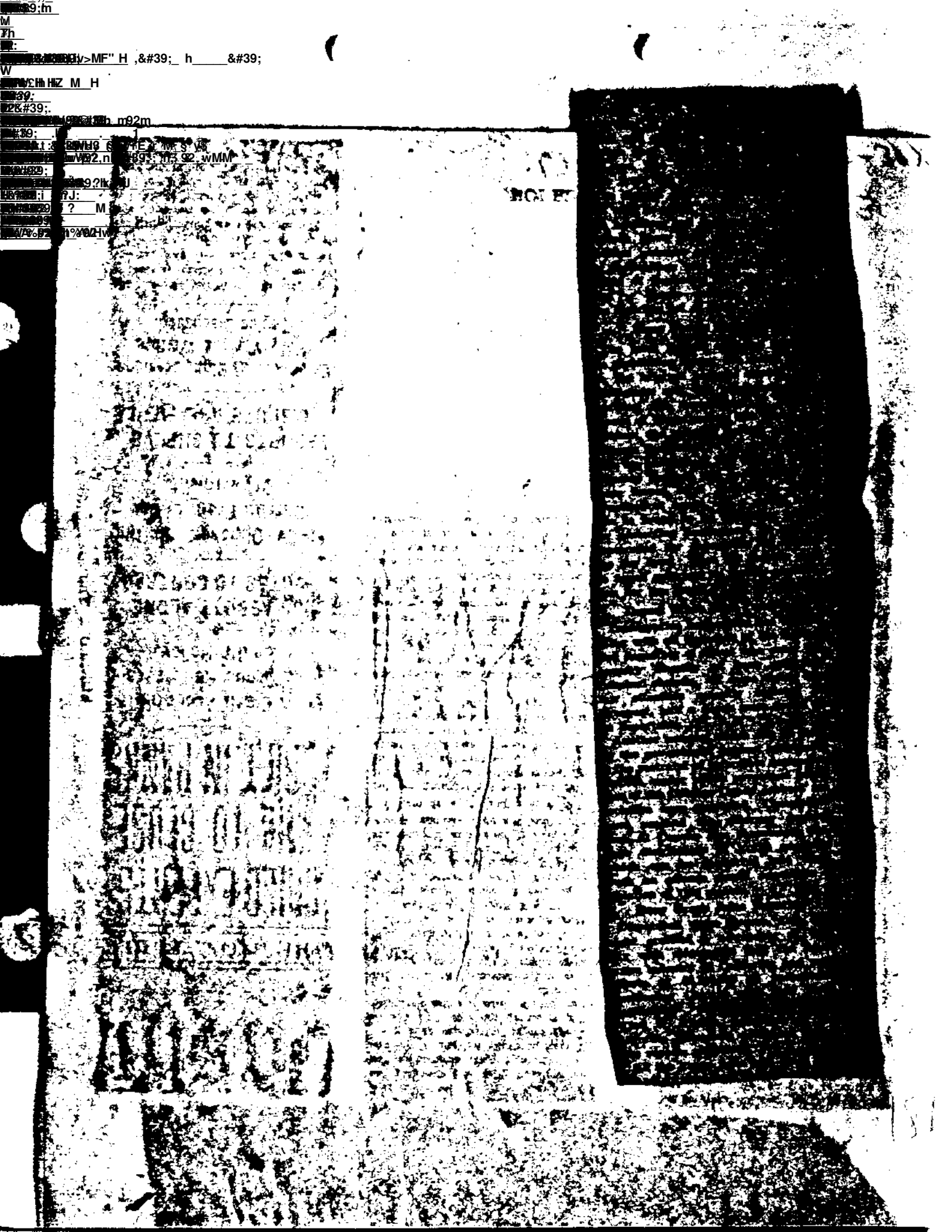
Undoubtedly, too it is held, California grapes going into Chicago, or Texas onions, or Georgia potatoes have to pay those oppressive trucking taxes of the racket.

It is pointed out here that had the Department of Justice not issued just the right kind of statements on the reported Conn telegram, that had it rushed in to give this demanded "protection" then there would have been another peg on which the vineyardists could pin their advertising claim of "Government protection."

Bluntly, the Capone story, originating in a California newspaper and creating quite a furore the past several days is the—or at the bunk.

NOT RECORDED
62-24153
62-24153-39

INDEXED



MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. O'MALLEY

For your further information in connection with the FELIX GRAFF INVESTIGATION at CHICAGO, involving HARRY SCHRAIBERG ET AL, there are inclosed herewith photostatic copies of newspaper clippings taken from the "Chicago Tribune" of November 14th and the "Chicago Daily Tribune" of November 15th.

Very truly yours,

Director.

Inc. 150000.

RECORDED & INDEXED

62-24153-40

BUREAU OF INVESTIGATION

NOV 21 1:30 A M.

DEPT. OF JUSTICE

FILE

NOV 20, 1930

R 2

Chicago "TRIBUNE" Thursday morning, November 14, 1930.

GRAPE GROWERS DEFY REPORTED CAPONE THREAT

Leader Says They'll Go On with 'Wine Maker.'

Donald D. Conn, managing director of Fruit Industries, Ltd., and of the California Vineyardists' association, last night took official cognizance of the reported threats of Al Capone banning the introduction of new grape concentrates into Chicago, with a statement that his organizations would go ahead and "take a chance" with hostile bootleggers and racketeers.

Mr. Conn was reached at the Union League club, where he registered yesterday for a visit before his departure today for San Francisco.

Defiant to Capone.

At the club Mr. Conn was besieged with telephone messages and telegrams from all sections of the country inquiring into the truth of published reports on the west coast that gangsters, supposedly inspired by Capone, had warned officials of Fruit Industries and kindred concerns that their new grape by-product, which ferments into wine, would not be permitted in Chicago and other large centers. Mr. Conn said this fermentation was "legal."

not acquainted with the situation here either as to Capone or other hoodlums.

According to L. H. Fisher, Chicago manager of Fruit Industries, his concern had received no warnings from Capone, as stated in a dispatch from Fresno, Cal. The dispatch said that Capone's Chicago headquarters had threatened "to blow the heads off" of persons marketing the concentrates in Chicago. New York hoodlums had issued similar ultimatums in respect to the east, it was reported.

The reported threats created a stir

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DEPT. OF JUSTICE
DIV. 3
NOV 1 1930 AM

Div. One

NOV 17 1930

CHICAGO DAILY TRIBUNE
11/15/30.

3

WILL U. S. STOP SALE OF JUICE TO MAKE WINE?

Grape Industry Backed by Farm Board Loan.

[Chicago Tribune Press Service.]

Washington, D. C., Nov. 14.—[Special.]—There was increased speculation today as to whether the department of justice could and would continue its policy of hands off in the case of home made and home fermented wine.

Word came from Milwaukee that the sale of concentrated juice from wine grapes was being continued there, and copies of advertisements in which the federal farm board support of the grape industry was flaunted were received here by prohibition officials. Wets and drys alike began to wonder whether light wines had not already become a fact without the help of any modification of the Volstead act or repeal of the 18th amendment.

They pointed to the situation in which the government finds itself pledged to enforce the prohibition

184

RECEIVED

DEPARTMENT OF JUSTICE
NOV 27 1930 M

DEPARTMENT OF JUSTICE
NOV 27 1930 PM

November 17, 1930.

Memorandum of telephone call from Mr. Dunn, at Chicago.

Mr. Dunn said he was calling about the Grape Juice case. He said that L. W. McCormack, a representative of the National Committee and Ray Benjamin, came in to see him. He told Mr. Dunn that Mr. Benjamin had told him to come to see Mr. Dunn at the Bureau office and he could get all of the information the Bureau has relative to the "shake down".

Mr. Dunn said he told Mr. McCormack that all the files are in Washington at the present time and that the Attorney General would have to release them. Mr. Hoover said that Mr. Dunn did the right thing.

Mr. McCormack told Mr. Dunn that yesterday he had had a personal interview with Al Capone, who gave his personal assurance that his "hoodlums" are not concerned in the racket in any way. Mr. Hoover said it would be a great mistake to deal with anyone who is in personal contact with Al Capone.

Mr. Hoover said he had told the representative of the Grape industry that it would be a great mistake to deal with Al Capone or anyone connected with him.

HWG

62-24153

RECORDED & INDEXED
NOV 26 1930

62-24153-41
NOV 26
Nathan
Div. Three

185

RECEIVED



November 19, 1930

RECEIVED

NOV 26 1930 AM

Memorandum of telephone call from a representative of the United Press service.

The representative wished to learn something about the Fruit Growers of California, appeal for protection against gangsters.

Mr. Hoover suggested that the representative talk with Mr. O'Brian.

NOV 25 1930 AM

HWG

62-24153

RECORDED & INDEXED

62-24153-42

DEC 1 1930

NOV 26 30 A M.

FILE

Nathan

Chicago Daily Tribune
December 4, 1930.
File 60-166.

WINE MAKING JUICE INDICTS NINE; GETS OTHERS U. S. FUNDS

Los Angeles, Cal., Dec. 3.—[Special.]—Nine officials of the California Vineyard company now awaiting trial under federal indictment for conspiracy to violate the prohibition law by selling grape wine, today began legal maneuvers for a novel defense.

Four of the nine indicted, all of them Los Angeles residents, filed an amended demand for a bill of particulars from the United States attorney containing an accusation that the government has for years condoned technical infractions of the prohibition law. The defendants' legal papers also set up the defense contention that the government itself has been financing Fruit Industries, Ltd. (which has as its attorney Mabel Walker Willebrandt), which offers a beverage service identical with that they were indicted for.

The government farm board loaned Fruit Industries, Ltd. $4,000,000 through the grape control board, the defendants aver, and infer that the federal money now is engaged in filling the market from which California Vineyards company was forcibly detached.

NOT RECORDED

INDEXED

62-24153

62-24153-42X

WHH:JGP

November 28, 1950.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL,
MR. O'BRIAN.

For your further information in connection with the Chicago Juice Grape investigation entitled TONY ROMANO, et al., there is enclosed herewith copy of a news clipping from the Chicago Tribune of Thursday, November 30, 1950.

Very truly yours,

Director.

Encl. [redacted]

62-24153-3

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62-24153-[illegible]
BUREAU OF INVESTIGATION
NOV 28 19[illegible]
DEPARTMENT OF JUSTICE

FBI FILES DIVISION
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26 1950

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CHICAGO DAILY TRIBUNE.
November 21, 1930

LEGGE CONSIDERS LOANS TO GRAPE CO-OP ARE LEGAL

NOV 21 1930 FBI
Liquor Investigation
20-166

Declares Dry Enforcers O. K.'d Industry.

[Chicago Tribune Press Service.]

Washington, D. C., Nov. 20.—[Special.]—Before giving its financial backing to the grape wine concentrate campaign of the California grape control board, the federal farm board had assurances from the prohibition enforcement agencies that the enterprise was "perfectly legal," Chairman Alexander Legge declared today.

Mr. Legge in his first extended discussion of the concentrate sales, which have caused nationwide interest, discounted a general belief that placing the fermentable wine in the homes is a violation of the spirit, if not the letter, of the dry law.

"The farm board has a clear file on the sales campaign of the grape industry," he said. "I corresponded with everybody in the government about it. I told them we did not want to lend money for any enterprise that would be illegal, and that I wanted to know whether these people were regarded as law violators or not.

Hope to Take Up Surplus.

"The grape people, you know, are planning a lot of by-products. That is one way they hope to take up the surplus. They have enough products to stock a grocery store—jellies, fruits, jams, and such things. And they expect to offer a five cent drink at the drug stores. But they started a little late and they did not get going in time to do much this year."

Mr. Legge said he felt certain that

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BUREAU OF INVESTIGATION DEPT. OF JUSTICE
DIV 4
NOV 24 1930 PM

CHICAGO CRIME

Calls Gusik Verdict Blow to Gangs

Div. One

All federal law enforcement agencies in Chicago are being coordinated for a concerted campaign against crime, this was announced in Washington yesterday by Attorney General Mitchell in the wake of the government's conviction of Jack Guzik, Capone gangster and public enemy #6 charged with evading the income tax.

The conviction of Guzik was heralded in Washington as the most far reaching blow so far dealt the Capone gang. Attorney General Mitchell announced that the federal authorities in Chicago are being supported by the "fortifying and strengthening" of the various federal agencies.

Help Sent from Washington.

Assistant Attorney General William J. Froelich has been in Chicago for several weeks assisting United States Attorney George E. S. Johnson to coordinate the several branches of the federal service for an assault upon crime on all fronts. The district attorney had not disclosed the purpose of Mr. Froelich's assignment, but it was revealed in Washington by the attorney

NEWSPAPER CLIPPINGS

Bangston

189

Chicago Daily Tribune
February 5, 1931

WETS COMPARE WINE JUICE, BEER AND THE DRY ACT

Ask Why One Drink Is Legal, Other Not?

[Chicago Tribune Press Service]

Washington, D. C., Feb. 4.—[Special.]—Holding aloft the advertisement of a California company which sells grape concentrate and promises to bottle the product in your home at the end of sixty days, Senator Millard Tydings [Dem., Md.], militant wet, challenged the senate today to say what this



ADVERTISING

190

making wine in the cellar is not in contravention of the 18th amendment," he declared. "Do I hear an answer? No. Then I take it that the 18th amendment is being violated with the consent of the senate.

Has $20,000,000 U. S. Loan.

"Not only that, but this California company is being helped by a $20,000,000 loan from the federal farm board. In other words, $20,000,000 of the prohibitionists' money is being used to help wicked imbibers wiggle around the 18th amendment.

"It has come to the point where we have the constitution on the one hand and on the other a violation of it approved by the government and financed from the United States treasury. That is the sort of hypocrisy that exists under the dry law."

With sarcastic references to the sanctity of wine making in the home and the horrible crime of making four per cent beer, Senators Bingham [Rep., Conn.], Blaine [Wis.], insurgent Republican, and David I. Walsh [Dem., Mass.], three leading wets, helped Senator Tydings' cause along.

Blaine Is Sarcastic.

"You call making this wine illegal," said Senator Blaine in a shocked voice. "Why, how can it be when it has been approved by every government and temperance agency, including the President and the W. C. T. U.?"

Senator Hawes [Dem., Mo.] assisted by introducing an amendment to the Howell bill to make wire tapping by dry agents unlawful.

"If people who sell bottles and corks and such can be found guilty of conspiracy to violate the dry law," demanded Senator King [Dem., Utah], another wet, "why aren't congress and the farm board guilty of conspiracy for having furnished these grape growers with money?"

"The whole thing goes to show our own congressional hypocrisy," declared Senator Tydings. "If it is right and moral to make twenty per cent wine, then it is right to make twenty per cent anything else, whether it's beer, whisky or gin."

191

RECEIVED

Form No. 1
THIS CASE ORIGINATED AT CHICAGO, ILLINOIS. CHICAGO FILE NO. 62-24153

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
CHICAGO, ILLINOIS	1/30/31	1/28/31	E. N. BUTTERWORTH

TITLE: MANNY SCHRAIBERG;
TONY ROMANO;
GRAPE INVESTIGATION

SYNOPSIS OF FACTS: Charles W. Irrgang stated that there have been no new developments in this case at Chicago, Illinois, since November, 1930, and that the final shipment of juice grapes in Chicago, Illinois, has been made for the season of 1930.

REFERENCE: Letter from Director, dated November 18, 1930.

DETAILS: AT CHICAGO, ILLINOIS.

Charles W. Irrgang, Manager of Independent Fruit and Produce Auction Company, 169 South Water Market, Chicago, Illinois, stated that there have been no new developments in this case at Chicago, Illinois, since November, 1930, and that shipment of juice grapes to Chicago, Illinois, has been finished for the season of 1930.

DETAILS: PENDING

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: R. G. Harvey acting SPECIAL AGENT IN CHARGE

62-24153-44

RECORDED AND INDEXED: FEB 3 1931

COPIES OF THIS REPORT FURNISHED TO:
Bureau-5
Chicago-2

BUREAU OF INVESTIGATION
FEB 2 1931 A.M.
DEPARTMENT OF JUSTICE

CHECKED OFF: FEB 5-1931

JACKETED:

SEARCHED BY: Lieu. Three

FILED:

7—1321

VHI:JCM
62-34155-44

February 4, 1931.

RECORDED
FEB 5 - 1931

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. O'BRIAN.

For your information, in connection with our investigation entitled: - NANNY SCHRAIBERG, and TONY ROMANO, involving sales of juice grapes at Chicago, there is enclosed herewith, a copy of a report of Special Agent R. W. Butterworth, made at Chicago, dated January 30, 1931, which indicates there have been no developments since the close of the grape season.

Very truly yours,

Director.

Enc. 434242.

BUREAU FILES DIVISION
MAILED
FEB 4 1931
P. M.
DEPT. OF JUSTICE

13

U. S. Department of Justice

Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

April 14, 1931.

62-24153

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

Re: Juice Grape Investigation;
Anti-Trust Matter.

Dear Sir:

All leads have been completed in the above captioned case.

Instructions are requested as to whether further investigation is desired in this matter.

Very truly yours,

WAM Brain Rec

W. A. McSWAIN
Special Agent in Charge.

RNB:RM
#60-166

RECORDED
62-24153-46
62-24153-45

letter dictated 4/14/31

WJC

WHR/CAS
46-24153 - 46

RECORDED

April 24, 1931.

APR 27 1931

Special Agent in Charge,
Bureau of Investigation,
Box 1425,
Chicago, Illinois.

Dear Sir:

Referring to your letter of the 14th instant relative to the Grape Juice Investigation, your attention is invited to Bureau letter of November 12th, wherein it was suggested that your office keep in touch with the general situation in the grape selling industry and report any information which might be of possible value to the Department, in the event that investigation of this matter is resumed in the coming fall.

In view of the advice contained in the letter of November 12th, it is desired that you carry this case as pending and that you have the Agents make periodic inquiry to determine what, if anything, develops thereon, so that the Department will be advised in the event the matter is again considered during the coming grape selling season.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
APR 24 1931
P. M.
DEPT. OF JUSTICE

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS 60-166

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	June 5, 1931	June 2, 1931	R. N. BUTTERWORTH

TITLE:
MANNY SCHRAIBERG;
TONY ROMANO;
JUICE GRAPE INVESTIGATION

CHARACTER OF CASE:
ANTI-RACKETEERING

SYNOPSIS OF FACTS:

Charles W. Irrgang stated that he has not been approached by anyone relative to payment of tribute to racketeers for protection in selling juice grapes in Chicago during the juice grape season of 1931.

REFERENCE: Bureau letter dated April 24, 1931.

DETAILS: AT CHICAGO, ILLINOIS.

Charles W. Irrgang, manager of the Independent Fruit and Produce Auction Company, 169 South Water Market, Chicago, Illinois, states he has not been approached by anyone relative to the payment of tribute to racketeers for protection in the sale of juice grapes in Chicago, Illinois for the juice grape season of 1931.

DETAILS:

Mr. Irrgang stated that if he receives any information regarding racketeering in the juice grape market in Chicago, Illinois during the coming juice grape season he will immediately notify the Chicago office of Bureau of this information.

PENDING

DO NOT WRITE IN THESE SPACES

62-24153-47

RECORDED AND INDEXED: JUN 5 1931

APPROVED AND FORWARDED: Special Agent in Charge

COPIES OF THIS REPORT FURNISHED TO:

3- Bureau
2- Chicago

BUREAU OF INVESTIGATION JUN 5 1931 A.M.
DEPARTMENT OF JUSTICE

CHECKED UP: JUN 11 1931

JACKETED:

ROUTED TO: Mr. Thrasher ✓ FILE WWN

1 cc O'Brien 6-9-31

7—1823

VWB:TAH
62-24153-47

RECORDED June 9, 1931

JUN 11 1931

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, MR. O'BRIAN

In the case entitled MANNY SCHRAIBERG et al.
ANTITRUST MATTER
there are transmitted herewith copies of the following reports:

Agent	Office	Date
R. E. Butterworth	Chicago	6/3/31

Very truly yours,

Director.

Encl. #756197

BUREAU FILES DIVISION
MAILED
JUN 9 1931
P.M.
DEPT. OF JUSTICE

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Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS CHICAGO FILE No. 60-166

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	July 24, 1931	July 20, 1931	R. E. BUTTERWORTH

TITLE: MANNY SCHRAIBERG; TONY ROMANO; JUICE GRAPE INVESTIGATION

CHARACTER OF CASE: ANTITRUST MATTER

SYNOPSIS OF FACTS: Charles W. Irrgang stated he has not received any information in regard to plans to conduct racketeering in the juice grape market in Chicago, Illinois for the juice grape season of 1931.

60
62-245

REFERENCE: Report of Special Agent R. E. Butterworth, Chicago, Illinois, June 5, 1931.

DETAILS: AT CHICAGO, ILLINOIS.

Agent interviewed Charles W. Irrgang, Manager of the Independent Fruit and Produce Company at his office 169 South Water Market, Chicago, Illinois. Mr. Irrgang stated he has not received any information regarding any plans to conduct racketeering in the juice grape market in Chicago, Illinois during the juice grape season of 1931. Mr. Irrgang stated that juice grapes will begin to come into Chicago markets about Sept. 15, 1931, but the juice grape season does not really start before Oct. 1, 1931. Mr. Irrgang stated that Subject Manny Schraiberg is in Chicago, Ill. and attends the sales of watermelons conducted at the railroad terminals. Mr. Irrgang stated that Mark T. Adamson is in financial difficulties; that Adamson left Chicago and is now engaged in a fruit produce business in Toronto, Canada. He stated that he has not seen Tony Romano for several months and does not know anything concerning Romano's activities. Mr. Irrgang stated that if he receives any information tending to show that racketeering will be attempted in the juice grape market this fall he will immediately communicate this information to the Chicago Office of Bureau.

-PENDING-

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: Special Agent in Charge

60-2453-48

RECORDED AND INDEXED: JUL 28 1931

COPIES OF THIS REPORT FURNISHED TO:
3- Bureau
2- Chicago

BUREAU OF INVESTIGATION
JUL 27 1931 A M
DEPARTMENT OF JUSTICE

CHECKED OFF: JUL 31 1931

INDEXED: S

ROUTED TO: Div. Three

FILE: WSC

Copy O'Brien 7/29/31

HIC:AMP
62-24153-48.

July 29, 1931.

RECORDED
JUL 31 1931

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL, Mr. O'Brian.

In the case entitled HARRY SCHRAIBERG, et al,
Antitrust Matter,
there are transmitted herewith copies of the following reports:

Agent	Office	Date
R. H. Butterworth	Chicago	7/24/31

Very truly yours,

WC

Director.

29 1931

Encl. # 759165.

49

RECEIVED

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS 80-166

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	CHARACTER OF CASE
CHICAGO, ILLINOIS	Oct. 4,1931	Oct. 1, 1931	[illegible]

TITLE: HARRY SCHNAIDERG;
TONY ROMANO
JUICE GRAPE INVESTIGATION

SYNOPSIS OF FACTS:

Charles W.Irrgang,Manager,Independent Fruit and Produce Auction Co.Chicago,states that he received no information regarding any proposed racketeering in the sale of juice grapes in Chicago,Ill. during the juice grape season of 1931.

P.

REFERENCE: Report of Special Agent R.N.Butterworth,Chicago, Illinois, dated 7/24/31.

DETAILS: AT CHICAGO, ILLINOIS.

Charles W.Irrgang, Manager of the Independent Fruit and Produce Auction Company was interviewed at his office, 169 South Water Market Chicago,Illinois. Mr.Irrgang stated that he has not received any information of any proposed racketeering in the sale of juice grapes in the Chicago markets during the juice grape season of 1931. Mr.Irrgang stated that if he receives any information of attempted racketeering in the sale of juice grapes at Chicago, he will immediately notify the Chicago office.

REMARKS:

P E N D I N G

DO NOT WRITE IN THESE SPACES

62-24153-49

RECORDED AND INDEXED: OCT 8 1931

APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE

COPIES OF THIS REPORT FURNISHED TO:
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Chicago- 2

BUREAU OF INVESTIGATION
OCT 8 1931 A.M.
DEPARTMENT OF JUSTICE

CHECKED OFF: OCT 13 1931
JACKETED:

ROUTED TO: Div. 7 | FILE: NC

O'Brien

10-12-31

7—1823

WIC:CM
62-24153-49

RECORDED
OCT 13 1931

October 12, 1931.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL
MR. O'BRIAN

In the case entitled MANNY SCHRAIBERG; TONY ROMANO. SELECT GRAPE INVESTIGATION — ANTITRUST MATTERS
there are transmitted herewith copies of the following reports:

Agent	Office	Date
R. W. Butterworth	Chicago, Illinois	10-6-31

Very truly yours,
For the Director,

WIC

Assistant Director.

BUREAU FILES DIVISION
MAILED
OCT 12 193
A.M.
DEPT OF JUSTICE

Incl. # 736591

2-1

DEPARTMENT OF JUSTICE
BUREAU OF INVESTIGATION
DIV. 3
NOV 27 1931

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS — CHICAGO — FILE NO. 60-166

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Ill.	11/24/31	11/24/31	R. H. Butterworth - AB

TITLE:	CHARACTER OF CASE:
MANNY SCHRAIBERG; TONY ROMANO JUICE GRAPE INVESTIGATION	ANTITRUST MATTER

60-1
62-24153

SYNOPSIS OF FACTS: Charles W. Irrgang, Manager of the Independent Fruit and Produce Auction Co., Chicago, stated that there has been no racketeering in the sale of juice grapes in Chicago, Illinois during the juice grape season of 1931.

REFERENCE: Report of Special Agent R. H. Butterworth, Chicago, 10/6/31.

DETAILS: AT CHICAGO, ILLINOIS

Agent interviewed Charles W. Irrgang, Manager of the Independent Fruit and Produce Auction Company, in Mr. Irrgang's office, 169 South Water Market, Chicago, Illinois. Mr. Irrgang stated that the juice grape season for the sale of juice grapes in Chicago, Illinois is nearly over, and that there has been no attempt on the part of racketeers to exact a tribute from purchasers of juice grapes on the juice grape tracks in Chicago, Illinois during the juice grape season of 1931.

Mr. Irrgang stated that if any attempts are made by racketeers to intimidate purchasers of juice grapes on the juice grape tracks at Chicago, Illinois during the remainder of the juice grape season of 1931, that he will immediately notify the Chicago office of these acts.

PENDING

DETAILS

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: _____ SPECIAL AGENT IN CHARGE

62-24153-50

RECORDED AND INDEXED: NOV 27 1931

BUREAU OF INVESTIGATION NOV 27 1931

CHECKED OFF: NOV 30 1931

JACKETED:

DEPARTMENT OF JUSTICE

ROUTED TO: Div. Three — FILE

COPIES OF THIS REPORT FURNISHED TO:
3-Bureau
2-Chicago

COPIES DESTROYED
23 AUG 3 1964

7—1223

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS. FILE NO. 60-166

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
CHICAGO, ILLINOIS	1/9/32	1/6/32	R. N. BUTTERWORTH

TITLE:	CHARACTER OF CASE:
MANNY SCHRAIBERG; TONY ROMANO JUICE GRAPE INVESTIGATION	ANTITRUST MATTER

SYNOPSIS OF FACTS: Charles W. Irrgang, Manager of the Independent Fruit and Produce Auction Company, Chicago, Illinois, stated that the juice grape shipments to Chicago, Illinois, have been completed for the season of 1931. He stated that there has been no racketeering in the sale of juice grapes in Chicago, Illinois, during the juice grape season of 1931.

62-24153-66

P.

REFERENCE: Report of Special Agent R. N. Butterworth, dated 11/24/31, at Chicago, Illinois.

DETAILS: AT CHICAGO, ILLINOIS.

Charles W. Irrgang, Manager of the Independent Fruit and Produce Auction Company, Chicago, Illinois, was interviewed and stated that there has been no racketeering in the sale of juice grapes in Chicago, Illinois, during the juice grape season of 1931. Mr. Irrgang stated that shipments of juice grapes to Chicago, Illinois, have been completed for this season, and that no more juice grapes will be sold "on track" until the Fall of 1932.

DETAILS

Instructions are requested as to whether further investigation is desired in this matter.

PENDING

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: E. P. Saunders Acting SPECIAL AGENT IN CHARGE

62-24153-51

BUREAU OF INVESTIGATION

JAN 9 1932 P.M.

DEPARTMENT OF JUSTICE

RECORDED AND INDEXED: JAN 9 1932

CHECKED OFF: JAN 12 1932

JACKETED:

ROUTED TO: FILE

COPIES OF THIS REPORT FURNISHED TO:

Bureau-3
Chicago-2

1-11-32

1-11-32

T—1233

WHH:ZM
62-24153-51

January 11, 1932.

RECORDED
JAN 12 1932

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL,
MR. O'BRIAN.

I desire to invite your attention to the enclosed copy of the report of Special Agent R. H. Butterworth, made at Chicago, January 7, 1932, entitled HARRY SCHRAIBERG; TONY ROMANO; JUICE GRAPE INVESTIGATION, Antitrust Matter.

You will recall that considerable inquiry to the charge of racketeering affecting interstate commerce in the juice grape industry was made in the fall of 1930. At your request, the matter has been held open since that original investigation and periodic inquiries have been made by the Agents to determine whether the activities of this group have continued. The enclosed report indicates that there has been no racketeering in this industry at Chicago during the season just closed, at least the original complainant, Charles H. Irregang, so states.

In view of this word, the Chicago Office of the Bureau is being instructed to close the matter on its records.

Very truly yours,

Director.

Encl. #703716

NO

BUREAU FILES DIVISION
MAILED
JAN 11 1932
P.M.
DEPT. OF JUSTICE

VHH:HH
62-24153-51

RECORDED
JAN 12 1932

January 11, 1932.

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

Dear Sir:

Acknowledging receipt of the report of Special Agent E. E. Butterworth, dated January 7, 1932, entitled HARRY SCHRAIBERG; TONY ROMANO; JULIUS GRAFF INVESTIGATION, Kidnaping Matter, you are advised that you should consider this case closed on your records.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
JAN 11 1932
P.M.
DEPT. OF JUSTICE

U. S. Department of Justice

Bureau of Investigation

P. O. BOX 1405,
CHICAGO, ILL.

January 8, 1932.

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

62- 24153-2

Re: MANNY SCHRAIBERG; TONY ROMANO.
JUICE GRAPE INVESTIGATION.
ANTI-TRUST MATTER.

Dear Sir:

Investigation in the above captioned case reflects that the juice grape shipments to Chicago, Illinois, have been completed for the season of 1931 and that no more juice grapes will be sold "on track" until the fall of 1932.

Instructions are requested as to whether further investigation is desired in this matter, which is being carried as inactive in this office under instructions from the Bureau.

Very truly yours,

W. A. McSwain,
Special Agent in Charge.

RNB:HJ
60-166

RECORDED 62-24153-52
JAN 12 1932

Department of Justice

Office of the Assistant to the Attorney General

Washington

DEPT. OF JUSTICE
DIVISION ONE
JAN 15 1932 PM
RECEIVED

January 14, 1932.

62-24153

MEMORANDUM FOR THE DIRECTOR,
BUREAU OF INVESTIGATION.

Re: Juice Grape Investigation.

Referring to your memorandum of January 11th, no further investigation need be made in connection with this situation, and the case may be marked closed.

JOHN LORD O'BRIAN,
The Assistant to the Attorney General.

RECORDED
JAN 16 1932

62-24153-53

Div. Three

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS. CHICAGO FILE NO. 60-166

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILL.	1-18-32	1-13-32	E. J. SUTTENFIELD

TITLE	CHARACTER
MANNY SCHRAIBERG TONY ROMANO JUICE GRAPE INVESTIGATION	EXTORTION MATTER

SYNOPSIS OF FACTS:

On instructions from the Bureau this case is closed.

REFERENCE: Letter from Bureau dated [illegible] 11, 1932.

DETAILS: AT CHICAGO, ILLINOIS.

According to instructions received from the Bureau in letter of reference this matter is closed.

CLOSED.

DETAILS

JAN 19 1932 AM

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:		RECORDED AND INDEXED:
SPECIAL AGENT IN CHARGE	62-24153-54	JAN 18 1932
COPIES OF THIS REPORT FURNISHED TO:	BUREAU OF INVESTIGATION	CHECKED OFF:
Bureau - 3 Chicago - 2	JAN 18 1932 A M DEPARTMENT OF JUSTICE	JAN 19 1932
	ROUTED TO: Inv. Three	FILE
		JACKETED:

7—1933

GRAPE ANTITRUST CASE

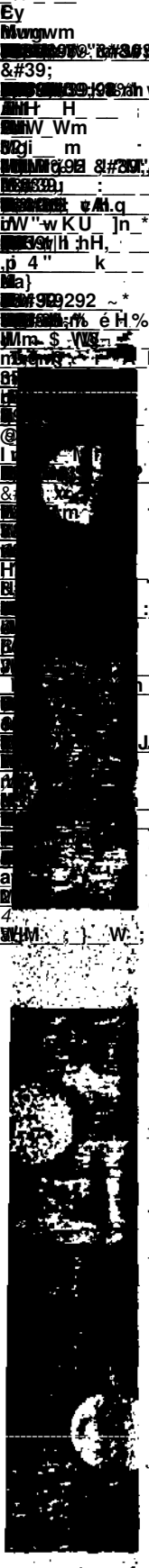
Bureau File #62-24153.

In the Fall of 1930, an investigation was initiated by the United States Bureau of Investigation of allegations that certain levies had been and were being assessed against purveyors of grapes which arrived in Chicago from California. The grapes in question were of a variety which made them valuable primarily because of the juice that could be extracted from them. The investigation related to charges that racketeers in Chicago, particularly, were making an assessment of $20 per car load for the grapes which arrived in the Chicago Freight Yards, and an additional assessment of three cents against each lug or crate of grapes sold from the cars in the Freight Yards. The indications were that this practice had led to a depression in the grape market, which was further aggravated by the fact that a rival gang of racketeers was alleged to be planning to assess an additional levy of $30 per car, thus bringing the total amount of tribute levied by racketeers to the total of $50 per car.

The fact that this complaint was made and that the Department of Justice had become active in the investigation became known, presumably by some person connected with the complainants. Considerable publicity attended the making of the complaint and the indications that an investigation would be made, which resulted in causing it to be practically impossible to obtain evidence of the actual collection of levies. As a result of the investigations which were made, however, it was agreed by all that the effort made by this Bureau in that case for a time at least caused a discontinuance of the practice.

COPIES DESTROYED
23 AUG 3 1964

NOT RECORDED
62-24152



In the Fall of 1938, an investigation was initiated by the United States Bureau of Investigation of allegations that certain levies had been and were being assessed against purveyors of grapes which arrived in Chicago from California. The grapes in question were of a variety which made them valuable primarily because of the juice that could be extracted from them. The investigation related to charges that racketeers in Chicago, particularly, were making an assessment of $20 per car load for the grapes which arrived in the Chicago Freight Yards, and an additional assessment of three cents against each lug or crate of grapes sold from the cars in the Freight Yards. The indications were that this practice had led to a depression in the grape market, which was further aggravated by the fact that a rival gang of racketeers was alleged to be planning to assess an additional levy of $30 per car, thus bringing the total amount of tribute levied by racketeers to the total of $50 per car.

The fact that this complaint was made and that the Department of Justice had become active in the investigation became known, presumably by some person connected with the publication, considerable publicity attended the making of the complaint and the indications that an investigation would be made, which resulted in causing it to be practically impossible to obtain evidence of the actual collection of levies. As a result of the investigations which were made, however, it was agreed by all that the effort made by this Bureau in that case for a time at least caused a discontinuance of the practices.

NOT RECORDED

62-24152

21

4

LCH:MP September 27, 1933.

62-24153-5X X

Mr. Henry C. W. Leubenheimer,
United States Marshal,
Chicago, Illinois.

RECORDED

FEB 7 1934

FEB 8 1934

Dear Sir:

With reference to the present arrangements between your organization, the U. S. Bureau of Investigation, and certain foreign countries cooperating in the international exchange of fingerprint identification data, you are informed that the fingerprints of the person or persons named below, which you transmitted to this Bureau, have been forwarded to the officials at the point or points indicated, with the results specified.

Name	Officials at	Record
Mark T. Adamson	[redacted] b1D	None

Very truly yours,

Director.

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION

FOIPA DELETED PAGE INFORMATION SHEET

3 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) 6 7 D 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.

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☐ For your information: _____

_____

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62-24153-54Xp2;55

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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FBI/DOJ

0006735

January 31, 1934.

62-24153-55

RECORDED
FEB 7 1934

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
1900 Bankers' Building,
Chicago, Illinois.

Dear Sir:

The Division is in receipt of a request from [redacted], to furnish a disposition on all arrest of Mark T. Addison who was arrested by the United States Marshal in Chicago, Illinois, on September 20, 1933, on a charge of violation of the Probate Agency Act of 1927. The fingerprint record on this arrest was received in the Division on September 18, 1933.

It is requested that you ascertain the disposition of this arrest and advise the Division.

Very truly yours,

Director.

U. S. Department of Justice

Bureau of Investigation

1900 Bankers Building,
Chicago, Illinois.

February 7, 1934.

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

Dear Sir:

Reference is made to letter dated 1-31-34 from the Division concerning disposition of the case of MARK T. ADAMSON for violation of the Produce Agency Act of 1927.

Mark T. Adamson Company, a corporation, and Mark T. Adamson, its President, were defendants in this case. On January 10, 1933, a plea of not guilty was entered and trial was continued until March 3rd, 1933. On March 3rd, 1933, plea of not guilty was withdrawn and a plea of nolo contendere entered as to each defendant. Mark T. Adamson was fined $100.00 and no costs on this date and the corporation was fined one dollar and no costs. Both fines were paid the same date.

Disposition sheet covering this case is attached.

Very truly yours,

W. A. SMITH, Acting
Special Agent in Charge.

FEB 1 1934

JRW:GVT

encl.

RECORDED 62-24153-56

FEB 15 1934

FEB 10 1934

FILE

DISPOSITION SHEET sent to Mr. Coe

Division of Investigation,
U.S. Department of Justice,
1900 Bankers Building,
Chicago, Illinois.

(Name and address of Contributor)

Date Feb. 7, 1934.

Mr. J. E. Hoover,
Director, Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:-

Following are the dispositions of cases on which fingerprints have been mailed to the Bureau of Investigation:

Print Number	Name and Alias	Disposition
Fingerprints #3006, submitted by U.S. Marshal, Chicago, 9-12-32.	MARK T. ADAMSON	On March 3, 1933, fined $100.00 and no costs.

[redacted]

This form to be submitted to the Bureau of Investigation to report dispositions of cases in which prints were forwarded previously. Dispositions include such information as advice relative to sentences imposed, fines, discharges from custody, etc. Several cases may be listed on each sheet.

62-24153

Very truly yours,

W. A. Smith

FEB 10 1934

W. A. SMITH, Acting
Special Agent in Charge.
(Official Title)

JRW:GVT

215

EPG:EMP.
62-24153.

b7D

March 14, 1934.

[redacted]

Dear Sir:

Please refer to your letter of January 18, 1934, requesting a disposition on the arrest of Mark T. Altmeyer, whose fingerprints were received by you on September 24, 1932, from this Division.

I have caused an inquiry to be made at Chicago, Illinois, and am now in receipt of advice to the effect that Mark T. Altmeyer, U. S. Marshal, Chicago #3006, who was arrested at Chicago, Illinois, for a violation of the Produce Agency Act, was on March 3, 1933, fined $100, without costs.

Assuring you that it is a pleasure to cooperate [illegible] Department, I am

Very truly yours,

Director.

★ MAR 14 1934 P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECORDED

62-24153-5

DIVISION OF INVESTIGATION
MAR 16 1934 P.M.
U. S. DEPARTMENT OF JUSTICE

FILE

216

SUBJECT Capone, Alphonse

FILE NUMBER 62-27268

SECTION NUMBER

SERIALS 1 - 2

TOTAL PAGES 8

PAGES RELEASED 3

PAGES WITHHELD 5

EXEMPTION(S) USED 0

217

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON



June 25, 1932.

DIVISION ONE
JUN 25 1932 PM

MEMORANDUM FOR MR. HOOVER:

Attached is a letter from the Warden of the Atlanta Penitentiary concerning Al Capone. While I am inclined to agree with the Warden's conclusion we cannot, of course, leave any stone unturned in this particular case. Will you be good enough to give us the benefit of any comments or suggestions you may have.

Acting Director.

RECORDED
&
INDEXED
JUN 30 1932

62-27268-1
JUN 29 1932
FILE

IFB

DEPARTMENT OF JUSTICE
UNITED STATES PENITENTIARY

S
O
P
X

Atlanta, Georgia.

Office of the Warden
June 23, 1932.

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

Dear Sir:

I am enclosing herewith photostat copy of letter addressed to Al Capone, register No. 40666, [redacted] which was intercepted by the mail censors of this institution.

[redacted]

In the event you should have this investigated [redacted]

[redacted]

Yours very truly,

(S) A. C. ADERHOLD
Warden

ACA-T.

19

62-27268-1

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
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☐ Information pertained only to a third party. Your name is listed in the title only.

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B-3

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62-32282-1

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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120

165

BOP

No. 37611

I hereby certify that on entering the United States Penitentiary, Atlanta, Georgia, on the above date, beside the clothes worn, I had [redacted] in money, and the following articles of value:

[redacted]

Received the above named articles.

MAY 9 [illegible]

JUN 15 1937

I States Penitentiary, Atlanta, Georgia, or his all mail matters and all express and other so long as I am a prisoner in said Penitentiary.

[redacted]

uding any money remaining to my credit in or transmitted to h[redacted], whose address [redacted]

lanta, Georgia, this day of [redacted]

[redacted]

g was read and fully explained by me to the before he signed the same, and that he day of

B. J. Bates

Record Clerk U. S. Penitentiary, Atlanta, Ga.

Nearest Railroad Station

[redacted]

myself or imperil it for others, if you accord it to me.

Respectfully,

Name [redacted]

Form JAG 81 10-6-30 RM

62-27268-1

RECORDED
&
INDEXED

JUN 30 1932

June 28, 1932.

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS.

Attention: Mr. Bennett.

I am in receipt of your memorandum, dated June 25, 1932, attaching a letter from the Warden of the Atlanta Penitentiary, dated June 23, 1932, with its enclosures, one of which was received at the Atlanta Penitentiary addressed to Al Capone.

I am returning the Warden's letter and the enclosures to you herewith, copies of these communications having been forwarded for such action as they may warrant to the Birmingham, Alabama, office of this Bureau, as the Birmingham Office covers the Atlanta district.

Very truly yours,

Director.

Enc. #410136

BUREAU FILES DIVISION
MAILED
JUN 28 1932

22

62-27268-1

RECORDED
&
INDEXED

JUN 30 1932

June 28, 1932.

Special Agent in Charge,
United States Bureau of Investigation,
301 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

I am attaching hereto copy of a letter, addressed to the Director, Bureau of Prisons, by the Warden of the United States Penitentiary at Atlanta, under date of June 23, 1932, together with photostatic copies of the enclosures referred to therein, one of which was addressed to Al Capone.

These enclosures are being forwarded to your for such attention as they may warrant.

Very truly yours,

Director.

Encl. 6410135

Warden Penitentiary
Atlanta, Georgia

DE-INDEXED
DATE: 1-9-57
13

BUREAU FILES DIVISION
MAILED
JUN 28 1932
P.M.
DEPT. OF JUSTICE

U. S. Bureau of Investigation

Department of Justice

201 Liberty National Life Bldg.,
Birmingham, Alabama.
July 12, 1932.

62-27268

Director,
United States Bureau of Investigation,
Washington, D.C.

RECEIVED

BUREAU OF INVESTIGATION DEPT. OF JUSTICE DIV. 2

Dear Sir:

Reference is made to your letter dated June 28th 1932, enclosing photostatic copies of letters, including an anonymous communication addressed to Al Capone at the Atlanta Penitentiary.

Special Agent J.S. Johnson interviewed Warden A.C. Aderhold as to the identity of the individual who wrote the letter in question. Mr. Aderhold stated that he had learned nothing besides the information contained in his original communication to the Bureau of Prisons.

JUL 14 1932

[redacted]

Bureau of Prisons

No further action is being taken on this matter here.

Very truly yours,

M.H. PURVIS,
Special Agent in Charge.

MHP-P

62-27268-2
BUREAU OF INVESTIGATION
JUL 14 1932 A.M.
DEPARTMENT OF JUSTICE
Div. Two

RECORDED
&
INDEXED
JUL 18 1932

News Rel 8 p
7/16/32

24

TFB:HAH
62-27268-2

July 16, 1932.

RECORDED
JUL 18 1932

MEMORANDUM FOR THE DIRECTOR.

BUREAU OF PRISONS.

Attention Mr. Bennett

With further reference to your memorandum dated June 25, 1932, attaching a letter from the Warden of the Atlanta Penitentiary, with its enclosures, one of which was received at the Atlanta Penitentiary, addressed to Al Capone, I am in receipt of a letter from the Special Agent in Charge at Birmingham, Alabama, advising that Special Agent J. S. Johnson interviewed the Warden of the Atlanta Penitentiary relative to the letter addressed to Capone, and at that time, the Warden stated that [redacted]

Bureau of Prisons

Very truly yours,

Director.

TFB

BUREAU FILES DIVISION
MAILED
JUL 16 1932

25



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 2 OF 11

BUFILE NUMBERS:
62-28933
62-28933 SUB A

SUBJECT Capone, Alphonse

FILE NUMBER 62-28933

SECTION NUMBER 1

SERIALS 1-75

TOTAL PAGES 163

PAGES RELEASED 120

PAGES WITHHELD 43

EXEMPTION(S) USED b7C, 7D, 7E

Mr. Nathan
Mr. Tolson
Mr. Edwards
Ms. Clegg

U. S. Bureau of Investigation

Department of Justice
201 Liberty National Life Building,
Birmingham, Alabama,
June 16, 1933.

JUN 29 1933

Memo Bu Prisons 6-23-33 WDH

62-28933-1

RECORDED & INDEXED

JUL 20 1933 P.M.
DEPARTMENT OF JUSTICE

DIRECTOR
NATHAN Asst. to the Dir.
FILE

Director,
United States Bureau of Investigation,
Washington, D. C.

JUL 1 - 1933

Dear Sir:

Please be advised that this office is in receipt of a memorandum from Special Agent Chapmon Fletcher at Atlanta, Ga., stating that [redacted] of the United States Penitentiary at Atlanta, handed him a copy of a letter purporting to have been written by Al Capone, three copies of which are attached hereto for your information in the premises.

[redacted]

In view of the fact that several of the persons ment

Encl 3

Birmingham 6/27/33

4

COPIES DESTROYED
348 AUG 20 1964

in the body of this letter are Government officials, the matter is being transmitted to the Bureau in order that proper instructions might be issued before an investigation is undertaken by the Birmingham office.

If authority is granted to go into this matter, I believe that several things mentioned in the letter alleged to have been written by Al Capone should be verified from the records of the Penitentiary at Atlanta, before any investigation is requested of the Chicago Office.

Very truly yours,

T. D. QUINN,
Special Agent in Charge.

TDQ:T
Encl.

5

4-750 (2-7-79)

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XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
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☐ Deleted under exemption(s) _____ with no segregable material available for release to you.

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_____ 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):

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1

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

[redacted]

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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6

FBI/DOJ

RECORDED
&
INDEXED

VWH:DSS
62-28933-1

June 27, 1933.

Special Agent in Charge,
United States Bureau of Investigation,
201 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

Referring further to your letter of June 16, with reference to the request of Warden Aderhold of the Atlanta Penitentiary, BOP for an investigation of allegations contained in a letter believed to have been written by Al Capone, inmate of the penitentiary, you are advised that the Director of the Bureau of Prisons has requested this Bureau to proceed with a thorough investigation. Will you please, therefore, immediately institute the necessary inquiry.

You are authorized to confirm the matters to which you refer in the last paragraph of your letter through the records of the penitentiary at Atlanta.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
JUN 27 1933
P.M.
DEPT. OF JUSTICE

1

RECORDED & INDEXED

VBH:EG
62-28933-1

June 23, 1933.

MEMORANDUM FOR THE DIRECTOR,
BUREAU OF PRISONS.

I am attaching hereto a copy of a letter which I received from my Birmingham Office under date of June 16, 1933, together with its enclosure, advising of the request of Warden Aderhold of the United States Penitentiary at Atlanta for investigation of certain matters arising through reason of the statements made in a letter allegedly written by Al Capone.

BOP

The matter is being promptly forwarded to you, in order that you may have the benefit of the information contained therein and advise if you desire the Bureau to conduct an investigation.

Very truly yours,

Director.

Enclosure #546991.

BUREAU OF INVESTIGATION
JUN 23 1933
DEPT. OF JUSTICE

RECORDED
&
INDEXED

WHH:RG
62-28933-1

June 23, 1933.

Special Agent in Charge,
United States Bureau of Investigation,
201 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

Receipt is acknowledged of your letter of the 16th instant with reference to information received from Warden Aderhold relative to statements appearing in a letter allegedly written by Al Capone.

BOP

You are advised that a copy of your letter, together with its enclosure, has been forwarded to the Director of the Bureau of Prisons and you should await further advice from the Bureau before proceeding with the investigation.

Very truly yours,

Director.

JUN 23 1933
DEPT. OF JUSTICE

9

U. S. Bureau of Investigation

Department of Justice

201 Liberty National Life Bldg.,
Birmingham, Alabama,
June 23, 1933.

LIFE 3 PM

Director,
United States Bureau of Investigation,
Washington, D.C.

Dear Sir:

By reference from Special Agent Chapmon Fletcher, Atlanta, Ga., a letter has been received, dated June 21st, last, and signed by A. C. Aderhold, Warden, United States Penitentiary, Atlanta, Ga., copies of which are attached hereto, and which is believed to be self explanatory. BOP

On even date I am advising Mr. Aderhold that this matter has been referred to the Bureau for proper instructions, and that I will be pleased to notify him at a later date concerning what action is to be taken in regard thereto.

Very truly yours,

T. D. QUINN,
Special Agent in Charge.

TDQ:EM
62-756

1 ENC. Not

cc

RECORDED
62-28933-2
JUL 8 - 1933
FEDERAL BUREAU OF INVESTIGATION
JUN 26 1933 P.M.
DEPARTMENT OF JUSTICE
COPIES DESTROYED
348 AUG 20 1964
7-6-31 VWK

NATHAN Dir. Ofc. Dir. Two WMD

10

62-69-180

201 Liberty Natl. Life Bldg.,
Birmingham, Alabama,
June 23, 1933.

BOP

Mr. A. C. Aderhold,
Warden, United States Penitentiary,
Atlanta, Ga.

Dear Sir:

By reference from Special Agent Chapman Fletcher, receipt is acknowledged of your communication dated June 21, 1933, and which has further reference to your conference with this Agent under date of June 14, 1933 concerning Alphonse Calpone.

In this regard, please be advised that in view of the fact that several of the persons mentioned in this case are Federal officials and under Departmental regulations, the matter has been referred to the Bureau at Washington, D.C. for proper instructions.

I shall be pleased at a later date to advise you in the premises in order that you might be fully informed as to what action will be taken by this office.

I wish to take this opportunity to thank you for your very splendid cooperation rendered Agents of this office, and I trust that I will have the pleasure of meeting you during my next visit to Atlanta.

Very truly yours,

T. D. QUINN,
Special Agent in Charge.

TDQ:BM

CC: Bureau

62-756

11

C O

BOP

DEPARTMENT OF JUSTICE
UNITED STATES PENITENTIARY

Atlanta, Ga.,
June 21, 1933.

C
O
P
Y

Mr. Fletcher,
Bureau of Investigation,
% United States Attorney,
Atlanta, Ga.

Dear Sir:

Enclosed is [redacted] addressed to Alphonse Capone [redacted]

You will note that this telegram is in reply to request in the letter which reads:

"Just as soon as you get this letter wire me and say that my lawer spoke to you and they will be there to see you before they go to the Supreme Court, so that I will know that you got this letter."

It is thought that this letter referred to [redacted]

For your information will say that I am delivery a copy of this telegram to Al Capone, register No. 40886.

Yours very truly,

A.C.Aderhold,
Warden.

[redacted] June 21 1145 A
ALPHONSE CAPONE - YOUR LAWYER SPOKE TO ME LAST NIGHT AND THEY WILL BE THERE TO SEE YOU BEFORE THEY GO TO THE SURREME COURT DO NOT WORRY ABOUT MAma AS SHE IS FEELING FINE NOW AND WILL BE HOME IN A F--- IN A COUPLE OF DAYS SHE WENT THROUGH EVERYTHING BETTER THAN WAS EXPECTED AND IS ALL RIGHT NOW SHE SENDS HER LOVE LOVE FROM ALL [redacted]

12

AUG 20 1964

62-29732-2

VHH:AHK
62-28933-2

RECORDED

JUL 8 - 1933

July 6, 1933

Special Agent in Charge,
United States Bureau of Investigation,
201 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

With reference to your letter of June 23, 1933, with attached copy of letter addressed to Agent Fletcher by Warden Aderhold of the Atlanta Penitentiary, dated June 21, 1933, and the copy of telegram addressed to Al Capone at the penitentiary, you are advised that this matter appears to be the same as that treated of in your letter of June 16, 1933, which was replied to by Bureau letter of June 27, 1933, authorizing you to proceed with the investigation.

BOP

It is assumed that you will cover the matter completely in the investigation authorized.

Very truly yours,

Director.

...VISION
...1933
...Justice

13

JEH/mf June 26, 1933.

MEMORANDUM FOR MR. HUGHES,

Mr. Bates, Director of the Bureau of Prisons, telephoned with regard to the memorandum forwarded to him by this Bureau under date of June 23, 1933, with reference to information received from Warden Aderhold relative to statements appearing in a letter allegedly written by Al Capone, and requested that this Bureau proceed with inquiry based upon the statements in this letter.

Very truly yours,

Director.

BUREAU FILES DIVISION MAILED JUN 26 1933 P.M. DEPT OF JUSTICE

RECORDED & ~~INDEXED~~

62-28933-3
BUREAU OF INVESTIGATION
JUN 27 1933 A.M.
FILE

201 Liberty National Life Building,
Birmingham, Alabama

June 29, 1933.

JUL 1933

BOP

Mr. A. C. Aderhold,
Warden, United States Penitentiary,
Atlanta, Georgia.

JUL - 5 1933 PM

Dear Sir:

With further reference to letter from this office dated June 23, 1933, in connection with an investigation that is desired at the penitentiary to determine if letter was written by Al Capone, inmate of the penitentiary, this is to advise that this investigation will be given immediate attention.

Very truly yours,

J. H. HANSON, Acting
Special Agent in Charge.

JHH:H

CC: Bureau

62-28933
JUL 1 1933
FILE

15

DIVISION OF INVESTIGATION - U. S. DEPARTMENT OF JUSTICE

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Alabama.	9-8-33	6-14-21, 7-2, 8-2,14,20, and 9-8-33.	CHAPMAN FLETCHER

TITLE:

ALPHONSE CAPONE, aliases: Brown; A. Costa; Scarface Capone; Alphonse Brown; Al Capone; A. Brown; "Scarface"; Alphonse Gabriel Capone.
O. T. BISHOP;
STEPHEN T. BROWN.

CHARACTER OF CASE:

CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS:

Letter written by prisoner Atlanta Penitentiary, presumably Capone [redacted]

-P-

REFERENCE: Bureau letter dated June 27, 1933.

DETAILS: AT ATLANTA, GEORGIA.

[redacted]

APPROVED AND FORWARDED: J. B. Keenan Special Agent in Charge

62-28933-4

RECORDED AND INDEXED: SEP 11 1933

COPIES OF THIS REPORT FURNISHED TO:

(3) Division
2 Washington
2 Chicago COPIES DESTROYED
4 Birmingham 348 AUG 20 1964

BUREAU OF INVESTIGATION SEP 11 1933 A.M. DEPARTMENT OF JUSTICE

CHECKED OFF: SEP 21 1933

JACKETED:

ROUTED TO: [illegible] FILE

Wash Press 9/19/33 JHL

16

4-750 (2-7-79)

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XXXXXX
XXXXXX

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.

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_____

_____

☐ For your information: _____

_____

☑ The following number is to be used for reference regarding these pages:

_____ 3133-41,p2 _____

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XXXXXX
XXXXXX

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

19

FBI/DOJ

BOP

[redacted]

"Alphonse Capone -- Your lawyer spoke to me last night and they will be there to see you before they go to the Supreme Court Do not worry about Mama as she is feeling fine now and will be home in a couple of days She went through everything better than was expected and is all right now She sends her love Love from all.

[redacted]

Transmitted by Western Union."

On June 16, 1933, a letter was addressed by S. A. C. T. D. Quinn, to the Director, informing the Director as to the complaint made in this case and on June 27, 1933, the Director by letter authorized investigation in this case.

Warden Aderhold has advised Agent that

[redacted]

18

BOP

[redacted]

On June 16, 1933, a letter was addressed by S. A. C. T. D. Quinn, to the Director, informing the Director as to the complaint made in this case and on June 27, 1933, the Director by letter authorized investigation in this case.

[redacted]

19

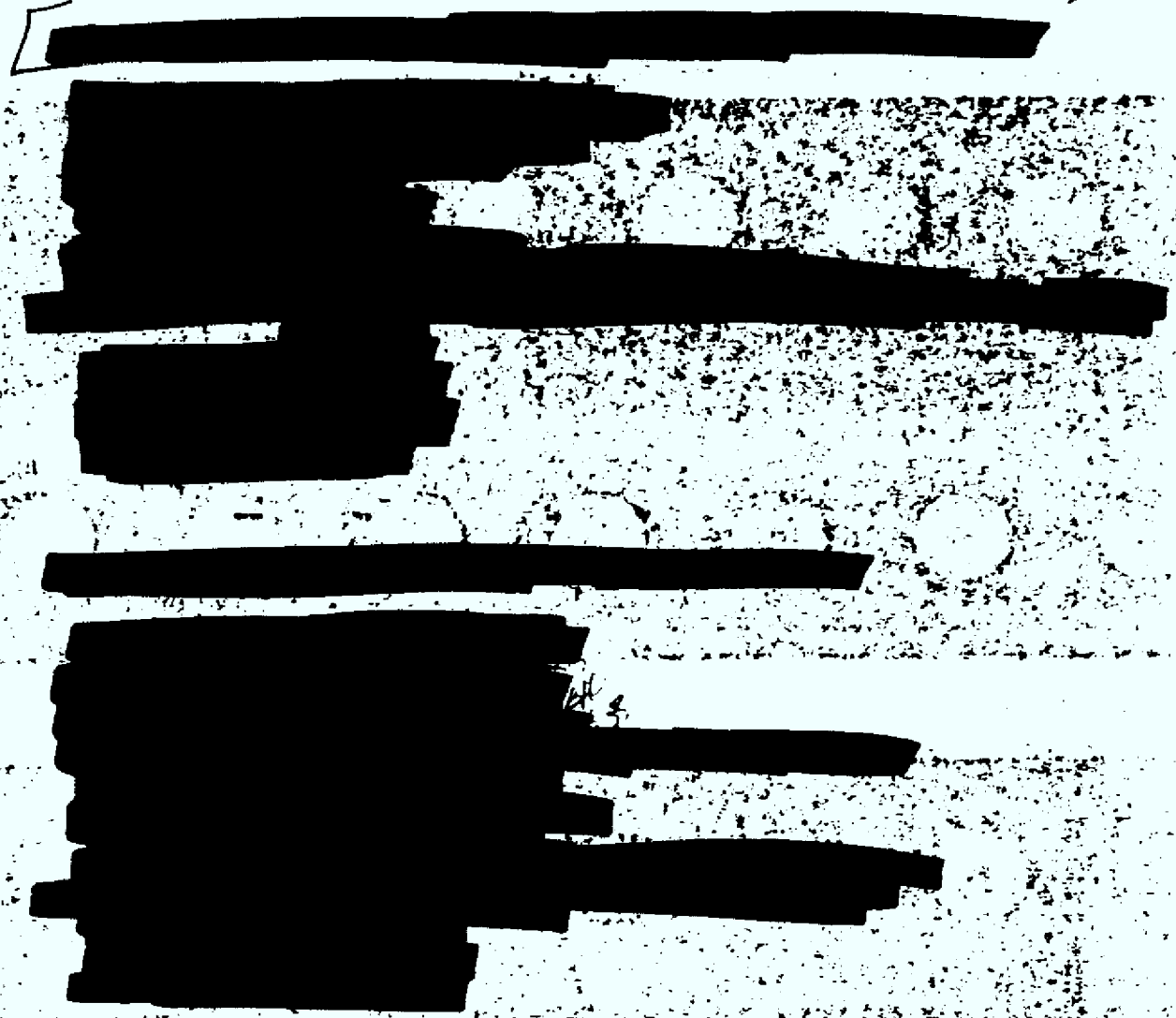
BoP

[redacted]

Mrs. Davis, in the office of the Commissioner of Finance and Taxation, State Capitol, Atlanta, Ga., states that license number 1-676B, for 1933, was issued to Mrs. Annie E. Bishop, 1425 Broad Street, S. E., Atlanta, Georgia, about April 29, 1933, for a five-passenger Dodge Sedan, Motor No. S63748.

20

BoP



A description of Capone as disclosed by the records of the United States Penitentiary, Atlanta, Ga., is as follows:

NAME	ALPHONSE CAPONE, aliases: Brown; A. Costa; Scarface Capone; Alphonse Brown; Al Capone; Al Brown; "Scarface"; Alphonse Gabriel Capone;
Age	33
Height	5'10-1/2"
Weight	255
Build	Stout
Occupation	Gambler
Complexion	Medium fair
Eyes	Gray
Hair	Dark brown
Residence	Chicago, Illinois
Scars	Oblique scar 4" across cheek 2" front left ear;

Description of Al Capone (continued):

Scars (cont.)	vertical scar 2-1/2" on left jaw; oblique scar 2-1/2" below left ear on neck.
Pen. Number	Atlanta Penitentiary No. 40886
Photograph	One mounted and two unmounted retained in Bureau file.

UNDEVELOPED LEADS:

WASHINGTON FIELD OFFICE - Is requested to secure from the Treasury Department at Washington, D. C. information as to all bank or other indorsements which will show the disposition made by Bishop of the checks listed in this report as having been paid Bishop as salary.

CHICAGO OFFICE - at Chicago, Illinois - Will conduct discreet investigation to determine whether Dr. Stephen T. Brown, of Atlanta, Georgia, was registered at the Palmer House on or about June 18, 1933, and, if so, the activities of the Doctor during his stay at the hotel, particular attention being paid to any telephone calls placed by the Doctor from his room.

BIRMINGHAM OFFICE - At Atlanta, Georgia - Upon receipt of information from the Washington Field Office as to the disposition made by Bishop of the checks received as salary will cause a check to be made of any banks indicated where Bishop might have an account, either savings or checking, and will make such further investigation as other endorsements on these checks may warrant. Also, it will be ascertained the name of the party from whom the automobile owned by Mrs. Bishop was secured and the amount and manner in which these payments for the car have been made, and if payments are being made by check, will ascertain the name of the bank on which the checks are drawn, and such further investigation as the facts warrant.

P E N D I N G

47

TMS:CSH
62-28933-4 September 19, 1933

RECORDED

SEP 21 1933

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

Reference is made to my memorandum dated June 23, 1933, transmitting a copy of a letter which I received from my Birmingham Office under date of June 16, 1933, together with its enclosure, advising of the request of Warden Aderhold of the United States Penitentiary at Atlanta for an investigation of certain matters arising through reason of the statements made in a letter allegedly written by Al Capone.

For your further information in this matter I am transmitting herewith a copy of the report of Special Agent Chapman Fletcher, dated at Birmingham, Alabama, September 8, 1933, entitled ALPHONSE CAPONE, with aliases, et al, CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GEORGIA.

Very truly yours,

BUREAU FILES DIVISION MAILED SEP 19 1933 P.M. DEPT. OF JUSTICE

Director.

Enclosure #677866.

33

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Alabama FILE NO. 62-28933

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Washington, D. C.	9/14/33	9/12/33	Donovan Owens JCM

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, with aliases; ET AL	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS:

Information received from General Accounting Office regarding disposition and endorsements of salary checks of [redacted] Treasury Dept

-RUC-

REFERENCE: Report of Special Agent Chapmon Fletcher, dated at Birmingham, Alabama, September 8, 1933.

DETAILS: AT WASHINGTON, D. C.

Information was received from the Treasury Department and the General Accounting Office regarding the disposition and endorsements on salary checks of [redacted] as follows:

1933.	Check No.	Amount	Disposition and Endorsements
[redacted]			

DETAILS

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: L. P. Ahrens Acting SPECIAL AGENT IN CHARGE

62-28933-5

RECORDED AND INDEXED: SEP 10 1933

CHECKED OFF: SEP 25 1933

JACKETED:

COPIES OF THIS REPORT FURNISHED TO:

3 Division
2 Chicago
4 Birmingham
2 Washington Field

COPIES DESTROYED

SEP 20 1933 FBI

UNITED STATES SEP 18 1933 A M BUREAU OF INVESTIGATION

ROUTED TO: Mr. Ohs FILE 205

AUG 20 1964

7—5034

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

TMS:CJ
62-28933-5

RECORDED
SEP 25 1933

September 22, 1933.

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS.

In the case entitled ALPHONSE CAPONE, with aliases, et al; CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA, there are transmitted herewith copies of the following reports:

Special Agent	Office	Date
Donovan Owens	Washington, D. C.	9/14/33

Very truly yours,

BUREAU FILES DIVISION MAILED
SEP 22 1933
DEPT. OF JUSTICE

Director.

Incl. #676709

UNITED STATES DEPARTMENT OF JUSTICE
BUREAU OF INVESTIGATION

CHICAGO, ILLINOIS

ALPHONSE CAPONE with others;

CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS:

[redacted]

REFERENCE: Report of Special Agent Chapman Fletcher, Birmingham, 9/8/33.

ADMINISTRATIVE:

[redacted]

APPROVED AND FORWARDED: M. H. Guinn, Special Agent in Charge

COPIES OF THIS REPORT FURNISHED TO:
Division-5
Birmingham-3
Chicago-2

COPIES DESTROYED
348 AUG 20 1954

62-28933-6

RECORDED AND INDEXED: SEP 28 1933

UNITED STATES
SEP 28 1933 A M
BUREAU OF INVESTIGATION

CHECKED OFF: OCT 21 1933

ROUTED TO: FILE

4-750 (2-7-79)

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FEDERAL BUREAU OF INVESTIGATION

FOIPA DELETED PAGE INFORMATION SHEET

3 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) b7C, b7D with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____ , was/were forwarded to them for direct response to you.

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

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

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:
62-28733-6 pp 2-4

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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XXXXXX

FBI/DOJ

TNS:CSH
62-28933-6

October 20, 1933

RECORDED
OCT 21 1933

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

In connection with the investigation now being made by this Division of the mailing of a letter by Alphonse Capone from the United States Penitentiary at Atlanta, there is transmitted herewith a copy of the report of Special Agent W. Carter Baum, dated at Chicago, Illinois, September 25, 1933, entitled ALPHONSE CAPONE with aliases, et al, Conspiracy to Receive and Send Contraband out of the U. S. Penitentiary, Atlanta, Georgia.

Very truly yours,

Director.

Enclosure #679523.

FILES SECTION
MAILED
★ OCT 20 1933 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

TMS:BG
62-28933

September 28, 1933.

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
201 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

Your attention is invited to the case entitled Alphonse Capone with aliases, et al, Conspiracy to Receive and Send Contraband Out of the United States Penitentiary, Atlanta, Georgia.

For your information, a letter has been directed to the Chicago Office requesting that the lead set forth in the report of Special Agent Chapman Fletcher dated September 8, 1933, be given immediate attention. It is also desired that you proceed with the investigation immediately and submit a report promptly, without awaiting the results of the investigation at Chicago.

Very truly yours,

Director.

FILED
SEP 28 1933
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECORDED

62-28933-7
DIVISION OF INVESTIGATION
SEP 30 1933

TMS:RG
62-28933

September 28, 1933.

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
1900 Bankers' Building,
Chicago, Illinois.

Dear Sir:

Your attention is invited to the report of Special Agent Chapman Fletcher, Birmingham, Alabama, dated September 8, 1933, in the case entitled Alphonse Capone with aliases, et al, Conspiracy to Receive and Send Contraband out of the United States Penitentiary, Atlanta, Georgia, wherein you will note that a lead is set forth for your office, requesting investigation concerning [redacted] b7G

It is desired that this investigation be given immediate attention, and a report submitted not later than the day following the receipt of this letter.

Very truly yours,

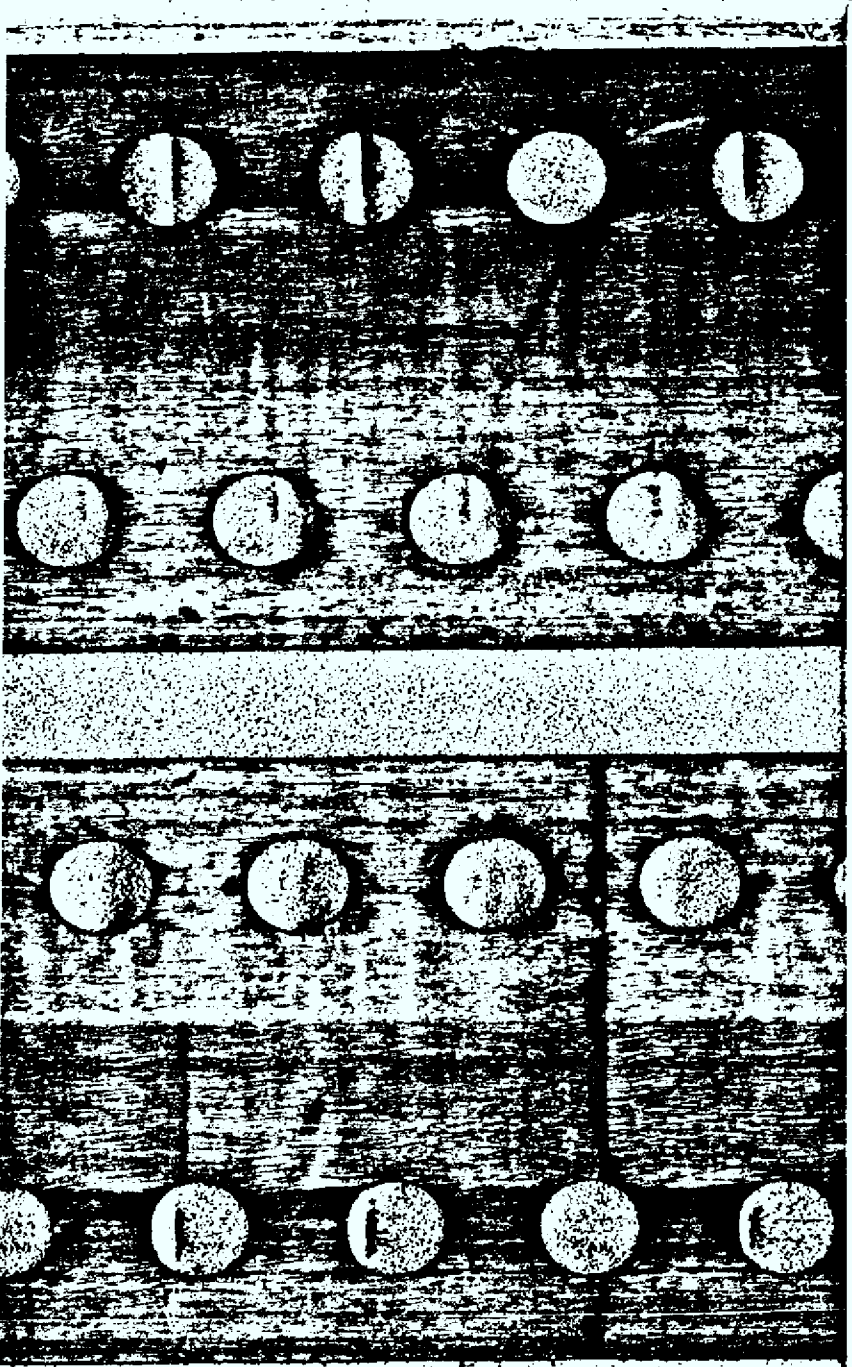
Director.

FILES SECTION
MAILED
★ SEP 28 1933 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECORDED 62-28933-8

SEP 30 1933

31



FOR ATTENTION OR ACTION INDICATED

DATE 9/27/33

DIRECTOR
MR. TOLSON
MR. APPEL
MR. BAUGHMAN ✓
MR. CLEGG
MR. EGAN
MR. HUGHES
MISS GANDY
MRS. SKILLMAN

UNIT FOUR
- FILES SECTION
- PERSONNEL FILES SECTION
- EQUIPMENT SECTION
- CHIEF CLERK'S OFFICE

UNIT FIVE
- IDENTIFICATION SECTION
- STATISTICAL SECTION

STENOGRAPHIC POOL
- CORRECT
- RE-WRITE
- RE-DATE

Mrs. admin today.

PLEASE SEE ME

HAROLD NATHAN
ROOM 318

EDGAR HOOVER
DIRECTOR

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

VaH:CJ
62-28933

October 11, 1933.

Nathan.....
Tolson.....
Mr. Clegg.....
Mr. Edwards.....
Mr. Egan.....
Mr. Hughes.....
Mr. Quinn.....
Mr. Lester.....
Mr. Locke.....
.....

MEMORANDUM FOR THE DIRECTOR.

With reference to the investigation of a letter, allegedly written by Alphonse Capone as described in the attached memorandum prepared by Supervisor Stapleton under date of September 27, 1933, I desire to advise that it appears the case originated with a letter received from the Birmingham office under date of June 16th. The matter was referred to the Director, Bureau of Prisons, on June 23rd, and on June 27th the Birmingham office was authorized to proceed with an investigation.

Inasmuch as the authorization was merely in response to a request of the Birmingham office, apparently no tickler was maintained. However, on July 6th an additional letter was sent to the Birmingham office with reference to the case. The report submitted by the Birmingham office is dated September 8th and the investigation covers the period June 14th to 21st, July 1st, August 2nd, 14th, and 20th, and September 2, 1933. The delay was in the Birmingham office and possibly could be accounted for by reason of the many emergency matters confronting that office during that period and in view of the fact that it was not indicated at any time that this particular investigation was of an emergency character.

If you desire, an appropriate letter will be directed to the Birmingham office, calling attention to the delay and instructing that the matter be immediately completed.

62-28933-9

OCT 19 1933

Respectfully,

OCT 18 1933

V. W. Hughes.

Yes do so & see that this entire matter is promptly completed.

2 Encls
ALL

10/18/33 J. E. H.

Lee Pennington
10/17/33

33

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Edwards.....
Mr. Ebau.....
Mr. Hughes
Mr. Quinn.....
Mr. Locke.....
.....

September 26, 1933.

MEMORANDUM FOR THE BUREAU OF INVESTIGATION:

BOP

[redacted]

Sanford Bates

Director.

What is the status of this?

9/27/33 J. E. H.

62-7103-4

OCT 18

Mail Br. | FILE

Memo Director, FBI
Ref. Chief Birmingham
OCT 19 1933
9-28-33
TNS

34

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. Quinn
Mr. Locke

TNS:RG
62-28933

September 27, 1933.

MEMORANDUM FOR THE DIRECTOR

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

BOP

On June 14, 1933, Mr. A. C. Aderhold, Warden of the United States Penitentiary at Atlanta, Georgia, turned over to Special Agent Chapmon Fletcher a letter which had been turned over to him by a [redacted] This letter was referred to the Division by Special Agent in Charge Quinn of Birmingham on June 16, 1933, requesting authority to conduct an investigation, and a letter dated June 27, 1933, was forwarded to the Birmingham Office authorizing it to proceed with the investigation.

Why was this delayed from June 27 to Sept. 8?

Special Agent Chapmon Fletcher submitted a report dated September 8, 1933, which discloses tha[redacted]

62-28933-1

COPIES DESTROYED
348 AUG 20 1964

OCT 19 1933

OCT 18 1933

Memo. Director
9/27/33.

BOP

[redacted]

[redacted]

The report of Agent Fletcher sets forth leads for the Washington Field Office to ascertain from the Treasury information as to the endorsements of checks and disposition made by [redacted] b7C

[redacted]

A report has been received from the Washington Field Office dated September 14, 1933, reflecting the disposition and endorsements of the checks of [redacted] however, no report has been received from the Chicago Office of the investigation requested there. A letter is being directed to the Birmingham and to the Chicago Offices requesting that this matter be given immediate attention.

Respectfully,

T. N. Stapleton.

T. N. Stapleton

36

VMH:CSH

62-28933-9

October 17, 1933

RECORDED
OCT 19 1933

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
201 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

I desire to again invite your attention to the case entitled Alphonse Capone, with aliases, et al, Conspiracy to Receive and Send Contraband out of the United States Penitentiary at Atlanta, Georgia.

This case has now been pending in your office since June 16th. On June 23rd the Division authorized you to proceed with the inquiry. The first report received was that of Special Agent Chapman Fletcher, dated September 8, 1933, and that report contained a number of undeveloped leads for the Washington Field and Chicago Offices. The Division has since received a copy of the report of Special Agent Donovan Owens, at Washington, D. C., dated September 14th, but no report has yet been received from Chicago.

It is imperative that this matter be given immediate attention and that complete reports be submitted promptly. A copy of this letter is being forwarded to the Chicago Office in order that it may proceed immediately with the investigation pending there, and if, after receipt of the report from the Chicago Office, you find additional work necessary, it is suggested that the telegraph be used to forward necessary leads. Otherwise, a summary of the matter should be submitted promptly to the Division.

Very truly yours,

FILES SECTION
MAILED
OCT 17 1933
P. M.
DIVISION OF INVESTIGATION
DEPARTMENT OF JUSTICE

Director.

CC Chicago.

37

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA, FILE NO. 62-756 JHH

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Alabama.	10-25-33	10-15 to 22-33	CHAPMON FLETCHER

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE with aliases - Et Al	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS:

[redacted]

DEPT OF JUSTICE
DIVISION ONE
OCT 25 1933 PM

-P-

REFERENCE: Report of Sp. Agt. Donovan Owens, Washington, D. C., 9-14-33.

DETAILS:

[redacted]

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

62-28933-10

RECORDED AND INDEXED OCT 25 1933

COPIES OF THIS REPORT FURNISHED TO:
3 Division
Charlotte (Encl.)
2 Birmingham

UNITED STATES OCT 25 1933 A M BUREAU OF INVESTIGATION

CHECKED OFF: OCT 30 1933

JACKETED:

ROUTED TO: Unit One

FILE

Copy to Bur. of Prisons 10-27-33 JHS

1 to Chicago 12-18-33

7—3034

4-750 (2-7-79)

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FEDERAL BUREAU OF INVESTIGATION

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62-28933-10 pp 2, 3, 6, 7

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X FOR THIS PAGE X
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39

FBI/DOJ

b7C
b7D

[redacted]

The above has been discussed with Mr. A. C. Aderhold, Warden, United States Penitentiary, Atlanta, Georgia, who has been cooperating with this Agent, and it may be said that during one of these discussions BOP

[redacted]

b7C

[redacted]

In connection with [redacted] Atlanta Penitentiary, who recently requested an interview with an Agent of this Division, there is quoted below the memorandum of this interview by this Agent inasmuch as it pertains to Capone and a [redacted] at the Atlanta Penitentiary:

"Atlanta, Georgia, September 4, 1933.

"Memorandum to Special Agent in Charge:

"From the records of the United States Penitentiary, Atlanta, Ga., 40

BOP

[redacted]

b7C b7D

[redacted] at first declined to make any statementto Agent, declaring that if a statement should be made and the prison authorities should learn of it that he would surely be killed as there was a 'lot of stuff going on inside the penitentiary.' [redacted] asked that he be transferred closer to New Orleans where his wife and family could visit him, and Agent informed [redacted] that this was entirely in the hands of the Attorney General to whom he should make his request, and that the information furnished by him to Agent would be in the hands of the Attorney General who could give the matter full consideration and take such action as he deemed proper, but that Agent had nothing whatever to do with this and would make no recommendation to the Attorney General.

[redacted]

[redacted] also said there was a big racket on the outside to get narcotics into the penitentiary, and that Al Capone was the man on the inside who had charge of this racket, and that Capone was able to do this through [redacted] He says that [redacted], a prisoner, was [redacted] and kept in close touch with Capone and that Capone's contact with the outside was through [redacted] was very insistent that Agent not disclose the source of this information as he feared that he would be killed.

(Signed): Chapmon Fletcher, Special Agent."

41

For the information of the Charlotte Office, copy of report of Special Agent Chapmon Fletcher, Birmingham, Alabama, dated 9-8-33, is being furnished.

The Division has recently requested that all investigation in this case be conducted immediately.

P E N D I N G

42

TNS:KP
62-28933-10

RECORDED

OCT 30 1933

October 27, 1933

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

Supplementing the memorandum from this Division dated October 25, 1933, in connection with the investigation now being made by the Division concerning the mailing of a letter by Alphonse Capone from the United States Penitentiary at Atlanta, Georgia, there is transmitted herewith copy of a report submitted by Special Agent Chapman Fletcher, Birmingham, Alabama, October 25, 1933, entitled ALPHONSE CAPONE with aliases, et al - Conspiracy to Receive and Send Contraband out of the United States Penitentiary, Atlanta, Georgia.

Very truly yours,

Director.

Enc. 364X4

FILES SECTION
MAILED
★ OCT 27 1933 ★
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

5 Sec'y

10

43

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Alabama

FILE NO. 62-492

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Charlotte, N. C.	11-24-33	11/23,24/33	WM. S. MCKINLEY, JR.

TITLE: ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE: CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS:

[redacted]

R. H. C.

FEDERAL BUREAU OF INVESTIGATION DEPT. OF JUSTICE

REFERENCE: NOV 27 1933 AM

Report of Special Agent Chapmon Fletcher, Birmingham, Alabama, 10-23-33.

DETAILS:

DETAILS:

[redacted]

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: L. B. Reed Acting Special Agent in Charge

62-28933-11

RECORDED AND INDEXED: NOV 25 1933

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3-Division
3-Birmingham
2-Charlotte

12/4/33 - Copy Bur. of Prisons JHS

COPIES DESTROYED 948 AUG 30 1964

UNITED STATES NOV 25 1933 A M BUREAU OF INVESTIGATION

CHECKED OFF: DEC 4 - 1933

JACKETED:

ROUTED TO: Unit One

FILE JK

7—3034

4-750 (2-7-79)

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FEDERAL BUREAU OF INVESTIGATION

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☐ For your information: _____

_____

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62-28933-1 pp 2-4

XXXXXXXXXXXXXXXXXXX

TNS:LL
62-28933-11

RECORDED

DEC 4 - 1933

December 2, 1933.

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS.

For your further information in connection with the investigation now being made by this Division, concerning the mailing of a letter by Alphonse Capone from the United States Penitentiary, Atlanta, Georgia, there is transmitted herewith a copy of a report submitted by Special Agent William S. McKinley, Charlotte, North Carolina, dated November 24, 1933, entitled Alphonse Capone, with aliases, et al - Conspiracy to Receive and Send Contraband Out of the U. S. Penitentiary, Atlanta, Georgia.

Very truly yours,

Director.

Inclosure No. 364819.

FILES SECTION
MAILED
★ DEC 2 ★
P.M.

VWH

JHS

46

62-756
DOS:EM

DIVISION ONE
DEC 11 1933 PM

801 Liberty National Life Bldg.,
Birmingham, Alabama,
December 8, 1933.

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
Hurley-Wright Building,
Washington, D.C.

Re: ALPHONSE CAPONE, with aliases, et al.
Conspiracy to Receive and Send Contraband
out of the U. S. Penitentiary, Atlanta, Ga.

Dear Sir:

[redacted]

Very truly yours,

W. A. ROHER,
Special Agent in Charge.

CC: Division

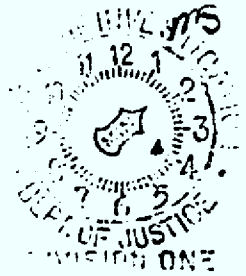
62-29933
DIVISION OF INVESTIGATION
DEC 8 1933
U. S. DEPARTMENT OF JUSTICE

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON



December 5, 1933.

MEMORANDUM FOR MR. HOOVER:

[redacted]

Sanford Bates
Director.

Ack 12/12/33 TNS.
SAC-Submissions 12/12/33 TNS

RECORDED

62-28933-12
DIVISION OF INVESTIGATION
DEC 5 1933 P.M.
U. S. DEPARTMENT OF JUSTICE
FILE

40

December 12, 1933.

TNS:RCL

52-28933-12

MEMORANDUM FOR THE DIRECTOR,
BUREAU OF PRISONS.

RECORDED
DEC 13 1933

Reference is made to your memorandum dated December 5, 1933 in connection with the case entitled "Alphonse Capone, with aliases, et al, Conspiracy to Receive and Send Contraband out of the United States Penitentiary, Atlanta, Georgia".

In accordance with your suggestion, the Birmingham Office of this Division has been advised to further interrogate [redacted] BOP

Very truly yours,

Director.

FILED SECTION
MAILED
★ DEC 12 1933 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

49

TNS:RCL

December 12, 1933.

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
201 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

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

In connection with the above case, there are transmitted, herewith, copies of a memorandum from Mr. Sanford Bates, Director, Bureau of Prisons, dated December 5, 1933, which is self-explanatory.

It is desired that [redacted], be further interrogated in order to ascertain whether he has committed any acts which would justify criminal prosecution.

b7C

Very truly yours,

Director.

FILES SECTION
MAILED
★ DEC 12 1933 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

Enclosure 681047

62-28933-13
DIVISION OF INVESTIGATION
DEC 13 1933
U. S. DEPARTMENT OF JUSTICE
FILE

RECORDED

C O P Y-dcr

RE N:CJ
76-1330

December 16, 1933.

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
Federal Building, Suite L,
Kansas City, Missouri.

BOP

RE: [redacted]

Escape Federal Prisones -
Escape Act.

Dear Sir:

The Division has received oral information from Mr. Sanford Bates, Director, Bur au of Prisons, that [redacted]

Very truly yours,
For the Director,

[redacted]

Assistant Director.

ORIGINAL FILED IN 76-1330

62-28933-14

DEC 19 1933

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

December 21, 1933.

MEMORANDUM FOR THE DIRECTOR, DIVISION OF INVESTIGATION

For your information in connection with your investigation [redacted] I am enclosing herewith a letter from Warden Aderhold dated December 13, 1933, which I would be glad to have you return when you have read it.

Sanford Bates.

Director.

RECORDED & INDEXED
DEC 28 1933

62-28933-15
DEC 22 1933 A.M.
DEPT. OF JUSTICE
NATHAN | FILE

UNITED STATES PENITENTIARY

COPY

Atlanta, Georgia

Office of the Warden

December 13, 1933.

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

Dear Sir:

BoP

[redacted]

Very respectfully,

(S) A. C. ADERHOLD,
Warden

53

RHM:BCL
62-28933

December 27, 1933.

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
201 Liberty National Life Building,
Birmingham, Alabama.

Dear Sir:

Re: Alphonse Capone, with aliases,
Conspiracy to Receive and Send
Contraband Out of the United States
Penitentiary, Atlanta, Georgia.

There are transmitted, herewith, for your information a copy of a memorandum dated December 21, 1933, received from Mr. Sanford Bates, Director, Bureau of Prisons, and a copy of a letter dated December 19, 1933, by A. C. Aderhold, Warden, U. S. Penitentiary, Atlanta, Georgia, setting forth certain information which he states has already been furnished Special Agent Chapman Fletcher of your office.

Very truly yours,

Director.

Enclosure 681102

FILES SECTION
MAILED
★ DEC 27 1933
P. M.

RECORDED
&
INDEXED

62-28933-16
DEC 28 1933
U. S.
FILE

REM:ps

December 27, 1933

MEMORANDUM FOR THE DIRECTOR
BUREAU OF PRISONS

This is to acknowledge receipt of your memorandum dated December 21, 1933, with which you transmitted a letter dated December 13, 1933, from A. C. Aderhold, Warden, United States Penitentiary, Atlanta, Georgia. Please be advised that I have transmitted a copy of this letter to the Birmingham Office of this Division for its information. It is noted in the last paragraph of this letter that Mr. Aderhold has already informed Special Agent Fletcher of the resignation of Winesman.

The original of this letter is being returned to you herewith.

Very truly yours,

Director.

Encl. 68151

62-28933-17

DIVI

DEC

INDEXED

FILED SECTION
MAILED
DEC 27 1933

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Ala. FILE NO. 62-2696

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Washington, D. C.	1/15/34	1/13/34	S. C. SIMON CSM

TITLE:

ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE:

CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE US PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS:

[redacted] b7C

- RUC -

RETURN UPON COMPLETION TO THE OFFICE OF ORIGIN

REFERENCE: Letter of Special Agent in Charge, W. A. Rorer, Birmingham, Alabama, dated December 6, 1933.

DETAILS: AT WASHINGTON, D. C.

[redacted]

DETAILS:

[redacted]

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: L. M. Black Acting SPECIAL AGENT IN CHARGE

62-28933-18

RECORDED AND INDEXED: JAN 16 1934

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2 - Birmingham
2 - Washington Field

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UNITED STATES JAN 16 1934 A M BUREAU OF INVESTIGATION

CHECKED OFF: JAN 18 1934

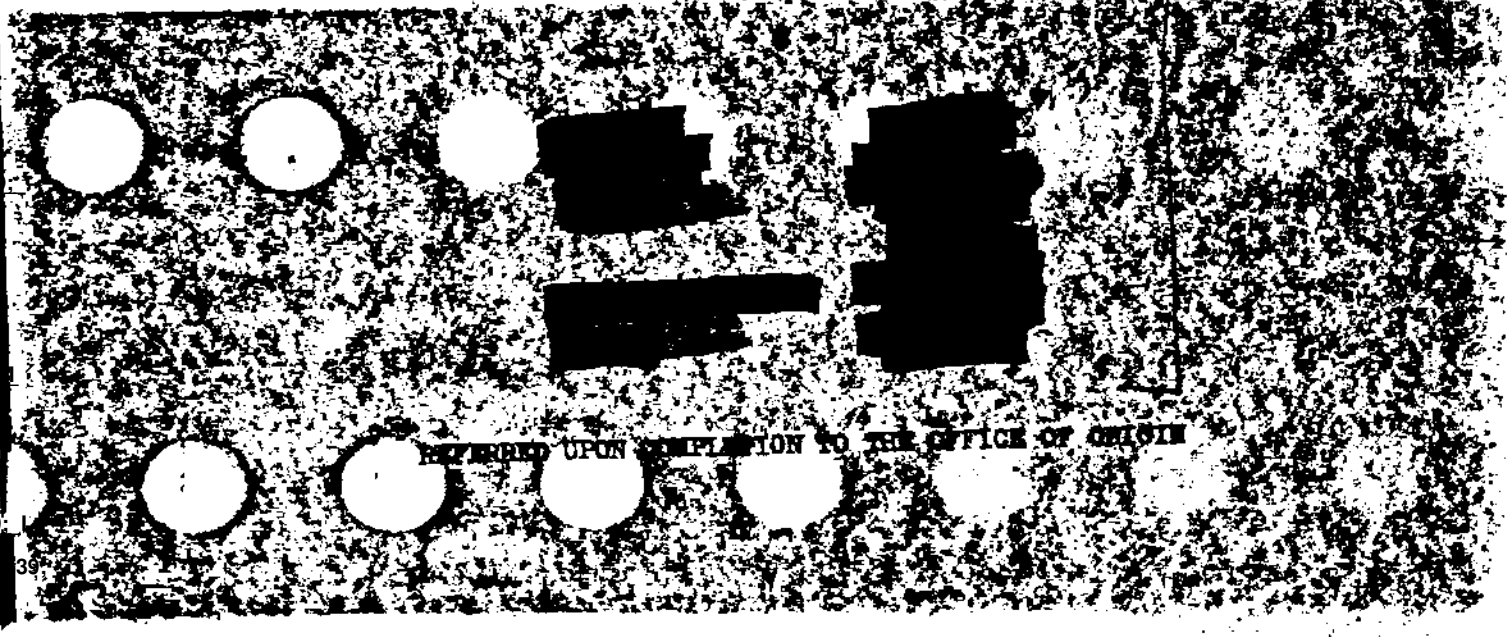
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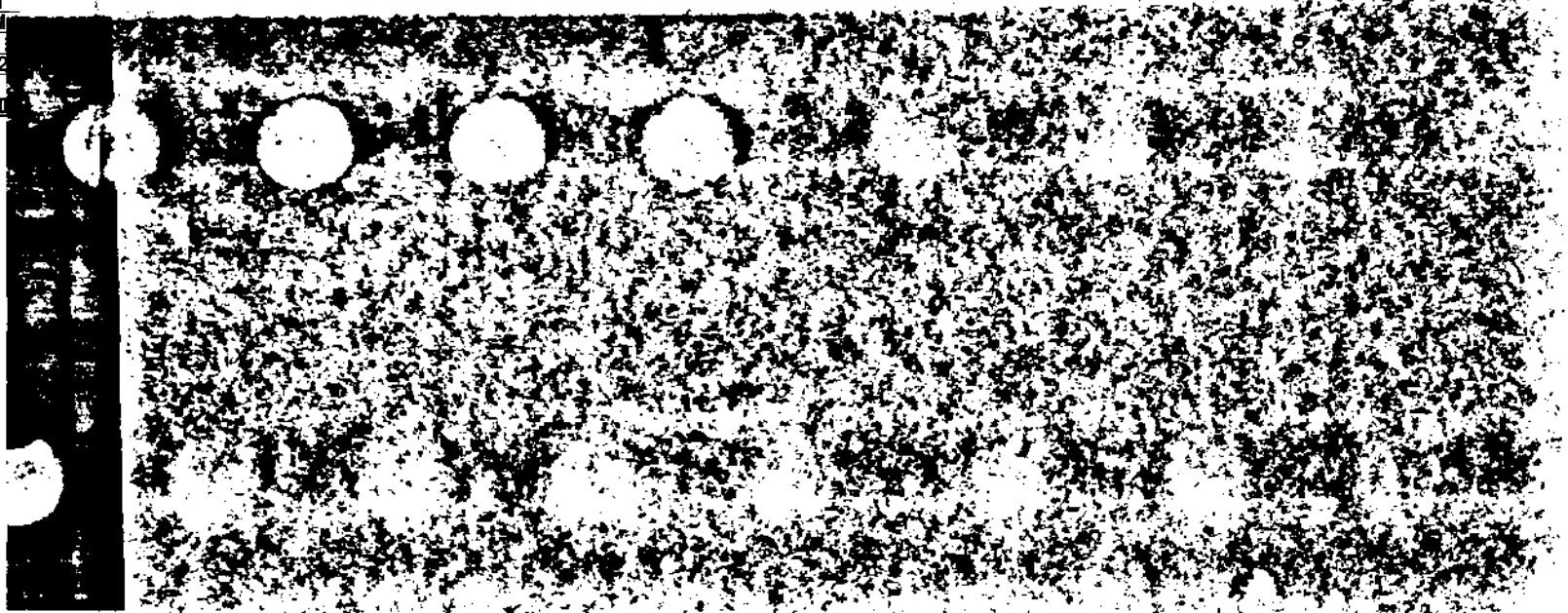
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7—3034

b7c





UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALA. FILE NO. 62-756 T.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Ala.	1-24-34	1-13-34	CHAPMON FLETCHER

TITLE:	CHARACTER OF CASE:
O.T. ALPHONSE CAPONE, with aliases, et al	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS:

[redacted] b7C

P.

JAN 30 1934 AM

REFERENCE:

Division letter dated December 12, 1933;
Reports of Sp. Agt. Chapmon Fletcher, Birmingham, Ala. dated 9-8-33 and 10-23-33;
Report of Sp. Agt. W. S. McKinley, Charlotte, N. C. 11-24-33.

DETAILS:

AT ATLANTA, GA.

[redacted]

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APPROVED AND FORWARDED:		RECORDED AND INDEXED:
Special Agent in Charge	62-8933-19	JAN 26 1934
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3 Division 2 Jacksonville 2 Chicago 1 Charlotte 3 Birmingham	JAN 26 1934 A M BUREAU OF INVESTIGATION	JAN 30 1934
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7—3034

4-750 (2-7-79)

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per BOP

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62-28933-19pp 2,3

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59

FBI/DOJ

9

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Alabama Jax FILE NO. 62-907

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	4/11/34	4/9/34	J. B. Dickerson

TITLE: ALPHONSE CAPONE, with aliases, ET AL

CHARACTER OF CASE: CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS:

[redacted]

RUC

REFERENCE: Report of Special Agent Chapmon Fletcher, Birmingham, Ala., Jan. 24, 1934.

DETAILS: At Miami, Florida:

DETAILS:

[redacted]

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE

62-28933-20

RECORDED AND INDEXED: APR 13 1934

UNITED STATES

APR 13 1934 A M

BUREAU OF INVESTIGATION

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2 - Jacksonville

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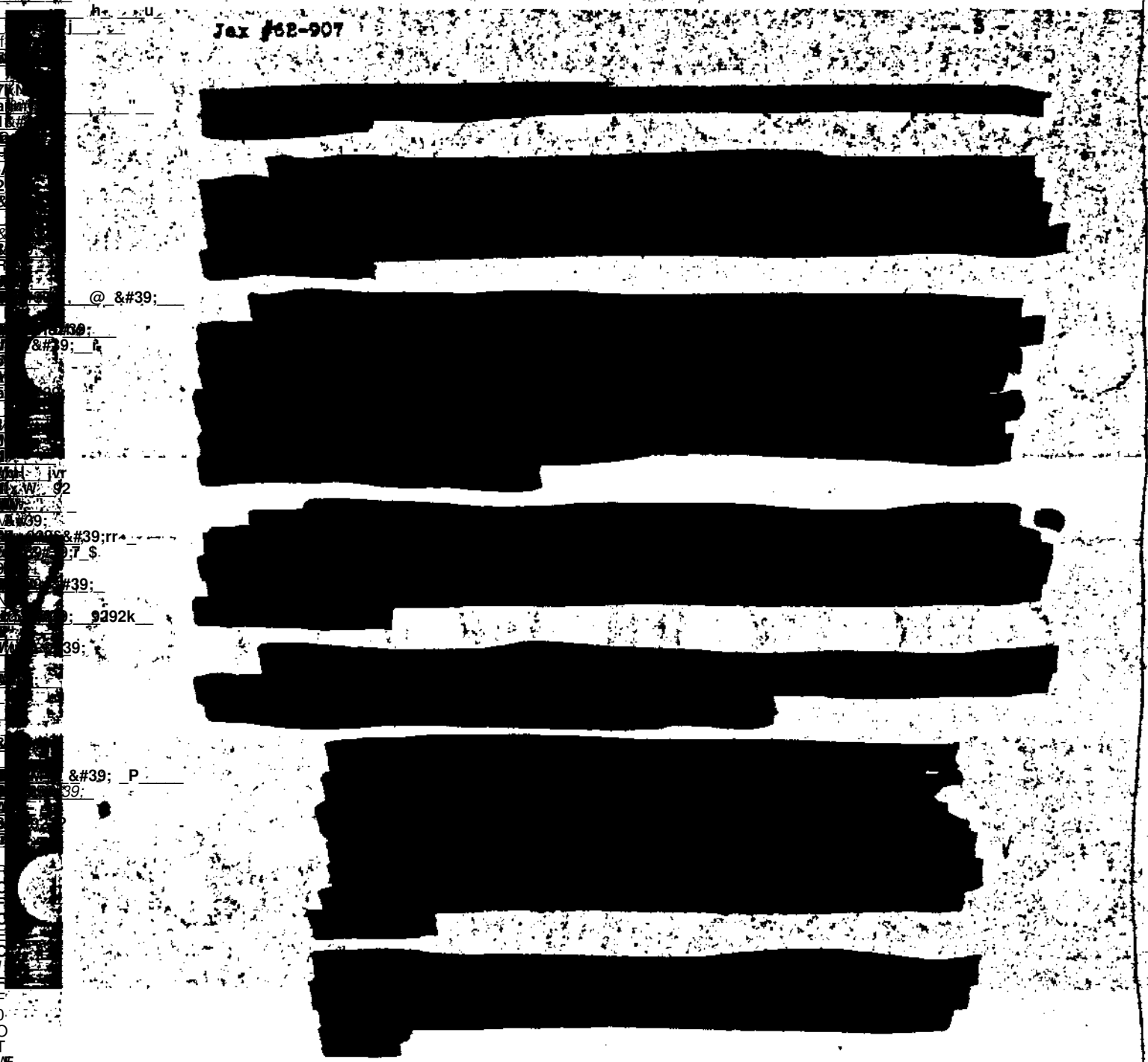
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XXXXXX

FBI/DOJ

b7C

Jax #62-907



REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

Post Office Box 4907,
Jacksonville, Florida

RAA:SLH

April 18, 1934

Special Agent in Charge,
Division of Investigation,
United States Department of Justice,
Post Office Box 314,
Birmingham, Alabama

Dear Sir:

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

I am enclosing the papers which accompanied copies of the report of Special Agent Chapmon Fletcher of the Birmingham Division office, dated January 24, 1934, to the Jacksonville office for use in this investigation at Miami, Florida.

Very truly yours,

R. A. Alt,
Special Agent in Charge

Enclosures
cc Division
Jax #62-907

62-28933
DIVISION OF INVESTIGATION
APR 20 1934 A.M.
U. S. DEPARTMENT OF JUSTICE
FILE

DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALA. FILE NO. 62-756 T.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Ala.	5-29-34	5/21-22/34	H. G. DOUGLAS

TITLE: ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE: CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF U. S. PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS:

[redacted] b7C

P.

REFERENCE: Report of Sp. Agt. J. B. Dickerson, Jacksonville, Fla. 4-11-34.

DETAILS: AT ATLANTA, GA.

[redacted]

PENDING.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: J. B. Dickerson Special Agent in Charge

62-28933-21

RECORDED AND INDEXED: JUN 1 1934

BUREAU OF INVESTIGATION MAY 31 1934 4 M DEPARTMENT OF JUSTICE

CHECKED OUT: JUN 5 - 1934

JACKETED:

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3 Division
1 Jacksonville
3 Birmingham

Copy Bmw Pressing 6/4/34

64

7—1933

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. RORER

May 8, 1934.

MEMORANDUM FOR MR. HOOVER:

For your information I am enclosing a copy of a letter which I have just received from Warden Alderhold in connection with the [redacted] which your Division is conducting.

Samuel Bates
Director.

(3) mg 13 Birmingham
Letter to SAC 5/9/34 WFL

RECORDED & INDEXED

JUN 1 - 1934

62-28933-22
DIVISION OF INVESTIGATION
MAY 31 1934 P.M.
U. S. DEPARTMENT OF JUSTICE
ONE | FILE

C O

UNITED STATES PENITENTIARY

Atlanta, Georgia.

Office of the Warden
May 4, 1934.

DIRECTOR, BUREAU OF PRISONS?
DEPARTMENT OF JUSTICE
WASHINGTON?D.C.

Dear Sir:

Receipt is acknowledged of your letter of the 30th ult., BOP

in which reference is made to [redacted]

[redacted] Capone later received a telegram that was not just clear, and he was called in and told that we believed the money was being transferred through his connections. Although he denied any knowledge of the transfers, he was told that if he attempted to make any transfers, or the least attempt at communicating with outsiders through a code, it would mean the loss of his writing and visiting privilege; that we would not take the time to trace these matters down but would act and investigate afterwards. [redacted]

COPIES DESTROYED
348 AUG 20 1964

62-28933-22

[redacted]

BOP

Very respectfully,

A. C. ADERHOLD,
Warden.

WLL:EC
62-28933-22

May 29, 1934

RECORDED

JUN 1 - 1934

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
Post Office Box 314,
Birmingham, Alabama.

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

Dear Sirs

For your information in the above entitled case there are transmitted herewith copies of a memorandum dated May 8, 1934, from the Director, Bureau of Prisons, together with copies of a letter dated May 4, 1934, addressed to the Director, Bureau of Prisons from Warden A. C. Aderhold.

[redacted] BSP

A review of this file reflects that the report of Special Agent J. B. Dickerson, dated at Jacksonville, Florida, on April 11, 1934, set forth undeveloped leads for your office at Atlanta, Georgia, which to date have not been covered. In this connection your attention is invited to Division letter dated October 17, 1933, in which you were instructed to give this case preferred attention.

A copy of this letter is being furnished the Chicago office with a request that a report be submitted at an early date covering the undeveloped lead set forth in the report of Special Agent Chapman Fletcher, dated at Birmingham, Alabama, January 24, 1934.

FILES SECTION
MAILED
★ MAY 29 1934 ★
P. M.
DIVISION OF INVESTIGATION

Very truly yours,

Director.

Enclosure #551142

cc - Chicago

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Ala. FILE NO. 62-756

REPORT MADE BY	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Birmingham, Ala.	6-7-34	6-29-34	H. C. Douglas.

TITLE:
ALPHONSE CAPONE, with aliases, et al.

CHARACTER OF CASE:
Conspiracy to receive and send Contraband out of the U. S. Penitentiary, Atlanta, Ga.

SYNOPSIS OF FACTS:

[redacted] b7C

P.

DETAILS: At Atlanta, Ga.

BeP

A note bearing the name of [redacted] was picked up by one of the Guards at the Federal Penitentiary, near the Federal Penitentiary and handed to Warden A. C. Aderhold, who turned the same over to Agent for such attention as was deemed necessary.

[redacted]

The above mentioned note is being retained in the Birmingham File.

DETAILS

PENDING

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APPROVED AND FORWARDED: [signature]

COPIES OF THIS REPORT FURNISHED TO:

3 Division
3 Birmingham

62-29923-23

RECORDED AND INDEXED: JUN 9 - 1934

CHECKED OFF: MAY 12 1934

JACKETED:

UNITED STATES
JUN 9 1934 A M
BUREAU OF INVESTIGATION

ROUTED TO: | FILE

Tech Bureau 6-25-34

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4-750 (2-7-79)

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FEDERAL BUREAU OF INVESTIGATION

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FBI/DOJ

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA FILE NO. 62-1675

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	6-21-34	6-9-34	CHARLES B. LaFRANCE, JR

TITLE: ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE: CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U.S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS:

[redacted] P.

b7C
b7E

DEPT. OF JUSTICE
JUN 23 1934 PM
DIVISION ONE

REFERENCE: Report of Special Agent Chapmon Fletcher, Birmingham, Alabama dated 1-24-34; Division letter dated 5-29-34, to Birmingham office.

DETAILS:

AT CHICAGO, ILLINOIS

[redacted]

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	62-28933-24	RECORDED AND INDEXED:
M.H. Purvis	U.S.	UNITED STATES JUN 23 1934 A M BUREAU OF INVESTIGATION	JUN 28 1934
COPIES OF THIS REPORT FURNISHED TO:		ROUTED TO: / FILE	CHECKED BY: JUN 27 1934
5 Division 2 Birmingham 1 Chicago			JACKETED:

Law Chief 6-21-34 PJL

Returned to Bureau 6-25-34 JL

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846 AUG 20 1964

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JBL:TAM

RECORDED 62-28933-24

JUN 27 1934

June 26, 1934

Special Agent in Charge,
Chicago, Illinois.

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

Dear Sir:

The Division is in receipt of the report submitted by Special Agent Charles B. LaFrance, dated June 21, 1934, at Chicago, Illinois, from which it is noted that [redacted] b7C b7E

Inasmuch as it has been indicated that narcotics have been smuggled into the Atlanta Penitentiary, having been received through the mails, addressed to employees of the Penitentiary, a more detailed inquiry should be made as to the nature of [redacted] to determine whether they are authentic.

Very truly yours,

Director.

cc Birmingham

FILES SECTION
MAILED
★ JUN 26 1934 ★
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Ala. FILE NO. 62-756 86

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Ala.	7/11/34	6/20 - 26/34	H. A. Temple

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

SYNOPSIS OF FACTS: Investigation at U. S. Penitentiary, Atlanta, Ga., failed to reveal any evidence of Alphonse Capone having a regular pay roll at this institution.

REFERENCE: Division letter dated May 29, 1934 and reports of Special Agents Charles B. LaFrance, Chicago, Ill., dated 6/21/34 and H. C. Douglas, Birmingham, Ala., dated 6/20/34 and 6/7/34.

DETAILS: AT ATLANTA, GA.:

b7C

On June 20, 1934, [redacted] with aliases, [redacted] U. S. Penitentiary, was interviewed by agent prior to his release on this date in the presence of Warden A. C. Aderhold and Capt. C. M. Mead and he advised that [redacted] a nurse, and [redacted] were the parties who brought money into the penitentiary for Alphonse Capone and convict [redacted] that [redacted] and [redacted] were on Capone's pay roll; that Convict [redacted] knew plenty if he would talk. He further advised that he was to meet a party by the name of [redacted] at the Ansley Hotel, Atlanta, Ga., at 5 P. M. on June 21, 1934, who was to pay off for Capone and that he then was to meet [redacted] at the Henry Grady Hotel and deliver to him the money which [redacted] was to turn over to him; that he was also to meet the nurse, [redacted] and [redacted] at this hotel on this date. He promised to meet agent the night of June 20, 1934, at agent's room at the Ansley Hotel, where he was to go more in detail concerning Capone and his pay roll at the Penitentiary. He advised that [redacted] had on some occasions brought money in for Capone and that [redacted] kept Capone advised of everything that was said and done at the Penitentiary, especially if it was something concerning Capone. [redacted] failed to keep his appointment with agent on the night of June 20, 1934, and he did not

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APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

62-2933-26

RECORDED AND INDEXED: JUL 16 1934

COPIES OF THIS REPORT FURNISHED TO:
3 Division
1 Chicago
2 Birmingham

UNITED STATES JUL 16 1934 A M BUREAU OF INVESTIGATION

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b7C

contact anyone at the Ansley Hotel on June 21, 1934, when [redacted] left the Penitentiary, he requested that no one follow him as Capone's gang were going to see who he contacted.

[redacted] also advised that [redacted] made a trip by aeroplane to Miami, Fla, and back for Capone and obtained money which he turned over to Capone.

Warden Aderhold advised that [redacted] 30P

[redacted]

In view of the fact that [redacted] failed to keep his appointment with agent and was not seen in or around the Ansley Hotel after his release, it is believed that he made up the above story in order that he would not be followed upon his release and that he could make a safe get away with b7C [redacted]

Report of Special Agent W. E. Miller, Kansas City, Mo., dated 5/7/34, in the case of [redacted] sets out an interview had by him with convict [redacted] an inmate of the U. S. Hospital for Defective Delinquents, Springfield, Mo., which is as follows and is being quoted for future reference in connection with this investigation:

According to [redacted] while in the psychopathic ward at Atlanta, he became [redacted] trusted accomplice and carried frequent messages between [redacted] and other prisoners, many of them being messages between Capone and [redacted]. About July or August, 1933, [redacted] was in [redacted] office when [redacted] two other prisoners, were talking to [redacted] and accusing him of failure to get a commutation of sentence for [redacted] after [redacted] had accepted money for agreeing to do so. According to [redacted] advised them that he could do nothing until [redacted], was out of that office. [redacted] told [redacted] he'd have to get the sentence commuted or "kick back" the money. During the conversation it was mentioned that the money was paid through [redacted], Attorney, Atlanta, Ga., who was [redacted] according to [redacted] Both [redacted] told [redacted] that [redacted] had been paid $2,500.00 through [redacted] for [redacted] commutation of sentence and [redacted] has seen letters in [redacted] possession from [redacted] with reference to the matter. Just before [redacted] and [redacted] left Atlanta for the Federal Hospital at Springfield, [redacted] told [redacted] to keep [redacted] from "blowing up" and talking after arriving at

b7C

Springfield. In this connection it appears desirable to state that [redacted] is a bona fide psychotic patient. [redacted] admitted to [redacted] that the money had been received from [redacted] for securing a commutation of sentence for [redacted] but explained that there was nothing that could be done along that line for [redacted] added that he did not consider himself a double-crosser for keeping [redacted] money and doing nothing for him as [redacted] had plenty of money. [redacted] accompanied the patients, including [redacted] and [redacted] when transferred from Atlanta to the Federal Hospital at Springfield, and according to [redacted] was "after" [redacted] all the way to Springfield because he had not secured the promised commutation of sentence for [redacted]

[redacted] further stated that about June or July, 1933, a prisoner named [redacted] (Atlanta Prison No. [redacted] who was serving a sentence of one year and one day from New Orleans, La., for violation of the Prohibition Laws, got transferred to the Psychopathic Ward and tried to make [redacted] believe he had money. One day he came to [redacted] office, pretended he was sick and wanted his sentence commuted because of ill health. During the conversation he asked [redacted] what kind of car he drove, and upon being informed that [redacted] had no car, he replied that he knew a way whereby [redacted] could get a new car. During the conversation [redacted] stated that he could raise $500.00 but [redacted] wanted $1,000.00 and no agreement could be reached. [redacted] told [redacted] to find out all he could about [redacted] especially ascertaining whether he was a safe person to deal with and also whether he could raise any money. [redacted] questioned [redacted] closely and thereafter advised [redacted] that [redacted] had no money and that he was not a safe person to deal with. [redacted] urged [redacted] to discharge [redacted] from the Ward at that time but [redacted] stated he would wait until [redacted] wife visited him the following week as she might be able to raise the money. The day [redacted] wife arrived, he requested [redacted] to have [redacted] inform the [redacted] that owing to [redacted] sickness, he would be unable to go to the regular visiting room; that this would enable him to visit with his wife in the hospital where they would not be under such close scrutiny and he would be better able to discuss finances with her. This was done as requested, and at the conclusion of the visit [redacted] requested permission to see [redacted] concerning her husband's physical condition. The guard took [redacted] and her small child to [redacted] office and waited outside. [redacted], however, called [redacted] into the office. [redacted] immediately told [redacted] that her husband's health and liberty were the most important things to her and that she could get money from an uncle in New Orleans, or, if necessary, she would sell their home. She stated that she had approximately $500.00 in her purse at that time and exhibited a roll of bills, which, according to [redacted], did not contain over $50.00. [redacted] asked how she would get the money to him and she replied that she would bring it personally as she did not trust the mails any more than he did. She finally stated that she would visit her husband again

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FEDERAL BUREAU OF INVESTIGATION
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FBI/DOJ

JB:RCL
62-28933

July 12, 1934.

RECORDED 62-28933-25

Special Agent in Charge,
Birmingham, Alabama.

Dear Sir:

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

Transmitted, herewith, is a photostatic copy of a letter addressed to the Director of the Bureau of Prisons under date of June 26, 1934 by Warden A. C. Aderhold of the United States Penitentiary, Atlanta, Georgia.

This letter pertains to information furnished by [redacted] BOP

However, the Division file fails to reflect that a report covering this particular inquiry has yet been submitted.

Very truly yours,
J. Edgar Hoover

John Edgar Hoover,
Director.

FILE SECTION
MAILED
★ JUL 12 1934 ★
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Encl. 55173

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

June 29, 1934.

MEMORANDUM FOR MR. HOOVER

It is probable that your Agent may have reported upon the circumstances contained in the enclosed copy of letter from Warden Aderhold, but in view of the fact that I have communicated with you from time to time about the [redacted] BOP [redacted] Al Capone, I thought it would be well for you to have a copy of this letter with your files.

Sanford Bates.

Director.

JUL 14 1934

RECORDED 62-28933-25

DIVISION OF INVESTIGATION

JUN 30 1934

U. S. Department of Justice

File

160?

Department of Justice

United States Penitentiary

Atlanta, Georgia

OFFICE OF THE WARDEN

June 26, 1934.

CONTENTS NOTED

JUN 2[illegible] 1934

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

Dear Sir:

4-750 (2-7-79)

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FEDERAL BUREAU OF INVESTIGATION
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FBI/DOJ

Very respectfully,

A. C. Aderhold,
Warden.

ACA-T.

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the following day and would see [redacted] at that time. This was done and the conversation on the second day was the same as that of the first day, [redacted] finally telling [redacted] that money talks and that if she secured the money, to see him again. Upon returning from lunch on this day [redacted] informed [redacted] that [redacted] and the Matron were in a close conference and he feared that [redacted] had stopped at the Warden's office on her way out. [redacted] then told [redacted] that if he were questioned concerning [redacted] conversation with [redacted] should say that [redacted] offered [redacted] money to secure the release of her husband; that [redacted] informed her that if it were not for her child who accompanied her, he would have arrested her for attempting to bribe him; that he ordered her to leave the institution at once. [redacted] states that at this time he again urged [redacted] to check [redacted] off the psychopathic ward but by this time [redacted] was afraid to do so, fearing that [redacted] would talk. A few days later [redacted] received a letter addressed to him at the Penitentiary and in this letter [redacted] stated that [redacted] was no object and that in a few days she would return and see [redacted]. Upon receiving this letter, [redacted] became desperate and told [redacted] to give [redacted] the "works" to keep him from talking. That night [redacted] got [redacted] into his room and beat him up, warning him that his throat would be cut if he talked. [redacted] was then kicked out of the room and the guard hearing the disturbance and believing [redacted] the sense of it, ordered him to his bed. The following morning [redacted] came to the psychopathic ward quite early and with the Assistance of [redacted] questioned [redacted] for about one hour in a closed room. [redacted] the guard on the ward, was also present while [redacted] was being questioned. [redacted] explains that the reason he beat [redacted] was because he had been telling some of the other prisoners that he was going to get his sentence commuted through [redacted] was checked out of the psychopathic ward immediately after the fight, was put in the "hole" for a few days and then sent to the isolation ward. [redacted] believes that [redacted] was taken to the Deputy Warden's office at [redacted] request after being questioned by [redacted] and [redacted] which was very unusual as the guards do not usually interest themselves in fights occurring in the psychopathic ward. It is [redacted] opinion that both [redacted] and his wife will tell what they know concerning this matter as [redacted] completed his sentence during the latter part of 1935 and doubtless can be located at New Orleans through the Police Department.

[redacted] further stated that just before he left Atlanta he heard [redacted] from Toledo, Ohio, negotiating with [redacted] for a transfer as a mental patient. The negotiations were merely in the preliminary stages and [redacted] does not know the final result. [redacted] merely asked what it would cost to get a transfer. [redacted] asked what [redacted] could do and the latter replied that he thought he could take care of things. That was the last [redacted] heard of the matter.

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b7C

[redacted] further stated that in August, 1933, [redacted] from Brooklyn, N. Y., and [redacted] another [redacted] were in the psychopathic ward there they had been admitted on orders of Capone to [redacted] each of the parties named having about one month left to serve. Capone told [redacted] that [redacted] was paid $200.00 each for keeping these two men in the psychopathic ward their last month. The purpose of this was to defeat detainers awaiting these men. [redacted] having a detainer against him from the State of New York, [redacted] told [redacted] to get Capone to send $500.00 to [redacted] Atlanta attorney aforementioned, and that the detainer would be lifted. Capone refused, saying that he would give $200.00 to [redacted] another Atlanta attorney instead; that if the money were paid to [redacted] he would give it to [redacted] and the detainer would not be lifted. The money was finally paid to [redacted] and the detainer was lifted. [redacted] promptly retaliated by checking [redacted] off the psychopathic ward. A patient by the name of [redacted], who operated the hospital elevator, told [redacted] one night that earlier that day as [redacted] was going up on the elevator, Capone got on the elevator and made [redacted] stop between floors. Capone then shook his fist in [redacted] face and told him to keep both [redacted] and [redacted] on the psychopathic ward or Capone would make it [redacted] hot for [redacted] was discharged upon completion of his sentence during the latter part of 1933 and apparently returned to Brooklyn, N.Y. He did not have much use for [redacted] when he left the prison and it is believed he would tell what he knows concerning this matter. [redacted] adds that [redacted] also has a little information concerning the [redacted] matter.

[redacted] further stated that [redacted] former secretary, a prisoner named [redacted] knows plenty but will not talk; that [redacted] has lost his job in [redacted] office. [redacted] another prisoner friend of [redacted] is in isolation and Capone is getting ready to go into isolation, according to the "grapevine" information to [redacted] from Atlanta Prison. According to [redacted], this indicates that there has already been some kind of an investigation at the Atlanta prison. On one occasion [redacted] was advised by Capone that he had given [redacted] $1,000.00 for meal tickets and ball privileges but that [redacted] had double-crossed him.

[redacted] further stated that [redacted] was given a horse and a pony for his son, these being given to him either by [redacted] or by a prisoner who worked in the prison hospital office and was known as [redacted] has since been transferred to the Louisburg prison. [redacted] adds that a prisoner named [redacted] who works in the prison hospital at the present time, knows of several of [redacted] deals.

Agent interviewed [redacted] with aliases [redacted] with aliases [redacted], with aliases [redacted] and [redacted] being the convict who operates the elevator at the hospital instead of a convict named [redacted] each of the above convicts emphatically denied that they

b7C

knew anything about Capone having a pay roll and they never heard of him or anyone else being shown special favors by [redacted]

Each of the above named convicts expressed the opinion that it was undoubtedly some convict or ex-convict who had "gone" at [redacted] who started the rumor that Capone was receiving special favors from [redacted]

[redacted] was interviewed by Agent and advised that he had never at any time shown any convict any special favor and that when he placed one on a special diet it was on account of that convict's health and that the records in his office would reflect the reason for placing of a convict on a special diet. He denied ever receiving gifts of any kind from Capone or any other convict.

[redacted] advised that he had never at any time shown Capone any more consideration that he had other convicts; that it was true that on several occasions as he was making his rounds of inspection that he had passed Capone's cell and had talked to him just as he would any other convict who would ask him a question.

[redacted]

b7C

UNDEVELOPED LEADS:

The BIRMINGHAM OFFICE at Atlanta, Ga., at the office of Eastern Airways, will ascertain if their records show that [redacted] ever booked aeroplane passage on the dates mentioned above.

At the U. S. Penitentiary will interview [redacted] relative to his taking money into the Penitentiary for Capone and also relative to his making a trip to Miami, Fla. in a plane to obtain money for Capone.

Division of Investigation

U. S. Department of Justice
Postoffice Box 314,
Birmingham, Alabama,
July 17, 1934.

62-756
JHH:TS

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

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

Reference is made to Division letter dated July 12, 1934, enclosing a photostatic copy of a letter addressed to the Director of the Bureau of Prisons, on June 26, 1934, by Warden A. C. Aderhold of the United States Penitentiary, Atlanta, Georgia.

The Division's attention is invited to the report of Special Agent W. A. Temple, dated July 11, 1934, in connection with this case, and it is also suggested that the report of Special Agent W. A. Temple, July 11, 1934, title [redacted] with aliases, et al., be considered in this connection, inasmuch as the allegations in both cases are similar and the investigation is related.

Very truly yours,

J. H. HANSON
Special Agent in Charge

RECORDED & INDEXED
JUL 20 1934

62-27733-24

JUL 19 1934

ONE | FILE

MLD:RCL
62-1ev33

August 16, 1934.

Special Agent in Charge,
Chicago, Illinois.

Dear Sir:

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

Your attention is invited to Division letter under date of June 26, 1934 and to the report of Special Agent Charles R. LaFrance, dated June 21, 1934, Chicago, Illinois, which contains a lead for the Chicago Office.

Please see that this investigation receives attention as soon as possible.

Very truly yours,

FILES SECTION
MAILED
★ AUG 16 1934 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

John Edgar Hoover,
Director.

RECORDED

62-28933-28
DIVISION OF INVESTIGATION
AUG 17 1934 P.M.
U. S. DEPARTMENT OF JUSTICE

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT Birmingham, Alabama FILE NO. 62-756 23

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Ala.	8-15-34	7-30,31-34 8-1,6-34	H. C. DOUGLAS

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, with aliases, et al.	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS: No evidence of [redacted] having gone to Miami, Florida to get money and take it into the penitentiary for Capone. [redacted] activities for the past several months checked. Prisoner [redacted] received a telegraphic money order from [redacted] of Chicago. [redacted] has communicated with prisoners [redacted] and Capone, indicating Capone made him a promise before release from the penitentiary, Atlanta, Ga.

DEPT. OF JUSTICE DIVISION ONE AUG 20 1934

REFERENCE: Report of Special Agent W. A. Temple, Birmingham, Ala. 7-11-34
Division letter 8-4-34.

DETAILS: AT ATLANTA, GEORGIA

[redacted] Eastern Airways, 401 Hurt Building, Atlanta, Ga., stated that their records failed to show that [redacted] booked passage with their line to Miami, Florida on any of the dates mentioned in reference report.

[redacted] Eastern Airways, 401 Hurt Building, Atlanta, stated that they were the only ones with an air line to Miami, Florida from Atlanta, Georgia and that anyone going from Atlanta on a passenger plane would have to go over their line and that everyone who travels over their line must give some name.

Warden A. C. Aderhold, Federal Penitentiary, Atlanta, Georgia

[redacted]

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APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

62-2523-29

RECORDED AND INDEXED: AUG 20 1934

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UNITED STATES
AUG 18 1934 A M
BUREAU OF INVESTIGATION

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BDP

Deputy Warden Schoen, Federal Penitentiary, Atlanta, stated [redacted]

Agent contacted [redacted], who stated that the only Stinson he knew of at the field was at the Atlanta Air Services Hangar. b7C

[redacted] Atlanta Air Services Hangar stated that there was a Stinson, single motor 3-passenger plane at his hangar and that it belonged to [redacted] who was giving lessons to a group of young men in Atlanta. He further stated that the only trips he had heard of the plane taking in the last several months was one to Texas and another to Tennessee but that he had no passengers with him then.

[redacted] Municipal Airport, Atlanta, Georgia, stated that he owned this plane and that he had formed a flying club composed of 15 members, each buying what he called a share of stock for $150.00 which entitled him to lessons and an interest in the plane; that [redacted] was a member of that club and had been since April 26, 1934 but could not fly the plane by himself and that the plane had not made a trip to Miami, Florida and that [redacted] had never been out of sight of the airport in this plane.

It was ascertained through the Fulton County Clerk's records that [redacted], Georgia, owned the house in which [redacted] is living at [redacted], Georgia.

[redacted] stated that he owned the house where [redacted] lived and that he was renting it to him for $20.00 per month, and that [redacted] had never said anything about wanting to buy a house.

[redacted]

b7C

[redacted] at the prison hospital, is reported to have approved special diets and professional treatments to which Capone is alleged to have not been entitled. Both of these allegations have been made heretofore and were given investigative attention by the Bureau prior to the receipt of the manuscript at this office. Both [redacted] and [redacted] have been interviewed.

There are only three incidents set forth in the manuscript which appear to relate directly to the subject of contraband. First, there is an allegation to the effect that Capone would knock a tennis ball over the prison wall while playing tennis, and immediately afterward a different tennis ball would be returned over the wall from the outside. There is a suggestion that the substituted tennis ball contained narcotics. My knowledge of the prison and the surrounding terrane leads me to believe that this allegation is ridiculous to the extreme. Secondly, [redacted] is supposed to have brought such articles as underwear into the institution for Capone's use. Third, [redacted] is reported to have taken uncensored mail out of the penitentiary, particularly in connection with the delivery of sums of money to the relatives or friends of Capone's inmate benefactors mentioned above. Of course, the fact that [redacted] may have brought underwear into the penitentiary, and the fact that a guard may have taken uncensored mail out of the penitentiary, are altogether possible.

Personally, I am of the opinion that there is nothing in the manuscript which would aid the Bureau in furthering the investigation of this matter. I am inclined to believe that the only useful purpose which the manuscript might serve would be to have it handed to the Warden of the penitentiary for his information. It might aid him in the administration of the prison. At least, the Bureau might desire to have the contents of the manuscript discussed with Warden A. C. Aderhold in order to secure his reactions.

Very truly yours,

E. E. CONROY,
Special Agent in Charge.

9

62-28933-73

b7C

[redacted] emphatically denied ever having made a trip to Miami, Florida in the past five years and denied ever having taken money or anything else into the penitentiary to Capone or anyone else.

During the course of the interview with [redacted] he dropped the remark that he could not have gone to Miami, Florida from Atlanta as there was no plane from Atlanta at that time, saying further that the only way he have gone would have been from Montgomery, Ala. When he accidently dropped this remark, he immediately changed the subject and Agent did not question him concerning his access to this knowledge, as it was thought best to check the passenger records at Montgomery and ascertain if he might have gone from there.

BOP

[redacted]

90

BOP

[redacted]

For the information of the Detroit and New Orleans Division Offices, who have not previously received copies of reports relative to instant investigation, it is stated that Alphonse Capone, and other prisoners in the U. S. Penitentiary, Atlanta, Ga., are reported to have received or conspired to receive and send contraband from the Penitentiary; that Capone and others may have received special favors from doctors or other prison officials; and have corresponded with various sources outside of the penitentiary for the purpose of receiving money or requesting that prison officials on leave be tendered every courtesy by Capone's friends; that [redacted] made an aeroplane trip to Miami, Fla. whence he obtained money for Capone.

b7C

The Division has instructed that this investigation should be given preferred attention.

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT: Birmingham, Alabama — Jax — FILE NO. 62-907

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Jacksonville, Fla.	8-23-34	8-21-34	J. P. Lacour

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE, with aliases, ET AL	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS of FACTS: [redacted] advised that he met Capone while in Atlanta but that he does not know much of his activities. States that [redacted] slipped Capone candy, pie, cake and other things from the kitchen and that the fifty dollars is probably for such favors. He further stated that some of Capones crowd lives on Peachtree Street in Atlanta and that Ralph Capone occasionally visits there. He also advised that one [redacted], recently released from Atlanta, is probably Caponeb contact man. He also stated that [redacted] approached him about a contemplated break and that [redacted] was close to [redacted] and Capone.

RUC

REFERENCE: Report of Special Agent H. C. Douglas, Birmingham, Ala., Aug. 15,1934.

DETAILS: At Lyons, Georgia:

Agent located [redacted] Georgia, where he is the [redacted] advised that the fifty dollars that [redacted] asked him to speak to Capone about when he went back to Atlanta is more than likely money that Capone was paying [redacted] for having slipped pie, cake and other delicacies to Capone from the kitchen while [redacted] was a kind of trusty in Atlanta. [redacted] further stated that he had met Capone and [redacted] in Atlanta prior to his transfer to Maxwell Field, Alabama, and that when he was sent back to Atlanta from Maxwell Field he was requested by [redacted] to tell Capone that his [redacted] wife had received the fifty dollars. [redacted] is of the opinion that [redacted] was trying to play up to Capone in order that he might make a connection with some of Capone's crowd when he got out of jail.

[redacted] further advised that some of Capone's crowd had a place somewhere on Peachtree Street in Atlanta and that he knew that Ralph Capone would occasionally

DETAILS

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APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

62-28933-30

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UNITED STATES AUG 25 1934 A M BUREAU OF INVESTIGATION

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57C

AUG 27 1934 FBI — DEPT OF JUSTICE — DIVISION ONE

97

Jax #62-907

visit there in order to try and contact Al Capone or get information concerning him. [redacted] says that Capone played tennis with one [redacted] who has been recently released from Atlanta and is now playing baseball somewhere in West Virginia and Al thought quite a lot of [redacted] and if anyone is giving out any information to Capone's crowd or making any outside connections for Capone he believes it is [redacted]

Pierce further stated that one [redacted] and his pal [redacted] (last name unknown to [redacted]) approached him about a contemplated break and that they are close to Capone and [redacted] and that he told them he was not interested and that he heard no more about it. [redacted] was quite emphatic in that he knew nothing of the personal activities of Capone and says that he only knew Capone as they were both taking needle baths in the hospital at the same time.

[redacted]

No leads are being set out to the Birmingham Office to check up on the information received from [redacted] concerning [redacted] and [redacted], the same being left to the discretion of the office of origin.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

b7C

Subsequent to conducting above investigation, Division letter of reference, with enclosures, was received, suggesting that [redacted] inmate of the Atlanta Penitentiary be interviewed.

UNDEVELOPED LEADS:

The NEW ORLEANS OFFICE, at Selma, Ala., will interview [redacted], relative to [redacted] staying with him on Jan. 10, 11, 12, and 13, 1934 and if he was there all the time.

The BIRMINGHAM OFFICE, at Montgomery, Ala., at Maxwell Field, will interview the officer in charge to check on [redacted]' statement that he stopped and talked to him on about Saturday, Jan. 13, 1934. Will also interview [redacted] prisoner at Montgomery, relative to information he might have concerning Capone's activities in the Penitentiary and to the $50.00 received by his wife from Capone. Will also check the passenger records at the Airport in Montgomery to see if [redacted] booked passage to Miami, Fla., on Jan. 10, 11, 12, 13, 1934 or on May 27, 28, 29 and 30, 1934.

[redacted] at Atlanta, Ga., at the U. S. Penitentiary, will interview [redacted] in accordance with the information contained in Division letter dated 8/4/34.

The DETROIT OFFICE, at Detroit, Mich., at [redacted] will interview [redacted] relative to his association with Capone at the Atlanta Penitentiary, ascertaining what connections Capone had for sending or receiving contraband. Also ascertain from him who [redacted] is and why [redacted] sent him $100.00 while he was in the Atlanta Penitentiary. It is noted in one of the letters that Capone has not treated [redacted] according to a promise and it is therefore possible that [redacted] will furnish any information of value he may have.

The CHICAGO OFFICE, at Chicago, Ill., at [redacted], will interview [redacted] relative to the $50.00 money order sent from Chicago to [redacted] Atlanta Penitentiary and signed by [redacted] obtaining from him any information that he might have regarding the identity of the person who sent this telegram.

The JACKSONVILLE OFFICE, at Jacksonville, Fla., will through the [redacted] there, who is a cousin of [redacted] locate and interview [redacted] concerning his knowledge of Capone's activities at the Penitentiary.

PENDING

JOHN EDGAR HOOVER
DIRECTOR

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

TDQ:A

August 24, 1934

MEMORANDUM FOR MR. TOLSON

Please be informed that the Secretary to Colonel Gates telephoned and stated an Associated Press Reporter was making inquiry, stating a message had been received indicating that Al Capone had been detected directing outside activities from his cell in the Atlanta Penitentiary.

I advised her that she should inform the Reporter that the Division had no statement to make concerning this matter.

Respectfully,

T. D. Quinn.

RECORDED

62-28933-91

DIVISION OF INVESTIGATION
AUG 28 1934

TOLSON
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FEDERAL BUREAU OF INVESTIGATION
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96

FBI/DOJ

KDD:RD
62-28933

October 1, 1934

Special Agent in Charge,
Chicago, Illinois.

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

Dear Sir:

Attention is invited to Division letter dated August 16, 1934 advising that the report of Special Agent Charles R. LaFrance, dated June 21, 1934, Chicago, Illinois contains a lead for the Chicago Office.

Please give this matter appropriate investigative attention at the earliest practicable date.

Very truly yours,

John Edgar Hoover,
Director.

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62-28933-34

OCT 2 1934

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DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

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97

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT Birmingham, Ala. FILE NO. 62-756 EM

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Ala.	10-5-34	9-15,19 & 10-4-34	H. C. Douglas

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE, with aliases, et al.	Conspiracy to Receive and Send Contraband out of the U. S. Penitentiary, Atlanta, Ga.

SYNOPSIS OF FACTS:

[redacted] claims no knowledge of Capone's activities at the U. S. Penitentiary, Atlanta, and denies [redacted] received $50.00 from Capone. No record of [redacted] having booked passage from Montgomery to Miami, Fla. at Montgomery Airport.

P.

REFERENCE: Report of Special Agent H. C. Douglas, Birmingham, Ala., 8-15-34.

b7C

DETAILS: At Montgomery, Ala.

[redacted]

DETAILS

DO NOT WRITE IN THIS SPACE

APPROVED AND FORWARDED: J. H. Hanson SPECIAL AGENT IN CHARGE

62-28933-35

RECORDED AND INDEXED: OCT 8 1934

CHECKED OFF: OCT 9 1934

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UNITED STATES OCT 8 1934 A.M. BUREAU OF INVESTIGATION

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OCT - 9 1934 DIVISION ONE DEPARTMENT OF JUSTICE

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98

[redacted], a prisoner at Federal Prison Camp #3, stated that while he was confined at the Federal Penitentiary at Atlanta, Ga., he worked in the shoe factory, and that occasionally in connection with this work at the shoe factory, he came in contact with Alphonse Capone. [redacted] denied having any knowledge concerning the activities of Capone in connection with the receiving or sending of contraband in and out of the U. S. Penitentiary at Atlanta, Ga. He also denied that his wife ever received $50.00 from Capone, and denied ever mentioning to [redacted] that [redacted] had received $50.00 from Capone. [redacted] stated that [redacted] was known as "Big Shot" at the Federal Prison Camp, and was very much inclined to exaggerate. [redacted] stated that after he was transferred from the Federal Penitentiary at Atlanta to the Federal Prison Camp at Montgomery, the prisoners continuously "kidded" him about being Capone's right hand man. The records at the Federal Prison Camp indicate that [redacted]

[redacted], Eastern Air-Lines, Montgomery, Ala., advised agent that there are no direct air-line connections between Montgomery, Alabama and Miami, Fla. [redacted], after checking passenger records, advised that the name [redacted] does not appear on the passenger records on January 10, 11, 12, 13 or on May 27, 28, 29 and 30, 1934.

[redacted] Eastern Air Lines, informed agent that he has charge of the leasing of all private planes out of the Air-Port at Montgomery, and that he has no recollection or record of ever leasing a plane to a person named [redacted]

Special Agent H. C. Douglas ascertained that [redacted], reported associate of Capone in the U. S. Penitentiary at Atlanta, Ga., was released August 17, 1934, and returned to Birmingham, Ala.

Special Agent A. H. Watkins ascertained that [redacted] associated with [redacted] a prostitute, who resides at [redacted] in Birmingham. Discreet inquiry was made through the [redacted] woman, who advised that [redacted] is frequenting the vicinity of the [redacted] near Tuscaloosa, Ala.

Inquiries are being made in Tuscaloosa, Ala. at present for the purpose of locating and interviewing [redacted] for any information he can furnish relative to favoritisms shown Capone, or evidence that he smuggled contraband while incarcerated at the U. S. Penitentiary at Atlanta, Ga.

P E N D I N G

99

DCS:EM
62-756

Post Office Box 514,
Birmingham, Alabama,
October 12, 1934.

Special Agent in Charge,
Jacksonville, Florida.

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

Dear Sir:

Reference is made to the report of Special Agent H. M. Sirene, dated Birmingham, Alabama, October 8, 1934, in the above captioned case, copy of which was forwarded your office, which refers to an interview with [redacted] an inmate at Federal Prison Camp No. 6, Montgomery, Alabama, noting [redacted] denies that he or his wife received $30.00 from Al Capone. The same report indicates that [redacted] resides at [redacted] Miami, Florida.

Kindly refer to the report of Special Agent J. P. Lacour, dated Jacksonville, Florida, August 23, 1934, and the report of Special Agent H. C. Douglas, dated Birmingham, Alabama, August 15, 1934, and interview [redacted] in Miami, Florida, for full details relative to any money she or her husband may have received from Capone; also ascertain if [redacted] visited or communicated with [redacted] between the dates of May 29 and 30, 1934, and June 10 and 13, 1934. In the event [redacted] contacted [redacted] it is suggested that a statement be obtained from her relative to any and all information [redacted] furnished, indicating that he was receiving money from Capone or smuggling contraband into or out of the U. S. Penitentiary in Atlanta for Capone or others.

Very truly yours,

J. H. HANSON,
Special Agent in Charge.

CC: Division

62-28923
DIVISION OF INVESTIGATION
OCT 15 1934
U. S. DEPARTMENT OF JUSTICE
ONE

EDD/ps
62-28933

November 5, 1934

Special Agent in Charge,
Chicago, Illinois.

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

Dear Sir:

Attention is invited to Division letter dated October 1, 1934.

It is desired that a report be submitted in this matter without further delay.

Very truly yours,

John Edgar Hoover,
Director.

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101

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA CHICAGO FILE NO. 62-1675

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Ill.	11/13/34	10/27,28 and 11/9,12/34	W. H. WILLIAMS - AB

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

SYNOPSIS OF FACTS:

[redacted]

b7C

REFERENCE: Report of Special Agent Charles R. LaFrance, Chicago, Illinois, 6/21/34; report of Special Agent M. O. Douglas, Birmingham, Alabama, 8/15/34; Division letters to Chicago office, dated 6/26/34, 8/16/34, 10/1/34 and 11/8/34.

DETAILS:

[redacted]

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APPROVED AND FORWARDED: M.H.Sivin UCJ SPECIAL AGENT IN CHARGE

62-28933-37

RECORDED AND INDEXED: NOV 15 1934

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103

FBI/DOJ

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA FILE NO. 62-244

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH REPORT MADE	REPORT MADE BY
Detroit, Michigan	11/20/34	10/20,25/34 11/20/34	L. B. Posey

TITLE: ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE: CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS: [redacted]

REFERENCE: Report of Special Agent H. C. Douglas, Birmingham, Alabama, 8/15/34. b7C

DETAILS: [redacted]

[redacted]

[redacted]

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APPROVED AND FORWARDED: _____ SPECIAL AGENT IN CHARGE

62-28933-38

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1 of 5

FBI/DOJ

62-28933-75

October 18, 1938

Mr. J. W. Reese
#1 Fire Station
Altoona, Pennsylvania

Dear Mr. Reese:

I wish to acknowledge receipt of your postal card dated October 11, 1938, relative to the birthplace of Alphonse Capone.

Please be advised that by Departmental regulation the files of the Federal Bureau of Investigation, United States Department of Justice are confidential and, therefore, I am unable to be of any assistance to you in this matter.

Very truly yours,

John Edgar Hoover
Director

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Crowl
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. McIntire
Mr. Nichols
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

cc-Pittsburgh

COMMUNICATIONS SECTION
MAILED
OCT 18 1938
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

DE-INDEXED
DATE: 1-29-87
14

106

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Alabama — Jax — FILE NO. 62-907

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	11/30/34	11/28/34	E. L. Tolbert

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE, with aliases, ET AL	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS: [redacted], Miami, Florida, wife of [redacted] inmate of Prison Camp No. 8, Montgomery, Alabama, states she does not know [redacted] that [redacted] of no one else has sent her $50; that she has never discussed Al Capone with her husband; [redacted]

RUC

REFERENCE: Letter from Birmingham Office, dated October 12, 1934.

DETAILS: At Miami, Florida:

Agent interviewed [redacted], Miami, Florida, who by her own statement has been a resident of Miami, Florida, for the past six years and who has resided at said address since November, 1933, being away for only one week which was about the middle of September, 1934, at which time she visited her husband [redacted] at Federal Prison Camp No. 8, Montgomery Alabama.

[redacted]

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62-28935-39

RECORDED AND INDEXED: DEC 4 1934

DEC 5 1934 A.M.

APPROVED AND FORWARDED: [redacted] SPECIAL AGENT IN CHARGE

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[redacted]

[redacted] states that she has received no money of any consequence from her husband since his incarceration. She is quite positive that she has never received $50.00 at any time nor anywhere near that amount.

[redacted]

[redacted] states that her husband may have casually mentioned the name of Alphonse Capone, but that he never mentioned receiving any favors from him. To her knowledge, her husband was employed in the Shoe Department of the penitentiary while confined at Atlanta, Georgia.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Alabama FILE NO. 62-756 28

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Birmingham, Ala.	12-3-34	11-19,20,22-34	WALTER A. SCOTT, JR.

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, with aliases, et al.	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS:

[redacted]

REFERENCE: Report of Special Agent H. C. Douglas, Birmingham, dated 8-15-34.

DETAILS: AT ATLANTA, GEORGIA

[redacted]

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: J. H. Adamson SPECIAL AGENT IN CHARGE

62-28933-40

RECORDED AND INDEXED: DEC 5 - 1934

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2 Birmingham
2 San Francisco

cc Bureau 12/6/34 RLT

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UNITED STATES DEC 6 1934 A.M. BUREAU OF INVESTIGATION

CHECKED OFF: DEC 6 - 1934

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BOP

[redacted]

UNDEVELOPED LEADS:

THE BIRMINGHAM OFFICE will endeavor to locate [redacted] through [redacted] and [redacted]

b7c

THE SAN FRANCISCO OFFICE, at Alcatraz Prison will interview [redacted] alias [redacted], concerning the maintenance at the U. S. Penitentiary, Atlanta, Ga., by Al Capone of a payroll whereby he maintained contacts with the outside world. For the information of that office it is stated that Alphonse Capone, and other prisoners in the U. S. Penitentiary, Atlanta, Georgia, are reported to have received or

110

conspired to receive and send contraband from the Penitentiary; that Capone and others may have received special favors from doctors or other prison officials; and have corresponded with various sources outside of the penitentiary for the purpose of receiving money or requesting that prison officials on leave be tendered every courtesy by Capone's friends.

PENDING

P. O. Box 1114,
Birmingham, Alabama
December 8, 1934

DOS:JAS
62-736.

Special Agent in Charge,
New Orleans, La.

Dear Sir:

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

Attached hereto please find Birmingham, Alabama Police photograph number [redacted] of [redacted], who is believed identical with [redacted], your file [redacted], as indicated in the report of Special Agent L. A. Kindell, dated at New Orleans, La., December 7, 1934.

This is to advise that [redacted] was released from the U. S. Penitentiary, Atlanta, Georgia August 2, 1934, and available information indicates that while in the penitentiary at Atlanta he associated with Alphonse Capone, and is suspected of smuggling while an inmate there.

Kindly interview [redacted] at [redacted], Mississippi for all details concerning Capone's activities relative to receiving or sending contraband, and ascertain if Capone was known to have incurred the favor of prison officials, doctors and others while incarcerated there, and through these sources obtained any special favors, communicated with the outside world or smuggled contraband into the penitentiary.

Kindly return the photograph when it has served its purpose.

Very truly yours,

J. M. HANSON
Special Agent in Charge

60; Division

RECORDED
INDEXED
DEC 13 1934

DEC 8 1934 BUREAU OF INVESTIGATION
DEC 12 1934 DEPARTMENT OF JUSTICE

DIVISION OF INVESTIGATION
DEC 11 1934
U. S. DEPARTMENT OF JUSTICE

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT Birmingham, Alabama FILE NO. 62-756 TB

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Birmingham, Ala.	12-13-34	11-13-34 12-7-34	P. C. DUNNE

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE, with aliases, et al.	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS: Inquiry at Tuscaloosa, Alabama Police Department failed to reveal the whereabouts of [redacted] b2C

P.

REFERENCE: Report of Special Agent J. P. Lacour, Jacksonville, Fla. 8-23-34.

DETAILS: This investigation is based upon information furnished by the Jacksonville office to the effect that [redacted], recently released from Atlanta Penitentiary, was a very close friend of Alphonse Capone, former prisoner and inmate of Atlanta, Penitentiary, and that [redacted] might be able to furnish some information concerning the smuggling of contraband out of the United States Penitentiary in Atlanta, Georgia, due to the fact that [redacted] is alleged to have been a very good friend of Capone's while he was in the Atlanta Penitentiary; also that [redacted] had a wife who is reported to be residing in Tuscaloosa, Alabama.

AT TUSCALOOSA, ALABAMA

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62-28933-42

RECORDED AND INDEXED DEC 18 1934

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

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1 New Orleans
1 Detroit
2 Jacksonville
2 Birmingham

UNITED STATES DEC 17 1934 A.M. DEPARTMENT OF JUSTICE DEC 18 1934

BUREAU OF INVESTIGATION

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

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☐ Information pertained only to a third party. Your name is listed in the title only.

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62-28933-42 p2

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114

FBI/DOJ

DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA FILE NO. 62-859

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
NEW ORLEANS	1-10-35	1-7-35	L. A. KINDELL

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE, with aliases; et al.	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PEN., ATLANTA, GA.

SYNOPSIS OF FACTS: [redacted] state prisoner, Belzoni, Miss., states he can furnish considerable information in instant matter but prefers to wait until after his trial in the State Court, February, 1935. Names several whom he intimates are "good leads".

REFERENCE: Letter from the Birmingham Office, December 8, 1934.

DETAILS: AT BELZONI, MISSISSIPPI

[redacted] a state prisoner in the County Jail, when first approached, stated he knew "plenty" concerning instant matter but would not talk as he did not care to invite suicide, meaning the Capone syndicate would "rub him out". He was assured of the confidential nature of the investigation. He then made the proposition that if the Government would request the state authorities at Belzoni to surrender him to Federal jurisdiction at once, for trial on the [redacted] and [redacted] cases, he would tell the whole story. He fears the State Prison at Parchman, Miss. He felt certain that if the Government would make this request, it would be granted. He was told that there would be no bargaining or trading; that any statement he might make must be without bargaining that the government might, of its own initiative, make request either prior, or subsequent to his state trial, set for the second week in [redacted], 1935. He appeared satisfied and advised that if an agent interviewed him after his state trial he would tell all he knew.

During the course of the interview, he asked, at various times, if the names of the following appeared in the file and intimated they were good

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APPROVED AND FORWARDED: D. W. Moore, Special Agent in Charge

62-25953-43

RECORDED AND INDEXED: JAN 14 1935

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BUREAU OF INVESTIGATION
JAN 14 1935 A.M.
DEPARTMENT OF JUSTICE

CHECKED OFF: JAN 17 1935

JACKET: JAN 19 1935

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FILE:

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348 AUG 20 1964

STAT SECT.

67C

leads:

[redacted] reported to be serving a 25 years sentence for [redacted] is a clerk in the hospital and contact man between the prisoners and the doctors, can get anything he wants for himself or prisoners.

[redacted] Arranges for the prisoners to get "diet tickets". Very friendly with Capone who received these tickets regularly, entitling him to better food.

[redacted] Atlanta, Ga. bootleggers who were shown favors and very friendly with Capone.

[redacted] admitted that he has been to the Capone headquarters on Peachtree Street, in Atlanta. He stated when he, [redacted] left the prison he had $250.00 in cash.

Agent requested Sheriff John Purvis, who states he has an ironclad case, to telephone the Division Office when [redacted] is convicted. He will be held only a few days and then transferred to Parchman.

[redacted] photograph is returned to the Birmingham Office.

UNDEVELOPED LEADS:

THE NEW ORLEANS OFFICE: At Belzoni, Miss., will endeavor to interview [redacted] before his departure for Parchman.

P E N D I N G

116

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA

FILE NO. 62-1675

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	1/11/35	1/8 & 10/35	E. H. WILLIAMS CLC

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, with aliases, ET AL	CONSPIRACY TO RECEIVE AND SMUGGLE CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS: [redacted]

-RUC-

REFERENCE: Report of Special Agent E. H. Williams, Chicago, Illinois, dated 11/13/34.

DETAILS: Agent conducted additional discreet inquiries in the neighborhood where [redacted] and her family reside at [redacted] Chicago, Illinois. Agent interviewed the occupants of [redacted] Chicago, regarding any information they might have concerning [redacted] and her family and what connection there might be between that family and Alphonse Capone.

None of the persons interviewed were able to give any additional information than that already set out in the report of reference. It should be noted that this neighborhood is composed of persons of Bohemian extraction, and that they are decidedly uncommunicative when questioned about one of their neighbors. For this reason Agent was unable to secure the names of the persons interviewed.

DETAILS

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APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE

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2 - Birmingham
2 - Chicago

UNITED STATES BUREAU OF INVESTIGATION

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117

b7C

[redacted]

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN.

Postoffice Box 914,
Birmingham, Alabama,
January 16, 1936.

JHH:MB
62-756

Special Agent in Charge,
New Orleans, Louisiana.

Dear Sir: Re: ALPHONSE CAPONE, with aliases, et al.
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PEN., ATLANTA, GEORGIA.

With reference to the report of Special Agent L. A. Kimball, New Orleans, Louisiana, January 10, 1936, in connection with the above entitled case, I am enclosing herewith for your information the following reports:

Report of:

Special Agent Chapman Fletcher, Birmingham, Alabama 9-6-35
Special Agent W. Carter Baum, Chicago, Illinois, 9-25-35
Special Agent Chapman Fletcher, Birmingham, Alabama, 10-23-35
Special Agent Wm. S. McKinley, Charlotte, N. C., 11-24-35
Special Agent Chapman Fletcher, Birmingham, Alabama, 1-24-36
Special Agent W. A. Temple, Birmingham, Alabama, 7-11-34
Special Agent H. G. Douglas, Birmingham, Alabama, 8-13-34
Special Agent R. M. Williams, Chicago, Illinois, 11-13-34
Special Agent L. D. Seney, Detroit, Michigan, 11-20-34
Special Agent R. L. Tollett, Jacksonville, Florida 11-30-34
Special Agent Walter A. Scott, Jr., Birmingham, Alabama, 12-5-34
Special Agent P. G. Dunne, Birmingham, Alabama, 12-13-34.

The above reports are being sent to you for your assistance in conducting an interview with [redacted] b7C

Very truly yours,

J. H. HANSON
Special Agent in Charge

62-72853-

CC: Division

JAN 13 1936

62-72853-119

UNITED STATES BUREAU OF INVESTIGATION

THIS CASE ORIGINATED AT Birmingham, Alabama FILE NO. 62-1238

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
San Francisco, Calif.	2/27/35	2/18/35	[redacted]

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, with aliases, et al	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT of the U. S. PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS: [redacted] inmate Alcatraz Federal Penitentiary, furnished information certain convicts in connivance with certain guards at Atlanta Federal Penitentiary "strong armed" Subject Capone on a number of occasions and extorted large sums of money from Capone; that guards [redacted] brought into Penitentiary narcotics; that the guards or civilian employees would take out messages for convicts, if paid. Heard rumors only that [redacted] was presented with pony by Subject Capone.

R.U.C.

REFERENCE: Report Special Agent Walter A. Scott, Jr., Birmingham, Alabama, dated December 3, 1934.

DETAILS: At San Francisco, California

[redacted] inmate Alcatraz Federal Penitentiary, furnished the following information in strictest confidence and under no circumstances wishes his name revealed, and is under the impression that his life would be taken if he became known as a "squealer".

[redacted] stated that he was committed to Atlanta Federal Penitentiary [redacted] to serve [redacted] years for [redacted] and was removed to Alcatraz Federal Penitentiary in [redacted] that while in Atlanta Federal Penitentiary he worked as a [redacted] that Alphonse Capone was a fellow convict at Atlanta; that on a number of occasions money was obtained from Al Capone through extortion and threats of death and bodily harm while at Atlanta Federal Penitentiary.

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APPROVED AND FORWARDED		RECORDED AND INDEXED
[signature] SPECIAL AGENT IN CHARGE	62-28933-45	MAR 6 - 1935
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by certain convicts with the cooperation and connivance of certain [redacted] guards, named Guard [redacted] nick-named [redacted] now a [redacted] at Alcatraz Penitentiary, Guard [redacted] and Guard [redacted] both of whom are, as far as he knows, still at Atlanta Penitentiary, and probably other guards that he knows of two or three occasions on which Subject Capone was "strong armed" by convicts [redacted] (true name not known), [redacted] (true name not known), and [redacted] the point of a knife stuck on the throat of Al Capone, and he was made to promise to produce a specified sum of money ($1000 at one time) that [redacted] Guards [redacted] and [redacted] received a part of this money, that other convicts who were beneficiaries of the extortion obtained from Subject Capone were [redacted] a contact from Los Angeles (last name not known), and [redacted] an inmate of Alcatraz Penitentiary.

[redacted] stated that convict [redacted] had established a contact at a small hotel in Atlanta, Georgia, name of which sounds like "Piedmont" but he is not sure of correctness of name; that the money extorted from Subject Capone was brought to the said hotel and called for by Guards [redacted] the [redacted] with part of the money extorted from Capone would buy up morphine and bring it into the penitentiary and deliver same to convict [redacted] who sold the dope to other convicts; that he [redacted] on two occasions saw Guard [redacted] deliver morphine to convict [redacted]

[redacted] further stated that in corroboration of his statements in regard to Guards [redacted] the government should be able to readily verify same from an ex-convict, one [redacted] (spelling not certain) who was a cell-mate of his [redacted] at Atlanta Federal Penitentiary and who on his release from Atlanta Penitentiary went to Albany, New York, and made several shipments of narcotics through an underworld contact to Guards [redacted] which shipments of narcotics were eventually brought into the penitentiary at Atlanta; that convict [redacted] used his sister, believed to live in Albany, New York, to help make outside underworld contacts and to whom convict [redacted] furnished money.

[redacted] also further stated that there was a rumor at Atlanta Penitentiary that Subject Capone gave [redacted] a Shetland pony but he has no direct information concerning same. He also further stated that the guard or civilian employee at Atlanta Penitentiary who would not take out letters, messages or money to be forwarded to connections, rela-

tives or friends of the convicts was the exception and for which he would charge "plenty"; that in case of money being surreptitiously sent out by convicts, a man by the name of [redacted] and a foreman or guard in charge of the tailor shop at Atlanta, a man about 40 years of age, height 5' 8", weight about 180 pounds, slightly gray hair, would charge 30 percent of the amount taken out as a commission; that guards [redacted] and other guards and foremen took a commission of 50 percent of the money taken out.

[redacted]

BOP

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

122

UNITED STATES BUREAU OF INVESTIGATION

FILE NO. 7

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA FILE NO. 62-748

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Detroit, Michigan	3/28/35	3/11 & 14/35	[redacted]

TITLE

ALPHONSE CAPONE with aliases, et al

CHARACTER OF CASE

CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS:

[redacted]

-HUC.

REFERENCE: Reports of Special Agents H. C. Douglas, Birmingham, Alabama dated 6/15/34 and L. H. Soepy, Detroit, Michigan dated 11/20/34.

DETAILS:

[redacted]

DETAILS

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APPROVED AND FORWARDED: [redacted] SPECIAL AGENT IN CHARGE

62-28133-46

RECORDED AND INDEXED MAR 26 1935

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UNITED STATES MAR 25 A.M. BUREAU OF INVESTIGATION

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SENT DIR.

APR 4 - 1935 MAILED

23

[redacted]

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN.

124

Re: Detroit File 62-7446
ALPHONSE CAPONE, with aliases, et al

Report was submitted by your office under date of November 20, 1934 which set out a lead for this city which has not been covered. A report was dictated on this case on the day of my arrival.

There is every indication to believe that this lead should have been covered at an earlier date, due to the fact that the work was to be done in this city. I personally overlooked this matter and failed to call the Agents attention to the delay.

Report of Inspector J. B. Egan
Detroit, Michigan, March 19, 1935.

62-28933-2
DEC 9 1935

125

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT BIRMINGHAM, ALABAMA FILE NO. 62-609 (illegible)

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
NEW ORLEANS, LA.	4/26/35	4/17/35	D. W. MAGEE

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE, with aliases; et al	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS: [redacted] alias [redacted] Fugitive, [redacted] case, Birmingham office of origin, is now confined in the Mississippi State Penitentiary at Parchman, Miss., on a [redacted] year sentence. He may be interviewed there with respect to his association with Alphonse Capone, and of smuggling activities while in the U. S. Penitentiary, Atlanta, Ga.

R.U.C.

REFERENCE: Report of Special Agent L. H. Kindell, New Orleans, La., 1/10/35; letter from Birmingham Office 12/8/34.

DETAILS: As is indicated in report of Special Agent A. Rosen, dated at New Orleans, La., April 8, 1935, captioned [redacted] alias [redacted] Fugitive, [redacted] this individual is now confined in the Mississippi State Penitentiary at Parchman, Mississippi, to serve a sentence of [redacted] years, and he may be interviewed there with respect to his associations with Alphonse Capone, as reference letter from the Birmingham Office, in the instant case, states that he is suspected of smuggling while an inmate of the U. S. Penitentiary At Atlanta, Ga., while Subject Alphonse Capone was incarcerated there.

OTHER:

UNDEVELOPED LEAD: BIRMINGHAM OFFICE will interview [redacted] at the State Penitentiary, Parchman, Miss., relative smuggling activities at U. S. Penitentiary, Atlanta, Ga., when he and Subject Alphonse Capone were inmates of that institution.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	62-28933-47	RECORDED AND INDEXED:
D. W. Magee			APR 29 1935

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UNITED STATES APR 29 A.M. BUREAU OF INVESTIGATION

CHECKED OUT: APR 30 1935

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1cc Bur & Rosen 5-25-35

126

DJM:gw
62-928.

3rd Post Office Building,
New Orleans, La.
May 18, 1935.

Special Agent in Charge,
Birmingham, Alabama.

Dear Sir:

Re: Alphonse Capone, aka Alfred, et al
Conspiracy to Receive and Send Contraband (m) or the U. S. Penitentiary,
Atlanta, Georgia.

I am transmitting herewith copies of reports forwarded to this office with Birmingham Bureau Office Letter of January 18, 1935, in the above entitled case.

These reports are listed in the reference letter.

Very truly yours,

D. M. Magee,
Special Agent in Charge.

enc. (12)
cc-Bureau

62-28923
MAY 20 1935

127

Federal Bureau of Investigation

U. S. Department of Justice

DOS:BM
62-756

Post Office Box 314,
Birmingham, Alabama,
May 17, 1935.

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

RE: ALPHONSE CAPONE, with aliases, et al,
Conspiracy to receive and send contraband out of the U. S. Penitentiary,
Atlanta, Georgia.

Dear Sir:

Reference is made to the report of Special Agent D. W. Magee, dated New Orleans, La., April 26, 1935, which calls attention to the fact that [redacted] is now incarcerated in the State Penitentiary at Parchman, Mississippi, which is in the territory covered by the Birmingham office, requesting that [redacted] be interviewed at Parchman.

Please be advised that Special Agent W. A. Temple interviewed [redacted] at Parchman, Mississippi on May 4, 1935, at which time [redacted] alleged that he received $6500 for Alphonse Capone while incarcerated in the United States Penitentiary, Atlanta, Georgia, on or about July 17, 1934, and that [redacted] was paid $250.00 for handling the money for Capone. [redacted] has indicated that he will furnish more information in the event the United States Attorney and District Judge at Birmingham, Alabama, will see that a light sentence is imposed on him relative to the [redacted] case pending against him in the Northern District of Alabama (Birmingham file [redacted].

Special Agent D. O. Smith discussed the facts of instant case with Hon. Jim C. Smith, United States Attorney, Birmingham, Ala., at which time the latter stated he had caused a complaint to be filed against [redacted] in Mississippi, primarily for the purpose of holding him and to encourage the Mississippi State authorities to prosecute [redacted] on [redacted] charges, for which latter violation he has been sentenced to the State Penitentiary at Parchman, Mississippi, for [redacted] years; that he doubts if [redacted] could or would furnish reliable in-

Ack. & Memo to Mr. Nichols 6/7/35.

62-2792-48

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848 AUG 20 1964

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JUN 11 1935

FBI
MAY 20 1935 P.M.

formation indicating the smuggling activities or irregularities relative to instant case at the United States Penitentiary, Atlanta, Ga., but Attorney Jim C. Smith will assure [redacted] that his cooperation will be mentioned to the proper officials when [redacted] is tried in th[redacted] case in the Northern District of Alabama.

In view of the attitude of the United States Attorney in Birmingham, I am instructing Special Agent W. A. Temple to reinterview [redacted] and inform him relative to the attitude of the United States Attorney at Birmingham. Agent Temple is also being instructed to handle this matter at the earliest date possible and to submit his report promptly.

Very truly yours,

R. B. NATHAN,
Special Agent in Charge.

EAT:TAM

62-28933-48

RECORDED

June 7, 1935

Special Agent in Charge,
Birmingham, Alabama.

RE: Alphonse Capone, with aliases, et al, Conspiracy to receive and send contraband out of the U. S. Penitentiary, Atlanta, Georgia.

Dear Sir:

Reference is made to your communication of May 17, 1935, setting forth the results of an interview had by Special Agent W. A. Temple with [redacted] who is presently incarcerated in the State Penitentiary at Parchman, Mississippi. It is noted from your letter that Agent D. O. Smith has discussed the facts in this case with United States Attorney Jim C. Smith of Birmingham, Alabama, and upon the authorization of Mr. Smith, intends to advise [redacted] that his cooperation will be brought to the attention of proper officials when [redacted] is tried in the Northern District of Alabama upon charges of violation of the [redacted]

b7C
b7D

The Bureau desires that when Agent Temple again interviews [redacted] he clearly bring out the fact that the United States Attorney at Birmingham and not the Bureau is offering this inducement to [redacted] for the furnishing of information to the Bureau.

Very truly yours,

John Edgar Hoover,
Director.

130

AGB:LL
62-28933-48

RECORDED

June 1, 1935

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

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

There is being transmitted herewith a copy of a letter received from the Birmingham Office of this Bureau, dated May 17, 1935, setting forth information obtained in an interview with [redacted] who is presently incarcerated in the State Penitentiary at Parchman, Mississippi, concerning the above entitled matter. b7C b7D

This copy is being referred to you for your information.

Very truly yours,

John Edgar Hoover,
Director.

Enclosure No. 319421

FILES SECTION
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★ JUN 3 ★
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

DEPT. OF JUSTICE
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JUN 3 1935
INVESTIGATION

131

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT Birmingham, Alabama. FILE NO. 62-756 JAS

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Birmingham, Ala.	5/25/35	5/4,17 & 21/35	W. A. TEMPLE

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, with aliases, et al.	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS: [redacted] alias [redacted] admits receiving $6,500 while an inmate at the U. S. Penitentiary, Atlanta, Ga. about July 17, 1934, admits same split 4 ways, he received $250.00 as his share. Will not tell entire story unless he is assured that he will not receive limit in the [redacted] case which he will stand trial for when present terms expire.

b7C
b7D

-P-

REFERENCE: Report of Special Agent D. W. Magee, New Orleans, La. dated 4/26/35. Letter to Bureau 5/17/35.

DETAILS: AT PARCHMAN, MISSISSIPPI.

[redacted]

[redacted] first advised agent that he did not care to discuss anything that took place while he was confined in the U. S. Penitentiary at Atlanta, Georgia unless he had some knowledge that he would not receive the extreme penalty in the [redacted] case for which there is a Federal detainer lodged against him at the State Penitentiary at Parchman, Mississippi. Agent advised him that no promises of any kind could be made him, as the Judge before whom he would be tried would be the only person that would decide what his sentence would be if he was convicted on the [redacted] case.

During the course of the conversation he admitted that in July 1934 he was taking special baths at the Hospital in the U. S. Penitentiary, at Atlanta, Ga., and on or about July 17, 1934, while he was in the hospital that he received for Alphonse Capone the sum of $6,500, which was split four ways, that he,

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
R. B. Nathan		62-128933-49	MAY 28 1935
3 Bureau	COPIES OF THIS REPORT		JUN 3 1935
3 Birmingham	JUN 5	MAY 28 A.M.	
2 Atlanta			
1 USA Birmingham, Alabama.			
RECORDS DESTROYED 346 AUG 20 1964		TWO SEP. SECT.	

1cc Bureau of Prisons 5-29-35

U. S. GOVERNMENT PRINTING OFFICE 7—2084

134

b7C
b7D

[redacted] received $250.00. He would not state who received the balance but would furnish the proof if assured of a light sentence in the [redacted] case. When asked how he got his part of the money out of the Penitentiary, he stated that when he was released that early that morning he took a big dose of salts and that he placed the $250.00 which was two $100 bills and a $50 bill in a finger stall and swallowed same, that when he went to a hotel in Atlanta, Ga. which was run by [redacted] that he obtained a room and that when the salts worked him that he passed the finger stall which contained the $250.00. He said that [redacted] changed the $50 bill for him and that [redacted] had one of the porters to get one of the $100 bills changed at one of the banks and he got the other $100 bill changed at one of the Banks, that he could furnish the name of the banker who changed same for him.

Before making any further statement relative to this matter he requested that the Hon. Jim Smith, U. S. Attorney, Birmingham, Ala. and Judge W. I. Grubb of the U. S. District Court, Birmingham, Ala. be interviewed and acquainted with this matter with the request that he, [redacted] be advised as to what the Court would do with his [redacted] case pending against him if what information he furnished relative to the U. S. Penitentiary at Atlanta, Ga., proved of value to the Government.

Special Agent D. O. Smith, discussed the principal facts of instant case with Hon. Jim C. Smith, United States Attorney, Birmingham, Alabama, who advised confidentially that he had filed a complaint against [redacted] on the [redacted] case in Mississippi, primarily for the purpose of insuring [redacted] prosecution in state courts there on a charge of burglary; that in his opinion [redacted] is exaggerating the information relative to his association with Capone in the U. S. Penitentiary at Atlanta, Ga.; that, however, an agent of this Bureau is authorized to instruct [redacted] that if he will furnish information relative to the Capone case, which is reliable and which can be established definitely by thorough investigation by this Bureau, he will see that the proper officials are informed that [redacted] has cooperated in this case, when he is called for trial on the [redacted] case.

The United States Attorney in Birmingham wants it thoroughly understood that he is not encouraging [redacted] to misrepresent any facts to him; that [redacted] should furnish all the reliable information available, after which further consideration will be given to his manner of cooperation.

On May 21, 1935, agent reinterviewed [redacted] at the State Penitentiary, Parchman, Mississippi, and advised him that if he, [redacted] would furnish information relative to the Capone case, which was reliable and which could be established definitely by thorough investigation, that the United States Attorney, Jim Smith, Birmingham, Alabama would see that the proper officials were informed that he, [redacted] had cooperated in this case, when he is called for trial on the [redacted] case.

[redacted] advised that he was expecting his father and others over to see him the first Sunday in June and that he wanted his father to talk to the United States Attorney, Birmingham, upon his return and then write him and if an agent would come back to see him in about 10 days after the first Sunday in June he felt like he would be in a position to furnish information that would be reliable and material in this case.

UNDEVELOPED LEADS: The BIRMINGHAM OFFICE at Parchman, Mississippi, will re-

133

b7C
b7D

interview [redacted] on or about June 10, 1935 relative to smuggling activities at the U. S. Penitentiary, Atlanta, Ga., when he and Capone were inmates of that institution.

P E N D I N G

Serials 50-51-52-53- have been changed to 62-39128
HTG

Federal Bureau of Investigation

U. S. Department of Justice

RBN:BM
62-756

Post Office Box 314,
Birmingham, Alabama,
July 17, 1935.

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

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

Dear Sir:

In connection with the above case, you are advised that Special Agent W. A. Temple of this office has interviewed [redacted] at the Mississippi State Prison, Parchman, Miss. on two occasions since the submission of his report dated May 25, 1935. b7C b7D

[redacted] has informed Agent Temple that he does not desire to tell what he knows about this matter until his father has had an opportunity to talk to the United States Attorney at Birmingham concerning the [redacted] case pending against him.

[redacted] has promised to inform this office at such time as he desires to make any further statements, and at that time he will be again interviewed. Every effort will be made to bring this case to its logical conclusion as soon as possible.

Very truly yours,

R. B. NATHAN,
Special Agent in Charge.

CC: Atlanta

62-28922-54

RECORDED
JUL 20 1935

FEDERAL BUREAU OF INVESTIGATION
JUL 19 1935
U.S. DEPARTMENT OF JUSTICE

FBI

Serials 55-56-57-58-59-60-61-62-63-64-65 changed to 62-39128
HTG

Serials 55-56-5'7-5%-59-66-61-62-65-64-65 changed to 62-59128
HTG

Federal Bureau of Investigation

U. S. Department of Justice

RBN:BM
62-756

Post Office Box 314,
Birmingham, Alabama,
September 4, 1935.

RECORDED & INDEXED 62-28933-66

SEP 17 1935

SEP 6 1935

FILE

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

TWO

RE: ALPHONSE CAPONE, with aliases, et al,
Conspiracy to Receive & Send Contraband
Out of the U. S. Penitentiary, Atlanta, Ga.

Dear Sir:

Reference is made to the report of Special Agent W. A. Temple, Birmingham, Alabama, dated May 25, 1935, and to my letter of July 17, 1935.

b7c

On August 29, 1935 Agent Temple called at the Prison Camp office, Parchman, Mississippi, for the purpose of again interviewing [redacted] At that time Agent Temple was informed by Sergeant J. P. McDonald, who has charge of this Prison Camp, that [redacted] has recently addressed a letter to Mrs. Capone. This letter was not mailed by the prison authorities, and a copy was made by Special Agent Temple. Copies are attached to this communication. It is noted that the envelope was addressed to Mrs. Capone care of Palm Island Estate, Miami, Florida.

From the attitude that [redacted] has taken in this matter, it seems to me that he is endeavoring to receive leniency in connection with the pending [redacted] charge, without actually having any information of value to furnish. It also seems that he may be contemplating some kind of shake-down scheme with reference to Mrs. Capone.

I would appreciate the advice of the Bureau as to whether it is deemed desirable to continue the periodic contacts with [redacted] In the absence of such contacts, there are no leads in the Birmingham territory, and this case should either be closed or Referred Upon Completion to the Atlanta office. Any further activity in this district will be held in abeyance pending Bureau instructions.

Very truly yours,

R. B. NATHAN,
Special Agent in Charge.

CC: Atlanta

138

Camp #6, Parchman, Miss.,
August 25, 1935.

Dear Mrs. Capone

No doubt you will be quite surprised to receive a letter from me. But Mrs. Capone I am a good friend of your husband and have known him for some time, in fact the rings and belt buckles he sent you from Atlanta were made by me. I also am the boy that taught Al to play tennis. Well what I wanted to tell you is that I am serving [redacted] years in the Mississippi State Pen. I got this time after I left Atlanta last year in August. Well as you may know the Government is trying to put a charge against Al for bribing some of the officials in Atlanta. Also having contraband money inside of the walls, so they want to take Al's good time away from him so the Government has sent a Special Agent over here four times to see me and try to get me to give them a signed statement against Al that I used his money while I was in Atlanta the Gov. has offered to help me out if I would sign the statement against Al and some of the officials. But I wont sign nothing against no one for I am not a man of that caliber and never was as Al will tell you. Now Mrs. Capone I do wish you would send Ralph or John over here or one of Als attorneys so I can give him or them a statement in Als behalf for something had better be don about it or I am afraid that Al will loose all of his good time. Also be tried again on some other charges I sure would like to talk to some of you about this case as I know much more than I care to write so tell Soney hello and how is his Belt Buckle getting along now send my best regards to Al I am

b7c

Yours truly

(Signed) [redacted]

Camp #6, Parchman, Miss.

The envelope was addressed as follows:

Mrs. Al Capone,
Miami, Fla.
care Palm Island Estate.

COPY

COPIES DESTROYED
848 AUG 20 1964

62-39128-66 139

GIL:AMK

RECORDED 62-28955-66

September 16, 1935

Special Agent in Charge,
Birmingham, Alabama.

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

Dear Sir:

Reference is made to your letter of September 4, 1935 requesting advice if your office should continue the periodic contacts with [redacted] at the Prison Camp, Parchman, Mississippi.

b7c

From the attitude of [redacted] as reflected by his letter of August 25, 1935 to Mrs. Al Capone, Miami, Florida, a copy of which you forwarded with your communication, the Bureau desires the periodic contacts be discontinued.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
SEP 14 1935
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

INDEXED
SERIALIZED
FILED
SEP 14 1935
FBI

140

Serials 67-68-69- changed to 62-39128
HTG

RBN:EM
62-756

Post Office Box 314,
Birmingham, Alabama,
September 20, 1935.

Special Agent in Charge,
Atlanta, Georgia.

RE: ALPHONSE CAPONE, with aliases, et al,
Conspiracy to Receive and Send Contraband
Out of the U. S. Penitentiary, Atlanta, Ga.

Dear Sir:

I am transmitting herewith the entire Birmingham file in the above case.

It is noted that this case has been kept pending in the Birmingham district for the purpose of contacting one [redacted] at the Prison Camp, Parchman, Mississippi, [redacted] having alleged that he could furnish information of interest. Numerous contacts with [redacted] have indicated that this individual is merely endeavoring to obtain leniency in connection with a pending prosecution, and probably does not possess any information of interest.

The Bureau has instructed that this angle of the case receive no further attention, and there being no further leads in this district the case is being considered Referred Upon Completion to the Atlanta Office, which should consider itself the Office of Origin for any further investigation deemed necessary.

Very truly yours,

R. B. NATHAN,
Special Agent in Charge.

ENC.

CC:Bureau

62-28933
FEDERAL BUREAU OF INVESTIGATION
SEP 23 1935 A.M.
U. S. DEPARTMENT OF JUSTICE
FILE

Federal Bureau of Investigation

U. S. Department of Justice
501 Healey Building,
Atlanta, Georgia,
November 19, 1935.

CAW:W
62-16

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

RE: ALPHONSE CAPONE, with aliases, et al.
Conspiracy to Receive and Send Contraband
Out of the U. S. Penitentiary, Atlanta,
Georgia.

Dear Sir:

Reference is made to Bureau letter dated September 14, 1935 and letter from the Birmingham Office dated September 20, 1935, relative to captioned matter.

A review of the file in this case reflects that no material information of an evidential nature has been developed regarding this matter which was definitely corroborated by subsequent investigation. No definite proof has been obtained that subject Capone and other prisoners received or conspired to receive and send contraband from the Atlanta Federal Penitentiary as alleged.

In view of the foregoing, the Bureau is requested to advise whether further investigation is desired in the premises.

Very truly yours,

E. E. CONROY,
Special Agent in Charge.

RECORDED

DEC 11 1935

62-28123-70
FEDERAL BUREAU OF INVESTIGATION
NOV 21 1935 A.M.
U. S. DEPARTMENT OF JUSTICE
FILE

EFE:CJ

RECORDED 62-28933-70

December 10, 1935.

Special Agent in Charge,
Atlanta, Georgia.

RE: ALPHONSE CAPONE with aliases, et alj
Conspiracy to Receive and Send Contraband Out of the U. S. Penitentiary,
Atlanta, Georgia

Dear Sir:

Reference is made to your letter dated November 19, 1935 in which you request to be advised whether further investigation is desired in the above entitled case.

There is being transmitted herewith a photostatic copy of a story entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", which manuscript was turned over to the Bureau by a Mr. R. H. Hickam, Executive Editor of the Real Detective Stories, 444 Madison Avenue, New York City, in whose possession it was entrusted by a Mr. F. Barrett of Baltimore, Maryland, the presumed author thereof.

Investigation is being conducted by the Washington Field and New York City offices for the purpose of determining the identity of the writer of this story and ascertaining from him the source of the facts and information contained in this biography.

However, the Bureau desires that the Atlanta office make a careful check of this manuscript to ascertain whether there are any leads obtainable therein which would assist in the investigation of the above entitled case. This matter should be placed in line for early attention and a report submitted at the earliest possible date.

Very truly yours,

John Edgar Hoover,
Director.

Encl. #1091205

COMMUNICATIONS SECTION
MAILED
DEC 10 1935
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

Enf A EFE

144

EFE:LL

62-28933

January 29, 1936

Special Agent in Charge,
Atlanta, Georgia.

RE: ALPHONSE CAPONE, with aliases, et al; Conspiracy to Receive and Send Contraband Out of the U. S. Penitentiary, Atlanta, Georgia.

Dear Sir:

The Bureau file in the above entitled case indicates that this case is not receiving prompt investigative attention in your district.

This matter should be placed in line for early investigative attention and you should submit a report to the Bureau at the earliest possible date.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
RECORDED
JAN 29 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

62-28933-71
FEDERAL BUREAU OF INVESTIGATION
JAN 30 1936 P. M.
U. S. DEPARTMENT OF JUSTICE
FILE

EFE:RD
62-28933-

March 5, 1936

62-28933

Special Agent in Charge,
Atlanta, Georgia.

RE: ALPHONSE CAPONE, with aliases, et al;
Conspiracy to Receive and Send Contraband Out of the U. S. Penitentiary,
Atlanta, Georgia.

Dear Sir:

Your attention is directed to my letter dated December 10, 1935 which transmitted to your office a photostatic copy of a story entitled, "The Biography of Al Capone's Life in the Atlanta Penitentiary", and instructed that a careful check be made of this manuscript for the purpose of ascertaining whether there were any leads reflected therein which might assist in the investigation of the above entitled case.

The Bureau file reflects that this matter has not been receiving prompt attention, and you were advised of your delinquency by Bureau letter dated January 29, 1936.

You are therefore instructed to place this matter in line for immediate attention and submit a report not later than March 21, 1936.

Very truly yours,

RECORDED & INDEXED

John Edgar Hoover,
Director.

62-28933-72
FEDERAL BUREAU OF INVESTIGATION
MAR 9 1936 A.M.
U.S. DEPARTMENT OF JUSTICE
FILE

COMMUNICATIONS SECTION
MAILED
MAR - 6 1936
P.M.
FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE

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

146

Federal Bureau of Investigation

U. S. Department of Justice
501 Healey Building,
Atlanta, Georgia,
March 19, 1936.

EEC:ME
62-18

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

RE: ALPHONSE CAPONE, with aliases, et al;
Conspiracy to Receive and Send Contraband Out of the U. S. Penitentiary,
Atlanta, Georgia.

Dear Sir:

Reference is made to Bureau letters of December 10, 1935, and March 5, 1936, Bureau file #62-28933, regarding the story entitled, "The Biography of Al Capone's Life in the Atlanta Penitentiary". The manuscript of the story mentioned above has been perused by me and it has been given a careful detailed study by Special Agent Walter M. Bott, who since the latter part of December has been assigned almost exclusively to investigations at the United States Penitentiary at Atlanta, Georgia. Agent Bott has also kept alert while conducting his other investigations at the penitentiary in order that he might secure indirectly anything pertinent to the various alleged activities of Al Capone enumerated by the author of the story. Due to the fact that Agent Bott has spent approximately three months time working in and around the penitentiary, he is now somewhat conversant with conditions there.

RECORDED & INDEXED 62-28933—73

A review of the manuscript reveals allegations of infractions of prison rules by inmates who were purported to have been employed by Capone to furnish him with special comforts. According to this story, Capone enjoyed better food and clothing than other prisoners and is alleged to have paid for these favors by having his brother give certain specified amounts of money to the relatives and friends of his inmate benefactors. The manuscript implies that practically all of the officials of the penitentiary connived with Capone to violate prison regulations. Specific accusations, however, are very few and indefinite.

MAR 31 1936

The specific pertinent allegations appear to be as follows: [redacted], formerly a guard at the prison, is accused of having taken uncensored mail out of the institution for Capone. [redacted]

b7C

COPIES DESTROYED
64E AUG 20 1964

3/26/36

147

[redacted] at the prison hospital, is reported to have approved special diets and professional treatments to which Capone is alleged to have not been entitled. Both of these allegations have been made heretofore and were given investigative attention by the Bureau prior to the receipt of the manuscript at this office. Both [redacted] and [redacted] have been interviewed. b7C

There are only three incidents set forth in the manuscript which appear to relate directly to the subject of contraband. First, there is an allegation to the effect that Capone would knock a tennis ball over the prison wall while playing tennis, and immediately afterward a different tennis ball would be returned over the wall from the outside. There is a suggestion that the substituted tennis ball contained narcotics. My knowledge of the prison and the surrounding terrane leads me to believe that this allegation is ridiculous to the extreme. Secondly, [redacted] is supposed to have brought such articles as underwear into the institution for Capone's use. Third, [redacted] is reported to have taken uncensored mail out of the penitentiary, particularly in connection with the delivery of sums of money to the relatives or friends of Capone's inmate benefactors mentioned above. Of course, the fact that [redacted] may have brought underwear into the penitentiary, and the fact that a guard may have taken uncensored mail out of the penitentiary, are altogether possible.

Personally, I am of the opinion that there is nothing in the manuscript which would aid the Bureau in furthering the investigation of this matter. I am inclined to believe that the only useful purpose which the manuscript might serve would be to have it handed to the Warden of the penitentiary for his information. It might aid him in the administration of the prison. At least, the Bureau might desire to have the contents of the manuscript discussed with [redacted] in order to secure his reactions. BOP

Very truly yours,

E. E. CONROY,
Special Agent in Charge.

148

EFE:AEK

62-28935 -75

RECORDED

March 26, 1956

Special Agent in Charge,
Atlanta, Georgia.

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

Dear Sir:

Reference is made to your letter dated March 23, 1956 advising that the manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary" has been carefully studied and that there appears to be no specific accusations or apparent allegations which would require investigation by this Bureau in connection with the above entitled case.

The Bureau can see no objection to your discussing the contents of the manuscript with Warden A. C. Aderhold, in order to obtain from him his reactions and opinion as to the possibility of the alleged incidents and acts having occurred. For your information, however, this manuscript has previously been brought to the attention of Mr. Sanford Bates, Director of the Bureau of Prisons, and the information contained therein may possibly have been referred to Warden Aderhold by him.

Very truly yours,

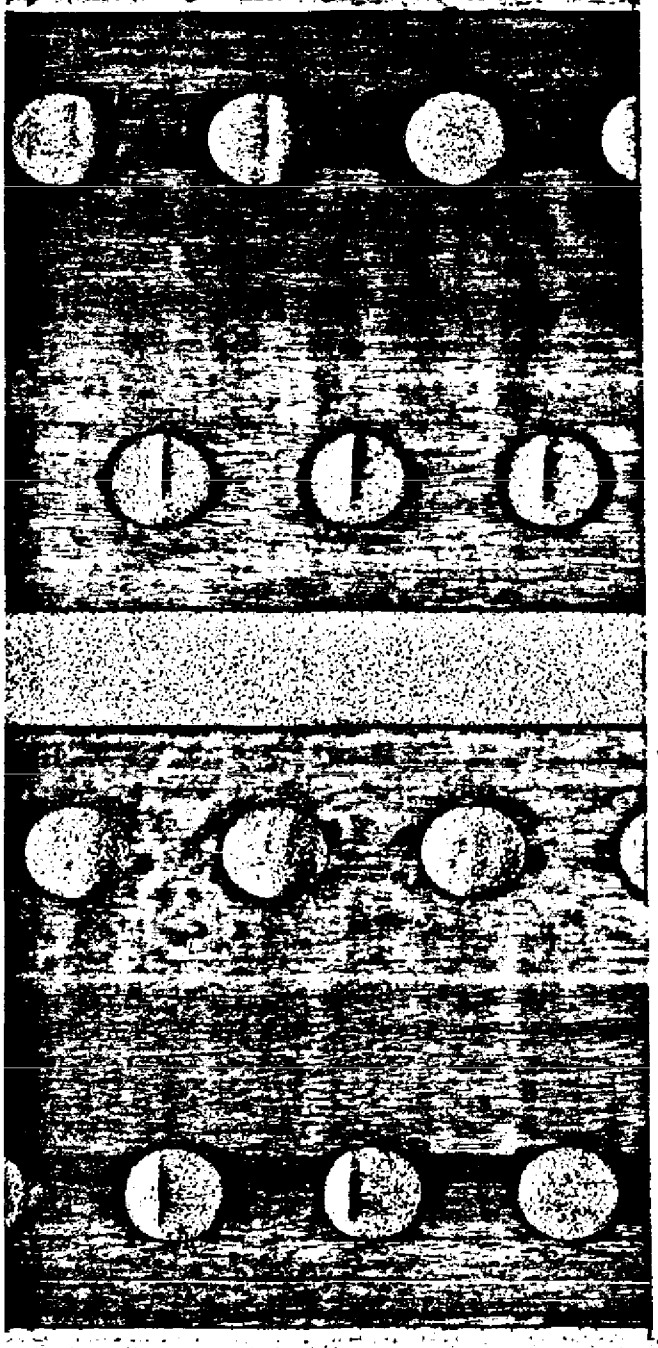
John Edgar Hoover,
Director.

Mr. Nathan
Mr. Tolson
Mr. Broshman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Ewin
Mr. Fenwath
Mr. Harbo
Mr. Joseph
Mr. Leith
Mr. Lester
Mr. Quinn
Mr. Tamm

COMMUNICATIONS SECTION
MAIL ROOM
MAR 30 1956
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECEIVED BY FBI
MAR 30 1956
U.S. DEPT. OF JUSTICE

149



OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Mr. Nathan
Mr. Tolson
Mr. Boughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Trapp
Miss Gandy
Mr. Kleinhaut

Record of Telephone Call of Visitor.

July 25, 1936.

Time 4:05 P.M.

Name [redacted]

Va., tele. locally.

Referred to

Details:

[redacted] stated he had just got into town enroute to New York and wanted to see the Director. When informed the Director was out stated he wanted to talk to him about a gangster with the Capone gang. Was asked if he desired to speak with anyone else and stated no. Then inquired if a person named [redacted] worked here and if so to have [redacted] write him at New York in care of the Post Office at the 52nd St. station.

RECORDED & INDEXED
A.S.

62-28933-74

Files disclose that [redacted] wrote to Bureau 8/27/35 offering to furnish information re Dutch Shulz. Was advised 9/5/35 that Bur. conducting no investigation on this person and referring him to Bureau of Internal Revenue, Treasury.

JUL 30 1936

TALK ONE FILE

150

Birmingham, Ala.
Oct. 8, 1936.

HAS:Mc
62-756

Special Agent in Charge,
Atlanta, Ga.

RE: ALPHONSE CAPONE, with aliases; et al;
Conspiracy to Receive and Send Contraband
Out of the U. S. Penitentiary, Atlanta, Ga.

Dear Sir:-

A review of the file entitled [redacted] alias [redacted] who was recently placed on probation by the U. S. District Court, Northern District of Alabama, at Birmingham, Ala., after entering a plea of guilty to the [redacted] violation with which he was charged, reveals a copy of a letter in the above entitled case dated May 17, 1935, in which it appeared that possibly [redacted] would supply material evidence in connection with the violation of ALPHONSE CAPONE while incarcerated in the U. S. Penitentiary at Atlanta, Ga., should he [redacted] receive consideration by the Judge in sentencing him.

A review of instant file however reflects only one serial, namely a copy of a letter dated Sept. 20, 1935, addressed to you, with which there was transmitted the entire file of the Birmingham office and in which information appeared that no further investigation as regards [redacted] should be conducted by this Bureau. It is thought desirable, however, at this time that should you desire [redacted] to be reinterviewed for any possible information in his possession, that same may be arranged through the cooperation of the U. S. Probation officer here. However no further investigation in this regard is being undertaken by the Birmingham Field Division unless so requested.

Very truly yours,

62-28933

E. A. Soucy,
Special Agent in Charge.

CC: Bureau

151

Altoona Pa
Oct 11, 1938

B.F.I. Washington D.C.

Dear Sirs:

The City Fireman at P.R.R. Fire Station Altoona Pa. had an argument in regard to where Al. Scarface Capone was born, and if we could it was possible to have him decided, and if so on what evidence.

I would like to have you give us an authentic, correct and concise answer.

J.W. Reese P.R.R. Fire Station

Oct. 10/18/38
Pittsburgh

RECORDED & INDEXED

62-28933-75

FEDERAL BUREAU OF INVESTIGATION
OCT 12 1938
U. S. DEPARTMENT OF JUSTICE

ONE NICHOLS

152

SUBJECT Capone, Al Phonse

FILE NUMBER 62-28933

SECTION NUMBER 2

SERIALS 76-77

TOTAL PAGES

PAGES RELEASED

PAGES WITHHELD

EXEMPTION(S) USED.

Federal Bureau of Investigation

United States Department of Justice

Atlanta, Georgia
October 13, 1938

FB/D
62-18

Director
Federal Bureau of Investigation
Washington, D. C.

Re: ALPHONSE CAPONE, with aliases;
et al. Conspiracy to Receive and
Send Contraband Out of the U. S.
Penitentiary, Atlanta, Georgia

Dear Sir:

Reference is made to letter from the Birmingham Office, to Atlanta, dated October 6, 1938, wherein reference is made to [redacted] alias [redacted] Reference is also made to Bureau letter to Birmingham dated September 14, 1935. b7C

In view of instructions contained in the second reference letter, no further action will be taken in this connection in the absence of instructions from the Bureau to the contrary.

Very truly yours,

J. W. Vincent
J. W. VINCENT, T.B.
Special Agent in Charge

cc: Birmingham

RECORDED & INDEXED

62-28933-76

FEDERAL BUREAU OF INVESTIGATION
OCT 15 1938

FUGITIVE ONE

154

6/1

ERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

9978

Laboratory Report

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

Number: 62-28933-

Specimens:

62-28933- A Photostatic copies of two hundred and forty four pages of the typewritten Biography of Al Capone's Life in the Atlanta Penitentiary.

" B One photostatic copy of a typewritten letter addressed to Real Detective Story Magazine dated April 29, 1935 and beginning, "Friday noon, April 26th, 1935, I called on Mr. Mickam....."

" C One photostatic copy of a typewritten letter addressed to (Continued below)

Examination requested by: Director.

Memo 6-1-36 NJP

Date received: chp 5-28-36 4:00 P.M.

Examination requested: Document

Result of examination: 5/29 Examination by: Blackburn
(Continued from above)

62-28933- C Mr. R. M. Mickem dated May 10, 1935 and beginning, "I trust you have had an opportunity to read....."

" D Eleven photostatic copies of newspaper clippings regarding Al Capone.

" E Seventeen photographs.

" F Twenty two photostats of prison records for United States Penitentiary at Atlanta, Ga.

Specimens have not been photographed.

A 1N i N j N w a b (2) d N

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C 1N i N w a d N

155

A – Typewriting by
elite royal – 417

a ⊏ M ⊏ I ⊏ i → r ← g ← heavy
m ↑ occasional w ↑

B. Typewriting on Royal Elite.

a ⊏ M ⊏ I ← i ⇄ r ← g ← heavy
m ↑ occasional w ↑

(Wood Baltimore)

C. Typewriting on Royal Elite.

m ↑ occasional w ↑ I ⊏ i r g ← heavy
a ↑
a ⊏ M ⊏

all three specimen on royal elite
and on same typewriter.
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on machine with serial no larger than 598000.

Norman believes any of the rest of the
material in this examination.

156

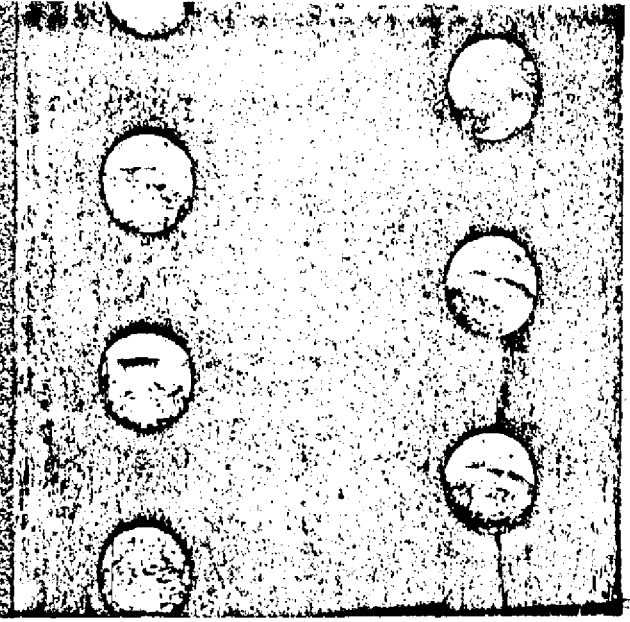
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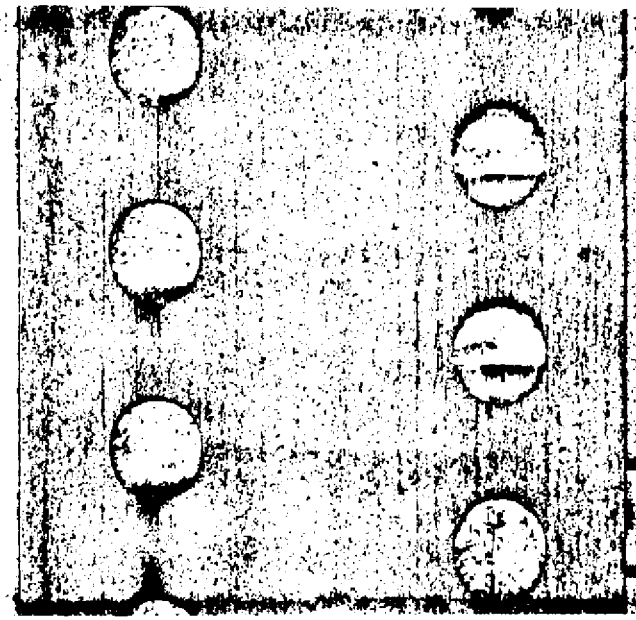
62-28933-77
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65-28933-455X

FEB 6 1957

Mail

C





BI:PW
STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : E. P. COFFEY

DATE: 6-27-45

FROM : H. B. LONG

SUBJECT: Alphonse Capone, with aliases; et al;
Conspiracy to receive and send Contraband out of the U. S. Penitentiary, Atlanta, Ga.
Bureau File # 62-28933

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Jones
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

The file maintained in the Laboratory in this case has been disposed of and there is attached an envelope containing the material which was in the Laboratory File and which is not duplicated in the Investigative File. It is desired that the Records Section file this as an enclosure behind the file.

ENCL. BEHIND FILE

62-28933-78
NOT RECORDED
32 JUN 30 1945

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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.

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

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62-28733-78

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159

Father's Day at Alcatraz—for the Capones

BY ERNEST LENN

It was father's day on Alcatraz the other day.

In a dramatic meeting Al Capone saw his son for the first time in five years. They scarcely recognized each other.

They had been strangers since 1933, when Capone was sentenced to prison for income tax evasion. The son, then, was a youngster of about 14, kept unaware of his father's gangland activities.

He knew his father only as a busy man who came home tired, lavished affection on him, and who had once played tin soldiers with him on the floor.

Capone, then, was the underworld big-shot. Those were the days when gorillas and torpedoes meted out "handfuls of clouds"—death—and machine guns chattered like noisy typewriters in Chicago's streets.

He was the fastidious dresser who flaunted finely woven, pearly gray suits. Yet who, in the security of a hideaway home, parted with his retinue of 18 bodyguards who flanked him like a Maharajah's escort and protected his wife and young son like any other father.

When they met in Alcatraz, they stared at each other. For both had changed.

Capone looked at the young man in a college-cut suit, poised and tall, on summer vacation from an Eastern college, and muttered, "My boy."

The son looked at the short man in the ill-fitting gray prison uniform, the uniform of the toughest men in the country, and said, "Dad!"

Capone wanted to take him by the shoulders, and hold him, and thump him affectionately on the back.

The boy wanted to put his arm around his father and tell him he understood, and that in no time he would be out, and they could start all over again.

But they couldn't. This was Alcatraz. This was the visiting room, where plateglass separates you, and you talk through a narrow slit in the glass, with a guard looking at you all the time.

Capone moped about his cell glumly after his son had left.

"I tried to keep all this from the kid, when he was little," he muttered. "I tried to be a good father. I didn't want him to know about me. Now he comes and sees me here, like this. It must have hit him between the eyes—"

Word of the meeting streaked through the prison. Convicts buzz-buzzed it in the shops, whispered it out of the sides of mouths in the mess hall. It got to the dungeon, and solitary, via the thumpings and bangings that are the special grapevine.

Sentimental softies that they are—even though they're the nation's toughest criminals — the convicts glowed, and waggled their heads approvingly, and said it was decent of the kid to come.

And those who had children of their own were strangely silent.

And the spirit of Father's Day permeated each and every cell.

1?- 3933-A

Capone's Son Visits Alcatraz



'Twixt sky and sea down steps that lead to a yard, over concrete that leads to the shops, through green that mocks their own drab array, moves a long line of convicts each morning—a picture, snapped from a ferry by a News-Acme photographer, is one of the most dramatic ever taken of The Rock. It also reveals a new style trend on the island—the men are wearing their old tan uniforms. The change was recent.

the men of Alcatraz. This pic- "summer gray" instead of the

Capone Appeals for Freedom

CHICAGO, May 29. — Attorneys for Alphonse (Scarface Al) Capone, imprisoned Chicago gangster, moved today to clear the way for permanent freedom for him when he is released from Alcatraz Prison, supposedly next year.

~~62-18014~~

62-28933-A

WASH. TIMES

MAY 29 1937

Life on the Rock Shows Case Hardened Criminals They Can't Beat the Law

Warden James A. Johnston of Alcatraz prison, in an interview authorized by Atty. Gen. Cummings, tells here the behind-the-scenes story of the life of Al Capone and other criminals confined on "the rock" in San Francisco bay. This is the first of three articles presenting for the first time a complete account of conditions, administration and policies at Alcatraz.

By ALFRED P. BECK

OAKLAND, Calif.—They can't be reformed! The federal prison on Alcatraz island is an institution of punishment, not of reformation.

A prisoner at Alcatraz, dread "devil's island" of America, not only gives up his identity for a number but he loses his individuality and becomes, as far as his warders can make him, an automaton, entirely subservient to the strict rules of the penitentiary.

There is little or no hope of preparing men, regarded as tough enough for confinement on the island, to be useful citizens upon their release. The men on the bleak, 12-acre rock in the middle of San Francisco Bay, are case-hardened criminals.

Incorrigibles to Alcatraz

The main job is to impress on their minds a life-long lesson of the power of the United States government and a realization that they are not greater than the constituted authorities.

These and other facts of life on "the rock" were revealed by Warden James A. Johnston in an interview authorized by Atty. Gen. Homer Cummings.

"Alcatraz as a civil prison is an experiment which may have its effect on prison systems throughout the world," said Warden Johnston. "We get only the most perplexing problems—problems for the most part which cannot be solved in other prisons.

"No prisoner is ever sentenced directly to Alcatraz. All have been transferred from other institutions as incorrigible or to break up prison gangs.

"Other prisons have no way to control the type of men or the number which they receive. On Alcatraz we can handle only a limited number and take only those prisoners whose cases have been passed upon by prison boards and when their transfer is approved by the federal director of prisons."

Deflate Their Ego

With such notorious criminals as Al Capone, Machine Gun Kelly, Harmon Waley and Albert Bates on "the rock," Warden Johnston has a difficult task but he believes he is accomplishing the purposes for which the prison was established.

"We get the super-criminals of at least those with super ego, and our job is to deflate that ego," he explained. "We play them down, not up.

"We have had some tough customers, but I believe we have whittled them down to their proper size. We have brought all of them to the realization that they are not as big as they thought they were."

At the present time there are approximately 370 prisoners on escape-proof Alcatraz. That term "escape-proof" is used intentionally, for, according to Warden Johnston, an es-

CONTINUED ON PAGE 3, COLUMN 7

Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Dawsey .....
Mr. Egan .....
Mr. Foxworth .....
Mr. Glavin .....
Mr. Harbo .....
Mr. Joseph .....
Mr. Lester .....
Mr. Nichols .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....

62-28933-A

MILWAUKEE JOURNAL
MAY 24, 1937

Continued from page 1

cape from the island is next to impossible.

Everywhere, night and day, the prisoners are surrounded with safeguards impressing them with the helplessness of their position. Military trained guards, crack shots, schooled in the latest theories and practices of keeping a man confined, maintain an alert, 24-hour vigil.

Electric Eye Guards

The keen eyes and ears of the guards are supposed to see all, hear all. If by chance the human element should fail in alertness, there are mechanical safeguards which cannot be tampered with. At strategic points throughout the prison are located electrical metal detectors, which are both visible and audible.

No prisoner can enter a cell block or leave his place of work with a single piece of metal on his person, whether it is a gun, a knife or a tiny nail.

Should a prisoner, concealing a bit of metal, pass one of the electric detectors, lights flash, revealing the exact location of the metal, and a buzzer sounds.

Not only are the men inspected by the "electric eye," but every bit of raw material, foodstuff and laundry entering the island is subjected to the same mechanical scrutiny as well as human inspection.

"We take no chances," said Warden Johnston. "We cannot afford to relax for an instant."

All of the cells and bars are built of tool-proof steel.

"No tools, which could be smuggled into the prison or made by the prisoners, themselves, can make a dent in this steel," the warden explained.

One Tried to Escape

If by some unforeseen relaxation in vigilance a prisoner should happen to scale the wall of the recreation yard or make a break while outside the enclosure, there are strands upon strands of barbed wire skirting the entire border of the island.

"The wire, which follows the edge of the island, is not so much to stop an escaping prisoner," Warden Johnston said, "but to slow him down."

"How many prisoners have attempted to escape since the department of justice took over Alcatraz from the army?" the warden was asked.

"One," he replied grimly, "and that one died."

The one break for freedom was made by Joe Bowers, a mail robber, on Apr. 27, 1936. Bowers, working at the incinerator outside of the main prison walls, tried to climb the barbed wire.

Alert guards called for him to halt. Bowers kept on, climbing to the top of the wire. Below was the churning surf and jagged rocks. Two shots sounded. Two bullets struck Bowers and he tumbled out, head first, to the rocks 50 feet below. Not only were the bullets fatal but Bowers' neck was broken.

Other prisoners did not consider Bowers' break as an attempt to escape. The imprisoned mail robber went "stir crazy" is the way the prisoners explained it. He chose death to continued confinement on Alcatraz.

Prisoners "Dressed In"

The first impression a prisoner receives of Alcatraz may not be unpleasant. True enough, the island is rocky and bleak but there are a few trees, palm and pine, growing in the rocks and the buildings are neat and clean.

But lined up to receive the prisoners is a reception committee of waiting guards with ready rifles. The guards are dressed in trim blue uniforms of a military cut. One glance at the guards and the prisoners know they mean business. The alert rifles are the first lesson in obedience.

The prisoners are marched up the steps. A guard in the office makes certain of their identity. They want to make sure they are getting the right men, for it's mighty hard to get off "the rock" once you get on.

"Then," said Warden Johnston, "we dress them in."

The "dressing them in" business as practiced at Alcatraz serves a double purpose. It doesn't mean what it sounds like. Literally, it's undressing them in.

In the first place, this operation provides the guards an opportunity to make a thorough search for any hidden weapons and, secondly, it serves further to deflate the prisoner's ego.

It is lesson No. 2 in the course on obedience.

"I never saw a naked man yet who could maintain any sort of dignity," said Warden Johnston. "There is very little egotism left in a man when you parade him before other men in his birthday suit."

Firm but Just

The doctors next take the prisoner in hand. He is given a complete medical examination. This may take anywhere from one to 10 days, during which time the prisoner remains in quarantine.

During the quarantine period, Warden Johnston talks to the new prisoners. The gray haired prison chief, with years of experience at Folsom and San Quentin behind him, explains the rules of the prison fully and the convict is impressed with the fact that no infractions will be tolerated.

"We try to be firm but just," Warden Johnston said. "We tell the prisoners what they have to do and that as long as they obey the rules without question we'll get along together. But once they try to violate a rule, then we step on them."

If a prisoner is found to be in need of medical attention, he is so classified and, according to the warden, receives better treatment than the average person on the outside.

Conversation Restricted

About this "rule of silence"—a rule often complained of by departing prisoners.

"There is no absolute rule of silence on Alcatraz," Warden Johnston said. "There are places where we do not permit talking and there are places where we do.

"The prisoners at work are allowed to talk to men in their own shops on matters referring to their work. In the yard there is no restriction to conversation during the recreation period, except when the men are en route to and from their cells.

"General conversation is not permitted in the mess hall during meals or while the men are marching in. They are permitted to ask for food to be passed them from the man across the table or beside them but they cannot talk to a person behind them or at a distance away.

"In the mess hall and at work, conversation is restricted to the absolute necessity. Otherwise, they must remain silent.

"This so-called man breaking 'rule of silence' does not exist throughout the prison."

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An American You Should Know

Irey Brings 30 Million Dollars to U. S. Annually.

BY DELIA PYNCHON.

THE chase goes on for tax evaders. Elmer Irey, chief of the intelligence unit of Internal Revenue, Treasury Department, with a force of 215 special agents, extracts from shy taxpayers about 30 million unexpected dollars a year.

Irey has been 30 years in Government service. Almost he qualifies as a "cliff dweller." At the age of 5 he moved to Washington from Kansas City, where he was born. Educated in Washington public schools, with a year's sniff of law at Georgetown, Irey was holding a clerk's job at 19 in the Post Office Department. For 12 years he worked up inside and outside as the "eyes and ears" of the postmaster. Athletically speaking, he is "no bench warmer." Criminal investigations have sired qualities of physical and mental activity. Here is a man, you say, who will not give up nor lose his good nature, his ready smile.



Elmer Irey

The intelligence unit harks back to war times. In 1917 Daniel C. Roper, present Secretary of Commerce, was appointed commissioner of internal revenue.

"Almost over night," Irey says, "Roper was charged with the duty of building up a tremendous organization to take care of work incident to the new income tax and other tax laws to raise money for war needs." Roper sent for Irey. The intelligence unit was born in 1918, with Irey its first chief from inception to date.

Volume and needs increase with the Nation's growth. Internal Revenue personnel is now 24,000, Treasury, 85,000. The unit investigates all income, inheritance and miscellaneous tax evasions. It investigates all charges affecting Internal Revenue personnel, attorneys and agents practicising before the Treasury Department and all persons being considered for appointment to responsible positions in all branches of the Treasury.

Tax evaders have continued hopeful. Irey has had some dramatic cases. For two years he worked on Al Capone and his "gang" before these public enemies "took the count" on tax evasions. The "big shots" in New York racketeering came next. Forty-seven gamblers, bootleggers, public officials and a new type of racketeer, who exacted tribute from legitimate business—all landed in jail. The movie colony came in for a bit of undesirable publicity. In excess of several millions was collected from tax-shy "stars."

Mr. Nichols ✓
Mr. Tolson ✓
Mr. Ladd
Mr. Clegg
Mr. Coffey
Mr. Carson
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Jones
Mr. Leibert
Mr. Nease
Mr. Quinn
Mr. Scott
Mr. Tracy
Miss Gandy

62-28933-A

WASH. STAR

MAY [illegible] 1935

Mr. Nathan .....
Mr. Tolson .....
Mr. Backus .....
Mr. Baughman .....
Chief Clerk .....
Mr. Clegg .....
Mr. Conroy .....
Mr. Edwards .....
Mr. [illegible] .....
Mr. [illegible] .....
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Mr. [illegible] .....
Mr. [illegible] .....
Mr. [illegible] .....
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Mr. [illegible] .....
Miss Candy .....
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7 Feb 6 37

CAPO[illegible]R TAX [illegible]NS FIXE[illegible] AT $157,416

AL CAPONE

Al Capone's civil income tax obligations have been stipulated as $157,416 for the years 1924 to 1929, the United States board of tax appeals announced yesterday in Washington. Capone's attorney, Michael Ahern, appealed from original claims of $222,842 and the stipulation was the result. Capone is serving an eleven year prison sentence at Alcatraz Island in San Francisco bay.

Cases against five of Capone's associates were also settled, the board announced, as the result of Chicago hearings completed Monday. The cases were those of Capone's brother, Ralph, Jack Guzik, and James, Frank and Louis Mondi. The five claimed that the government had erroneously computed their taxable income on the basis of "unidentified bank deposits."

The claims were scaled down as follows: Ralph Capone, from $311,282 to $69,608; Guzik, from $832,752 to $378,534; James Mondi, from $107,563 to $51,021. Frank Mondi agreed to an assessment of $26.50 in taxes and $6.63 in penalties and Louis dropped his appeal of $20.41 in taxes and $10.21 in penalties.

Chicago Tribune

MAR 2 6 1936

U. S. AND CAPONE CLAN TALK TAXES

Some Agreement Reached on Amounts Owed—How to Collect, Next Question.

By the Associated Press.

CHICAGO, March 12.—The big-time "collectors" of 1924-1928—the Capone clan—yesterday came to some agreement with Uncle Sam on what the Treasury Department "may" collect on back income taxes, the books at a million a ter dollars.

Attorneys for the Un Board of Tax Appeals a for various members of th syndicate, negotiated amount which the Gove settle for.

Ralph Capone, brother has already served a pri for tax evasion, will be pay $69,508 to settle claim.

Jack Guzik, Capone li like Al serving a term f tax delinquencies of $37 pared with the Govern 752 claim.

James Mondi, gambler

ment decided, ~~must pay~~ $81,021 of a $207,562 assessment.

The appeal of Al Capone, scheduled to be heard today, was postponed until Monday. Al's bill read $322,842.

Just what is going to be done to get the cash in the till was not indicated.

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 .....

WASH. STAR.

62-28933-17

MAR 12 1935

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

ALCATRAZ (CAPONE)

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

ANOTHER DAY FOR CAPONE

CHRISTMAS BRINGS NOT A REAL CARD



SAN FRANCISCO, Dec. 23.—(U.S.)—Al Capone, "Machine Gun" Kelly and the rest of the tough boys at Alcatraz will know it's Christmas tomorrow, but not by the presents they get.

Warden James A. Johnston disclosed today that no packages have been or will be delivered to prisoners, not even after a close inspection by guards.

Christmas cards delivered to the rock-bound fortress in San Francisco Bay have been copied in the warden's office, and typewritten transcripts are delivered to the convicts.

The only Christmas present the inmates will receive, it was intimated, will be the pack of trained police dogs assigned to Alcatraz by authorities in Washington. The dogs are in training elsewhere, and may be shipped here in time to spend Christmas watching Uncle Sam's prize "bad boys" to see that they don't get away.

62-28933-A

Chicago Herald & Examiner

12-24-34

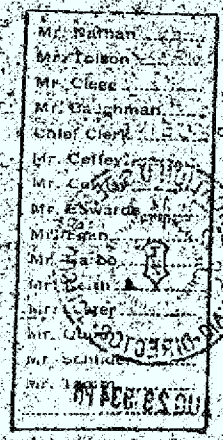
Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Badgeman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

WDNS66

LEGAL ADVISORS OF AL CAPONE TODAY FILED WITH THE SUPREME COURT A PETITION FOR A WRIT OF CERTIORARI, WHICH, IF GRANTED, WOULD MEAN THE COURT WOULD REVIEW THE DECISION OF THE LOWER COURT BY WHICH THE GANGSTER WAS DENIED A WRIT OF HABEAS CORPUS.

8/28--R141P

62-28933-A



Jail 'Overworld' and Capones Will Vanish, He Feels

Editor, The News:

TERROR is driven into the heart of the underworld by sending Al Capone to the American Devil's Island for failure to pay his income taxes!

What a travesty all this pother concerning the underworld while on a wholesale scale the "overworld", the big bankers, profiteers, food gougers and rent sharks, spread suffering to millions!

There is this difference: Al Capone and his like take from the rich while the profiteers and financial buccaneers take from the poor. Also the latter are above the law; in fact, they put up the money to elect men who will make laws in their favor.

There is warfare in every Congress, equal to any gangland warfare between the few men who are fighting for the poor people and the representatives of the munitions trust, the steel trust, the cotton trust and others.

If we could send all the labor-exploiting, consumer-gouging individuals to Devil's Island, then wipe out the whole profit-motive system by government ownership, our Al Capones would automatically disappear.

ROBIN HOOD.

WASH. NEWS AUG 27 1934

62-28933-A 100-5

Mr. Capone's lawyer still protests against moving his famous client from Atlanta to the Government's prison for "bad men" on Alcatraz, rocky island just inside the Golden Gate of San Francisco.

You sympathize with the lawyer, his prosperous client

(Continued on Page 2, Col. 3)

(Continued from First Page.)

suddenly walked to a point three thousand miles away.

Capone is said to be indignant because the warden of Alcatraz plans to "keep him away from all contact with his former underworld associates."

He and the other alleged "bad men" will be isolated, no baseball club, not even a radio. Well may Mr. Capone say "You might as well be in jail."

He may, like a distinguished prisoner of long ago, find comfort and encouragement watching some spider spin its web, never discouraged. But one spider is poor amusement compared with a good radio set.

WASH HERALD AUG 25 1934

62-28935-A

N.Y. Eve. Journal 8-23-34

Evening Newspaper * * THURSDAY, AUGUST

Capone Glimpses New Bridge from Alcatraz Island Prison

By WEBSTER K. NOLAN.

ALCATRAZ FEDERAL PENITENTIARY, SAN FRANCISCO, Aug. 23 (By International News Service). — From this bridgeless islet around whose rocky apron a swirling sea races toward the Golden Gate, "Scarface" Al Capone, erstwhile monarch of the underworld, today gazed at the gaunt half-completed steel skeleton of the world's two mightiest bridges.

They seemed to mock the linkless loneliness of this Gibraltalike "Devil's Island" that is now the home of the former gangster king and of 99 lesser entities from the nether life.

Capone and a select assortment of the country's most desperate felons were brought here from Atlanta, manacled in pairs on a traveling fortress that did not disgorge its human cargo until Alcatraz itself was reached.

FETTERED TO SEATS.

Chained and bolted in their "chair car" seats, Capone and his 52 companions of the bizarre tour were released only when the barge carrying their "private cars" moored at the Alcatraz Government wharf.

It was the first time in the history of this grim little islet in midstream that a train had touched its steep and rocky shores.

Warden James S. Johnston said the famous aggregation of convicts is making itself at home and apparently likes the new surroundings, that is, compared to the penitentiaries.

"No one will ever know the name or number of a prisoner on Alcatraz," said Warden Johnston.

Within a few hours after the transfer had been effected, all the newcomers had been photographed, fingerprinted, numbered and garbed in the new raiment specially provided by the Government for its Alcatraz prisoners.

12-28933-A

(By Telegraph to the Associated Press.)

SAN FRANCISCO, Aug. 22.—Al (Scarface) Capone and fifty-two other segregated prisoners slept tonight in their cells on Alcatraz Island, the new federal prison where horns bellow throaty blasts when fog sweeps through the Golden Gate.

The former gang leader of Chicago and his fellow prisoners arrived at the new prison today from Atlanta penitentiary, where an escape plot had been discovered and quickly were locked in cells declared to be escape-proof.

Extreme secrecy surrounded the transfer of the convicts from the special armored prison train to the bleak, 12-acre island in San Francisco Bay, a mile and a half from the mainland.

A coast guard cutter, guns ready for any emergency, maneuvered near-by as a barge carrying the three prison railway coaches was towed to the island dock.

CONFIRMATION FROM WASHINGTON.

Warden James A. Johnston, who directed the bringing of the prisoners from the mainland, even refused to admit that Capone was among the group until Sanford Bates, director of the federal prison bureau at Washington, admitted the former Chicago gangster had been sent to the so-called American "Devil's Island."

The train, which left Atlanta Sunday, was brought to Tiburon, a small town on the bay's edge north of Alcatraz by a circuitous route.

This was done to prevent any possible attempt of confederates to liberate the prisoners who were chained in pairs to the seats of the coaches.

Crowds gathered at the small stations as the train neared its destination, but guards kept curious spectators at a safe distance.

CRY FOR "AL" UNHEEDED.

At one station a cry went up for "Al" but Capone did not answer.

Two of the three coaches were occupied by the prisoners and guards in the other kept constant watch.

Warden Johnston was waiting as the barge, docked at Tiburon, and the custody of the prisoners was turned over to him by Warden A. C. Aderholt of Atlanta.

Capone received the same treatment as the other prisoners upon his arrival at the island.

The convicts received numbers from 49 to 101, as forty-eight numerals already had been used for forty-seven prisoners already on hand and one man had been sent to Folsom prison with an Alcatraz number.

The new prison, formerly an army disciplinary barracks, once was an old Spanish fortress.

Swirling tides lash at its rocky sides and although trained swimmers have paddled to and from the island, prison officials said it was unlikely that any of the prisoners ever would escape by attempting to swim ashore.

In Washington, Bates also confirmed the transfer of James Carson and "Prisco" Eddie O'Brien. He declined to name others in the group.

THE KANSAS CITY TIMES, THURSDAY, AUGUST 23, 1934.

CAPONE IN ISLAND CELL

BAY PRISON OF ALCATRAZ GETS FORMER GANG CHIEF.

Guns of Coast Guard Cutter Cover Final Stage of Transfer of Two Carloads of Atlanta Prisoners.

(By the Associated Press.)

SAN FRANCISCO, Aug. 22.—Al (Scarface) Capone and fifty-two other segregated prisoners slept tonight in their cells on Alcatraz Island, the new federal prison where horns bellow throaty blasts when fog sweeps through the Golden Gate.

The former gang leader of Chicago and his fellow prisoners arrived at the new prison today from Atlanta penitentiary, where an escape plot had been discovered and quickly were locked in cells declared to be escape-proof.

Extreme secrecy surrounded the transfer of the convicts from the special armored prison train to the bleak, 12-acre island in San Francisco Bay, a mile and a half from the mainland.

A coast guard cutter, guns ready for any emergency, maneuvered near-by as a barge carrying the three prison railway coaches was towed to the island dock.

CONFIRMATION FROM WASHINGTON.

Warden James A. Johnston, who directed the bringing of the prisoners from the mainland, even refused to admit that Capone was among the group until Sanford Bates, director of the federal prison bureau at Washington, admitted the former Chicago gangster had been sent to the so-called American "Devil's Island."

The train, which left Atlanta Sunday, was brought to Tiburon, a small town on the bay's edge north of Alcatraz by a circuitous route.

This was done to prevent any possible attempt of confederates to liberate the prisoners who were chained in pairs to the seats of the coaches.

Crowds gathered at the small stations as the train neared its destination, but guards kept curious spectators at a safe distance.

CRY FOR "AL" UNHEEDED.

At one station a cry went up for "Al" but Capone did not answer.

Two of the three coaches were occupied by the prisoners and guards in the other kept constant watch.

Warden Johnston was waiting on the barge, docked at Tiburon, and the custody of the prisoners was turned over to him by Warden A. C. Aderholt of Atlanta.

Capone received the same treatment as the other prisoners upon his arrival at the island.

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CAPONE LOSES OUTSIDE LINKS AT ALCATRAZ

Isolation From Old Pals in Crime Complete.

VEIL OF SILENCE

Orders to Break Contacts With Underworld To Be Carried Out.

SAN FRANCISCO, Aug. 23.—(AP)—Complete isolation of Al Capone, former Chicago gang chieftain, and other newly arrived convicts on Alcatraz Island, was announced today by Warden James A. Johnston. The move is to break any possible contact of the prisoners with their former underworld confederates.

"They are not even going to have an opportunity to know what goes on outside," Warden Johnston declared. "Those men were sent here because the Government wants to break their contacts with the underworld. That is going to be done."

Cut Off From World.

There isn't even a radio on the island, Johnston added, and the prisoners will not be permitted to read the newspapers.

"The prison is running along in a routine way today," the warden stated. "The new prisoners are being assigned to their duties, but we are not even going to let the outside world know to which duties they have been assigned."

May Be Shoemaker.

Attorney General Homer S. Cummings, who recently inspected the new Federal penitentiary, located on a 12-acre rocky island in San Francisco bay, emphasized the prison would be a means of segregating the more dangerous prisoners, and Johnston declared this idea would be carried out.

It was intimated that Capone would be put to work at a shoemaker's bench, the task to which he was assigned before his transfer with a group of other convicts from the Atlanta Federal penitentiary.

POST GAZETTE
PITTSBURGH PA
AUGUST 24 1934

62-28938 Serial A

AL CAPONE LOSES OUTSIDE CONTACT

Complete Isolation at Alcatraz Island Prison Announced by Warden.

By the Associated Press.

SAN FRANCISCO, August 24.—Complete isolation of Al Capone, former Chicago gang chieftain, and other newly arrived convicts on Alcatraz Island, was announced yesterday by Warden James A. Johnston. The move is to break any possible contact of the prisoners with their former underworld confederates.

"They are not even going to have an opportunity to know what goes on outside," Warden Johnston declared. "Those men were sent here because the Government wants to break their contacts with the underworld. That is going to be done."

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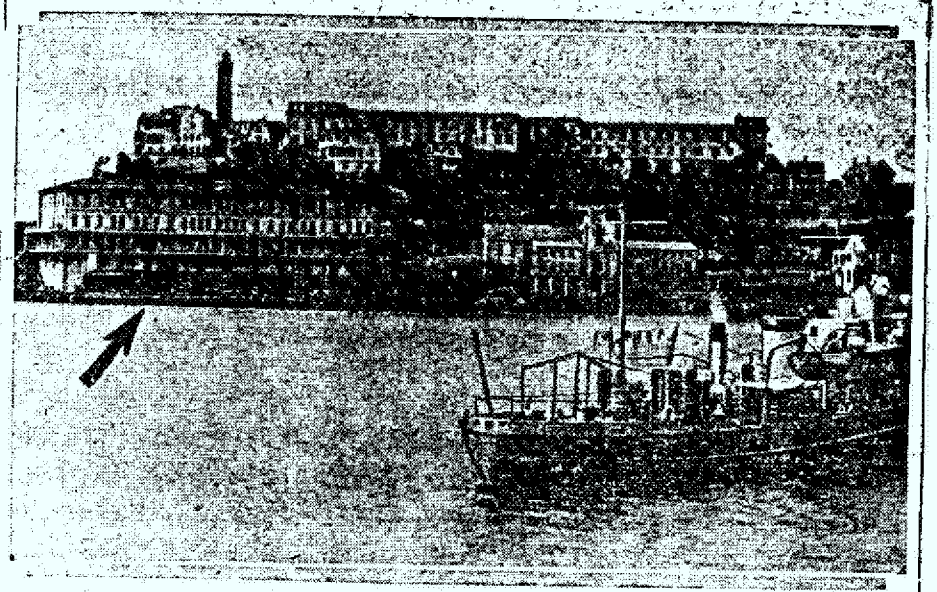
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Mr. Cowley
Miss Edwards
Mr. Lean
Mr. Harbo
Mr. Nichols
Mr. Leader
Mr. Quinn
Mr. Schilder
Mr. Tamm

WASH. STAR AUG 24 1934

62-28933-A

AL CAPONE ARRIVES AT "DEVIL'S ISLAND"



Al Capone and forty-two other dangerous prisoners were being unloaded at the "Devil's island" of the United States, Alcatraz prison, off the coast of San Francisco, when this picture was made. The prison train is seen on a barge at the dock in the distance. In the foreground is a United States coast guard cutter, which prevented all boats from approaching closer than 300 yards. [Daily News-Wide World photo.]

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62-28933-A
Chicago Daily News
8-24-34



Al Capone, former Chicago gang leader, was among a group of fifty-three prisoners who was taken to the new federal penitentiary on Alcatraz Island in San Francisco Bay recently. The photograph shows the three armored railroad cars at the right, which were taken to the island on a car ferry. The prisoners, under the watchful eyes of the guard carrying rifles, are shown leaving the coaches for transfer to the new cells on the prison island.

It was announced that Capone would resume his prison job as a shoe maker.

ISOLATION FOR CAPONE

EX-UNDERWORLD CHIEF COMPLETELY CUT OFF AT ALCATRAZ.

All Knowledge of Outside Events Will Be Prohibited by Government in Attempt to Break Gangster Contacts.

(By the Associated Press.)

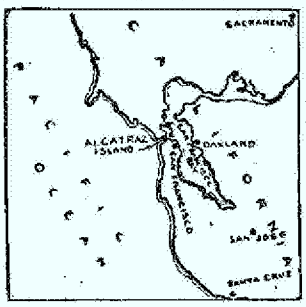
SAN FRANCISCO, Aug. 23.—Any possible contact with the outside world for Al Capone, former Chicago gang leader, and fifty-two other prisoners brought from the Atlanta prison, was cut off today by Warden James A. Johnston of the new federal penitentiary on Alcatraz Island in San Francisco Bay.

Strict orders to prevent the prisoners from communicating with their former underworld associates were issued by Warden Johnston in carrying out the orders of Homer S. Cummings, attorney general.

Cummings, on a recent inspection of the island prison, said it was the plan of the department of justice to "segregate" the so-called incorrigible convicts, thereby preventing outbreaks of trouble in other penitentiaries.

"They are not even going to have an opportunity to know what goes on outside," Warden Johnston said. "Those men were sent here because the government wants to break their contacts with the underworld. That is going to be done."

Letters to relatives will be censored.



THE SPOT WHERE ALCATRAZ ISLAND NOW CONFINES AL CAPONE AND OTHER NOTORIOUS CRIMINALS . . . . ONCE A SPANISH FORTRESS . . . . MILITARY PRISON SINCE 1858 . . . . THE OLD DUNGEONS HAVE YIELDED TO MODERN CELLS . . . . ONLY ONE SUCCESSFUL ESCAPE . . . . AN ISLE OF ROCK IN SAN FRANCISCO BAY.

Johnston said, and the convicts will not be permitted to have radios in their cells.

"The prisoners will not be denied recreation privileges, however," the warden added.

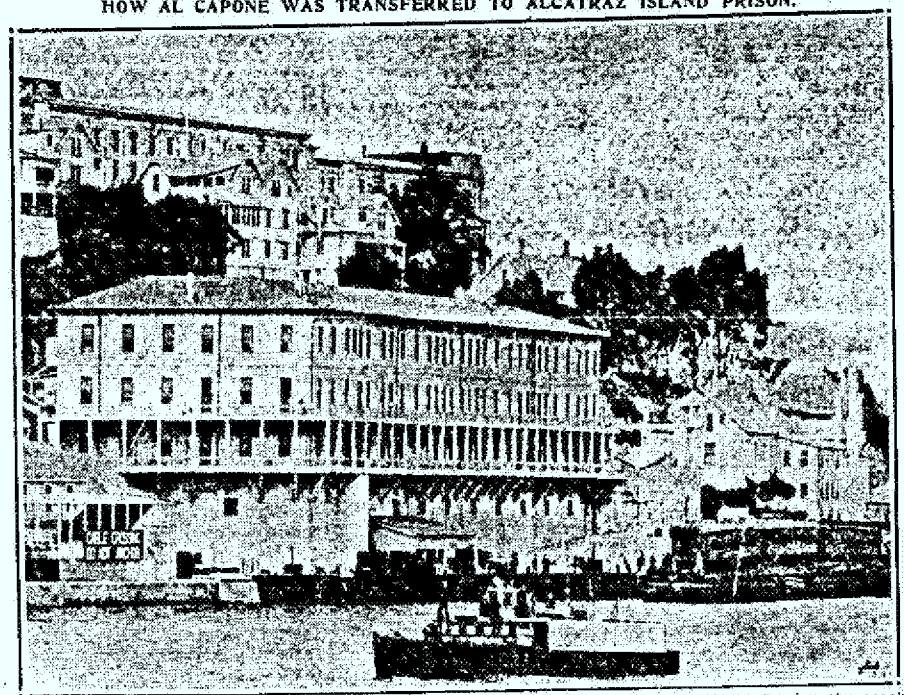
"The new prisoners are being assigned to their duties, but we are not going to let the outside world know to which duties they have been assigned," the warden commented. "The men are familiar with prison routine and there should be no difficulties encountered in establishing normal penitentiary life here."

Johnston, former warden at Folsom and San Quentin state prisons, became a grandfather today, with the birth of a girl to his daughter, Mrs. Nellie Parker, at Merced.

62-28933-A

THE KANSAS CITY TIMES, FRIDAY, AUGUST 24, 1934.

HOW AL CAPONE WAS TRANSFERRED TO ALCATRAZ ISLAND PRISON.



Al Capone, former Chicago gang leader, was among a group of fifty-three prisoners who was taken to the new federal penitentiary on Alcatraz Island in San Francisco Bay recently. The photograph shows the three armored railroad cars at the right, which were taken to the island on a car ferry. The prisoners, under the watchful eyes of the guard carrying rifles, are shown leaving the coaches for transfer to the new cells on the prison island.

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BREAK CONTACTS OF FORMER PALS AND AL CAPONE

San Francisco, Cal., Aug. 23.—(AP)—Complete isolation of Al Capone, former Chicago gang chieftain, and other newly arrived convicts on Alcatraz Island, was announced today by Warden James A. Johnston. The move is to break any possible contact of the prisoners with their former underworld confederates.

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62-28933-A Chicago Tribune 8-24-34

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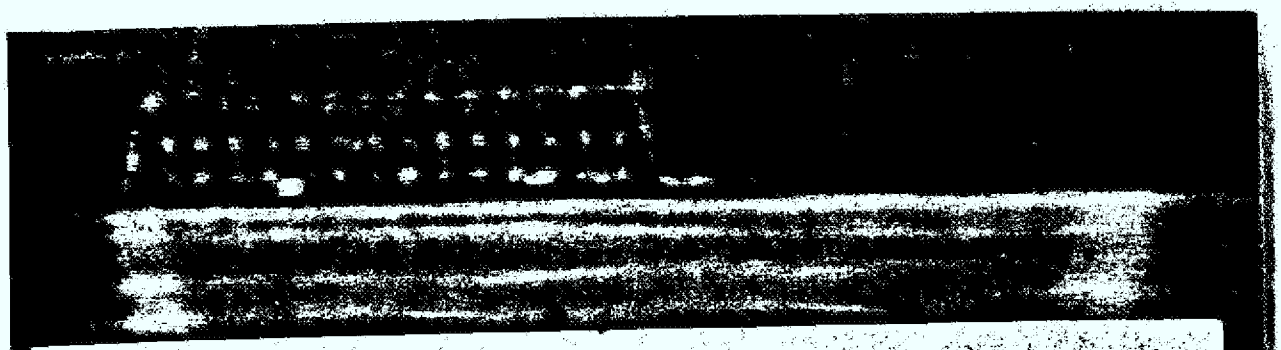
Al Capone resents being referred to as "public enemy No. 1." In view of the numerous exploits in crime, there seems to be no reason for acceding to Capone's desire to be retired from the head of his class.

WASH. STAR

AUG 24 1934

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Al Capone Loses His Identity in Cell at Alcatraz

Not Even Given Number as Worker in Prison's Tailor Shop

ALCATRAZ FEDERAL PENITENTIARY, SAN FRANCISCO, Aug. 23 (U.S.).—Al Capone, who once ruled an underworld kingdom but who now has not even a number to distinguish him from 99 other blue clad Federal felons, tonight awaited the order which is expected to send him to the prison tailor shop for eight years.

In the Atlanta penitentiary "Scarface Al" worked in the shoe shop and become proficient in the bootmaker's art. Now he will have an opportunity to turn out men's suits—but not the $150 variety he wore as the sartorially perfect "big shot" of gangdom.

NO OUTSIDE CONTACTS

Only by secret listings behind the grim walls of Alcatraz will the prisoners be known. Keepers cannot talk about the inmates, Warden James S. Johnston said today:

"No one will ever know the name or number of a prisoner on Alcatraz. If the identity of a prisoner is revealed, the disclosure must come from Washington. This is an island of no outside contacts for convicts."

Warden Johnston said Capone and the 52 others who came here with him manacled in pairs and chained and bolted in their "chair car" seats, apparently "approved of" the surroundings. There are now 100 Federal convicts on the "Isla de Alcatraces," or "Island of the Pelicans."

LIFE NOT CRUSHING

All were to be assigned today to routine duties, some in the shoe shop, some in the laundry. Some in the clean-up brigades, and some, including "the big fellow," to the tailor shop.

Although none but dangerous and virtually incorrigible prisoners will be assigned here, Alcatraz prison life will not be of the rigorous, life-crushing type the "American Devil's Island" description connotes.

Each Sunday the men will be permitted the comparative freedom of the prison yard, to engage in baseball games or any other recreational activities that can easily be arranged. Warden Johnson was careful to point out the inmates will not be "coddled," however.

WASH. HERALD AUG 24 1934

62-28933—A

Mr. Al Capone, able in his line, is indignant, his lawyers almost weep because Mr. Capone, in the dead of night, is transferred from the peaceful prison of Atlanta, Georgia, to the rock prison of Alcatraz Island, where Government keeps its "most desperate prisoners."

Mr. Capone, who says he has been "a model prisoner, as all his guards will testify," may be comforted by the suggestion that our Government sees in him some resemblance to Napoleon Bonaparte. Napoleon was a model prisoner on the Island of Elba, but did not stay there long, and, when he came back, made considerable trouble.

The British transferred him to St. ~~Helena, a~~ rocky, distant island, like Alcatraz, only more so. And there Napoleon stayed till he died, his corpse coming back in triumph, to be buried in Paris.

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WASH HERALD AUG 24 1934

62-28933-A Webb 9

Capone Is Isolated From Former Pals

Gangster and Others Are Shut Up in Alcatraz.

San Francisco, Aug. 23 (AP).—Complete isolation of Al Capone, former Chicago gang chieftain, and other newly arrived convicts on Alcatraz Island was announced today by Warden James A. Johnston. The move is to break any possible contact of the prisoners with their former underworld confederates.

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WASH. POST AUG 23 1934

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Al Capone and 42 Prison Pals Locked in New Island Cells

San Francisco, Cal., Aug. 22.—(AP)—Amid utmost secrecy, the government today imprisoned a group of 43 desperate convicts, including Scarface Al Capone, former Chicago gang lord, at the new federal prison on Alcatraz Island in San Francisco bay.

The official announcement that Capone was in the group came from Director Sanford Bates of the federal prison bureau at Washington shortly after the special train bearing the prisoners from the Atlanta penitentiary arrived here.

Train Shunted Several Times.

The train was shunted several times as it neared its destination to prevent any possible attempt to escape and to avoid crowds which gathered at towns along the route.

Warden James A. Johnston, who several days ago informed Attorney General Homer S. Cummings that "Alcatraz is ready," personally superintended the transfer of the desperadoes from the mainland to the fortress-like island prison.

A group of heavily armed federal men and guards from the new prison hastened to Tiburon, a town north of the island, as the train arrived. The cars then were switched to a large barge and a launch towed it to the island dock. Spectators were warned by the guards not to approach too closely.

Escape Plot Foiled.

The prisoners were brought here in the government's plan to segregate the more desperate characters. Atlanta prison officials also had reported an escape plot was brewing in the prison there and the convicts were removed Sunday night, four days ahead of schedule.

Capone's Atlanta attorney, Frank A. Doughman, said Capone had protested being transferred. He added his conduct had been classed as excellent by the Atlanta warden. The attorney expressed the belief the government might eventually take Capone to McNeil Island prison near Seattle, Wash.

62-28933-Encl A

Chicago Tribune
8-23-34

Mr. Nathan
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A Model Prisoner.

Transfer of Al Capone from Atlanta Penitentiary to Alcatraz Island, in San Francisco Bay, along with nearly half a hundred other prisoners, is reported to be bitterly resented, not publicly by the prisoner himself, for he has been given no chance at proclamation, but by his attorney, who declares that the former "Public Enemy Number One" of Chicago was in every respect a model prisoner. According to the lawyer, Capone has conducted himself ideally as an inmate of the Atlanta institution and does not deserve this stigma of removal along with convicts who are rated as dangerous. He intimates that the warden at Atlanta wanted to get rid of Capone because he feared he would be charged with granting him special privileges, even if he was treated only as well as others with similar records.

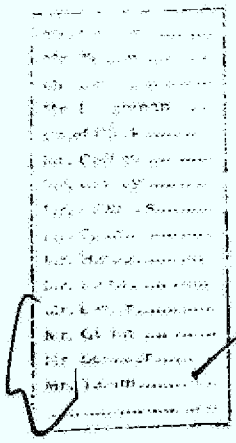
Capone, given a ten-year term for tax evasion—a trifling offense compared with those of which he was accused, but which could not be proved against him, including murder by proxy and ruthless racketeering—has a year and a half to serve before he will be eligible to parole. Which brings up the question of why a parole should be granted to a man who cannot conceivably be restored to liberty without danger to the community. Probably he has been a "model prisoner." That is his established line of action. He outwardly conformed to the law even in his most active days as head of a robbery and murder gang. So careful was he in his work that the only way to "get" him was to dig up his income tax returns and prove that he had cheated the Government out of large sums by concealment of revenues derived from illegal sources.

There should be no sympathy for this man, and there should be no parole. The leniency that has been shown toward malefactors of his type in the past has been productive of the most evil results. No degree of rule observance on his part while in prison can make him worthy of any abatement of his term, which should, in view of his utter viciousness, have been far longer than ten years.

WASH. STAR AUG 23 1934

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AL CAPONE

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out for the new arrivals, including the former Chicago gang chief, Warden James A. Johnston said.

The new convicts, who increased the prison population to an even 100, will labor in the prison laundry, the clothing shop, shoe shop, kitchens and at maintenance occupations.

CAN STUDY SKYLINE.

In their leisure and recreational hours they may study the San Francisco skyline, so close that details are clearly visible when not obscured by fog; watch ocean liners and freighters pass in and out of the Golden Gate, or keep track of the progress on the two great bridge projects stretching out across the surging water.

Johnston said:

"Of course we're not going to entertain them.

"These men are all 'housebreak-

contacts at other penitentiaries and were potential jail breakers, brought a protest from his attorney at Atlanta, Frank A. Doughman.

Capone himself protested when he was shaken from a sound sleep at Atlanta and hustled aboard the Alcatraz-bound train against such treatment for "a model prisoner," Doughman declared. He said:

"They admitted to me that Capone's record was good."

He pointed out that Capone's appeal, now before the United States Supreme Court, was brought in the Federal Court for the Northern District of Georgia and added:

"It is the first time in my experience where a man has been removed from the supervision of the court where a case is pending."

Chicago American

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Capone on 8-Hour Work Shift at Alcatraz

SAN FRANCISCO, Aug. 23.—(AP)—Prison labor—forty-eight hours a week of it—was in store today for Al ("Scarface") Capone and fifty-two other convicts transferred yesterday from other prisons to the new escape-proof federal penitentiary on Alcatraz Island.

An eight-hour work period each day except Sunday has been mapped out for the new arrivals, including the former Chicago gang chief, Warden James A. Johnston said.

The new convicts, who increased the prison population to an even 100, will labor in the prison laundry, the clothing shop, shoe shop, kitchens and at maintenance occupations.

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Johnston said:

"Of course we're not going to entertain them.

"These men are all 'housebroken.' They are familiar with prison routine. There should be no difficulties encountered in establishing normal penitentiary life here."

The transfer of Capone to the new prison, which Attorney General Cummings said was for convicts who attempted to maintain outside contacts at other penitentiaries and were potential jail breakers, brought a protest from his attorney at Atlanta, Frank A. Doughman.

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Chicago American
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CAPONE LANDS IN ALCATRAZ OVER PROTEST

Secrecy Cloaks Transfer of 43 Felons to Island Prison; Heavy Guard Meets Train

SAN FRANCISCO, Aug. 22.—(AP)—Scarface Al Capone, former Chicago gang lord, and forty-two other convicts were imprisoned amid utmost secrecy today in the new federal prison on Alcatraz Island in San Fancisco Bay.

Official announcement that Capone was in the group came from Sanford Bates, federal prison director at Washington, shortly after the special train bearing the prisoners from the Atlanta penitentiary arrived here.

The train was shunted several times as it neared its destination to prevent any possible attempt to escape and to avoid crowds which gathered at towns along the route.

A group of heavily armed federal men and guards from the new prison hastened to Tiburon, a town north of the island, as the train arrived.

The cars then were switched to a large barge and a launch towed it to the island dock. Spectators, who were warned by the guards not to approach too closely, said they observed gray-clad men behind the screen windows.

EXPLAINED AS PRECAUTION.

WASHINGTON, Aug. 22.—(AP)—Capone, ex-Chicago gangland king, was lodged today in Uncle Sam's new "Devil's Island" prison in San Francisco Bay, the Department of Justice announced officially.

"Just precautionary," said Sanford Bates, director of federal prisons, in explaining Capone's removal from the Atlanta penitentiary. Capone had not been violent, Bates added.

Others in the party with Capone, Bates disclosed, included "Frisco Eddie" O'Brien, a train robber, and James Colson. Alvin Crip, a Chicago gunman and enemy of Capone, was not in the party. Bates declined to make public the entire list, but said most of the men were not well known.

CAPONE PROTESTS.

ATLANTA, Aug. 22.—(AP)—Shaken from a sound sleep and hauled out of his cell in the federal prison here at midnight, Al Capone protested vigorously, his attorney said, against such treatment being accorded "a model prisoner."

Frank A. Doughman, Capone's Atlanta attorney, today said he had learned that the former Chicago gangster was the last prisoner rounded up.

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Chicago Herald & Examiner
8-23-34

Mr. Nathan .....
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Mr. Glavin .....
Mr. Lochman .....
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Mr. Cowley .....
Mr. Edwards .....
Mr. Egan .....
Mr. Harbo .....
Mr. Keith .....
Mr. Lester .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
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AL CAPONE BEGINS LIFE OF ISOLATION ON ALCATRAZ ISLAND

San Francisco, Aug. 23 (INP).—As isolated from the world as though he were a castaway on a desert isle, Alphonse (Scarface Al) Capone, once nation's No. 1 gangster, began a new type of existence today in the new federal prison on Alcatraz island.

The new prison, already called the "American Devil's island," is designed to cut off its inmates completely from contacts with the rest of the world.

Federal authorities, charged with keeping Capone six more years on an income tax violation conviction, desired this isolation for the former gang leader. Officials at Atlanta, it is said, failed to prevent him from maintaining underworld contacts.

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Chicago Daily Times
8-23-34

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THURSDAY, AUGUST 23, 1934 Want Ad He

CAPONE CUT OFF FROM WORLD IN PRISON ON LONELY 'DEVIL'S ISLAND'

Notorious Gangster Begins Isolated Life With 66 Other Federal Prisoners—Swift Currents, Rigid Restrictions Make Old Spanish Fortress Almost Escape-Proof

By JAMES A. SULLIVAN
United Press Staff Writer

SAN FRANCISCO, Aug. 23—As isolated from the world as though he were a castaway on a desert isle, Alphonse (Scarface Al) Capone, once the nation's No. 1 gangster, began a new type of existence today in the new Federal prison on Alcatraz Island.

Capone has been in other prisons during his career from the sidewalks of New York to the top of the Chicago underworld, but never in one like the old Spanish fortress washed by the swift currents which flow into San Francisco Bay from the Golden Gate.

The new prison, already called the "American Devil's Island," is designed to cut off its inmates completely from contacts with the rest of the world.

Federal authorities, charged with keeping Capone six more years on an income tax violation conviction, desired this isolation for the former gangland leader. That is why he is here, along with 66 other Federal prisoners. Eventually, the number will be increased to 200.

Gloomy old Alcatraz stands a mile and one-fourth from the nearest shore. Watch towers project from the castlelike battlements of its prison buildings. In those towers, on ceaseless vigil, are crack-shot guards with high-powered rifles.

No boat, no swimmer, no airplane may approach within 300 yards of the island. Signs in the day and lights at night warn visitors not to come near.

The Department of Justice took over the prison to house two types of felons—those it considers incorrigible, whose sole thought is of escape, and those who attempt to maintain contact with friends outside.

Capone, already the No. 1 prisoner of old Alcatraz, falls into the latter class.

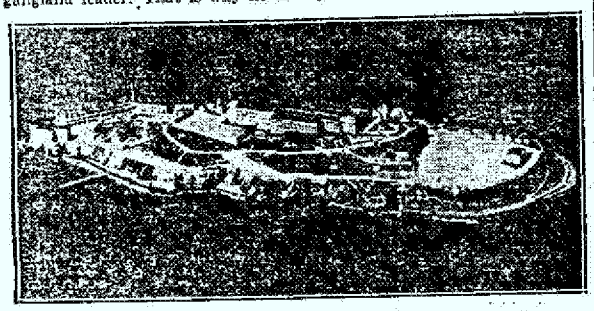
Few Visitors Allowed

Visitors will be few at the new future, for another phase of the Federal plan of isolation is complete silence regarding the activities of its charges in the new Devil's Island.

With the elaborate precaution of war maneuvers in uncertain territory, the Federal government transferred Capone and the 52 other prisoners.

Among the companions of Capone, it was reported, is Alvin Crip. When Capone ruled the Chicago liquor trade Crip was one of his arch enemies.

Convicts were chained to their seats on the transcontinental train. Blinds were drawn. Crowds were kept at a distance. Cameras were confiscated when newsmen approached too close. Train guards were heavily and ostentatiously armed.



Capone's "home" for the next six years.

Boats Patrol Bay

Here the train was maneuvered across Martinez Bridge to the freight terminal at Tiburon. From the bay came a clamor of whistles as Coast Guard patrol boats and prison launches cruised between the island and the mainland. Small boats, steamers and even passenger ferries were diverted from their courses.

Machine guns and a small cannon were trained on the Alcatraz sector. Sub-machine guns and shotguns were in the patrol boats.

Shortly later the prison's steel doors clanged shut on the nation's worst criminals.

23 1934



Capone's "home" for the next six years.

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Few Visitors Allowed

Visitors will be few at the new prison. A rigid system of permits has been set up and if the visitor is permitted to enter he will be under the supervision of the guards every minute during his presence on the island. Private conversations with the prisoners are forbidden.

Capone and the 52 other prisoners brought here by special train yesterday were "dressed in" soon after their arrival. After their light summer outfits had been exchanged for heavier wear—cool fogs and cooler winds sweep this lonely island—the prisoners were fed in the new mess hall.

In the ceiling above them were steel knobs. From those knobs can pour suffocating floods of tear gas, for it is the Federal theory that most prison riots start in the mess hall and the authorities seek to prevent disturbances at Alcatraz.

Inside Guards Unarmed

Following this same plan of preventing outbreaks, the inside guards carry no arms. But the men on the battlements are said to be the keenest sharpshooters in Federal service.

Views of Capone will be ac[illegible]

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Mr Schilder
Mr. Tamm

Manacled in Pairs, Capone, 99 Others Reach Alcatraz

By WEBSTER K. NOLAN

ALCATRAZ FEDERAL PENITENTIARY, SAN FRANCISCO, Aug. 23 (I.N.S.).—From this bridgeless islet, around whose rocky apron a swirling sea races toward the Golden Gate, "Scarface" Al Capone, erstwhile monarch of the underworld, today gazed at the gaunt half-completed steel skeleton of the world's two mightiest bridges.

They seemed to mock the linkless loneliness of this Gibraltar-like "Devil's Island" that is now the home of the former gangster king, and of 99 lesser entities from the nether life.

Capone and a select assortment of the country's most desperate felons were brought here from Atlanta, Ga., manacled in pairs on a travelling fortress that did not disgorge its human cargo until Alcatraz itself was reached.

Chained and bolted in their "chair car" seats, Capone and his 52 companions of the bizarre tour were released only when the barge carrying their "private cars" moored at the Alcatraz government wharf. It was the first time in the history of this grim little islet in midstream that a train had touched its steep and rocky shores.

Identities Guarded

Warden James B. Johnston said:

"No one will ever know the name or number of a prisoner on Alcatraz. If the identity of any prisoner is revealed, the disclosure must come from Washington. This is an island of no outside contacts for convicts."

Alcatraz is an island of no contacts, but from the barred windows of the cells the nation's worst desperadoes may see in the near distance the Metropolitan centers of San Francisco, Oakland, Berkley, Alameda and Piedmont.

Alcatraz, a name that is redolent of California's cavalier days, has long been likened to the famed and fearful Chateau d'If, on a Mediterranean islet off Marseilles, in whose dungeon Dumas' Count of Monte Cristo languished for 20 years, until the Abbe Faria effected his escape.

Escape Impossible

No Count of Monte Cristo, "Scarface" Al Capone, late vice lord of Chicago, nor any of the incorrigible cohort that keeps him company on wind-blown Alcatraz, can entertain any schemes of escape.

The Federal authorities selected Alcatraz because they believe no man can conquer the currents that swirl fiercely about the islet's jagged cliffs.

Within a few hours after the transfer had been effected with military thoroughness, all the newcomers had been photographed, fingerprinted, numbered and garbed in the new raiment specially provided by the government for its Alcatraz contingent of undesirables.

Atlanta denims were discarded for Alcatraz cassimere of a misty blue, as though, oddly enough, to camouflage the convicts, making them almost indiscernible in the fog that drapes the isle at dawn.

The freshly arrived inmates were to be assigned today to their new jobs—to the prison shoe shop, the tailor shop, the laundry and the cleanup brigades. Capone, it is expected, will be assigned to the tailor shop.

WASH. TIMES AUG 23 1934

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CAPONE IS PLACED ON 48-HOUR WEEK

Chicago Gangster Is Assigned to Labor in New Alcatraz Prison.

By the Associated Press.

SAN FRANCISCO, August 23.—Prison labor—48 hours a week of it—was in store today for Al "Scarface" Capone and 52 other convicts transferred yesterday from other prisons to the new escape-proof Federal penitentiary on Alcatraz Island.

An eight-hour work period for each day except Sunday has been mapped out for the new arrivals, including the former Chicago gang chief, Warden James A. Johnston said.

The convicts, whose arrival increased the prison population to an even 100, will labor in the prison laundry, the clothing shop, shoe shop, kitchens and at maintenance occupations.

View of San Francisco.

In their leisure and recreational hours, they may study the San Francisco skyline, so close that details are clearly visible when not obscured by fog; watch ocean liners and freighters pass in and out of the Golden Gate, or keep track of the progress on the two great bridge projects stretching out across the surging water.

The transfer of Capone to the new prison, which Attorney General Homer S. Cummings said was for convicts who attempted to maintain outside contacts at other penitentiaries and were potential jail-breakers, brought a protest from his attorney at Atlanta, Frank A. Doughman.

Capone Also Protests.

Capone himself protested when he was shaken from a sound sleep at Atlanta and hustled aboard the Alcatraz-bound train against such treatment for "a model prisoner," Doughman declared.

The former Chicago gangster was convicted of income tax evasion and sentenced to 11 years—300 will be eligible for parole in a year and a half.

WASH. STAR AUG 23 1934

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Capone Resentful at Transfer To American "Devils Island"

Atlanta, Aug. 22 (U.P.).—Al Capone is deeply resentful toward the Federal Government for having removed him from Atlanta Penitentiary to Alcatraz Prison, in San Francisco Bay.

Frank A. Doughman, Capone's attorney here, said he was certain his client was among the 43 prisoners who reached the island prison by transcontinental train today.

Doughmah was informed, he said that Capone took the transfer "mighty seriously."

"He complained," the lawyer said, "that his good prison record did not merit his being classed with the dangerous type of prisoner destined for Alcatraz. He reminded prison officials that he had never been disciplined.

"This prison transfer is shockingly unfair to a man who has made a perfect prison record and obeyed all the rules."

San Francisco, Aug. 22 (U.P.).—Al Capone, mightiest gang leader in the prohibition era, was behind the walls of Alcatraz Island Prison tonight after his arrival here, with 42 "dangerous" prisoners aboard a transcontinental train.

Traveling in six cars, under heavy guard and with all windows barred, the prisoners reached San Francisco from Atlanta and were taken at once aboard a rail car ferry to the American "Devil's Island."

WASH. POST AUG 23 1934

62-28923-4

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CAPONE AND 52 OTHER FELONS ON DEVIL'S ISLE

U. S. Moves Mass Transfer of Incorrigible Criminals to New Prison at Alcatraz

By EDWARD McQUAID

SAN FRANCISCO, Aug. 22 (U.S.)—Across the gray waters of San Francisco Bay there moved today the most sinister cargo of local history.

It was a human cargo, and reluctantly it reached journey's end—the glowering battlements of Alcatraz, America's newly christened "Devil's Isle."

CAPONE ONE OF THEM

Manacled in pairs, 53 of the nation's worst desperadoes, among them the once powerful "Scarface Al" Capone, stepped sullenly ashore and marched to their cells amid a sudden, ironic burst of sunshine that bared the full beauty of the hills and the bay and the skyline that many of these men will never see again except from behind bars.

Thus ended one of the most bizarre incidents in American penal history—a mass transfer of incorrigible criminals across the continent, attended by all the secrecy and special precautions that marked war-time troop movements.

All the way from the Federal prison in Atlanta, Ga., they came to institute at Alcatraz the new Federal policy of segregating the unregenerate.

FIRST IN 26 YEARS

To avoid both sensation-seekers and possible attempts at a "rail-jail break" of its passengers, the prison train back-tracked into a circuitous route at dawn today, switched to a little-used single spur track at Greenbrae and finally arrived at Liburon.

It was the first passenger train that has visited the picturesque little yachting center in 26 years.

But despite the supposed secrecy of the train's movement, the town was there en masse to see it roll into the yards.

They didn't see much. There was just a locomotive and five cars. Two cars were left behind. A locomotive shunted the remaining three onto a waiting barge. Department of Justice agents and railroad detectives, brandishing rifles, kept the crowds at a distance as the cars groaned onto the pier.

All that could be discerned behind the thick steel mesh covering the prison car windows was a row of wryly grinning faces, each indistinguishable from its neighbor, and a blur of blue denim shirts.

Soon the barge, towed by the tug Sea Rover, left the tip of Marin county's south shore and slid through Raccoon Straits, in the shadow of the beautiful villas on Belvedere's wooded hills, and on to Alcatraz.

WASH. HERALD AUG 23 1934

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Ralph Capone Seized In Chicago Raid

CHICAGO, Aug. 22 (I.N.S.). Ralph ("Bottles") Capone was arrested in Berwyn today for questioning concerning his trying to restore the Capone vice, gambling and racketeering dynasty, dormant since the imprisonment of brother Al.

Capone's Attorney May Protest

ATLANTA, Ga., Aug. 22 (U.S.). Al Capone was not pleased by his transfer from the Atlanta penitentiary to "escape-proof" Alcatraz in California, but his Atlanta attorney, Frank Doughman, said he was undecided whether he would file a formal protest

WASH. HERALD AUG 23 1934

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Y. TIMES, AUG. 23, 1934.

CAPONE IN A CELL ON ALCATRAZ ISLE

With 42 Others He Is Whisked to Bay Prison In Secrecy After Trip From Atlanta.

HE PROTESTED TRANSFER

Felt It Would 'Taint Record,' Attorney Says—Brother Is Held in Chicago Racket.

By The Associated Press.

SAN FRANCISCO, Aug. 22.—Al Capone, former Chicago gang leader, and forty-two other convicts were imprisoned with the utmost secrecy today in the new Federal prison on Alcatraz Island in San Francisco Bay.

The announcement that Capone was in the group came from Sanford Bates, director of the Federal Prison Bureau at Washington, shortly after the special train bearing the prisoners from Atlanta penitentiary arrived here.

The train was shunted several times as it neared its destination to prevent any possible attempt to escape and to avoid crowds which gathered at towns along the route.

Warden James A. Johnston, who several days ago informed Attorney General Cummings that "Alcatraz is ready," personally superintended the transfer of the desperadoes from the mainland to the fortress-like island prison.

A group of heavily armed Federal men and guards from the new prison hastened to Tiburon, a town north of the island, as the train arrived.

The cars then were switched to a large barge and a launch towed it to the island dock. Spectators, who were warned by the guards not to approach too closely, said they observed gray-clad men behind the screen windows.

After the barge docked at the island, prison automobiles took the convicts up the steep roads of the island to the newly reinforced cells.

The prisoners were brought here in the government's plan to segregate the more desperate characters among the convicts. Atlanta prison officials also had reported an escape plot was brewing in the prison there and the convicts were removed Sunday night, four days ahead of schedule.

Capone Protested Transfer.

By The Associated Press.

ATLANTA, Aug. 22.—Shaken from a sound sleep and hauled out of his cell in the Federal prison here at midnight Sunday to be taken to Alcatraz, Al Capone protested vigorously against such treatment being accorded "a model prisoner," his attorney said today.

Frank A. Doughman, the attorney, said guards entered Capone's cell as the hundreds of inmates slept and gave him only a few minutes to prepare for the trip.

Capone protested all during the transfer to the guarded coaches, according to the lawyer, asserting he had obeyed all the rules and getting guards to admit he had a perfect record.

Mr. Doughman declared prison officials were "tickled to death" to get rid of Capone, not that he

CAPONE IN A CELL ON ALCATRAZ ISLE

Continued From Page One.

and the warden faced possibilities of being charged with granting him special privileges if he was treated even as well as other prisoners with similar records.

"They admitted to me Capone's record was good," Mr. Doughman said as he vehemently criticised the transfer and called it "an outrageous act" because Alcatraz has been set aside for dangerous and unruly prisoners.

Such "unfair treatment," he charged, would "taint the record" of the former gangster, a record in prison which was "above reproach."

Capone, serving ten years for tax evasion, has a year and a half more to serve before he will be eligible for parole.

Ralph Capone Is Arrested.

Special to THE NEW YORK TIMES.

CHICAGO, Aug. 22.—Ralph Capone, brother of Al Capone, and five other men, several of whom are believed to be former members of the old Capone gang, were arrested today by police from the State Attorney's office in a raid on a flat above a tavern in Berwyn, a western suburb.

The State Attorney's office asserted that Ralph Capone and his associates were forcing saloonkeepers in the western part of Cook County to buy the beer of the Calumet City Brewing Company.

It was reported that the police found records in the flat which indicated the extent of these operations.

The procedure by which Ralph Capone and his newly organized gang are alleged to have attempted to force saloon keepers into taking the beer is reminiscent, according to the State Attorney of the methods used by Al Capone in the days of his power, when he was forcing speakeasy owners to handle his illegal beer.

When the tavern keepers demurred Ralph Capone's "sales force" would leave a barrel or two, telling the proprietor to use it and pay for it later, authorities alleged.

In Cicero and neighboring suburbs the Capone men, through what is alleged to be a tie-up with authorities, could force those saloons not taking their beer to obey the 1 A. M. closing law, while competing saloons, which took the beer, could stay open later, it is charged.

Ralph Capone returned to Chicago after his release Feb. 27 from the McNeil Island Federal penitentiary at Seattle, where he served a sentence for income tax evasion, and was reported to have begun immediately the reorganization of the remnants of his brother's old gang.

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Mr. Keith ....
Mr. Lester ....
Mr. Quinn ....
Mr. Schilder ....
Mr. Tamm ....

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Held in Chicago Racket.

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Continued on Page Eight.

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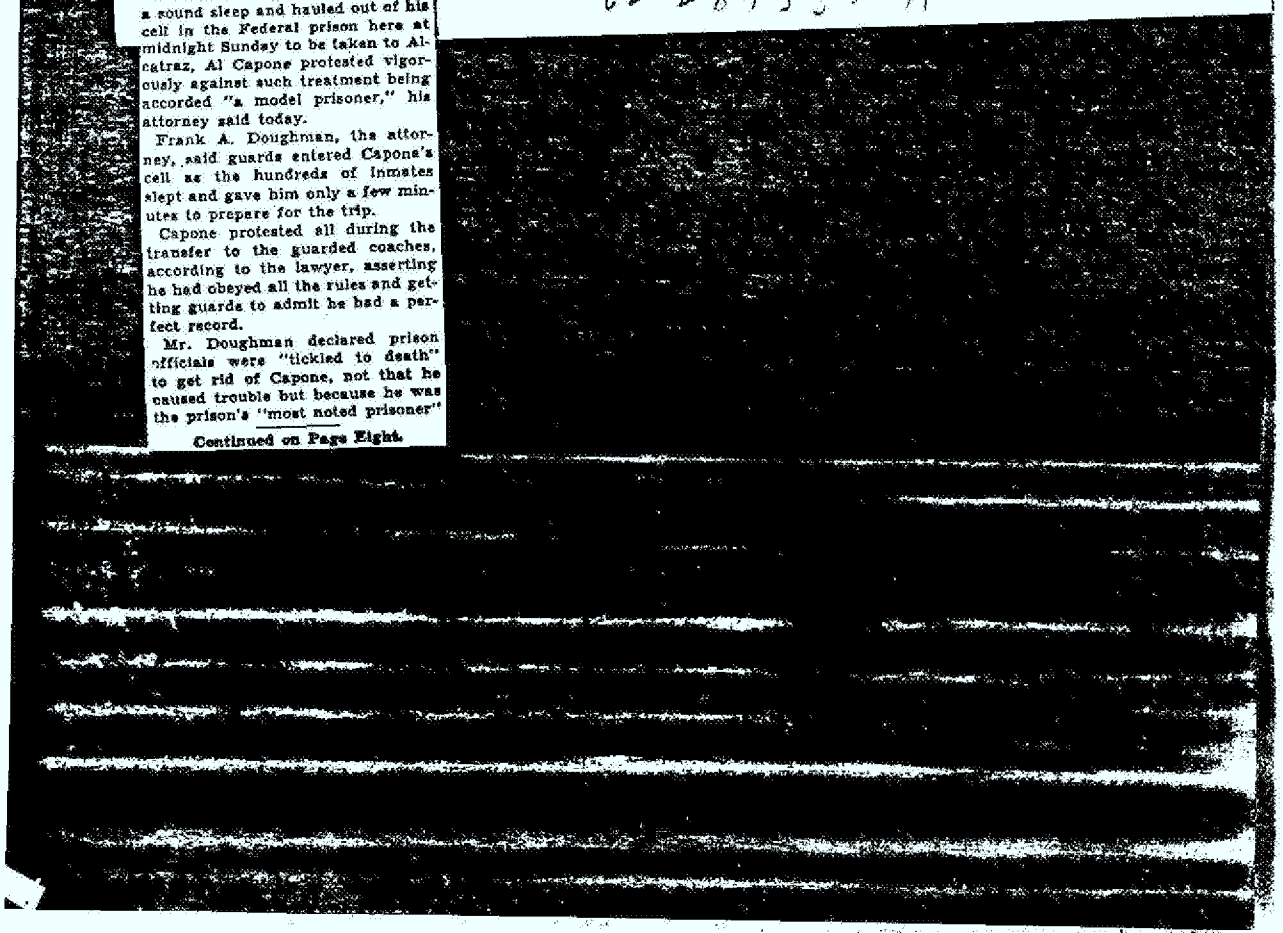
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MYSTERY IS SOLVED— CAPONE AT ALCATRAZ

San Francisco, Cal., Aug. 22.—(UP)—Al Capone, king of the prohibition era gangsters, entered Alcatraz prison today in company with forty-two other federal prisoners classed as among the most dangerous convicts in the United States.

Chicago Daily News

62-28953-A 8-22-34

Mr. Nichols
Mr. Tolson
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Mr. Quinn
Mr. Schilder
Mr. Tamm

Al Capone Spirited to Isle

SAN FRANCISCO, Aug. 22.—(By International News Service.)—Presence of a large white launch near Alcatraz Island shortly after 7 a. m. today led to reports that the transfer of forty-three prisoners, supposedly including Al Capone, from eastern prisons to the new federal "Devil's Island" in San Francisco Bay and had been accomplished.

No information or confirmation was forthcoming from prison authorities.

And there was no report of their transfer from train to boat at any northern bay point.

The heavily guarded "ghost train," on which the prisoners made a fast trip from Atlanta and other eastern points to California, arrived at Martinez shortly before 6 a. m.

After heading ostensibly for Oakland and the regular bay crossing to San Francisco, the train "back tracked" and crossed the Southern Pacific bridge at Martinez for the north side of San Francisco Bay.

This would have enabled the transfer to be made to boat at any number of isolated points, or at San Rafael, bay point near the prison.

It also would have been possible for the train to have made its way into the great Mare Island Naval Yards at Vallejo, although this was regarded as unlikely on account of the additional mileage that would have been required for the switching operation.

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SAN FRANCISCO, Aug. 12 (By International News Service).—Utmost secrecy surrounded the expected arrival here today of 43 Federal convicts, one reported to be "Scarface" Al Capone, from Atlanta Penitentiary for transfer to Alcatraz Island in San Francisco Bay—the American "Devil's Island."

A special squad of Department of Justice agents surrounded the train when locomotives were changed at Los Angeles. The scene bristled with sawed-off shotguns, rifles and tear gas guns. Spectators were ordered to "stand away from the cars."

62-28923-A

Y. SUN, Aug. 22, 1934.

Capone Feels He's Victimized

Transfer to Coast Prison an 'Injustice' and He May Start Legal Proceedings.

Copyright, 1934, by United Press.

ATLANTA, Aug. 22.—Al Capone, America's first public enemy No. 1, feels that the Government has done him an injustice by removing him, along with forty-two dangerous prisoners, from the Atlanta Federal Penitentiary to the escape-proof Alcatraz Prison in San Francisco Bay.

Frank A. Doughman, Capone's Atlanta attorney, revealed to the United Press that the former Chicago gangster is definitely a member of the convict group which was secretly removed by Government men from the penitentiary here at midnight on Saturday and entrained for a speedy trip across the continent.

Department of Justice officials have refused to confirm whether Capone is on the train, which is expected to reach San Francisco late today. The assumption is that the convicts are designed for Alcatraz Island, where the Government's incorrigibles are being confined.

Complained of Transfer.

"My informant, who told me definitely that Capone is a member of the convict group, said that the Chicagoan took his transfer from the Atlanta prison mighty hard," Mr. Doughman said. "Capone complained that his good prison record did not merit him being classed with the dangerous type of prisoner

Continued on Page 2.

CAPONE BELIEVES HE'S VICTIMIZED

Continued from Page 1.

destined for Alcatraz. He reminded prison officials that he had never been disciplined."

In the statement of United States Attorney-General Homer S. Cummings that the former Chicago gang leader and beer baron "is not headed for Alcatraz," Mr. Doughman saw a bare possibility that Capone may be imprisoned at McNeil Island Prison in Puget Sound across from Seattle. It was here that Ralph Capone, a brother of Al, served a sentence for income tax evasion, a charge that resulted in an eleven-year term for Al Capone. The gangster has worked in the prison shoe shop here.

Whether Mr. Doughman will start legal proceedings as a result of the removal from here will not be decided until he has conferred with Capone's wife, who is in Chicago. What legal action could be taken was not revealed by Mr. Doughman.

"Legally, Capone is in the custody of the United States Supreme Court and if the court decides the case in his favor, the Government would have to return him to Atlanta," Mr. Doughman said. "A petition for a writ of certiorari in Capone's case to obtain his release on habeas corpus is pending before the Federal Supreme Court, which will not act until October.

Called Great Injustice.

"This prison transfer is shockingly unfair to a man who has made a perfect prison record and obeyed all the rules."

There were unconfirmed reports that the prisoners were hustled out of Atlanta's "Big House" because paraphernalia for a possible break was found inside the prison. There was no indication, however, that the one-time immigrant boy had any connection with any jail break plans.

Although a model prisoner, Capone has made plenty of attempts to obtain his release since his incarceration here on May 5, 1932, through the legal process of habeas corpus. His last attempt resulted in the Federal Circuit Court of Appeals at New Orleans denying him freedom on the plea that his conviction was circumvented by the statute of limitation. It is on this last refusal of habeas corpus that a writ of certiorari is being sought from the highest court.

Prison Train Changes Route.

MARTINEZ, Cal., Aug. 22 (U.P.).—The course of the Federal prison train, believed to be carrying Al Capone among forty-three prisoners, was changed abruptly today, apparently in a maneuver to avoid bringing the train directly into San Francisco.

When the six-car train, heavily guarded and with barred windows, reached here it was run across the bridge and northward to the Sacramento branch, instead of following a route which would

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When the six-car train, heavily guarded and with barred windows, reached here it was run across the bridge and northward to the Sacramento branch, instead of following a route which would have taken it into Oakland, en route to Alcatraz Prison.

While train crews guarded the shift closely, it was believed that the train would be moved over the Shellville branch to the Northwestern Pacific lines in Marin county.

This course would bring it into Sausolito, which faces the rear walls of Alcatraz Prison, to which stronghold the prisoners are being moved.

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CAPONE'S TRAIN REACHES COAST

SAN FRANCISCO, Aug. 22 (I.N.S.).—Utmost secrecy surrounded the expected arrival here today of 43 Federal convicts, one reported to be "Scarface" Al Capone, from Atlanta Penitentiary for transfer to Alcatraz Island in San Francisco Bay—the new American "Devils Island."

The six-car train bearing the convicts passed through Los Angeles at 6:20 o'clock last night, but Southern Pacific Railway officials, enforced to secrecy by Department of Justice agents, refused to give out any information.

WASH. TIMES

AUG 22 1934

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Dillinger CAT

CAPONE TRAIN DRAWING NEAR ISLE PRISON

Al May Be Aboard, but No One Knows; Alcatraz Ready; Guards Repel Curious Crowd

(Picture on Back Page.)

SAN FRANCISCO, Aug. 20.—While two barred and guarded coaches neared Alcatraz prison tonight with its cargo of federad prisoners, no one appeared to know if Al Capone was one aboard.

United States Attorney General Cummings, after being quoted to the effect that Capone is definitely not headed for the desolate isle, designated for criminals of the savage type, refused to say anything more.

However, from his utterances it appeared that Chicago's No. 1 income tax dodger is being moved. He said:

"That's one point on which reports are wrong. Capone is not headed for Alcatraz. That's all I can say at this time."

At Del Rio, Tex., a guard on the Atlanta train threatened to shoot citizens who dared to try for a peep at its passengers.

For a few moments, the throng disregarded his warning but stepped back when he upraised his rifle and prepared to shoot.

At New Orleans some persons thought they recognized Capone, and newspaper photographers attempted to take pictures, but the man they had nominated quickly stepped aside.

There was no satisfaction to be had from Warden James A. Johnson at the federal government's "Devil's Island." He said simply that if Capone was coming he would be taken care of.

62-28733-A

Chicago Herald & Exam. 8-21-34

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Scarface Al's Whereabouts a Big Mystery

(Picture on Page 2.)

San Francisco, Cal., Aug. 20.—[Special.]—Considerable mystery developed tonight as to just where Al Capone, supposed to be serving an eleven year sentence in Atlanta federal penitentiary, might be.

Attorney General Cummings, who is in San Francisco at the present time, was quoted by a daily newspaper today as saying the former gang chief of Chicago was not on his way with forty-two others to Alcatraz Island, the government's new "Devil's Island," in San Francisco bay. At the same time he refused to say where Capone is; that "we never discuss such matters."

Two Cars of Men on Way.

Two closely guarded and steel barred cars are now en route to the island from the Atlanta penitentiary. The cars left Atlanta night before last, the prisoners having been transferred one by one from their cells in the darkened institution to the train.

Capone was believed to have been definitely recognized when the train reached New Orleans yesterday. A convict said he was on the car, pointed him out, and the person pointed out was said at least closely to resemble Capone. He ducked, as of yore, when a camera was aimed at him. In a "slip" a guard on the train practically admitted that Capone was one of the group of "incorrigibles" being transported to the new prison.

Guns Bristle in Texas.

Today at De Rio, Tex., a guard threatened to shoot when spectators crowded too close to the train bearing the 43 men. The convicts jeered at the guard, but the crowd fell back when rifles and machine guns bristled throughout the two cars.

"Capone is not headed for Alcatraz," Cummings was quoted as saying here tonight. "That's all I can say at this time. But that's one point on which the newspapers are wrong." Later he denied making any statement whatever.

At the new prison Warden James A. Johnston said:

"If Capone's coming here we are ready to take care of him."

If on schedule, the train bearing the 43 should arrive here Wednesday. It is expected the prisoners will be taken from the train at some small station and brought in armed cars to a point on the bay where they will be put aboard tugs and carried to the island.

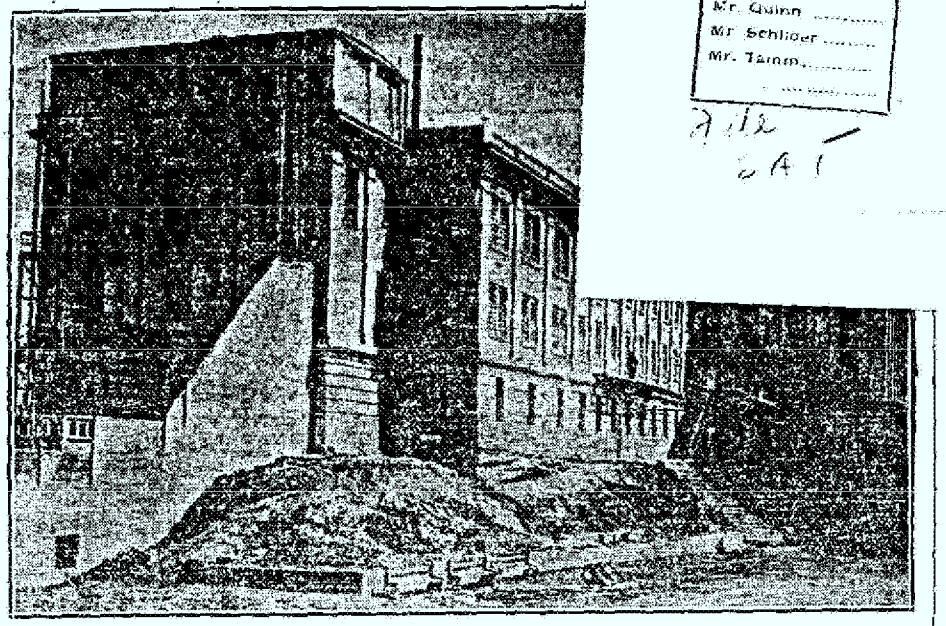
Chicago Tribune
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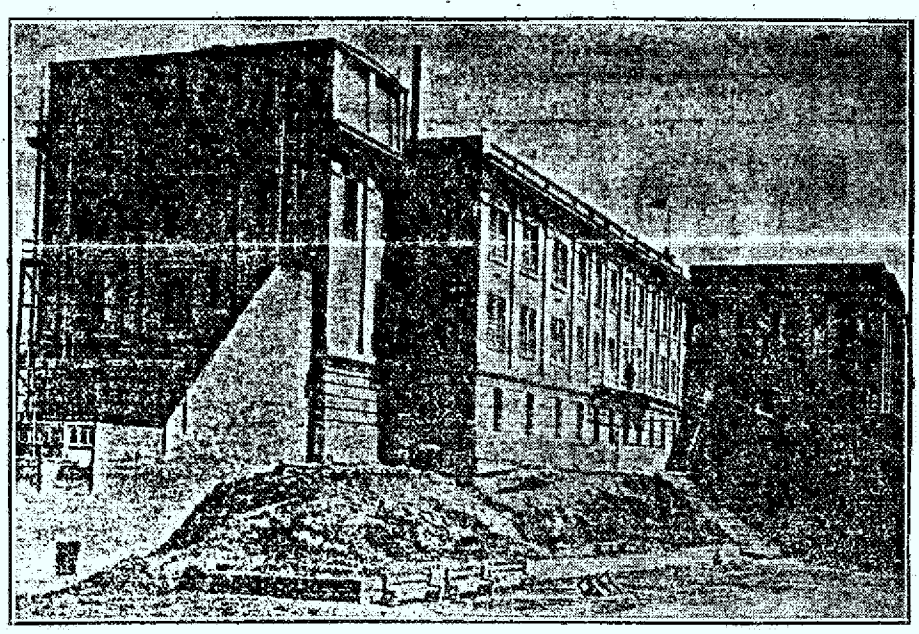
Where Capone May Be Imprisoned



The main building on Alcatraz Island in San Francisco bay, the prison to which Al Capone and other convicts are being moved. In the foreground is the exercise yard. The wing jutting to the right is the main cell block. *(Story on page 1.)* [Associated Press Photo.]

Chicago Tribune
62-28733 A 8-21-34

Where Capone May Be Imprisoned on Alcatraz Island



The main building on Alcatraz Island in San Francisco bay, the prison to which Al Capone and other convicts are being moved. In the foreground is the exercise yard. The wing jutting to the right is the main cell block. *(Story on page 1.)* [Associated Press Photo.]

Chicago Tribune
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CAPONE? TRY UNCLE SAM

SAN FRANCISCO, Aug. 21.—(AP)—Reports that Al Capone is aboard a heavily guarded train bearing him to the new federal prison on Alcatraz Island remained without official confirmation today.

United States Attorney General Homer S. Cummings declined to discuss the matter after the San Francisco Chronicle quoted him as saying the former Chicago gang leader "is not headed for Alcatraz."

The train, presumably carrying Capone and forty-two other prisoners, passed through El Paso, Tex., about midnight. One of the prisoners, who closely resembled Capone —even to the long scar on his face —waved to a news reporter, but heavily armed guards refused to allow any one to communicate with the prisoners.

The prison cars should reach here late tomorrow.

Chicago American

61-28933-A

8-21-34

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ISLAND WAITS FOR CAPONE.

The Convict Population of Alcatraz Is Only Forty-Seven.

(By the Associated Press.)

SAN FRANCISCO, Aug. 20.—Everything is ready for Al Capone—on a rock in San Francisco Bay.

Alcatraz Island, the new federal penitentiary for incorrigibles, to which Capone and forty-two other convicts are being brought, has been ready for several days.

The convict population of the island—a twelve-acre rock a mile and a half from the San Francisco shore—was announced at forty-seven just prior to the attorney general's visit. It is equipped to hold several hundred.

Once a Spanish fortress, the island served for many years as a United States army disciplinary barracks until its transformation into a regular prison. Equipped with the latest devices of steel and weapons against attempted escape, it was described by Attorney General Cummings as "a vital part of our work of segregating the most dangerous criminals."

The swirling currents from the Golden Gate form a natural barrier against escape and also isolate the island against unauthorized communications from the outside.

62-28922-A

AL CAPONE PASSES THROUGH CITY ON WAY TO ALCATRAZ

8/20/34

Former Overlord of Chicago Underworld Transferred from Atlanta

T 12

Heavily guarded by government officers, Al Capone, once supreme master of Chicago's underworld and now a federal convict, passed through New Orleans Sunday en route, with 42 other prisoners, to the new Alcatraz prison at San Francisco.

The prisoners are being transferred from the federal penitentiary in Atlanta. Alcatraz prison was recently established to house the more desperate criminals in federal prisons over the country.

The departure of Capone and his convict companions from Atlanta was guarded with the deepest secrecy. The fact that the former underworld chieftain was being transferred did not become known publicly until the train on which he

Continued on Page Three

AL CAPONE PASSES THROUGH CITY ON WAY TO ALCATRAZ

Former Overlord of Chicago Underworld Transferred from Atlanta

Continued from Page One

was a passenger neared New Orleans.

The federal officers and prisoners traveled aboard private cars attached to a Louisville and Nashville railroad train which reached New Orleans early Sunday night.

The two cars carrying the prisoners and federal agents were switched from the L. and N. engine to a Southern Pacific locomotive at Esplanade avenue and the Mississippi river.

A train ferry was waiting at the river for the transfer, which took place around 6 p. m. The ferry was then dispatched across the river and the train and two coaches of prisoners and guards headed westward.

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New Orleans La
Times Picayune
8-20-34

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62-28933-A

CAPONE AND 42 OTHERS SPEEDING TO ISLAND PRISON

Movement from Atlanta to Alcatraz Veiled in Deep Mystery.

New Orleans, La., Aug. 20.—(AP)—Al Capone, America's public enemy No. 1 long before the world had ever heard of John Dillinger, is on his way to a new prison home.

He is being transferred, with great secrecy, from the Atlanta penitentiary to the new Alcatraz prison in San Francisco bay—the prison federal authorities call "impregnable."

With forty-two other prisoners, Capone was whisked out of the penitentiary in Atlanta early yesterday. Guarded by a picked squad of federal agents carrying automatic shotguns, the prisoners were placed in two specially built screened and barred railroad cars and started on their way to Alcatraz—the island prison fortress designed for convicts considered too dangerous to be kept in ordinary penitentiaries.

Identified by Reporters.

Although federal authorities maintained silence about reports the former Chicago gang leader was being sent to the Pacific coast prison, his presence in the group was established by newspaper men when the convict cars arrived here.

Files and other utensils for a jail break found in the cells of some of the forty-three prisoners speeded the plans of the government to send the men to Alcatraz.

The only other known prisoners reported in the group with Capone were "Frisco" Eddie O'Brien, Eddie Colson and Alvin Crip. O'Brien and Colson were train robbers and Crip was a Chicago gunman, at one time an enemy of Capone.

Warden Accompanies Prisoners.

Warden A. C. Aderholt of the Atlanta penitentiary accompanied the prisoners.

Extreme measures were taken by guards to prevent news of the transfer from becoming known. Nothing was done until midnight Saturday. Then, in the darkened cell blocks, guards awakened each man separately and escorted him silently to the prison door. There four guards took him to the railroad cars, where he was assigned quarters for the transcontinental journey.

Capone is serving eleven years for income tax evasion. He was lodged in the Atlanta penitentiary on ~~May 4, 1932.~~

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Chicago Daily Tribune
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Warn Boats to Shun U. S. 'Devil's Island'

BY HAROLD HEROUX,
International News Service Staff Correspondent.

ALCATRAZ ISLAND, Cal., Aug. 20.—Within a few days ferryboat captains will be changing their courses to avoid coming close to this island in the middle of San Francisco Bay and the site of Uncle Sam's newest federal penitentiary.

Because James A. Johnston, warden of America's so-called "Devil's Island," has erected huge signs for all to read, including ferryboat skippers.

A typical sign, painted in large black letters on a vivid yellow background, reads:

"Warning—Keep Off!"

"Persons attempting to enter without authority do so at their own risk!"

To back up this warning are numbers of trained gun guards, armed with the latest efficient equipment and stationed in a series of towers; some to be seen from a distance; other guards are concealed.

Advised of a report that Al Capone was being transferred here from Atlanta, Johnston said:

"Whether or not Al Capone is coming, we are ready for the worst of them."

Forty-eight "tough customers" are already in cells here.



"Scarface Al" Capone,

Chicago American
8-20-34
62-27933-A.

CAPONE RUSHED TO NEW 'DEVIL'S ISLAND' CELL

HOUSTON, Tex., Aug. 20.—(By International News Service.)—The train bearing forty-two federal prisoners from Atlanta to Alcatraz prison in San Francisco Bay slipped quietly through Houston early today.

It was not known that the train had passed through Houston until several hours afterward.

NEW ORLEANS, Aug. 20.—(AP)—Al Capone, America's public enemy No. 1 long before the world ever heard of John Dillinger, is on his way to a new prison home.

He is being transferred, with great secrecy, from Atlanta penitentiary to the new Alcatraz prison in San Francisco Bay—which the federal prison authorities call "impregnable."

With forty-two other prisoners Capone was whisked out of the penitentiary in Atlanta in the early hours Sunday. Guarded by federal agents carrying automatic shotguns, the prisoners were placed in two specially built screened and barred railroad cars and started on their way to Alcatraz—the island prison fortress designed for convicts considered too dangerous to be kept in ordinary prisons.

Although federal authorities maintained a tight-lipped silence about reports the former Chicago gang leader was being sent to the Pacific coast prison, his presence in the group was established by newspapermen when the convict cars arrived here.

When the two cars were stopped for a change of trains a prisoner who strongly resembled Capone just grinned when some one called:

"Is that you, Al?"

While the cars waited to be ferried across the Mississippi River the guards kept the curious at a distance, but newspaper men got within hailing distance. One called out:

"Is Al Capone in there?"

One prisoner nodded his head and yelled back:

"In this car, by the sixth window."

SIGHTED IN WINDOW.

The occupant of window No. 6 looked just like the ex-gang lord. He grinned when the reporter called to him and ducked hurriedly—as Capone did in days gone by—when a photographer aimed a camera in his direction.

An unidentified official was asked if Capone had special drawing room accomodations. He replied heatedly:

"Of course he hasn't."

Then he checked himself and added hurriedly:

"That is, if he was on here he'd be treated just like the rest of them."

Files and paraphernalia for a jail break found in the cells of some of the forty-three prisoners speeded plans to send them to Alcatraz.

CAPONE ENEMY ABOARD.

The only other known prisoners reported in the group were "Frisco" Eddie O'Brien, Eddie Colson and Alvin Crip. O'Brien and Colson were train robbers and Crip was a Chicago gunman, once an enemy of Capone.

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Chicago American
8-20-34

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WHISK CAPONE ACROSS U. S. TO DUNGEON ISLE

Al Capone and 42 other federal prisoners from Atlanta were on their way today to America's Devil's Island.

As the convicts were being whisked across Texas in two especially built and heavily guarded prison cars, officials of Alcatraz island, the new federal prison in San Francisco bay, pointed out that escape from the place was practically impossible.

Group's Departure Abrupt Life

Capone and the others had been spirited away from the Atlanta penitentiary three days ahead of schedule after it was reported that files had been discovered in the cells of some of the men slated for removal.

The new home of Chicago's erstwhile public enemy No. 1, where he will serve more than eight years of his original 11-year term, was once a Spanish fortress. The island, a grim rock in the middle of the bay, served for many years as a U. S. army disciplinary barracks until its transformation into a regular prison.

Currents Bar Escape

Equipped with the latest devices of steel and weapons against attempted escape, it was described by U. S. Atty. Gen. Cummings as a "vital part of our work of segregating the more desperate criminals."

The swirling currents and riptides from the Golden Gate form a natural barrier against escape and also isolate the island against unauthorized communications from the outside.

Warden James A. Johnston, on the occasion of the inspection of the prison Saturday by Gen. Cummings, announced that everything was in readiness for the several hundred prisoners scheduled to be taken there.

Chicago Daily Times

62-28933-A 8-20-34

Al Capone Is on Way to New 'Devil's Island'

(Picture on Back Page.)

Atlanta, Ga., Aug. 19.—(AP)—The Constitution says that Al Capone was among 43 prisoners transferred today from the federal penitentiary here to the government's new Alcatraz island prison in San Francisco bay.

The transfer was made three days ahead of schedule because of the discovery of files in the cells of some of the prisoners selected for removal.

In the special car attached to a regular passenger train leaving here at 6:16 a. m. were 10 prisoners who arrived last night from Pennsylvania en route to the new prison to which the government has announced its most notorious prisoners will be sent.

Serves in Shoe Shop.

Capone, former Chicago gang chieftain, has been doing a turn in the prison shoe shop to which he was assigned upon entering the prison three years ago to serve 11 years for income tax evasion.

Last midnight two passenger coaches were shunted onto the federal penitentiary siding and a few minutes later the guards began marching the prisoners, one by one, from their cells to the cars.

The only prisoners whose names were learned besides Capone were Frisco Eddie O'Brien, Eddie Colson, and Alvin Crip. O'Brien and Colson were identified as notorious train robbers and Crip was said to be a former Chicago gunman and a bitter enemy of Capone before they were sent to the penitentiary.

Keep Convicts in Ignorance.

Working silently and under cover of darkness, the guards took every precaution to keep the news of the transfer from other prisoners, and it was presumed the 43 selected were not aware of the fact until they were tapped on the shoulder and told to dress.

Each prisoner was awakened separately, marched through the darkened cell blocks and escorted from the prison door to the cars by four guards. In the coaches they were assigned immediately to quarters for the trip across the continent to the "Devil's Island" of the United States, from which escape is considered impossible.

Convicts at New Orleans.

New Orleans, La., Aug. 19.—(AP)—Two heavily guarded railroad coaches carrying two score or more prisoners from the federal penitentiary at Atlanta passed through here late today headed for Alcatraz Island.

A picked squad of government agents armed with automatic shotguns guarded the two specially constructed steel barred coaches.

No one was allowed near the cars as they stood for ten minutes shunted off to a siding in the Louisville and Nashville yards waiting to be ferried across the Mississippi river.

Bystanders were able to get within hailing distance.

Says Al's Among Them.

"Is Al Capone in there?" one called out.

A prisoner nodded his head and yelled back: "In this car—by the sixth window."

The prisoner at the sixth window closely resembled Capone.

Unable to distinguish the prisoner because of the poor light, the bystander called out again:

"Is that you, Al?"

"Al," or whoever it was, grinned back, but ducked out of sight when a camera was aimed at him.

At the same time a uniformed prison guard standing on the train steps raised his gun and commanded the photographer to "get away from here."

Another man asked an unidentified official if Capone had special "drawing room accommodations."

"Of course he hasn't," exclaimed the official. Checking himself, he added hurriedly: "That is, if he was on here he'd be treated just like the rest of them."

Chicago Tribune
8-20-34

62-28932-A

SENT TO 'DEVIL'S ISLAND'



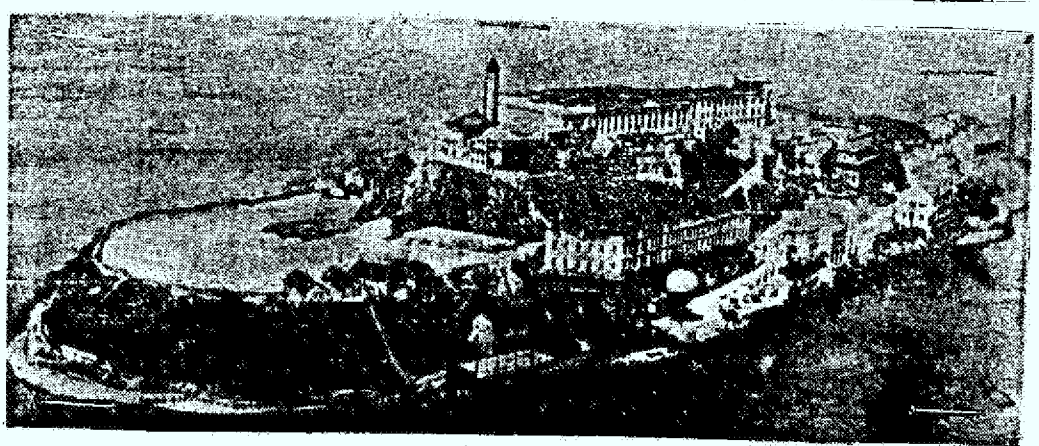
Al Capone, shown at left, Chicago's erstwhile public enemy No. 1, who is being transferred from the Atlanta federal penitentiary to Alcatraz Island prison off the Pacific coast. At bottom right is a view of desolate Alcatraz Island, surrounded by the swirling waters of San Francisco Bay.

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 Schilder
Mr. Tamm

The island consists of a rocky bluff, the sides of which rise precipitously from the sea. Around the base of the bluff race the treacherous waters of the bay, making approach or departure by swimming almost impossible.

The island is a mile long and narrow. Its area is twelve and one-half acres.

The prison includes its own recreation and hospital facilities, and is a self-sufficient establishment. It is more than a mile from the nearest point of the mainland.



62-28933-A

Chicago Herald Examiner
6-30-34

(over)

SENT TO 'DEVIL'S ISLAND'



Al Capone, shown at left, Chicago's erstwhile public enemy No. 1, who is being transferred from the Atlanta federal penitentiary to Alcatraz Island prison off the Pacific coast. At bottom right is a view of desolate Alcatraz Island, surrounded by the swirling waters of San Francisco Bay.

ALCATRAZ SITS ON HIGH BLUFF IN CHOPPY SEA

Prison for Capone Formerly Used by U. S. Military; Only One Escape Recorded

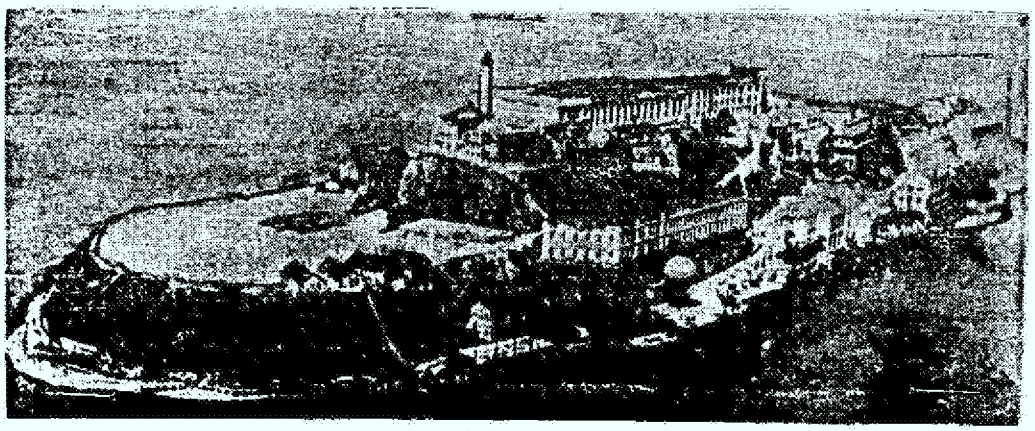
Desolate Alcatraz, known as America's "Devil's Island," was established as a military prison twenty-five years ago. At the request of Attorney General Cummings it was transferred to the Department of Justice last October, so that the government might confine there 600 of its most dangerous convicts.

In the records of the prison during the years it was used by the military, only one escape occured. This was accomplished through forged release papers.

The island consists of a rocky bluff, the sides of which rise precipitously from the sea. Around the base of the bluff race the treacherous waters of the bay, making approach or departure by swimming almost impossible.

The island is a mile long and narrow. Its area is twelve and one-half acres.

The prison includes its own recreation and hospital facilities, and is a self-sufficient establishment. It is more than a mile from the nearest point of the mainland.



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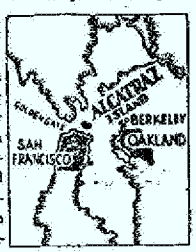
Chicago Health Examiner 8-20-34

(over)

Al Capone Bound for Grim Island Prison at Alcatraz

Sped by Train With 42 Others From Atlanta; Faces Eight More Years.

From the comparative ease and quiet of the federal penitentiary at Atlanta, Chicago's own Al Capone was yesterday headed for the grim and desolate island prison, Alcatraz, in San Francisco Bay.



Map shows location of Alcatraz Island.

The country's erstwhile No. 1 bad man was one of forty-three government prisoners to be removed from their Atlanta cells at daylight yesterday, according to the Atlanta Constitution.

IN SPECIAL COACHES.

At 6:10 a. m. they were herded aboard a couple of special coaches and left Atlanta for San Francisco via the Southern Pacific Railroad.

The only prisoners whose names were learned besides Capone were "Frisco Eddie" O'Brien, Eddie Colson and Alvin Crip. O'Brien and Colson were identified as notorious train robbers and Crip was said to be a former Chicago gunman and a bitter enemy of Capone before they were sent to the penientiary.

MOVE DISCLOSED.

Government officials made every effort to keep Capone's transfer a secret.

It was understood that the reason for secrecy was to avert any possibility of an attempt by an army of criminals to storm the train and free not only Capone but the more desperate criminals who are his traveling companions.

At the federal prison at Atlanta no confirmation was forthcoming as to whether there had been a movement of prisoners.

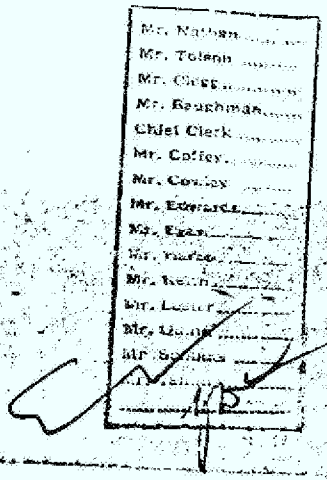
Capone has been doing a term in the prison shoe shop, to which he was assigned upon entering the prison three years ago to serve eleven years for income tax evasion.

(A description of Alcatraz prison, America's "Devil's Island," appears on Page 2.)

File

62-28933-A
Chicago Herald & Examiner 8/20/34





WQNS90

DEL RIO, TEX.--FIFTY-THREE FEDERAL PRISONERS, BELIEVED TO INCLUDE AL CAPONE, PASSED THROUGH HERE TODAY BY TRAIN EN ROUTE TO ALCATRAZ FORTRESS.

8/20--R330P

62-28933-4

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. Schilder .....
Mr. Tamm .....

"CNS72

SAN ANTONIO, TEX.--THE TRAIN BELIEVED TO BE CARRYING AL CAPONE AND SOME 40 OTHER PRISONERS FROM ATLANTA TO ALCATRAZ PRISON WAS SCHEDULED TO ARRIVE HERE AT 2:50 P.M. FEDERAL AND RAILROAD OFFICIALS MAINTAINED STRICT SECRECY REGARDING THE TRIP.

8/20--R154P C-O

Mr. Nathan .....
Mr. Folson .....
Mr. Clegg .....
Mr. Baughman .....
Chief Clerk .....
Mr. Coffey .....
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Mr. Schlueter .....
Mr. Tamm .....

PROBE CAPONE RULE OF BERWYN TAVERNS

Mayor Maurice Shay of Berwyn today ordered Chief of Police John Regan to investigate all taverns in the suburb, and if he finds any former associates in the one-powerful Capone syndicate to run them out of town. The action followed reports that the Caponeites have been moving their gambling interests from Cicero to Berwyn.

Chicago Daily Times

62-28933-A 8-16-34

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Ms. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr Schilder
Mr. Tamm

Berwyn Balks Capone Gang Tavern Rule

Acting on reports that members of the once powerful Capone gang are invading Berwyn with their slot machines, gambling houses and outlaw liquor, Mayor Maurice Shay today ordered Chief of Police John Regan to investigate every tavern owner.

Tavern owners are said to have been promised immunity from the 1 o'clock closing ordinance if they took on beer put out by breweries in which the gangsters have an interest.

Mayor Shay revealed he had asked for the resignations of Frank O. Rettig and David Radcliffe, members of the police and fire commission.

Mayor Shay's action followed a conference of Cook County village mayors with State's Attorney Courtney last Tuesday. At that time Mr. Shay was complimented by the prosecutor for closing the Club Ritz, in Berwyn, when it was learned that "Machine Gun Jack" McGurn and Louis "Doc" Stacy, well-known hoodlums, had an interest in the place.

file

Chicago American
8-16-34

62-28933-A

Mr. Nathan
Mr. Tolson
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AL CAPONE

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...ave been current that the old Capone syndicate has been gradually shifting its seat from Cicero to Berwyn, the suburb directly to the west. Concerted action by the state's attorney and federal agents in seizing slot machines and raiding illicit stills is believed to have spurred the gangsters to seek a more quiet territory for their business.

Taverns Promised Immunity.

Tavern owners are said to have been promised immunity from the 1 o'clock closing ordinance if they took on beer put out by breweries in which the gangsters have an interest. This protection is reported to have been arranged through certain town officials. Mayor Shay said yesterday that he had decided to act on these reports.

"It has been brought to my attention that certain political appointees and office holders are encouraging the migration of the gangsters," he asserted. "While I have nothing definite on which to act, I have ordered Chief Regan to investigate the record of every tavern owner."

Mr. Nathan
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Whe... the Rev. Warren A. Clark, president of the Berwyn Ministers' association, promised the coöperation of the organization to keep hoodlums out of the suburb. At a recent board meeting another citizen arose and announced that unless village officials took action, he would see to it that a vigilance committee was formed to take matters into their own hands.

Following the board meeting Tuesday night, Mayor Shay revealed he had asked for the resignations of Frank O. Rettig and David Radcliffe, the two members of the police and fire commission, holdover appointees from the previous administration. "For the good of the community and the departments," was the reason Mayor Shay gave for his action. He said they would be replaced by a board of three.

Chicago Tribune
8-16-34

62-28933-A

BERWYN MAYOR ACTS TO BLOCK OLD CAPONE GANG

Reports Hoodlums Are Invading Town.

Acting on reports that members of the once powerful Capone gang were invading Berwyn with their slot machines, gambling houses, and outlaw liquor, Mayor Maurice Shay yesterday ordered Chief of Police John Regan to make a thorough investigation of every tavern owner. Should any of them be found to have hoodlum connections, the mayor said, their licenses will be revoked immediately.

For some time reports have been current that the old Capone syndicate has been gradually shifting its seat from Cicero to Berwyn, the suburb directly to the west. Concerted action by the state's attorney and federal agents in seizing slot machines and raiding illicit stills is believed to have spurred the gangsters to seek a more quiet territory for their business.

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"It has been brought to my attention that certain political appointees and office holders are encouraging the migration of the gangsters," he asserted. "While I have nothing definite on which to act, I have ordered Chief Regan to investigate the record of every tavern owner."

War on Gambling.

The mayor and Chief Regan consulted the state's attorney recently on the alleged activities of a slot machine and gambling syndicate in the suburb. After promising his coöperation, State's Attorney Courtney complimented the mayor on his recent action with regard to the Club Ritz at Wesley avenue and Roosevelt road.

The club opened for a few days before a license had been applied for. Mayor Shay said when he learned "Machine Gun Jack" McGurn, Capone gunner, and Louis (Doc) Stacey, another well known hoodlum, were reported to be interested in it he closed the club immediately. Recently it was reopened under reputable management, he declared.

Ministers Pledge Aid.

When apprised of the investigation the Rev. Warren N. Clark, president of the Berwyn Ministers' association, promised the coöperation of the organization to keep hoodlums out of the suburb. At a recent board meeting another citizen arose and announced that unless village officials took action, he would see to it that a vigilance committee was formed to take matters into their own hands.

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Chicago Tribune
8-16-34

62-28933-A

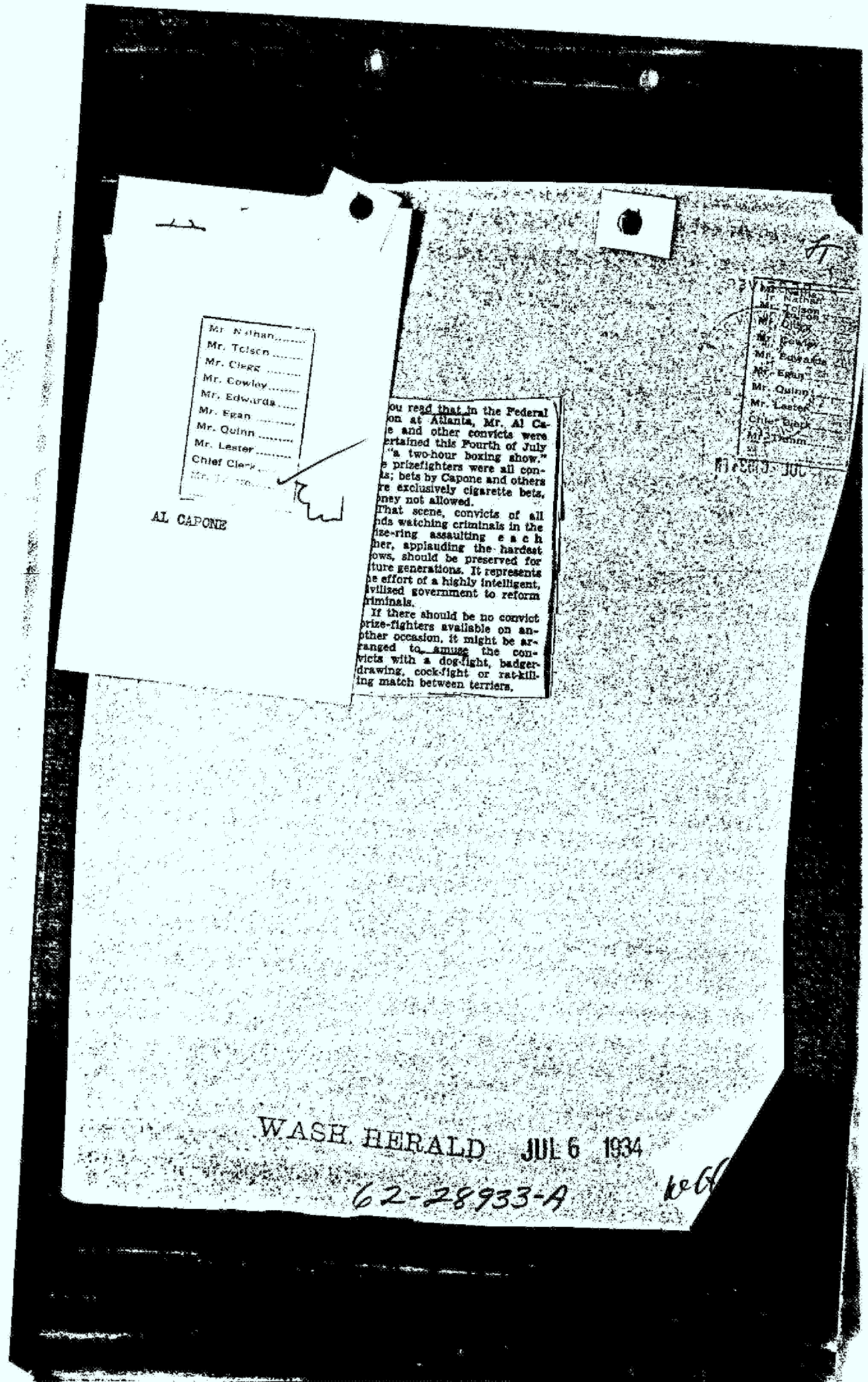
Mr. Nathan.....
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Mr. Cowley.....
Mr. Edwards.....
Mr. Egan.....
Mr. Quinn.....
Mr. Lester.....
Chief Clerk.....
Mr. Tamm.....
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Capone Hurts Hand in Prison Shop

A hand injury, received in the shoe shop of the federal penitentiary at Atlanta, Ga., is forcing Al Capone, former Chicago beer lord, to go to the prison hospital daily for treatment. The injury is not serious, it was learned, but physicians are carefully watching it.

Chicago American
July 11-1934

62-28933-A



Mr. Nathan
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Mr. Quinn
Mr. Lester
Chief Clerk

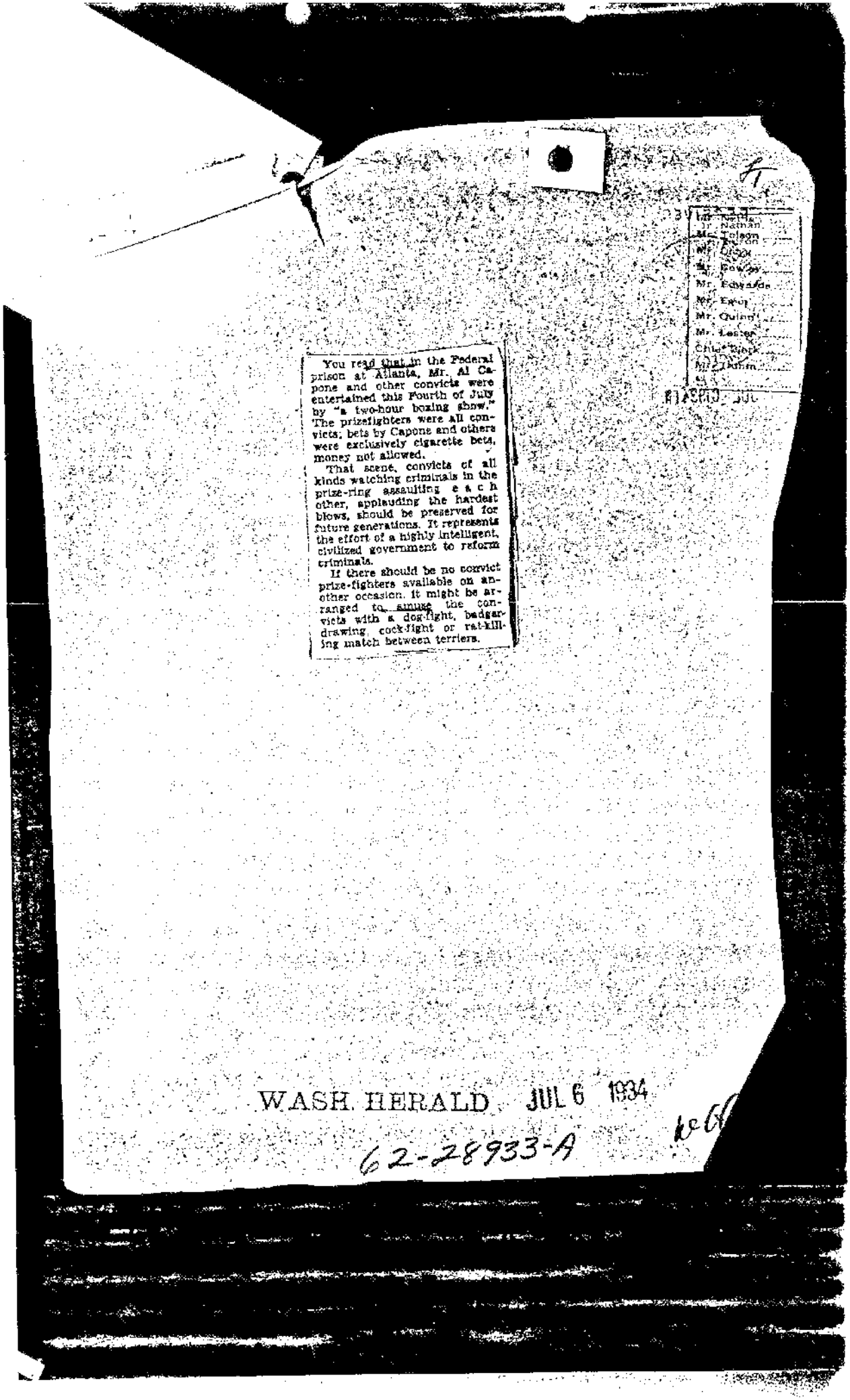
AL CAPONE

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That scene, convicts of all
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ing match between terriers.

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Quinn
Mr. Lester
Chief Clerk

WASH. HERALD JUL 6 1934

62-28933-A



You read that in the Federal prison at Atlanta, Mr. Al Capone and other convicts were entertained this Fourth of July by "a two-hour boxing show." The prizefighters were all convicts; bets by Capone and others were exclusively cigarette bets, money not allowed.

That scene, convicts of all kinds watching criminals in the prize-ring assaulting each other, applauding the hardest blows, should be preserved for future generations. It represents the effort of a highly intelligent, civilized government to reform criminals.

If there should be no convict prize-fighters available on another occasion, it might be arranged to amuse the convicts with a dog-fight, badger-drawing, cock-fight or rat-killing match between terriers.

Mr. Nichols
Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Quinn
Mr. Lester
Chief Clerk
Mr. Tamm

WASH. HERALD JUL 6 1934

62-28933-A

Mr. Nathan .....
Mr. Tolson .....
Mr. Clegg .....
Mr. Cowley .....
Mr. Edwards .....
Mr. Ekan .....
Mr. Quinn .....
Mr. Lester .....
Chief Clerk .....
Mr. Tamm .....

AL CAPONE

Big-Shot Al Capone Bets Cigarets on Prison Pugilists

ATLANTA, July 5.—(AP)—Al Capone enjoyed his Fourth of July—he took time out from work in a shoe shop at the federal penitentiary to watch a two-hour boxing show.

The one-time big gang leader of Chicago, in the best of health, climbed on a bench and shouted advice to the boxers and wagered cigarets on the outcome of the fights, cigarets being the legal tender of the penitentiary. The show was an all-prison affair.

Capone entered the prison two years ago. He is serving eleven years for federal income tax evasion.

Mr. Nathan .....
Mr. Tolson .....
Mr. Clegg .....
Mr. Cowley .....
Mr. Edwards .....
Mr. Ekan .....
Mr. Quinn .....
Mr. Lester .....
Chief Clerk .....
Mr. Tamm .....

Chicago Associated Press
July 5, 1934

62-28933-A

Division of Investigation
U. S. Department of Justice

Mr. Nathan .....
Mr. Tolson .....
Mr. Clegg .....
Mr. Cowley .....

burgh Sun-Telegraph 5/29/34

SPC
JDW

CAPONE

CAPONE LOSES LIBERTY PLEA

NEW ORLEANS, May 29.—(AP.)—Al Capone, American No. 1 public enemy of prohibition times, today lost his appeal for release from the Federal Penitentiary at Atlanta, Ga.

The United States District Court of Appeals here denied the appeal of the former gangster chief of Chicago for release from the penitentiary on a writ of habeas corpus where he is serving a 10 year sentence for evasion of the income tax laws.

The former beer and liquor baron sought the writ on the contention that the offenses for which he was convicted were barred by the three-year statue of limitations.

FBI - JUSTICE - DEPARTMENT OF JUSTICE - DIVISION ONE - JUN 29 1934 PM

SPC

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62-28933-A.

Mr. Nathan .....
Mr. Tolson .....
Mr. Clegg .....
Mr. Cowley .....
Mr. Edwards .....
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Mr. Lester .....
Chief Clerk .....
Mr. Tamm .....

ADD CAPONE, NEW ORLEANS

THE APPLICATION FOR THE WRIT, APPEALED FROM THE ATLANTA DISTRICT COURT, WAS BASED ON CAPONE'S CONTENTION THAT THE STATUTE OF LIMITATION HAD EXPIRED WHEN HE WAS INDICTED FOR DEFRAUDING THE GOVERNMENT O INCOME TAX.

THE DECISION WAS WRITTEN BY SENIOR CIRCUIT JUDGE NATHAN P. BRYAN, AND CIRCUIT JUDGES JOSEPH C. HUTCHINSON, JR., AND SAMUEL H. SIBLEY.

5/29--R1203P (JO)

NOT RECORDED

62-28933-A

Mr. Nathan.....
Mr. Tolson.....
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Mr. Cowley.....
Mr. Edwards.....
Mr. Egan.....
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Chief Clerk.....
Mr. Tamm.....
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WCNS53

NEW ORLEANS--THE U.S. CIRCUIT COURT OF APPEALS TODAY DENIED ALPHONSE CAPONE. A WRIT OF HABEAS CORPUS WHICH WOULD HAVE FREED HIM FROM ATLANTA PENITENTIARY.

5/29--R1126A

NOT RECORDED

62-28933-1

(1) (2)

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Coffey
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Hoover
Mr. Lester
Mr. Nichols
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

Capone Lawyers File New Writ for Liberty

Court Sets Saturday for U. S. to Act on Plea

ATLANTA, Ga., Nov. 15 (AP).—Another effort to obtain the release of Alphonse Capone, Chicago gangster now serving a prison term in the Atlanta Federal penitentiary for tax evasion, was launched today when a writ of habeas corpus was filed in Federal District Court.

Judge E. Marvin Underwood set 10 A. M. Saturday as the time when the Government would be called upon to show cause why Capone should not be released. Counsel for Capone will be present for the hearing. In a petition containing allegations of fact designed to show that a statute of limitations has run in Capone's case and the writ should be made that he [illegible] unlawfully. The petition was filed by Frank Doughman, Atlanta lawyer, who is associated with William H. Lamar and William J. Hughes Jr., of Washington, D. C.

N.Y. Evening Sun 11-15-33

NOT RECORDED
62-28933-A

DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
NOV 16
NEW YORK, N. Y.
FILE

American
11-IV-33

BUSINESS OPPORTUNITIES

CAPONE MUSTERS PRISON MOB TO SAVE SELF FROM FOES

Who are the men that form Al Capone's bodyguard in the Atlanta Penitentiary and protect him from the threat of assassination, stalking him even behind prison walls? In this, the last installment of his fascinating series on Capone, Tarleton Collier describes the big boy's cellmates and their manner of operation as an "inside mob."

BY TARLETON COLLIER.

ATLANTA, Nov. 11.—A dark-eyed stripling paused at the telegraph desk in an Atlanta hotel lobby the other night and wrote a message to his father. It announced the lad's safe arrival. It concluded:

"You are the best dad in the world.—Son."

The boy was John Capone, son of prisoner No. 40886 of the Atlanta Federal Penitentiary. Arriving from Chicago for his monthly visit to his father, he had performed the first duty imposed on him by his father's friends, to say all was well and he had added for himself that assurance of loyalty.

REDEEMING QUALITY.

Alphonse Capone, undoubtedly possessed some quality that attracts the loyalty of those he trusts and commands without it he could not have become the leader of a powerful outlaw empire in which men lived and fattened on violence, and every one had a price on his head.

This loyalty, may not always be inspired by affection as in the case of his son. Reward of one sort or another, promise of reward, or moral and spiritual intimidation may gather men to a leader.

In the Atlanta penitentiary Capone has mustered a following of fellow-prisoners, a sort of new mob, who accompany him upon occasions of recreation when all prisoners mingle together.

He may need help sometime, because he has enemies here and in a sense is "on the spot," envious of his reputed wealth, several prisoners are known to have made arrogant demands upon him for money. A more active danger menaces from underworld figures who had reason to hate him in the old gang days and whom fate metal clubs from the prison shops are no less dangerous.

DOMINATES FIVE MEN.

Capone dominates also the five men who live with him in cell 3-7 of section "A" in the Atlanta prison. It is a mutually sympathetic group which dwells there (subject, of course, to being shifted at any time even as this is written). They are outlaws with the burden of many years imprisonment upon them, restless and reckless souls.

Sentences of the six men total 117 years and all but one of the other five are facing longer terms than Al Capone. That one is Joe McCann, sent from New York for money order theft and falsification and, like Capone, in for a stretch of ten years.

The others have the name of desperate criminals, as their hopeless.y long terms signify, and three of them have known the game of long chances.

Denny Kolback and Chippie Robinson are two of them. They were partners in a mail robbery venture in St. Louis which ended, as all outlaw ventures must end at last, in failure, in arrest and in sentences of twenty-five years each. They were sent to Atlanta from Leavenworth.

Carter Rose is another of Capone's cellmates in for a 25-year stretch. He was sentenced in Atlanta, also, for mail robbery. Armand Marquis is the sixth man of the group. Marquis is the unusual type, a dark, intense, nervous man. He has the name of being a "pyromaniac," a "fire-bug," and he is doing 22 years for arson.

The six are huddled together in the large cage nearly 12 hours of every day, for the most part without much conversation but with a great deal of understanding. Capone's dominance of the group seems inevitable, but his leadership outwardly has amounted to nothing more than to establish a



BODYGUARD—One of Al Capone's cell-mates, who acts as a bodyguard in prison. This is Joseph McCann, serving 10 years for money order theft in New York.

NOV 16

NOT RECORDED

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10 years for money order theft in New York.

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He may need help sometime, because he has enemies here and in a sense is "on the spot," envious of his reputed wealth, several prisoners are known to have made arrogant demands upon him for money. A more active danger menaces from underworld figures who had reason to hate him in the old gang days and whom fate has sent to the Atlanta prison.

And then there are men whose dislike he has incurred for one reason or another — for grievances fancied, trival, or serious—since he has been here. Already there are tales of several brushes in which Capone or members of his bodyguard have figured—fights the details of which have been carefully veiled by the tight-lipped attitude of the underworld and which have not gone into Capone's conduct record.

In the bodyguard of the big shot are to be found "Barber" Rocco, "Dago" Marks, Carl Bolton, known as "Pegleg," Armand Marquis, "Suwanee," a laundry worker; a prisoner from Washington known generally as "Lifer" another named McGinnis, and a few others.

This bodyguard is vigilant and loyal. Capone, accustomed to vigilance outside, figures he may need help here. The old menace of machine guns and shotgun slugs is gone, but knives and sentences of twenty-five years each. They were sent to Atlanta from Leavenworth.

Carter Rose is another of Capone's cellmates in for a 25-year stretch. He was sentenced in Atlanta, also, for mail robbery. Armand Marquis is the sixth man of the group. Marquis is the unusual type, a dark, intense, nervous man. He has the name of being a "pyromaniac," a "fire-bug," and he is doing 22 years for arson.

The six are huddled together in the large cage nearly 12 hours of every day, for the most part without much conversation but with a great deal of understanding. Capone's dominance of the group seems inevitable, but his leadership outwardly has amounted to nothing more than to establish a standard of quiet deportment.

Others who have dwelled in section "A" say there has never been a quarrel among these prisoners. There has never been a difference, for example, about the occupancy of the bunks, two of which are upper berths, four lower. Capone sleeps below.

Number 40886 watches silently with a contained interest while his cellmates play at dominoes in the leisure hour after the radio is turned off. Cards and dice being forbidden—although the latter are contrived occasionally in secret—prisoners have devised a sort of poker to be played with dominoes.

It can, and does at times, become a furious gambling game, but Capone rarely takes part. He is the backer of gamblers rather than himself a participant.

With no great amount of money in circulation among the prisoners cigarettes become the prison currency. With cigarettes you buy favors, you reward services, you tip the barber, you bet on ball games. They are legal tender in this half-world.

Neither at gambling nor backing gamblers, whether the pawn is a cigarette or a million dollars, is Al Capone likely to be stirred or discomfited. He is described as a "deep one," poised and rational. His habits and tastes are normal and intelligently calculated to be of service to his needs.



PARTNER—Edward W. O'Brien, who is Al Capone's usual tennis partner in the Atlanta Federal prison. O'Brien was star shortstop of the prison ball team known as the "Commodore Feds."



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 3 OF 11

BUFILE NUMBERS:

32-15941

62-32480

62-35259

SUBJECT Capone, Alphonse

FILE NUMBER 32-15941

SECTION NUMBER 1

SERIALS 1 - 41X

TOTAL PAGES 226

PAGES RELEASED 224

PAGES WITHHELD 2

EXEMPTION(S) USED b3, b6, b7C, b7D

Chicago Crime Commission

ORGANIZED BY
The Chicago Association of Commerce
300 West Adams Street
Telephone Franklin 0101

RECORDED
AUG 8 1930
Div. of Inv.

August
Five
1930

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

Attention: J. E. Hoover
Director

32

Subject: Records as to twenty-eight known gangsters

1.- Attached you will find a list of twenty-eight persons known to be gangsters and racketeers in Chicago.

2.- This list is forwarded to your office for the purpose of ascertaining if any of the twenty-eight named have a previous record outside of Chicago.

3.- If your files contain any record as to the twenty-eight named receipt of such copies of records will be appreciated.

4.- There is being forwarded to you under separate cover No. 58 of Criminal Justice, the official publication of the Chicago Crime Commission. In this issue you will find matters that may be of interest to your office.

R. W. Dvorak
Assistant Operating Director

RWD:CW

RECORDED & INDEXED

32-159 HI-1
BUREAU OF INVESTIGATION
AUG 7 1930
DEPARTMENT OF JUSTICE

Please address all communications to Chicago Crime Commission and not to individuals

In re: Chicago's Well Known
Gang Leaders and Gangsters

The following is a partial list of Chicago's most prominent, well known and notorious gangsters:

Alphonse Capone alias "Scar Face" Capone
" "Al Capone"
" "Al Brown"

Tony ("Mops") Volpe

Ralph Capone

Frank Rio alias "Frank Kline"
" "Frank Cline"

Jack Demore alias "Jack ('Machine Gun') McGurn"

James Belcastro

Rocco Fannelli

Lawrence ("Dago Lawrence") Mangano

Jack Zuta

Jack Gusick

Frank Diamond

George ("Bugs") Moran

Joe Aiello

Edward ("Spike") O'Donnell

Joe ("Polack Joe") Saltis

Frank McErlane

Vincent McErlane

William Klemath

32-15941-1

Danny Stanton

Myles O'Donnell

Frank Lake

Terry Drugran

William ("Klondike") O'Donnell

George ("Red") Barker

William ("Three Finger Jack") White

Joseph ("Peppy") Venero

Leo Hongoven

James ("Fur") Sammons

The above list represents persons who are constantly in conflict with the law.

85 HR

6

FINAL EDITION

TS IN CHICAGO AND SUBURBS ELSEWHERE THREE CENTS

OBS

U. S. GIRDS FOR DRIVE AGAINST CHICAGO CRIME

Chicago Tribune
11-21-30

Calls Guzik Verdict Blow to Gangs.

All federal law enforcement agencies in Chicago are being coördinated for a concerted campaign against crime. This was announced in Washington yesterday by Attorney General Mitchell in the wake of the government's conviction of Jack Guzik, Capone gangster and public enemy on charges of evading the income tax.

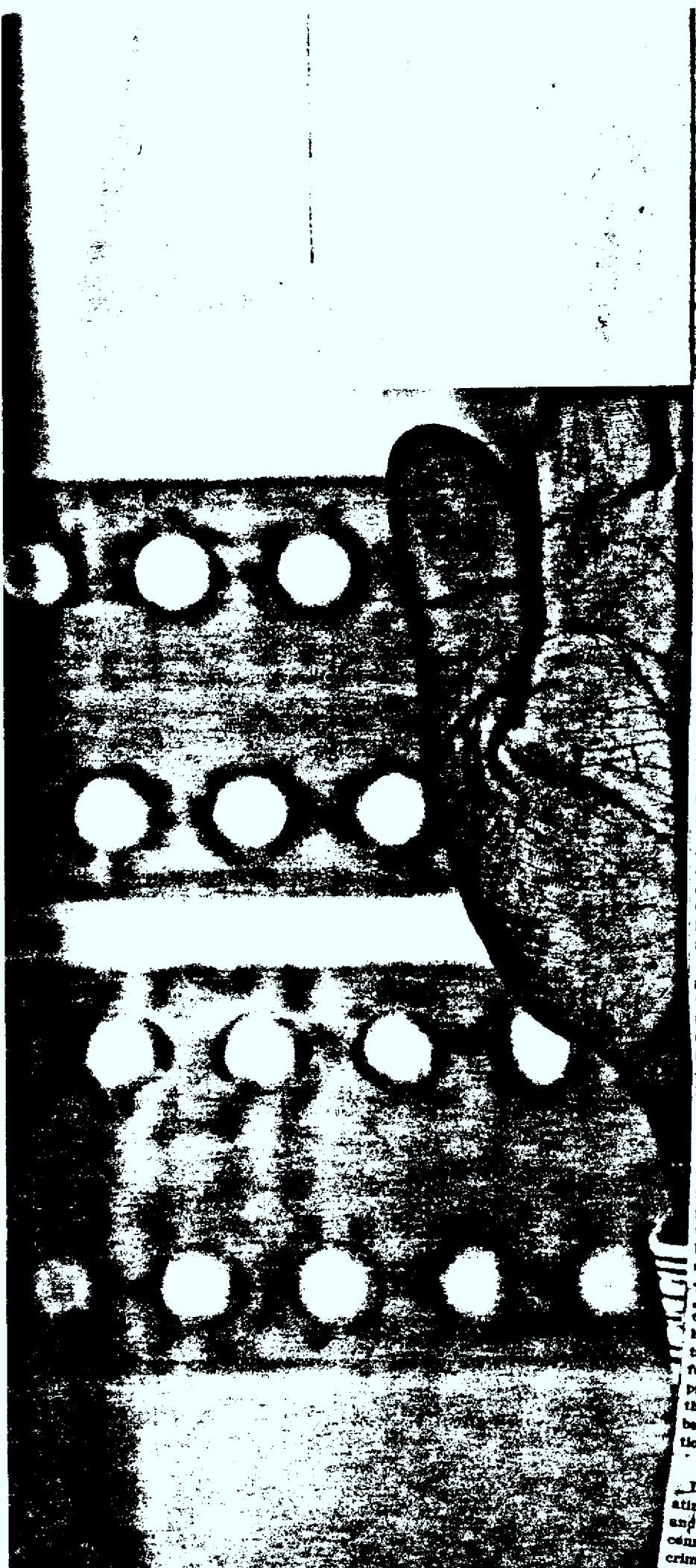
The conviction of Guzik was regarded in Washington as the most far reaching blow so far dealt to the Capone gang. Attorney General Mitchell announced that the federal authorities in Chicago are being supported by the "fortifying and strengthening" of the various federal agencies.

Help Sent from Washington.

Assistant Attorney General William J. Froelich has been in Chicago for several weeks assisting United States Attorney George E. Q. Johnson to coördinate the several branches of federal service for an assault upon crime on all fronts. The district attorney had not disclosed the purpose of Mr. Froelich's assignment, but it was revealed in Washington by the attorney

NEWSPAPER CLIPPINGS

7
32-15944-3X



evading the income tax.

The conviction of Guzik was regarded in Washington as the most far reaching blow at the desk of the Capone gang. Attorney General Mitchell announced that the federal authorities in Chicago are being supported by the "intensifying and strengthening" of the various federal agencies.

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Additional investigators from Washington have been sent to Chicago, but neither the attorney general nor the district attorney would disclose how many. It is known, however, that the internal revenue department's intelligence unit, headed by A. P. Madden, has been reinforced with more agents. This unit handles income tax frauds and is regarded as the most potent of federal crime fighting agencies.

Hopes for More Convictions.

District Attorney Johnson, in keeping with his policy of talking only with indictments and verdicts, declined to amplify the announcement of the attorney general. As to the conviction of Guzik, he had only this to say:

"We hope it presages more and even greater achievements of a similar nature."

In refusing to discuss the federal campaign against crime, Mr. Johnson declared: "If words could drive the official and criminal gangsters out of Chicago they would have been gone long ago. The Bible says the guilty fleeth from the shadow."

The district attorney expressed disgust with so-called crusades launched with headlines and declared that such methods have little success against machine gunners and bomb hurlers. His phraseology was reminiscent of a dictum of Sophocles in "Edipus the King"—"Words cannot scare him who blenches not at deeds."

Many Forces Included.

The local federal agencies include the prohibition forces, the secret service, the internal revenue agents, and intelligence unit, the immigration authorities, the department of justice bureau of investigation, the postal inspectors, the narcotic bureau, and the [illegible] inspectors.

As an example of the type of work expected through the coördination of these forces, local authorities cited hypothetical cases. If a police captain is found to be accepting bribes for protecting bootleggers, he can be prosecuted for conspiracy to violate the dry laws. Then his income may be found sufficient to justify prosecution for tax fraud.

Deport When Ever Possible.

Immigration authorities are cooperating with all branches of the service and deporting all aliens who enter the country illegally or have sufficient criminal [illegible]

32-13

8

LCS:CC
32-15941-1

August 11, 1930.

RECORDED

Mr. R. W. Dvorak,
Assistant Operating Director,
Chicago Crime Commission,
300 West Adams Street,
Chicago, Illinois.

Dear Sir:

I beg to acknowledge your letter of August 5, 1930, requesting records on twenty-eight gangsters whose names you furnished.

While, no doubt, the files of the National Division of Identification and Information contain records of many individuals answering these names, I cannot vouch for the fact that they are identical with the persons you have in mind unless copies of the fingerprints of these gangsters are furnished, or their Chicago police numbers given as a key to such records.

I will be very glad to supply you with all data in our possession concerning these individuals upon receipt of further information along the lines just set out.

Very truly yours,

Director.

66 11

NCG

9

Chicago Crime Commission

ORGANIZED BY
The Chicago Association of Commerce
300 West Adams Street
Telephone Franklin 0101

32-15941

August
Fifteen
1930

RECORDED
AUG 18 1930
DIV. of INVEST.

Dear Mr. Hoover:-

This will acknowledge receipt of your kind letter advising that you are unable to furnish the previous records of twenty-eight gangsters submitted unless these are accompanied by copy of finger prints or police numbers.

Enclosed you will find a list of the twenty-eight gangsters. Preceding each name you will find what is known in the Chicago Police Department as the Bureau of Identification picture number. Where police or picture numbers are missing you will find following the name finger print code numbers and letters.

I trust that the information now submitted is sufficient and if not I will be pleased to furnish anything further that may be necessary to obtain the previous records that may be in the possession of your department as to the persons named.

R. W. Dvorak
Assistant Operating Director

United States Department of Justice
Bureau of Investigation
Washington, D. C.

Attention of John Edgar Hoover, Director

RECORDED

AUG 21 1930

32-1594-2
BUREAU OF INVESTIGATION
AUG. 21 1930 A. M.
DEPARTMENT OF JUSTICE
Div. Six | FILE

RWD-IT

8/19/65

Philadelphia Police Dept. 6527 — Alphonse Capone alias "Scar Face Capone" / "Al Capone" / "Al Brown" — 1 U IO R / 1 T 0

94550 Tony ("Mops") Volpe

C-1275 Ralph Capone

C-6550 Frank Rio alias "Frank Kline" / "Frank Cline"

C-1702 Jack Demore alias "Jack ('Machine Gun') McGurn"

71761 James Belcastro

Rocco Fannelli — 32 IM 0 / 32 MM

C-13352 Lawrence ("Dago Lawrence") Mangano

Jack Zuta — 1 R t 9 / 1 R

Jack Gusick — 14 T 0 0 / 22 R IO

95167 Frank Diamond

84689 George ("Big") Moran

C-8987 [illegible]

67753 Edward ("Spike") O'Donnell

C-2263 Joe ("Polack Joe") Saltis

C799 Frank McErlane

C-295 Vincent McErlane

C-3877 William Niemoth

91827 Danny Stanton

C-17917 Myles O'Donnell

Frank Lake — 1 U 00 16 / 17 U 00

San Francisco 35948 Terry Druggan — 1 U 9 / 1a T

C-4993 William ("Klondike") O'Donnell

78120 George ("Red") Barker

C-16558 William ("Three Finger Jack") White

C-12751 Joseph ("Peppy") Genero

C-14036 Leo Mongoven

C-4990 James ("Fur") Sammons

11

28713

32-15941-2

LCS:MM

RECORDED

AUG 21 1930

August 20, 1930.

Mr. R. W. Dronek,
Assistant Operating Director,
Chicago Crime Commission,
300 West Adams Street,
Chicago, Illinois.

Dear Sir:

I beg to acknowledge your letter of August 15, 1930, and to furnish for your information, the following criminal records of a number of the gangsters mentioned in the list which accompanied the communication cited:

ALPHONSE CAPONE, Philadelphia, Pa., Eastern State Penitentiary #C-5597: Subject as Alphonse Capone, #B-5606, received Philadelphia County Prison, Holmesburg, Pa., May 14, 1929, charge carrying concealed deadly weapons; sentence one year.

As Alphonse Capone, #60758, arrested Police Department, Philadelphia, Pa., May 17, 1929, charge suspicious character and carrying concealed deadly weapons; disposition not given.

As Alphonse Capone, #C-5597, received State Penitentiary, Philadelphia, Pa., August 8, 1929, from Philadelphia; crime carrying concealed deadly weapons; sentence one year; the following notations appear on this print:

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

As Alphonse Capone, #5845, arrested Police Department, Miami, Fla., May 8, 1930, charge investigation - vagrancy; released on writ May 8, 1930; forfeited $100 bond.

The following is the record of one RALPH CAPONE, possibly identical with the RALPH CAPONE referred to in your inquiry as Philadelphia Police #C-1375:

As Ralph Capone, #10772, arrested Police Department, New Orleans, La., May 20, 1930, charge violation of Section 1324 - dangerous and suspicious - visible means of support; discharged.

As Ralph James Capone, #10144, arrested Police Department, Memphis, Tenn., February 8, 1930, charge investigation; released.

Sincerely yours,

J. EDGAR HOOVER
DIRECTOR

AUG 20 1930

F-467

12

28714

JOE AIELLO, Chicago Police [illegible]: Subject as Joseph Aiello, [illegible], arrested Police Department, Chicago, Illinois, November 28, 1927, [illegible] general principles; disposition not given. The following information appears on subject's record:

"[illegible] - Joseph Aiello, on charge of [illegible] wanted by Chicago, Ill., Police."

JOE SOLTIS, Chicago Police [illegible]: Subject as Joe Soltis, [illegible] Police Department, Hammond, Indiana, July 26, 1926, charge murder; disposition not given.

As Joe Soltis, [illegible], arrested Sheriff's Office, Gary, Ind., [illegible] 27, 1926, charge murder; held to Grand Jury. Gary, Ind.

As Joe Soltis, [illegible], inquiry made by the Chicago, Ill., Police Department, this print bearing the following information:

"[illegible]-700, Joe Soltis, 6/22/26, general principles.
[illegible]-4065, " " , Indicted by Grand Jury, [illegible], [illegible]."

WILLIAM HIGGETH, Chicago Police [illegible]: Subject as William Higgeth, [illegible], arrested Police Department, Chicago, Ill., December 21, 1926, charge general principles; disposition not given; The following information appears on this print:

"W. Higgeth, Chicago, 9/11/26, Motor Act; [illegible] and costs.
Chicago, 8/15/24, burglary; S. S. [illegible].
Chicago, 6/20/24, general principles, [illegible].
Chicago, 12/12/24, burglary; 1 year probation.
[illegible] Chicago, 3/7/25, VP 6145; bond forfeited.
[illegible], Chicago, 9/9/25, robbery; nolle prossed.
[illegible], Chicago, 8/20/26, VP 6 on 245; [illegible] and costs.
As William Higgeth, [illegible] by P. D. Baltimore, Md. per circular dated October 26, 1926 -- [illegible]."

As William Higgeth, [illegible], arrested Police Department, Baltimore, June 6, 1926, charge assault and robbery; disposition not given.

MILES O'DONNELL, Chicago Police [illegible]: Subject as Miles O'Donnell, [illegible], arrested Police Department, Chicago, Illinois, August 6, 1926, charge burglary; disposition not given.

WILLIAM [illegible] O'DONNELL, Chicago Police [illegible]: Subject as William O'Donnell, [illegible], arrested Police Department, Chicago, Illinois, August 4, 1927, charge general principles; disposition not given.

As William O'Donnell, [illegible], received United States Penitentiary, Leavenworth, Kansas, August 12, 1927, from Chicago, Ill., crime conspiracy to violate Internal Revenue Laws; sentence 18 months.

13

FBI FILES BUREAU MAILED
20 1930

WILLIAM WHITE, Chicago Police #[illegible]: Subject as William White, #[illegible], arrested Police Department, Colorado Springs, Colorado, August 2, 1918, charge fugitive (bank robber); turned over to Chicago, Ill., Police Department, August 12, 1920.

As William White, #[illegible], received State Penitentiary, Joliet, Ill., January 7, 1920, from Cook County, crime robbery, etc., sentence one year to life imprisonment.

As William White, #28714, arrested Police Department, Kansas City, Missouri, June 26, 1925, charge suspected of robbery; disposition not given.

As William J. White, #0-[illegible], arrested Police Department, Chicago, Ill., May 25, 1926, charge general principles; disposition not given.

As Willie White, #0-16[illegible], arrested Police Department, Chicago, Illinois, [date not given; print received May 24, 1928]. The following information appears on this print:

"William White, #[illegible], Chicago, Ill., 12/22/19, robbery, Joliet Pen. #[illegible].
" " Kansas City, Mo., 6/26/25, robbery
" " Chicago, Ill., 1/21/27, [illegible], Joliet Pen.
" " #[illegible], Chicago, Ill., 3/10/26, robbery; not guilty.
" " " " " 6/7 [illegible], robbery."

The above records have been [illegible] on the basis of the Police Department numbers furnished by you. You will note that my fingerprints are in the files of the National Division of Identification and Information on the basis of some of the numbers furnished in your letter. If you desire to receive the full criminal records disclosed by this Division concerning the remainder of the gangsters listed by you, I will be glad to supply you with the same if you will forward a copy of the fingerprints which can be obtained from the Chicago Police Department Identification Bureau, or if you will give no additional police numbers as a clue. Every Police Department fingerprint card is not sent the National Division of Identification and Information, thus accounting for the fact that I am unable at this writing to give you all the records you request.

I trust that the information furnished in this letter will be of some assistance to your Commission and I desire to assure you of my [illegible] to render all possible service to you at all times.

Very truly yours,

Director.

11/24/39

FOR ATTENTION OR ACTION

AS INDICATED

Director		
Mr. Nathan	Room	320
Mr. Tolson	"	318
Mr. Baughman	"	422
Mr. Appel	"	416
Mr. Egan	"	433
Mr. Guinane	"	419
Mr. Harvey	"	419
Miss Matthew	"	420
Miss Beahm	"	420
Mrs. Peake	"	420

Inspectors
Division Seven
Bureau Files Division
Personnel Files Division
Local Bureau office
Identification Division

NO. 22 (1939)

V. W. Hughes,
Room 418.

32-1594-2X NOT RECORDED 32

15

CRIME FI TERS UNITE IN BATTLE TO UPHOLD LAW

Chicago Tribune
11-1-30

Alcock Heads Organization Formed at U. of C.

BY PHILIP KINSLEY.

The Chicago regional group of the Association of Law Enforcement Officers of America was organized yesterday at the University of Chicago to meet the challenge of organized crime.

Its first action was to elect Acting Police Commissioner John H. Alcock as president and to adopt resolutions endorsing the new code of criminal procedure prepared by the American Institute of Law and recommending the establishment of a state bureau of criminal identification and investigation under the department of public welfare.

From Many Organizations.

More than one hundred officials and representatives of crime fighting organizations met in the hall of Social Sciences at the call of Prof. August Vollmer, head of the department of police administration at the university. They represented everything from the federal prohibition bureau to the village chief of police in the far flung metropolitan area which comprises 1,300 independent governments. In the all day forum that resulted many suggestions for meeting the crime problem were flung into the hopper.

Coöperation not only in pressure for new legislation but in the actual work of catching criminals through a new system of records and information and the extension of police radio and other means will be effected.

"We are weaklings if we don't beat the crooks," said Prof. Vollmer, former chief of police of Berkeley, Cal. "It is a question of government by gangsters, for gangsters, or a government by the people for the people. The only remedy is organization."

Alcock Sees Hope for Future.

Commissioner Alcock said he was very hopeful for the future, with such an organization to help him. He suggested that when complaints come in concerning officials it would be well to find out whether they originate with good people, "or are worked up through the racketeers to humiliate and destroy competent officials."

"From a policeman's standpoint," he said, "I know what would be ideal.

"First, a citizenry which would demand a strict enforcement of all laws, not only against the other fellow but against themselves as well.

"Second, a police force thoroughly trained in every branch of its difficult business, with promotions based strictly upon merit, and with the head of the department irremovable.

"Third, prosecutors who, after being thoroughly educated in law, take a special course in a university in the preparation and trial of criminal cases.

Forty Citizens Answer Call to Fight Racket in New York

New York, Nov. 28.—[Special.]—District Attorney T. C. T. Crain's appeal for a committee of public safety to help him rid New York of racketeer rule was answered today by forty men—leaders in industry, churchmen, labor leaders and public officials—who met in his office in the afternoon and outlined a program for combating the "public enemies."

The details of the program were not made public and the session was held behind closed doors, but Mr. Crain told reporters that "concrete suggestions" had been offered, that a definite course of action had been outlined, and that the program would be carried out. He hinted that the reason for withholding the details of the plan was that it might thwart the committee's work.

Mr. Crain opened the meeting with a talk on the extent to which the racketeers have gone in their raids on various branches of industry in New York. He told how they work and pleaded for emancipation from their power.

Tells How Rackets Work.

"In many lines of trade and commerce," he said, "racketeers coerce the workingman, the merchant, the manufacturer, and the financier. These are forced into courses of conduct [illegible] to their interest and [illegible] to society. Businesses are not conducted as the proprietor or [illegible] agent would conduct them, but as he is constrained to conduct them at the command of outsiders.

"This fear of the racketeer prevents those whose conduct is controlled by it from availing themselves of the forces of government which exist for the protection of the citizen, and today, a considerable portion of our business community who are the victims of the racketeer stay away from the police, the district attorney and the courts. They place themselves by their surrender to the demands of the lawless to a great extent outside the protection of the law."

To Send Out Inquiries.

It was made known today that a secret questionnaire is to be sent to merchants in all big cities asking for details of their experiences with racketeers and other "public enemies." J. Weston Allen, chairman of the national crime commission, wrote District Attorney Crain offering full cooperation of his organization in the drive against racketeers. Complete anonymity will be promised to the merchants.

crime situation were given at the conference as follows:

Prof. Charles E. Merriam — The crooks pay no attention to political geography. They rely on the inability of the rest of us to organize. They are a good deal better organized than the law enforcers. There are brains and energy enough among the peace officers to put an end to this hide and seek game. I predict that the next great advance in municipal government will be in police administration. Police and public welfare will be reorganized. It is not all man hunting. The time to deal with crime is to get at the roots of it.

Col. J. F. J. Herbert (federal prohibition officer)—You all took the same oath of office to uphold the constitution as I did. Unless you coöperate with the federal forces and there is strict observance by you we are grievously handicapped. There is too often indifference on the part of officers to that part of the constitution which led to the national prohibition act. You are as seriously charged with enforcement of prohibition as I am, and the better the provisions of that act are enforced the less grows your work.

"Our force is pitifully small for the requirements forced upon it, not by the law, but by inactivity and indifference. I am not ready yet, and do not anticipate the day when I will be ready, to stand and declare 'It can't be done.' I must be hopeful. I believe that at a not distant date there will come an awakening of civic consciousness on the part of officers and private citizens that will lessen the volume of work now required of us. I will give you coöperation until it hurts, and I ask you to give me consideration and a modicum of coöperation."

Frank J. Loesch—"There should be a central bureau of criminal statis-

$55,725 IN REWARDS.

Rewards totaling $55,725 are offered for information leading to the arrest and conviction of the slayer of Alfred Lingle. Of the $25,000 reward offered by The Tribune $10,000 will be paid to any person who will give confidential information identifying the slayer of Lingle. All information should be sent to the headquarters established by State's Attorney Swanson in room 503 Temple building, 77 West Washington street. Telephone State 3729.

citizenry is in the last analysis responsible for present conditions. The mayoralty is the key position. The citizens of Chicago will have a chance in the spring to get a good mayor."

Lieut. Col. Calvin Goddard—"The scientific crime detection laboratory of Northwestern university is at the service of all law enforcement agencies in Cook county free. Anything that works 90 per cent of the time is not 'boloney.' We are experimenting with a truth serum, which produces twilight sleep and under which the subject answers questions truthfully. He usually confesses after he recovers consciousness and signs the record."

United States Attorney George E. Q. Johnson—"In my judgment the metropolitan area of Chicago and the surrounding states could best be served by a well trained state police force, provided with all modern means of communication, with jurisdiction anywhere in the respective states. They would break up the village centers of crime. Organized crime has no fear of committing perjury before a grand jury. It imposes the seal of silence upon witnesses who know that any one who has the temerity to testify against the monster in our cit-

the establishment of a state bureau of criminal identification and investigation under the department of public welfare.

From M[illegible] Organizations.

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"First, a citizenry which would demand a strict enforcement of all laws, not only against the other fellow but against themselves as well.

"Second, a police force thoroughly trained in every branch of its difficult business, with promotions based strictly upon merit, and with the head of the department irremovable.

"Third, prosecutors who, after being thoroughly educated in law, take a special course in a university in the preparation and trial of criminal cases.

"Fourth, judges who have served a number of years as prosecutors.

"A start must be made to improve crime conditions in this country and this may best be done by the law enforcement officials coöperating in a large movement that ultimately may have national scope."

Many Opinions Given.

Commissioner Alcock, as well as Chief Justice Harry Olson of the Municipal court, suggested changes in the grand jury system. Judge Olson said this was often used for political purposes and made for delays. He would have indictment by information and a grand jury once a year for big investigations.

Opinions on various phases of the crime situation were given at the conference as follows:

Prof. Charles E. Merriam — The crooks pay no attention to political geography. They rely on the inability of the rest of us to organize. They are a good deal better organized than the law enforcers. There are brains and energy enough among the peace officers to put an end to this hide and seek game. I predict that the next great advance in municipal government will be in police administration. Police and public welfare will be reorganized. It is not all man hunting. The time to deal with crime is to get at the roots of it.

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Frank J. Loesch—"There should be a central bureau of criminal statistics. There is too much jealousy between law enforcing officers, the police, prosecuting attorney, courts. All information should be pooled for the common benefit. How can there be consistent law enforcement in this city when we have had eighteen chiefs of police in twenty years? We must get rid of the third degree methods, for they create ill will against the police."

Col. Robert Isham Randolph—"The citizenry is in the last analysis responsible for present conditions. The mayoralty is the key position. The citizens of Chicago will have a chance in the spring to get a good mayor."

Lieut. Col. Calvin Goddard—"The scientific crime detection laboratory of Northwestern university is at the service of all law enforcement agencies in Cook county free. Anything that works 90 per cent of the time is not 'boloney.' We are experimenting with a truth serum, which produces twilight sleep and under which the subject answers questions truthfully. He usually confesses after he recovers consciousness and sees the record."

United States Attorney George E. Q. Johnson—"In my judgment, the metropolitan area of Chicago and the surrounding states could best be served by a well trained state police force, provided with all modern means of communication, with jurisdiction anywhere in the respective states. They would break up the village centers of crime. Organized crime has no fear of committing perjury before a grand jury. It imposes the seal of silence upon witnesses who know that any one who has the temerity to testify against the monster in our civilization places his life and property in jeopardy. This presents the greatest problem of all in dealing with crime. We need improved and strengthened agencies of detection."

Vice presidents of the association elected yesterday were: William D. Meyering, sheriff-elect; United States Attorney Johnson, Chief Justice John P. McGoorty of the Criminal court, Lieut. Col. Goddard, and Chief of Police A. G. Wirz of Aurora.

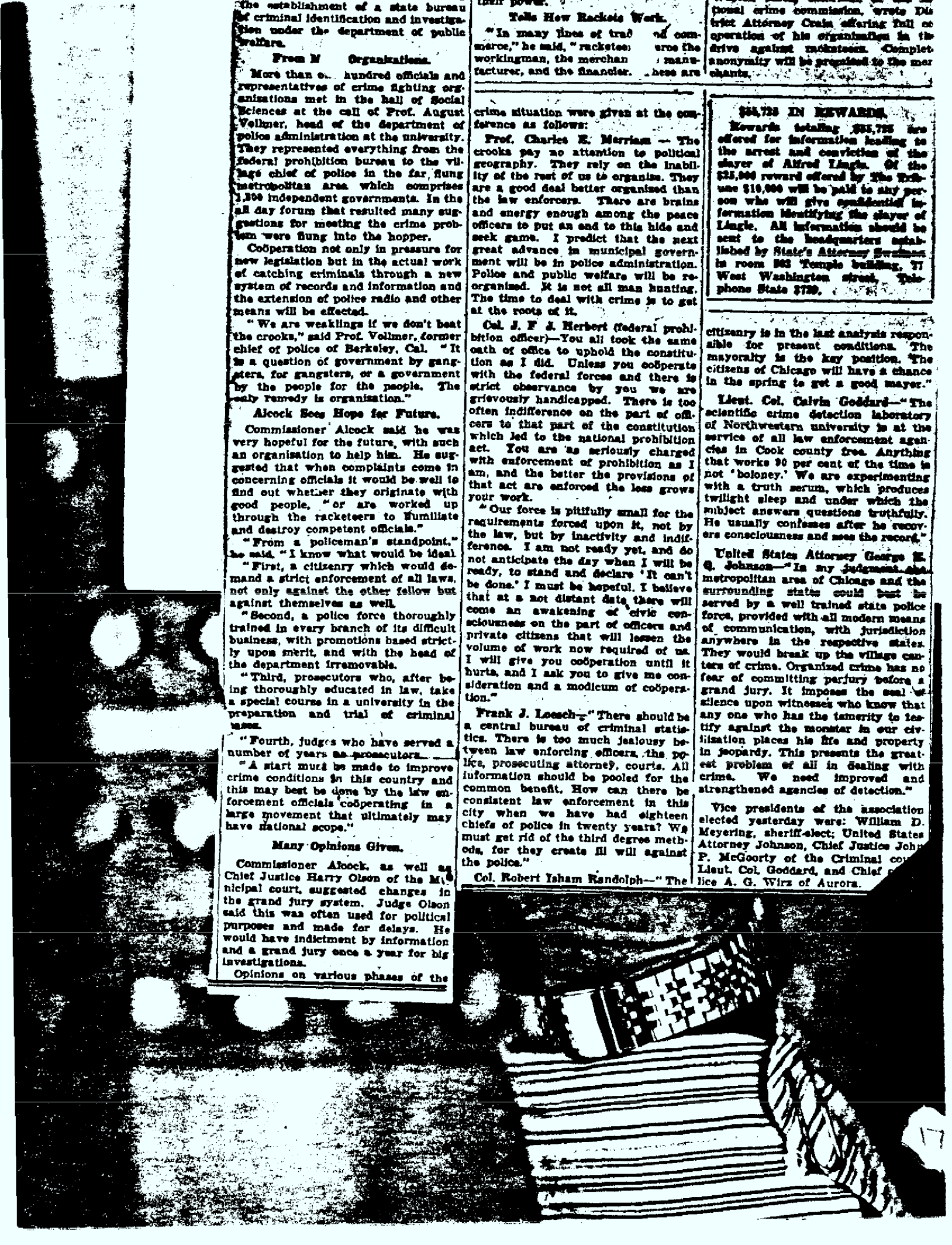
Tells How Rackets Work.

"In many lines of trade and commerce," he said, "racketeering the workingman, the merchant, manufacturer, and the financier. These are

Dis-
tional crime commission, wrote District Attorney Crain offering full co-operation of his organization in the drive against racketeers. Complete anonymity will be promised to the merchants.

$34,725 IN REWARDS.

Rewards totaling $35,725 are offered for information leading to the arrest and conviction of the slayer of Alfred Lingle. Of the $25,000 reward offered by The Tribune $10,000 will be paid to any person who will give confidential information identifying the slayer of Lingle. All information should be sent to the headquarters established by State's Attorney Swanson in room 903 Temple building, 77 West Washington street. Telephone State 3720.



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STATE'S ATTY.

PEOPLE WHO THINK

hment

CHICAGOLAND POLICE UNITE TO FIGHT GANGS

Chicago Herald

Map War on Crime With Modern Methods; Condemn Grand Jury; Alcock Chief

More than one hundred law enforcement officers, judges, professors and civic leaders of the Chicago metropolitan area, at a police conference yesterday at the University of Chicago, united to cooperate in the war on criminal forces.

Acting Police Commissioner Alcock was elected president of the Chicago Regional of the Association of Law Enforcement Officers of America, as the permanent organization was named.

URGE CLEARING HOUSE.

Resolutions recommending a state clearing house for criminal records and urging pressure on the Legislature to obtain adoption of the "ideal" criminal code, recently worked out by the American Law Institute, were adopted.

Modern methods must be used to combat modern criminals, in the opinion of those at the conference. Legal machinery must be modernized and police officers better organized than the well-organized gangs.

Commissioner Alcock spoke of obstacles in the rapid replacement of department heads, and the limitation of the number of policemen. He and other speakers called the grand jury system obsolete.

STATEWIDE POLICE URGED.

A well trained state police force with power to go anywhere within the state was recommended by George E. Q. Johnson, United States district attorney.

A police organization, similar to Scotland Yard in London, was recommended by Chief Justice Olson of the Municipal Court. Scientific experts, including a pathologist, psychiatrist, chemist and criminal lawyer should surround the police chief, Judge Olson said. He also called the grand jury system obsolete and urged the trial of felonies in Municipal courts.

Elected vice presidents of the association were: William D. Meyering, sheriff-elect; District Attorney Johnson; Chief Justice McGoorty of the Criminal Court; Col. Calvin Goddard of the Northwestern University crime laboratory, and August Wirk, chief of police of Aurora. Col. Robert Isham Randolph, president of the Chicago Association of Commerce, and Professor August Vollmer of the University of Chicago were chosen members of the executive board.

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NEWSPAPER CLIPPINGS
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INDEXED 32-15941-2X

CHICAGO HERALD & EXAMINER.
November 26, '30.

RECEIVED
DEPT. OF JUSTICE INVESTIGATION
NOV 28 1930 PM

HOOVER URGES PUBLIC TO RISE AGAINST GANGS

Refuses New Laws Striking at Rackets; Admits Helping Combat 'Hideous' Violator

WASHINGTON, Nov. 26.—(AP)—The head of the nation today appealed to the public to throw its weight behind the weapons of the law in breaking up gangster activities.

President Hoover said he believed a mobilization of public support behind the present laws would solve the problem.

The President said the federal government was assisting local authorities "to overcome a hideous gangster and corrupt control of some local governments."

REFUSES NEW LAWS.

He added, however, that he did not plan to ask Congress for any extension of criminal laws to cover "racketeering" and that reports to that effect were "untrue."

"Every single state has ample laws that cover such criminality," Mr. Hoover said. "What is needed is the enforcement of these laws and not more laws."

Virtually similar comment was made by Attorney General Mitchell, who recently disclosed the government had sent agents to Chicago to operate against organized gangs there through the federal income tax, narcotics, white slave and immigration laws.

ADMITS BREAKDOWN.

"It is a fact," Mitchell said, "that our laws are not being enforced. Nevertheless, the control of racketeering is primarily a state function."

The Attorney General already had announced that an agent had been sent by the Department of Justice to act as an assistant to the United States attorney in Chicago.

Treasury officials also had made known that they were scrutinizing the income of Al Capone and other gangsters to see if action could be brought against them.

DECRIES SUBTERFUGE

Hoover ... no sati... that

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NOV 22 1930 PM
DEPT OF JUSTICE
WASHINGTON D.C.

Washington Post

November 22, 1930.

32-15941

HOUSE ACTION SEEN AGAINST GANGSTERS

Woodruff to Request Curb; Drive on Smugglers in West Planned.

BLOW AT DRUG TRAFFIC

(Associated Press.)

Gangsters, racketeers and narcotic smugglers are to get a dose of preventive medicine from the law enforcing branches of the Federal Government.

Direct Congressional action against the machinations of the lawless may add potency to the Government's ministrations before it finishes.

As the Customs Bureau announced yesterday it was going to concentrate expert narcotic agents on the Pacific Coast to combat smuggling, a member of Congress said he would demand legislation specifically authorizing Federal agencies to harmonize with State and Federal governments in their work against racketeers.

Representative Woodruff (Republican), Michigan, has under formulation a measure he will present to the House ordering direct action to prevent what he termed the alarming spread of racketeering.

"When Al Capone can go from Chicago to California, as the papers have it, and threaten the life of a man who is selling grape juice, something must be done," Woodruff said.

The Michigan representative said the racketeers received most of their revenue from the man in a legitimate business "and he is entitled to protection."

He added that in many cases, city, county and State officials had failed to halt racketeering. He commended Attorney General Mitchell for fortifying Federal forces in Chicago for work against gangsters.

The Custom Bureaus' staff of narcotics experts is to be headed by Melvin L. Hanks, credited with the successful prosecution of the Lau Leo opium case in Honolulu.

He will have agents in Seattle, Portland, San Diego and Los Angeles in addition to his San Francisco headquarters. The work will be to eradicate narcotic smuggling along the West Coast and across the Mexican and Canadian borders.

INDEXED

32-15941-2X

Washington Post

November 22, 1930

CAPONE TO BE TRIED AS TAX LAW EVADER

U. S. to Push Indictment and Court Action, High Official Is Quoted.

HOOVER WARS ON GANGS

New York, Nov. 21.—A copyrighted Washington dispatch to the New York World from its bureau in the Capital says:

That Al Capone, Chicago racketeer, will be indicted and tried for defrauding the Government out of income taxes before the coming winter is over was the prediction made today by a responsible official of the Treasury Department. Already sufficient evidence to indict the gangster chief is in hand, he said, and it will be presented to a grand jury in the near future.

Capone has been under investigation by representatives of the intelligence unit of the Bureau of Internal Revenue for months. He and a half dozen more of his lieutenants, it is believed, will follow his brother Ralph, Jack Guzik, Frank Nitto, and others to the bar of justice.

President Hoover is backing the drive against Capone and his lieutenants. He instructed the Attorney General and the Secretary of the Treasury to proceed and spare neither men nor money to break up the gangs that have terrorized Chicago and other cities. This step was taken last April, and immediately representatives of the Bureau of Internal Revenue met with those of the Department of Justice and mapped out a plan, which is now being carried out.

The intelligence unit of the Bureau of Internal Revenue, which has to do with tax law violations, has been successful in its efforts on the Capone and other gangs.

A survey of the situation, which has resulted from a campaign of nine or ten months, shows that the Chicago gang led by Capone numbers about 126 persons, a large percentage of whom are dangerous, irresponsible hop-heads, who do the bidding of their leaders, even to murder. Six

Continued on Page 2.

CAPONE TO BE TRIED AS TAX LAW EVADER

Continued from Page 1.

men are said to provide the brain power for the racket. They are Al Capone and Ralph Capone, brothers; Jack Guzik and Sam Guzik, brothers; Frank Nitti and John Patton. Last spring Ralph Capone was convicted of defrauding the Government out of income tax, sentenced to three years in Leavenworth, and to pay a fine of $10,000. He is now out on an appeal bond.

Jack Guzik was convicted on similar charges this week and will be sentenced in a few days. Sam Guzik and Frank Nitti are indicted and await trial. Al Capone, Bugs Moran, head of a rival gang; Harry Guzik, Patton and others are being investigated.

Assessor Is Convicted.

Gene O. Oliver, a member of the board of assessors of Cook County, Ill., was convicted, and sentenced to eighteen months in jail and to pay a fine of $5,000. Treasury Department agents found that he had been helping the racketeers and had defrauded the Government out of taxes. He appealed and is out on bond.

Titus Haffa and eight others are under sentence for violations of the Volstead act. They were run down by Treasury agents checking on incomes. Haffa was sentenced to two years in prison and fined $11,000. Others in the Haffa group were Sam Simons, sentenced to eighteen months and to pay $3,000; Joseph Bigheria, one year and $2,000; Eddie Hug, one year and $2,000; Albert P. Bauer, two years and $2,000, and Joseph Murray, three months and $100. The case that netted Haffa and his associates was one of the first gone into.

These are some of the more important cases. Other indictments have been obtained, and the investigation is still going on.

Convictions Have Effect.

The convictions have had a fine effect, it was pointed out by a government agent today. Juries, carefully selected, and protected, have not failed in their duty, he added. United States District Attorney George E. Q. Johnson, at Chicago, has cooperated with the investigators sent from Washington. He and the entire organization are lauded for the effective work done.

In the Guzik case one witness had to be guarded for months until he could give his testimony, but when the time came he went through with it, and the information given was largely responsible for conviction. Money was offered, threats made, and every other means of influence available to the gangsters, many of whom have made millions out of their rackets, restored to thwart the United States agents.

Federal agents familiar with the facts assert that they are gradually drawing a ring about the Capone gang and it will be crushed.

32-15941-2X

Washington Post.

November 22, 1930.

Saturday, November 22, 1930.

UNCLE SAM TAKES A HAND.

Racketeering is primarily a local evil. It may be that occasionally a Chicago gangster is imported to New York to carry out a nefarious piece of business, but generally the gangster stays close to his familiar haunts. The apprehension of gangsters and the destruction of racketeering should be the business of the police departments of the various cities. The Government should not be expected to interest itself in the suppression of local crime, but it can and should act when Federal statutes are violated.

In revealing that Federal officers have been stationed in Chicago since June in a campaign against gangsters, Attorney General Mitchell listed the Federal statutes under which action may be taken. These pertain to the income tax, smuggling, interstate transportation of stolen vehicles, immigration, white slavery, combinations in restraint of trade, and prohibition. The Departments of Justice, Labor and the Treasury, through the Bureaus of Prohibition, Narcotics, Internal Revenue and Immigration and the Secret Service, have had extra forces in Chicago all summer. These forces, says the Attorney General, are now to be "fortified."

Hope for relief from the menace of gangster rule lies in the result of the Government campaign in Chicago. If Federal agents are successful in the Windy City similar campaigns will be undertaken elsewhere, provided city officials invite the Government to take a hand. Thus far in Chicago considerable success has followed the prosecution of gangsters under the income tax laws and sections of the antitrust laws pertaining to illegal combinations in restraint of trade. Two prominent gangsters who were apparently more powerful than the law in Chicago have been found guilty of filing false income tax returns and have been sentenced to imprisonment. Seven members of a racketeering ring established to terrorize the candy trade were sent to jail, and eleven others fined for violating the antitrust statutes.

The fact that the Federal Government has had to step in offers a sorry commentary on the efficiency and integrity of local police forces. The Government must prosecute gangsters for comparatively minor crimes. A criminal may be sent to prison for having falsified his income tax return when he should be electrocuted for murder. But in the breakdown of police forces in dealing with racketeering the public is thankful that there is an authority that can not be corrupted or intimidated, and which can do much to break the hold which organized gangs have gained over local governments.

32-15941-2X

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Washington Star
November 21, 1930.

Editorial. Wash. Star 11-21

War Against Gangsters.

Attorney General Mitchell's announcement yesterday of a declaration of war by the Federal Government against the gangsters of big cities, especially in Capone-ridden Chicago, is the best piece of news that has come out of the Department of Justice in many a day. Reports from Chicago are likewise encouraging, relating as they do the work of citizens, proceeding on their own hook to fill a war chest of $5,000,000 for fighting gangster activities.

The work of the Federal Government would necessarily be confined to prosecutions for violations of Federal laws. Common reports of gangster operations indicate that they have never paid particular attention to the source or to the nature of any law. There should be plenty of game for Federal agents from the Department of Justice, the secret service and the Bureaus of Prohibition, Narcotics, Internal Revenue and Immigration, which have been gradually strengthened over a period of months in the areas of war and are apparently to show the results of their preliminary work.

It is doubtful if the Federal Government could take any steps that would bring greater public support or result in more complete restoration of faith in the forces of government than by embarking upon a vigorous, determined and successful campaign against gangster activities in the big centers of population. To make the war successful there must be local co-operation. This seems to be taking tangible form now. Outraged citizens, disgusted with the obvious impotence of their constituted authorities, are beginning to take matters into their own hands. Such revolutions are not born overnight, but once underway they sweep all before them—and never move backward. It is high time for a Nation-wide revolution against gangster and hoodlum rule.

32-15941-2X

23

with indictments and verdicts, declined to amplify the announcement of the attorney general and as to the conviction as such, he had only this to say:

"We hope to prosecute more and even greater achievements of a similar nature."

In refusing to discuss the federal campaign against crime, Mr. Johnson declared: "If words could drive the official and criminal gangsters out of Chicago they would have been gone long ago. The Bible says the guilty fleeth from the shadow."

The district attorney expressed disgust with so-called crusades launched with headlines and declared that such methods have little success against machine gunners and bomb hurlers. His phraseology was reminiscent of a dictum of Sophocles in "Œdipus the King"—"Words cannot scare him who blenches not at deeds."

Many Forces Included.

The local federal agencies include the prohibition forces, the secret service, the internal revenue agents, and intelligence unit, the immigration authorities, the department of justice bureau of investigation, the postal inspectors, the narcotic bureau, and the customs inspectors.

As an example of the type of work expected through the coördination of these forces, local authorities cited hypothetical cases. If a police captain is found to be accepting bribes for protecting bootleggers, he can be prosecuted for conspiracy to violate the dry laws. Then his income may be found sufficient to justify prosecution for tax fraud.

Deport When Ever Possible.

Immigration authorities are coöperating with all branches of the service and deporting al aliens who enter the country illegally or have sufficient criminal records. Of some eighty dry law offenders recently indicted at Freeport, half a dozen were found to be deportable.

Another weapon which can be used by the government against racketeers is the restraint of interstate commerce statute, under which seventeen members of the Chicago Candy Jobbers' association were convicted. Complaints have reached the attorney general that Al Capone has threatened Chicago distributors of grape products which can be converted into wine. Such an offense would constitute a violation of this statute.

Deny Grape Juice Reports.

Dispatches from Fresno, Cal., last night credited a newspaper of that city with statements that the fresh grape industry of California had paid tribute of $4,500,000 to racketeers, mentioning Chicago and New York specifically.

Carl A. Futter, president of the California Vineyards company, called these reports ridiculous.

"All the grape juice sold since pro-

Chicago Herald Examiner
11-21-30
N
APER FOR PEOPLE

Organize

OLSON URGES SCOTLAND YARD SYSTEM HERE

State Clearing House on Crime Records and Inquiry Sought; Alcock Elected President

Counteracting a recently developed theory that government is "of the gangster, by the gangster and for the gangster," peace officers of the Chicago metropolitan area yesterday organized the Chicago Region Group Association of Law Enforcement Officers of America.

They met at the University of Chicago in a conference called by Professor August Vollmer.

Police Commissioner Alcock was elected president.

Resolutions were adopted recommending a state clearing house of criminal investigation and records of approving adoption of the "ideal" criminal code recommended by the American Law Institute.

Chief Justice Harry Olson recommended a police organization for Chicago similar to Scotland Yard, with all the scientific experts and specialists necessary to the most perfect measure of crime detection and prevention.

Criminal court judges, sheriffs, chiefs of police, postoffice inspectors and other peace enforcement officers attended the conference.

Elected as vice presidents of the permanent association are: Sheriff-elect William D. Mayering of Cook County; George E. Q. Johnson, United States district attorney; Judge John P. McGoorty, chief justice of the criminal courts; Col. Calvin Goddard, director of the police laboratory at Northwestern University; and A. Wirt, chief of police of Aurora.

Col. Robert Isham Randolph was elected a member of the executive board.

Speakers at the conference unanimously recommended closer co-operation of peace enforcement officers as a method of more adequate crime control.

NEWSPAPER CLIPPINGS

62-15941-2X

25

FEDERAL, STATE, COUNTY AND CITY MEN JOIN

Alcock Named Head of New Group to Combat Lawbreakers.

Chicago News 11-20-30

MODEL POLICE SOUGHT

Organization of a body whose aim and function shall be a unified method of coping with crime throughout the Chicago area was perfected at a police conference late this afternoon at the University of Chicago. The alliance was officially given the name of the Chicago Regional Group Association of Law Enforcement Officers of America. It is composed of federal, state, county, municipal and private enforcement officers.

John H. Alcock, Chicago's acting commissioner of police, was elected president. Five vice-presidents chosen were William D. Meyering, sheriff-elect of Cook county; United States Attorney George E. Q. Johnson, Chief Justice John P. McGoorty of the Criminal court; Lieut.-Col. Calvin Goddard, ballistics expert and chief of the scientific crime detection bureau, and Chief of Police A. G. Wirz of Aurora.

The organization step was taken after the conference had heard Commissioner Alcock urge that Chicago should have a police force with promotions based on merit and with a more stable status for the chief of police. Practically all law-enforcement agencies within fifty miles of Chicago were represented at the conference.

Loesch Is Speaker.

Other high lights of the day besides Alcock's recommendations included: An address by Frank J. Loesch, a member of President Hoover's law enforcement commission and president of the Chicago Crime Commission, in which he also urged more security of tenure for the police chiefs, and advanced additional concrete proposals for fighting crime.

[illegible] in which he told of a new "truth serum" more potent than the widely known "lie detector" for getting honest confessions from suspects.

Charges were made by Col. [illegible] F. J. Harbert, federal prohibition administrator here, that the police forces represented at the conference were guilty of neglect in their enforcement of the prohibition laws. He told the police chiefs they were "as seriously charged with enforcement of the prohibition act and other parts of the constitution" as he is.

A recommendation by United States District Attorney Johnson for a state police force.

District Attorney George E. Q. Johnson for a state police force.

And a short talk by Col. Robert Isham Randolph, president of the Association of Commerce, in which he indicated his conviction that an excellent way for the citizens of Chicago to attack the crime problem will be afforded by the forthcoming mayoral campaign.

"Dear old Chicago certainly has a bad reputation, but, fortunately, she is not as bad as she is painted, especially by the press of other cities," said Alcock near the outset of his talk.

But he said he was "not trying to furnish an alibi for our deficiencies." He thought much could be done to improve things.

Alcock's Four Points.

Commissioner Alcock asserted that from a policeman's standpoint he knows what would be ideal. He then advanced four recommendations, one of which had to do with the police promotions and the status of the chief:

"First—A citizenry which would demand a strict enforcement of all laws, not only against the other fellow but against themselves as well.

"Second—A police force thoroughly trained in every branch of this difficult business, with promotions based strictly on merit, and with the head of the department irremovable.

"Third—Prosecutors who, after having been thoroughly educated in the law, take a special course in our university in the preparation and trial of criminal cases.

"Fourth—Judges who have served a number of years as prosecutors."

Alcock had a good word to say for consolidation of the crime-fighting forces of the Chicago area.

UNITE TO WAGE FIGHT ON CRIME IN CHICAGO AREA

(Continued from First Page.)

[illegible] system between the various city, county, state and federal law-enforcing agencies, and to organize these several agencies and officials into a single fighting unit to more effectively protect the lives and property of our citizens, we shall not have given our lives in vain," he declared.

Mr. Loesch asked that the city's police commissioner should not be politically removable.

"Chicago," he said, "has had eighteen chiefs of police in twenty years. Where would the University of Chicago be if it had had eighteen presidents in twenty years? And where would the United States be if it had had eighteen presidents in twenty years?"

Proposes Statistics Bureau.

Further, Mr. Loesch proposed establishment at Springfield of a criminal-statistics bureau. And he advised police officers of different municipalities to lay aside all jealousies and to exchange information freely when asked for records, finger prints and the like.

Regarding the Chicago civil service commission, Mr. Loesch said:

"We should have an earnest civil service commission, by which a policeman charged with drunkenness or cruelty or administering the third degree, would be tried without regard to politics."

Of the judiciary, he asserted:

"We should have men on the bench who are not crazy. They should keep their mouths shut while a criminal is being tried. What can the police or prosecutors do working with such judges?

"In this state," said the veteran fighter of criminal-political alliances, on another subject, "a judicial council composed of judges and lawyers will report to the legislature soon on a model criminal code. But what will that do with Al Capone having a senator from the west side who was convicted of murder by me, and another from the 1st district who is his tool."

The criminal code, he declared, is archaic, made for conditions of 100 years ago.

Col. Goddard in his talk said that the new "truth serum" he has in mind may replace the third degree and is better than the lie detector now in use in various places. "Scopolamine" is the name of the serum in scientific language.

How Scopolamine Works.

It is injected under the skin, Goddard explained, like a hypodermic. About an hour is required thereafter for it to take full effect. Then the subject, when asked questions, answers them absolutely honestly because he has no mental control enabling him to deceive.

In about three hours the effect of the serum wears off and the subject does not know what he has said.

Goddard said it had been tried

UNRECORDED 32-15941-2K

26

Washington Post
Sept. 24, 1930

SEP 26 1930

2 Chicago Gunmen Face Judge Lyle on Vagrancy Charges

Notorious Gangsters Are Second and Third Caught in Drive Against 'Public Enemies'

By United Press

CHICAGO — Edward "Spike" O'Donnell and "Dago Lawrence" Maugano, both listed among Chicago's "public enemies," faced today the ordeal which gangsters have learned to dread.

They were scheduled for arraignment in the court of Judge John H. Lyle on charges of being vagrants under an old law of 1874. Their attorneys indicated they would ask for jury trials.

Bond of $10,000

It was anticipated that Judge Lyle, following his custom since a city-wide war against criminals was launched, would set their bonds at $10,000 each.

Maugano, sought by police since Judge Lyle last week ordered that every man of the city's 26 "public enemies" be brought before him, was arrested at his home. O'Donnell walked into a police station, declared he was tired of "dodging the cops" and said he was ready to stand trial. Both men were released after furnishing bonds for their appearance today.

26 Named As Enemies

The pair, both notorious for several years, were the second and third arrested since Judge Lyle's drive was started. Danny Stanton, the first, was in a police cell when Lyle's orders were issued last week.

The 26 men, headed by "Scarface Al" Capone, were termed "public enemies" by the Chicago Crime Commission, the only organization of its kind in the world. All are notorious leaders of gangs or hold influential places in the Capone organization.

Div. Two

SEP 25 1930

Chicago Gangsters

NOT RECORDED.

32-15941

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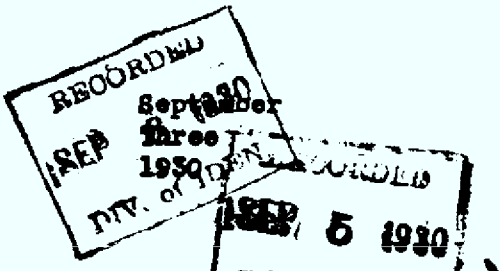
Chicago Crime Commission

ORGANIZED BY

The Chicago Association of Commerce

300 West Adams Street

Telephone Franklin 0101



Dear Mr. Hoover:

This will acknowledge receipt of your kind letter of August 20, 1930, advising that you are unable to furnish previous records of many of the twenty-eight gangsters submitted unless you are furnished with a copy of their fingerprints.

Enclosed you will find twenty-seven photographs containing the fingerprints of an equal number of gangsters. A copy of the previous record of each as contained in your files will be appreciated.

Inasmuch as the Chicago Police Department has requested that the enclosed photographs be returned to its files your return of same when through with them will be appreciated.

You may rest assured that your cooperation in this matter and the service you have already given is highly valued and if at any time the Chicago Crime Commission can be of service to your department do not hesitate to command it.

Respectfully,

RECORDED

R. W. Dvorak
Assistant Operating Director

32-1594-3
BUREAU OF INVESTIGATION
SEP 13 1930

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

SEP 17 1930

Attention: John Edgar Hoover
Director

32-1594-13

1 Al [illegible] Capone alias "[illegible] Capone"
" "A. Capone"
" "Al Brown"

[illegible] ("[illegible]") Volpe

1 [illegible] Capone

Frank Rio alias "Frank Kline"
" "Frank Cline"

Jack Perone alias "Jack ('Machine Gun') Nelson"

2 [illegible] Bolcafaro

2 [illegible]

2 [illegible] ("Tough Tommy") [illegible]

[illegible]

2 [illegible]

[illegible] ("[illegible]") [illegible]

1 [illegible]

2 [illegible] ("[illegible]") [illegible]

1 [illegible] ("[illegible] Jack") [illegible]

3 [illegible]

[illegible]

1 [illegible]

2 [illegible]

1 [illegible]

N [illegible]

N [illegible]

1 [illegible] ("Bloody Nose") O'Donnell

[illegible] ("Red") Traficante

1 [illegible] ("[illegible]") [illegible]

[illegible] ("Boots") [illegible]

N [illegible]

[illegible] ("[illegible]") [illegible]

29

32-1594-1-3

LCS:MDB

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32-15941-32

RECORDED SEP 14 1930

September 12, 1930

Mr. E. W. Dvorak,
Assistant Operating Director,
Chicago Crime Commission,
300 West Adams Street,
Chicago, Illinois.

Dear Mr. Dvorak:

I beg to acknowledge your letter of September 8, 1930, with further reference to the criminal records of the twenty-eight gangsters mentioned in previous correspondence.

Ralph &

The records contained in my letter of August 26, 1930, as to Alphonse Capone, Joe Aiello, Joe Saltis, William Skouth, Myles O'Donnell, William (Klondike) O'Donnell, and William White, have been found to be correct after examination of the photographic fingerprints, which you forwarded. There is no record in the National Division of Identification and Information of this Bureau on the following:

Vincenzo Gelcastro
Leo McGovern
Lawrence Mangonite
George Martin
Jacky Pumelli
Terrence Druggan
Frank Lake
Frank Dimond
Daniel Stanton
Anthony Volpe
Edward O'Donnell
Harry Morris

The records on the other gangsters are as follows:

JOHN SULLIVAN, as James Sammons, #8838, received State Penitentiary, Joliet, Ill., June 18, 1904, from Chicago, Ill., crime murder; sentence life. Escaped June 30, 1917, returned October 4, 1917.

As John Nolan, #30167, received U. S. Penitentiary, Leavenworth, Kansas, August 12, 1927, from Chicago, Ill., crime conspiracy to violate Internal Revenue Laws; sentence 18 months.

FRANK McERLANE, #0040, arrested Oak Park, Ill., PD., June 14, 1916, charge murder; held to Grand Jury without bail.

BUREAU FILES DIVISION
SEP 12 1930

30

JEH:MD'B

28716

December 1, 1930.

Mr. T. F. Cullen,
P. O. Box 515,
St. Paul, Minnesota.

32-15941

Dear Mr. Cullen:

When I [illegible] in Chicago last week Mr. Dunn stated that I had obtained some copies of a publication that was being surreptitiously circulated, which dealt with the activities of the gangsters in Chicago and contained many pictures of the leading ones, as well as a detailed story of some of the crimes committed. He stated that he had given one of these copies to you to be forwarded to me and made inquiry as to whether I had received it. As I have not received it, I am writing to inquire whether you forwarded it or are holding it to give to me when you return to Washington. If the latter, I would appreciate your sending it by special delivery in view of some angles of the Chicago investigation which we might have to take up shortly.

Very truly yours,

Director.

32-15941-4
32-16622-1

RECORDED & INDEXED

DEC 2 [illegible] A. M.

FILE

DEC 1 1930

F-467

31

As Frank McErlane, #5101, received State Penitentiary, Joliet, Ill., Nov. 18, 1918, from Cook Co., crime accessory after fact to murder; sentence 1 year.

As Frank McErlane, #18226, arrested Los Angeles, Calif., PD., July 18, 1918, charge fugitive from Chicago; disposition not given.

As Frank McErlane, #5265, received State Penitentiary, Joliet, Ill., July 1, 1919, from Cook County, crime conspiracy; sentence 5 years.

As Richard Richards, #[illegible], arrested San Francisco, Calif., PD., Oct. 28, 1924, charge vagrancy - fugitive; disposition not given.

As Frank McErlane, #5819, arrested Crown Point, Ind., SO., Aug. 17, 1926, from Chicago, charge murder; held to Criminal Court, Crown Point, Ind.

As Frank McErlane, #18597, received State Prison, Michigan City, Ind., Sept. 18, 1926, from Porter Co., for safe keeping.

The following notations appear on our records:

"One term, Pontiac, Ill. Reformatory.
One term, Bridewell - Chicago.
Escaped Cook Co. Jail, Chicago, Sept. 18, 1918. Captured at Bisbee, Ariz., Oct. 28, 1918, and returned to Chicago."
One term, House of Correction, Chicago, Ill."

FRANK KLIEN, as Frank Cline, #B-5407, received Philadelphia County Prison, Holmesburg, Pa., May 14, 1929, crime carrying concealed deadly weapon; sentence 1 year.

As Frank Cline, #90724, arrested Philadelphia, Pa., PD., May, 1929, (day of month unknown), charge suspicious character - carrying concealed deadly weapon; disposition not given.

As Frank Cline, #C-5569, received State Penitentiary, Philadelphia, Pa., May 17, 1929, on transfer from Philadelphia County Prison, Holmesburg, Pa., (#B-5407), to complete term of 1 year.

JOSEPH ANSANELO, #90365, arrested Chicago, Ill., PD., November 20, 1925, charge [illegible]; held to Criminal Court. No bail.

JAMES GUERARY, as James Vincent, #4888, arrested Miami, Fla., SO., March 20, 1930, charge investigation; disposition not given.

32

LCS:MDB

- 3 -

GEORGE MILLER, as George Moran, #9668, received State Penitentiary, Joliet, Ill., Oct. 20, 1913, from Nelson Co., crime burglary - larceny; sentence 1 to 20 years.

The following notations appear on the above record:

"One term, Bloomington, Ill. Jail.
One term Joliet, #1826, as Geo. Miller,
State Penitentiary, Joliet, Ill., as George
Moran, #9018, May 21, 1918, from Cook Co.,
Robbery; sentence 1 to 14 years."

GEORGE BAKER, #A-1277, received State Reformatory, Pontiac, Ill., March 6, 1918, from Chicago, Ill., crime larceny, etc.; sentence 1 to 10 years. Wanted as parole violator, 9-10-28.

As Frank Monroe, #14072, arrested Detroit, Mich., PD., July 8, 1920, charge robbery armed; disposition not given.

As Frank Monroe, #2975, received House of Correction and Branch Prison, Marquette, Mich., Aug. 18, 1920, from Wayne Co., crime assault with intent to rob - being armed; sentence 9½ to 15 years. Wanted escape, 11/26/22, reward $50.

As George Brown, #21750, arrested San Francisco, Calif., PD., October 7, 1926, charge violation Section 8, State Revolver Law - fugitive; disposition not given.

The following notation appears on our records:

"Chicago - Bridewell; 18 months."

In answering your letter kindly note that I have followed the names as they appear on your fingerprint cards on all individuals of whom criminal records had not been forwarded you in my previous communication of August 20, 1930. As you requested in your letter, I am returning the photographic copies of the fingerprint cards, herewith.

Assuring you of my pleasure in being able to cooperate with you in your present objective, I am

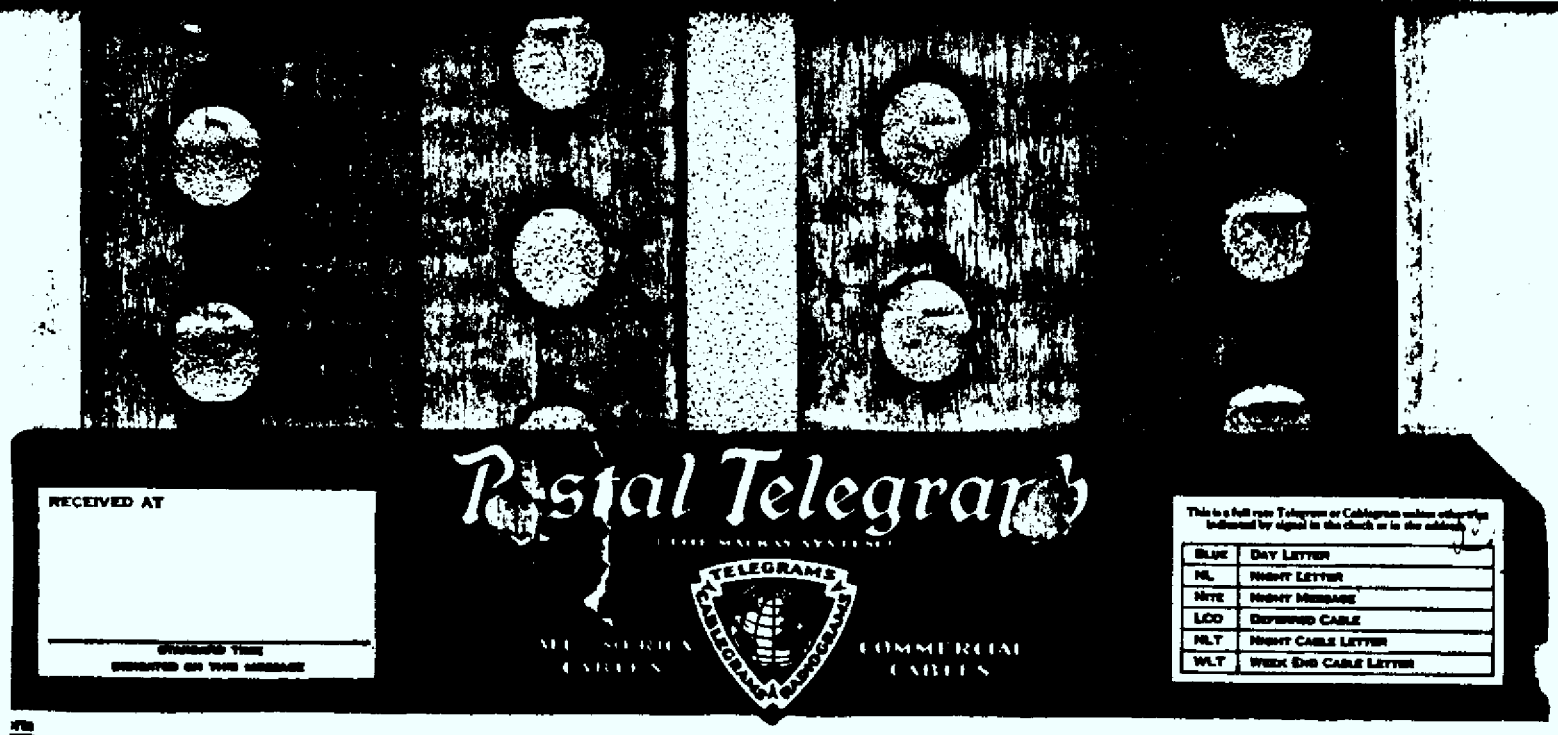
Very truly yours,

Director.

33

Enc. 47286.

BUREAU FILES DIVISION
MAILED
SEP 12



Postal Telegraph

THE NATION WIDE SYSTEM

RECEIVED AT

STANDARD TIME
INDICATED ON THIS MESSAGE

TELEGRAMS
CABLEGRAMS

ALL AMERICAN CABLES

COMMERCIAL CABLES

This is a full rate Telegram or Cablegram unless otherwise indicated by signs in the check or in the address.

BLUE	DAY LETTER
NL	NIGHT LETTER
NITE	NIGHT MESSAGE
LCO	DEFERRED CABLE
NLT	NIGHT CABLE LETTER
WLT	WEEK END CABLE LETTER

=W83 61 . GOVT COLLECT STPAUL MINN 3 425P

DIRE CTOR BUREAU OF INVESTIGATION=

=DEPT OF JUSTICE=

INVESTMENT BLDG.
15TH & K STS., N. W.
MAIN 6200 BR. 7.

32-15941

RE LETTER DECEMBER FIRST RELATIVE CHICAGO PAMPHLET PLEASE LOOK IN MY PERSONAL MAIL AT BUREAU FOR LARGE MANILA ENVELOPE ADDRESSED TO ME IN MY HANDWRITING MARKED PLEASE HOLD PAMPHLET SHOULD BE THERE AS I HAD IT FORWARDED FROM SEATTLE AND ANTICIPATED GIVING IT TO YOU UPON ARRIVAL IF NOT LOCATED WIRE ME IN ORDER THAT I MAY INQUIRE CONCERNING IT=

:CULLEN:

32-15941-5
BUREAU OF INVESTIGATION
DEC 4 1930 A M
F

12/3/30
6:10 PM 349P

RECORDED
DEC 4 1930

43

Great U. S. Gains In War on Gangs Told by Johnson

Report of District Attorney Shows 1,626 Criminal Cases Closed in '30.

"HIGHER-UPS" LISTED

Tremendous gains made by United States District Attorney George E. Q. Johnson and his staff in their war on gangsters and other federal law violators during the year 1930, are shown in Johnson's annual report, made public today.

The report shows results both in "quality" and quantity. Altogether 1,626 criminal cases were closed during the first eleven months of the year—the report does not include December—as against 1,539 criminal cases filed during the same period.

Such "highups" in the hoodlum world and political circles as Ralph Capone, Frank Nitti, Jake Guzik, Capone gangsters, are listed, as are also Gene Oliver, county assessor and Lawrence C. O'Brien, state representative, politicians. All are among those who were convicted during the year.

Sentences during the period totaled 444 years two months and twelve days. The income tax crusade resulted in the imposition of $236,276.8[illegible] in fines.

The detailed figures follow:

	Narcotic.	Miscellaneous.	National prohibition act.
Total number criminal cases filed	307	804	94
Total number criminal cases closed	286	576	97

Miscellaneous criminal fines imposed—$62,523.86.

National prohibition act criminal fines imposed—$174,736.22.

Miscellaneous criminal fines realized—$26,518.86.

National prohibition act criminal fines realized—$130,368.28.

Penitentiary sentences—Miscellaneous, 444 years 2 months 12 days. Number defendants, 178. National prohibition act, 39 years 1 month 3 days. Number defendants, 78.

[illegible] (Decision)

RECEIVED
INVESTIGATION DEPT.
DEC 30 1930 P.M.

Lieut. Urda

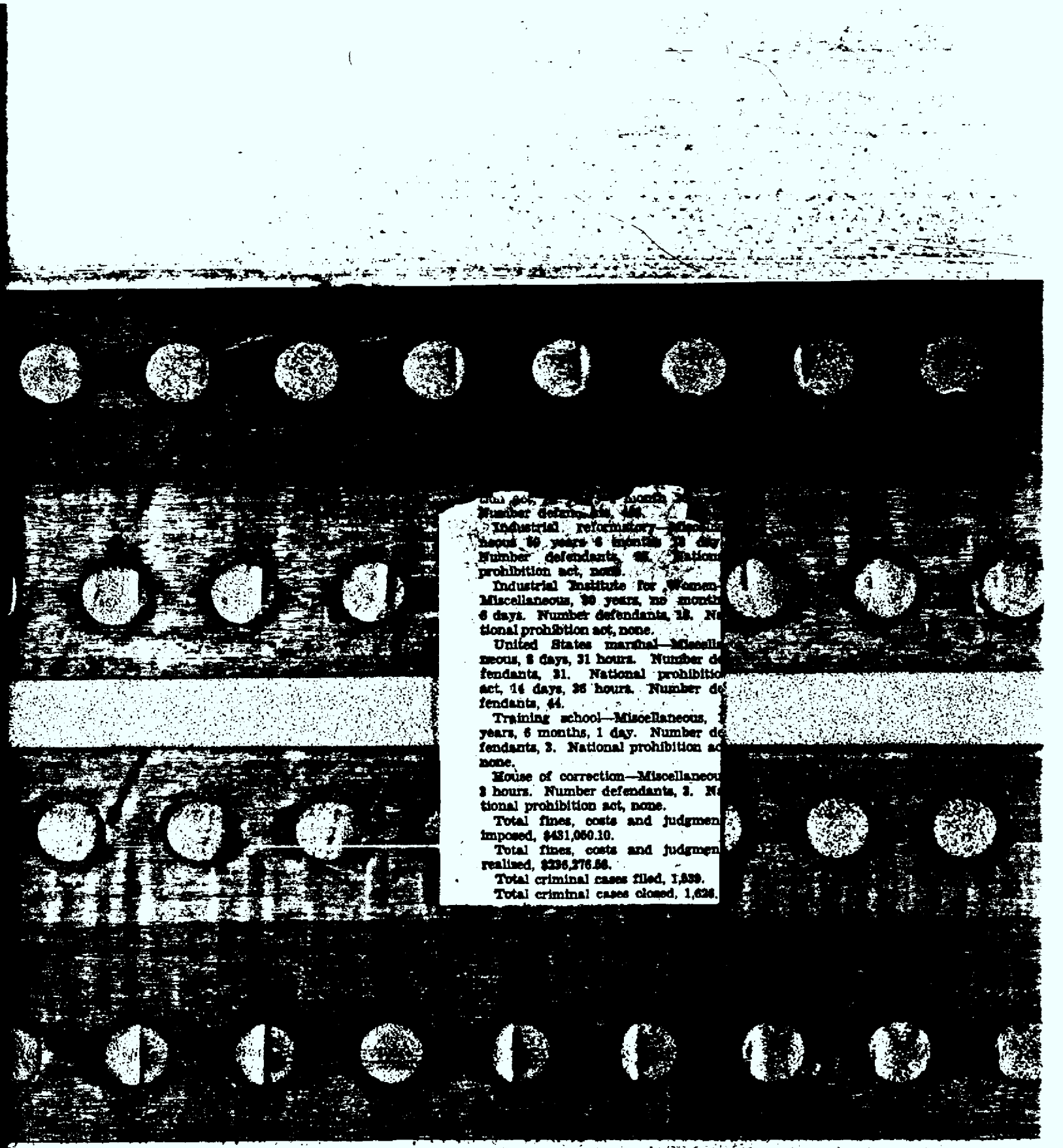
DEC 26 1930

INDEXED

NOT RECORDED

32-1594 32-1594-5X

35



...months.
Number defendants, 464.

Industrial reformatory—Miscellaneous 10 years 6 months 21 days. Number defendants, 46. National prohibition act, none.

Industrial Institute for Women—Miscellaneous, 20 years, no months, 6 days. Number defendants, 13. National prohibition act, none.

United States marshal—Miscellaneous, 8 days, 31 hours. Number defendants, 31. National prohibition act, 14 days, 36 hours. Number defendants, 44.

Training school—Miscellaneous, ... years, 6 months, 1 day. Number defendants, 3. National prohibition act, none.

House of correction—Miscellaneous ... hours. Number defendants, 3. National prohibition act, none.

Total fines, costs and judgments imposed, $431,060.10.

Total fines, costs and judgments realised, $236,276.56.

Total criminal cases filed, 1,839.

Total criminal cases closed, 1,626.

CHICAGO Gang Wars 'n Pictures



marks the Spot

Price, $1.00

37

32-15941-6



Here you have the first actual photographic story ever published of the world famous beer wars of Chicago Gangland. It begins with the murder of "Diamond Jim" Colosimo at the dawn of prohibition, and it continues on up through the years, death by death, until the killers of Gangland finally graduated from murder to massacre on St. Valentine's day, 1929, and more recently hit one below the belt by assassinating Alfred "Jake" Lingle, a newspaper reporter. ¶ With the country-wide publication of the massacre photograph, public indifference to Gangland's crimes came to an abrupt end. The work of destroying organized crime in Chicago began determinedly, coldly, sternly. To use a phrase borrowed from Gangland, the exponents of the "gat" and the machine gun are today being "pushed around" by Decency and Integrity, and they must surely fall into the abyss of oblivion. ¶ What has brought about this uprising? More than any other single factor has been the wide and unceasing publicity given to Gangland's activities. ¶ It was this fact that gave the authors the idea for this book. Newspaper reporters of long Chicago police experience, they realized that any book showing the criminals of Boozedom as they really are would necessarily be one of brutality and blood and horror. Only in such a book could it be done. ¶ X Marks The Spot is the result. In its terrible Truth, this book will become of tremendous value in obliterating gangsters from the Chicago scene. The publication of death pictures in newspapers is becoming more common every day. Editors have at last realized the terrific force a death picture can exert, particularly in driving home the lesson that the underworld has present day civilization in its grip. ¶ The ultimate good of the death picture far outweighs the shock that it may have on a certain delicate emotional segment of the newspaper readers. A famous New York newspaper editor commenting in Editor & Publisher recently on the publication of the Valentine massacre picture, declared that "it was a more powerful example of the defiance of law and order by the underworld than could be drawn by twenty-five columns of editorials." ¶ In Chicago the tendency to publish death pictures, particularly of slain gangsters, is definite and growing. And the result is the passing of the gangster. It is interesting to speculate on what the effect might have been on crime in Chicago if this tendency had manifested itself on page one four or five years ago. ¶ X Marks The Spot publishes those pictures for the first time. The body of the gangster which was blotted out and an X substituted is restored as the camera saw it. You have read the story in countless volumes, now, for the first time you can see it. You will see Chicago crime "put on the spot."



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"HIS FAVORITE POSE"

Here is an excellent likeness of Alphonse Capone, the Big Boy of Chicago Gangland, and the greatest gangster that ever lived. When King Al poses for a photograph which isn't often, he always turns his right cheek to the camera. The left one is disfigured by an ugly scar. Legend has it that Capone was struck by a machine gun bullet when he was a soldier in France.



the BIG BOY

When you look at organized crime in Chicago you first see Alphonse Capone, aptly and accurately described by his vassals of the underworld as the "Big Fellow." You may be sure he is that to them. Gangland's phrases are as full of meaning and as expressive as they are curious and original, and to be the Big Fellow is to be king.

Capone's rise to his present position of undisputed leadership has been swift, remarkable and inevitable; and the complete story of the beer wars of Chicago is his story, his biography. Other more picturesque figures have emerged from the shadowy realm of Gangland since prohibition and the Volstead Act threw it into bloody strife. Dion O'Banion stands out a gaudy figure, and so does "Little Hymie" Weiss, both of whom challenged the rule of Capone for a short violent time, and they looked like Big Fellows while they lasted, but they didn't last. Today it is quite plain that nothing either of them ever achieved in Gangland history possessed finish and perfection in the same degree as did the deft and artistic method by which they were eliminated and laid away. O'Banion and "Little Hymie" and all the others, living and dead, are but thrilling paragraphs and chapters in the rise of Capone. With each successive death Capone stepped on closer to the position where Gangland was compelled to call him the Big Fellow.

Whether you like it or not, and probably you don't, Capone has become a figure of national and even international interest. Reach for your daily newspaper, and you'll find him duly chronicled along with Lindbergh, Will Rogers, Henry Ford, William Scott McBride, Bishop Cannon, Charlie Chaplin, John Gilbert and all the others who romp daily across the front page.

At thirty-three his position has become so firm and secure as the Big Fellow of the underworld that his vast affairs move machine-like even when he can't be on the job. When the Philadelphia police gathered him in and laid him away in a boudoir in the county jail in 1929 his henchmen, devoted to him and trained in his methods carried on and when he was freed and had returned to Chicago there was a great celebration in Gangland in honor of the Big Fellow. From every province of the underworld came representatives to a great meeting and when it was over they all departed to their rackets crying "All for Al, and Al for All."

With no intention of eulogizing him, Capone unquestionably stands out as the greatest and most successful gangster who ever lived. What is significant is that he is really a gangster, as much so as the celebrated Monk Eastman and Big Jack Zelig of New York. As a youth he was himself a member of their notorious Five Points gang, and the difference between him and all other gangsters is that he is possessed of a genius for organization and a profound business sense. It was Edwin A. Olsen, United States District Attorney, who stated in 1926 that Capone operated on a gross basis of $70,000,000 a year which takes in only his illicit liquor business. What he profits from his prodigious gambling and vice syndicates can only be a speculative matter.

This book looks at King Al purely from an objective standpoint. What goes on under his hat, or under the hat of any of his ilk, is a profound mystery as far as this book is concerned. And, as Capone's public utterances have been few and brief, they have been of little service in revealing his mental processes. Neither is this book interested in the conditions which have made him a supreme sniffler of law and order.

But he is a glamorous figure, an actual part of the American scene. Legends already are springing up around him, fiction writers have found him the inspiration for a vast production of current literature. The magazine stands are aflame with underworld stories and Gangland stories about the man with the gat who wears a tuxedo and has a liveried chauffeur. Over in England Mr. Edgar Wallace has just evolved another thriller, this time in dramatic form, from material hastily gathered during a visit to Chicago. The visit included a crime tour of the city with Commissioner Stege of the detective bureau at his side calling out the spots.



And so this book will take you along the journey traveled by Mr. Capone in reaching his present height. It will show you What and When and How and Where, but not Why. Capone is the world's outstanding gangster and for that reason well worth writing about and looking at. Let's have a look.

40

"KID" CAPONE'S underworld DEBUT



". . . ello. Iss dis the Beeg Jim Colosimo who is spik? . . . I am ver' glad. Dis iss lettle Jimmy. I am jus callin' you to tell you that I am goin' to keel you someday . . . I don't know just when it will bee, but it will come. Goobye."

The telephone clicked and "charming" Vincenzo Cosmano, perhaps the most perfect type of killer ever produced by Gangland before prohibition and the machine-gun era, had cordially announced to "Big" Jim Colosimo, Chicago's first great underworld king, that the "finger was on him."

In the picturesque argot of the half-world to put the finger on a man is to mark him for death. "Big" Jim Colosimo had had many fingers put on him, but never before had the knowledge affected him like this. It had come at a time when everything seemed going wrong, and he trembled and began to perspire.

Verging on emotional stampede "Big" Jim got in touch with his lieutenant, Johnny Torrio, who, for three years had been handling these matters in a relentless and high-handed manner. When Colosimo had brought Johnny out from New York to be his body guard, he had been able to enjoy a measure of peace and security. The black-handers had been beaten back; now again their sinister correspondence appeared in his mail. "Big" Jim didn't admit it to himself, but he was afraid. Johnny Torrio knew that "Big" Jim was afraid when, on that morning, he called and said to him, "Johnny, perhaps you would like to have another good man to help you?" And Johnny understood and said, "yes."

And so "Big" Jim left Chicago a few days later for New York. Shortly after he returned bringing with him two burly Italians, both of them young men and graduates of the celebrated Five Points Gang of New York, an organization of which Little Johnny Torrio was an alumnus. One of these men was a quiet, furtive chap who called himself Alphonse Capone, and the other was Frankie Yale. Alphonse had come to stay; Frankie would leave just as soon as he had finished a special assignment. Well, the special assignment had to do with Signor Cosmano, the boy who always called his shots.

A few days later a big automobile whirled round a corner at high speed. On the corner Jimmy, foolishly enough stood taking the air. There was a terrific roar, and Little Jimmy fell to the cement, his body full of lead. Writhing in pain he was taken to the hospital by the police, who camped outside his door, intending to grab him if death didn't, and death didn't. But, neither did the cops.

Little Jimmy was a Sicilian and he had many Sicilian friends who thought well of his talents and were distressed that the law might store him away. In desperation they took the matter up with one "Big Tim" Murphy, a powerful union official and underworld character from the "back-o-the-yards" district.

"What can do for Little Jimmy?" implored the agitated Italians. Mr. Murphy was silent for several minutes thinking. Then he said curtly and without a smile: "Go up and take him." And they did.

And there you have the debut in Chicago of Alphonse Capone who was to rise to a towering position as the "Big Fellow" of the underworld in less than a decade. A great many of the local citizenry will tell you today that the debut of Capone together with the advent of prohibition was the worst "break" sustained by Chicago since the great fire.

His first job then was that of a body guard for Colosimo. In order to better understand him it is necessary to examine the new background in which the vice lord had established him. "Big" Jim laid the foundations upon which Capone was later to build his mighty underworld empire. At the time of young Capone's arrival Colosimo was the master of the notorious old levee district. His principal interests were syndicated vice, syndicated prostitution and syndicated gambling, a fact unknown by many who believe organized crime to be a recent phenomenon in Chicago.

Colosimo's first appearance in the old levee district had been twenty years before when he was only seventeen years old. His first job was as a street-sweeper. It was the cleanest he ever held. More cunning than intelligent, something of a fist fighter and, above all, peculiarly talented in the art of making friends, young Colosimo soon became immensely popular with his countrymen who represented a majority of the population. The politicians in the old levee soon found Colosimo and marked him for their own. Smart "wops" like him were much in demand to keep political machines running smoothly. From then on young Colosimo's rise in the underworld was rapid. The step from street-sweeper to bawdy house proprietor had been easy and within a few years he had gathered in a half-dozen such places together with a few gambling dives and two cafes. The secret of it all was that he could sway the voting population at will. Politicians curried his favor, the big shots among them soon heard Colosimo telling them, instead of asking them. No one dared molest the brothels, the gambling hells and opium joints owned or controlled by him, and as early as 1915, the year he summoned Johnny Torrio from New York, he had become a law unto himself, a maker and breaker of political aspirations, a man of countless friendships and, alas, of countless enemies.

As he acquired wealth the black-handers began to torture him with their demands and threats. Torrio, as we have said, was effective in dealing with these sinister groups, and he not only brought a measure of content and security to "Big" Jim, but his presence in the underworld seemed to cause another wave of prosperity to sweep over the underworld domain. "Big" Jim's evil business interests began to expand. Vice and crime crept slowly into new territory, principally the great steel and industrial centers of the South Side.

With the adept Johnny at his side plus the heaviness of advancing age, Colosimo began to manifest symptoms of indolence. Feeling safe once more from stray bullets and powder bombs, he took things easy. Important matters were left entirely to capable Johnny. Colosimo did not stir himself even in the great reform period when the battering ram of public sentiment began tearing wide holes in the old levee district. But Johnny took care of matters pretty well, and continued to operate by the simple expedient of retiring into the buffet flat and the call house.

Colosimo was plainly in decline, and his inactivity was regarded with a cold eye by his companions and the politicians. Lassitude took firmer hold on him as the days passed, and Colosimo spent most of his days just sitting in his huge ornate cafe dreaming contentedly.



Meet Mr. Ike Bloom, manager of "The Mid-Night Frolics" a popular whoopee joint in Chicago located just around the corner from Colosimo's cafe. Ike was an old friend of "Big" Jim Colosimo.

41

People began to talk, and what they said, in effect, was that Colosimo wasn't really so hot after all and that the real smart guys, the brains behind the throne were really Johnny Torrio and that relentless aid who was always with him, Alphonse Capone. And they were right.

The Golden Era, otherwise known as prohibition, went into effect on July 30, 1919. It made a swell law to break, the very best one on the book. Torrio and Capone were just pushing Colosimo into this highly lucrative business and showing him some excellent methods by which the law could be smashed when the end came for him.

This unhappy event brings us back to Colosimo's tendency to take life easy, to keep his eyes closed. It takes us to his cafe which operates to this day at 2126 South Wabash Avenue. His death requires that we introduce one of the loveliest women who ever had the misfortune to have her name mentioned in connection with the underworld. Miss Dale Winter, church singer, musical comedy star, and, for a few days, Mrs. Jim Colosimo.

The underworld lord found Miss Winter a stranded actress, ambitious to further her vocal studies, and willing to sing in his cabaret in order that she might make enough money to realize her dream. Her appearance in his cafe was a disagreeable sensation in the underworld. Obviously she didn't belong there and what did the king mean by thus associating with respectability?

But Colosimo was more than interested in the beautiful singer who stood nightly beside the piano and the orchestra and sang to panders, dope peddlers, bootleggers, thugs, and plug uglies. Colosimo was in love with her and, for the first time in his life, decent impulses began to stir in his curious and contradictory nature.

The presence of Miss Winter in Colosimo's cafe had its effect, for the gentry of the underworld who had used it for years as their favorite rendezvous began to absent themselves as vermin before an exterminator. She seemed to renovate the place by her very presence and, more important, she seemed to renovate Colosimo himself. More and more absorbed did Colosimo become in his love for the tiny flower of a woman. He had broken definitely with his wife, despite the importunities of his friends and countrymen.

Under the delicate hand of Miss Winter the cafe, once a perfect example of what money without taste can perform, was transformed into a place of beauty. It became a popular and delightful place in which to spend an evening after the theater. The food was excellent, the music good and the singing of Miss Winter, the hostess, marvelous.

A decent element soon occupied the tables and chairs where once the denizens of the underworld were to be seen, and Colosimo's Cafe became a show place, visited by many celebrities including Enrico Caruso, the great tenor, Florenz Ziegfeld, and opera singers from the Chicago Civic Opera Company. The reputation of Colosimo's Cafe extended far and wide, and it became one of those places in Chicago you simply couldn't afford to miss seeing.





A rare photograph of "Big" Jim Colosimo and his wife, Dale Winter, taken shortly after their marriage. Note the laced shoes. Colosimo, over-lord of the Chicago underworld for twenty years, engaged Capone as his body guard when Alphonse was only a youngster.

4/2

the KING DIES



"Big" Jim Colosimo as the photographers and police found him a few minutes after an expert killer deposited several bullets in his head. The assassination took place in Colosimo's ornate cafe.

Colosimo changed too, but not so definitely as did the cafe. Dale Winter, devoutly in love with him, worked long and assiduously to make a fine gentleman out of him and she did wonders, considering the material. But even in riding togs, in evening clothes, "Big" Jim retained some of the odor of the underworld.

The transformed Colosimo lost caste with the underworld. It was plain that the king had gone wrong, and in the dumps and dives honeycombed throughout the old levee district there were whispers that the finger was again on Colosimo. And it was. And this time neither Little Johnny nor Capone could avail him anything.

On March 29, 1920, Colosimo divorced his wife, Victoria, and on April 16 he was married to Dale Winter. The ceremony was performed in Indiana and the underworld lord with his bride went honeymooning at an Indiana resort. The newspapers smoked with the story of his marriage and there was a great flare of excitement, except of course in the underworld. Colosimo's new found happiness lasted however only twenty-five days. He met his doom on May 11, shortly after he and his bride had returned to Chicago.

Death came mysteriously and suddenly in the lobby of his cafe on a sultry afternoon whither he had gone hurriedly in response to a mysterious telephone message. The mystery of his assassination has not been solved to this day. Thirty persons were questioned at the time and among them were Capone and Torrio. It was all a waste of time, even the long session the police held at headquarters with Little Jimmy Cosmano who came forward voluntarily. Miss Winter dropped out of the underworld at once without making any claims even to the estate of her husband.

And so King Colosimo who was growing respectable came to an inevitable end. Johnny Torrio stepped forth. As Johnny had eclipsed his boss, soon too was Capone to eclipse Torrio. The end of Colosimo, you might say, was the beginning for Capone. He and Torrio began doing things in a big way as we shall see.

the BEER FRONT

Johnny Torrio and Al Capone soon had the prohibition law looking silly. All the power built up by "Big" Jim Colosimo over a period of twenty years was inherited or appropriated by them and, in their hands, it became an excellent instrument with which to make the city all wet. Under Colosimo the politicians had done business with the dapper Johnny and they had put him down as a "right guy," and so Johnny had no trouble in placing large handsful of dough here and there where it would mean something. As for personnel, Johnny and Al could muster a small army of pimps, panders, thugs, come-on men, bouncers, pick-pockets and other vermin already employed in the dives and bawdy houses owned or controlled by them. This talented array was available at a moment's notice to exert themselves in the beer cause, provided, of course, the beer belonged to Johnny and Alphonse.

The next step in the beer scheme was to acquire a few breweries. Johnny laid hold of two or three, but they weren't enough. He went shopping again, this time northward to the Gold Coast where respectability slumbered. At the magnificent residence of a respectable gentleman, ostensibly a retired brewer, Johnny presented his proposition, emphasizing his political pull, and, most of all the fact that if he, the ex-brewer, would contribute the half-dozen or more idle breweries owned by him, nobody need know a thing about it. The ex-brewer could retain the "ex" as far as the straphangers would ever know for, in case of any trouble, Johnny would take the rap.

While Johnny was forming this famous partnership he was not a little dismayed to learn that two other ambitious gentlemen who were not at all averse to turning a hot dollar here and there in the new racket had got a running broad jump on him. These were Frankie Lake and Terry Druggan, products of the Old Valley District, who were to become famous in the annals of Gangdom as the Damon and Pythias of the beer barons. Buddies as boys, they had got their early training under the tutelage of the notorious Paddy "The Bear" Ryan and had become adept as wagon thieves, which is to say they could pry merchandise loose from trucks and delivery vans while these were in motion. When the Golden Era of prohibition dawned Frankie had become respectable and was holding down a job of putting out fires as a city fireman. At the time Torrio, with only one or two beer manufactories of his own, was trying to annex enough to make a good showing, Terry and Frankie were operating as many as six or seven. Their first brewery had been acquired through one Richard Phillips, a partner in Colosimo's Cafe after the death of "Big" Jim. From the aforementioned ex-brewer they had acquired a little later the Gambrinus, the Standard, the Hoffman, the Pfeiffer and the Stege Brewing Companies.

And so Frankie and Terry must be remembered as the boys who administered prohibition in Chicago its first swift kick in the hip pocket. They produced the first barrel of amber after Volstead and they owned the first trucks and vans that moved over the streets. They were smart, too, and were horrified at the prospect of becoming embroiled in any rough stuff. When one of their trucks was appropriated, as occasionally happened, they didn't oil a gat or reach for a machine gun.

When the toughest beer-runners in the business, employees of theirs, wanted to explode an automatic over in the O'Donnell territory, Terry and Frankie would have none of it. "Klondike" O'Donnell bought most of his beer from them anyway, so why not let him steal one occasionally. "What the hell," chorused Terry and Frankie, "It's only one load anyhow, so why bother about it. We'll just draw a lot of heat on ourselves if we rap those guys. Let 'em get away with it this time." And so no blood was shed for which Frankie and Terry were responsible. They continued on pleasant terms with "Klondike" O'Donnell, and shook hands with him when he backed up his trucks to their breweries and bought his beer for distribution. Even when the war broke out Terry and Frankie made desperate efforts to preserve neutrality, and in a measure succeeded.

Torrio's vast political drag under the administration was a convincing argument, and he induced the ex-brewer to sign on the dotted line, stipulating however that he was to retain the title of "ex" which meant that Torrio was to be the front. He would remain incognito behind Torrio's coat-tails should there be any trouble. It will be interesting to tell you that there was trouble and a long time later the ex-brewer was yanked from behind the aforementioned coat-tails. It required the combined efforts of two great newspapers to perform this feat, however. One of them, an afternoon newspaper, appeared one fine day with a mystery thriller in which the whereabouts of the ex-brewer was suggested although his name was not mentioned. This so irritated the Chicago Tribune that Mr. Joe Stenson was unceremoniously uncovered and tossed roughly right out onto page one where he was well fried on both sides.

But to return to earlier and happier days for Mr. Stenson, it may quite possibly be that he regarded the partnership with Johnny Torrio with misgivings and a sinking heart. Johnny had an unsavory reputation, and Mr. Stenson might have had an impulse to tell Johnny to go straight to our beautiful lower regions. Instead of thus speaking however, he did the next best thing which was to stipulate that there was to be no gun-powder competition between him and the Druggan-Lake interests. Torrio acquiesced and all gentlemen, Frankie, Johnny, Terry, and Joe, walked hand in hand up to the beer front.



One of the few photographs in existence of Johnny Torrio, successor to "Big" Jim Colosimo. This one was taken shortly after Torrio had found Gangland too tough for him. A settled chill in his feet inspired him to scamper off to Italy where he could be out of range of the automatics and machine guns of "Little Mymie" Weiss.

Before long a score of breweries were operating day and night as in the good old days. Hoodlums, armed with automatics, sawed-off shot guns and other weapons, aided sometimes by the police guarded great convoys as they rumbled over the cobble-stones. So rapidly were they brought up to the beer front that Chicago soon found itself dotted with seven or eight thousand speakeasies, and the customers were lapping 'em up at twenty-five cents a stein, proving again that the public pays and pays and pays. Access to these thirst clinics sometimes involved short walks down alleys and the presentation of credentials, but more often all that was involved was a thirst and a quarter.

Johnny and Al charged fifty dollars a barrel for beer and protection, the latter item being most important because no

44

speakeasy can exist for fifteen minutes without full knowledge and consent of the police captain in whose precinct it may be located. And Johnny and Al, great contributors to the administration's war chest, were in a position to sell protection. They soon had the entire city mapped out in a systematic way, with certain definite territories alloted to the various groups. Punishment came swiftly to those who were unwise enough to violate any of the rules, for Johnny and Al established their own enforcement agencies, and there were skull-cracking crews, beer-running contingents, and regular staffs of killers. It was a great system, and when Johnny or Al told you to "laugh that one off" you didn't laugh. Even when the organization was operating with a maximum of smoothness and order there was always a little killing or beating up job to be taken care of, and Johnny and Al had it done as a routine matter. But despite all this perfection of organization the business was getting tougher every day, and Little Johnny looked upon the tell-tale signs with misgivings. His booze syndicate was causing him more trouble every day, and he began to wonder if someday these persistent little flares of revolt might not grow into a consuming conflagration. The booze business had brought him into contact with a different breed of tough guy from the pimp and the pander and the pickpocket associated in the vice business. An occasional murder was all right, but the casualties brought on by this new business were too many. Johnny's weekly payroll, estimated at more than $25,000, included a breed of individual who had personal courage and plenty of it. Burglars, second story men, safe-crackers, sluggers for labor unions, had gone into the liquor business feeling that it afforded them a chance to go straight for the first time in their lives. The obvious rewards lured them to a frenzy comparable to that of the adventurous spirits who joined the gold rush of '49. Johnny knew that the money they were making was bad for them, but there could be no salary reductions. A hoodlum with a thousand bucks loose on the community was a dangerous man, especially when he went out to play.

Alas, Johnny saw that conditions were not the same as in the old days, when he could slap a pimp in the face with his fist and get away with it. Let him try that stuff on such vassals as Dion O'Banion over on the North Side, or Frankie MacEarlane and his barb-wire kid brother, Vincent, or Joe Saltis, or Lefty Koncil, or "Little Hymie" Weiss, or Schemer Drucci or Red Hoban. Oh yes, let him forget himself with those lads!



The Big Boy doesn't seem to be disturbed if you believe the smile on his face in this picture. It was snapped down in Miami, Florida, just after he had bounced out of a courtroom. "It's persecution, not prosecution," says Al.

Except for the O'Donnell gang on the South Side, led by the astute "Spike" O'Donnell, the underworld realm seemed fairly content under the iron rule of Johnny and Al. Their toughest lieutenant, Dion O'Banion, operating on the North Side, seemed to be a "right guy," but Little Johnny secretly expected a break with him any day. The powerful Genna brothers over in Little Italy were a surly, vain-glorious lot but still loyal. Joe Saltis and Frank MacEarlane also on the South Side were desperate babies and had already caused Torrio much embarrassment with the loop politicians with their battles against the O'Donnells. The newspapers had sizzled with accounts of the killing of Jerry O'Connor, one of "Spike's" boys, which had happened on September 7, 1923. Of course Jerry had to go; he had been raising too much hell with good customers and that was why Torrio's tough boys put him in a horizontal position during a surprise affray in the saloon of Joseph Kepka. It was too bad that "Spike" had been missed, for the shooting of Jerry seemed rather to intensify matters. Torrio regretted, for business reasons, the slaying of George Bucher and George Meeghan, who were O'Donnell men, but then it couldn't be helped. They had been talking too much about revealing the slayers of Jerry, so there was more banging and these boys folded up in death after a cloud of lead had cracked into their automobile. That was on September 17, and Torrio had a most uncomfortable time of it when a few weeks later the state's attorney, Robert E. Crowe, brought about the indictments of Frank MacEarlane, Thomas Hoban and Danny McFall. But the most disturbing murder was that of Thomas (Morrie) Keane, on December 1, 1923. "Morrie" and a companion beer-runner William "Shorty" Egan, for "Spike" O'Donnell were returning from Joliet with a truck load of beer. "Spike" had been backing his trucks up to the breweries of Frankie Lake and Terry Druggan, both Torrio boys as we have seen, but the $45.00 price was too high, and Keane and Egan, were merrily returning to Chicago with seventy barrels of brew from a brewery which "Spike" was trying to purchase when they were hi-jacked. Ordered to get into an automobile, Keane and Egan dutifully did so. They were bound securely and sat in the rear seat for a few minutes as the car speeded down the lonely highway wondering at their fate. Suddenly they got it. One of the men in the front seat, believed to have been Frank MacEarlane, turned round, and emptied an automatic into them.

POLICE BUILDINGS IN CHICAGO



Maxwell Street Station. **Detective Headquarters** **Old Criminal Court Building** **The New Criminal Court Building.**

45

They were then tossed out into a c , in a locality known as Beer Cemetery. Keane was dead probably before he hit the earth, but Egan, with half a dozen wounds, crawled for miles crying for help. Finally he got into the Palos Park Golf Club just at dawn. Believing himself dying Egan told the only employee there at that hour that he was a bootlegger in the service of "Spike" O'Donnell. MacEarlane was arrested and held in a hotel for a few days before being released. Under pressure, however, indictments were returned in which were named Joe Saltis, Willie Channel, Johnny Hoban, Ralph Sheldon and Willie Niemoth and MacEarlane. Incidentally they were tossed into the wastebasket four months later.

All this was bad business and Torrio shuddered to think of the future with all of these tough boys doing their stuff. Johnny made no public estimate, but if he had it is doubtful if he would have fixed the number of gangsters to bite the sawdust in the next couple of years at more than 300.



George Meeghan, early casualty South Side Beer Wars.

"Spike" O'Donnell could not be brought into the fold, although peace was offered him. "Spike" had come from a fighting family back-o-the-yards district and had a few friends in the city hall himself, but his drag was puny and insignificant compared to that of Little Johnny. But he would not be brought to terms, and for a long time this word could be heard in Gangland: "'Spike' O'Donnell will never make another dime in the racket. He's ruined everybody else, and now they're going to gang against him."

In the investigations that followed the murder of Keane, charges were made that the police were persecuting "Spike" and his boys, while the Torrio mob went undisturbed. But "Spik ad some influence, and, although he and his brothers were arrested and jailed several times, and two of them indicted, there was to come a change in their fortunes. As we have seen the great factor in Torrio's power was the vast political influence he wielded, but in 1923, the people of Chicago, becoming bored with William Hale Thompson, blew him out of office, placing in his stead William E. Dever. This brought panic to the underworld; the vast system was shot to pieces; no speakeasy proprietor knew just whether he was "in" or "out"; Torrio worked desperately and frantically to "fix" the situation, and he went about with great handsful of dough in an effort to bring order again to his realm; he was only partially successful.

This change in the administration and its consequent disaster to Torrio's machine gave "Spike" O'Donnell the break he needed, and he again instituted terroristic proceedings in the realm of Torrio. His particular field was that controlled by Joe Saltis and Frank MacEarlane. Saltis and MacEarlane, now that Torrio's power was a doubtful quantity, operated on the South Side for themselves. As a matter of fact conditions were so precarious that every man or rather every gang realized that until Torrio could "fix" things, every man was for himself. Torrio was working to bring about the fixing, but he realized that he was up against the greatest job of his vicious career. Over on the North Side Dion O'Banion and his inseparable companion, Samuel "Nails" Morton were growing in strength and power, and Torrio could see that unless he could get a better grip on his connections, there would be trouble from that source. At this period the government annoyed Torrio by "knocking off" a brewery



The Damon and Pythias of Boosedom and their playgrounds. (1) A typical "Valley" district scene where Terry Druggan and Frankie rose to fortune in the beer business. (2) Frankie and Terry themselves. (3) In manufactories like this one, the Beer Barons made it for $3.50 a barrel and sold it for $45. (4) Where "Spike" O'Donnell used to appear with his trucks.

46

U. S. Department of Justice

Bureau of Investigation

P.O.Box 1405,
Chicago, Ill.

December 3, 1930.

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

Dear Sir:

32-15941

I am transmitting herewith for your information a publication which contains what I understand is a rather dependable narrative concerning the development of the various Chicago gangs and many authentic photographs of the results of the social contacts between members of the opposing groups.

Very truly yours,

J. E. P. DUNN,
Special Agent in Charge.

JEPD/EC

RECORDED & INDEXED
DEC 18 1930

32-15941-6



Outstanding members of *Dion O'Banion's North Side* gang as they looked in the good old days when O'Banion flashed a gat. (1) George "Bugs" Moran, present leader, (2) "Little Hymie" Weiss, killed. (3) Dapper Dan McCarthy, still up and about. (4) Louie "Three Gun" Alterie (sometimes called State and Madison Street Alterie) now living on a ranch in Colorado.

of buying flowers for the funeral. As he reached to shake O'Banion's hand, his companions whipped out revolvers and began firing at O'Banion. The porter relates that there were five shots in rapid succession, then a short pause, and a sixth shot. The sixth shot, fired into O'Banion's head at close range after he had fallen, was extra good measure just to make sure.

Crutchfield relates that he tore out into the front room at top speed, just in time to catch a glimpse of the fleeing assassins. An automobile awaited them, they jumped in, sped to Ohio Street, turned West and disappeared into the maize and blur of traffic. To this day no one has ever caught up with that car.

Earlier in this book it has been related that when Al Capone came to Chicago he was accompanied by Frankie Yale, of New York. Frankie, a tough killer from the Five Points gang, frequently came to Chicago on contract killings. He was adept. So proficient was he as a murderer that he did a lot of it on the side, probably just to keep in practice as he didn't need the money. Anyhow, if you came well recommended, you could buy Frankie's services. All you had to do was to point out the guy you didn't want and slip Frankie the dough.

We bring this up because a lot of the "wise" money maintain to this day that *the tall, heavy-set individual who* walked up to O'Banion, hand outstretched, was Frankie Yale. Frankie was detained by the Chicago Police a few hours later as he was about to board a train bound for New York. But Frankie had a good alibi. He became a part of the wall of silence against which the words of the police banged in vain. Other parts of this wall, *incidentally*, were Alphonse Capone and Johnny Torrio. Chief of Police Morgan Collins, explaining why no solution of the murder was forthcoming, stated that O'Banion had been responsible for at least twenty-five deaths in his short career, and that, as a result, a great many people appreciated the fact that he had been put out of the way. Certain it is that the police, including Mr. Collins, wept not over O'Banion's bier. But other thousands did. His funeral set a high mark for those that came after. Nothing had been seen in Chicago quite like it since the final obsequies were made for "Big" Jim Colosimo, *when the business of laying him* away drew out so many judges and politicians that the affair took on the external aspect of a political pow-wow. O'Banion's funeral scandalized the public. The cortege was made up of twenty-four automobiles all loaded with flowers, one hundred twenty-two funeral cars, and with private cars stretching for blocks. As it wended its way through the streets toward the cemetery a squad of police on motorcycles cleared a path through traffic. The grief-stricken survivors of the O'Banion gang who had been crying their eyes out for days, could hardly wait until the services were over and the $10,000 casket dropped into its hole, in order that they might devote themselves to avenging lovable Dion's death. Louie Alterie, quite beside himself, made a particularly hot remark and one that burned official ears.





The "It" boy of Gangland, Dion O'Banion, and his wife. This is a rare picture of Moosedom's personality boy, taken on the day of his marriage. (Upper right) X marks the spot where O'Banion was killed in his little flower shop on North State Street. (Lower photo) Crowd outside the floral shop just after O'Banion's assassination.

O'Banion first began straining the ties that held him to Torrio by muscling in on the territory allotted to the Genna brothers on the West Side. Warned repeatedly he continued to defy them. O'Banion believed in free speech. He talked often and loudly. He liked to sing too, and no doubt regarded his alley tenor as something quite fine and beautiful. The most injudicious remark he ever made in his long and useless life was directed to Torrio and his Italian henchmen. "To hell with them Sicilians," he said when warned directly from headquarters to stay out of the Genna territory. "You (meaning Torrio) have got your ideas, and I got mine. We'll quit."

And so the inevitable happened. The finger was put on O'Banion, and they killed him and now, six years later, his pals are still trying to avenge him. The death of O'Banion brought more attention to Chicago's underworld and the beer wars than any other dozen deaths. Whereas the other victims of the warfare reached page one of the local prints, O'Banion's murder and funeral filled the wires of the press associations and landed on page one of the newspapers all over the country.

O'Banion was standing in the center of the flower shop busily engaged at the pious business of trimming roses. In the rear of the shop a Negro porter, William F. Crutchfield, was unpacking a crate. Crutchfield later testified that O'Banion had just called to him to sweep up a litter of flower petals at the front of the shop. Fortunately William delayed, probably thus saving his life. For, just as O'Banion uttered these words, three men entered the front door. Crutchfield relates that he heard O'Banion greet them with, "Hello, you boys from Mike Merlo's?" As he uttered these words O'Banion, holding a large pair of shears in one hand, walked toward the three men, one hand outstretched. One of the men, in answer to the greeting, said that he was from Mike Merlo's home. Merlo, an Italian political leader, had just died and it is assumed that O'Banion expected these men there for the purpose



The underworld lost its most fantastic and picturesque personality and Johnny Torrio lost his most persistent pain in the neck on the morning of November 19, when Dion O'Banion's body, heavier by six balls of lead, fell crashing among the chrysanthemums of his little flower shop at 738 North State Street. This flower shop, intimately connected with some of the most thrilling chapters in the long and bloody story of Boozedom, stands intact today, and the proprietor, William Schofield, stands many customers on the spot where O'Banion fell while he takes orders for flowers. O'Banion, in partnership with Schofield and Samuel "Nails" Morton, used the little shop as a blind for his prodigious criminal activities.

A glad hand artist, an expert at throwing the bull, this paradoxical mixture of ferocity and sentimentality stepped high wide and handsome through the shadowy realm of the underworld for a dozen years, cracking safes, shooting up saloons, terrorizing polling places, figuring in newspaper circulation wars, hi-jacking liquor and thumbing his nose at public prosecutors.

His ability to thumb his nose at public prosecutors, ascribable to his own more or less valuable services to certain North Side political leaders, first attracted the attention of Johnny Torrio when Johnny was looking about for breweries and talented gentlemen to aid him in what was a new and inviting racket.

O'Banion, a typical neighborhood gangster from boyhood, had assembled a formidable gang in the persons of such men as Samuel "Nails" Morton, Louie "Three-Gun" Alterie, "Little Hymie" Weiss, George "Bugs" Moran, Schemer Drucci, George and Pete Gusenberg and other lesser individuals. Torrio and O'Banion came to an understanding and O'Banion's territory was established on the North Side. Presently he had, to use his own expression, stepped up into the bucks. O'Banion's power resulted from the application of methods quite unlike those of Johnny Torrio and Capone. His realm was built on friendship, with pecuniary considerations secondary. O'Banion depended upon his pals, and his pals depended upon him. His death however proved conclusively to the interested spectator, that the almighty dollar furnishes a stronger basis for the relations between organized crime and machine politics than brotherly love. O'Banion was ever-ready to aid and protect anybody in his neighborhood and he knew everybody. The poor looked upon O'Banion as a great and good man, and he never forgot them. Across the street from his flower shop stood Holy Name Cathedral in which O'Banion had been an altar boy. Samuel "Nails" Morton was one of O'Banion's closest friends from boyhood. Morton was dubbed "Nails" when quite a lad because he was that hard. "Nails" served in the World War and emerged with several decorations for bravery and a commission.

Sammy was a great influence on O'Banion's intellectual development, if any. He took his blustering buddy by the hand and led him down the booze trail to prosperity and big dough before Torrio completed the job. In the little floral shop together these two men sat among the carnations and the lilies and plotted such booze robberies as the removal of 5,000 gallons of excellent liquors from the Royal Drug Company on forged permits. Ah! What a swell job that was! Six uniformed policemen aided in the work of loading the liquor onto trucks, and, when the last quart of Old Taylor had been gathered in, Sammy gave the signal and the cops blew whistles and you and me, scurring down the street in our Model T stopped with screeching brakes, while Sammy and O'Banion moved out into the traffic. A great yowl, heard all over town, resulted from that job. The permits had looked all right enough, and they had read all right, but, too late, somebody discovered that they were phony.

"Nails" taught O'Banion to wear dinner jackets and to live in fine hotels and how to use his knife and fork and to be a gentleman. He is given credit for also teaching the blustering Irishman that political pull is more potent for a racketeer on occasions than pistols. "Get the politicians working for you" was a complicated principle which Samuel pounded into O'Banion's head. It is said that "Nails" invented the famous phrase "take him for a ride" by which is meant that traitors, spies, squealers and stool pigeons, were disposed of by being placed in the front seat of an automobile and shot by somebody in the rear seat. Curiously enough "Nails" himself was taken for a ride one Sunday morning, only it wasn't that kind of a ride. "Nails" in riding togs was en route from a stable one Sunday morning to Lincoln Park for a canter. The horse, not knowing what a tough guy "Nails" was, became unruly before they reached the bridle path and "Nails" was thrown violently to the pavement. The horse then stepped on Mr. Morton's head. A few hours later, legend has it, Louie "Three Gun" Alterie, again rented the horse, rode it to a remote spot and then pumped a bullet into the horse's head.

A new story used to appear every day about O'Banion's loyalty to a pal, his bravery, his great love for gun play, his love for his mother and wife, and his "Robin Hood" methods. Here is one on the "pal" theme. In the days before the Golden Era of prohibition O'Banion was not at all averse to sensational holdups. Once he and his mob planned to "take" a certain race track which was about to open, on the West Side. Wind of this came to the promoters, one of whom knew a newspaper man who was friendly with O'Banion. All being native Chicagoans, instead of informing the police, the promoters went to the newspaper man. O'Banion was called by telephone and the newspaper man said, "Say Deany, I want you to do a favor for me." It was okey with O'Banion, even when the newspaper man informed him that the favor meant assembling some of his boys and working as a guard over the till at the race track. Sure enough on the day of the race, O'Banion with a gang of his hoodlums, all armed, stood around the box offices ready for war if anybody attempted to spring anything. Later O'Banion learned from the newspaper man that a fast one had been put over on him but he received the news with great relish.

It will serve to illustrate the important position O'Banion occupied to mention a party given in his honor several days prior to his death. The hosts included the commissioner of public works, the county clerk, half a dozen police lieutenants, and the chief of detectives, Michael Hughes. A diamond studded watch was presented to O'Banion on this occasion. When news of the party got out, there was a great noise and Detective Hughes explained that he had come to the party thinking it was to be given in honor of another, Jerry O'Conner, secretary of the Theater Janitors' Union. "I was framed," said Hughes, "and I got out as quickly as I could."

The unwillingness of O'Banion to take orders from Torrio, plus his ambition to extend his activities into forbidden territory brought about his break with Torrio and—his sensational and sudden death. It is likely that Torrio took O'Banion under his wing as a matter of policy. Torrio put as many boards in his political fence as he could lay hands on and O'Banion represented a wide plank on the North Side. But O'Banion's flamboyant style was irritating to Torrio, and he felt that O'Banion would bring trouble into the realm with his high-handed methods. Torrio was a business man first and a gangster second. O'Banion was a gangster. Torrio would rather bribe a policeman than kill him. O'Banion would rather bribe him too if he didn't want too much. Two policemen once appropriated a truck load of beer belonging to O'Banion and Torrio. They demanded $300 to release it. When he was told this over the telephone by one of the beer-runners, detectives listening in on a tapped wire, heard him say, "Oh, to hell with them guys. I can bump 'em off for half that much." Later, the same voice, told O'Banion that Torrio in the meantime had instructed that the cops be paid the money. "We don't want no trouble," Torrio had said. And there you have the essential difference between Torrio and O'Banion. One didn't want trouble; the other was always looking for it.

50

BIG SHOT and LITTLE SHOT



BIG SHOT AND LITTLE SHOT

Here's an interesting study in elimination as practiced by the killers of Gangland. Eddie Davis (above) a small-time gangster, apparently was punished for his many sins on the spur of the moment, as he stood in a thirst clinic hoisting a beer. On the other hand the elimination of Myles Canavan (below), big shot gambler, came as the result of long and careful planning. "They" finally caught up with Myles one evening behind his luxurious apartment house on the south side of Chicago.

51

Even the happy and carefree Terry Druggan and Frankie Lake took it on the chin during this troubled period. Having been enjoined by Federal Judge Wilkerson from operating one of their breweries this inseparable pair said "Oh, Yeah" and proceeded to remove large quantities of amber fluid therefrom. One night a squad of prohibition officers descended upon them and Damon and Pythias were brought up before the judge and he told them to go to the county jail for a year. Losing an appeal to a higher court Frankie began serving the sentence, but Terry couldn't see it that way. He set out blithely for California where, months later, he was gathered in and returned to Chicago. He walked through the portals of Sheriff Peter B. Hoffman's lodging house in November.

At this time spies from the North Side reported that O'Banion, in addition to violating the territorial rights of the Genna brothers, was "running off the chin" on the subject of Torrio's power. O'Banion's slogan at this time seems to have been, "To Hell With Torrio." The Gennas were summoned and methods devised to punish the revolting vassal.

After the Cicero election riot. Man in the cap is Charles Frischetti, companion of Frank Capone, (upper right) who was killed in a gun battle with police. Frank was a brother of King Al.



Smiling "Spike" O'Donnell's gang of hoodlums before Joe Saltis began thinning them out. (1) "Spike" O'Donnell and Chief William Shoemaker, (2) Attorney Frank McDonnell, (3) Walter O'Donnell, deceased, (4) Gimp Rosenbaum, missing, (5) "Spike" O'Donnell, (6) James Bucher, deceased, and "Steve" O'Donnell. The tin-can object is one of "Spike's" cars.

52

$30,000 when the coroner went through his pockets as he lay dead in a basement room whither he had fled from police. But King Torrio, on this occasion, strangely enough only carried about $23,000 in cash, but it was enough to bail himself and his companion, James Casey, out of custody. O'Banion, caught short remained in jail until professional bondsmen, William Skidmore and Ike Roderick, long associated with gambling and vice in Chicago, could rise earlier than their wont and pry him out with the requisite $5,000.00. Wonder was expressed at the time over the fact that Torrio had not peeled off the $5,000 for Dion. Later events proved that the flamboyant Irishman was in extremely bad odor with the king, and the Sieben fiasco served to bring their long association to just about the breaking point. O'Banion, walking out of the Federal building with Skidmore and Roderick, spoke in no uncertain terms of this man who supposedly told him what was what. "He's a god-dam double-crossing wop," exploded Dion, "and he's turning yellow all over." O'Banion explained that Torrio had bailed Casey out of jail in order to have a body guard en route home. It was quite plain that O'Banion was in revolt.



Jerry O'Conner

For the next few months Torrio engaged himself in Cicero where matters were far from ideal. The O'Donnells were helping themselves to a lot of his customers, Eddie Tancl was defiant to all propositions and overtures, and, on top of it all, the Genna brothers over in Little Italy were whispering at the top of their voices that O'Banion was continuing his efforts to "muscle in" on their territory. Elsewhere in his realm was sporadic warfare. Joe Saltis was having a great time with "Spike" O'Donnell's marauding bands of hijackers, terrorists and killers. Gangsters were being taken for "rides" from which there was no return, saloons and roadhouses were being bombed with increasing regularity. Torrio probably shed no tears during this period when he learned that Walter O'Donnell, was arrested and charged with the murder of Alfred Dickman, Walter, brother of "Spike" virtually clubbed Dickman to death with his fists.



(Upper) Jerry O'Conner, owner of the deserted gambling joint in which Patrick King was killed (lower photo). The play "Seven Keys to Baldpate" had nothing on Jerry's joint. He had given out twenty-five keys to the place, a fact established when the police investigated the King murder. Jerry was a brother-in-law of the Gusenberg brothers, who were slain in the Valentine Massacre.

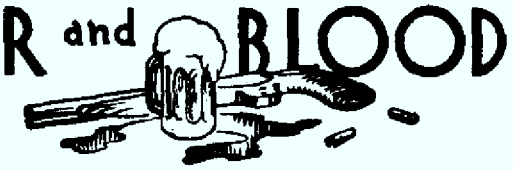
53

from time to time. In Octobe 923, he was fined for illegally manipulating a brewery transfer, and the strain was too much on his over-taxed nerves. Incidentally it was in this period that Mr. Joe Stenson, aforementioned, was shocked to find his name and address published on page one of the newspapers.

The harassed Torrio began now to show definite signs of weakening. Instead of remaining on the job at this period as he had planned, he decided to take a vacation. And, for the next six months he was out of the city. Part of his vacation was spent in Europe and in Italy, the place of his birth. In Italy he purchased a great villa for his mother.

He returned in March. This period marks the date of his decline, just as it marks the beginning of the rise to power of his lieutenant, Al Capone. As Torrio had grown superior to Colosimo, so had Capone grown superior to Torrio. It is extremely doubtful that Torrio would have bothered to return to Chicago if he had known what awaited him. The beer war was about to begin. Blood was to be poured into the beer. The shooting that can still be heard round the world was to break out in the Beer War.

BEER and BLOOD



The "heat" in Chicago during those days of cold March, 1924, was intense for all gentlemen of the gat and the machine gun. When Johnny came slinking home there were no processions or celebrations in honor of the event. Matters in the Torrio-Capone camp were too grave for any display. Newspapers were smoking with propaganda against their rule. "The man with the gat" must go, they cried; Chicago must wrench itself free from the grip of crime. The attitude of Mayor Dever was conducive to a cleanup. His chief of police, Morgan A. Collins, was a fearless man of the highest integrity. He was anathema to Torrio, whose strongest point of political contact was in the state's attorney's office.

Immediately after his return to Chicago Torrio summoned his adherents to a meeting place in the Metropole Hotel on South Michigan Boulevard, where the most important matter discussed was that of holding their own in Cicero whither Torrio had moved headquarters sometime earlier by comparatively peaceful methods. Cicero, a western suburb, soon found itself completely over-run by the underworld element. Torrio made it the base of his gambling and beer-running interest, and the town leaped into national fame as one of the toughest spots on earth.

Ingress into Cicero had not been entirely without difficulty however, for now they encountered the West Side O'Donnells, also Valley boys with Terry Druggan and Frankie Lake, who looked with envious eyes upon this territory. The squabbles between the Torrio-Capone and West Side O'Donnells were of comparative unimportance however until late in 1925 when William McSwiggin, an assistant state's attorney was murdered one evening when spending an evening with the O'Donnells. But there were frequent disturbances, splitting of skulls, bombing of speakeasies, and general trouble over customers. Another obstacle in the path of Torrio was Eddie Tancl, a native of Cicero, who dabbled in the illicit liquor traffic and was the proprietor of a cabaret in Cicero. Eddie regarded the advance of the O'Donnells and the Capone-Torrio outfit with hostile eyes, and he was to die for his unfriendliness a few months later.

On the eve of the Cicero election a second meeting of the Torrio-Capone gangmen was held, this time in the Four Deuces Saloon, 2222 South Wabash, owned by Capone. Every-ready Al stepped forward with the request that the business of swinging the election be placed in his capable hands. And it was. The election became a riot, the day was saved for Gangland, but Al lost his kid brother Frank Capone, in the smoke of a pistol battle with the police. The particular bullet which ended young Capone's career came from a w pon owned and wielded by Sergeant William Cusiack, of the Chicago Police force.

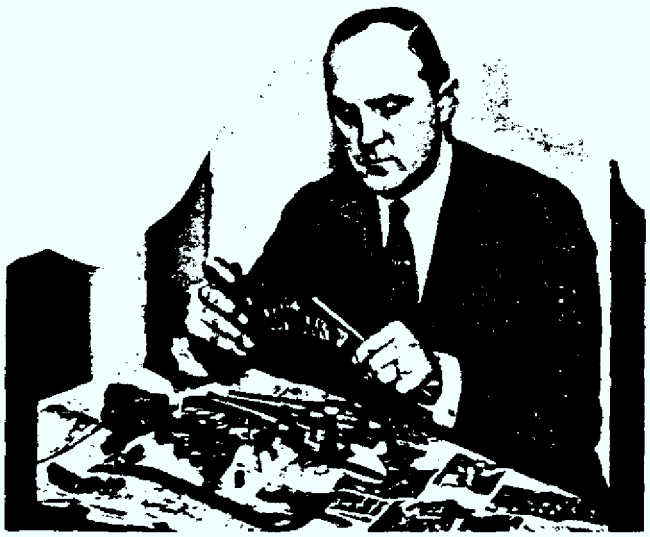
Gangland mourned the passing of Al's brother the next day, instead of celebrating their technical victory at the polls. Torrio with others important in the high councils of his organization visited at Capone's home. Every one of the 123 saloons in Cicero locked its doors by order of his majesty, Johnny, and it was the dryest day in the history of the town, before or after prohibition.

The slaying of Capone together with the hell raised generally during the election, inspired another cyclone of words from the public officials, particularly from State's Attorney Robert E. Crowe. Inquests and investigations tripped up as usual. Alphonse himself testified at the inquest, but after some curious sign language between him and Charles Frischetti, companion of Frank at the time of his death, Alphonse suddenly suffered a loss of memory.

Despite this technical victory, Torrio found conditions in his realm growing increasingly unpleasant. A month after the election another one of his breweries was knocked off and, surprisingly and significantly enough, this time it was done by Chief of Police Morgan Collins and Captain Matthew Zimmer. The brewery was the Sieben Brewery on the North Side. The police attack on it was one of the most beautifully executed jobs which ever a gangster looked upon with dismay. Nobody except the leaders, Collins and Zimmer, knew what was going to happen, hence there was no tip-off. With their uniformed men wondering where and what, Chief Collins and Captain Zimmer led them after midnight to the big brewery where they swooped down on men guarding thirteen truckloads of beer, ready to be convoyed through the streets. The convoy, composed of gang leaders, was arriving in automobiles, and, as each automobile deposited its cargo of gangsters, the police gathered them up. It was a great aggregation and made a swell "who's who" of Gangland. All the big shots were there. King Torrio, Dion O'Banion, "Three-Gun" Louie Alterie, Hymie Weiss and others.

State's Attorney Robert E. Crowe was the logical public official to receive this prize, but, significantly enough Chief Collins delivered it instead to United States Attorney Olsen, a great pain in the neck to all gentlemen of the underworld. When asked why, this ace of policemen, responded vagely that . . . Attorney Olsen had promised prompt coöperation, and despite the fact that it was a police raid, pure and simple, the government was to do the prosecuting.

A curious thing about gangsters is that they never venture out of doors without first "heeling" themselves with plenty of money. Angelo Genna, whose gaudy career, was to end in a few months, was "heeled" to the extent of



Sergeant William Cusiack, of the Central Police Station, one of the outstanding foes of gangsters. Sergeant Cusiack fought in the battle of Cicero and won a great victory by eliminating Frank Capone from this life.

54



. . . My, my, what a tough guy was Eddie Tancl! Eddie busted more skulls than John L. Sullivan, Bob Fitzsimmons, and Jim Corbett combined. When Capone and "Klondike" O'Donnell came to Cicero, however, the first fighting period came to an end, and you see in the photograph Mr. Tancl as he appeared in the ring, in his saloon, and in the morgue.

The O'Donnells and the O'Banions and their breed never could learn murder nicely and cleanly. They lacked style which, incidentally, was extremely fortunate for Johnny and Al although maybe they didn't see it that way.

The murders of two beer barons, O'Banion and Tancl, in the space of a few days was too much gunpowder for the town to take in one dose, and to reduce and soothe the ensuing high temperature of public indignation Messrs. Doherty and O'Donnell were indicted by one of Mr. Crowe's grand juries. The public was assured that these desperadoes would hang. Mr. Crowe pointed to the fact that he had assigned his ace assistant, the "hanging prosecutor" to the case. The assistant's name was William E. McSwiggin.

But there was other gunpowder to be sniffed, this time out on the South Side where the Saltis-MacEarlane and "Spike" were still having at each other on every possible occasion. Several pot shots had been taken at "Spike" and he had missed death so narrowly but so neatly so many times that already the feature writers were making something of the detail. To return the compliment, "Spike" and some of his boys had unsuccessfully tried to do away completely with Mitters Foley, one of Joe's outstanding hard boys. Frankie MacEarlane, finding the town too quiet for his tastes, had gone over into Indiana, where he had got himself indicted for the murder of a roadhouse owner who had done business with "Spike." But Frankie "beat the rap" after a complicated trial. On December 19, two weeks after Tancl's death, the Saltis mob revenged themselves plenty for the attempt on the valuable life of Mr. Foley. They killed two more of "Spike's" boys, Leo Gistinson and Jack Rapport.

55

"I invite the slayers of my pal to [illegible] it out with me," cried Louie. "They can name any place, even State and Madison Streets."

Louie who was, as you might infer from this, quite a loud noise, was discovered a few weeks later in the Midnight Frolics' Cafe by Captain Stege of the Detective Bureau. Louie was in his cups and somewhat louder than usual so you can estimate just how loud he must have been. At any rate Captain Stege went up to him and slapped his face.

Let us rush to add however that despite this humiliation which he took without any retaliating gesture, Louie was really a tough guy. He was smart enough to know however, that it just wasn't his play to slap back.

EDDIE TANCL BITES THE Sawdust

The flowers on O'Banion's grave had hardly withered and dropped away from their tinsel frames when another picturesque tough boy of the underworld bit the sawdust. He was Eddie Tancl, a native son of Cicero whose place of refreshment, the Hawthorne Inn was highly popular with his Bohemian countrymen. They assembled in droves there to lift a few and to hear thick-necked Edward discourse authoritatively on the refined profession of prize-fighting in which he, in his salad days, had been engaged with moderate success. The Hawthrone Inn dispensed more beer probably than any fifty of the 150 other thirst clinics in Cicero which was why the O'Donnell boys lay awake nights thinking up ways in which Eddie could be induced to become a stop on their beer-runners' rounds. Eddie however had reluctantly signed up with Johnny and Al, both of whom he regarded with hatred and as tyrants in his own realm. But Johnny and Al had told Edward that he could either buy their stuff or else and so he bought.

"Klondike" O'Donnell, leader of the horde had been quite successful in pushing himself into the preserves of Al and Torrio during the political depression in Gangland, a fact largely ascribable to the talents of the toughs who called him boss. Most of them, like "Klondike" himself, had been labor racketeers before prohibition, and weren't exactly foreigners to Rough Stuff. Some of "Klondike's" boys who were healthy and feeling well at this particular period included his brothers Myles and Bernard, Fur Sammons, James Doherty, Thomas Duffy, Mike Quirk, Johnny Barry and "Rags" McCue. Also, most of these boys are now departed this vale of tears but my, my, what hell they raised before leaving. All of them were tough, but William "Klondike" was tough enough to hold the leadership, although there were times when he had to demonstrate the fact in grisly emphatic ways. There was the sad case of "Rags" McCue who had worked long and faithfully "Klondike" hustling beer out in the warm Cicero country where a machine gun bullet might have found him any minute. When "Rags" wasn't working he liked to plaster himself with whisky in evil places. Once, on a bender, he found himself with about $1,600 in collections which he had not yet turned over to "Klondike." After the party, which was of several days length, "Rags" reported for work, broke but hostile. He had "spilled" the grand, but what of it? William saw his duty quite plainly. "Rags" must be punished, just as a lesson to his fellow tribesmen. And so "Klondike" whaled in and when he had finished "Rags" was bleeding and helpless. Both arms were broken. Several days later "Rags" appeared at headquartes with his arms in casts. The sight touched William and James Doherty so deeply that they inveigled him into an automobile and took him for a ride and "Rags" never came back. Nice fellows. Four of his henchmen finally became so tough that "Klondike" had to dispose of them in the usual way as we shall see in due time. At this period however he had them pretty well under his thumb.

"Klondike" had just about lost patience with Eddie Tancl.

The tubby little Bohemian wouldn't listen to reason, threats, pineapples, or gunpowder. One night as William lay awake trying to find an idea which would bring Eddie around, two of his prized henchmen, James J. Doherty and Myles O'Donnell, dropped into the Hawthorne Inn for a beer. Eddie greeted them affably enough and motioned them to a table which, from his vantage point behind the bar, he could cover with a sharp and alert eye. After about two hours and twelve or fifteen "shells" of the amber fluid, plus several "shots" of whisky, their voices had developed from quiet, gentlemanly, well-modulated tones into what we shall describe as rather loud noise. Eddie, himself, catching the gala spirit and not altogether without a little glow induced by the small ones he had been having with the customers all evening, came over and sat down with Jimmy and Myles. Well, there were a few more drinks, compliments of Eddie, when the conversation drifted into plain shop talk. Jimmy and Myles insisted on deploring the fact that Eddie was getting his stuff from the "grease ball" meaning Mr. Capone or Mr. Torrio.

Maybe Eddie tried politely to change the conversation for they sat there for a long time; but the old subject would return, and, just as the bleak country was growing into rugged outline against a tinted sky, the Sabbath day at Cicero was heralded by a succession of revolver shots. If you had been strolling down the street that morning at that time you would presently have seen two young men, rushing out from the Hawthorne Inn, cursing and brandishing smoking revolvers, and, a few seconds later you would have beheld another individual as he staggered determinedly out of that door. You would have watched Eddie Tancl, more dead than alive, trying to over-take those men, and, horrified you would have watched the little ex-prize fighter's steps grow slower and slower until finally they would move no more—even for a guy as tough as Eddie Tancl.

All of Eddie's shots however did not go awry. A few minutes after it was all over Mr. O'Donnell discovered to his intense surprise that several slugs of lead were imbedded in his tough person, and he was forced to hold long and serious sessions with a surgeon, for many months to come.

The murder of Eddie Tancl was good news to Johnny and Al, although the crude method by which he was dispatched probably illicited contemptuous sniffs from them.

BATTLE FIELDS IN CICERO



The Ship | Mr. Dufey's Thirst Clinic | Cicero Inn | Hawthorne Smoke Shop | Capital Cafe

56


the

DRUCCI wears the CROWN

The artistically efficient homicide of Hymie Weiss drove home to every ambitious *hoodlum in* Chicago the grim lesson that the man of destiny among them was Alphonse Capone, and that the best possible life insurance was a reserved seat on his band wagon. The prestige of the North Side gang vanished like puffs of smoke in a windstorm when news of his demise was blazoned across the town. Vincent "Schemer" Drucci bowed apparently to the inevitable for when King Al suggested that another truce be held he was smart enough to acquiesce. But the Schemer had mental reservations as we shall see.

The meeting took place in the Morrison Hotel on October 21, 1926, and the size of the representation was in itself a tribute to Capone. The Big Fellow himself was not there, but the terms which were laid down by Anthony Lombardo and Maxie Eisen, the eminent Jewish racketeer, had come from him, and you may be sure that no stipulations were made this time. Even "Klondike" O'Donnell was represented. His delegate was instructed to say yes to everything and not to sit around with his fingers crossed either. Unfortunately Joe Saltis, still in jail awaiting the verdict on the charge of murdering Mitters Foley, could not get a leave of absence, but he was represented by the Schemer and George Moran. Ralph Sheldon was there, and so was Edward "Spike" O'Donnell. Tony Lombardo, a big shot in the Unione Siciliane, an important Italian political organization, represented Capone as did Maxie Eisen, the eminent Jewish racketeer and stink bomb thrower. Lombardo laid down the territorial lines. Drucci and Moran were presented with the entire North Side, limited on the south and west by the Chicago river, on the east by Lake Michigan but extending north as far as the Arctic Circle. The South Side was equally divided between "Spike," Sheldon and Saltis, but don't you believe a word of it. No peace pact in history has ever stifled a congenital homicidal impulse, nor did this one. The League of Nations itself could not alleviate the sad condition of affairs along the South Side beer front where, incidentally, a few days before the conference, Mr. Saltis had ordered the dynamiting of one of his customer's saloons because the proprietor, Mr. Joseph Kepka had refused to help Joe pay W. W. O'Brien's legal bill.

Another swell homicidal impulse, wearing smiles and saying yes all over the banquet hall, was Schemer Drucci, but it was destined never to be given another good play.

On November 9 the terrorized jurors announced that Saltis and Lefty Koncil were not guilty of murdering Mitters Foley and Big Joe went home to fall into numerous huddles with John "Dingbat" Oberta, as well as to read his mail. There was an interesting letter from relatives of Hillary Clements, the Sheldon gangster, who had been missing several months, and Joe was implored to mark the spot where he had left the body so that it might be given a decent burial. But it was not until five weeks later that the body was found and, would you believe it, the spot was a vacant lot behind the house where Hillary's survivors lived.

Gangland ushered in the new year, 1926, by removing one John Costenaro, a Sheldon beer customer, from the scene and, so far as this reporter can determine Mr. Costenaro has not yet been found. Efforts to completely do away with Theodore Anton were not so successful. Theodore, known as "The Greek," owned the Hawthorne Arms, headquarters of the Big Fellow. Theodore had been a pretty tough guy in his day and had come to the Capone gang with a creditable career in the prize ring to recommend him, but as the years rolled on something happened to him, and he made a big nuisance of himself by developing the evil of his ways and the ways of his companions and tenants. Anton carried sweetness and light to the point of hinting that he was through with sin and vice and that Capone's lease on the building would not be renewed. And so Anton the Greek was soon missing roll-call around the Hawthorne Arms Hotel, and, a long, long time afterward his body, or what was left of it, was removed from a hole of quick-lime in a vacant lot in Burnham, Indiana, near the backyard of Johnny Patton, Burnham's boy mayor and a good friend of Al Capone.

On the South Side, believe it or not, Edward "Spike" O'Donnell was accused of having designs on Joe Saltis, Lefty Koncil and their blue-eyed boy, John "Dingbat" Oberta, the eminent ward committeeman. Whether true or not, Koncil and Charles "Big Hays" Hrubec, were fired at on March 11 as they were touring in "Spike" O'Donnell's territory. "Lefty" and Hrubec jumped out of the car and were running at top speed for shelter in an apartment house lobby, when, overburdened by bullets, they collapsed in death. "Spike" O'Donnell did this foul murder," said Joe Saltis to newspaper reporters, "I am not in the beer racket." On the day of his release from the county jail, "Lefty," who was a rather nasty-tempered little fellow, snarled on page one that he had been pushed around long enough by certain persons on the South Side and that he himself intended to go in for pushing in a big way.



Vincent "Schemer" Drucci, successor to "Little Hymie" Weiss as leader of the North Side Gang. This is an early photograph of the opera-loving hoodlum, taken after he had spent a tough night in a jail cell.

Meanwhile Vincent Drucci, as leader of the North Side gangsters, had not been completely paralyzed by the peace conference. He had, indeed, been quite busy following Al Capone around, a privilege he had reserved mentally during the meeting and everywhere the Big Fellow went the Schemer was sure to follow. When he went to Hot Springs, Arkansas with a large body guard to rest up for the approaching mayoralty election in Chicago he did not know it, but the Schemer went along, too, taking with him numerous sawed off shut-guns, automatics and other instruments of warfare. In Hot Springs the "Schemer" made an unsuccessful attempt to murder the Big Fellow, but it was done so quietly that news of the affray reached the newspapers only by leakage.

When King Al returned to Chicago late in March the atmosphere was considerably mixed with gunpowder and

58



A Gangland Victim—William E. McSwiggin, assistant state's attorney, as he looked when earning his reputation as "the hanging prosecutor." He was shot by machine gun bullets while in company with members of the O'Donnell mob.

department, shortly after the long series of investigations had begun into the mystery: "It was Al Capone, together with three of his henchmen, Frank Rio, Frank Diamond, and Bob McCullough." Sergt. McSwiggin was positive. He had inside information, he said, which he had given to the authorities. Two material witnesses were also named, Edward Moore and Willie Heeney. Moore proved, however, that he was in the loop, and nothing of value was gained from questioning Heeney.

But the dead man's father's charges inflamed the public still more, and the question "Who killed McSwiggin?" was now linked with another one, "Where is Capone?" But Al was nowhere to be found. The atmosphere was entirely too much for him, and, shortly after the first smoking headlines announcing the murder appeared, Alphonse was in his great armor-plated automobile, speeding over the highways to a secret hide-out somewhere in Indiana.

But he came back. He came back a few days later in a grand manner which must have been impressive to "Little Hymie" Weiss. Capone dictated the terms by which he would surrender to the detectives from Mr. Crowe's office, and he was met at the Indiana state line. Capone is not a great talker, but he says plenty when the public is occasionally favored with his utterances. And this time it got dynamite.

"Of course I didn't kill McSwiggin," he said. "Why should I? I liked the kid. Only the day before he got knocked off he was over at my place and when he went home I gave him a bottle of Scotch for his old man. If I'd wanted to knock him off, I could have done it then, couldn't I? We had him on the spot. I'm no squawker, but get a load of this. I paid McSwiggin and I paid him plenty, and I got what I was paying for."

Mr. Capone's precipitate flight had looked bad but he had a good answer for that question, too. "I was afraid that some saphead copper would plug me on sight, just to get himself promoted." Capone was released three days after his surrender. At this time it was reported that "Fur" Sammons, having fallen out with "Klondike," had committed the murders out of revenge. And so, one day, "Fur" limped into Crowe's office on crutches. "See these legs," he said, pointing, "Well, I was over calling on my 'sweetie' at the Beauty Parlor, when some of these 'greaseballs' let me have it." The McSwiggin murder continued a mystery, but the mystery of the Beauty Shop shooting had been solved.

As an aftermath of the McSwiggin murder there were a series of raids in Cicero with such outstanding haunts of vice being temporarily knocked off as "The Ship," "The Stockade," and "The Hawthorne Smoke Shop," all Capone institutions. Despite this gesture on the part of the police the McSwiggin case pointed very definitely to the fact the Big Fellow of Gangland was not "Little Hymie" Weiss, or William "Klondike" O'Donnell or any of the others. The Big Fellow was Al Capone. "When I wanted to open a saloon in Cicero," said Harry Madigan, owner of the saloon in front of which McSwiggin fell, "I got a visit from Al Capone. He told me I couldn't go into business there. But I finally got some political pressure myself and opened up anyway. Al came around shortly after and told me that I would have to buy my beer from him, and not the O'Donnells. So I did."

King Al could see the handwriting on the front pages however, and he knew that peace in Gangland was about as desirable to Chicagoans as good beer.

The O'Donnells have been going great guns except for one Federal "rap" which they could not beat in the courts. This concerned their disasterous raid on the Morand Government Warehouse in the Valley, their old stamping ground. The warehouse contained thousands of barrels of excellent whisky and it was James "Fur" Sammons who conceived the bright idea of siphoning it with a hose. And so one night, a watchman making his rounds, discovered that bars on a window of the second floor had been cut and that through a small rubber hose of great length now lying on the ground, thousands of gallons of the precious liquid had been siphoned. He gave the alarm. When Pat Roche, ace of the investigators, surveyed the scene, he gave instructions that the equipment should not be disturbed and that the matter was to

59

be kept quiet. Pat knew that the raiders would return. They did. And, as Johnny Barry who was in [illegible]om some distance away, fitting a rubber tube into [illegible]ls, gave two jerks on a rope, "Klondike" and "Fur" Sammons, in the warehouse, began to pump and the whisky began to move. And Mr. Roche gathered all three of them into his automobile and drove them to the Federal building.

The turmoil resultant from McSwiggin caused him to abandon all plans to break up the Saltis-Weiss alliance. Ralph Sheldon lost two more of his gangsters on April 5 in Frank DeLaurentis and John Truccello, and had obtained promises from King Al that reinforcements would be sent up to the front when the McSwiggin murder caused a change in Capone's plans. But he was too busy to step out as a diplomat for a long time and in the interval the conflict continued. On the West Side the field was more or less clear, for "Klondike," Sammons and Berry went to jail for the booze robbery. Each had a two-year tag on him. Hymie Weiss was busy aiding Saltis whenever possible and in trying to get a shot at Capone. Hymie's gangsters killed a Genna "alky" cooker, J. Cremaldi by name, who was crazy enough to appear on the Gold Coast with his product. On July 20 Sheldon's men made an unsuccessful attempt to kill [illegible]cent MacEarlane, tough younger brother of Frank, an[illegible] July 23, made another attempt. The bullets again[illegible]ed Vincent, but Frank Conlon, a Saltis chauffeur, was killed. The murder was committed by "Mitters" Foley and the Saltis gangsters were wild with rage. At this time Mr. Sheldon made a public statement to the effect that if Joe Saltis dared harm a hair of Mr. Foley's head, he, Mr. Sheldon, despite his weakening condition due to tuberculosis, would surely murder Mr. Saltis. And so, on August 6, three days later, Mr. Foley was killed. The public began to wonder whether or not the South Side beer war, like the babbling brook, was going to run on forever. Well, as a matter of fact, it was. But King Capone, beginning to get the view-point of Johnny Torrio, stepped forth as a peace-maker. The fact that Joe Saltis, Lefty Koncil, John "Dingbat" Oberta and Big Earl Herbert, were now in a lot of legal "heat" having been indicted for Foley's murder was prima facie evidence of the Big Fellow's sincerity. Even "Little Hymie" Weiss believed that Capone meant it when he went about saying "we don't want no more trouble."



"Dynamite Joe" Brooks and Edward Harmening, members of the Ralph Sheldon gang after Frankie MacEarlane and Joe Saltis had finished with them. Note that Gangland killers aim at the face. In this job only one bullet missed its mark.

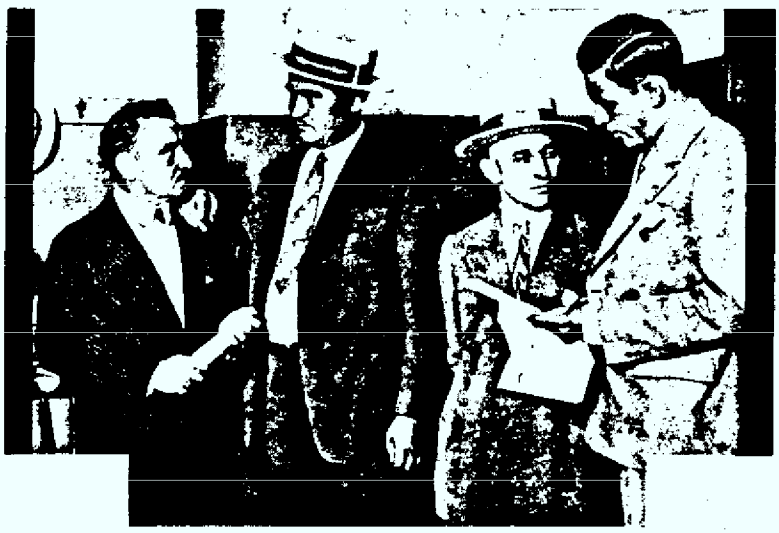
the BIG FELLOW *TURNS* DIPLOMAT

At the name of Jesus every knee should
Bend in heaven and on earth.

And so King Al, the Big Fellow stepped forth as an emissary of peace. Unfortunately for prosperity in Boozedom he flopped. Except for one unfortunate little shooting affray involving Vincent "Schemer" Drucci, one of "Little Hymie's" most highly prized aids, Capone's efforts might have been unsuccessful. We hurry to the facts. The Schemer, paradoxically enough, went in for paintings and good music and beautiful things. It was passing strange how this esthetic hoodlum who wept copiously at the Civic Opera could top off an evening in company with his dynamic little chief and George "Bugs" Moran whose artistic sensibilities had developed no further perhaps than Mutt and Jeff. For in their company the Schemer was often called upon to torture a stool pigeon, or inveigle a traitor to the cause into the front seat of an automobile for a long, long ride. But the Schemer could do it. And how! It was he who represented the class of the Weiss mob, just as the aristocratic touch in the good old days when O'Banion held sway was provided by Samuel "Nails" Morton before he fell off his horse. The Schemer was largely responsible for the fact that "Little Hymie" was induced to move into more pretentious quarters on Diversey Boulevard, although headquarters still remained above the Schofield Flower Shop.

One sultry August afternoon "Little Hymie" and the Schemer, dressed in the correct mode, strolled nonchalantly down the Boul Mich. As they were passing the Harvester building whom should they meet but two of Capone's children, Frankie Rio and Tony "Molps" Volpe. Now when gangster meets gangster, the result is that gats fly out of pockets especially made and leather-lined to hold them, and that is exactly what happened on this summer afternoon. Many shots were fired, and many, many people out there on the world's most regal street, some of them visitors to Chicago, were thrown into fearful panic. And those who were visitors went back to Muscatine, and Valley Junction and Des Moines and New York and told everybody that what the papers said about Chicago was true and even worse. But nobody was killed or wounded.

The only result of the bloodless affray was that Capone's peace conference didn't mean a thing. It was held shortly after the battle, and all the Big Shots were there—Joe Saltis, Frankie MacEarlane, Ralph Sheldon, Hymie Weiss, Vincent Drucci, Capone and some of his lieutenants, "Klondike" and Myles O'Donnell, and amiable "Spike" O'Donnell from the South Side. Gats were parked outside with the top-coats as per agreement, all enmity was forgotten, whoopee was made, jokes were cra d about the "soup" on the menu and the "pineapple" dessert, and a police official, there by special invitation, gazed on in amazement.



Joe Saltis and his aid, "Lefty" Koncil with attorneys, at time of their famous trial for the murder of John "Mittens" Foley. They were acquitted. It was reported that "Little Hymie" Weiss chased two witnesses to Montana. W. W. O'Brien attorney shot with Hymie Weiss. On the right, Frank MacDonnell, another attorney.

Capone made the speech of the evening. What he said has not, unfortunately, been preserved for posterity, just as he delivered it, but the wise money had it that the Big Fellow's words were freighted with sincerity on the "we don't want no more trouble theme." "Little Hymie" listened sullenly, remembering how Frankie and Molps Volpe had behaved themselves only a few days before. It was "okey" with "Little Hymie," this peace idea, but he put forward one stipulation which the Big Fellow alone heard. It was that Frankie Rio and Volpe be placed on the spot where "Little Hymie" might transform them into corpses. The conference ended without any of its representatives being aware of what "Little Hymie" had demanded and what the Big Fellow had replied. They learned later. He said, "I wouldn't do that to a yellow dog."

And so there was no peace in Gangland, and "Little Hymie" was marked for death. He was soon to be pushed aside. His murder represents perfection in the art. It was the most masterfully planned and executed of any of Gangland's crimes including even the Valentine Massacre which was to come after.

"Little Hymie" set out however to get the Big Fellow first and a few days after the ill-fated conference, he and "Bugs" Moran made an unsuccessful attempt to destroy Capone on South Wabash Avenue near the Four Deuces Cafe whither they had trailed him from Cicero. Capone got away, miraculously enough, although his chauffeur, Tony Ross died behind his wheel. "Little Hymie," bitterly disappointed, returned to the little flower shop and was moodily silent for a long time. He stood on the spot in the flower shop where O'Banion had died and, gazing through the huge plate glass window, stared at the inscription in stone across the street:

At the name of Jesus every knee should
Bend in heaven and on earth.

Another surge of energy a few days later inspired another desperate effort, this time in the very heart of the Big Fellow's country. For the second time a cavalcade of glistening motor cars passed slowly by the Hawthorne Hotel while machine guns poured hot lead into buildings and windows and furniture. No bullets found lodgment in the hated Capone gangsters however.

"Little Hymie" was too busy these days to be bothered by the old premonition that he would come to an early and sudden end. His gang was growing in numbers and in dollars and in prestige. Gangland looked upon him in admiration and amazement. So great was the respect with which he was held that to some he was really the Big Boy in brains, class and courage. So many hoodlums wanted to go along with him at this period that there was a waiting list; the wealthy Italian on the West Side who had backed Jack McGurn, now fearing reprisals from the Big Fellow bought his ambitious protege a job as one of Hymie's chauffeurs. It cost $25,000. Unfortunately for "Little Hymie" most of his time at this period was spent in trying to prevent the law from catching up with his ally, Big Joe Saltis who with Lefty Koncil, was being tried for the murder of John "Mit-

ters" Foley. John "Dingbat" Oberta, originally indicted along with papa Joe had managed to prove an alibi and he was not tried. So busy was "Little Hymie" with lawyers and witnesses and jurors these days that neither he nor any of his henchmen knew that in the ancient old stone house just north of his flower shop two swarthy-complexioned men had engaged a room from whose curtained window they could observe all that took place in the street below them. Neither did "Little Hymie" know that, around the corner at No. 1 West Superior street another front room had been engaged, also by a swarthy-complexioned young man whose only luggage was a beautiful golf bag. From behind the curtain of this front room this lonely "golfer" could look squarely upon the rear entrance of the flower shop. The distance on a golf course would have been only a short chip shot with a spade mashie.



"Red" Daugherty in repose on a slab in the county morgue.

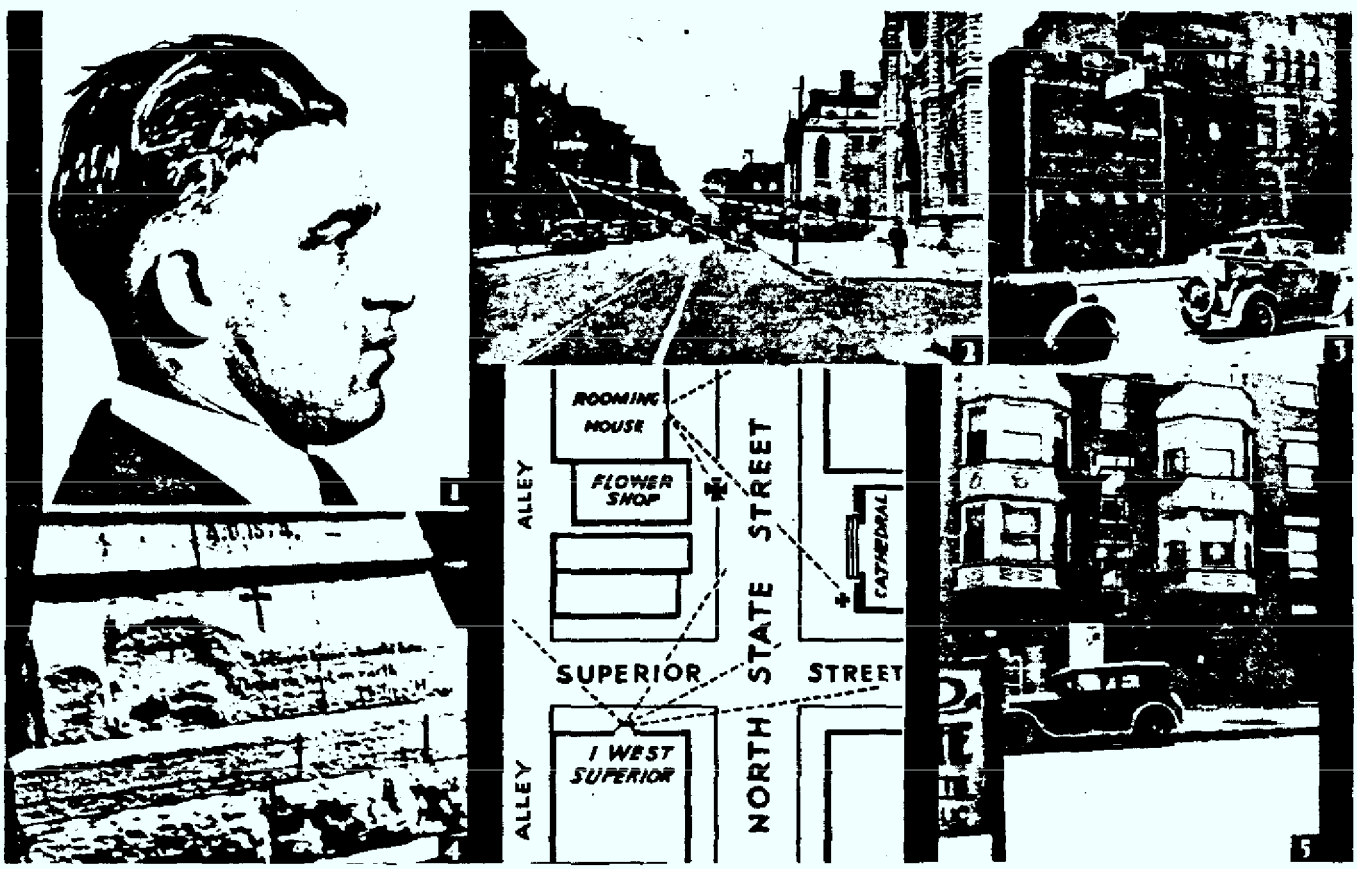
"Little Hymie's" time had come. It was October 11, 1926, just twenty-two months since his beloved pal, Dion O'Banion had died there among the flowers. Big Joe Saltis and eel-like Lefty Koncil last saw their friend and ally late in the afternoon after a long and tedious day spent trying to select a jury. "Little Hymie" held a whispered conference with Saltis and then, shaking hands, left the courtroom in company with W. W. O'Brien, the Saltis attorney. With them were two of Hymie's men, Patrick Murray and Sam Pellar. Benjamin Jacobs, an investigator for the attorney also climbed into the big motor car outside the county building.

Pellar, who drove the car, parked it on Superior Street, just south of the cathedral. The four men tumbled out and started towards the flower shop. They had taken only a few steps when the quietness of the street was suddenly destroyed by the harsh and deadly rattle of a machine gun. "Little Hymie's" twenty-two months of vengeance came to an end before he knew what was happening, for the men behind that curtain at 742 North State street had projected their fire at him, and the first bullet went straight into his heart. "Little Hymie" fell face downward in the gutter without uttering a word. Pat Murray also died on the pavement a few steps in front of his chief, but the other three escaped although O'Brien was terribly wounded. In agony he climbed the stairs of a nearby building and collapsed in a doctor's office. Pellar and Jacobs were also wounded.

Thirty-eight shells had been fired, and those bullets which did not find lodgment in human bones and flesh, flattened out against the old limestone corner of Holy Name Cathedral. The impact was so terrific that a large hole in the inscription crumbled away, destroying the sense of the famous Biblical inscription, and to this day people who never heard of Dion O'Banion or "Little Hymie" often pause before the facade of Holy Name Cathedral and wonder why the corner-stone reads thus:

. . . . . *every knee should*
. . . *heaven and on earth.*

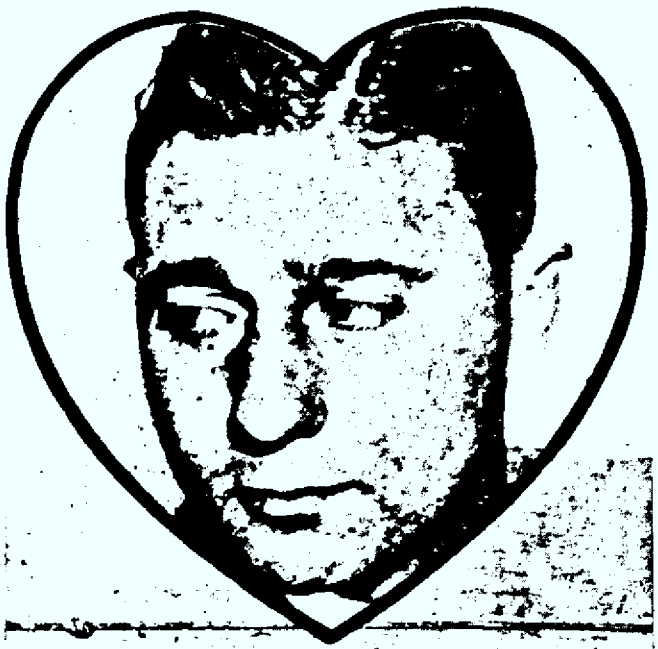
The two men in the old stone structure at 742 North State street escaped in the turmoil their fire caused; and so did the "golfer" around the corner at No. 1 Superior. He left behind him his golf bag. The janitor could find no golf clubs, but he found a long automatic shot-gun.



The killing of "Little Hymie" Weiss, Gangland's most perfect execution. (1) "Little Hymie" as he appeared when a lieutenant of Dion O'Banion. (2) Looking North on State Street, with white lines showing line of machine gun fire from the rooming house which killed "Little Hymie" and his chauffeur as they and three other men alighted from an automobile and started walking towards Weiss's headquarters in the William F. Schofield Flower Shop (3). Photograph in the lower left corner (4) shows the corner stone of the Holy Name Cathedral after it was hit by some of the bullets which missed Weiss. (5) Lair of the killers.

Valentine massacre





The World Famous Gangland Slaying on St. Valentine's Day, 1929, in which seven members of George "Bugs" Moran's mob were lined up against a wall in a garage and mowed down by two machine guns. This picture shows two views. The victims, reading from right to left, are James Clark, Johnny May, Adam Heyer, Doctor Reinhardt H. Schwimmer, and Pete Gusenberg. The other victim, Frank Gusenberg, was alive when police arrived although he had twenty-seven bullets in his body, and was taken to a hospital where he died





Schemer Drucci killed by police after a short reign as North Side leader. (Upper photo) The automobile in which the Schemer was shot while being taken to a courtroom by police. (2) Commissioner John Stege examining revolver which Sergeant Healy (left) used to kill Drucci. (3) Drucci in the morgue.

political applesauce. William Hale Thompson, silent four long years, had come out again, this time squarely against King George of England. Recognizing Thompson a swell skyrocket on which to shoot his own star skyward, Capone cheered to the extent of $200,000. Well, King George lost a great battle to Big Bill and to the Big Fellow. Chicago again became as wide open as it was in the good old days of Johnny Torrio; Capone, cooped up in Cicero by Mayor Dever for four years, again marched triumphantly into the Loop. Everything was going beautifully for the Big Fellow. Even the problem of doing something about Schemer Drucci had been wiped out of his mind, for, on the eve of the election, the Schemer was shot and killed as he rode from the Detective bureau to a North Side

6

courtroom in a squad car in custo[illegible] of three detectives.

Tragically enough for the Sch[illegible] r one of these detectives was a hard-boiled sergeant named Daniel Healy. It was Healy who had picked up the Schemer and one of his henchmen, Henry Finkelstein, as they stood sunning themselves on Diversey Boulevard. Picking up hoodlums was a passion with Sergeant Healy who thought that it brought him good luck. Once he had walked into a South Side saloon and helped himself to an automatic belonging to Joe Saltis. The automatic was in Joe's coat and Joe had the coat on at the time. "Oh, you're a tough guy, with a gun, eh?" inquired Mr. Saltis. Sergeant Healy offered to return the weapon but Joe, wisely enough, flatly refused. At any rate no sooner had Sergeant Healy deposited Drucci and Finkelstein in a jail cell, than an attorney appeared with a writ of habeas corpus. Out came Drucci and his henchman, and into the squad car, enroute to the courtroom. Drucci occupied a rear seat, with Sergeant Healy and one other officer. Finkelstein sat with the driver. Enough different stories have been told about what happened during the next five or ten minutes to stretch from the Rienzi hotel on Diversey Boulevard to Melrose Park. However, it is not important after all these years what Mr. Drucci said to Mr. Healy and what Mr. Healy said back to Mr. Drucci, for the altercation came to a tragic end when a bullet from Mr. Healy's revolver buried itself in Mr. Drucci's heart. Instead of going to a courtroom the squad car turned right around on the spot and proceeded to the county morgue where Mr. Drucci's body was propped up on a marble slab.



Here is Big Tim Murphy, Chicago's premier racketeer, and author of the luscious campaign slogan: "Vote for Big Tim Murphy—He's a cousin of mine." Big Tim was slain in a gambling war, recently climaxed with the assassination of Alfred "Jake" Lingle, racketeer newspaper reporter.

Of course there was a great hue and cry from the family and from the surviving members of the Schemer's gang, all of whom had become experienced in surviving by now. Crying murder, murder, murder they rushed to hire attorneys to see that justice was done, justice in this case being the prosecution of Mr. Healy. At the coroner's inquest a few days later four prominent criminal lawyers spat many mouthfuls of choice interrogations against a simple story related from the stand by Mr. Healy. In effect it was that Mr. Drucci had called him a punk copper and had reached for Mr. Healy's gun, but Mr. Healy having a longer reach, got there first. And Sergeant Healy went back to his job of picking up hoodlums *just for good luck*. The smart big city boys bespoke themselves out of the corners of their mouths that Sergeant Healy would get his in a very short while, but at this writing he is still up and about arresting hoodlums over in the tough Valley district "just for good luck."

The funeral of the Schemer was no shabby affair judged by upper-world standards, but, judged by the standards of Gangland it was a terrible flop. Whereas the last tributes to Messrs. Weiss, O'Banion, "Nails" Morton, Angelo Genna and Samoots Amatuna had been complete sell-outs with not even standing room, the final rites for Schemer Drucci [illegible]e played to empty seats. No politi[illegible]s wept copious tears over him; or [illegible] over his casket to kiss him as had [illegible]en done for Samuzzo. In the comparatively short parade to the cemetery you couldn't find a single automobile draped, as at the Weiss circus, with cloth signs urging you how to cast your ballot. Already decent folk had become weary of these displays, and the police had announced that squads would be in attendance to seize gangsters. But Al Capone was there. And so was George "Bugs" Moran, and Maxie Eisen, Frank and Pete Gusenberg, Potatoes Kauffman, Dapper Dan McCarthy, Jack McGurn, "Dingbat" Oberta, Frankie MacEarlane and Mr. and Mrs. Joe Saltis. Mrs. Drucci was consoled by Mrs. Dion O'Banion. The Big Fellow derived a great wallop of the fact that here was one of his enemies for whose death he would not be blamed, and he came fearlessly, even blithely. There is no record however that Alphonse wept any tears on "Bugs" Moran's shoulder because of their mutual loss. The Big Fellow was getting all the breaks just now, and he was sitting pretty on top of the underworld. One fine morning the Big Fellow discovered that he had become famous. His position had made him quite visible to the great naked eye of the public. For a time this attention may have tickled his vanity, but there is "heat" in the great naked eye of the public, no matter whether you're a king prizefighter, king aviator, king movie actor, king author or just plain governmental king this "heat" grows unbearable at times and you will find yourself running everytime you see a king. You run for the sole reason that you want privacy, you want to live your own life. Now when King Al began ankling it away from the following crowds he had two reasons. (1) To live his own life and (2) to live.

When King Al found himself in the Loop District after walloping King George at the mayoralty election he looked around carefully and was amazed to see that a lot of little gamblers were doing a great big business without having a king who had a standing army. This condition was observed simultaneously by George "Bugs" Moran and Barney Bertsche. In their desire to levy tribute from these little gamblers, Messrs. Capone, Bertsche, Moran and, a little later, the nine or ten Aiello brothers of the North Side, ushered another period of warfare into Chicago.



(1) Ralph Sheldon, forced by tuberculosis to retire as leader of the South Side gang. (2) John "Mitters" Foley, shot to death by Joe Saltis. Foley, a Sheldon gangster, was "a good boy" said his mother, "what if he did sell a little beer sometimes."

At the same time Bertsche, Moran and the Aiello boys further developed the scope of this growing crime syndicate by hooking up with Jack Zuta, over lord of a chain of vice resorts on the West Side. Jack and his chief lieutenant, Solly Vision, had been having a rather tough time of it all by themselves owing to the close proximity of several of their pleasure institutions to similar dives owned and operated by "Monkey-Faced" Charlie Genker, and another choice character, known as Mike de Pike Heitler.

Mike de Pike had definite Capone connections while Mr. "Monkey-Faced" Charlie,



Theodore Anton, owner of the Motel in which Capone established headquarters, as he looked when a youngster trying to get somewhere with his fists. (2) Anton in one of his few courtroom appearances. (3) X marks the spot where Anton's body was found after a long search. It was buried in quick-lime. Anton made a nuisance of himself trying to get out of the Racket.

strangely enough, operated on his own—a strange and inexplicable fact. "Monkey-Faced" Charlie had been an operator for many years, and maybe they tolerated him purely for sentimental reasons. It will be interesting to note that "Monkey-Faced" Charlie was a bosom friend of Julius Rosenheim, the well-known informer, who now, alas, is with us no more.

66

the "PINEAPPLE PERIOD"



In the warfare for control of loop gambling the great discovery was made by King Capone and Messrs. Bertsche, Moran and the Aiello brothers that, although pineapples are not indigenous to Chicago, they flourish as marvelously here as do potatoes in Ireland, if, of course they are cultivated properly. The laboratory experiments of these rival gang mobs may be said to have been made during their efforts to form a gambling syndicate of the Loop gambling joints and, having formed it, to gain utter and absolute control. The small fellow who ran a little game behind the counter was extremely averse to paying levy either to Al or Moran. This and other ramifications including the protracted abdication of the reigning gambling king, all too involved to be discussed here, brought on the great pineapple period. A pineapple, if tossed into a building properly, will make an insufferably loud noise. Windows bounce out of their frames, entire walls keel over, people scramble about in terror and the owner or proprietor of the building, surveying the ruins, remarks, "Well, well, I can't imagine who should have done such a thing to me, or why." But you may be sure that he is telling a big lie. It was just this sort of thing that began happening to the gamblers who cried robber when invited to join the syndicate, being formed by the Big Fellow and the North Side mob. So prevalent did pineapple cultivation become that the joke mongers the country over soon began using the word pineapple as a synonym for Chicago. Another reason was responsible for the fact that the Aiello brothers, of whom there are nine, began playing around with Moran and his new buddies, the Bertsche and Zuta mob. The Aiellos, long respectable merchants, devoutly desired control of the Unione Siciliane, a powerful Italian organization which at this time was under the leadership of Anthony Lombardo, who, as we have seen, had stepped out as an ally of Capone and had represented him at the peace conference following the demise of "Little Hymie" Weiss. And there, roughly sketched, you have the new scenery which appeared on the underworld stage following the re-election of William Hale Thompson. With "Bugs" Moran behind them, the Aiellos felt that the Big Fellow might be efficiently opposed, and when they approached Mr. Bugs he took the matter under advisement and spent several days thinking it over before he acquiesced. Big George Moran must have deplored the sad condition of affairs in his once proud mob which compelled him to align himself with an Italian organization. For years Bugs allowed himself to be widely quoted as saying that his first principle was never to let an Italian racketeer get behind him either in an automobile, a short saunter down the street, or in a business enterprise.

The underworld began to whisper early in 1927 that more and bloodier warfare was imminent. Meanwhile Capone had been attending to established business as usual and on July 27, one of his new competitors in Burnham paid for his usurpation with his life. At the same time he began muscling in on the Near North Side beer and alcohol business, thus violating the terms of the peace pact. A hood... of proven talent, Claude Maddox, was placed in charge of operations, and the first blow struck by the outraged Northsiders came on August 10, when Anthony K. Russo and Vincent Spicuzza came to a tragic end. But Capone was king and the unattached "hoods" were flocking to his standards. Others were deserting less powerful leaders and were casting their fortunes with him. One of these, at this time, was Jack McGurn, who had found himself tempermentally incapable of association with such men as Moran, Pete and Frank Gusenberg, Leo Mongoven, Barney Bertsche, Teddy Newberry and most of the others. King Capone admired Mr. McGurn and saw great possibilities in him. Two other gentlemen of the underworld, now famous, now devoted their services to him. They were John Scalice and Albert Anselmi, free at last from courtroom appearances, and ambitious to get into action. The Big Fellow's criticism of the new alliance on the North Side was first made in October when several automobiles, all equipped with machine guns, visited the Aiello headquarters which were in a small bakery on Division Street and deposited several hundreds of bullets all over the place, without, however, causing any casualties.

The Aiello-Moran-Bertsche-Zuta mob now began to make nuisances of themselves in a big way. An ambush was laid in the Atlantic hotel in the loop. From their front room the killers "covered" a cigar store across the street in which the Big Fellow occasionally made appearances. Luck was with him or else his lookouts were marvelously efficient for the Aiello killers upstairs were surprised one afternoon to find themselves trapped by the police. On the same day another ambush was uncovered, this one across the street from the residence of Tony Lombardo. Eleven Aiello boys including the leader, Joseph Aiello, were soon fuming in jail cells while lawyers flew about trying to obtain writs of habeas corpus. While still guests at the detective bureau an observant officer spotted three men loitering in front of the bureau and seized them. They were all Capone men, Louis "Little New York" Campagnia, Frank Beige and Sam Marcus. All carried light artillery and were waiting, merely to offer condolences to Joe Aiello and his boys. These incidents together with sporadic warfare in the Loop gambling country brought more and more "heat" upon the Big Fellow. He had become the favorite person to blame for everything, and now the position became increasingly intolerable. But an election was coming on, a typical Chicago election, and Capone could not yet shake himself away from the city. Chicago was stirring, the pent-up feeling against the Crowe-Thompson machine, was about to vent its wrath. The atmosphere buzzed with prophecies as to what would happen at the polls when Judge John A. Swanson got through with State's Attorney Robert E. Crowe, and when Louis Emmerson was done with Len Small. Crowe and Governor Small had been in office for seven and one-half years, and defeat was to over-take them. During the campaign Chicago produced a bumper pineapple crop, and the fruit was dirt cheap. Senator Deneen and his candidate for the state's attorney's office, Judge Swanson, both received pineapples at their homes on the same evening. Other persons who were not neglected include Ex-judge Barney Barasa, Municipal Judge John Sbarbaro, Larry Cuneo, brother-in-law and secretary to Crowe, and Morris Eller, political boss of the Valley District. At this time you will be interested in knowning that the Gusenbergs, Frank and Pete, spotted their old playmate, Jack McGurn, driving on the North Side. They trailed to a cigar store in the McCormick hotel, a short block off the Boul Mich on the Near North side. When they entered, cautiously, and with hands gripping gats, they found their quarry busily talking in a telephone booth. Now telephone booths, even in Chicago are not made with bullet-proof



Ike Roderick, professional bondsman. It was Ike who bailed Dion O'Banion out of a jail cell following the famous Sieben brewery raid.

glass, so Frank and Pete let Jack have it, and when they had reduced him to a crumpled position on the floor of the booth with blood streaming from his head and face, they bowed themselves out. But Jack was not dead, although well punctured. When the police called on him at the hospital, he told them that he did not know who had shot him or why, but that he would try his level best to find out just as soon as he could get around to it.

The election was held in a great cloud of smoke and with the better element wearing gas-masks at the polls. Judge John A. Swanson jumped out of the ballot boxes far in front of State's Attorney Crowe, and Mr. Thompson's machine was reduced to a feeble, sputtering condition. Agitation against gang anarchy continued with increasing gusto, a fact which inspired King Capone to depart on a long-needed vacation and when the press associations carried back stories to Chicago from Los Angeles, telling how detectives were pushing the Big Fellow around, one of the Chicago police officials declared that at last Gangland was beginning to disintegrate, and that its king was a homeless wanderer. The police then turned their attention to the sad case of Mr. Ben Newmark, formerly an investigator for State's Attorney Robert E. Crowe, but now using his knowledge of the underworld to do a little muscling. Alas, alas, he didn't last long, for he was out on the South Side where sweetness and light had not yet penetrated. Election or no election, the boys on the South Side continued sporadic warfare, and so one day as Mr. Newmark sat in the front room of his little bungalow in front of a window reading a newspaper, two men and a machine gun got upon a soap box, took careful aim (at about four feet) and there was a loud report and that was the end of the latest South Side muscle. For two months it was quiet on all fronts, but on June 26, the newspapers duly chronicled the fate of Big Tim Murphy, politician, racketeer, labor leader, robber and jail bird.

This famous character whom you really ought to know better than you can know him here had been given one of the numerous vice-presidencies in the Capone gang, just before the Big Fellow left on that vacation. Big Tim's duties lay mostly in the gambling field. One of his most ambitious ventures, a gambling house far out on Sheridan Road, which he had promoted in conjuction with Nicky Arnstein, had been knocked off and Big Tim, who had been out of Fort Leavenworth for only a short while, saw the need of making some good connections in a hurry. He seemed to have lost touch with the right guys during those prison years, and so he went over with the



O'BANION'S OLD GANG AS THEY LOOK TODAY. The dapper boy in the upper center is Joe Aiello, head of the Unione Siciliane. On the upper left we have Leo Mongoven, body guard to George "Bugs" Moran, who, at this writing had been missing for several weeks and was believed by some to have been taken for a ride. On the upper right we have George "Bugs" Moran, North Side leader. (1) "Potatoes" Kaufman (2) Barney Bertsche and (3) Jack Zuta.

Big Fellow, thinking himself again securely "in." Unfortunately Big Tim no longer lived out in his beloved back-of-the-yards district. His place of residence now was a charming little bungalow on the North Side, in pleasant Rogers Park. It was within cap-pistol hearing of another bungalow in which resided Joe Aiello. One warm June night the front door-bell of the Murphy domicile began to ring and ring and ring, and Big Tim, who was taking a nap, got up sleepily and went out. Nobody was there, except a couple of bullets and so the author of the priceless line, "vote for Big Tim Murphy he's a cousin of mine" rolled down the concrete steps a dead man.

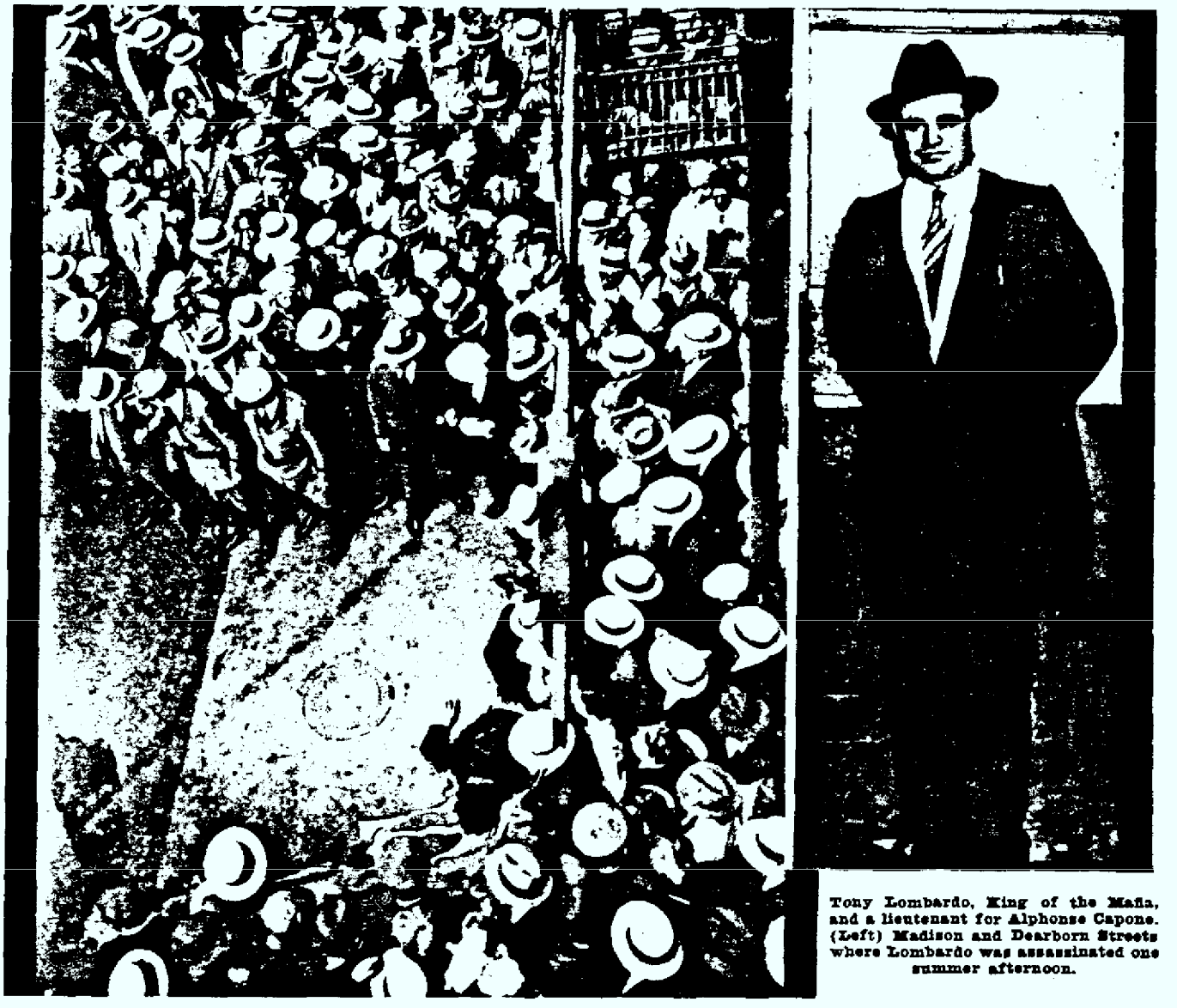
Capone had left the management of his empire largely in the hands of Frank Nitti, known as the "enforcer" and Harry "Greasy Thumb" Gusick, convicted pander who had charge of a choice killing squad. Harry was ably assisted by Hymie "Loud Mouth" Levine. These boys succeeded in convincing Mr. Aiello and Mr. Moran that they could not prosper in Chicago unless drastic measures were taken to get a strong hold somewhere. There is a tale, probably apocryphal, that Joe and "Bugs" negotiated at this time for the services of the eminent Frankie Yale, whom we have met before. At any rate Frankie's greatest mistake of his long life was in aligning himself with the Aiello-Moran gang, for his punishment came on July 2, 1928 in New York. The mystery of his death still intrigues the New York police and, every time a Capone man drops into New York to see a fight or start one, the detectives push him off to jail and ply him with questions concerning the sad fate of Dion O'Banion's pet hatred. On the night of Frankie's murder detectives established the fact that three long distance telephone calls had been made from the New York home of the mother of a Capone gangster, Louis "Little New York" Campagnia, to Chicago. One was to the Hotel Metropole in Chicago, known at that time as the headquarters of Frank Nitti, another was to the home of a prominent Chicago citizen and the third to a certain garage in Cicero. With these clues you can write your own thriller.

The Aiellos' felt terribly about losing Frankie and they felt more terrible on July 25 when one of their own boys was murdered. He was Salvatore Canale and he was killed in front of his home one hot summer evening. But the Aiello mobsmen continued to tug away annoyingly at the Capone outfit, terrorizing alky cookers, throwing pineapples here and there, and taking pot shots at any Capone gangster they could find. It was not until September 7, 1928, however, that they succeeded in making a really important killing. The victim was Tony Lombardo, Capone lieutenant, and head of the Unione Siciliane and the manner in which he was eliminated was inexpressibly daring. The scene of his assassination was in front of Raklios restaurant on Madison street, just west of Dearborn and little more than a block from State and Madison streets, the world's busiest corner. The time was 4:20 P. M. Countless thousands of busy loop workers scurried about the streets, for it was nearing the rush hour and the loop was soon to be emptied of the office workers.

At 4:15 the immaculate Tony with his body guards, Tony Ferraro and Joseph Lolardo, left the offices of the Unione Siciliane in room No. 1102 Hartford Building, 8 South Dearborn Street. Next door, it may be said, Tony maintained an office of the Italian-American plan, a private loan bank. Walking North they turned west on Madison street and had not proceeded more than fifty feet when a group of men detached themselves from the crowd and quickly formed a circle around them. Shots rang out and when the police could establish a semblance of order in the panic-stricken crowd, they saw Mr. Lombardo, face in the gutter, lying in a pool of his own blood. Ferraro lay dying a few feet away. Lolardo was captured a block or more away as he darted into a shoe store. "I was pursuing one of the killers," explained Joe, "and I would have caught him if you hadn't butted in." Joseph however denied that he was with the slain men or that he was Tony's body guard. "I just happened to be passing," he explained. Still the police held heavy hands on him and they were still trying to pry information from him regarding the Mafia King when an attorney appeared. "Lolardo was an innocent bystander," the attorney declared, "and unless he is immediately released I will file a petition for a writ of habeas corpus." One line of questioning was that Lolardo him-



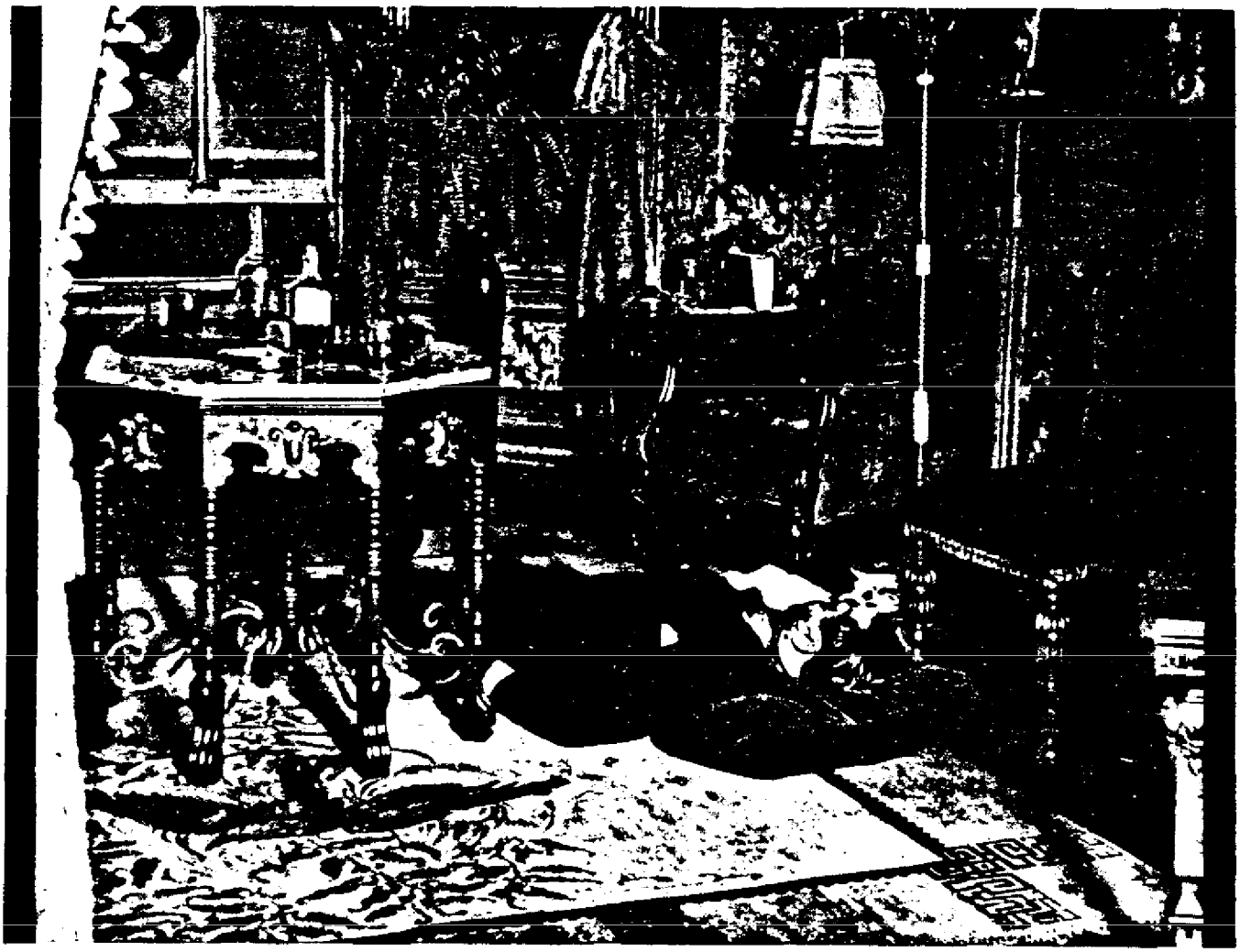
AL CAPONE'S BIG SHOTS. (1) Frankie Romano, alias Diamond. (2) Joe "Peppi" Genaro, in charge of Capone operations in the Calumet District. (3) Rocco Fanelli, who, in London, declared that a dollar in Chicago was more powerful than any police broom. (4) The boy with the smile is "Molpe" Volpe, the boy wonder of Gangland. (5) Al Capone, the Big Fellow.



Tony Lombardo, King of the Mafia, and a lieutenant for Alphonse Capone. (Left) Madison and Dearborn Streets where Lombardo was assassinated one summer afternoon.

self had put his companions on the spot. At the same time a report was current that King Al, en route to Florida, had dropped in town and was hiding somewhere in Cicero. A choice dab of apple-sauce had it that he lay in deadly fear of assassins. If Capone was afraid of anything it was the great eye of the public.

The murder of Tony Lombardo, King of the Mafia, was a great sensation, for at that time it stood out as the most daring crime yet committed in Chicago by gangsters. The Underworld was quiet for a few weeks while Tony was being laid away. To the alky cookers for the Capone gang who lived in the so-called Aiello-Moran district Lombardo's death was a great calamity. Aiello would assume control of the Unione Siciliane, they believed, and he would surely begin a war of extermination among them. And so, while Lombardo's body lay in its casket, the terrified Capone henchmen began a quiet but quick exodus from the district bounded by Division street, Chicago avenue, Sedgwick and Larrabee streets. Signor Nitti, the "enforcer" could not stem the wave of Italians who scurried back to the old Genna district, and Signor Aiello looked upon the spectacle and found it good. The Capone gang held several huddles with the result that further action was ordered on the principle that the best defense is a swell offence. To the dismay of Signor Aiello he did not become successor to Tony Lombardo as head of the Unione Siciliane. Somehow that coveted position again came into the hands of a Capone man—Pasqualino Lolardo, elder brother of Joseph Lolardo, the body guard of Lombardo. At the same time Mr. Nitti, acting under instructions which continually came to him from the roving Big Fellow, dispatched more muscle men into the Aiello territory. Some of the men who were immediately under the leadership of the new Mafia King were such talented thugs and pistoleers as John Scalice, Albert Anselmi, Claude Maddox, alias Johnny Moore, who had graduated from the Egan Rats mob of St. Louis, Tough Tony Caprezzio, strong-arm artist de luxe, and Murray Humphreys. Headquarters for this dangerous Capone group were in a dingy and squalid little dive, pleasantly known as The Circus, located at 1651 North Avenue. For a long time Pasqualino directed these boys in a campaign of terror. Alky stills were bowled over by the dozen, soft-drink parlors on the Near North Side were bombed with such regularity that it sounded like the Fourth of July in Ankeny, Iowa. Life became a misery for those unfortunates who had aligned themselves under the so-called protection of Joe Aiello, George "Bugs" Moran, Barney Bertsche and Jack Zuta. Pasqualino raised so much general hell on the Near North side that these terrified Italians who had fled the district following Lombardo's death now began moving in again. Well, now what do you think Mr. Aiello did about this? You are right, for on January 2, 1929, a second Mafia King was placed beyond the aid of attorneys and legal writs.



Pasqualino Lolardo, successor to Tony Lombardo, as he was found in his apartment after entertaining three "friends." Note the Bourbon and the wine.

When the police were summoned to the Lolardo home after an uncommonly long time, they found the Mafia King's body lying in a luxurious front room. His face had been shot away and he could hardly be recognized. Except for a beautiful velvet pillow which she had tenderly shoved under his head the body, said the widow, had not been touched. She did not talk very much, but the little table in the center of the room with its half-empty glasses of whisky spoke eloquently on the circumstances of the man's death.

With his wife Lolardo had returned to their home from a loop shopping tour at 3 o'clock in the afternoon. At the entrance to the stairway leading to their flat, a cheap and dismal looking place outside, they were met by three men whom the widow said she had seen many times for several years. She did not, however, know their names. All went upstairs and Mrs. Lolardo spread a lunch for the three men who departed at about 3 o'clock. Five minutes later however there was a knock on the rear door. Mrs. Lolardo was in the kitchen ironing at the time and she did not get a good look at them, she said, when they were admitted by her husband. For half an hour or more the visitors made whoopee and there was much clinking of glasses, joking and loud laughing. And then at 4 o'clock, according to Mrs. Lolardo, the gun-play started. There was a scramble for the door and when Mrs. Lolardo walked into the front room she found herself a widow. The pillow was slipped under his head and the widow went to answer the door-bell being rung by her sister-in-law, Mrs. Joseph Lolardo, wife of the well-known body guard.

Anna Lolardo, the sister-in-law, telephoned a funeral parlor for an ambulance and the attendants came, took one look at Mr. Lolardo and summoned the police. During the questioning of Mrs. Lolardo it was finally extracted from her that she had really got a good look at the last visitors and, when a picture of Joe Aiello was pushed in front of her face, she nodded that one of the visitors was he. While she was still in custody an effort was made to find Mr. Aiello but it was unsuccessful, although eighteen or twenty of his henchmen were gathered together from the dives, pool-halls and bakery on the North Side. All were paraded before the widow but she recognized none of them as her husband's guests. Resolute attempts were made to solve this murder, and it will be important to remember that wires were tapped at several places and that Mr. Joseph Lolardo was heard to say that he would get even with a certain mob. The murder was never technically solved, although it was established that Mr. Lolardo's visitors were not all Italians.

The death of Lolardo again brought moving day to the Capone alky cookers on the Near North Side. It also brought control of the Unione Siciliane to Joe Aiello and what appeared to be a rosy future for his allies. It also brought a fierce and deadly determination to the hearts of the Circus mob to avenge themselves. A few weeks later the Valentine Massacre happened.

71



the Valentine MASSACRE

We come now to the bloody exercises in which Gangland graduates from murder to massacre. The exercises are to be held in an unpretentious little brick garage at 2122 North Clark Street behind whose well-concealed front entrance George "Bugs" Moran has established a whisky depot in charge of which he has placed two of his toughest and most capable lieutenants, Frankie and Peter Gusenberg. Whisky trucks are kept here when not in use. Johnny May, a first-class automobile mechanic, toils over them when they are off the road keeping them in tip-top shape mechanically. The garage is an ideal place in which to hold Gangland's graduating exercises, a fact which had been established months before, and, since that time the gentlemen who are to perform the exercises have been awaiting the signal which will inform them that the most important North Side gangsters are on the spot and their time has come.

Since December 18 the "observers" who are commissioned to make this signal have sat patiently behind tattered lace curtains in two front rooms of the boarding house upstairs immediately across the street. It is now February 14, 1929, and finally one of the many ruses employed by the masters of ceremonies has succeeded for the big shots of the North Side gang are assembling in the whisky depot. Pete and Frank Gusenberg are first to slip into the little door. Johnny May, the mechanic comes a few minutes later. Adam Heyer and James Clark turn into the door with Dr. Reinhardt H. Schwimmer, the physician with the hoodlum complex. The "observers" glance nervously at their watches, mumbling a few words perhaps about the failure of George "Bugs" Moran to keep this rendezvous. At this time they bend forward to see still another caller entering the garage. He is Al Weinshank, the small-time bootlegger who has stepped in to buy some "goods" for his "respectable" little speakeasy at 4207 Broadway. Al has his big police dog, High-ball with him. The "observers" are chagrined because George "Bugs" has not arrived, but believing that he will be along at any moment, decide to make the long-awaited signal. One of them slips away to a telephone. End of scene one.

It is now shortly after 11 o'clock—about fifteen minutes since the telephonic signal was made. A youth, George A. Brichet, loitering at the mouth of the alley behind the garage, observes a "squad" car glide noiseless up to the rear entrance and stop. Three men are in the car, two of them are in the uniform of policemen. Each carries a large box-like contraption wrapped roughly with newspapers. Curious young Brichet thinks that he is about to witness a raid, the first one he has ever seen in his life, and he races around to the front entrance, just in time to see what appears to be another "squad" car stop in front of the garage. Another group of armed men enter. Young Brichet pauses. He would like to "bust" right in after them, but the chauffeur of the big Cadillac growls at him to move on. Hurrying northward the youth selects a spot several hundred feet away from where he can at least steal glimpses and, maybe, when the "pinch" is made there will be a crowd and he can slip up to the entrance again when the "cops" bring 'em out. End of scene two.

Inside the garage six men are all busily engaged in a conversation. Two of them sit on a little bench in the corner. Four are standing a few feet away. Johnny May, the mechanic, is down there under the truck tightening its bolts. High-ball, the great police dog, is leashed to a wheel of the truck and, from the six or seven feet of freedom thus accorded him, he barks and leaps playfully around.

The telephone rings sharply in the little office which is built directly in front of the window, thus obstructing the rear view from people passing along the street. One of the men turns and walks rapidly into the office. Presently he comes back again, saying that Al Weinshank is wanted on the wire. Weinshank speaks repeatedly into the mouthpiece, but there is no answer. He clicks the instrument impatiently and, finally the operator informs him that the party hung up. Weinshank, a little mystified, returns to the floor. Gangland has placed seven men on the spot, and the graduating ceremonies are about to commence.

A door-knob turns. The men in conversation turn to look. Two "policemen," one holding a large package, walk easily toward them, followed by two men in street garb—probably "dicks" think the men who are on the spot. A few seconds later and the rear door swings open and two more men enter. Hard-boiled Pete Gusenberg begins to snarl. Frankie makes a wise-crack. Just another goddam raid by some punk coppers. How'd they get here. Somebody is going to get a swell ride for this bum rap. Oh, well fortunately there's nothing in the joint now. That's one good break.

The intruders quickly tear newspapers from their "packages" revealing two machine-guns, and now, perhaps for the first time it dawns upon these six men here that this is no time for defiant words or wise-cracks. It may be even that Frankie and Pete or one of the others recognize some of these men beneath their coppers caps and uniforms, and that with recognization comes swift and awful realization that their hour has come at last.

There is a command from one of the intruders, emphasized perhaps by a choice bit of blasphemy. Defiantly the two men who have been sitting on the bench rise slowly to their feet. All turn round, hands raised heavenward, to the wall. At this moment Johnny May, is spotted lying beneath the truck. Another command and an oath



Four of the Seven Victims of the Valentine Day Massacre. (Left to right) James Clark, Albert Weinshank, Frank Gusenberg and his brother, Pete Gusenberg.

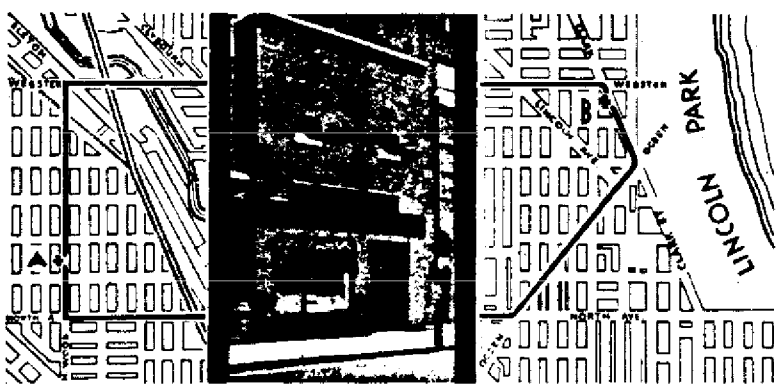
12

brings him scrambling to his feet and he too takes his place in line. High-ball is no longer barking. Now he leaps ferociously at the intruders, his white teeth showing, but alas Al Weinshank has tied that leash too securely. It all happens in a few minutes and yet there has been ample time for Pete Gusenberg, standing at the right of the line, to realize that this is a mission of murder, and that his only chance to beat back death is the little automatic revolver in his hip pocket. With a fierce cry and an oath his hand drops like a plummet to that hip pocket, and his fingers are just closing upon the butt of it when the address of the graduating ceremonies commences. It is delivered quickly, artistically, and with masterful effectiveness. Approximately 150 bullets pour from those machine guns and only a few fail to find lodgment in the doomed men standing there against the white-washed wall of brick. With the first outburst of fire the doomed men begin to scream and curse, but the steady rattling stream of lead plays upon them so expertly that only one moves out of line in an effort to escape. The steel bullets tear into the heads of these men, splintering skulls, splattering brains. Except for the man on the end who had tried to escape and collapsed on a chair in grotesque posture, they fall to the floor in the order in which they had stood. Now that all are lying on the blood and grease streaked floor, a second stream of death plays over them, again tearing into bone and flesh.

Six or seven minutes ago Arthur Brichet had been ordered to move along. Now, standing against the wall of the building two or three hundred feet away, he can hear a low rumble from within the garage. Presently the group of "policemen and detectives" emerge casually from the building, step into the automobile, and are driven smoothly away towards North Avenue. He sees the "squad" car weaving in and out of the traffic traveling rapidly, but not too rapidly. He walks toward the garage. He can hear the loud continuous barking of a dog. End of scene two.

Mrs. Jeanette Landsman, who lives at 2124 North Clark street which is just next door to the garage, hears rattling gun-fire, voices of men screaming and swearing. She rushed down stairs to the sidewalk and peers through the window of the garage, but, because of the office cannot see what has happened behind. She is afraid to enter. At this moment a pedestrian passes. She turns to him, saying that she heard shots in there. "I'll see if anything's wrong," says the man smilingly. And, in a most un-Chicagoan like manner, steps into the garage. A few seconds later he bursts out again, shaking, his face ghostly white. He can scarcely speak. "There's dead men all over the place," he finally cries as he runs away shouting "I'll call the police."

And the police come. In horror they pause before the shambles. Both officers have seen service in the World War but there is something about this sight that is inexpressibly more awful than war. In the dimness of the room their eyes fall upon the figure of a man crawling upon his hands and knees across the floor. Recovering from their first shock they now rush to his aid. It is Frank Gusenberg. More dead than alive he mumbles something pretty strange for him. It is that he hopes no one will ever suffer as he suffers. The officers, realizing that Frank is dying, ply him with questions as they move him carefully towards the door, but Frank is true to the code of the half-world in which he has lived so long and he will say nothing . . . Squads of police and detectives appear in automobiles, horns honking, gongs clanging. Taxi-cabs draw up and photographers and newspaper reporters pour out. The street becomes jammed and the Clark and Broadway street cars are stalled in long lines in the narrow street. Upstairs behind the little frayed lace curtains the masters of ceremonies sneak out and downstairs and, singly, disappear into the surging crowd. Their job is done and done well. The ceremonies are over. In a morning newspaper office far away in the direction of the Loop District, a rewrite man who has heard the first story of this holocaust, sits himself calmly at a typewriter and begins a matchless story. He taps out the story in a single line, namely that Gangland has graduated from murder to massacre.



Map showing route believed to have been traveled by automobile carrying Valentine Massacre killers from garage, in which their automobile was later found, to 2122 North Clark Street, scene of the slaying. (Insert) Front view of 2122 North Clark Street.

AFTERMATH



The whole world reeled before this one in horror and unbelief. Newspapers everywhere published the amazing crime and the Valentine Massacre of Chicago was discussed in the far corners of the earth. Defenders of Chicago's reputation looked on the atrocity helplessly and in dismay. Here was a crime which even the cynical Chicagoan could not dismiss with a superficial gesture. It seemed absurd now to say that since Gangland murdered only those who belonged to Gangland why bother about it? George "Bugs" Moran disappeared shortly after the crime but before he left one newspaper obtained one crisp comment from him. It was this: "Only one gang kills like that—the Capone gang." This line was carried over the wires to Al Capone who was in Florida and he had one all ready for it. "They don't call that guy 'Bugs' for nothing," was what the Big Fellow said.

With each successive smoking edition of the Chicago newspapers for a solution of the crime and punishment for its perpetrators swelled in bitter intensity. Thoughtful persons filled column after column with suggestions as to how the said conditions which made such a thing possible might be remedied. Not since the unsolved murder of McSwiggin, the "hanging prosecutor" from the state's attorney's office, had public indignation developed such a temperature. William E. Russell, commissioner of police, commanded to run the murderers to earth, summoned Deputy Commissioner of Detectives John Stege home from a vacation to work on the case. Commissioner Stege at that time was spending a vacation in Florida and Cuba with a group of friends among whom was included Alfred "Jake" Lingle, veteran Chicago Tribune police reporter, who was later to be put on the spot by Gangland.

During the relentless series of investigations instituted by Commissioner Stege every Capone gangster in Chicago was, at one time or another, haled into detective bureau headquarters and passed in review before eye-witnesses whose names were, for a long time, withheld from the public. Three men were positively identified, Jack McGurn, and John Scalice. At the same time one of the eye-witnesses identified, Fred Burke, notorious criminal, from a picture in the rogues gal-

73

lery. Burke did not confine his activities to any one gang or city. Formerly a member of the notorious Egan Rats of St. Louis, Burke had been a machine-gunner with the American Expeditionary Forces during the World War, and was wanted in five American cities for as many murders at the time of the Valentine Massacre. This choice criminal is still at large. Shortly after the massacre he narrowly escaped capture in Benton Harbor, Michigan, where he posed as a respectable citizen. When his little bungalow was raided, after the precipitate flight of Mr. Burke, police discovered three machine guns and several hundred bullets. In escaping Mr. Burke shot and killed a traffic cop who wanted to bawl him out for running through a traffic light. Incidentally the reward for his capture now stands at the substantial total of $100,000.



Johnny Suave "Dingbat" Oberta, at left, with his body guard, Sammy Malaga, holding an athletic trophy. The "Dingbat" and Sammy were inseparable in life and when Oberta was found dead in his automobile the police looked around for Sammy. Sure enough there he was just a few feet away, his body floating in a small stream.

Arthur Brichet, the boy who was told to move on, identified John Scalice and Jack McGurn as did one woman eye-witness and both were eventually indicted. McGurn was arrested in a room in the Stevens Hotel where he was holding gala with a sinuous blonde, Louise Rolfe, now known to fame as the "blonde alibi." No machine guns were in Jack's luxurious quarters, but he was not entirely without protection for over on the bureau within convenient reach was a .45 automatic pistol and a .32 revolver. The woman who identified Jack also said that she had seen him before with a number of men who played around the Circus Cafe on North Avenue.

As you might expect when the police finally came upon John Scalice he was with his old partner, Albert Anselmi. Two women identified John, but they couldn't remember having ever met Mr. Anselmi before. The case against Jack McGurn eventually was nolle prossed. As for Scalice a sad but inevitable fate overtook him before the day scheduled for his court appearance and, would you believe it, he was in company at the time with his old partner, Albert Anselmi. These two boys were always together. We shall return to them at the proper time.

Seven days after the Valentine Massacre the police discovered one of the automobiles which had transported one group of the "'executioners" to 2122 North Clark Street. Discovery was made in a garage in the rear of 1723 North Woods Street, three blocks from the Circus Cafe. The "massacre car" had been dismembered with a blow-torch, gasoline had been poured over the parts and then set afire in an effort to destroy all identifying marks. It was definitely established with the discovery of the automobile that it had been "faked" to resemble a police squad car. The garage had been rented several days before the massacre, and, according to the owner, the renters, three men, gave their addresses as the Circus Cafe. An exhaustive investigation from the automobile angle of the Valentine horror which took many months finally left detectives with nothing more than a number of fictitious names.

A raid made on the day following the massacre found the Circus Cafe not open for business. Doors were locked, tables overturned and Messrs Maddox, Cappreззio, Humphreys and Rocco Belcastro, the big bombing boy, were nowhere around.

Three months later, however, when public temperature had dropped a few degrees, these choice gentlemen appeared at detective headquarters where they suffered themselves to be interviewed by reporters and Commissioner Stege. All had nice, detailed stories as to their movements



(1) Johnny Genaro, one of Capone's adept bomb tossers, fell out with another Capone bomber, James Belcastro, and Johnny was put on the spot. In the hospital Johnny violated Gangland's code by "squawking" that Belcastro engaged two killers to do the dirty work. (2) Julius Rosenheim, an informer of rare touch, met a fate common to all gentlemen of the underworld who whisper and squawk and inform into the ears of the "wrong guys." Official attention has again been focused on the life and activities of Mr. Rosenheim, since the murder of Jake Lingle.

74

on the morning of February 14,) and, after kindly and smilingly posing for photograph. , chey departed.

Where was George "Bugs" Moran on the day his gallant lieutenants were put on the spot? And how did it happen that George himself failed to show up at 2122 North Clark street in response to the invitation that it would be to his advantage as a truck load of hi-jacked liquor would be offered for sale. All these questions were asked on every hand before the bodies of his men had been removed from the blood and grease on the cement floor. Well, there was nothing exciting about the answer when it finally came, several months later. Sitting in the office of Commissioner Stege the man who held the throne once occupied by Dion O' Banion and "Little Hymie" Weiss, said very plainly that he was at home at the time, suffering with a light touch of the "flu." This looked bad for those romanticists who had argued that "Bugs" acting on a hunch, had remained away from the spot at the last minute, and that, as a matter of fact he was one of the hundreds who packed the narrow street in front of the garage when the perforated bodies of his men were discovered.



Moran left Chicago a few days later for Canada and did not return for several months. One day he suddenly appeared at the detective bureau, protected by his lawyer. "Bugs" is very self-conscious and nervous when in this institution, but he had obviously carefully prepared himself for the ordeal of saying yes and no. It may be interesting to record that, when asked concerning his relations with Pete and Frank Gusenberg and all the other victims, Moran replied: " I didn't have nothing to do with those guys. I wasn't ever in that gar in my life; it looked too much like the floral shop to me.

A day or so later Joe Aiello also appeared at the bureau concerning a little matter of murders—the murder of Lolardo particularly. "Chief, two years ago de Chief O'Connor, he tell me to get out of town," said Joe, "and I go, efen though I never do nothing wrong. Chief, I like your Chicago. I wanta live here and be a respectable man in my bakery." Before Joe left, he denied ever having met anyone by the name of Moran.

One thing is certain. The police did not particularly grieve over the passing of the Gusenbergs, Pete and Frank. These boys had been raising hell in Chicago for many years, and while news of their violent deaths did not exactly inspire rousing cheers, the remarks made several days after the massacre by Chief of Detectives John Egan concerning the average life of the gangster may not be interpreted as coming from a saddened heart. "The average life of the Chicago gangster," said Detective Egan, "is about 30 to 31 years, and that rate Pete who was about 36, had lived five or six years beyond his allotted time. Frank Gusenberg who was 38 years old, was about seven or eight years over-due at the morgue. They must have been mighty careful of themselves to last as long as they did.

Chief Egan said that Clark, being 32, was a year or two late, while Al Weinshank had his coming to him for the past four or five years. Johnny May, said Chief Egan, was bumped off right on schedule, and Adam Hyer who was only 29, got cheated out of a year.



(Upper photograph) Dominck Aiello, minor member of the North Side gang. (Lower photograph) The last public appearance of Dominck Aiello.

15

100 DAYS and where is MR. SALTIS

"Pollack" Joe Saltis lost a great deal of prestige in Boozedom in 1928 when he submitted to capture and was "settled" in the Cook County jail for two months on a charge of violation of the liquor laws. The feat of clamping a beer baron in the "can" was not accomplished with all the ease of falling off a log, however, for Mr. Saltis made himself scarce except to his beer clients for 139 days, by actual newspaper count, before he was finally apprehended. The newspapers made a great deal of noise about the search for Mr. Saltis and, every day for 139 days, you could open up your newspaper and see in very large type the numbers 102 days and no Mr. Saltis or 103 days and no Mr. Saltis and so on and on up until the day Joe was brought in mumbling "I'm out of the beer racket, and this is a bum rap." The public took a great deal of interest in the newspaper count, which, until the Dempsey-Tunney fight was looked upon as the longest count Chicago had ever seen. It had all the wallop of a serial story with the hot stuff continued until tomorrow.

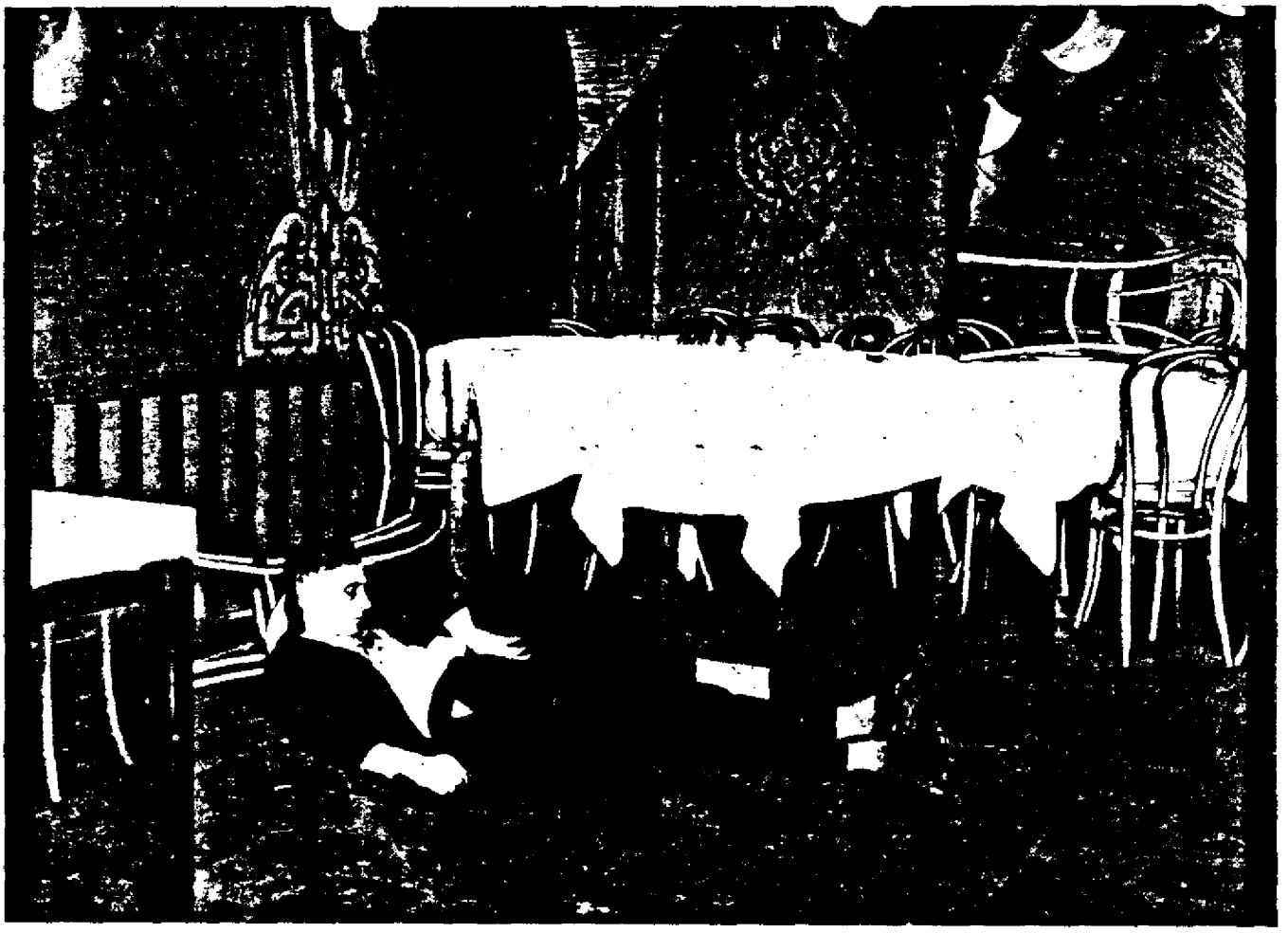
When Joe was emptied from the jail cell he made straight for the flower shop in the back-of-the-yards district where his affairs were being ably directed by his lieutenants, amiable John "Dingbat" Oberta and Paddy Sullivan. Joe was in a tranquil condition of mind for the next few weeks, but panic struck him and the "Dingbat" when they came upon a newspaper story which said that all hoodlums in Chicago were to be submitted to a mental test. If found of unsound mentality, as most assuredly they would be, suggested the story, they would be confined for treatment. Joe and the "Dingbat" may not have been afraid of machine guns, pistols, automatics and pineapples, but words like psychology, phychiatry, psychopathic, were monstrous and inexplicable terrors, and their first quarrel is said to have been precipitated when the "Dingbat," who pretended to be book-learned couldn't rattle off a definition of psychoparesis. But Little Johnny restored himself in his boss's estimation when he hit on the scheme of having their own personal psychiatrist examine them and give them a certificate of high and normal intelligence. And so, a few days later, Chicago was treated to the spectacle of "Pollack" Joe and Johnny "Dingbat" Oberta in the office of the police commissioner proudly waving certificates of mental health. "We won't have to play with no blocks," said Johnny and Joe as they walked away, and then, catching himself, he said, "I mean we won't have to play with any blocks." Safe from confinement in the "bug" house Joe and Johnny and their henchmen now began to look around for Edward "Spike" O'Donnell. Joe hadn't had a shot at "Spike" for many months and the strain was telling on him. Besides rumors were reaching Joe that "Spike" was about to make a great beer offensive and had surrounded himself with a formidable gang of muscle men. One of them, strangely enough was the redoubtable Frankie MacEarlane and his kid brother, Vincent. The underworld gossiped for a long time about the split between Saltis and Frank who had been pals from the very beginning. The truth was that MacEarlane could no longer endure the nasty-nice "Dingbat." As we have seen MacEarlane was at heart a bank-robber and, just to keep in practice, used to wander around knocking over a safe here and there. When Saltis was in jail the "Dingbat" tried to clamp down on Frankie, telling him that he would spoil the real dough for all of them if he persisted in the bank-busting tendency. "Aw, hell," responded Frankie, "It takes real brains to hoist a bank. And to hell with this Sunday School outfit. I'll make some real connections." The fact that his boss, Saltis, was in jail was proof enough to Frankie that he was in with a wrong bunch of guys.

Saltis saw no real obstacle from the Sheldon mobsters who, it was then being rumored, were having internal trouble. Sheldon, suffering from tuberculosis aggravated by constant breathing of gun-powder, was ordered by his physician to seek strength in the purer atmosphere of Arizona. He did so, leaving his mob in charge of Danny Stanton, an arrangement which was okeyed by the Big Fellow, Al Capone. Stanton, a former member of the "four horsemen" group of taxi-cab sluggers which also included John "Mitters" Foley, had for his right hand men, Hugh "Stubby" McGovern and William "Gunner" McPadden, both tough boys de luxe who had been brought up from babyhood in the famous Ragan Colts gang. At this time Joe Saltis, finding it difficult to buy beer elsewhere and impossible to manufacture it, made connections with the Big Fellow. King Capone welcomed Big Joe but told him to behave himself and to stay out of Danny's territory.



Frankie Rio, body guard of the Big Fellow, Alphonse Capone. Frankie was arrested in Philadelphia with Al and sentenced to a year's imprisonment in jail for carrying concealed weapons.

76



Not passed out, but passed on. William "Gunner" McPadden, an ally of Danny Stanton, was killed in the famous Granada Cafe on the eve of the New Year, 1929, by George Maloney, killer de luxe for Michael "Bubs" Quinlan, bourbon baron.

As Joe was therefore able to concentrate on "Spike" O'Donnell, while Danny Stanton's mob enjoyed peace and prosperity until another gang, headed by Michael "Bubs" Quinlan and George Maloney, moved up to the beer front, doing a specialty business in Canadian whisky. "Bubs" Quinlan first came to underworld attention as a body guard for Tommy Tuit, notorious South Side gambler, while Maloney, a killer of great capabilities, had been in business for himself for many years. He would work for any individual or any organized gang, and his services were always in demand. Maloney carried two revolvers, both of .38 caliber, in leather-lined pockets. Maloney is said to be the first Chicago gunman to saw off the barrels of revolvers of .38 caliber. With the possible exception of Frankie MacEarlane, Maloney was Chicago Gangland's most terrible killer. Maloney, unlike MacEarlane, had a touch of dash and romance about him, and already legends have sprung up about his deeds and his strange and paradoxical personality.

Meanwhile Saltis, wearying of the routine of life on the South Side, was spending more and more of his time in Wisconsin where he had purchased a great estate. The "Dingbat" had proven himself a capable lieutenant and Joe came to Chicago seldom and then only in emergencies. On October 11, 1928, while Joe was in Wisconsin, the first outbreak of gunplay took place between "Dingbat" and the O'Donnell mob. Little Johnny, his body guard, Sammy Malaga, and a member of his mob, George Darrow, were parked near "Spike's" home in an automobile. What saved "Spike's" life on this occasion was the timely arrival of the police. "Spike," jumping out of his car, had tackled Darrow and was holding him when the police squad car came up. Oberta and Malaga took to their heels after firing several shots, and the police arrested both "Spike" and Darrow. Both were charged with disorderly conduct when it became plain that "Spike" would not charge Darrow with attempted murder. They paid fines and "Spike" climbed onto a soap-box to announce formerly his re-entry into the beer racket, an announcement which came as a staggering surprise to most Chicagoans, including the police, who did not know that "Spike" had ever been out of it. And, as a matter of fact, he hadn't. "Yes sir," said Spike, "I'm now in the beer racket. I've got a bunch of blue-eyed Irish boys who won't stand any pushing around either. A lot of guys had better wise up to themselves and lay off."

And with that "Spike" returned to his blue-

77



Hugh "Stubby" McGovern, companion of McPadden, was also shot and killed by Maloney during the New Year's celebration. Maloney was arrested on the spot with a smoking pistol, but, despite this fact, he was acquitted. Several hundred merry-makers were unable to identify Maloney as the killer.

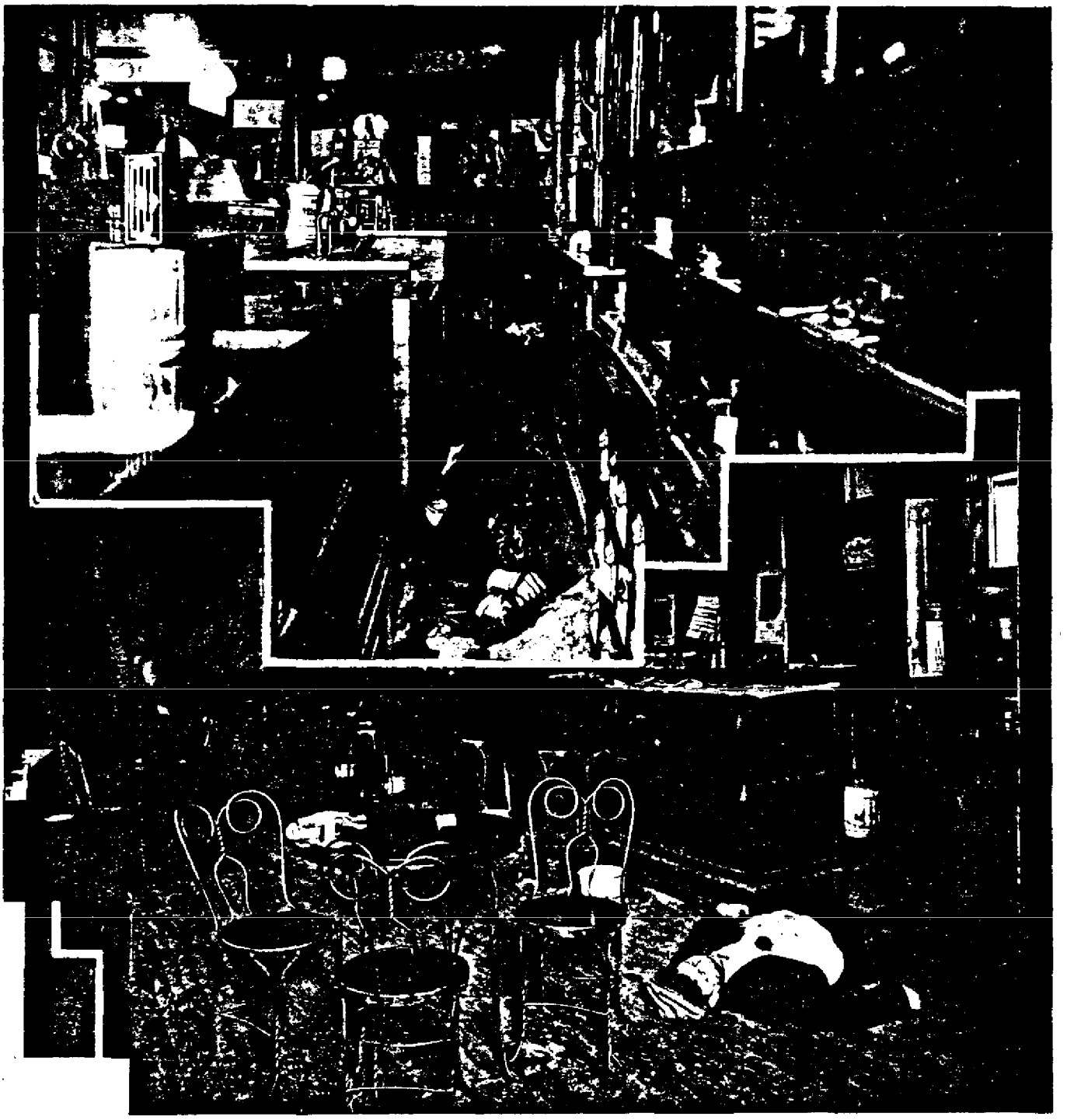
eyed Irish boys, most of whose names had incidentally "ski" appended to them. His companion in jail for disorderly conduct, George Darrow, returned to the South Side and met violent death nine days later. Not because he needed the money but because his was an exuberent nature brimming over with vitality and needed expression, George occasionally regaled himself by a "stick-up" or a road-house hold-up and on this occasion he was efficiently shot and killed. Meanwhile the Stanton gang was doing a little shooting with the Quinlan gang which had been prospering via the muscle route into the Stanton preserves, and on October 14, 1928, a stray machine gun bullet intended for "Bubs" reached instead his companion, Ralph J. Murphy, a bartender, and Murphy was killed instantly. The machine gun was operated by Hugh "Stubby" McGovern, standing in the basement of a house across the street. From that day on Mr. McGovern was a marked man for George Maloney, the boy with the sawed off .38 set out for him. While George was "tailing" McGovern, the attention of the police was directed to a sensational unsuccessful attempt made by Leo Mongoven and Frank Foster, North Side gangster, to shakedown an ex-racketeer, Abe Cooper, who had become a broker and had gone straight. Abe withstood the shake-down and was being hustled into an automobile, parked on LaSalle Street in the loop, for a "ride" when, suddenly he whipped out a revolver and began firing. Frankie disappeared into the crowds, but Leo, seriously wounded, fell to the pavement. The incident stands out as an excellent example of what happens to gangsters who attempt to quit and become respectable. Cooper was one of the few who was able to enforce his new standing but it took his old trusty "gat" to do it. Quiet in Gangland for a period. On December 29 George Maloney, still trailing, "Stubby" McGovern, dropped into the Granada Cafe, a famous South Side night club and, would you believe it, across the room he spied McGovern and William "Gunner" McPadden, making whoopee with the aid of two young women. George figured that he had spent enough time looking for "Stubby" and that he would finish the job now and to hell with the hundreds of merry-makers there assembled. George got to his feet, walked slowly over to McGovern's table and, shooting from his pocket, finished "Stubby" with two bullets. He then directed that famous .38 toward Mr. McPadden and he too, with two bullets in his body, went skidding out

18



John Scalice and Albert Anselmi, two of Gangland's most sinister figures. Imported to this country by Mike Genna they made their debut in a sensational gun battle in which Mike and two policemen were killed. Finally released from prose-

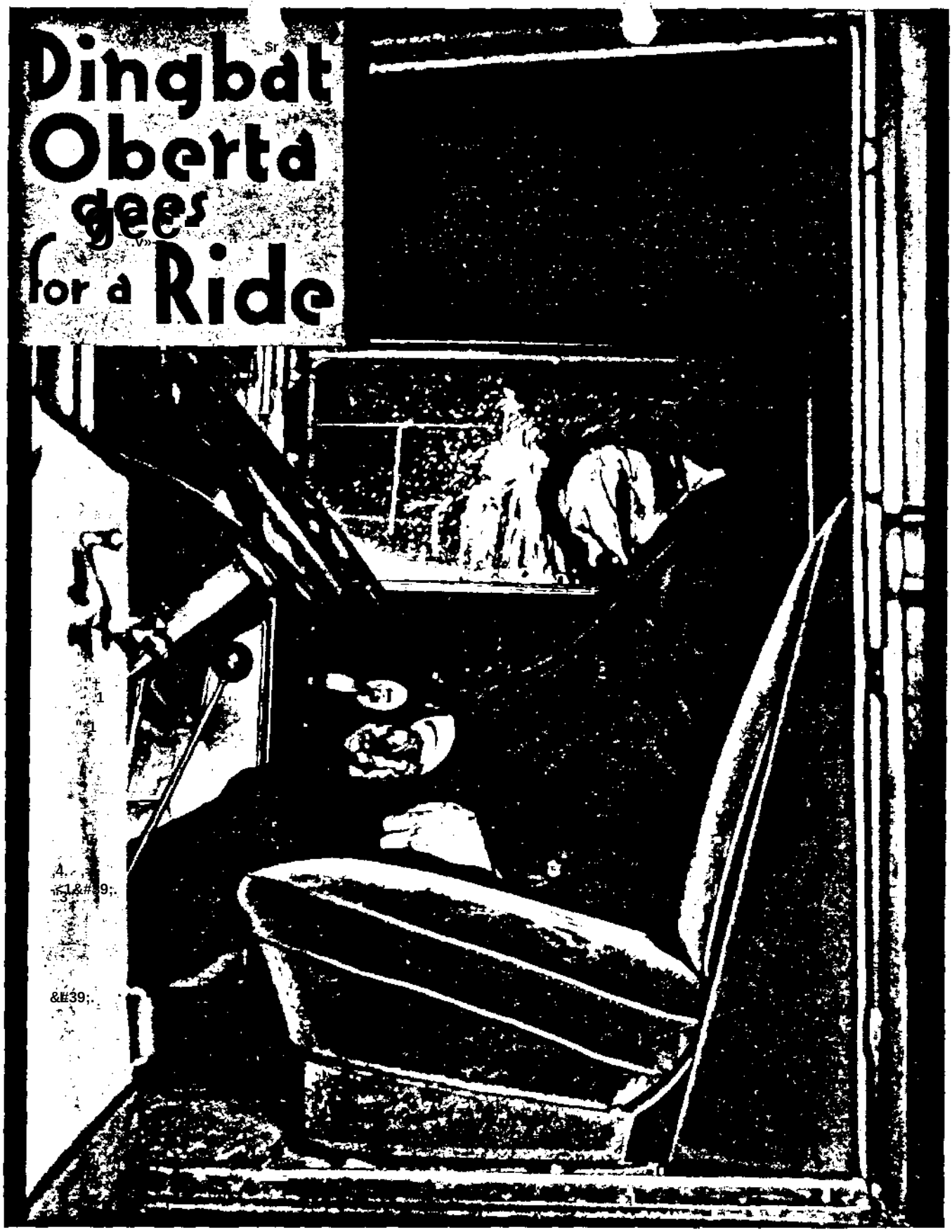
onto the dance floor, very much a dead man. By this time the noise had attracted the attention of a policeman outside, Officer Timothy Sullivan, who had been detailed to the Granada to look for automobile thieves. Timothy came puffing into the cabaret just in time to see Maloney, huddled behind an over-turned table, gently depositing his .38 on the floor. Officer Sullivan took possession of both Mr. Maloney and the .38. It ain't mine," said George indignantly. I never saw it before.



Peter "Bummy" Goldstein and his inseparable companion, Walter Quinlan, came to an end quite in keeping with their activities as hi-jackers, terrorists, muscle-men and murderers in the famous old Valley District. "Bummy" was efficiently pistoled, as this photograph graphically chronicles, in a drug store in the Valley which he owned as a blind for his more remunerative but more dangerous activities. "Wallie" who was tried and acquitted for the murder of Paddy "The Bear" Ryan, boss of the old Valley Gang in pre-Volstead days, finally came to a full stop in a saloon shortly after he and "Bummy" had murdered Samuzzo "Samoots" Amatuna, Genna lieutenant, in a barber shop.

I heard the shooting and jumped behind this table for protection." A few days later Mr. Maloney regained his freedom on bonds and, just outside the county jail, met his boss, Michael "Bubs" Quinlan who shook hands and gave George a fresh .38, all nicely sawed-off and loaded. Now Maloney and "Bubs" devoted themselves to a search for other members of the Stanton gang, one of whom was the deceased McGovern's tough brother, Michael, who was reported to be living only for revenge. On March 20, 1929, three months later, "Bubs" and Maloney, driving in an automobile, came upon Danny Stanton standing on a corner talking with two friends, Raymond and William Cassidy, not hoodlums. They stood in front of the home of Miss Jewell Webb, Raymond's sweetheart. Well,

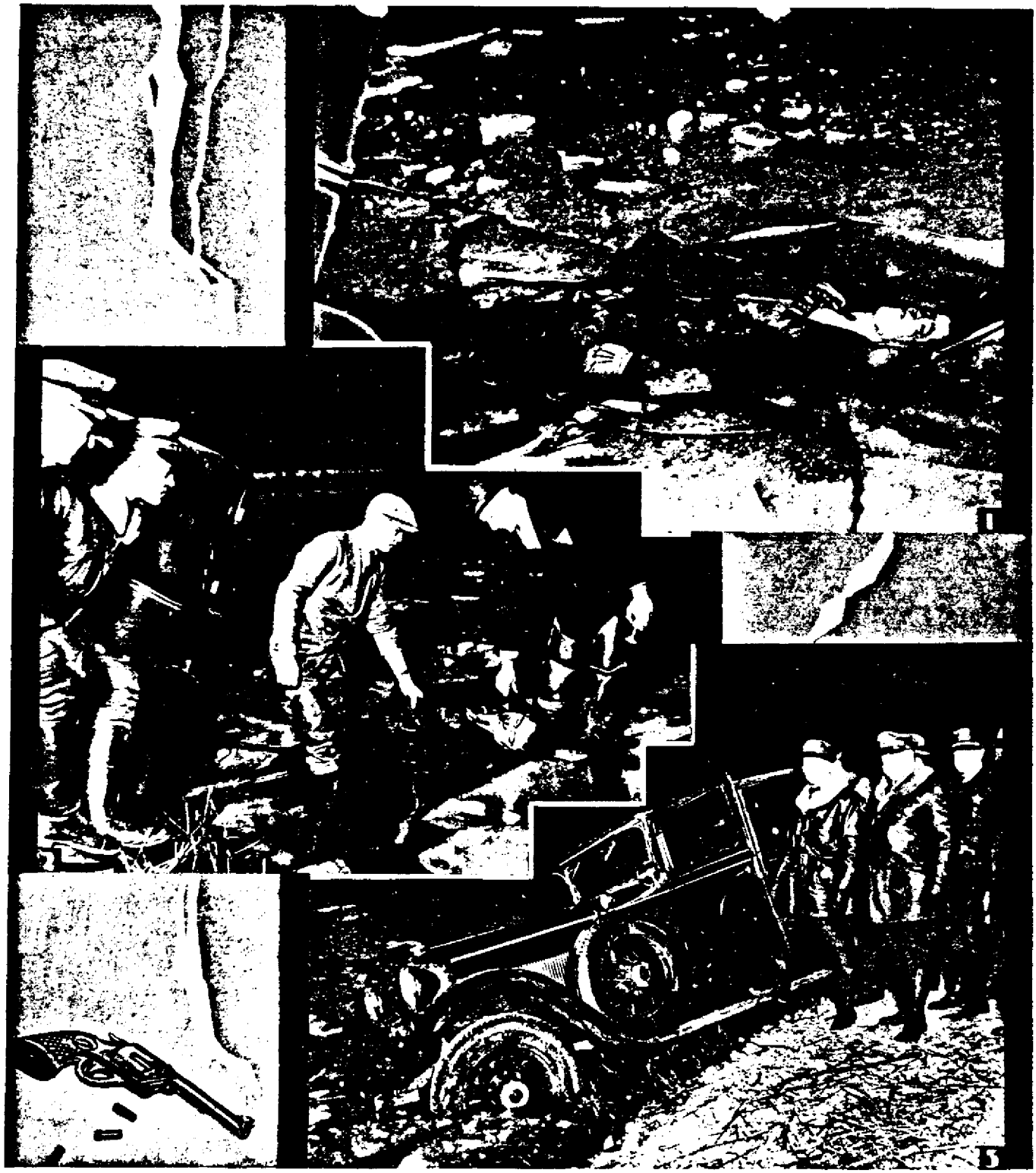
80



Johnny "Dingbat" Oberta and his body guard Sammy Meyers left a roadhouse late one night with a "friend" sitting

[52]

X7



Sammy Malaga, body guard to Oberta, attempted to get away from the killer in the rear seat of their automobile. He didn't make it, as the photographs seem to indicate.

the shooting began, and Raymond Cassidy fell to the side-walk dead, victim of a bullet intended for Stanton. This dreadful marksmanship gave credence to the belief that Quinlan must have done the shooting, because Maloney had never been known to miss his man. Neither "Bubs" nor Maloney was arrested for this murder, but it inspired young Michael McGovern to more serious efforts to avenge his brother's death. How many attempts he made to kill Maloney will never be known, but he made several. One occurred on July 6, 1929, and was partly successful, for, when Maloney went on trial for the murders of McPadden and McGovern, he moved about on crutches. He

82



Frankie MacEarlane, Gangdom's most ruthless killer. Once a member of the Saltis mob, Frankie is now reported hustling beer for "Spike" O'Donnell, a Saltis enemy.

was in a greatly weakened condition, but the trial didn't last long. No witnesses could be produced who had seen Maloney and the .38 together, and he was acquitted. Although Maloney lived longer, he did not make any more public appearances with his .38, so we will bring his career to a close here. Early in 1929 he was sent to a hospital as the result of an automobile accident, in which he had attempted to knock an interurban train off its track. In the hospital he contracted pneumonia, an enemy which no .38 could beat back no matter how deftly handled, and George Maloney, killer de luxe, died on May 6, 1930, at the age of 38.

While "Bubs" and Maloney were regaling the South Side with gun-play, William "Klondike" O'Donnell was carrying on the West Side tradition for toughness. "Klondike," as we have chronicled, had surrounded himself with men so tough that he frequently saw fit to convince them that, while they were tough, he was much tougher, very much tougher. At this period "Klondike" was particularly troubled over the outside activities of George "Red" Barker, Mike Reilly, George Clifford, Frank "Si" Cawley and Thomas McElligot. Barker, a slugger for union officials in Chicago labor wars, had served a penitentiary sentence for his activities as a fist-slinger and terrorist. On his release he joined the "Klondike" mob and found beer-running child's play. With plenty of extra time on his hands "Red" conceived the idea of appropriating a few unions for himself, an idea which he disclosed to the other aforementioned four, who were enthusiastic. Presently these five very tough boys had ousted the officials of the coal teamsters and hikers union, and were now laying plans for appropriating control of the Mid-West Garage Owners' Association. This involved driving out Dave Albian, alias "Cock-eyed Mulligan." It was a hard job but they did it. A certain garage owner decided however that he would not get upon the Barker bandwagon, and one night while "Red" and his playmates were gunning for the recalcitrant one, they shot a garage attendant to death and severely wounded a policeman who had interferred. Eventually George went back to the penitentiary, not for the murder and shooting, but for violating his parole by leaving the state. He had fled to California. Well, with "Red" in Joliet, "Klondike" fell into a huddle over the matter and decided that now would be a good time to show "Red" how tough he was. He became determined on this course following the crazy murder on March 15, 1929, of William J. Vercoe by George Clifford. The murder occurred in the Pony Inn, 5613 West Roosevelt, scene of the McSwiggin assassination. Vercoe, known as "a clown for the hoodlums," loved to recite blood-and-thunder verse for the amusement of his gangster friends. On this occasion, Vercoe, well-plastered, stood at the bar reciting a certain verse in which one line was "You're a coward." When Vercoe came to this he unwittingly pointed to Mr. Clifford, who with Mike Reilly was drinking at the bar, and Mr. Clifford cried out, "who's a coward?" and before Mr. Vercoe could say "I didn't mean you," Mr. Clifford had shot and killed Mr. Vercoe. Well, this was too tough, and on April 14, 1929, Clifford and his bosom pal, Mike Reilly, went on a long, long ride. Their bodies were dumped in the alley behind the Hawthorne Hotel in Cicero. On May 29, 1929, somebody else beat them to Thomas McElligot. He was killed in the basement of a Loop saloon. On September 4, the end came for Mr. Frank "Si" Cawley, who was also taken for a ride. George "Red" Barker, released from the penitentiary later on, was a very much convinced man, and he is still believed well and healthy as a devoted "Klondike" henchman.



A Whoopee Joint all plastered.

3

ALL for AL and AL for ALL

The authors of this pleasant narrative have introduced you from time to time to their favorite evil men of Gangland—John Scalice and Albert Anselmi who, you will remember, were imported to Chicago from Southern Italy in 1925 by the Imperial Genna brothers. Scalice and Anselmi, grim and mirthless fellows, were a perfect definition of the word sinister. You would have been uncomfortable sitting in the same Yale bowl or Soldiers' Field with them—more uncomfortable than walking down a dark alley at midnight with "Little Hymie" Weiss or Schemer Drucci. On May 8, 1929, the sensational long run of the terrible drama called Scalice and Anselmi came to an abrupt end. Pumped full of bullets, burned and beaten, their bodies were found in a lonely stretch of country in the bleak Indiana state line district. Scalice and Anselmi with one, John Ginta, a Capone gangster, had been taken for a terrible ride, and one of the stories at the time had it that John and Albert had plotted to over-throw the Big Fellow himself. A coup was planned. Capone was to be seized at a given signal during a banquet held somewhere in Chicago. You can easily imagine what Scalice and Anselmi planned to do with him. The banquet began. The signal was given. All Capone henchmen arose but, instead of seizing the Big Fellow, they took possession of Scalice and Anselmi. Capone, it is said, did not believe the story of the treachery of these men until, sitting there behind the spaghetti, he witnessed the signal.

Eight days after the long, long ride of Scalice and Anselmi, the Chicago newspapers sizzled with the story of the arrest of Al Capone and his aide-de-camp, Frankie Rio, in Philadelphia charged with carrying concealed weapons. The arrests were made by detectives who had met Capone in Miami where, by this time, he had purchased and improved to suit his own peculiar needs, a vast estate. There was more sizzling when a day or so later, Al and Frank, were consigned to a county jail cell for one year. Along with the tidal wave of economiums on the efficiency of the Philadelphia police and courts, came the interesting current of rumor that King Capone had placed himself on the spot for the Philadelphians in order that he might have the comfort and security of a jail cell until the Valentine Massacre probe, investigation, "heat" or what have you had gone the way of most Chicago probes and investigations of Gangland's crimes. Public temperature was so high at this time that Capone did not want to be foot-loose anywhere, and he probably got the idea of going to jail from his old master, Johnny Torrio. But even in prison, whither he was consigned for one year, Capone could not entirely escape from the stench of the Valentine Massacre. Three months after his conviction the prison authorities began receiving letters from a garrulous and somewhat foolish lady addressed to the Big Fellow. In the course of prison routine these letters were opened and, because of the sensational nature of their contents, sent to State's Attorney John A. Swanson. The letters were written by Mrs. Frank Beige, recently wed. Her husband was sometimes described, correctly or incorrectly, as the Big Fellow's personal executioner. Beige may have been expert at handling a machine gun and in putting an enemy on the spot, but he was a terrible dub at handling women, particularly Mrs. Beige. Any way, without his knowledge, Mrs. Beige, rambled on and on something after the following manner:

"You know what Frank has done for you. He's got to get out of town pronto for the other mob are wise. His life isn't safe here. So you got to get us $10,000 in cash and do it quick."

Of course the Big Fellow never saw the letter, a fact which never occurred to the naive Mrs. Beige. When no reply came to this one, she wasted more paper and wrote on the following:

"I'm asking you for the last time to send that $10,000 and get it to us fast. Frank's sick of you leaving him to hold the bag. He can't get out of town without the cash and he can't stay here without being taken for a ride. You kick across or Frank will go to the police and spill what he knows. Remember: everything."

In thus talking out of turn Mrs. Beige made a great many wild and reckless statements about what Frank thought and would do. Frank, as a matter of fact, did not know how little wifey was trying to help him along. When the Big Fellow failed to kick in the $10,000 she again addressed him:

"All right. You're just as good as putting Frank on the spot, by leaving us stranded here. Well, how'll you like getting the finger on yourself? Frank's going to tell everything he knows. He remembers fifteen shootings he did because you ordered him to do them. He's going to tell just who killed McSwiggin for a starter. And he's going to tell about why you had him bump Ben Newmark—be-



Ralph Capone, older brother of Al Capone, as he appeared with his attorneys recently during his trial and conviction for an income tax fraud. Ralph was sentenced to three years in the penitentiary.

94



Frank Del Bond, believed to have slain three Capone gangsters in a saloon in the famous Master Day massacre of 1930. Arrested as a suspect he was indicted largely on the testimony of Chicago's ballistic expert, who said that a pistol found in Del Bond's room was the one which fired the fatal bullets. In this picture Del Bond is being questioned by Coroner Herman N. Bundesen. Lower photograph shows police looking at the spot where the bodies were found.

cause you'd heard that Ben wanted to steal your racket and had put up a cash offer to the man that got you. Yes, and then he's going to tell about your sending him to New York, along with others to let daylight through Frankie Yale. Of course he's going to sing about that Valentine day affair And how are you going to like that Mr. Al Brown."

Of course Mrs. Beige was required to come to Mr. Swanson's office, where, confronted with these letters, she continued in an even higher crescendo with the result that she was kept in semi-custody by detectives for fear that something might happen to her. Her husband was eventually arrested and held for three days. Strangely enough no lawyers came forward to attempt his release. But Frankie Beige stood up and took it on the chin, which is why, maybe, that he's still a member of Capone's gang. What he said in response to questions was, in effect, that his wifey was just trying to make some easy dough, by shooting off her mouth. Mr. Beige had never met Mr. Capone and Mrs. Beige was crazy when she said that he used to sleep out in the corridor of Capone's room in the Hotel Metropole until relieved by another guard, Louis "Little New York" Campagnia.

Capone and Frankie Rio did not return to Chicago until March of 1930. During the interval little of importance occurred in the Big Fellow's realm either as regards business or blood-shed. His affairs seemed, indeed, to prosper while those of his enemies, the Aiello-Moran outfit, seemed to be afflicted by an evil fortune. The "Enforcer" of the Big Fellow's business, Frank Nitti and Hymie "Loud Mouth" Levine held forth from headquarters in the Lexington hotel, deciding with finality who should be killed, who should be bombed, whose trucks should be hi-jacked. One of the more sensational, though unimportant, affrays during the lull was between Tommy McNichols and Jimmy "Bozo" Schupe, small time West Side bootleggers. On July 31 Tommy and Bozo held a duel on Madison street, Tommy standing on one side and Bozo on the other. They killed each other. James Walsh, a beer-runner, was murdered in December by Charles "Babe" Baron after a prize-fight at which Walsh, during an altercation, slapped "Babe" with his fists. Two days later the body of Patrick King, criminal of sorts, was found in the deserted gambling joint owned by Terry O'Connor on South Wabash Avenue. On January 27, 1930, Johnny Genaro, a grade "C" bomber for the Capone outfit, was put on the spot by James Belcastro, another Capone bomber, but did not die. Johnny and Belcastro have since made up and are getting along nicely, according to reports. If you hear any loud noises it may be Johnny and Jimmy. On February 3, 1930, Joseph Cada, companion of Jimmy Walsh on the night Walsh was killed, was shot to death in his automobile near the Green Mill Cafe, a famous whoopee joint where incidentally, at that time, Texas Guinan was holding forth. The next day Julius Rosenheim, supposedly an informer, was filled with bullets and dumped into a snow bank near his home, and all was quiet until February 24, when Frankie MacEarlane, in a hospital under an assumed name, was be-set by

85



Frank Hitchcock, the Burnham bootlegger who tried to operate "on his own" was found slain in the rear of the home of Johnny Patton, the "boy mayor" of Burnham, and a close friend of Capone.

three "rats" (as he called them) as he lay in bed, one foot propped high in the air in a cast. Frankie chased them off with a couple of .45's he had managed to conceal from the authorities. How did Frankie get his foot all shot up, and how did he get in a hospital for treatment without the shooting getting into the papers. True enough the hospital authorities reported that they had a patient suffering from an accidental shooting. But, when the police came to look over the patient, they didn't recognize Mr. Frankie MacEarlane.

"Who tried to kill you?" asked the police after the shooting. Frankie looked at his questioners in great disgust. Instead of answering directly he began a volley of oaths, half to himself. "Can you imagine the rats trying to get me—me, Frank MacEarlane!" And then, looking toward the police, he added: "You'll find 'em in a ditch some of these days." The assailants of MacEarlane had climbed a fire-escape to get into his room. While Frankie was in the Bridewell hospital, where the police took him on a charge of disorderly conduct, the Gangdom and political circles were startled to read in the morning papers of the passing from this life of Johnny "Dingbat" Oberta, on March 6, just ten days after the attempt to kill MacEarlane. Oberta was not found in a ditch, however, although his body guard, Malaga was removed from a water-filled ditch. Willie Niemoth, a member of Saltis mob, at that time sought for complicity in a bank robbery in Maryland, was reported to have done the job for MacEarlane. Another suspect, "Big Earl" Herbert, also a Saltis mobster disgruntled over the authority of the "sneaking nasty-nice Dingbat" was suspected of having done Frankie a good turn. During his questioning Herbert deplored the fact that "Dingbat" insisted on going about in a limousine. "He should have got himself a roadster," said Big Karl. "Why so?" asked Commissioner Stege. "Oh, so that his friends couldn't ride behind him," replied Herbert.



William Dickman, once a member of the Saltis gang was regarded as a traitor because he deserted to the Sheldon mob. Here's how they punished him.

86



Alphonse Capone, released from a Philadelphia jail, set Chicago on its ears, when he appeared unheralded in the office of John Stege, Commissioner of Detectives, and blandly inquired if he was wanted for anything. Capone with his attorney was then escorted to the Federal building where the same question was put to the United States District Attorney. On the same night Gangdom banqueted the Big Fellow and the slogan was made "All for Al and Al for All."

While small armies of newspaper reporters, movie-tone representatives and other chroniclers of the merrie tayles of the day camped outside the prison from which Capone was to be released in March, the Big Fellow contrived with the aid of the prison authorities to slip away unobserved. There was a great hue and cry all over the land. What had happened to the king of the underworld? Had the gangsters bumped him off—yet? Where was he hiding? Certainly he couldn't remain undiscovered for very long. The Big Fellow was too big. Would he return to Chicago? The authorities hadn't asked him about that Valentine day affair yet? "He's not in Chicago, nor will he be," said Deputy Commissioner of Police John Stege. "I've given orders to arrest him on sight and throw him in the can. If he comes here there won't be a moment's peace for him, and he knows it." Four days pass.



(Upper photograph) Gangland's most famous widow, Mrs. Florence O'Berta, married the "Dingbat" after the murder of her first husband, Big Tim Murphy. Now she mourns the passing of the "Dingbat." (Lower) The blonde Alibi of Jack McGurn. Louise Rolfe was arrested in a room in the Stevens Hotel with Jack McGurn, believed to have operated one of the machine guns which mowed down seven North Side gangsters in the Valentine Day Massacre.

"Hello, chief, what have you got on me?" well, well, I'll be damned, if it isn't the Big Fellow himself, right here in Chicago, sitting in the office of Mr. Stege. With him were a couple of lawyers, a group of politicians but no visible body guard. After a time the Commissioner permitted the reporters and photographers to pour in. The Big Fellow sat and smoked a cigar while they plied him with questions, most of which elicited merely a cold look from him.

Commissioner Stege accompanied Capone to the office of the United States district attorney where the same questions were asked by the Big Fellow, and apparently, received the same response as from Mr. Stege, for the Big Fellow went free. The reporters tried, but failed apparently to keep up with him, for he disappeared. A few days later it was reported that King Capone's return to Chicago had been principally to effect lasting peace in the half-world, and that every mobster of importance in the city including the Moran-Aiello mob, had been represented at a famous banquet and truce, where again pacts were made and agreements effected. Exactly what transpired at this famous meeting will never be known unless the Big Fellow can find time enough some day between his Miami court appearances to dictate his memoirs. These undoubtedly would make excellent reading and would probably reveal the Big Fellow as much less of an ogre and bugaboo than he is generally regarded. The Big Fellow might turn out to be not quite so big, and maybe others you never heard of would grow and grow into the craziest proportions you could imagine. Certainly the Big Fellow frowns on a big casualty list in the ordinary course of operation, and who can say that at the famous truce and party he did not insist that there be only one or two bombings per week, or one killing per gang every thirty days? Also that these measures be taken when all other less violent ones, had failed? Business is business, whether grocer or bootlegger and King Al is no grocer. At any rate the representatives who attended the Big Fellow's banquet went away with some new ideas in their heads, and a slogan on their lips, ALL FOR AL, AND AL FOR ALL. Within a few days the Big Fellow had disappeared again to turn up finally in his palatial home in Miami, Florida, where he has remained to this writing. Much of his time is spent resisting the authorities in their indefatigible attempts to bring about his retirement from the community.



Restaurant at 2222 South Wabash Avenue, once a saloon and brothel owned by Alphone Capone.

For months Gangland was more quiet than it had ever been and then, over on the North Side came rumors of dissention in the Moran ranks. Teddy Newberry, first lieutenant of Moran in charge of the bourbon brigade, became embroiled in a squabble over profits. Teddy complained that he wasn't being "cut" in according to his deserts, and "Bugs" was unable to effect a settlement. One fine summer day Teddy told Moran to go to hell, and a few days later Teddy discovered an attempt was being made to kill him in his apartment on Pine Grove on the North Side. A few days later Benny Bennett a tough boy just out of New York received a telephone call, supposedly from a spokesman for "Bugs" to meet him at a certain place, and

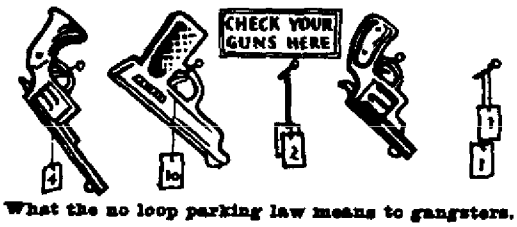
Benny hasn't been seen or heard from since the telephone rang. On November 17, the body of Johnny "Billiken" Rito, a Newberry bourbon hustler, who had formerly worked for the Gennas, was found floating down the Chicago river. The manner in which "Billiken" had been disposed of was unusually horrible, for he had been thoroughly chopped up and the pieces bound together with hay-wire. The disappearance of Bennett together with the later absence of another Newberry aid, Harry Higgins who hailed from St. Paul, gave credence to the grim rumor that Gangland killers, seeking to destroy the corpus delicti, had established a crematory somewhere on the Near North Side where business competitors and disgruntled gangsters were incinerated into the ashes of oblivion. Ah, a new spirit in Gangland! Who said that killers have no imagination? At this writing New York friends of Benny Bennett are running around town with long faces offering rewards for word of their missing playmate who would come out west. Newberry eventually stepped into the Capone inner circles, taking with him Signor Frank Citro, he of the motionless eyes and expressionless face, better known as Frankie Foster. "All we ever got from 'Bugs' was a reputation," explained Teddy and Frankie. Well, the war was on again. Moran and the Aiellos pressed northward into the great roadhouse and summer resort area in the Northwest suburbs.



Willie Niemoth and Frankie MacFarlane may have been important cogs in Joe Saltis' beer machine but they were bank robbers under the skin. Niemoth was seized in Chicago recently and hurried under heavy guard to Baltimore, Maryland, where he was convicted in short order of complicity in a pay roll robbery three years ago. Niemoth is believed to have slain Johnnie "Dingbat" Oberta as a personal favor for McFarlane.

The first shot in the new war, now going, was fired on May 31, and the victim, Peter Plescia, an Aiello organizer and collector, fell dead in the mouth of an alley. On May 31, Phillip Gnolfo, former Genna killer had been a pall-bearer at Angelo's funeral, was slain in his automobile. A few hours later on the same day two more Aiello boys bit the bricks—Samuel Monistero and Joseph Ferrari. On June 1 came deadly reprisals in the sensational Fox Lake Massacre. Four men and a woman, Mrs. Vivian Ponic McGinnis, wife of an attorney, sat around a table in a roadhouse. Suddenly one of the men, turning his head saw a machine gun pointed towards him. He got up and began running. The rattle of the machine gun began and he went down, as did two of his companions. The woman was seriously wounded. One of the victims was Sam Pellar, who, you will remember used to work as a chauffeur and handy man for "Little Hymie" Weiss and was walking across the street with his boss on the famous day that "Little Hymie" fell before machine gun fire. Joseph Bertsche, brother of Barney Bertsche, was another victim as was Michael Quirk. George Druggan, brother of the famous Terry Druggan was terribly wounded and he is at this writing in a hospital fighting for his life. A few hours later in Chicago Thomas Somnerio, Capone leader, was strangled to death and his body flung in an alley on the West Side. One of the mourners for Mr. Somnerio was a Gangland Queen, Margaret Mary Collins, who had been the sweetie for five other gangsters, all departed. Somebody put Somnerio on the spot, and it was said that a woman had done it. More horror was produced by Gangland four days later when a river tug churned up the hay-wired body of Eugene "Red" McLaughlin. Aloysius Kearney, hard-boiled gangster doing a specialty business in labor racketeering, became the cause of another murder mystery when his bullet-ridden body was discovered on the morning of June 9.

Kearney had been a friend of "Red" McLaughlin and an unsuccessful effort was made to find a connection between the murders. From bills in his pocket it was disclosed that he was a collector for the National Garage Owners' Association. It was this association which, a few weeks before, had inspired criticism from the then Commissioner of Police, William Russell and Col. Robert Isham Randolph, president of the Chicago Association of Commerce, for waging a campaign to have all automobiles found parked at night without lights towed into garages. The cost would be $5.00 to the car owners—a pleasant racket which, strangely enough, didn't go over. Samuel Maltz, president of the association, questioned by police said: "I'm strictly a business man. There is no racketeering or hoodlumism connected with my organization. I didn't know Kearney very well. He had worked for me only for a week. I was paying him $40 a week to collect bills. Don't give me any hoodlum talk. I'm a business man and don't go for that." It was becoming warmer and warmer in Chicago's loop at this time for those gentlemen of the gat. Jail sentences instead of the customary fines were being handed out. As a result of this, hoodlums hit upon a practice of parking their automatics in cigar stores, speakeasies and other places just outside the loop while transacting business.



What the no loop parking law means to gangsters.

Jake LINGLE

The elimination of Racketeer Aloysius Kearney on the morning of June 9 was hot stuff and it sizzled on the front pages of all the newspapers up until 1 o'clock—the hour when Alfred (Jake) Lingle, Big Shot police reporter for the Chicago Tribune, was assassinated in the midst of a crowd in a subway station, just off Michigan Boulevard.

After this Racketeer Aloysius Kearney's demise was relegated to the inside pages or even kicked out of the papers altogether. Compared to the murder of a newspaper reporter, the murder of a racketeer was absolutely insignificant. Are not racketeers knocked off every day in Chicago? Now who had ever heard of a newspaper reporter being put on the spot?

Well here it was at last. City editors all over the land looked at the flashes and told themselves that Gangland had at last stepped over the deadline. The underworld at last had tried to intimidate the upperworld! What would those cynics say now—those cynics who were always coolly pointing out that gangsters never killed any except gangsters? The murder of Reporter Jake Lingle, thought the city editors, would surely inspire Chicago now!

Well, there you are. It seemed obvious—as obvious as a bill-board that debonair Jake Lingle was murdered for only one reason—that he was a newspaper reporter full of the low-down. It seemed to a tearful and sympathetic public that Jake Lingle was just another ordinary news hound. A good news hound of course, a first class one, but still just an ordinary police reporter—one of those seedy-looking chaps who plays cards up in the press room, and comes down to work every day with the ancient query—"What's doing chief?"

And so, with determination in their hearts to call this terrible threat from Gangland, they buried Jake Lingle—the martyr. It was a marvelous funeral. It was greater than the defiant funeral the underworld had thrown for amazing Dion O'Banion. It was greater than the laying away of "Little Hymie" Weiss or Schemer Drucci or Mike Genna or "Dingbat" Oberta. It was greater in every way, but it was greater most of all because it was a funeral on which the church did not turn thumbs down. In that one respect Gangland was terribly eclipsed. Jake Lingle, the reporter was buried by the Church. Gangland could not ignore that.

The funeral was held on June 12 from the home of the "martyred reporter," at 125 North Austin



"UNOFFICIAL CHIEF OF POLICE OF CHICAGO?"—This is the way Alfred (Jake) Lingle, reporter for the Chicago Tribune for eighteen years, has been described since his assassination on June 9 in a subway just off Randolph Street and Michigan Avenue. An investigation now under way may determine whether this sinister charge is true or not.

Avenue. One newspaperman who went there to weep as well as to write said that it was more befitting a field marshal than a modest newspaper man. Jake lay in a silver-bronze casket—better than the caskets in which Frankie Yale and Schemer Drucci had reposed. It was flanked by floral crosses and lighted candles and draped with an American Flag. Flowers! Flowers! They were everywhere! Jake would have liked that, for he loved flowers and when he lived always had them in his lapel and in his rooms. A police reporter who loved flowers!

But the most impressive touch of all—a touch which had never graced the funeral of an underworld king—was the long, long procession of policemen which marched in the funeral. There were cops everywhere, everywhere. They rode on horses, they marched solemnly in line, white-gloved, swinging their sticks. And behind them in beautiful symmetry came representatives from the fire department. Behind the fire department came the bands! What racketeer in heaven or in hell could boast that a band had marched behind his mortal remains? But Jake had four Great Lakes Naval bands and three bands from as many posts of the American Legion. And Jake, the reporter who had been murdered by Gangland, also had a military escort.

90



PUT ON THE SPOT—Alfred (Jake) Lingle, Tribune reporter, was shot down in a subway, just off Randolph Street and Michigan Boulevard at 1 o'clock in the afternoon as he, with a blond youth, were hurried along with a crowd towards a train bound for the races at Washington Park. The "blond" youth stepped back a few paces, whipped out a snub-nosed revolver, shot Jake in the head, killing him instantly.

The terrible truth that the bloody hand of Gangland had struck below the belt this time came upon those who saw the two beautiful little children of Jake Lingle as they tried to play in the sunshine on the front lawn. Big Shots from the upperworld came to pay respects to Jake—Arthur W. Cutten, the stock broker who could lose 15 million in a day, and Oscar E. Carlstrom, the attorney general, and Samuel A. Ettelson, the corporation counsel, who was said to be the power behind the throne in Chicago municipal affairs, and a small army of the toilers from the staff of the Tribune where Jake had worked for eighteen years. William Russell, commissioner of police, headed the pallbearers. Jimmy Murphy, veteran reporter, lifted his hands to the casket as it was borne out of the flower-filled room, as did Eddie Johnson the ace "photog" for the Tribune. The long funeral cortege formed at Garfield Park and Central Park Avenue and moved impressively down Jackson Boulevard to Our Lady of Sorrows church. Pageantry of flags. Muffled drums! Ah! Let Gangland see this and tremble! The casket bearing Reporter Jake Lingle was lifted from the hearse and borne into the church. Attention! The detachment of Illinois naval reserves led by Capt. Edward Evers and Lieutenant Commander Elmer Carlson stiffened! So did the Legion units, the Peoples Gas, Commonwealth Edison, Board of Trade and Medill-Tribune posts, each in brilliant uniform. The Very Rev. Jerome Mulhorn, a close friend of this reporter whose friendships were endless celebrated the requiem high mass, and when the services were over the military escort again formed. Led by the mounted police the escort marched again down Jackson Boulevard to Garfield Park to disband. The funeral cortege proceeded on the Mount Carmel, where the sailor lads, standing at the grave of Jake Lingle, the reporter, fired a salute. A naval bugler sounded taps, and that was the burial of Jake Lingle—reporter.

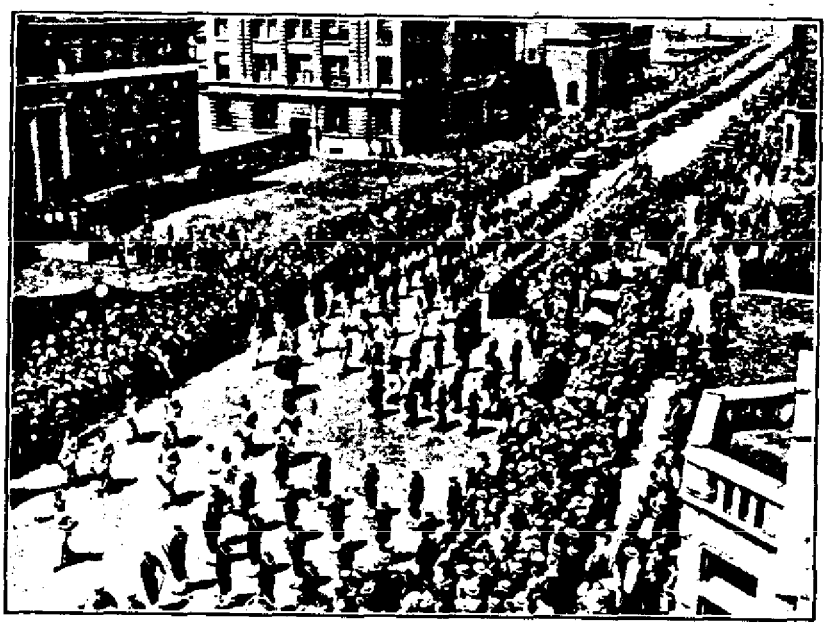
Reporter? Yes, indeed a reporter, but what else? The clods of freshly turned earth on Jake Lingle's grave had scarcely dried and crumbled to dust when Jake Lingle, the reporter, scrutinized on page one, began to turn into Jake Lingle, racketeer. Tragically enough, it became increasingly apparent that suave Jake Lingle, for eighteen years a reporter in the shadowy realm of Gangland, had himself been touched by the shadows.

That "martyr" funeral had been held too soon—three days too soon. It soon became apparent as the financial affairs of the sixty-five dollar a week police reporter were spread out under the big headlines that Jake Lingle's funeral belonged to Gangland. Alas! Alas! The better element this time had given a racketeer a funeral—and the swellest of them all!

It seemed incredible and yet the facts eloquently told that it was true. In less than three years the sixty-five-dollar reporter—a salary commensurate with his ability, his newspaper said—had deposited to his personal account approximately $60,000. An appalled and fascinated public—fascinated because it was felt that now the mystery of Gangland was about to be dispelled—saw, under those headlines, the amazing story of the murdered reporter's frenzied stock market speculations—how, in 1929, he had run up a paper profit of $85,000. His stock market flights with his friend, the police commissioner, William F. Russell! . . . The diamond belt—a gift from Al Capone. Could it be true that he had been a friend of the Big Fellow? Well, well, well! Now there was the time during the McSwiggin case when they had the Big Boy in custody over there in the state's attorney's office, and the Big Boy would take no food—except what Jake Lingle went out and got for him. Of course he was a friend of Capone.

A great moral outcry! Imagine a newspaper man, working for a nominal salary, on assignments necessitating association day after day, week after week, year after year, with men whose pockets were stuffed with money, who could betray his newspaper, who could fall before temptation. Oh, well, the moralists have it!

As an aftermath of this discovery that



JAKE LINGLE BURIED WITH MILITARY HONORS. The funeral of "Jake" Lingle, Chicago Tribune reporter, slain by Gangsters, was one of the most impressive ever held in Chicago. One newspaper described it as befitting a Field Marshal. Lingle was buried a martyr. Since the funeral an investigation has disclosed that he was murdered, not because he was a reporter, but in spite of it.

Jake Lingle, reporter also was Jake Lingle racketeer, and, to borrow a phrase, the unofficial chief of police of Chicago," the Commissioner of Police, William Russell resigned his job. So did Deputy Commissioner of Detectives, John Stege, the brave and dauntless fellow who had slapped Louie (State and Madison Street) Alterie in the face. The righteous demanded that they resign. A new commissioner, Captain John Alcock was appointed. Mayor Thompson told him to run the crooks and the gangsters out of town, and he began by raising hell with the police department. Another shakeup. His subordinate Deputy Commissioner Norton, ably assisted. States Attorney John A. Swanson commissioned Pat Roche, famous federal investigator, to solve the Lingle murder.



Alphonse Capone, the Big Fellow of Gangland, taking it easy in Florida where he has a great estate.

The investigation looked good in its early stages but later developments indicated rather plainly that some of the many resolutions which many organizations had passed concerning Jake's high moral character were rather premature.

It was found that the snub-nosed .38, with which the racketeering reporter had been assassinated, had been purchased months before by our old acquaintances, Frankie Foster and Teddy Newberry, the disgruntled Moran henchmen who had deserted to enlist under the banner of the Big Fellow.

Foster was apprehended in Los Angeles, whither he had fled two days after the murder with a naive explanation "This town's too hot for me." During the investigation Jack Zuta, the Moran lieutenant, was taken into custody and questioned at the detective bureau. When his inquisitors were done with him, he strolled up to Lieutenant George Barker, who had arrested him, and said, "They'll kill me before I can get to Madison Street. You brought me here, now take me back."

Oh, I'll take you as far as Madison," said Barker, and they started—Zuta in the rear seat accompanied by Solly Vision, with Albert Bratz in the front seat.

Zuta had good grounds for his fears. Bullets soon started to fly about brilliantly lighted State Street, a street-car motorman was killed, an innocent bystander wounded, but Mr. Zuta slipped away unhurt, as did the attacking automobile with the aid of a smoke screen.

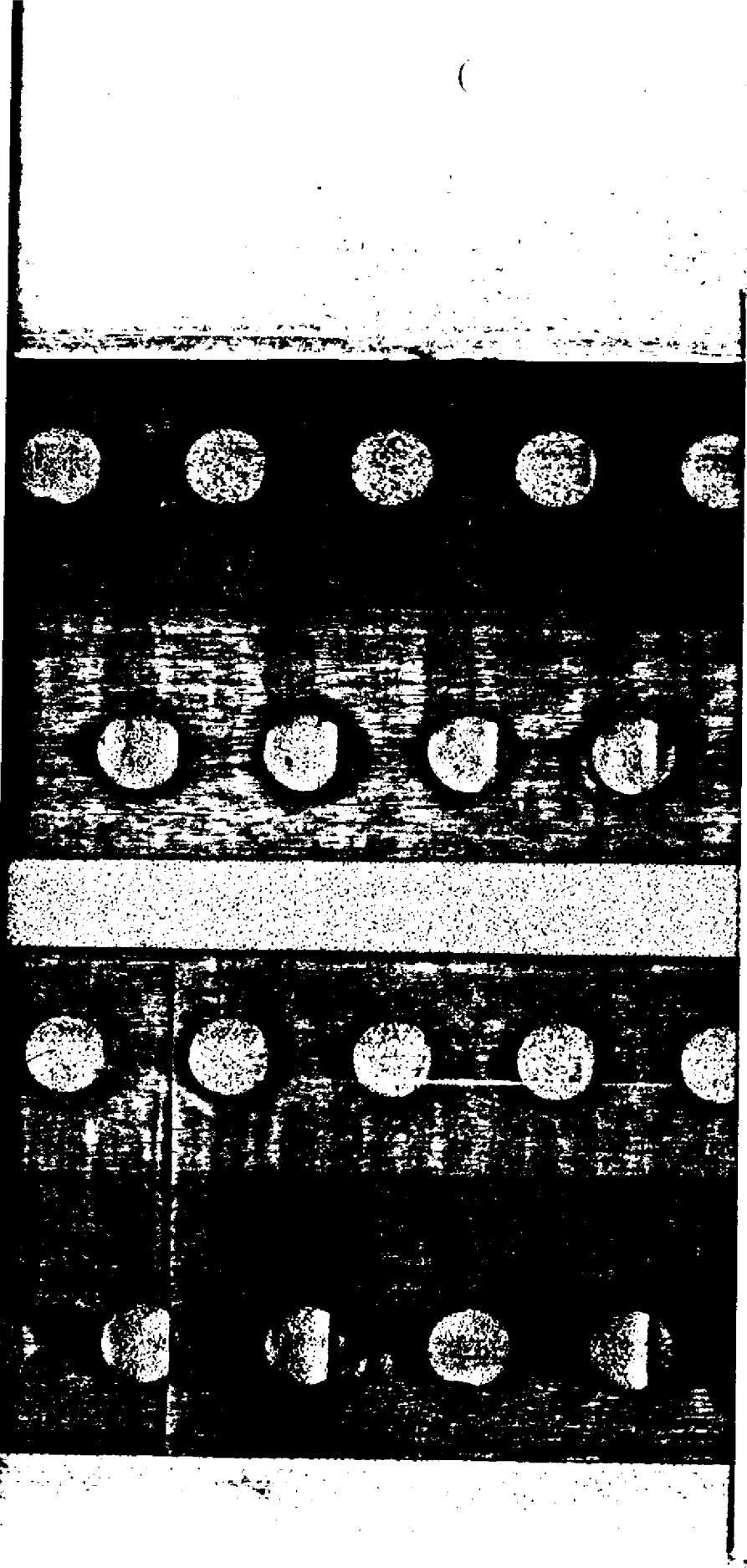
Jack Zuta was, however, living on borrowed time, and on August 1st he was shot to death where he had been hiding since the State Street episode at a resort hotel on upper Nemahbin lake, near Waukesha. His lieutenant, Solly Vision, has not been seen or heard from, and it is rumored that he also has been slain. Papers taken from Zuta's clothing indicated that boozedom's profits are still good as indicated on a balance sheet of July 23, 1930, which showed a profit of $35,225.00. Albert Bratz, in whose home Zuta had been hiding and whose automobile Zuta had been using, has also disappeared. Zuta's connection with the Lingle slaying is still a mystery as far as the public is concerned. Chicago police intimate that Zuta's death might have been due to the Capone gangs intention of taking control of the north side booze territory of the Moran gang and some significance was attached to the recent return of Alphonse Capone to Chicago.

"Who Killed Jake Lingle and Why?" is as big a mystery as ever. Maybe it will eventually take its place up there with the other Big Question, "Who Killed McSwiggin and Why?"

ERRATUM: Since the printing of the Chapter on McSwiggin, the authors have learned that Harry Madigan, former owner of the saloon in front of which William McSwiggin was killed, has been incorrectly quoted on page 28 regarding his relations with Al Capone.



13



Bureau of Investigation

From: Division Seven Room 432

12-26- 1939.

To: Director.
Mr. Nathan.
Mr. Tolson.
Chief, Div. 2.
Chief, Div. 3.
Chief, Div. 4.
Chief, Div. 5.
Chief, Div. 6.
Chief, Div. 8.
Miss Gandy.
Personnel Files.
Supply Division.
Division of Acc'ts.

DEC 26 1939

94

EXIT MR. TORRIO



We now come to the last days of Johnny Torrio, the Big Boy who wasn't quite big enough. His song and dance are just about over, and we shall see him presently as he bounces out of his own show, leaving the spotlight entirely to Al Capone who is plenty big, and growing bigger.

After paying his respects to the memory of Dion O'Banion by slinking after midnight into the North Side funeral parlor where the body lay awaiting burial on the morrow, Johnny returned to his bungalow on the South Side with a feeling of uneasiness as to the success of his plans for bringing peace and quiet to gun-shot Gangland. The grieving survivors who had sat around the room in which O'Banion's coffin stood heavily banked with flowers seemed deliberately to ignore him as he had stepped furtively into the room. Maybe they resented the fact that Casey and another body guard of swarthy-complexion were with him. At any rate Johnny, awkward and uncomfortable, had mumbled some asininity to the effect that it was tough that "Deany" had to go, and then had bowed out. Johnny knew his visit had been a complete flop. He had kidded no one, not even the pompous politicians whom he had met there and who had seemed as uncomfortable as he, although for entirely different reasons. His own floral offering, a modest wreath which read simply "From Johnny" had been booted out into the alley, and Al Capone's gaudy tribute too had been kicked to pieces. The spies had rushed to him with this information. Not a single word had been exchanged between him and those chief mourners. But there had been a reply, louder than words. It glittered from the eyes of "Little Hymie" Weiss, and Louie Alterie and "Bugs" Moran, and Vincent Drucci, and Leo Mongoven, and Frankie Foster and all the rest of that surly mob. What it said to Torrio's presence at O'Banion's wake was this: OH, YEAH?

The ancient cynicism that every man has his price had been cherished and worked for all it was worth by Johnny Torrio during his long and successful career as an underworld leader. But keen as was his understanding of human nature, until right now he had never understood so poignantly that alliances formed by Dion O'Banion had been built on something stronger than a bankroll. It was friendship, loyalty and affection. In his ability to inspire affection from his thugs and murderers O'Banion had never been equalled by any leader in Gangland, although Capone himself was later to surround himself with a group of loyal and devoted henchmen.

The murder of O'Banion had struck deeper than Torrio had expected, for now the heart of every follower of the amazing Irishman burned with a consuming fire of revenge, and the result of it was the spectacular elimination of the Gennas and the precipitate flight of Torrio himself to the safety of a jail cell.



Meet "Little Hymie" Weiss, successor to Dion O'Banion, in the days when he was a mere bank robber and tough guy. "Little Hymie" possessed a blow-torch personality as you ought to be able to see from this photograph. "I'll kill you for this," was only part of what he said when this picture was being made.

And now we come to the little blow-torch who stepped up to leadership in the North Side gang. At the grave "Little Hymie" Weiss had wept and vowed revenge, and had said that there would be no leader. "We'll just carry on as one gang," he had said. Of course this was applesauce. Every O'Banion successor knew that "Little Hymie" was something of an extraordinary fellow, brainy and with "guts" and that whatever he might say would go.

Well, "Little Hymie" lost no time in getting into action. A few hours after the funeral he inaugurated the first of what was to be a long series of punitive expeditions into the preserves of Torrio and Capone and the doomed Genna brothers. To the end of his days he always referred contemptuously to them as "grease balls," a phrase he persisted in using even when discussing them with O'Banion. It was Weiss who was the neculi of revolt in the first place, for he nourished a deadly hatred for the Italians which he could ill-conceal. Legend has it that he ordered an expedition of vengeance into Capone-land immediately on his return from the cemetery and before the tears had vanished from his eyes. The tale is probably apocryphal, but "Little Hymie" was capable of impulsive action. It was his ability to get things done in a hurry, that enabled him to swell the profits of his gang until they were all enormously wealthy. In many respects this sardonic Pole was Gangland's most amazing personality and, had he lived he would surely have become the Big Fellow. Weiss was a man of tremendous courage despite his slight stature. He was capable of unbelievable rages, and long periods of moody silence. From the floral shop, above which he had elaborate offices, he could stand on the spot where O'Banion had fallen, and, looking through the huge plate-glass window, see the beautiful facade of Holy Name Cathedral and the famous corner-stone which read:

At the name of Jesus every knee should
Bend in heaven and on earth.

For long periods he would gaze moodily at it and then, turning suddenly on his heel shout a blasphemous order which would send his henchmen scampering into action. "Little Hymie" who had a premonition of an early death, once said that although he didn't expect to live long, he did expect to live long enough. His premonition was a good one, for he was to live but twenty-two months and fifteen days, counting from O'Banion's death.

For more than forty days "Little Hymie" failed to find an opportunity to take a shot at either Signor Capone or Torrio, although he and his men toured their territory almost constantly. And they toured in the finest automobiles that money could buy, and every automobile was equipped like an arsenal. On January 12 spies in the Capone territory whispered to "Little Hymie" that the "greaseball" was pruning himself in front of his hotel, the Hawthorne Arms. Eleven powerful limousines and touring cars glided by the hotel, and from every one of them came a volley of gunfire. But no one was injured, except an old lady who was passing and a small boy, neither seriously. It is said that Al sent $5,000 in bills to the old lady. Every building in the block, however, was sprinkled with lead and neither Torrio nor Capone had to scratch their heads to think who might have made the attack. Hymie had failed, but he still had about 19 months more to live. He

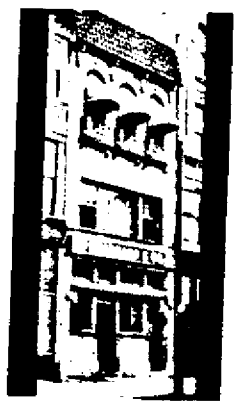


Here is the car in which Johnny Torrio and Mrs. Torrio rode as they were being followed and fired upon by George "Bugs" Moran, "Little Hymie" Weiss and Schemer Drucci.

got busier than ever, and on January 24, 1925, just twelve days later, he and George "Bugs" Moran who were cruising on the South Side, spotted Johnny Torrio and Mrs. Torrio, his Irish wife, driving down the Boul Mich in their limousine with a chauffeur at the wheel. This was sweet! George and Hymie, instructed their chauffeur, "Nigger" Pellar, not a Negro, to make for the "grease-ball." The automobile darted crazily in and out of traffic in an effort to get into a position to "let him have it" but Johnny, who had become cognizant of their presence, was trying to escape. He kept well in front until his automobile finally drew up in front of his little bungalow at 7011 Clyde Avenue, a few blocks from Chicago's aristocratic South Shore Country Club. Johnny jumped from the car, literally dragging his wife out after him. But the savage gangsters were upon him before he had taken a dozen steps. A dozen shots or more were fired. George Moran, afraid he might miss, had placed himself on the running board, and, as the car slowed down he leapt out and, with a gun in each hand, poured lead at the underworld lord. Torrio fell to the cement walk. People were beginning to appear on front porches, heads were sticking out of the windows of apartment buildings. The killers, believing that Torrio was dead, made away at top speed, taking a corner on two wheels.

But Little Johnny Torrio was not dead. As his hysterical wife bent over his prostrate body, he opened his eyes and moaned for a doctor. When one came Johnny again brought himself to consciousness long enough to whisper that the wounds be cauterized. Little Johnny thought of everything. Half-dead and in agony he could remember that the balls of lead which burned in his body might have been rubbed with garlic and that, though the bullets themselves might not kill him, the poison from lead and garlic would. "Cauterize it! Cauterize it!" he moaned everytime he could bring himself up to the marginal of consciousness, and, all the way in the ambulance to the Jackson Park Hospital, the attendants heard this order again and again.

And, as they took him in the hospital on the stretcher, Little Johnny had another bright idea, proving again that he could think of everything. The idea this time was that he be placed in a room away from a window, and far removed from a fire escape. Later he insisted that his own body guard be increased. And it was.



Gangland's favorite Undertaking parlor —a prosperous business.

The newspapers blazed with the story of the attempted assassination. The police came to Johnny's bedside with questions and so did representatives from the office of the state's attorney. "Who did it," they asked, wasting good breath, for Johnny, coward though he was at heart, would not violate law No. 1 in Gangland's code, namely that you must never squawk to a policeman. But they persisted with the questioning. "Don't you know who they were," asked John Sbarbaro, an assistant state's attorney. "Oh, hell," replied Johnny in exasperation, "Of course I know. I'll tell you later." But he never did. Neither could Attorney Sbarbaro pry any information from Capone nor from Mrs. Torrio. "Why should I tell," replied Mrs. Torrio "It wouldn't do any good." Mrs. Torrio knew her Chicago. The amiable Al who stood out in the corridor of the hospital room parrying questions with reporters found it more difficult to repress himself, and once, his emotions bubbled over. "The gang did it, the gang did it," cried Al impulsively and then, as if to kick himself, snapped his mouth shut. When reporters pressed him after this, he too said "I'll tell you later." And he did, but in a curious way as we shall see.

A small boy who had witnessed the shooting of Torrio was shown a picture, taken at the funeral of O'Banion, and he pointed out George "Bugs" Moran as one of the assassins. George, along with other gangsters, was gathered in and again identified by the boy who picked him out from a group of men. Eventually Moran was released on $5,000 bonds (small change to Gangland) and nothing came of the case.

"Little Hymie" had failed to get the "grease-ball" but his attempt had not been in vain. Though he had not killed Torrio, he had killed Torrio's career. What's more he had caused the complexion of Signor Torrio to turn a definite yellow. He had had enough, quite enough. When his wounds had healed, Torrio left the hospital by a side entrance. A vast body guard engulfed him. Torrio had thought of a way by which he could keep clear of any more attacks from "Little Hymie" Weiss. Torrio thought of everything. This time he thought it would be fine if he could go to jail and let the law protect him. You will remember that Little Johnny and O'Banion were arrested together one cold morning in front of the Sieben brewery? Well, there was a Federal "rap" awaiting Johnny on that, and he had decided that it would be useless and wonderful not to contest it further. Indeed, he induced the authorities to let him begin serving his year's sentence on February 7, instead of February 27, the date set by the government originally. And so Little Johnny crept into a jail cell and he "selected" a jail as far away from Chicago as possible. It was in Waukegan, Illinois. The doors of his cell slam shut and we shall see him no more.

Johnny Torrio, the boy who had been known on the old east side of New York as "Terrible Johnny" was terrible no longer. He had had enough. What kind of a life did Johnny lead in the Waukegan cell? He asked and received an "inside" room, and he contrived to lay himself down at night in such a position as to make him inaccessible to the naked eye (and the garlic bullet from the outside). At the end of his sentence, ten months later, he dropped completely out of sight and nothing has been heard in Chicago of him since. One rumor has it that he is somewhere in New Jersey, another that he is in Italy. Our guess is that he is in Italy. It is farther away from Chicago's Gangland.

9 U

THEME for a COMIC OPERA



Let us now regale ourselves with a performance of Chicago's most famous municipal comic opera, otherwise known as the Cook County jail sentence of Terry Druggan and Frankie Lake. It will be remembered that Terry and Frankie had been assigned to the custody for one year of Sheriff Peter B. Hoffman by Federal Judge James Wilkerson. Well, they have, at this time, been serving that sentence for several months.

How are the merry alchemists who made a million dollars or more over there in the old Valley District bearing up under this affliction? Are they languishing in cells, wondering if the long dull hours will ever pass? Are they trying to endure the terrible monotony of existence by scrubbing the long marble corridors and offices of this municipal institution?

Don't be silly! Terry and Frankie have been granted special privileges by Sheriff Hoffman and his warden, Mr. Wesley Westbrook. It is true that they must undergo the nuisance of answering roll call every morning, but from then on their time is their own and they may come and go as often as they please. Everything was plenty dandy for these princely inseparables until Mr. Druggan, who always had a hasty temper anyway, made one of the gravest errors in his career. Mr. Druggan smacked a newspaper reporter on the nose for making a wise-crack about these privileges, and the newspaper reporter hit him right back with a newspaper article which precipitated a great big investigation in which Sheriff Peter B. Hoffman was probed and pryed, and pryed and probed and the prying and probing was done by none other than Federal Judge James Wilkerson.

When Chicago was first informed of these "special privileges," Sheriff Peter B. Hoffman went out and bought himself a false-face of indignation and surprise. And then, publicly and on page one, he fired Mr. Westbrook, his old friend and warden. So grieved was Mr. Westbrook that, in Judge Wilkerson's courtroom, he broke down and told all, which was plenty. The theme song of his testimony was a waltz to the effect that "the sheriff is to blame."

According to Mr. Westbrook the Sheriff was greatly exercised over the fact that poor Terry and Frankie had to serve a jail sentence at all and he set out, therefore, to make it as easy as possible for them. Special passes at first were issued to friends of the two liquor lords and the jail was an open house to them most of the time. The ex-warden said that Sheriff Hoffman sent word to him that Terry was to be permitted to transact his business while in jail. Other prisoners were not permitted to transact business of course, but, according to the Sheriff, Terry was a fine fellow and lots of men worse than he were running loose around town.

"How did you do it?" asked attorneys when Terry and Frankie were put on the stand. "It was easy," testified Frankie, "we paid for it and we paid plenty." When Frankie said this Judge Wilkerson ordered the arrest of Mr. Westbrook, Hans Thompson, former jail guard who also had been fired, and Henry Foerst, who was secretary to the Warden. It was to these officials, said Frankie, that much money was paid and often.

Thompson, sitting in the courtroom at the time, readily confirmed Frankie's story. "Everybody else got his and I got mine," he said naively. Frankie went on in greater detail. He said that he and Druggan paid $2,000 a month for quarters in the jail hospital which are more desirable quarters than the ordinary cell. The beer barons placed $1,000 in an envelope on the 16th and the last days of each month and left the envelope in a certain room. Then they walked out.

"Once I peeked," testified Frankie, "and I saw Warden Westbrook come in and help himself to the dough." Frankie said that each and every privilege cost them plenty. He said that he paid $100 for permission to attend the funeral of his sister; that it cost him $1,000 to get out of jail for "good behavior" several months before his sentence expired.

Terry and Frankie insisted that neither of them had ever paid any money personally to Sheriff Hoffman, but their gallant gesture didn't mean a thing. Judge Wilkerson regarded the hospitality of Sheriff Hoffman as being in comptempt of court and in a crisp way of his he consigned Sheriff Hoffman to a jail cell for thirty days—without privileges.

The sentence seemed a light one, but it was a sentence of death to Mr. Hoffman as a politician. He entered the jail cell in due time and he has not been heard of around this town since.

Messrs. Druggan and Lake on the other hand sallied forth from the courtroom to freedom and increased riches. Although the production of beer on a vast scale as had been practiced in the old days had become an uncertain and perilous business, they had already made enough money to enable them to live in luxury. But, once a racketeer always a racketeer, and Terry and Frankie were presently trying to find outlet for their vast talents in the gambling racket. Terry who had acquired himself a beautiful estate in the North Suburbs amused himself with a stable of horses. In June, 1927, betting in Illinois was virtually legalized in a statute approving the pari-mutual. In July Mr. Druggan attracted some attention to himself by rushing into court seeking injunctions against several race tracks.

Terry charged a conspiracy to monopolize racing in violation of the Interstate Commerce Law in the shipping of race horses, but by the time the petition came up for argument the racing season was over and the matter was dropped. Terry's move was one of the many incidents which presaged the great gambling war, of which you shall presently hear. Except for this mad rush for the protection of the law—a pronounced characteristic of the true gangster—Mr. Druggan and Mr. Lake were comparatively quiet after their sensational appearance as comic opera stars.

The business of manufacturing beer had pretty well petered out. But Terry and Frankie should worry! As we have seen they had jumped into the business at the beginning. By the time the "heat" from the law was settling over the town, these princely inseparables had made enough money to cause the government to attack them from another angle. Consequently, they are now worrying about the income tax men, and are now facing trial for income tax violations. Terry and Frankie will go down in the records as the Damon and Pythias of Gangland but at this writing, alas, alas, trouble had come between them, and they are so mad at each other that they do not speak on the street. A red-headed mama, it is said, had brought the inseparables to a parting of the ways.

This was revealed recently when Captain William F. Waugh asked leave of Federal Judge Wilkerson to withdraw as counsel for Frankie Lake in the income tax troubles. The Judge appeared surprised.

"Oh, they're not the good friends they used to be," explained Captain Waugh.

Frankie pulled what Terry regarded as an unforgivable offense to their long friendship when he was arrested at a tea dance in company with the aforementioned red-headed mama. Frankie carried the customary gat.

"If you haven't got any more sense than to put yourself in the coppers' way, inviting arrest and causing all of this bum publicity for both of us, we're all through. You might just as well get a soap box and dare the cops to pick you up.

Lake is now in Detroit, doing well in the ice business.

LITTLE HYMIE WIPES OUT *the* GENNAS

"Little Hymie" Weiss had got off to a flying start by eliminating Johnny Torrio and he still had about nineteen months left in which to besmear the town with blood, before the "Big Fellow" Alphonse Capone, was to blast him into eternity. Capone, however, who could always appreciate a good man had come to admire ferocious "Little Hymie" despite all the nasty things he had said and done; and, as one of his first royal acts, offered pardon to Weiss if he would promise to behave himself and return to the fold. While "Little Hymie" was considering the Big Fellow's proposals, the Big Fellow was having a tough time of it right in his own home precincts.

A courageous editor of a Cicero newspaper had undertaken the ambitious project of relieving his town of the presence of King Capone and his numerous business activities. He used pitiless publicity which, true enough, is a swell weapon. The editor, Mr. Arthur St. John, made one grave error however. He neglected to acquire the services of a few platoons of infantry. For some time his paper appeared regularly with fine attacks upon King Capone urging the good people of Cicero to get behind the campaign and push. Mr. St. John's immediate rewards were rather terrible. One fine afternoon early in March, some tough gentlemen who had warned him repeatedly to keep his mouth shut, picked him up and went off with him. When he returned to his friends a few days later, they could hardly believe he was the same man, for Mr. St. John had been severely beaten in all visible places. This treatment inspired another throaty yell from Mr. Robert E. Crowe, but why go into it? He ordered that King Capone be haled before him forthwith which was done.

The king came down to the Criminal Courts Building in the style that befitted his exalted position. He appeared in a new automobile, the like of which had never been seen before on the streets and boulevards of the fourth metropolis of the world. It weighed about seven tons, four tons more than your automobile, its windows were fitted with bullet-proof glass, and it was plastered with large sheets of armor-plate. Mr. Capone still uses this disguised tank whenever he is in Chicago. To those of us who did not know at this time that King Capone was offering peace to Hymie Weiss, the big automobile was taken as overt proof that Capone intended to stay on his throne and to hell with those who didn't like it.

King Capone's call on the state's attorney came to nothing. So did his overtures for peace. The peace proposal had been made at a banquet held in a famous restaurant just off Wacker Drive which still operates under the same Italian name. It was proposed that Gangland should be divided in half with Madison Street the dividing line. For a couple of months "Little Hymie" who had certain definite misgivings as to the sincerity of King Capone's peaceful impulses, behaved himself and strictly observed the terms of the pact. He was busy anyway, with the government who had insisted on his standing trial in the Federal building on a booze charge. With him on the same charge was Dapper Dan McCarthy, a member of his gang. During the process of this trial "Little Hymie" discovered that the peace banquet had been merely an attempt to throw him off his guard and the discovery brings us to acquaintanceship with two of the most sinister figures who have ever skidded across blood-streaked Gangland. Signor John Scalice and Signor Anselmi. Killers de luxe, these men had been summoned from far off Sicily by Mike and Angelo Genna shortly before the death of O'Banion. How long they had been in town is not certain, but "Little Hymie" discovered them one day during the progress of his trial up there in the Federal building. A member of "Little Hymie's" gang—they were all in the courtroom—noticed a stool pigeon for the Capone gang in earnest conversation with two strangers—Scalice and Anselmi. The stool pigeon was "fingering" every North Side gangster in the courtroom. Why did these two strange Italians appear so interested in learning the identities of the Weiss henchmen? The observant North Side gangster hurriedly dispatched another one of his companions down stairs and outside to determine whether or not any of the Capone boys were about. Sure enough, outside the gangster came upon Al's big armor-plated Lincoln parked around the corner on Adams Street. He examined the car quickly and found that it was well-stocked with sawed-off shot-guns and other artillery. In a few minutes Scalice and Anselmi, together with a chauffeur who had sprung up from somewhere, got in Al's car and drove away.



Angelo Genna, youngest of the Gennas, and the first to be murdered by the North Side gangsters.



"Mike" Genna, toughest of the Gennas, which is saying a mouthful. His last act in this life was to kick an ambulance attendant in the face.

All this meant but one thing to "Little Hymie"—war. He soon determined that Scalice and Anselmi spent a great deal of their time in Cicero, although they appeared to be body guards for Mike and Angelo Genna. "Little Hymie" resumed his expeditions into the Genna territory; he began "absorbing" speakeasies which belonged to the arrogant brothers. For several weeks Gangland was comparatively quiet, except for an unimportant and mysterious "ride" murder here and there. The South Side O'Donnells were still battling Messrs. Saltis and MacEarlane on occasions and there was much muscling and double-crossing in every quarter. "Spike" O'Donnell's greatest personal blow came on April 17 when his foolhardy brother, Walter, was mortally wounded during an attempt to terrorize and hold-up a roadhouse in the Saltis country. Walter died on May 9.

Every police official in Chicago as well as those "in the know" looked forward to an unprece-

98



Anthony Genna the "fix" for the Genna brothers.

...ented display of fireworks from Gangland any day. It came on May 26. Angelo Genna, outstanding of the six Genna brothers, was the first to die. Angelo who had built up an "alky" business on the West Side in Little Italy, enjoyed protection from the police, particularly from the police of the Maxwell Station in his district. He had once staged a great party in a loop hotel attended by State's Attorney Robert E. Crowe and four of his detectives. Other public officials had attended, including a judge of the superior court. Crowe made the principal address to the sleek Italian gangsters, many of whom are now dead. Sticky with wealth, and power the Gennas were a ghastly mob at the time O'Banion and his boys began to push them around, and they strengthened their ties with Capone as well as smuggling a number of their countrymen into Chicago purely for killing purposes. Angelo had married a daughter of a prominent Italian and, foolishly enough, had established her in a beautiful apartment far up north on Sheridan road. Angelo was driving from this apartment westward over Ogden Avenue in his long powerful "sport" model automobile on May 26 when an automobile containing four men darted along side his machine and deposited a dozen or more slugs into his body, killing him instantly. Angelo was given a great funeral, greater even than O'Banion had been given. More flowers, more politicians, costlier casket. It may have been that the remaining Gennas wanted to impress "Little Hymie." If so, the gesture was futile.

"Little Hymie" continued his forays into the Genna country around Taylor Street, determined to wipe out the entire mob. Illustrative of his courage and recklessness a police squad came upon him and George "Bugs" Moran one evening as they strolled nonchalantly down Taylor street. "What are you birds doin' here?" asked one of the friendly officers; "don't you think its pretty hot over here for you?" A volley of oaths greeted the query. "Hell no," declared Moran, "I wish one of these 'wops' would show himself. I'm nuts to blow off some greaseball's head."

Well, the next Genna to die was Mike, most ferocious of them all which is saying a lot. He departed this life on June 13, 1925, just eighteen days after Angelo became defunct. Along with the two masters of murder, Scalice and Anselmi, Mike was touring about his domain looking for "Little Hymie" and Moran who were reported in the neighborhood. Somewhere, the spot has never been marked, there was an encounter in which, apparently, the North Side men got the worst of it. At any rate Mike and his murderers sped on at a terrific pace, thinking that they were being pursued when, as a matter of fact, Hymie and "Bugs" retired to their own preserves, possibly with a wounded henchman in their automobile. But the ...ost ferocious of all the Gennas raced on at crazy speed. The pavements were wet and slippery for there had been a sudden downpour early that morning. As their automobile shot down Western Avenue at Forty-Seventh Street, Mike was recognized by Detective Michael J. Conway, who, with two other officers, sat in a parked automobile. They pursued the automobile, with gong sounding and horn roaring. At 59th Street, a truck turned directly into the path of the on-coming Genna automobile, now going faster than ever, and there was a terrific screeching of brakes as Mike attempted to avert a collision and death. His automobile swerved around like a top and then skidded into a concrete lamp post, completely wrecking the machine. At this moment the police drew up. "What's the big idea," demanded Officer Olson, leaping out of the automobile, "didn't you hear our gong?" For answer there was a roar from the revolver of Scalice and Anselmi, and the top of Officer Olson's head was blown off, and an aged mother who was deaf and four young brothers were left to mourn him.

Almost before the officers could draw their revolvers there was a second blast and Officer Walsh died; a third blast and Officer Conway, terribly wounded, fell to the pavement. Scalice and Anselmi began to run down the street which by this time was filled with horror-stricken people. Mike Genna fled in a different direction across a vacant lot.



Pete Genna, one of the two living Genna brothers. He isn't in Chicago however, for he was chased out of town by "Little Hymie" Weiss.

Officer Sweeny selected the Genna to pursue, and across the lot he went, firing his revolver every few paces. Sweeny was gaining on the savage Genna when suddenly Mike turned in his tracks, took careful aim and pulled the trigger. Fortunately for Sweeny the cartridge did not explode, and Mike turned to resume his flight. Sweeny now stopped and took aim, and a bullet tore into Genna's leg, severing an artery. Genna, bleeding to death, continued to run, leaving a trail of blood behind him. He jumped over a fence and rushed for the doorway of a basement into which he disappeared. In the meantime unexpected help had come in the person of Officer Rickett who had been passing on a street car and had seen the running battle. Both officers dashed into the basement. Mike lay in the darkness of a corner. More dead than alive he raised his weapon, pointed it at the men and again pulled the trigger. There was an explosion this time but the man was dying and his aim had been unsteady and the bullet went wild. Death had Mike Genna in his cold grip by the time two ambulance attendants arrived with a stretcher to bear the wounded bootlegger off to a hospital. As they laid gentle hands on him, Mike again brought himself to consciousness. With a great and last effort, Mike raised his leg and



Death Corner in Chicago—Milton and Oak Streets. At least fifteen gangsters have been put on the "spot" at this corner.

99



The Wigwam | Hawthorne Hotel | Midnight Frolics | Cotton Club | Green Mill

kicked one of the men in the face. "Take that you bastard," said Mike. And thus died the most ferocious of the Gennas.

Meanwhile Scalice and Anselmi raced on, down streets, through alleys, beneath elevated railway structures. A mob followed them and the mob grew in numbers every block and Scalice and Anselmi knew there was no escape for them. When they were arrested they had turned into a clothing store. They offered no resistance as they were led out of a building into a squad car. You may be sure that the reception these terrible men received at the nearest police station was one that Scalice and Anselmi carried with them for a long time. Indeed, the only punishment Scalice and Anselmi really ever received at the hands of the law was administered during those few hours as guests of the police.

The deaths of the police officers inflamed the public as none of the crimes of Gangland had ever before inflamed it. What Mr. Crowe said this time was that Scalice and Anselmi ought to be taken out and hanged by the neck without the formality of a trial. As events proved, this would have been a swell thing, not only for Scalice and Anselmi but for Mr. Crowe and for the Maxwell Station police. For during the long and futile trial of Scalice and Anselmi, an attorney for them was to rise to his feet one day and, flourishing a little red note-book in his hand, shout: "I have here, the names of the policemen that Mike Genna paid every month. Two hundred of them belonged to the Maxwell Street Station, two squads came from the central office, and one from the state's attorney's office." Well, the defendants were acquitted eventually. A detailed story of the long and laborious legal machinations would require more pages than are to be found in this book. It is interesting to note however that all the "alky" cookers in the Maxwell Street district rallied to their defense, feeling, as they did, that their countrymen were being discriminated against. A vast fund was collected. Strangely enough the collection of this fund was a great factor in finally wrecking the Genna rule altogether, for there was much double-crossing and pocketing of funds and the "alky" cookers finally began to war among themselves. It was all very fine for "Little Hymie" to look upon, and all very sad for King Capone to look upon.

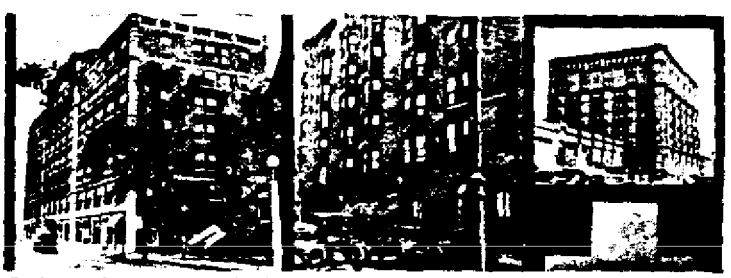
The burial of Mike Genna was a great spectacle, and one of the last. The public became bored with it all, and twenty-five days later another automobile, equipped with a police gong (Hymie Weiss had thus equipped one of his machines) drew up to Anthony, youngest of the Gennas, who stood unsuspectingly on the sidewalk, and killed him neatly and without undue waste of ammunition. The last rites were performed hurriedly, ominously and without display. Only a few mourners were there; wild-eyed men and a dozen or more crying women and children. And Tony was buried at night.

The Gennas now saw the hand of doom stretching into their domain. Jim Genna, panic-stricken disappeared. It is said he returned to Italy. Five years later, as we shall see, he was again to return and his presence again drenched Gangland with blood. Only one Genna remained, who to this day is occasionally caught in the police dragnet; and is led out at the regular show-ups along with the pickpockets, bums and unimportant characters to be laughed at.

Amid all this chaos King Capone was compelled to permit the killing of three "alky" cookers who had thought the demoralized state of affairs in Gangland would enable them to get away with some effective and profitable double-crossing. The penalty for this unpardonable offense was first paid by Tony Campagnia on July 10; five days later Sam Lavenuto and James Russo kicked in. Sam was murdered in the forenoon; James got it after lunch.

The swift punishment meted out to these insignificant henchmen brought more terror to the "alky" cookers and the beautiful result of it all was that for a long period lasting until well into the New Year, 1926, the disturbances in Little Italy were few and unimportant.

HOMES, HAUNTS AND HEADQUARTERS OF FAMOUS CHICAGO GANGSTERS



Left to right: The Bedni Hotel, frequented by "Little Hymie" Weiss and Druccl; Metropole once headquarters for Capone gang, and the Lexington Hotel, present headquarters.

100

TWO POLES MEET

"Little Hymie" Weiss was proud of the havoc he had wrought to the grease-balls. More confident of his strength now than he had ever been, he devoted himself to drumming up more business, to tightening his forces and to adding more and better murderers to his gang. During this period he enlisted the services of the infamous Gusenbergs, Pete and Frank, who were to die a few years later in the Valentine Massacre. Frankie Foster, a dapper chap was also a new member, as was Terrible Teddy Newberry, the big bourbon boy. At the same time "Little Hymie" spent a great deal of time trying to woo Big Joe Saltis and his mob away from their loose-connection with Capone. "Little Hymie" knew such an alliance would be a mortal blow to Capone, and so he picked out the precise psychological moment in which to effect so desirable an alliance. Joe was having a tough time of it out south. MacEarlane was too restless to confine his activities to the South Side, and the O'Donnells continued to make inroads into their domain.

When Big Joe began turning an attentive ear to the seductive proposals of "Little Hymie" the germ of discontent within his gang developed into open revolt. Ralph Sheldon, tubercular but tough, favored remaining with the Big Fellow, and a complete break followed just about the time Angelo Genna was living his last days. Sheldon seceded taking with him such formidable gorillas as John "Mitters" Foley, Danny Stanton, Big Karl Bates, Hugh McGovern, William McPadden, Frank De Laurentis, John Tuccello, Danny McFall, Ed Lattyak, Hillary Clements, Benny Butler, Stink Bomb Donovan and others, most of whom are now dead.

Big Joe now had two tough gangs to battle besides the possibility of having the Sheldon forces augmented by killers from the Big Fellow's staff. Frankie MacEarlane, worth a hundred ordinary gangsters, still remained loyal to his Polish chief however, although Frankie looked upon Big Joe's association with one John "Dingbat" Oberta with marked disfavor. He didn't mind the fact that Pollack Joe liked to read a book occasionally and went in for grammatical niceites and never let go by an opportunity to correct his choice and original English. Everytime Frankie would say something like "to hell with them bums, they ain't got no guts," Joe would hasten with rebuke "Don't say 'them bums' Frankie and don't say 'ain't got no'." Frankie could endure this, but John "Dingbat" O'Berta who wore spats and played golf and talked like a book, was too much, and Frankie was sure that "Dingbat" was a wrong guy. It may be that Saltis was attracted to "Dingbat" not so much for the reason that he was a Pole as that he could make fine political speeches at gatherings back-o-the-yards, and looked like a gentleman whether he was or not. Except for the sniffling at "Dingbat" however, affairs were fairly well ordered in Joe's camp.

The first casualty in the new shake-up along the South Side beer front was George "Big Karl" Bates a Sheldon man. In addition to taking his life, the Saltis killers also helped themselves to his sizable bankroll of $2,000. The next month, August, another Sheldon "traitor" died at the hands of the Saltis' killers. He was William "Buddy" Dickman, a close friend of Bates. Buddy's life was particularly desired. He had been close to Big Joe Saltis and he knew too much to live. Saltis lived in terror that Buddy would squawk, sooner or later.

And so, as you can see, affairs were going nicely with Polack Saltis and Frankie MacEarlane. For a few weeks they took things easy, except for one more unsuccessful attempt on "Spike" O'Donnell's life. In this affray, staged in front of the O'Donnell home during the luncheon hour, the O'Donnell automobile was reduced to the outward aspect of a battered tin-can. October 4, 1925, a spectacular attack was made on the Sheldon headquarters in the Ragan Colts' Athletic Club, a notorious spot for a quarter of a century. Hundreds of bullets were fired, but none of the Sheldon hoodlums were injured, although a hangeron Charles Kelly, was killed. A few days later indefatigable Joe added another scalp to his belt, this time it was his old employee, Ed Lattyak, a Sheldon gangster. During this pleasant period the alliance between Big Joe and "Little Hymie" was completely effected, and two of Chicago's toughest Poles now strode, arm in arm, across the realm of Boozedom, shouting "Kosciusko here we come!" To celebrate the fact, the Saltis boys, staged a great robbery at the International Harvester Company's offices, and so great was public indignation that the police, armed with search-warrants, set out in the back-o-the-yards district looking for Mr. Saltis. While they were looking Joe and "Dingbat" helped themselves to another pot shot at "Spike" O'Donnell on October 16. Three days later they gathered in one of "Spike's" men, Pasquale Tolizotte and took him for his last ride. A month later both gangs staged a free-for-all battle on a busy street and, for the first time, Joe came out with an O'Donnell bullet in one of his broad shoulders and, for almost two weeks, Joe settled down to inactivity. On December 3 matters continued and the Saltis gang murdered two more "traitors" just for practice. The life of one of the victims, "Dynamite Joe" Brooks, was rumored to have been demanded by the chief Saltis bomber, "Three-Finger" Pete Kunski out of professional jealousy. "Three-Finger" Pete was a rare bird and most efficient in blowing away the speakeasys of those who did not use Saltis beer. It is sad to relate that Pete himself came to an end in keeping with his profession. He always carried a tube of nitro-glycerin in his vest pocket (although against orders) and one day while running away from another fuse, he stumbled and fell. There was a loud explosion and they couldn't find Pete anywhere. Finally some one discovered a hand two fingers of which were missing. It was "Three-Finger" Pete. However, the other victim to die with "Dynamite Joe" Brooks was Edward Harmening, an independent operator who had been shining up to the Sheldons.



"Gentleman" Joe Saltis not looking for "Spike" O'Donnell. Joe has a well-trained smile. It does its stuff on all occasions—even when Joe is exploding cartridges in the direction of gentlemen he doesn't care so much for.

If you think that this is war you ain't seen nothing yet. The shooting was yet to begin in earnest. Joe and Frankie could not sleep well at night because of the fact that they knew their pet hatred, John "Mitters" Foley, was well and healthy. John "Mitters" however was a deft duck and he was to live for a long period before their bullets found him. In the meantime a New Year, 1926 had appeared on the calendar. Over in Little Italy Samuzzo Amatuna, an ambitious chap, was trying to rally the old Genna forces. This, together with the grafting of the collectors of the Scalice and Anselmi fund, brought another flare-up.

meet MR. McGURN

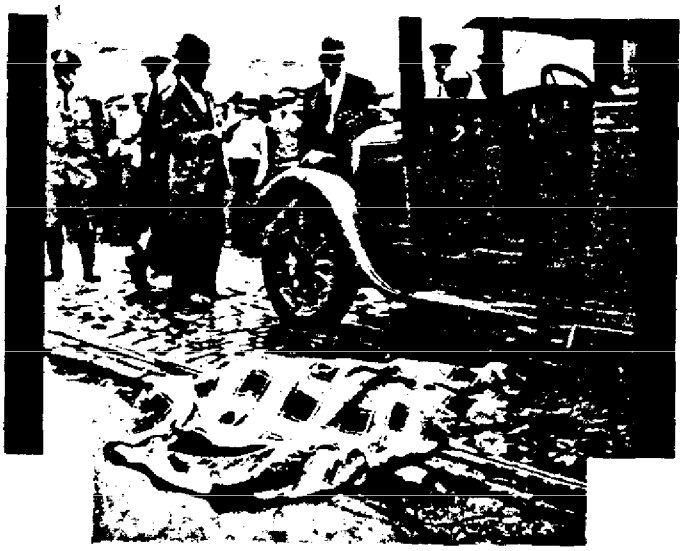
The once powerful and blood-thirsty Genna brothers were now only a bloody memory in Little Italy, but the doom which had hovered over them had not been dispelled by successive blast of gunfire. It remained, casting its long and sinister shadows over that accursed domain, in the persons of John Scalice and Albert Anselmi, still in the hands of the jailers, and still being tossed from one court to another by adept attorneys who were being paid for every appearance at a bar of justice and ready and anxious to make as many appearances as possible. The "alky" cookers over on the West Side were paying and paying and paying. Even honest men over there were contributing to the bottomless fund in order, so the "collectors" said, that no ignorant helpless man of Italian blood might be discriminated against because of his nationality. Ah! What a grisly crew these collectors were. Henry Spingola, a brother-in-law of the Gennas who kept himself clean through a long and honorable legal career despite his relationship with the Gennas, soon found out that he was paying thousands of dollars to blackmailers, extortionists, bombers and killers, and that he had been unwise in contributing at all. Henry decided that he would play no more with Orazzio Tropea, known pleasantly as "The Scourge," or Vito Bascone, or Eddie Baldielli, "The Eagle," or Tony Finalli. And so Henry Spingola, despite the utmost precautions he took with his life, was placed on the spot, which is stepping into a coffin. His murder on Januray 10, 1926, focused attention again on troubled Little Italy and two weeks later, before the police had assembled a plausible theory, Chicago strap-hangers gasped at front pages smoking with the murders of Augustino and Antonio Moreci, wealthy and respectable Italians.

All this had been forseen by the Italians of integrity and wealth on the West Side who understood far better than the police the methods of their conscienceless countrymen, and they had taken steps to combat it in their own way. And this brings us, for the first time, to a sleek, athletic, well-mannered little Italian named James Gebardi, the son of an "alky" cooker who had been murdered long before by Signor Tropea, "The Scourge." Young Gebardi, at that time, spent most of his time around the Maxwell Police Station where he was plenty efficient with his fists and often appeared in the West Side boxing shows as an amateur. A few days after his father had been placed on the spot young Gebardi appeared at the station in a highly emotional state with a letter, written in Italian and signed with the dreaded black-hand. The letter advised Young Gebardi, whose popularity with the police was looked upon with disfavor by certain of his countrymen, to rid the town of himself, to disappear; the penalty would be death if he failed to obey. Lieutenant William Stapleton advised the terrified Gebardi to go away for a while. And Gebardi went away, adopted another name, and became a professional prize-fighter.

But now he was back. He was prosperous. He drove a fine Cadillac automobile, and he called himself Jack McGurn. Where had the money for all this "front" come from? One of the wealthy and influential Italians was behind Jack now. This individual whom we shall not name had revealed to Jack the name of his father's slayer, and Jack quickly agreed to the proposals held out to him. And so, on February 15, the long and terrible career of Orazzio Tropea came to an end. He fell on the spot where McGurn's father had died, and on the same spot where suave Henry Spingola had come to his unhappy end. In quick succession three other "collectors" died. On February 21, Vito Bascone walked to the spot which had been marked for his death. On February 23, Eddie Baldielli, known as "The Eagle" met a similar fate, and on March 7, Tony Finalli was murdered.

Thirteen days later another ambitious Italian's death that of Samuzzo "Samoots" Amatuna, interrupted the efficient reprisals against collectors for the Scalice-Anselmi defense fund. Samoots had lived long and had prospered as an overseer of the "alky" cookers in the employee of the Genna brothers. He had mourned the old days when his employers were alive and for several months preceding his death had been busy in a grim effort to rally the sadly depleted "cookers" and to again stabilize the "alky" business. Everything was going smoothly when an earlier sin found him out. Samoots had hi-jacked a truck load of booze belonging to "Klondike" O'Donnell. The booze, billed as paint, had, in turn been re-hijacked by two tough youths who loafed around Bootleggers Corner in the Valley District, and the rage of Samoots knew no bounds. For months he talked at the top of his voice on all occasions about what he would do to Wallie Quinlan and Bummy Goldstein, neither of whom belonged to any certain gang organization.

On March 19, Samoots dropped into his favorite barber shop where he spent a great deal of time. Samoots was the Beau Brummel of Little Italy and many amusing tales are told about his fastidiousness and his sartorial splendor; he owned more suits of clothing than the King of Spain, he had a great passion for socks and shirts and often made a great nuisance of himself by insisting on supervising the laundering of them. A dozen customers lounged in chairs while Samoots, lying back in the chair, garrulously instructed the barber as to how the shaving should be effected. When the towel was spread over Samoots' visage two men, Wallie Quinlan and Bummy Goldstein, stepped into the room and quickly seated themselves near the door. Samoots arose presently from the chair, stepped to the hall-tree and was busily engaged with a gaudy tie when, through a mirror, he saw his enemies. But it was too late, and before Samoots could reach for the gun he carried in an especially created, leather-lined pocket, Bummy and Wallie let him have it. And Samoots, fell dying to the floor with two bullets in his body. He died before he could get the correct knot in his tie. A few months later, Quinlan and Goldstein were killed.



Mr. Peter Pallasi, a booze collector, cashes in.

With the elimination of Samoots from the scene the "alky" cookers lost their best chance of a restoration of the Genna house, unless Pete or Jim should return which seemed extremely problamatical especially now. The last of the vicious horde of "collectors" to die at the hands of the smartly dressed killer was Joseph Nerone, known as Spano the Cavalier, whose name had been whispered by Anthony Genna before he died. The police had been looking for "The Cavalier" ever since they had overheard that whisper, but when they found him he was cold and dead on a marble slab in the morgue, and an X marked the spot where the new homicide artists had found him.

who KILLED McSWIGGIN?

The scene now shifts to the West Side where "Klondike" O'Donnell and his horde of homicidal hoodlums, inspired by their elimination of Eddi Tancl, have been continuing a sporadic but ruthless warfare against the growing power of King Capone in Cicero. To the "Big Fellow" it is apparent that drastic action must be taken against these enemies who are now reported to be trying to rob him, not only of his liquor customers, but of his political protection.

At this time police were confronted with what the newspapers called the Beauty Shop Mystery. This institution of beautification at 2208 S. Austin Ave. in Cicero was bathed in machine-gun fire on April 24, 1926, and Miss Pearl Wilson, the proprietress, could not, for the life of her, explain to the police why such a thing could have happened. The police wondered whether or not a new racket had started, say a beauty shop war, when their attention was attracted to an automobile which was parked around the corner. On tracing its license it was learned that it had been registerd by one John Burns. This was one of the numerous aliases employed by James "Fur" Sammons, and so a hunt for him was made but without success. It was even rumored that "Fur" had been terribly wounded in the machine-gun fire and either dead or in the hands of one of Gangland's physicians—men who treat wounded gangsters for a price and do not notify police. If their patient dies his gang disposes of the body. But "Fur" could not be located and finally the police ceased to look for him and the incident of the Beauty Shop Mystery was abandoned as insolvable.

During these days there were rumors that political protection in Cicero was about to shift from Capone to the O'Donnell gang, a rumor which was worked for all it was worth by "Klondike" in his sales talks to the roadhouse owners and dive keepers. To some of them the rumor took on the aspect of truth when it was reported that William McSwiggin, ace prosecutor, in the office of State's Attorney Robert E. Crowe had been seen frequently in Cicero in company with members of the O'Donnell gang, two of whom, curiously enough, he had unsuccessfully prosecuted for the murder of Eddie Tancl. Other old-timers in Cicero scoffed at this however and pointed to the fact that McSwiggin was merely out in Cicero having a good time, some of the O'Donnell gangsters had been his classmates in high school. Anyway it was strange that a public official should chum around with the underworld gentry, and it certainly was embarrassing to Al Capone, the Big Fellow whatever the reason for it might be. The good people of Chicago who did not know of these strange associations between hoodlums and prominent public officials, were, therefore profoundly shocked when, in the early street editions, of the morning newspapers they read that William H. McSwiggin was one of three men killed by machine-gun bullets in front of the saloon of John Madigan at 5613 West Roosevelt road. The other two victims, his companions were James Doherty and John Duffy, the men he had tried for the murder of Eddie Tancl.

In this murder the public saw a climax to the killings of Gangland, and the question "Who Killed McSwiggin" was on the lips of every strap-hanger for weeks. Indignation and excitement were intense. Demands for an answer to the question persisted and, in the endless columns of newspaper space devoted to the murder, a vast number of different theories were advanced and discussed in detail.

One of the stories related that as "Klondike" O'Donnell, his brother, McSwiggin, Doherty, and Duffy rode into Cicero a Sicilian, standing in the shadows of a building they had passed, raced to Capone's headquarters, where the Big Fellow was at dinner. He listened to the messenger's news as he ate and, when he had finished, he calmly walked to the rear of the hotel, took out the machine guns from a closet, and went out, followed by three men.

An eye witness to the murder, said that a great automobile sped past the four men as they walked out of the roadhouse and that "fire spit out of what seemed to be a telephone mouthpiece projected through the rear curtain." McSwiggin fell mortally wounded at the first blast, while Duffy and Doherty walked for some distance before they fell in pools of their blood. More than two-hundred bullets were fired. "Klondike" pulled McSwiggin's body into his automobile and had it taken to the O'Donnell home, but later it was again placed in the car and taken and dumped onto a spot in a street of a suburb adjoining Cicero so, as "Klondike" later explained, that no one would know that McSwiggin was with gangsters. Another story has it that "Klondike" had paid $40,000 to McSwiggin and wanted to get it back again.

"I know who killed my son," said Sergeant Anthony McSwiggin, of the Chicago police



(1) William "Klondike" O'Donnell looking pleasant before a camera at the Detective Bureau. (2) Building in which was located a beauty shop which stopped machine gun bullets believed intended for "Fur" Sammons, one of "Klondike's" henchmen. (3) "Three-finger" Jack White, another "Klondike" O'Donnell ace.

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Chicago Tribune 12/23/30

HUNT McGURN IN FLORIDA; SEIZE 2 CARRYING GUNS

Believe Capone Gangster Pal of Captives.

31-1790

Machine Gun Jack McGurn, considered one of the main cogs in the Capone gang, was the object of a search by Dade county, Florida, deputy sheriffs yesterday, the Chicago police were informed in a message asking his arrest should he return to the city. The Miami authorities said that they would like to determine if it was McGurn, as they suspect, who advised two men being arrested to resist the police.

The two men arrested in Miami are believed to be Chicago gangsters and members of the Capone outfit. They were found in an automobile with revolvers from which the numbers were erased with acid. As the police were handcuffing the suspects a man shouted from the window of a house and told the prisoners to fight. A description given by the woman who rented the house fits that of McGurn.

Believed Chicago Hoodlums.

The men arrested gave the names of Charles Demate, 30, and Frank Marullo, 30, of Cleveland. Their clothing, however, bore Chicago labels, and the police say the men knew nothing about Cleveland when questioned.

The McGurn theory was strengthened when the police found a large photo of Louise Rolfe, McGurn's blonde alibi, in a room in the house.

Efforts to release the men arrested by writs of habeas corpus failed. The writs were filed by Vincent Giblin and J. Fritz Gordon, Capone's Miami lawyers. The men were held in bail of $6,000 each.

PICTURE CLEW.



Louise Rolfe, whose picture was found in room of one of two men who escaped Miami police, one of whom is believed to be Jack McGurn, her sweetheart.

[TRIBUNE Photo.]

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NEWSPAPER CLIPPINGS

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32-1594-6

CHICAGO DAILY NEWS
Fri.,Feb.27,1931.

DOAK ORDERS DEPORTATION OF 'MOPS' VOLPE

Public Enemy No. 2 to Be Sent Back to Italy by U. S. Decree.

Tony ("Mops") Volpe, lieutenant of "Scarface Al" Capone and public enemy No. 2, today was ordered deported to Italy by Secretary of Labor Doak.

The order, issued at Washington, D. C., follows a series of hearings here at which it was shown that Volpe had technically violated the immigration laws of the United States by making a trip to Cuba and return.

John Elliott Byrne, Volpe's counsel, announced he would seek a writ of habeas corpus as soon as the warrant arrives here from Washington, probably within a week.

Volpe is 40 years old and lives at 1500 North Menard avenue with his wife and two children.

In 1925 Volpe was found guilty of counterfeiting war savings stamps and sentenced to the penitentiary. He has since been active in the Capone murder division—so active that at one time the north side gang, headed then by "Little Hymie" Weiss, offered to make peace if Volpe was "put on the spot" so they might square accounts with him.

Volpe is at liberty in bonds of $10,000 in the deportation proceedings and $10,000 on a public enemy vagrancy charge.

TO BE DEPORTED TO ITALY



Tony ("Mops") Volpe.
[By a staff photographer.]

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CHICAGO TRIBUNE

Wednesday, Feb. 4, 1931.

PUB. ENEMY #1 McGURN SEIZED ON LYLE CHARGE

Vagrancy Warrant Served on Gangster in Court.

Jack (Machine Gun) McGurn, No. 6 of the public enemies listed by the Chicago crime commission and Judge John H. Lyle, was arrested yesterday on the vagrancy warrant issued against him by Judge Lyle some four months ago. He had been forced into court and the police were on hand to take him into custody.



JACK McGURN.

McGurn's presence was demanded by Judge Ross C. Hall's Criminal court under penalty of a forfeiture of his $10,000 bond on a charge of carrying concealed weapons. He was convicted of this charge last summer, but the Illinois Supreme court granted him a new trial and the case was put on the trial docket again yesterday. It was set for hearing on Feb. 18.

Released on New Bond.

After his arrest on the vagrancy warrant McGurn did not stay in jail long, however, because before night he was again at liberty on a new $10,000 bond signed by Abraham Shanon. The bond was approved by Judge Thomas A. Green.

"It is a little different now since Judge Lyle is out of the Felony court," remarked one of the court attaches. "If Judge Lyle was still in the court McGurn would probably have been dragged before him and harassed for a few days at least before he got out on bonds."

McGurn is scheduled to appear in the Felony court before Judge Frank Padden this morning.

Kaplan and Lake in Court.

Other alleged hoodlums who made court appearances yesterday were Sam Kaplan of the 20th ward and Frank Lake, one of the first violators of the Volstead act through his partnership with Terry Druggan. They demanded jury trials and their cases were transferred for reassignment.

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CHICAGO SUNDAY TRIBUNE
DEC. 21, 1930.

DEC

G. E. Q. JOHNSON HITS ON WAY TO ROUT GANGLAND

U. S. Attorney Tells of War on Crime.

The surest way not to do something is to tell somebody you're going to do it.

It is harder to get into a gang than into polite society, because gangs go into your antecedents. You must have a criminal record. That is how thorough gang organization is.

Betrayal of trust in public office is treason in just as high a degree as Benedict Arnold's betrayal of his country was treason.

When the American people once understand an evil situation they correct it. That is the hopeful sign.

GEORGE E. Q. JOHNSON.
[United States attorney for northern district of Illinois.]

BY JAMES O'DONNELL BENNETT.

"I would rather," said George E. Q. Johnson, "fight gangsters with indictments than with interviews."

Nevertheless, the United States district attorney for northern Illinois consented to this interview because it would be a convenient way of exhibiting to the people of Chicago what he calls "a cross section of organized crime."

For nearly four years Mr. Johnson has been living with the problem of organized crime. He originated, and thus far he is the only federal district attorney to employ prosecutions for violations of the federal income tax law in the fight against gangdom. It was, he said, "a flank attack," and it has created panic in gangdom and boomedom.

Gangsters in Income Tax Net.

For willful evasion of federal income tax Ralph Capone, brother of the notorious and ruthless Scarface Al, has been sentenced to serve three years in Leavenworth penitentiary and to pay a fine of $10,000.

For the same crime Jack Guzik, Al Capone's principal accomplice in the

GANGSTERS' FOE



GEORGE E. Q. JOHNSON.

tions. His lawyer was not with him and, lacking anybody to watch his step for him, he became loquacious. At times he was insolent, such being his notion of how to enforce his contention that he should be treated with on a basis of equality. Obviously he thought the federal district attorney was a simpleton and, to searching questions as to his bank deposits, he airily replied that he had accounts under five different aliases in the Pinkert State bank at Cicero. There was no talk about liquor violations and Capone proudly babbled his way toward Leavenworth.

"Did you," he would be asked, "deposit such and such sums under this name?"

"Yes, I did," he would reply, "What about it?"

Converse Gets the Evidence.

Present at the examination were A. P. Madden, chief of the special intelligence unit of the bureau of internal revenue, and Clarence Converse, an agent of that unit. Both have been invaluable aids to Mr. Johnson in uncovering income tax violations in gangdom and in the political underworld.

Throughout the questioning Mr. Converse, his writing hand hidden by

Robin Hood. They are adversaries. The most powerful and most adventurous of them is always one, two or three moves from the specific assassination that eliminates a rival. And always this coward and purchaser of crime is the Robin Hood glamour that is thrown. That is his menace.

"Have you, Mr. Johnson, found the cause of this befuddlement of the public mind—or the willful part of the public?"

Slack Thinking Is to Blame.

"Yes," he replied. "That is slack thinking. We have left behind us the old milestones behind. We have had ten years during which the old and tried seem to have lost their place. Politically, socially and economically we have been groping.

"Slack thinking on the part of citizens leads to slack conduct on the part of officials. Every official in the state of Illinois as well as in the federal service who is charged with the administration of the law subscribes to a solemn oath to support the constitution of the United States. But there are officials who make mental reservations as to the parts of the constitution which they will support.

"I do not intend to be drawn into controversy as to whether prohibition is a good law or a bad law, but I do insist that it is the law, and, as long as it is the law the office of the United States attorney is going to enforce it with all the power and all the ability it can command. I am firmly convinced that the roots of the situation created by organized crime are deep in the violation of the national prohibition act and that violators of it are a hotbed in which crime spreads. This growth can be uprooted by taking the easy money out of organized crime. In doing that it is not important what particular crime a hoodlum is convicted of, but it is important that we impress on this community that nobody is beyond the law.

His Policy Moves On.

"The policy of this office in taking the easy money out of crime is going forward—haltingly it may be true—but forward.

"That policy is also going forward in counties of Illinois where the state's attorneys and the sheriffs take and obey the oath of office without mental reservations. In those counties there is not a single case growing out of violation of the national prohibition act which reaches the federal courts. Nor has a state's attorney a great deal to do with reference to this situation after he has once established in the minds of the criminals who live by this violation that they will receive swift and sure punishment. Among the counties which are doing notably good work along these lines are DeKalb, Du Page, Grundy, Kendall, Lake, Boone, Stephenson, Carroll, and Ogle."

Mr. Johnson believes that the situation that it is "a wide open

NEWSPAPER CLIPPING

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For the same crime Jack Guzik, Al Capone's principal accomplice in the illicit booze traffic and in the maintenance of gambling hells, has been convicted and awaits sentence.

To the same crime Frank Nitti, alias Nitti, confessed yesterday and was sentenced to serve eighteen months in Leavenworth and to pay a fine of $10,000.

For the same crime Sam Guzik, Jack's brother and a Capone henchman; Terry Druggan, rich beer runner, and Frankie Lake, his partner, have been indicted and await trial.

Those three convictions and three indictments are part of Mr. Johnson's flank attack and they have struck at six of the most pestiferous and insolent malefactors in the field of organized crime in Chicago.

Their "Stock in Trade" Gone.

Of the significance of the convictions Mr. Johnson said:

"Ralph Capone and Jack Guzik can never again be leaders in organized crime. Their immunity—or gangdom's belief in their immunity—is gone. That was their stock in trade. They will not be able to count on old loyalties when they come out of prison. There is no friendship among the hoodlums. There are no ties such as bind honest men together and hold society together. There is no loyalty except the loyalty born of their common purpose. That purpose is easy money. Take their money away and they dry up like a weed that has been cut down."

So much for the convictions.

The indictments have been hardly less effective in spreading panic through gangdom, for in the federal courts an indictment is no idle gesture.

No Emotion with Uncle Sam.

"Here we are not emotional," said Mr. Johnson. "We prepare a case as a game of chess. We don't deal in theory or emotion. The work has often been slow and painful, but it has been effective. Our investigators are thorough. They will trace a check around the world."

That is why every step in the preparation of "the flank attack" has been difficult. That also is why every shred of the evidence obtained against leaders in organized crime not only has the highest value [illegible]

[illegible] and, making anybody to watch his step for him, he became loquacious. At times he was insolent, such being his notion of how to [illegible] his contention that he should [illegible] on a basis of equality. Obviously he thought the federal district attorney was a simpleton and, to searching questions as to his bank deposits, he airily replied that he had accounts under five different aliases in the Pinkert State bank at Cicero. There was no talk about liquor violations and Capone proudly babbled his way toward Leavenworth.

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Throughout the questioning Mr. Converse, his writing hand hidden by a table, was making notes of all Capone said. The fact that his admissions were noted down was of vital importance when the case against him came to trial. For when Mr. Converse took the witness stand the court, upon an objection from the defense, ruled out his narrative of the hoodlum's admissions on the ground that it was based on remembered and not recorded conversation. When the prosecution had established the fact that Mr. Converse could testify from notes the judge promptly reversed himself and the evidence as to the bank deposits was admitted.

At the close of Capone's preliminary examination Mr. Johnson said, "All right, Mr. Johnson, [illegible] I will send you to the penitentiary enough to

His Picture of Gangsters.

Having studied gangsters at first hand for nearly four years and thoroughly understanding the now crazed and altogether vicious mentality, Mr. Johnson cannot understand the disposition of sensation loving persons to look upon gangsters and gunmen as picturesque figures. From their stills, which he described as "unspeakably filthy," to the men themselves, who, he said, "are human in form only," he has found every phase of their activity to be loathsome and pitiless.

"They are," he said, "murderous mobs and they know they must live by the law of the tooth and fang. When robbed and betrayed they invoke their own tribunal of death without a qualm. They have no recourse to any other. And yet, in print and out, glamour is thrown over these thugs by description of them as 'beer barons,' 'crime kings,' 'alky kings,' and 'leaders in the alky aristocracy.' Knowing what I do, this affects me with physical nausea."

[illegible] easy money out of organized cr[illegible] In doing that it is not important [illegible] particular crime a hoodlum is convicted of, but it is important that impress on this community that body is beyond the law.

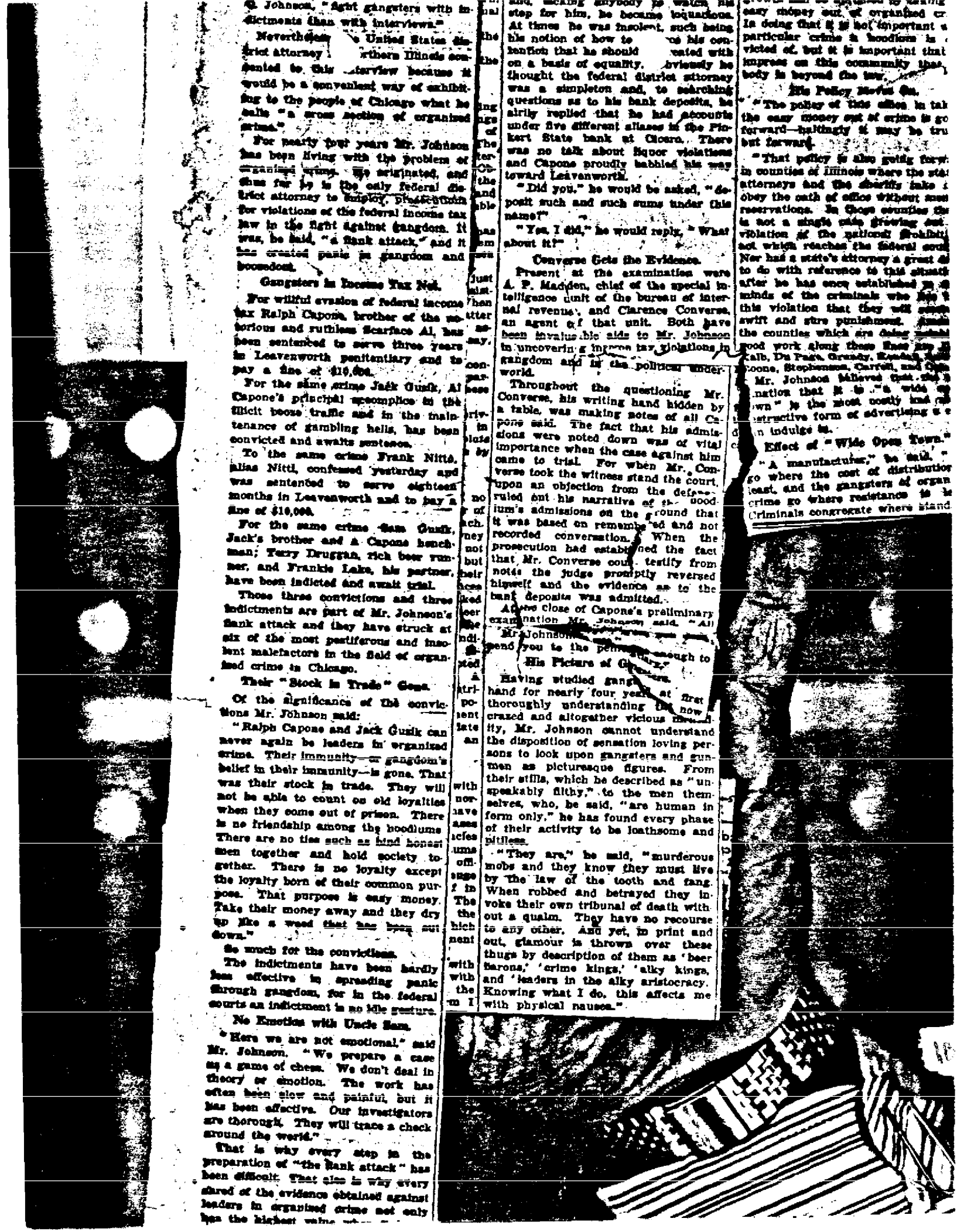
His Policy Stated Qu.

"The policy of this office in tak[illegible] the easy money out of crime is go[illegible] forward—haltingly it may be tru[illegible] but forward.

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Effect of "Wide Open Town."

"A manufacturer," he said, "[illegible] go where the cost of distribution [illegible] least, and the gangsters of organ[illegible] crime go where resistance is le[illegible] Criminals congregate where stand[illegible]



[illegible]ax. News of a 'wide open town' [illegible]es to that town recruits in crime [illegible] all other cities which enforces [illegible]ws, and that is exactly what has [illegible]ed in Chicago.

[illegible]ns of men tell me that they Judge[illegible]ited by Chicago politicians [illegible]al cour[illegible]m back' in business through [illegible]m of alleged soft drink par[illegible]the death[illegible]h are really speakeasies [illegible]e week[illegible] dozens have told me that. [illegible]years old[illegible] of the disaster a city years old[illegible]en it permits itself to be murder[illegible]wn as 'a wide open town,' Ogle[illegible]ee be noted that the most no[illegible]Un[illegible]ble characters in the underworld [illegible] Chicago are men who have been recruited from the gangs in New York. When profits are no longer to be made here the leaders will leave Chicago and with them will go the members of their gangs—men, it should be remembered, who are mostly ex convicts and are the hardest criminals society has ever been called upon to deal with."

Like Chief Justice McGoorty of the Criminal court, the federal district attorney has no patience with the reckless optimism of the slack thinkers who welcome every murder of a gangster by gangsters with the remark, "And a good riddance, too."

Problem Is More Complex.

"The problem," said Mr. Johnson, "is not so simple as that. The short-sighted view of it which the comment 'good riddance' implies has enabled these desperate men to convey a sense of security to those who take human life at their behest. It gives their murderers greater courage. Those who engage their services can point to the ghastly list of two hundred unsolved and unpunished assassinations and say, 'See how small the risk is.'

"The point that they would make is that there are honest occupations in which the hazards of injury and death are greater. It is an awful thing for a community when such a point can be made against it, for the point discloses the appalling ramifications of crime that is fostered by privilege and protection. From first to last we are confronted with this curse of protection. I am assured by police officials of high rank that it would be a simple matter to stop the distribution of liquor over the city if protection were denied the gangsters. The sequence is direct. Stop that distribution and you stop the infamy of the gang murders which have made the name of Chicago a synonym for violence throughout the civilized world.

"In short, law violation of one type breeds violations of other laws. I am sure that privilege and protection are at the bottom of lawlessness today."

Work Done without Fanfare.

As a personality the federal district attorney is the least known of the leading crime fighters of Chicago. This is partly because he has never held elective office and partly because his work has never been accompanied by fanfares. Nor has he ever been exploited by the press. That does not fit him. On the contrary, for he remarked in the course of this interview that he considered it a sufficient boon that never in the four years of his district attorneyship has he been attacked by a man or a newspaper.

To get a touch of his personality and of his forthright manner of thinking you have to give heed to a few lines of the parable of John Johnson's kitchen garden.

John Johnson's son — then plain George Johnson and not, for quaint reasons which you shall learn later, to become George E. Q. Johnson for many a year—went to work in that garden at the age of seven.

That was forty-nine years ago.

He's of Sturdy Stock.

The garden was part of a quarter section of land on the southern edge of Webster county, Iowa, which John Johnson took up in 1868. He had emigrated the year before from the ancient province of Smaland in Sweden, that province which bred the forbears of two of the most effective fighters of organized crime now functioning on the distracted Chicago scene—George E. Q. Johnson himself and his friend and near neighbor, John A. Swanson, state's attorney for Cook county.

When little George Johnson went to work in the kitchen garden of the Iowa homestead he was taught how to weed.

This, in his own words, was the substance of the lesson:

"I was taught very early that to keep the garden clean it was not enough to cut off the noxious weeds at the surface of the ground with a hoe.

"I was taught that the one sure way to kill the weeds was to pull them up by the roots and shake out in the bright glare of the morning sun every bit of soil that clings to the tendrils of the roots.

"I was taught that I could not clean the garden by a method of selection.

"I was taught that I must not say, 'I will take that weed out and leave this weed in,' but that the only way to clean the garden was to pull up all the weeds by the roots and shake them out to the sun."

Applies Lesson to Job.

That was the lesson of forty-nine years ago. In accordance with word by word of it George Johnson did his work weed by weed in the one acre kitchen garden for seven years. Then he was considered old enough—for the Smaland stock does not pamper its young—to go into the fields and follow the plow.

Today he applies the old lesson, word by word and weed by weed, to every new day of his work as the United States government's premier fighter of organized crime in the Chicago area.

He hammers on the theme that the crime situation in Chicago is not, as he puts it, "going to be cleaned up as long as public officials pluck up one kind of crime weed and ignore another."

And he added:

"If you are going to rid the city of crime you must take crime without any processes of selection. You will have to root it up wherever you find it and shake its roots out to the glare of pitiless publicity."

O'Brien Case Recalled.

Within two hours after those words were spoken on the eighth floor of the federal [illegible] came from Judge Lindley's court on the sixth floor that a jury had just found State Representative Lawrence C. O'Brien guilty of income tax evasions and that consequently he faced the possibility of a sentence of eighteen years in prison and a fine of $68,000 if the maximum penalty were imposed. And the word ran through the corridors and offices under the great dome:

"Another victory for George E. Q. Johnson."

But all that George E. Q. Johnson said when the newspapers asked him for comment was:

"No comment is so eloquent as the fact itself."

Lawrence C. O'Brien was a rich contractor and a politician of considerable influence. But neither riches nor influence made him look any different from any other noxious weed when the weeder from Webster county reached him in the course of the day's work.

Talks Only with Verdicts.

Mr. Johnson's comment on the O'Brien verdict was intensely characteristic of him. When President Coolidge appointed him federal district attorney in February, 1927, he was asked to talk on plans and policies. "I will talk," he said, as he peered benignly at the reporters through his silver bowed spectacles, "only with indictments and verdicts."

Dropping his glance he added in his quiet, reflective way:

"If words could drive the official and criminal gangsters out of Chicago they would have been gone long ago.'

Then he set himself to thinking, studying and planning how to combat organized crime in Chicago, and by "organized crime" he meant primarily the booze and beer running gangs and the racketeers.

His thinking, studying and planning constituted a slow process. For George E. Q. Johnson is slow. That, probably, is why he is inexorably sure when he finally swings into action. Once Senator Deneen said of him, "Yes, George E. Q. is slower than the Second Coming, but he grinds *and grinds and grinds* all the time."

Studies Problem 20 Months.

On his problem of how to fight organized crime the United States district attorney ground for twenty solid months, studying it from every angle, accumulating facts on gangdom's far flung operations, finding out where it was most vulnerable and where it had been most lax in covering its trail.

The result of his studies and his planning was that dazzling inspiration, the prosecution of gangsters for evasion of federal income tax.

But he credits the success of his battle to no inspirations of his own or of others. He credits it to what he calls "the absolute unreachability of the federal courts."

"They," he said, "are the foundation of whatever success we have had. I cannot too emphatically praise the high caliber of the federal judges. Some people talk of the harshness of the federal courts, but I have often said that, if innocent of a crime, I would rather be tried in the federal courts, and, if guilty, in the state courts."

Points to Citizens' Part.

As to the cure of organized crime he declares that the citizen has a part to play.

"We get," he said, "lots of information every day, but relatively little evidence, for citizens who will stand up and swear to information—that is making it evidence—are not so numerous. The seal of silence placed upon witnesses by the fear of death is the greatest handicap of a prosecutor."

This man has made sacrifices to fight crime. When he was appointed federal district attorney he relinquished a private practice that was bringing him $36,000 a year. Today his salary from the government is $10,000 a year.

The story of his battery of initials will leave you with rather a humorous side light on the man and his antecedents.

He was christened George John[illegible]

Here's Why He Is "G. E. Q."

But when he was about twenty years old he and his father decided that in an area largely occupied by Irish immigrants and their children the name George Johnson could be considered a very sure means of identification. The father—and this is interesting when you know that John Johnson learned his English after his arrival in America—had a great admiration for the writings of Ralph Waldo Emerson and said that [illegible] So his young son shared with [illegible] his they decided on "Emerson" with the distinguishing middle name [illegible] between George and Johnson.

But when George Emerson Johnson arrived in Chicago to study law he found that there was a George E. Johnson [illegible] to his history. So he, offhand, [illegible] to his initials.

"And what," I asked, "does it stand for?"

"For nothing," said the federal district attorney, "and the saving of questions as to which George E. Johnson in Chicago you are looking for."

As to the Iowa farm where the little George John[illegible] long ago learned those abiding lessons in weeding by which Chicago now profits, [illegible] was disposed of by the family in 1906 when John Johnson, the proficient teacher of weeding and lover of Emerson, died.

Today the little village of Lanyon straggles over it and the site of the momentous garden that grew character among its other valuable products is forgot[illegible]

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CHICAGO SUNDAY TRIBUNE
DEC. 21, 1930.

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Please Shop Early
HAND BAGS
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HITS ON WAY TO ROUT GANGLAND

U. S. Attorney Tells of War on Crime.

(Continued from first page.)

an understanding of the problems organized crime creates."

Then came, with cold detachment and in the methodical manner of the chess player to whom Mr. Johnson had likened himself, the account of aspects of the cross section.

"When we proved," he said, "that Ralph Capone took $1,871,000 in three years from beer and gambling we showed under a blazing light the new factor in the problem of crime.

"That factor is crime with riches.

"We proved, too, that Jack Guzik took $1,049,000 from gambling in three years. Of course that's power. The measuring in dollars of that power gives the citizen at a glance the difference between normal crime and abnormal or organized crime. Of course there always will be crime, but it will be normal crime instead of abnormal crime.

"Normal crime sneaks down the alley.

"Organized crime drives down the boulevard in a costly car.

Tentacles of Organized Crime.

"Organized crime has appalling ramifications. The more vicious gangs are getting into the distribution of counterfeit money and narcotics. The hijacker is being paid off in counterfeit money. He can't complain. Obviously he does not dare to. But the bills are surreptitiously passed and are making a great deal of trouble for the government.

"The most disheartening thing has been the injection into our problem of the allegedly respectable citizen who comes to the front for gangs.

"For handling them there is just one rule in this office and my assistants have been trained in it. When the hints that 'perhaps this matter can be arranged' are made my assistants rise, open the door, and say, 'Get out!'

"We know that gangs make contributions to factions of political parties. The factions must pay for these gifts.

"They pay it 'privilege' and privilege—if you want the definition in one sentence—is the right to violate the law."

GANGSTERS' FOE



GEORGE E. Q. JOHNSON.

tions. His lawyer was not with him and, lacking anybody to watch his step for him, he became loquacious. At times he was insolent, such being his notion of how to enforce his contention that he should be treated with on a basis of equality. Obviously he thought the federal district attorney was a simpleton and, to searching questions as to his bank deposits, he airily replied that he had accounts under five different aliases in the Pinkert State bank at Cicero. There was no talk about liquor violations and Capone proudly babbled his way toward Leavenworth.

"Did you," he would be asked, "deposit such and such sums under this name?"

"Yes, I did," he would reply, "What about it?"

Converse Gets the Evidence.

Present at the examination were A. P. Madden, chief of the special intelligence unit of the bureau of internal revenue, and Clarence Converse, an agent of that unit. Both have been invaluable aids to Mr. Johnson in uncovering income tax violations in gangdom and in the political underworld.

Throughout the questioning Mr. Converse, his writing hand hidden by a table, was making notes of all Ca-

Robin Hoods. They are cowards. ... most powerful and most adventu... them is always one, two or ... moves from the specific ... that eliminates a rival. And ... this coward and purchaser ... the Robin Hood glamour ... throw. That is his menace.

"Have you, Mr. Johnson ... out the cause of this belief ... of the public mind—or the ... part of the public?"

Slack Thinking Is to ...

"Yes," he replied. "The ... slack thinking. We have left ... of the old milestones behind. We ... had ten years during which the ... and tried seem to have lost their ... place. Politically, socially and economically we have been groping.

"Slack thinking on the part of citizens leads to slack conduct on the part of officials. Every official in the state of Illinois as well as in the federal service who is charged with the administration of the law subscribes to a solemn oath to support the constitution of the United States. But there are officials who make mental reservations as to the parts of the constitution which they will support.

"I do not intend to be drawn into controversy as to whether prohibition is a good law or a bad law, but I do insist that it is the law, and, as long as it is the law the office of the United States attorney is going to enforce it with all the power and all the ability it can command. I am firmly convinced that the roots of the situation created by organized crime are deep in the violation of the national prohibition act and that violators of it are a hotbed in which crime spreads. This growth can be uprooted by taking the easy money out of organized crime. In doing that it is not important what particular crime a hoodlum is convicted of, but it is important that we impress on this community that nobody is beyond the law.

His Policy Moves On.

"The policy of this office in taking the easy money out of crime is going forward—haltingly it may be true—but forward.

"That policy is also going forward in counties of Illinois where the state's attorneys and the sheriffs take ... obey the oath of office without mental reservations. In those counties there is not a single case growing out of violation of the national prohibition act which reaches the federal courts. Nor has a state's attorney a great deal to do with reference to this situation after he has once established in the minds of the criminals who live by this violation that they will receive swift and sure punishment. Among the counties which are doing notably good work along these lines are DeKalb, Du Page, Grundy, Kendall, Lake, McHenry, Stephenson, Carroll, and Ogle."

Mr. Johnson believes that the impression that it is "a wide open town" is the most costly and most

political factions goes for the purchase of thugs and sluggers to intimidate election officials, thus preventing an honest count of the ballot.

Big Bribes Offered.

"Organized crime—or crime with riches as distinguished from the normal crime that we shall always have with us—presents two other phases with which law enforcing agencies have to deal. First, it has huge sums of money for the corruption of officers of the law. Second, it has huge sums with which to defend itself in court and to terrorize witnesses. The effect of this is to undermine the very foundation stones upon which organized society and government rest.

"At his first point of contact with law enforcement the violator with money now attempts to corrupt the police, and when I use that term I mean all officers who do police duty.

"Bribes offered to prohibition agents have run from $10,000 to $50,000. I am speaking of specific instances. Bribes of $5,000 mean nothing to crime with riches.

"Petty bribes running from $500 to $1,000 are very frequent. When you remember that many deputies are paid only $1,500 a year you will see how cruel a temptation to the weak officer a bribe of only $500 is.

Hires High Priced Lawyers.

"Organized crime pays high for its lawyers. It buys skillful defense. I make no complaint of that, for the prosecutor's office must be organized to cope with counsel. But when the money is used to reach jurors, to reach witnesses, to reach evidence, and when it is paid out for murder to close the lips of some witnesses for the government then it becomes a real menace. In a number of cases where defendants have asked for leniency, I have suggested that they tell all the facts to the court and give aid to the government. Invariably they have refused to involve others, declaring that it would mean death to do so."

At first Mr. Johnson, who is the antithesis of the easy going, hail fellow type of public official—is, in fact, an earnest churchman—was dumfounded by the effrontery of malefactors of gangdom against whom he was preparing his flank attack.

Capone Rues Cigar Offer.

"When," he said, "Ralph Capone was brought in for questioning he expected to be treated with on terms of equality. He wanted to meet and talk as a gentleman with a gentleman. He asked whether he might smoke. He was told he could. He laid a handful of cigars on the table. Nobody accepted any. At the close of the examination he asked whether he might stay for the night in the custody of a marshal at a hotel. He was told that he must go to jail. At that he showed his teeth, snarling, 'Well, I guess you fellows won't smoke any of my cigars,' and gathered up the cigars he had laid on the table."

Throughout this examination — the following details of which were not imparted by Mr. Johnson but by another who was present—Capone did not realize that the new weapon of prosecution for violation of income tax [illegible] him.

[illegible] NOT ON[illegible]

[illegible] their stills, which he described as "unspeakably filthy." As the men themselves, who, he said, "are human in form only," he has found every phase of their activity to be loathsome and pitiless.

"They are," he said, "murderous mobs and they know they must live by the law of the tooth and fang. When robbed and betrayed they invoke their own tribunal of death without a qualm. They have no recourse to any other. And yet, in print and out, glamour is thrown over these thugs by description of them as 'beer barons,' 'crime kings,' 'alky kings,' and 'leaders in the alky aristocracy.' Knowing what I do, this affects me with physical nausea."

Bad Effect on Immigrants.

It does indeed, for as the district attorney was speaking his countenance betrayed the physical disgust of a man revolted by a bad smell.

"The effect," he continued, "of this flashy terminology upon the untutored immigrant newly arrived upon these shores is often deplorable. If he is gullible he accepts the words 'baron' and 'king' and 'aristocracy' at their face value, with the result that rum runners, murderers, and purchasers of murder take a place in his mind as brilliant emblems of success in the new land.

"The most conspicuous and powerful criminals in gangdom are not bold





"Get out!"

"We know that gangs make contributions to factions of political parties. The factions must pay for these gifts.

"They pay in 'privilege' and privilege—if you want the definition in a dozen words—is *immunity to violate the law sold to organized criminals by public officials.*"

Linked Up in Politics.

"There is no place so high and no place so low that the money power of organized crime does not try to reach. From this source large sums of money which, in our great cities, run not into the hundreds of thousands but into the millions, are finding their way into politics. In many instances they are the decisive factor in crooked elections. Thus the political racketeer has made his appearance upon the American scene in a very definite manner. He delivers the votes of racketeer organizations and of organized crime in general to candidates who have made direct or indirect commitments that if elected they will be 'friendly' in office. A considerable part of the cash contributions of organized crime to political factions goes for the payment of thugs and sluggers to intimidate election officials, thus preventing an honest count of the ballot.

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[illegible] of the political underworld.

Throughout the questioning Mr. Converse, his writing hand hidden by a table, was making notes of all Capone said. The fact that his admissions were noted down was of vital importance when the case against him came to trial. For when Mr. Converse took the witness stand the court upon an objection from the defense ruled out his narrative of the woodlum's admissions on the ground that it was based on remembered and not recorded conversation. When the prosecution had established the fact that Mr. Converse could testify from notes the judge promptly reversed himself and the evidence as to the bank deposits was admitted.

At the close of Capone's preliminary examination Mr. Johnson said, "All right. That's all."

Capone, still airy: "Well, you don't have anything on me."

Mr. Johnson, dryly: "Only enough to send you to the penitentiary."

His Picture of Gangsters.

Having studied gangsters at first hand for nearly four years, and now thoroughly understanding their [illegible] crazed and altogether vicious mentality, Mr. Johnson cannot understand the disposition of sensation loving persons to look upon gangsters and gunmen as picturesque figures. From their stills, which he described as "unspeakably filthy," to the men themselves, who, he said, "are human in form only," he has found every phase of their activity to be loathsome and pitiless.

"They are," he said, "murderous mobs and they know they must live by the law of the tooth and fang. When robbed and betrayed they invoke their own tribunal of death without a qualm. They have no recourse to any other. And yet, in print and out, glamour is thrown over these thugs by description of them as 'beer barons,' 'crime kings,' 'alky kings, and 'leaders in the alky aristocracy. Knowing what I do, this affects me with physical nausea."

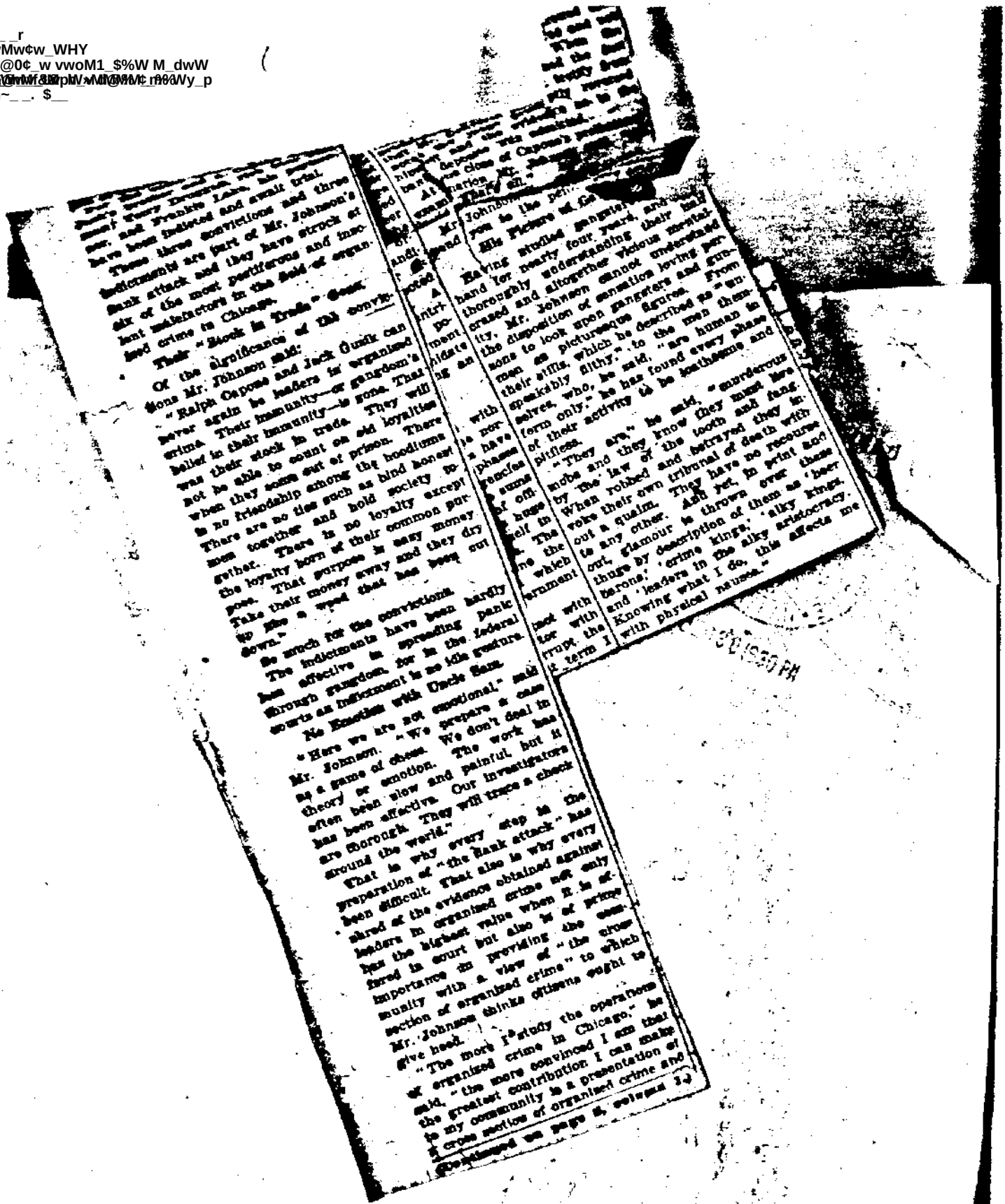
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"The most conspicuous and powerful criminals in gangdom are not bold





Gangster Slain Fleeing from Police





Patsy Steffanelli (left), gangster who fled with two others when police attempted to question them, and Policeman James Doherty, who fatally wounded Steffanelli. [TRIBUNE Photo.]

rick Collins of the Fillmore street station. The second robber escaped.

Policeman Slak, off duty and in civilian clothes, was sitting in his automobile at 26th street and Keeler avenue when Carman and his companion stepped up and commanded "Hands up!" Slak drew a revolver and fired four times. The two youths separated and fled.

Slak followed Carman. Meanwhile Policeman Harry Miller of the Lawndale station joined in the chase and seized Carman as he collapsed from his wounds in a grocery at 25th street and Kildare avenue. Two of the bullets fired by Slak had pierced his back. Carman was taken to the Bridewell hospital. He refused to name his accomplice.

No. Shore Voters Approve Bonds for Sanitary District

MISSOURI MOB STORMS JAIL FOR A NEGRO RAPIST

St. Joseph, Mo., Dec. 21 (Sunday).—(AP)—A mob of 150 men and women early today stormed the Buchanan county jail, where Raymond Gunn, 30, Negro, confessed rapist and slayer of Miss Velma Colter, 19, Maryville teacher, was held for safe keeping.

The mob tried in vain to enter the jail through the courthouse, an adjoining structure. The crowd also went to the sheriff's residence, which has a passage to the jail, but found the door barred.

Every policeman and fireman in the city was called to the jail. When the mob refused to disperse Sheriff John Roach ordered four war tanks of the National Guard to protect the prisoner.

Texas Police Chief Shot to Death with Own Gun

Uvalde, Tex., Dec. 20.—(AP)—John Connor, 45, chief of police, was shot to death with his own revolver in a

SURVIVOR TELLS HOW SEA, FIRE, COLD KILLED 37

Rescued Victims of Ship Crash Reach Port.

BY JOHN AHL-NEILSON.

[Chicago Tribune Press Service.]

COPENHAGEN, Denmark, Dec. 20.—At a late hour tonight, with the Cattegat still shrouded in a heavy fog, hope was virtually abandoned for the 37 persons still missing as a result of the sinking of the steamer Oberon 24 hours earlier after being rammed amidships by the Arcturus off Laso island. Accounts from survivors revealed the victims died by drowning, fire and exposure. Some were trapped in their cabins, some sucked down by the wreck, others burned by flaming oil, and yet others died from cold.

At 9:30 this evening the damaged Arcturus crept into harbor here with her flag at half staff. On board were several survivors of the disaster, and in one of her lifeboats, covered with the Finnish flag, the bodies of five victims.

Brother Captains Silent.

The skippers of the two vessels are brothers, but neither Capt. Erik Hjelt, who was picked up as he swam away from the wreck, nor Capt. Oast Hjelt would discuss the tragedy. When the Arcturus docked it was seen that she had a huge hole just aft her stem but above the waterline.

One of the women survivors, however, Miss Vera Hartman of Helsingfors, was willing to be interviewed.

"At about 10:30 o'clock last night," she said, "the other passengers having gone to bed, I decided to take a stroll on deck before turning in myself. I was one of the eleven passengers occupying third class staterooms. Ten are now dead.

"I had just reached the door to the stateroom to get for my stroll when I met another woman passenger who had just entered. Suddenly there was a terrific shock. I immediately ran on deck, but the other woman called me back. Heeding her call, I went to her, but when I made an attempt to grasp her she fell and the stateroom door slammed on her hand owing to the violent list of the ship.

Sees Boats Capsize.

"Then suddenly I saw the form of a mighty white vessel looming in the fog. I saw men running and women calling for help. So I jumped overboard and swam away from the ship. While swimming I saw two lifeboats capsize as they hit the water.

"I was finally rescued by the Arc...

...British secretary of the American ... saints of Stockholm, and myself."

"The Arcturus [illegible] ... searching for survivors, contin... Miss Hartman. "but found only ... bodies of two Finnish sailors. Two ... the dead we have on board succumb... dips to exposure in the lay ... a Danish ship, Oaro, arrived ... found the body of Capt. Erik Hje... 4 year old daughter. She was pla... in the lifeboat with the other de... Capt. Hjelt's wife is among the m... hap."

She Is Blazing Oil.

The earliest eye witness account ... the wreck was provided by four F... nish sailors who were the first s... vivors to be brought back here by t... steamer Hengist. They had jump... into the sea as the Oberon sank a... were swimming away from the s... tion it was causing when they ma... aged to find an empty lifeboat, a... rowed away.

"When the water reached the shi... boiler room," said one of the m... "the boilers exploded and ignited ... that had escaped from the ship. Th... who were trapped below must ha... died in the blazing water."

Daily deliveries to practically all parts of Chicago and suburbs. Place orders early.

S

The Store of

"Birds"

White Bea...

Freshly Dressed,

Toms, Weighing ...

So fine were our turkeys ... single order. White Bea... because they have had ne... ing. The "cream" of fine ... and dark meat, drumstic... inspected 3 times before i... Bear Farm Label, your as... make your Christmas Din...

Prices on Turkeys, Duc...

Nevada Ducks 4½ to ... lbs.

Scientifically raised to g... finest eating quality. Plu... cious flavor. Freshly dre... picked.

Tegar Sugar-Cu...

Many like to serve bake... and a slice of cold tur...

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BUREAU OF INVESTIGATION DEPT. OF JUSTICE
DEC 1 1930 PM
BUREAU OF INVESTIGATION DEPT. OF JUSTICE
NATHAN
DEC 10 1930 PM

New York, N. Y. Nov. [illegible] 1930

Prohibition is not and cannot be the controlling factor in the present region of lawlessness.

Gambling and its agencies are one of the greatest auxiliaries of vice which spurs the Racketeer and Gangster to crime and murder.

The following account deals briefly with a $50,000,000 Nation-wide Gambling monopoly controlled and operated by Chicago Racketeers, Gangsters and so-called Muscle-men.

General News Bureau, Inc., 431 S. Dearborn St., Chicago, Ill. lease Telegraph, Telephone and "Printers" or Automatic-typewriting tape machine "wires" from the Chicago office of the American Telephone and Telegraph Co. (Mr. H. H. Caster) with a Nation-wide hook-up which enables the General News Bureau, Inc., to quote fluctuating betting odds from all Race-Tracks to Bookmakers and Gamblers in every City and Town throughout the United States and Canada. The New York City office's of the General News Bureau, Inc. is located at 5042 Grand Central Depot, 42nd Street, Telephone Murray-Hill 6335; Mr. P. J. Burns is Manager.

NOTE: - Consult the Telephone directory of any City or large Town for a listing of General News Bureau, Inc. whose business consists of selling Race-Track quotations to Bookmakers and Gamblers furnished by their specialized crews of employees operating from every Race Track holding a meeting. The greatest of the "Betting Commissioners" throughout this Country and Canada are on private "Non-listed" gambling telegraph wires operated by expert telegraphers. These non-listed wires with their "drops" are coded in numbers as follows: 175; 374; 347; 359 and 360 at the American Telephone and Telegraph Company's offices. A "drop" is equivalent to an office.

The General News Bureau, Inc. and its agencies are striving desperately to secure a membership in either the Associated Press, United Press or the International News Service, thereby gaining a recognition which would enable them to manipulate "within the law". The General News Bureau, inc. deals exclusively in "Race Track Service". This Race Track service disseminates betting odds, reports the progress of races and announces the results and pay-off prices to Bookmakers and Gamblers.

General News Bureau, Inc. desiring to gain absolute control of this huge gambling monopoly have completed arrangements to take over control of the following competitive companies: The Empire News Company, - National News Company, - The American Continent News Service, - Daily Running Horse and the Daily Racing Form, all of whom dealt exclusively in "Race Track Service".

The following shake-down tactics were used by this Chicago-mob of Racketeers on a New York City outfit, - During March, 1930, - the General News Bureau, Inc. operating from 431 Dearborn Street, Chicago, Ill. through [illegible] New York City offices, located at 5042 Grand Central Depot notified the then "Walmin Press, Inc. 361 W. 36th St., New York City, that they would have to declare the General News Bureau, Inc. in with their racket, which consisted of printing "Racing run-down-sheets". Threatened in event of refusal to be "Broken" and after certain acts of intimidations, Walmin Press, Inc. agreed to this Chicago-mobs terms. The General News Bureau, Inc. immediately set about to realize on their "shake". April, 1930, a month later, Walmin Press, Inc. had been forced to change their operating business name to read "Min-Haf Distributing Corporation and Bookmakers and Gamblers throughout the United States and Canada were notified that effective immediately all (small) Racing run-down-sheets would be increased in price from $6.00 ot $8.00 or a 25% increase monthly, the (larger) Racing run-down-sheets to be increased proportionately.

These vital essentials (Racing run-down-sheets) without which Bookmakers and Ganbling on horse racing would be all but impossible are released through the United States mails daily with an estimated output of 25,000 copies to Cities and Towns throughout the United States and Canada. Printing plants similar to the Min-Haf Distributing Corporation located at 361 W 36th St, New York City have been strategically established in Cities in the United States and Canada to insure a daily nation-wide circulation. These plants are located in Chicago, Cincinnati, Toronto, New Orleans, Miami and Los Angeles.

32-1594-7
RECORDED & INDEXED
DEC 9 1930
DEC 93 1930 A

The following incidents are a few of the notorious episodes perpetuated by members of the Gambling fraternity:

June 9th, 1930, Alfred J. Lingle, known as "Jake" Lingle the unofficial Chief of Police of Chicago and a racketeering reporter on a Chicago daily paper was shot and killed for double-crossing Chicago Racketeers on gambling privileges. "Jake"Lingle was the business agent or "go-between" for Police Commissioner William Russell and Deputy Commissioner John Stege, the man whose influence was sufficient to prevent the Police from annoying the Bookmakers and Gamblers buying "Race track service" from the General News Bureau, Inc. The rigid probe following "Jake" Lingle's death resulted in a public demand that Police Commissioner William Russell and Deputy Commissioner John Stege resign, which they did within a week. J. M. Regan, General Manager of the General News Bureau, Inc. was a close friend and associate of "Jake" Lingle's for years.

Arnold Rothstein, notorious gambler, was shot and killed November 4, 1928 in New York City, the case closing with so much mystery that it resulted in severe official reprimands of the Aces of the New York City Detective Bureau - Detective Sergeants - Daly, Green, Flood and Cordes - also Inspector Coughlin then in command. The late Joseph A Warren, former Police Commissioner of New York City whose sudden death not long after he left office was attributed to worry over failure to penetrate the Rothstein mystery.

Gerald E. "Jerry" Buckley, Detroit Radio Announcer was shot to death in the lobby of the La Salle Hotel, Detroit, Mich. because he dared to expose Gamblers and Racketeers.

In Kansas City, October 28, 1930 Solly Weissman was shot and killed by the Manager of the General News Bureau, Inc. for daring to question the actions of this Nation-wide huge gambling monoply controlled and directed through the General News Bureau, Inc. Chicago, Ill.

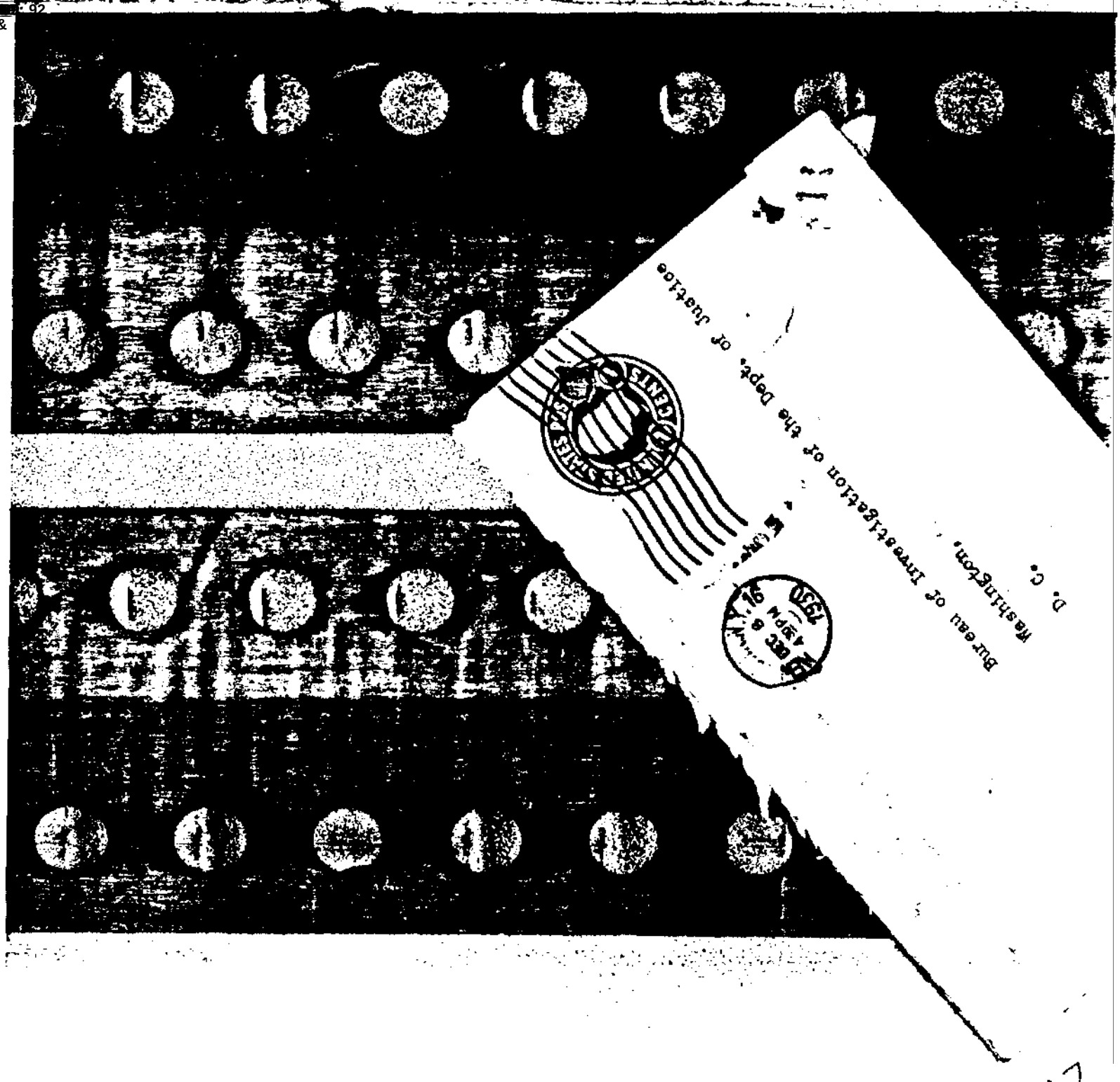
(Governor Roosevelt's ultimatum - New York Journa, August 14, 1930) Saratoga-Springs, N. Y., Aug. 14, 1930 - Gambling house operators and employees walked the streets today as City and County Officials, obeying the Governor's ultimatum, continued to clamp the lid tightly on Saratoga. Not only were the Big Lake House gaming halls in darkness but even City horse-rooms were deserted. Racing charts had been removed and "Special leased wires from the Track cut off".

(Excerpts from recent items released by the Associated Press)
Chicago, Nov. 26, (A P) James "Fur" Sammons today became the ninth of Chicago's 28 "public enemies" to be taken out of the beer, bullet and betting business. He went back to State Prison at Joliet to serve 30 years more of a murder sentence because of a ruling by Attorney General Carlstrom that he was not eligible for parole after having had his life sentence commuted.

Newark, N. J. Nov. 26 (A P) Foes pour bullets in diamond-belted New Jersey racket baron. Ritchie Boiardo, First Ward racketeer fell to the gutter in front of his home today, 16 slugs from a shotgun in his body. Police said the racketeer's activities were so numerous, including gambling, beer-running and alcohol that he may have made enemies in anyone of his enterprises. Sixteen gunmen, gamblers and gangsters have been killed in and near Newark in the last two and a half years.

NOTE: - 25,000 copies of Racing run-down-sheets distributed through the United States mails daily, vital essentials without which Bookmakers and Gambling on horse racing would be all but impossible and Telegraph, Telephone and "Printer" gambling wires, aiding and abetting vice, crime and murder. Are the Postal and Interstate Commerce Commission authorities aware of the dominating acts of unscrupulous politicians and criminals.

Attention is called to the peculiar vicious character of this Race track service which constantly attempts to destroy the influence of the various "Vice and Crime Committees". Present racketeering and ganster troubles cannot cease, until the Federal, State and Municipal Governments deal effectively with the cause of them, one of the greatest of "which causes" is the activities of the General News Bureau, Inc. and its Agencies which controls a Nation-wide gambling monopoly.


Bureau of Investigation of the Dept. of Justice
Washington,
D. C.

CHICAGO DAILY NEWS

Mon., Mar. 2, 1931.

'ENFORCE LAW AS U. S. DOES,' SAYS M'GOORTY

Judge Swears March Grand Jury, Cites Government's Activity.

State and city departments of law enforcement might well take a page from the experience of the federal government, Chief Justice John P. McGoorty of the Criminal court declared today in swearing the March grand jury.

"The successful prosecution and conviction by federal authorities lists of notorious gangsters hitherto considered immune," said the judge, referring to the difficulties of "Scarface Al" Capone and others of his gang, "illustrates the possibilities awaiting urgent and effective methods of law enforcement.

"The federal government in Chicago is a shining example of how impotent the forces of evil are when the mighty arm of the law is properly directed."

Although Chicago has suffered more by publicity than its crime situation, as compared to that of other cities, warrants, organised viciousness is a continuing challenge, the judge declared.

Like other cities, we suffer from the effects of unwise sumptuary legislation as well as misgovernment," he said in his charge to the grand jurors. "Although national in scope, the solution of our problems depends largely on the temper and will of the people of the various localities."

Happily, there is another aspect of Chicago that overshadows the crime situation, said Judge McGoorty.

"Even more impressive than our wonderful skyline, there stands our universities, our libraries, our 1,600 churches, and other bulwarks of our education and culture," he declared.

Mar 6 1931

INDEXED

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118

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS.

March 20, 1931.

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

32-15941

Dear Sir:

There is attached hereto, as of possible interest, a clipping taken from the Chicago Daily News, Chicago, Illinois, and one from the Chicago American, Chicago, Illinois, both under date of March 19, 1931, relative to the Attorney General's remarks concerning the concentration of Federal investigative agencies in Chicago, Illinois.

Very truly yours,

W. A. McSWAIN,
Special Agent in Charge.

WAM:MG
enc

MAR 24 '31

RECORDED & INDEXED 32-15941-8

MAR 23

FEDERAL ATTACK ON GANGS HERE IS PUSHED HARD

Chicago Daily News 3/19/33

Mitchell Bares "Stiffening Up" of Forces in Chicago Area.

Washington, D. C., March 18.—(F)—Continuation without a letup in the federal war against Chicago gangsters was made known today by Attorney-General Mitchell.

The government's forces have been "stiffened all along the line" in the Chicago district, Mitchell said. Some months ago he disclosed a concentration there of federal agents and today he said this force had not been diminished or the pressure relaxed.

"We are using all the men we think can possibly be useful," the attorney-general said. "I noticed that we got a line in on Al Capone the other day."

Sun-tanned from his recent Florida vacation, Mitchell said all government departments were co-operating in the work in Chicago. Federal activity has been co-ordinated there by a justice department agent acting under the United States attorney.

The attorney-general named particularly agents from the bureau of internal revenue of the treasury department, at work upon gangster income-tax returns, men from the bureau of investigation of the justice department, charged with looking into the entire list of federal law violations, and agents from the narcotic and immigration bureaus.

The attorney-general said work also was being done by federal agents in New York, but added there had not been the concentration there that Chicago had experienced.

U. S. CONTINUES FIGHT ON GANGS

Chi. American 3/19/33

WASHINGTON, March 18.—(By International News Service.)—Continued pressure is being exerted against Chicago's gangsters by the federal government, Attorney General Mitchell said today.

A large number of agents of the bureau of investigation and of the narcotic and prohibition bureaus have been concentrated there for several months making every effort to determine if the gangsters have violated the income tax, interstate motor theft, Mann act, prohibition, narcotic act and other federal laws. Mitchell is expected to prepare figures on the result of the drive.

Similar work is being done in New York City but in a lesser degree. The bureau of investigation maintains a substantial force there at all times, but Mitchell did not indicate whether it would be reenforced.

Conditions in New York are somewhat different in character from the crime situation in Chicago, it was explained. In New York most of the criminal cases cannot be touched by federal law, but must be handled by state and municipal authorities.

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DEPT. OF JUSTICE
DIVISION ONE
JUL 14 1932 PM

NEWSPAPER CLIPPINGS

From

THE EVENING STAR

July 13, 1932

CAPONE AIDE TO DIE

KALISZ, Poland, July 13 (AP).—Joseph Pacholek, said to have been a member of Scarface Al Capone's gang in Chicago, was sentenced to death here today upon his conviction on charges of murder and banditry.

He came back to Poland from Chicago several months ago. Two accomplices in the crimes of which he was convicted were sentenced to life imprisonment at hard labor.

CHICAGO, July 13 (AP).—Capt. John Stege recalled today that a hoodlum named Joseph Pacholek was arrested with Ralph Capone in Colosimo's restaurant here several years ago. He was carrying pistols.

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CAPONE'S AIDE UP AGAINST IT

CHICAGO, July 3.—Teddy Newberry, left by Al Capone in charge of the North Side regions of Chicago gangdom while Al is serving 11 years in the Federal prison, may not be able to gratify his ambition to become a butter and egg man, it was learned here today.

His ambitions may be thwarted by none other than his friends. They want to take care of Teddy.

They planned today to effect his release from jail, to which more or less familiar habitat he was taken Saturday when he stepped out of a plane at the municipal airport into the crowd that was awaiting the arrival of Governor Roosevelt.

Among those who took action in the case were Judge James J. Keily, of the Superior Court, who telephoned the detective bureau either to release the former North Side gangster or book him, and "Boss" John McLaughlin, once questioned in the Lingle slaying case, who called on detective headquarters and demanded Ted's release.

* NEWSPAPER CLIPPING

* WASHINGTON - HERALD

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NEW YORK TIMES, SUNDAY, APRIL

HEAD OF CHICAGO'S "SECRET SIX" TELLS OF THE WAR UPON GANGS

All the Arts of the Spy, Says Randolph, Are Used in the Effort to Trap and Convict the Criminals of the City's Underworld

Chicago is still working to stamp out its underworld gangs. Recently George E. Q. Johnson, United States District Attorney, told a Senate subcommittee of the difficulties encountered in convicting Al Capone and some of the other leaders. In the following article the founder and head of the famous "Secret Six" explains how that organization of citizens operates in aiding the authorities.

By ROBERT ISHAM RANDOLPH.

CHICAGO.

THE "Secret Six" sounds like a romantic fiction, but it is the newspaper pseudonym for the Citizens' Committee for the Prevention and Punishment of Crime, a special committee of the Chicago Association of Commerce, organized in February, 1930, during my first term as president of that body. I appointed the committee with the authority of the executive committee of the association, and because I refused to tell the newspaper men the names of the members of the committee one journalistic genius dubbed it "the Secret Six."

He served us better than he knew, because, quite unconsciously, he had given us the weapon of the psychology of fear and the rats of the underworld began to scurry because they didn't know where this mysterious ferret was going to strike. The fear persists today, and because some of the biggest and the fattest rats have been trapped in the last two years the fear has grown and many of the rats have squealed and betrayed their brothers. It all came about in this way:

Under the corrosive influence of the most corrupt and degenerate municipal administration that ever cursed a city a politico-criminal alliance had been formed between civil administration and the gun-governed underworld for the exploitation of the citizen, and the "syndicate" control was spread to cover all of Cook County. The "syndicate" had brains and guns. The civil administration lacked brains and courage. So the "syndicate" became the invisible government and levied its toll on life and property, on all business, and all classes of society.

Activities of the "Syndicate."

The law of the land was the law of the gun, and there was no appeal from its edicts. The "syndicate" control was so complete that speakeasies were not solicited for business, but had their assessment of beer and booze delivered to them whether they wanted it or not, and even had to take "syndicate" pretzels and potato chips and use the "syndicate" linen service. "Syndicate" strong-arm men took over labor unions, particularly in the service industries, and the citizen paid the "syndicate" price for much that he ate and drank and even for the crease in his trousers.

The citizen was not much concerned when rival bootleggers killed each other, even when they were shot down in batches of seven, as they were on St. Valentine's Day in 1929. The citizen did not often get caught in the cross-fire, and it was no affair of his. He liked his booze with a kick in it and he didn't care whether it came from Bermuda or Canada or a bath tub in Maxwell Street as long as it looked, tasted and acted like booze.

We are a complacent people and this condition might have continued without much protest if the invisible government had not become complacent itself. Success made it contemptuous and organized crime made the mistake of attacking organized business. A contractor's superintendent was shot. The contractor belonged to the Association of Commerce. He wanted to know what he paid dues for and what we were going to do about it. The answer was a conference between the executive committee of the association and the State's Attorney. The question was what might be done to stop crimes of violence in Chicago.

The State's Attorney had a constructive suggestion. "I have a staff of investigators," he said, "whose duty it is to dig up evidence for

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Blank & Stoller Photo.

Robert Isham Randolph, Who Leads Chicago's Crime Fight.

criminal prosecutions, but they are paid on a public roll which contains their names and addresses. The underworld knows who they are, where they live, and what their job is. Under such circumstances it is very difficult and dangerous for those men to get the kind of evidence we need to secure convictions in criminal cases. If you want to be helpful I suggest that you organize a real secret service, in which the operatives are not known to any one but the director, perhaps not even known to one another. If you can supply these men with money enough to run with the wolf pack and buy information from the jackals who trail the pack you can get the kind of evidence we need to secure convictions. With that kind of evidence and with money enough to protect witnesses any of the Assistant State's Attorneys on my staff can secure convictions, and without it the best lawyer in the city can't."

We undertook the job, and the first problem was one of ways and means, men and money. Some of the conferees were not sold on the plan.

"I don't think things are bad enough yet," said one of them. "Every time we have a gang killing we have the collateral benefit of getting rid of an undesirable citizen or two. I think we ought to wait until they kill one of us."

I suggested that the alternative did not make a very strong appeal to me because I happened to be standing out in front, and he said he was not offering himself as a sacrifice either. The success of the plan was finally assured when one of our most influential and public-spirited citizens said: "I think things are bad enough and I have very special means for knowing how bad they are. I think you are proceeding along the right lines. I haven't time to stay here and talk about it, but you may put me down for 10 per cent of the amount you want to raise."

With that kind of leadership we soon underwrote a five-year program and began immediately to organize the service under the directorship of Alexander Jamie, who had been chief special agent of the Department of Justice for this district. The department cooperated generously by giving him a leave of absence for this purpose and we were fortunate in securing him because of his ability, integrity and long experience in this kind of work. His best recommendation came from the underworld, which never speaks of him without its most vehement and most opprobrious epithets.

Plan of Organization.

Our plan of organization was the one suggested by the State's Attorney and we have never sought to usurp any of the functions of the legally constituted authorities. We have only furnished them with an extra weapon and we have had the finest kind of cooperation from the police and the prosecutors, State and national.

We use the services of the Scientific Crime Detection Laboratory of Northwestern University. These aids are the comparison microscope for identifying fatal bullets from test bullets for use in forensic ballistics; the violet ray for revealing secret writing and identifying acid and blood stains; photographic processes for revealing forgeries and aiding handwriting experts; moulage, or the art of making plastic molds for the reproduction of objects, perishable or otherwise, which it may be necessary to keep in the original form for purposes of evidence; microscopic examinations of various kinds; and chemical and bacteriological analyses, to say nothing of the lie detector, that uncanny machine that trips up the most accomplished liar.

Methods Used by Detectives.

All of these are extremely valuable aids, and they supplement the work of trained detectives in making objective deductions. There are some detectives whose experience and intuitions operating subjectively produce amazing results, but the Sherlock Holmes of fiction is very largely a fiction and the best detectives today are those who have the most and the best sources of information. Because this is a fact we resort to all sorts of devious and extra-legal methods of securing information. Dictaphones, telephones, deception, simulation, all the arts and artifices of the spy are freely used. We are forced to fight fire with fire.

But our best sources of information are underworld sources. The most fallacious fiction I know is that

"there is honor among thieves." There isn't any such quality in the fraternity. There is fear which seals lips, but there is nothing akin to loyalty in it. The criminals are all first cousins of Judah and there is not one of them who would not sell his own brother for a price if he thought he could do it without detection.

"Thirty pieces of silver" was the price of the Crucifixion. The current market price of betrayal ranges between a "C" note ($100) or a Grand ($1,000). We buy this kind of information at the market and pay for it C. O. D. Sometimes we buy bad information, but we never buy a gold brick from the same man twice. If they want to continue to do business with us the information must prove up under our investigation. It usually does.

Help Given to Authorities.

In spite of the fact that Al Capone made public acknowledgment when he was convicted that the Secret Six had licked him, we do not claim the credit for the long series of convictions of public enemies accomplished by the State's Attorney and the United States District Attorney. We have been helpful in apprehending criminals, in developing evidence, in the protection of witnesses and in doing many things for the prosecutors which they were not able to do for themselves, and they have been kind enough to make public acknowledgment of the value and effectiveness of the service.

We are not required to account for the money we spend except to a small auditing committee whose personnel changes monthly. This committee destroys all money records every month after it has given its certificate that it has examined the accounts. The purpose of this is obvious. The continued existence of the records might jeopardize many of the agents and operatives of the committee.

Many of the ringleaders of the "syndicate" are now in jail, but the biggest step in breaking up the politico-criminal alliance that had become the invisible government was taken in the municipal election a year ago when the thieves were turned out of the temple and a new administration pledged to good government was elected by an overwhelming majority. The Secret Six doesn't claim the credit for this, but the Association of Commerce had a lot to do with it, and the same citizen group has been sitting with the new administration as counsellors in the reorganization of the municipal government.

Praise for Mayor Cermak.

We could not have picked a man better qualified than Anton J. Cermak by training, experience and natural capabilities to reorganize the city government and bring order out of chaos. The first appointment he made as Mayor was that of Colonel A. A. Sprague to the post of Commissioner of Public Works. Colonel Sprague is a leading citizen of Chicago, a wholesale grocer, a director of banks and railroads, a man of courage, ability and integrity. He had served the city well in the same office under Mayor Dever, and there was no one better qualified for the post, which he accepted at great personal sacrifice. At the time of his appointment he was chairman of the Citizens' Committee for the Prevention and Punishment of Crime.

For Corporation Counsel, the Mayor appointed Francis X. Busch, a leading member of the bar and a lawyer of ability and integrity, who had held the post under the Dever Administration.

The Mayor also appointed a Civil Service Commission of outstanding ability and integrity and it has been busy weeding out the scum in the police and other city departments which had come to the top through bribery and corruption under the previous administration. To the post of City Sealer, who is the inspector of weights and measures, he appointed a merchant whose principal business is selling bottling supplies to the citizen who prefers wholesome home-brew to bad Capone beer.

Selection of Police Heads.

As Commissioner of Police, Mayor Cermak chose an officer selected by the Citizens' Advisory Committee without regard to politics or other influence. In fact, the Mayor had never seen or spoken to Captain James P. Allman before he sent for him on the recommendation of the committee, and he made the appointment without any strings to it. Captain Allman is a police officer with thirty-one years' experience. He is extremely intelligent, is honest and courageous, and is admirably qualified for the difficult task of rebuilding a demoralized police department. For Chief of Detectives, the Mayor appointed Captain William Shoemaker, who knows the ways of the denizens of the underworld and handles them without gloves.

It has been well said that we get the kind of government we are entitled to, but we don't get good government unless we demand it. We have made the demand in Chicago and we are getting delivery on demand. We are not reformers. We don't expect to make a spotless town out of a metropolis, but we do not propose to be exploited longer by a lot of rats who would not come out of their gutters except for the greed that brings them out en masse to get the easy money that the prohibition laws have tempted them with. The fattest of them have been trapped, but there is still a lean and hungry horde of others and we will have to continue to fight them until the profit is taken out of beer and booze.

GANGDOM WAR FOR THRONE OF CAPONE SEEN IN KILLINGS

Two Gangsters Slain in Regular Chicago Style in Outbreak.

By United Press.

CHICAGO, Oct. 12.—The guns of Gangdom blazed anew and Chicago assumed again today the appearance it had back in those sensational times before the government stepped in and dragged "Scarface Al" Capone to the bar of justice.

One gangster was riddled by machine gun fire. Another was fished from the river, his skull crushed and sprinkled with lead. A grape merchant was murdered in a mysterious manner.

This was Chicago's record for the twenty-odd hours before "Scarface Al," stripped of his friends and perhaps of his power, sneaked back today into the federal court where he is on trial.

In the background of the news of the day stalked a sinister figure, that of Frank (Madman) McErlane, the fugitive gunman whom the police call crazy and whom they accuse, among other things, of slaughtering his wife and her two pet dogs while on a drinking spree more prolonged even than the one which reached its climax when he stood on a street corner and blazed away with shotguns at imaginary enemies who popped out of gin bottles.

Like Old Days.

To police veterans who have survived the bloody street and alley wars which began years ago with the murder of Dion O'Banion in his flower shop, today's murders and today's trial seemed, somehow, to be related.

Capone, who was credited with organizing all the gangs into one band, has been on trial a week, spending all his time in court, unable personally to prevent the ever present underworld civil skirmishes from becoming wars. The possibility of his being west away has been emblazoned every day in every Chicago paper. The gangs are fighting.

It sounded just like one of the reports back in the Torrio-O'Banion-Capone - Genna - Aiello - Lombardo days when police recorded officially last night the finding of George Wilson's body in the heart of what once was known as "the Valley," a near-West side section noted as the old time training ground for gunmen.

Wilson, who was 33, formerly was a policeman. He had been arrested frequently since his dismissal from the force in 1923. Three girls found his body in the street. He had been shot eight times, once in the head, once in the neck, and six times in the body. The regular spacing of the wounds marked the slaying as an old time machine gun shooting. Police theorized that Wilson was caught in a war of the gangs for the power which the papers indicated Capone might be losing.

Enemy of McErlane.

The slaying of James L. Quigley was perhaps even more sensational. Quigley was better known than Wilson. He had been accused of several murders. He was known as an enemy of "Madman" McErlane.

Quigley's body was fished from the river. He had been shot in the head and body. Detectives figured he had been in the water since just about the time the "Madman" disappeared. They advanced a theory that McErlane got drunk, killed Quigley, then shot down his wife and her dogs and left their bodies in his limousine.

The third slaying was that of Anthony Ialongo, 40, a grape merchant who was lured from his home and shot down across the state line in Indiana. Ialongo was in business on the South side—the end of town McErlane claimed.

Mystery shrouded the slaying of Ialongo. Police were not sure it was a gang killing, but they pointed out it looked like one. And they knew the gangs were fighting again. Bodies were in the morgue to prove it.

Witnesses Picture Luxury in Mansion Capone Maintained

By United Press.

FEDERAL BUILDING, CHICAGO, Oct. 12.—The $12,500 [illegible]

Turn to Page 2, Column 5.

Al Capone's garage, [illegible] Street and other [illegible] Palm Island, Fla., mansion, [illegible] $30 shirts in his bureau drawers [illegible] checked off by witnesses [illegible] gang leader's income tax [illegible] trial in federal district court today. Jean Reeves, [illegible] bookkeeper for the Jack Surik Fur [illegible] company, Chicago, [illegible] Capone bought most of his furs, stood alongside Judge [illegible] Wilkerson's bench, poring over [illegible] ledger and identifying entries [illegible] Capone purchases.

The glimpse into drawing room and music room followed previous views in the Capone kitchen and over the estate presented by [illegible] bosses called by the government to show that Capone lived in luxury although he never paid income tax.

He is specifically charged with evading $215,000 tax on a $1,000,000 income of $1,038,854.

Fleet of Costly Cars.

Next came a glimpse into the Capone garage, where a fleet of costly automobiles was kept. D. Gurtler, Chicago auto dealer, testified to selling Capone specially built McFarland cars, one of which cost $12,580.

Then haberdashery salesmen told how Capone bought custom made shirts at from $12 to $30 each and collars that cost $2 each. He ordered a dozen shirts at a clip and paid cash for them.

Peter Arl and Earl Corbett, [illegible] haberdashery salesmen, told of one typical visit of Capone to the store with three friends. Capone bought twenty-eight ties at $4 and $5 each and twenty-eight handkerchiefs at $3 each for himself, and half a dozen similar ties and handkerchiefs for his three men.

P. H. Mincer, rug salesman, told of selling Chinese rugs to Capone and delivering them to his Prairie avenue address.

Bills for the purchase of furs were made out to Parke Henderson, former manager of the Ponce de Leon hotel at Miami and Capone's Florida purchasing agent, but Miss Reeves said her books showed that Capone paid them himself.

Jack Gurik Signs Check.

One payment of $1,500 was made by three checks. The next three payments were in checks made out by Jack Gurik on the Equitable Bank of Chicago. One payment of $289.15 was in cash.

Capone, wearing a dark purplish tinged suit, was chewing gum vigorously as the trial resumed.

Phil D'Andrea, Capone's bodyguard-chauffeur, appeared before Judge Wilkerson on a contempt of court charge based on carrying a concealed weapon into the courtroom Saturday as a prelude to today's trial session. D'Andrea was arrested Saturday by secret service operatives as he left the federal building with Capone.

The judge postponed the hearing until tomorrow morning. D'Andrea was remanded to the custody of the marshal and taken back to the county jail where he had spent the week end. Judge Wilkerson, who Saturday afternoon declared D'Andrea's "affront to the dignity of the court so flagrant that I shall not consider bail," again refused to [illegible]

NEWSPAPER CLIPPINGS
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Chicago Examiner

NEWSPAPER CLIPPINGS

Washington Times 9/14/31

SECRET '6' AIDS 55 PROBINGS OF CRIME

Major Gang Investigations in Chicago Opened by Group That Inspired Movie Feature

CHICAGO, Sept. 14 (I.N.S.).—The "Secret Six," which suggests so much drama in crime fighting that it inspired a movie, was today pictured as a far-reaching, double-edged weapon against minions of the underworld.

Col. Robert I. Randolph, president of the Chicago Association of Commerce, issued a statement asserting the secret organization "cleared the way" for all major gang prosecutions in the last year.

55 Investigations

Besides combatting the mobsters, the group has fought all types of crime that prey on legitimate business.

Al Capone's prosecution was aided by the "Secret Six," and the committee had a hand in 50 other prosecutions or convictions.

At present it is conducting 55 separate investigations, Colonel Randolph added.

It was indicated that the "Secret Six" serves the community chiefly by digging up cases of criminality and turning them over to the proper authorities for complete investigation.

Battling All Crimes

Colonel Randolph's statement read:

"Many of those who have been following our co-operation with the Federal authorities in the prosecution of the Capone crowd seem ignorant of the fact that we are interested in combating any crime that affects business."

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The Washington Post
9-14-31

'SECRET SIX' REVEAL MASTER CRIME RING

Organization Functions In All Parts of the Country, Chicagoans Assert.

Chicago, Sept. 13 (U.P.).—The "Secret Six," mysterious sextet of Chicago millionaires banded together against crime has uncovered "amazing" underworld ramifications during the last year, Col. Robert Isham Randolph revealed tonight.

Col. Randolph, fighting president of the Association of Commerce, is the only member of the "secret six" whose identity is known.

"The secret service force of our committee," said he, "has found that practically all of the crimes against business are being conducted by nationally organized gangs. In one recent case involving a bucket shop specializing in grain market operations, we traced the dealings of the culprits in nineteen States. In our work with the banks it has been shown conclusively that 25 per cent of the daylight robberies about the United States, particularly those of the scare-head variety, involving shootings and large thefts, are being conducted by one country-wide body of supercriminals.

"This gang is said to include as many as 148 killers, located all over the Nation, and for a long time was directed by Fred (Killer) Burke, recently sentenced to life imprisonment in Michigan."

Col. Randolph disclosed that the "Secret Six" has cleared the way for prosecution of 51 criminal groups, including the cases against Gangsters Al Capone, Ralph Capone and Mops Volpe.

The colonel said his cohorts had 21 other investigations now in progress, one including 170 defendants, at a stage assuring their early transfer to the prosecutors, and that 84 newer attacks on crime rings are progressing sufficiently to make eventual victory in the courts seem almost certain.

"In one instance," added Col. Randolph, "an underworld figure in Chicago was found to have balked justice by getting 32 continuances between last December and July. Investigation of his status by the "Secret Six" was followed by his immediate conviction to Joliet Penitentiary.

"Many of those who have been following our cooperation with the Federal authorities in the prosecution of the Capone crowd seem ignorant of the fact that we are interested in combatting any crime that affects business. So far we have been successful in matching wits with forgers, robbers, business and labor racketeers, hi-jackers, pay roll bandits, kidnapers, promoters of fake charities, short-weight merchants and a score of other criminal specialists.

"Although we have kept our activities as quiet as possible, we do feel that in digging up evidence, by protecting witnesses and by letting the underworld know that it has a nonpolitical foe to contend with, we have aided materially in driving out of Chicago many undesirables."

NEWSPAPER CLIPPING

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128

GEORGE W. WICKERSHAM, CHAIRMAN
HENRY W. ANDERSON
NEWTON D. BAKER
ADA L. COMSTOCK
WILLIAM I. GRUBB
WILLIAM S. KENYON
MONTE M. LEMANN
FRANK J. LOESCH
KENNETH MACKINTOSH
PAUL J. McCORMICK
ROSCOE POUND

W. F. BARRY, SECRETARY

NATIONAL COMMISSION ON LAW OBSERVANCE AND ENFORCEMENT
[redacted]
ROOM 801, 1734 NEW YORK AVENUE
WASHINGTON, D. C.

RECEIVED

CLAIR WILCOX
DIRECTOR OF RESEARCH

July 15, 1931

JUL 16 1931 A.M.

Mr. J. Edgar Hoover,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

62-15941

Dear Mr. Hoover:

I enclose a letter from [redacted] b7D
of Auburn, Washington, which is self-explanatory, for such attention as you deem proper to give to it.

I am

Very truly yours,

W. F. Barry

Secretary.

Encl.
WFB-am

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BUREAU OF INVESTIGATION
JUL 16 1931 M.
DEPARTMENT OF JUSTICE
Div. Three | FILE

JUL 23 1931

129

Auburn, Wash.
July 7, 1981.

Federal Crime Commission
Washington D. C.

Dear Sirs:—

I hardly know who to write to but I feel that the men behind the Crime Investigating Committee ought to know that Bug Moran and four others of the worst Chicago Racketeers are in Seattle, having transfered their headquarters to Seattle lately.

A few days ago a young girl worker in Seattle confided to me that a racketeer and bootlegger [redacted] had approached her, seeing she like beer etc. and wanted to use her as a decoy and offered to marry her. She was intrested and led him on and he told her lots of things abo

b7C

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130

b7C

the racketeering business. This [redacted]
makes his head quarters at Snoqualm
and has protection from the Sheriff
of King Co. He told her the Federals are
the only ones they had to fear as the
Sheriff and police always work
with them. These five gangsters
call themselves the Big Five and
are organizing in a systematic
way right now to work Seattle
like Chicago and other cities are
being worked.

This girl has no idea I am writing
and that I would tell, but I am
an American born citizen and
an ordained minister of the gospel
and I feel its my duty to work
against crime in every way I can.

Yours Truly. b7D

P.S. b7C [redacted] is the head
of a large Bootlegging
Ring in Seattle.

b7D [redacted] Auburn Wash

131

Miss Addams Gives View On Chicago Gang Disorders

Nobel Prize Winner, Convalescing After Operation At Hopkins, Traces Social And Political Development Of Racketeering

"It is a peculiar thing about Chicago that we have no Tammany; that is good, but it also is one of the causes of our gang warfare," said Jane Addams yesterday.

Seated in the drawing room of Mrs. Edwin S. Niver's home on Warrenton road, where she is convalescing from an operation undergone several weeks ago at the Johns Hopkins Hospital, Miss Addams had been discussing geographical variations in social problems.

Dipping into the fund of experience gathered in the forty-two years since she founded Hull-House, a settlement house in what then was the heart of Chicago's Italian colony, the social worker and cowinner of the 1931 Nobel peace prize, expressed her views on Chicago's reputation for crime.

Struggle Of Factions

In the first place, she said, Chicago's gang wars are a product of the factional struggle to control—and, hence, to increase their profits from—organized vice: Bootlegging, drug-peddling, gambling, prostitution. Miss Addams emphasized that the four went hand in hand and that these fights for vice monopolies had been going on before prohibition and in other cities as well as in Chicago.

Prohibition, she said, merely made the profits bigger, the goal more enticing and the struggle, in consequence, more intense. It also brought in its wake, she said, wholesale racketeering in other fields than those of vice, the increased corruption of government made possible by bootlegging profits enabling racketeers to terrorize merchants, laborers and small manufacturers with impunity.

Quotes From Book

Miss Addams referred to a passage in her Second Twenty Years at Hull House, which says:

"It is big money that makes Chicago gang wars so murderous. The city holds the key to the rich trade of the West and Northwest in whisky, wine, gin and beer, exactly as it does in wheat, hogs, furniture and more staple commodities. Certain Chicago citizens point out almost with pride that if other cities have escaped the bootleg wars it is because they are less strategically located than Chicago in the scheme of liquor distribution."

"Organized vice," Miss Addams continued, "is dependent upon police protection, upon governmental corruption. There was no 'machine' worthy of the name in Chicago. Had there been a Tammany, a smooth-running political machine, things would have gone smoothly, vice would have flourished, but gang wars—violence—would have been rare.

Set Up Own Territories

"Gangs would have had territories apportioned to them and in those territories they would have had vice monopolies protected by the police. As it was, they set up such territories for themselves, but then gangs began invading each other's territory and gang wars resulted.

"Under Mayor Thompson for two terms many of our police were in the position described by the Irish as 'on the run.' The gangs had things on the police, and the police were helpless to the point even to having to take sides in the gang wars at times."

Miss Addams said it was too early to pass judgment on the administration of Mayor Cermak.

She did say, however, that "it would be unfair even to compare him with Thompson" and that "Cermak made a good president of the Board of County Commissioners, being especially interested in the humanitarian aspects of county administration."

Sees "Grounds For Hope"

"The very fact that he is a Democrat and Thompson was a Republican is some grounds for hope; his election meant, at least, that we got rid of the old crowd," Miss Addams continued.

Again referring to her Second Twenty Years at Hull House, she said:

"Slowly through the years one is forced to recognize that the increase of crime is connected with the general state of political corruption throughout the community as a whole, for 'no social institution can escape from the community which gives it birth and which either promotes or retards its operation'."

Feared Tax Losses

To illustrate, she told how efforts to restrict vice in the roadhouses around Chicago were impeded by the reluctance of the little municipalities in which the resorts are located to have their tax revenues from these places reduced. Illustrating another phase, she said:

"I think there is no doubt that the older boys in our neighborhood who are openly 'bold and bad' are almost always secure in the conviction that if one of them should get caught he will not be severely dealt with, that local politicians to whom he and his family are attached will take care of him. And the surprising thing is that they usually do take care of him."

Telling how from her Hull House vantage point she had watched [illegible] spring up in lofts and private homes taking the place of the corner saloon, the settlement-house [illegible] further pressure on [illegible]

Pressure On Patrolman

"The development of political corruption in connection with the manufacture and sale of liquor," she said, "followed a direction the reverse of that of the industrial change from factory to decentralized small-scale production. The pressure formerly brought to bear on Washington and upon State capitals has now been transferred to the simplest unit of government, the patrolman on his beat."

She told how rival bootleggers found it essential to control a given producing area; how they gave the home brewers and distillers in their territories police protection and selling advantages in return for half their output, and how this process developed vicious conflicts between rival gangs of sellers, not producers. She also told how these trends led to absolute dependence on "successful corruption" of government and how the bootleggers came to "count upon immunity from the very people whose business it is to report them."

Describes Rum Running

Miss Addams described how residents of the Hull House neighborhood got used to seeing bootleggers transporting their wares openly in trucks, on which sat guards with shotguns wrapped in newspapers on their knees.

"The political protection produces great cynicism among the immigrants, who say quite openly, 'You can do anything in America if you pay for it,'" Miss Addams said.

As to its effect on boys, she said:

"Boys in bootlegging neighborhoods have many opportunities to participate and even collect hush money, or at least to help by guarding secrets as to location of bootlegging outfits. They are quite often used as outposts, and are expected to give alarm if a policeman or a hijacker appears to 'be wise' as to the location of the hidden activity."

Feels Blame Overestimated

Despite all this, Miss Addams said, she feels that prohibition's responsibility for crime has been overestimated. She maintains that the traffic in narcotics and the gambling racket were productive of as much police corruption at one time, and that an aroused public opinion checked them and checked them quickly. She believes that an aroused public opinion would function similarly in connection with the illicit sale of liquor.

"Disarmament" Needed, Too

"Whatever the final decision," she asserted, "of one thing I am quite clear: that what the prohibition situation needs, first of all, is disarmament. If this necessitates Federal control of the sale of liquor, so much the better, but whatever is necessary for the final results, the Federal agents should promptly be taught other methods than those of gunmen.

"It is their business to bring lawbreakers into court and not to punish on the spot."

R.E.V.

Baltimore Sun
Sunday, January 18, 1932

INDEXED

132

WIC:2AM
62-15941-9

RECORDED

JUL 24 1931

July 22, 1931

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PROHIBITION

There is enclosed herewith for the attention of your Bureau photostatic copy of a letter dated July 15, 1931 received from Mr. W. F. Harry, Secretary of the National Commission on Law Observance and Enforcement, together with photostatic copy of a letter addressed to the Federal Crime Commission by [redacted] b7D Auburn, Washington, dated July 7, 1931, relative to a complaint that "Bugs" Moran and four other of the Chicago racketeers are in Seattle, Washington, and that one [redacted] is the head of a large bootlegging ring in Seattle. b7C

Very truly yours,
For the Director,

Assistant Director.

Incl. #758419

BUREAU FILES DIVISION
MAILED
JUL 22 1931
P.M.
DEPT. OF JUSTICE

133

C O

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS

SEP 26 1932 P.M.

September 21st, 1932.

Director,
United States Bureau of Investigation,
Washington, D.C.

32-15941

Dear Sir:

This is to advise that Mr.GORDON L. HOSTETTER, Director of the Employees Association, Chicago, Illinois, has been in contact with United States Attorney Dwight H.Green, and this office, for the purpose of having the Federal Government initiate some activity against business racketeers in this city.

This matter was formally presented to U.S.Attorney Green recently, who called me into the conference. Thereafter I had a general discussion with Mr.Hostetter, at which time he agreed to submit his complaint in writing, in order that the matter could be forwarded to the Bureau for appropriate decision.

To date I have heard nothing from Mr.Hostetter, and I assume therefore that he has taken the matter up directly with Washington. At any rate I observe from the morning paper that he is now in the city of Washington, and recently delivered a speech there, concerning the cost of crime to the business people of this city.

During my conference with Mr.Hostetter he was unable to furnish any information whatever of a specific nature, but generalized along the lines that the criminal element was securing control of many of the labor unions in this city, principally the Cleaners and Dyers Union, the Teamsters Union, and the Electrical Workers Union. Through the operation of these Unions Mr.Hostetter feels that interstate commerce is being restrained and interfered with.

COPY DESTROYED
252 AUG 15 1966

RECORDED & INDEXED
SEP 28 1932

32-15941-10
BUREAU OF INVESTIGATION
SEP 26 1932 A.M.
DEPARTMENT OF JUSTICE
DIRECTOR
FILE

134

Of course the matter in question is in line with previous activity on the part of various people to have the Federal Government enter the local racketeering situation in this city. I gave Mr.Hostetter no encouragement whatever, although I did advise him that if he would provide me with detailed specific data concerning this matter, together with information to indicate an interstate angle, I would be pleased to transmit the matter to you for such action as you deemed appropriate in the premises.

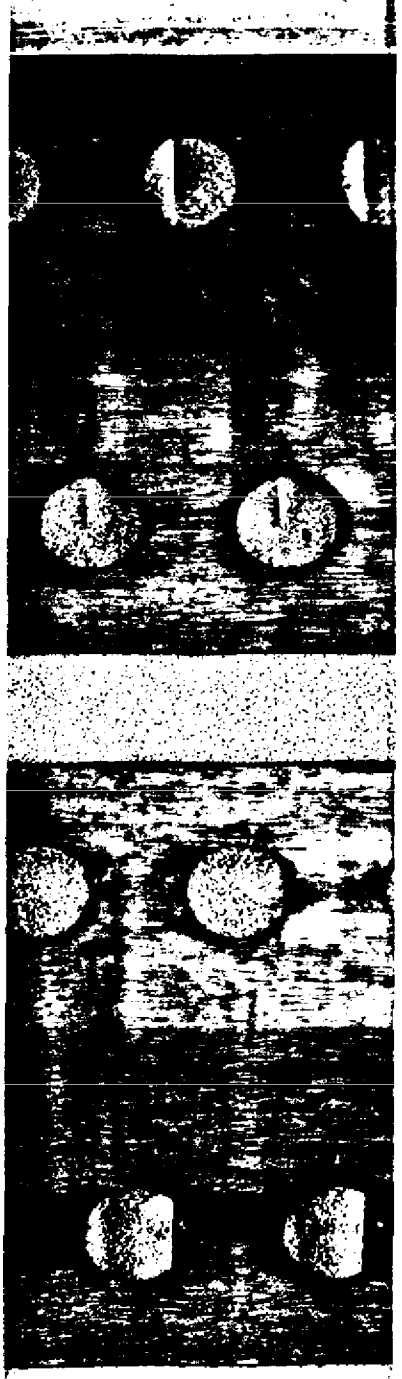
Very truly yours,

W. A. McSWAIN

Special Agent in Charge.

WAM:JMS

135



April 23. 1933

Chicago. Ill.

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

BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
RECEIVED ONE
APR 25 1933 PM

It is may as valuable to you interest.
four of chinese man. [redacted] b7c
Albert Young Owner of 411. SO.Clark.St.another two name
[redacted]. it is most criminal chinese man
of this conutry they collect revenue from each chinese
gamble hous amount abuot $25. per week that is total abuot
$500. weekly. they never pay any cent of government tax. and
you can findthat out. he chinese book they are showing
how much revenue collect from each chinese gamble hous
they had charge murder some of chinese man in chicago
about three year a go. they oweing he attorney mome
money yet. collect revenue from chinese gamble hous
that money payment he attorney is one hundard dollar
week. you can find them record of criminal court of
chicago. Ill. and also some one have no right stay in
this conutry shuld be investigator and deport them
back to china. this is confidentlly the God Thrth
and I wish justice take this a matter up at onec.

You very truly b7D
[redacted]

P. S.
If any infromation you wish you can ask of filipino they
work for [redacted] b7c chinese capone gangster of chicago.
Ill.

32-15941-11
BUREAU OF INVESTIGATION

RECORDED
&
INDEXED

APR 24 1933 A.M.

ask; letter to Immigration & Catching Revenue Evasion
4-24-33

MAY 2 - 1933

Div. One Div. Four FILE

JLR:EB
32-19941-11

RECORDED

MAY 1 1933

April 29, 1933.

Commissioner General of Immigration,
Department of Labor,
Washington, D. C.

Dear Sir:

There is transmitted herewith a copy of a letter dated April 23, 1933, directed to this office by [redacted], Chicago, Illinois, stating that certain persons are in this country in violation of the Immigration Laws. b7D

This matter is being referred to you for whatever attention you deem appropriate, and the writers of the enclosed letter have been so advised.

Very truly yours,

Enc. #332358.

Director.

APR 29 1933

137

FILE:
32-1941-11

RECORDED

MAY 2 - 1933

April 29, 1933.

67D

[redacted]
Chicago, Illinois.

Dear Sir:

Receipt is acknowledged of the letter dated April 23, 1933, signed by you and [redacted] 67D regarding activities of four Chinese [redacted].

You are advised that this matter would not seem to come within the jurisdiction of this Bureau and copies of your communication have been referred to the Commissioner General of Immigration and to the Intelligence Unit of the Internal Revenue Bureau, for appropriate attention.

Very truly yours,

Director.

Letter returned not called for

BUREAU FILES DIVISION
MAILED
APR 29 1933

138

JLR:EB
32-15941-11

RECORDED

MAY 2 - 1933

April 29, 1933.

Mr. Elmer L. Irey,
Chief, Intelligence Unit,
Bureau of Internal Revenue,
Treasury Department,
Washington, D. C.

Dear Sir:

There is transmitted herewith a copy of a letter dated April 29, 1933, received in this office from [redacted] Chicago, Illinois, in which it is alleged that certain named individuals have violated the Income Tax Laws. b7D

This matter is being referred to you for appropriate attention and the writers thereof have been so advised.

Very truly yours,

Director.

Enc. #332359.

LAW DIVISION
MAILED
APR 29 1933
P.M.
DEPT. OF JUSTICE

139

Washington, D. C.

May 4, 1933.

RECORDED 32-15941-12

MAY 6

Mr. Fred Ludwick,
Sheriff,
Smethport, Pennsylvania.

Dear Sir:

It is noted that you recently forwarded fingerprints to the United States Bureau of Investigation for the purpose of obtaining criminal records thereon. I am greatly pleased to receive such prints and am taking the liberty of forwarding to you, under separate cover, a copy of this Bureau's pamphlet entitled "How To Take Fingerprints", which I hope will be of assistance to you in making records of such persons under arrest in your jurisdiction as you may deem necessary or desirable. I am also forwarding, under separate cover, two hundred fingerprint cards, fifty self-addressed franked envelopes and twenty-five disposition sheets which are for your use. The Bureau prefers that these forms be used if convenient and practicable to you. A copy of each fingerprint card should be mailed to this Bureau at once for identification. The disposition sheets should be mailed periodically to report dispositions in cases wherein fingerprints have been forwarded to the United States Bureau of Investigation. It is suggested that disposition sheets, when completed, be mailed with fingerprints in the 8 x 8 franked envelopes provided for that purpose.

The fingerprint files of the United States Bureau of Investigation are operated under the authority of an Act of Congress for the purpose of maintaining a central clearing house of data pertaining to criminals and furnishing free service to any legally constituted law enforcement official in the United States and foreign countries. Within thirty-six hours of the receipt of a fingerprint record a report thereon is in the mails. This cooperation will be extended to you gladly and I trust that you will make liberal use of the facilities of the Bureau. I shall be very glad to forward additional supplies whenever you desire them.

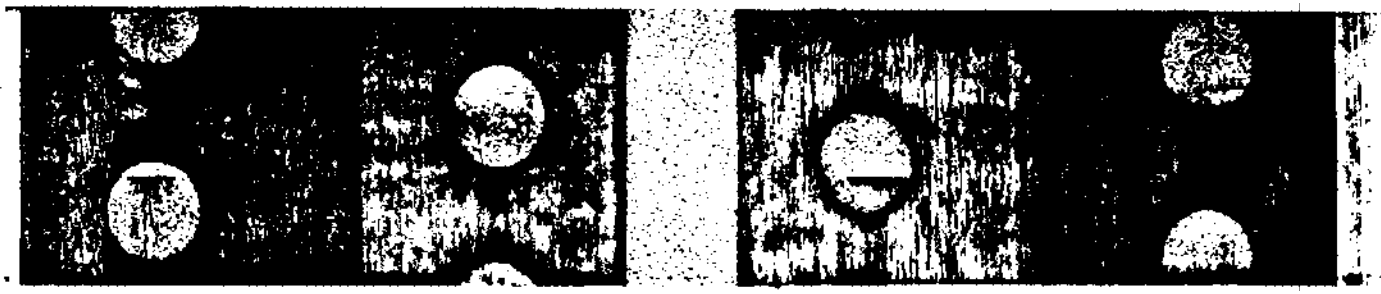
Very truly yours,

Director.

BUREAU FILES DIVISION MAILED MAY 4 1933 DEPT. OF JUSTICE

cc-Bureau Office, Pittsburgh, Pa.

16 140



TREASURY DEPARTMENT

OFFICE OF
COMMISSIONER OF INTERNAL REVENUE

ADDRESS REPLY TO
COMMISSIONER OF INTERNAL REVENUE
AND REFER TO SI-GB-VSA

WASHINGTON

BUREAU OF INVESTIGATION DEPT. OF JUSTICE DIVISION ONE
MAY 4 1933 AM

May 1, 1933.

32-15941-11

32-15941-12
BUREAU OF INVESTIGATION
MAY 3 1933 A.M.
DEPARTMENT OF JUSTICE
FILE

Mr. J. E. Hoover, Director,
U. S. Bureau of Investigation,
Department of Justice,
Washington, D. C.

RECORDED & INDEXED
MAY 6 - 193

Dear Sir:

Receipt is acknowledged of your letter of April 29, transmitting a copy of one, dated April 23, received from [redacted] of Chicago, Illinois. This matter will be forwarded to the Chicago Division of this Unit in order that inquiries may be made concerning the allegations contained in the letter.

Very truly yours,

Elmer L. Irey,
Chief, Intelligence Unit.

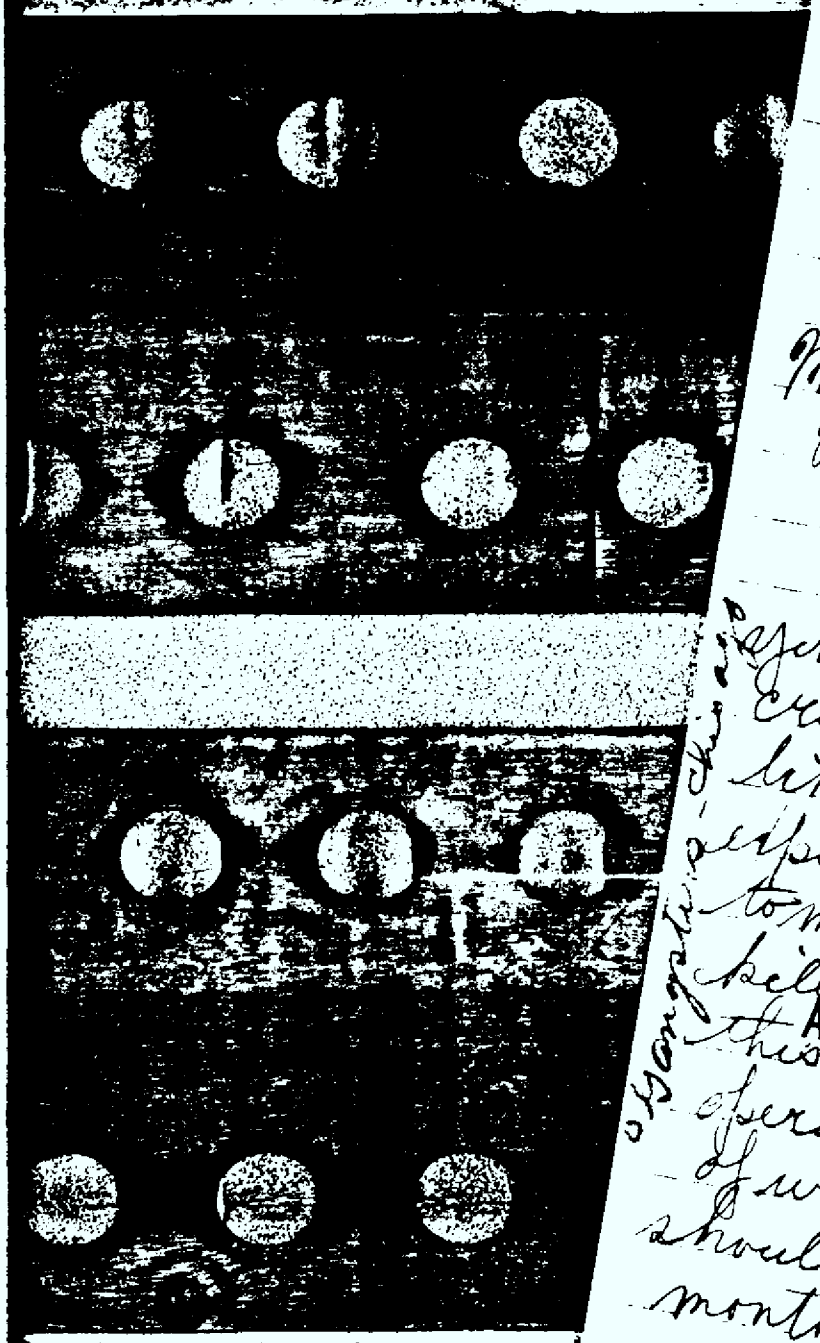
Chicago Sanatize

171

Mr. J. Edgar Hoover
Chief of the Bureau of
Investigation
Washington
D. C.

CHICAGO
JUL 30
11 PM
1933
ILL.

142

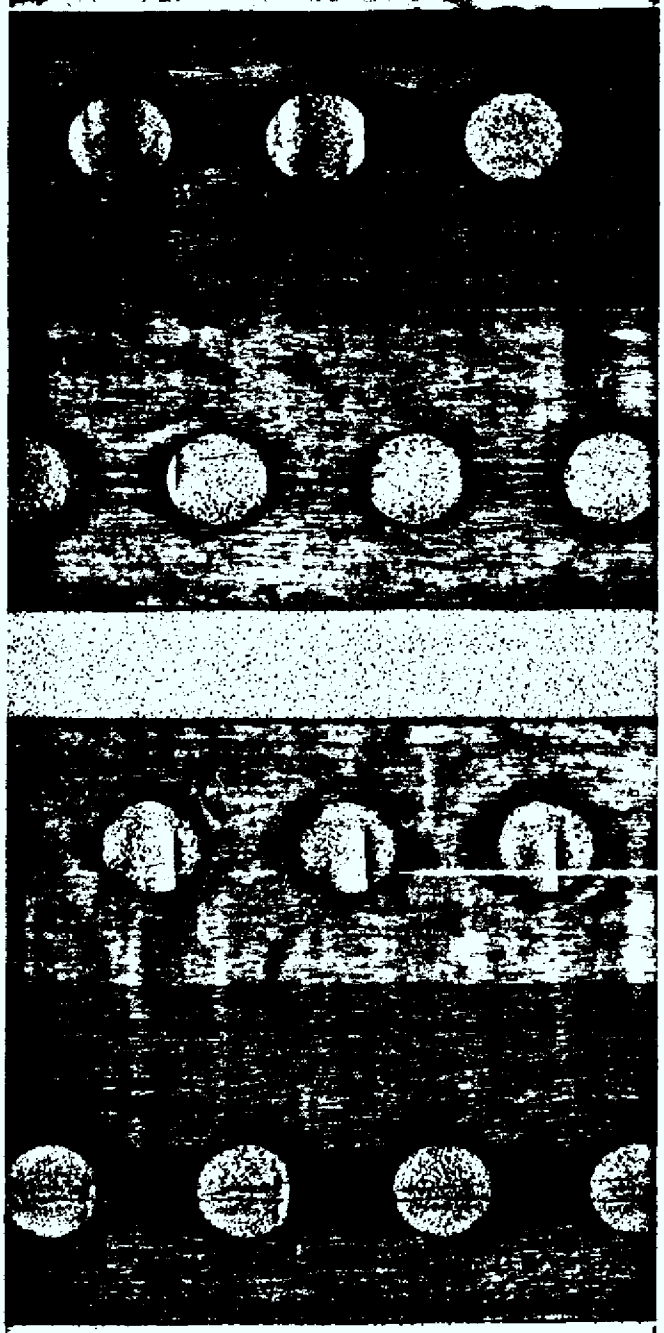


Chicago Ill.
July 30. 1933.

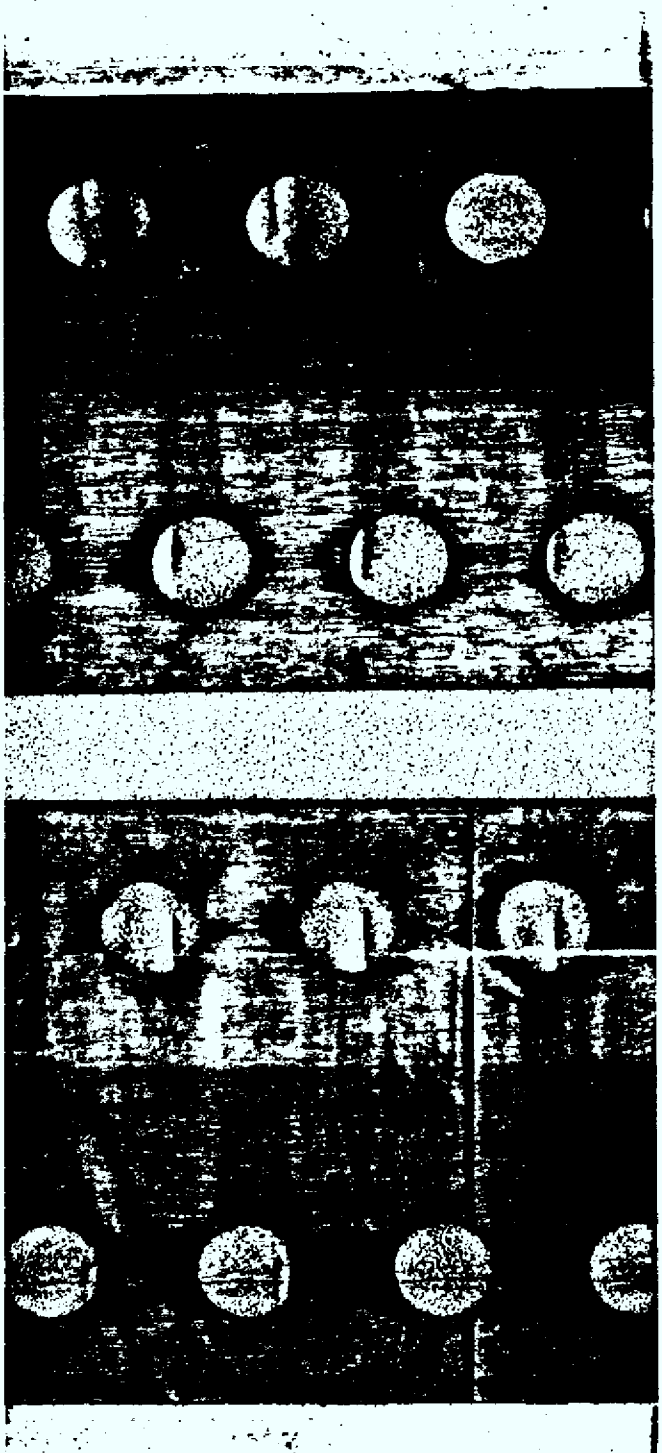
Mr. J. Edgar Hoover.
Washington. D.C.
Dear Sir.

Being that you have full authorities over crime conditions I would like to explain my sad experience that have occure to me. My husband [illegible] was killed during in March 1933 P.M. this year. He was employed as operator. He had been working for sometimes I should say about six months. There had been

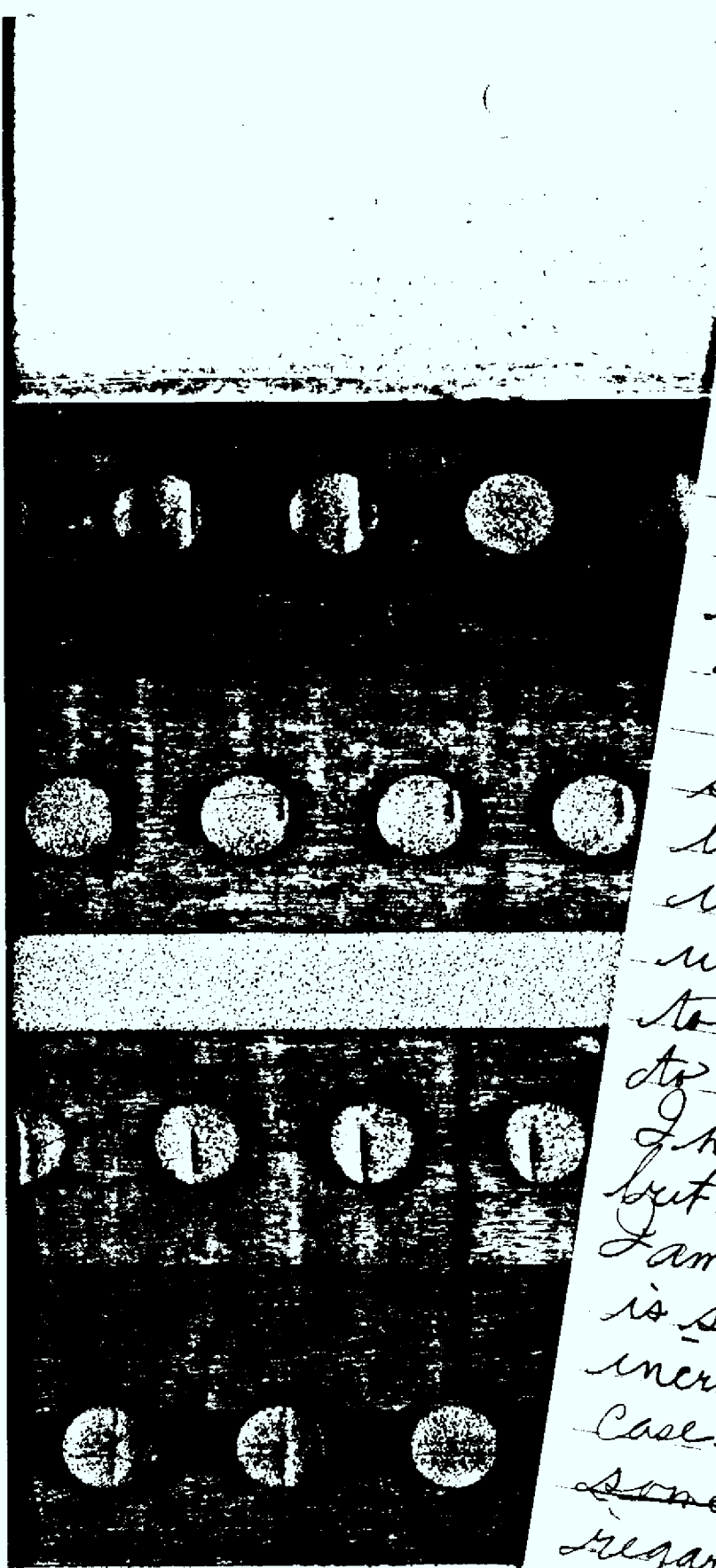
RECORDED
32-15941-13
INDEXED
AUG 5 - 1933
FBI - CHICAGO



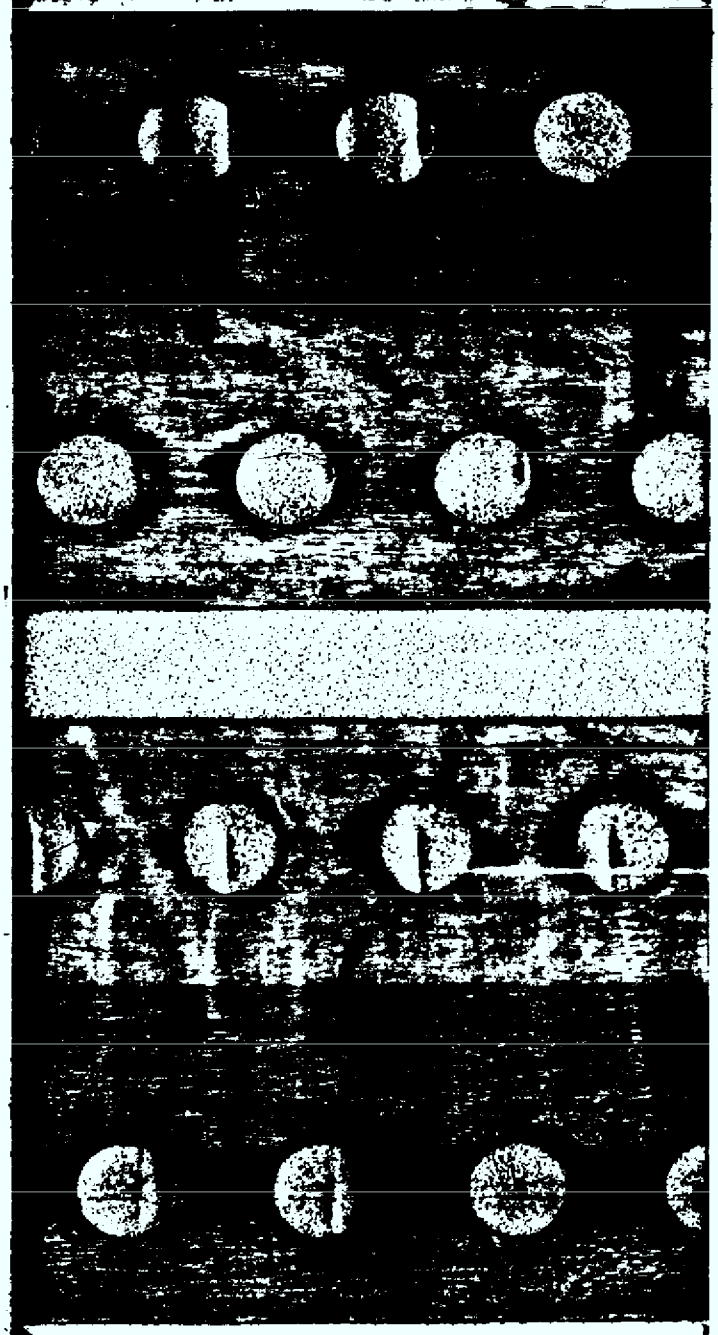
quite a bit of misunderstan
and also mismanagement o
that union. Which cause
seven members to be
expelled but which was
so on call for. In a cas
like this I would call it
selfish. So these seven
members took the case t
court to see if they could
fight it out but it seem
impossible for these boys
to get anywheres. They
have been fighting this cas
for 8 months but if they can
get a judge to listen to i
So my husband got tired
of being out of work so he
made up his mind to go up



in to the union and see if he could go back to work. He had been invited by the head of the union that is Mr. Thomas Braley to come and see him about a job to work. It had been plan for three days and on the third day he went up there to seek a job to support his family instead Mr. Ralph O'hara killed him in cold blooded. Mr O'hara is one of the offical of that union. They are are tough gang of men. Well I had a trial but it over in two days. I never



saw or heard a case of
so unfair. that Mr. O'ha
is walking the streets as a
free man.
We have no justice it
seems I do think a matte
like this should be look
into. Do think a poor
widow to be left with out of funds
to carried out her plans
to care for her small children
I have three children.
but there are two girls married
I am so glad to hear there
is somebody that is
incresting in these crime
case. If I could speak to
~~Sombon~~ somebody in
regarding to my case I would



be very glad to do so.
I to be very serious,
Yours, Respectfully
Mrs. Fred Osier
5227 Montana St.
Chicago
Illinois

RSH:BG

August 3, 1933.

32-15941-13

Mrs. Fred Oser,
5227 Montana Street,
Chicago, Illinois.

RECORDED
AUG 5 - 1933

Dear Madam:

Receipt is acknowledged of your communication of July 30, 1933, relative to crime conditions in Chicago, Illinois, and to the killing of your husband.

It does not appear from the information furnished that any Federal law is involved in the killing of your husband; however, the information furnished relative to crime conditions will be given appropriate consideration.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
AUG 3 1933
P.M.
DEPT. OF JUSTICE

148

U. S. Bureau of Investigation

Department of Justice

1900 Bankers Bldg,
Chicago, Illinois
August 9, 1933.

Director,
United States Bureau of Investigation,
Washington, D. C.

Dear Sir:-

I am enclosing herewith a list of 157 Chicago public enemies. This list was prepared by Chief of Detectives Shoemaker for the confidential information of the Mayor and the Commissioner of Police. At my request, Mr. Shoemaker furnished me with a copy of this list, after which I also requested him to furnish me with photographs of each of the persons named in this list. Some of these public enemies are now deceased, and the list has not been revised. I am taking steps to have this done, and will inform you as soon as possible.

There are attached hereto group photographs and individual police photographs of these public enemies, which were furnished me by Mr. Shoemaker. In many instances, it will be found that we will have only a group photograph and will not have a regular police picture. Mr. Shoemaker informs me that unless charges are placed against persons arrested, no individual photograph is taken, but a group, or standing photograph is taken of all persons arrested by the police.

I am forwarding these as of interest to the Bureau, and I believe it advisable that the Bureau retain a copy of each of these photographs. I also believe it advisable that a copy of each be kept in the Chicago Office, and it is requested that the Bureau make a photographic copy of each and return same to me.

Undoubtedly it will be found that the Bureau will not have fingerprints of all of the individuals mentioned in this list, and individuals, whose pictures we have. It has been my belief that the Identification Division of the Chicago Police Department has not, in the past, forwarded copies of all fingerprints taken, and if these photogfaphs cannot be identified by

COPY DESTROYED
252 AUG 15 1968

32-15941-14
AUG 11 1933
FILE

SEP 5 1933

the numbers appearing thereon, with fingerprints in our files, it is suggested that I be advised, and I will make efforts to obtain fingerprints at once.

My present plan is to index all of these names and to place each photograph is a separate envelope, together with a memorandum showing all available information relative to the individual concerned. This, of course, will take some tim, but I will have this done whenever it is possible.

Very truly yours,

M. H. Purvis

M. H. PURVIS,
Special Agent in Charge

MHP/dr
Att.

150

NON-IDENTS.
FROM LIST OF CHICAGO PUBLIC ENEMIES
FURNISHED BY CHICAGO BUREAU OFFICE

Lawrence Mangano 11.
Rocco Fannelli 15.
James Adducci 16.
Mike Boyle 20.
Leopard Bolin 21.
Ted Newberry 28.
Patrick Sullivan 30.
Leo Mongoven 34.
George Druggan 37.
James Ross 40.
Frank Schric 41.
Mike Spranzo 42.
Leroy Marshalk 46.
Robert Emmett Ryan 57.
George Vogel 60.
Ernest Romine 61.
Bernard O'[illegible] 62.
Joseph Fusco 63.
Marcus Looney 73.
Vincent McErlane 80.
Hymie Levine 82.
Sam Alex 93.
Edward Tuohey 96.
Thomas Sullivan 105.
Bert Delaney 110.
Ray Jones 112.
Sam Aiello 117.
Jack Sherman 124.
William Francis 126.
Harry Millers 127.
Louis Wiseman 128.
Michael Costello 130.
Harry Holloyle 132.
Edward Burke 140.
John Dobiase 141.
Robert DeCrazio 145.
Paul Ryan 152.
Thomas Nash 154.
John Connors 44.
William Keeney 94.
Thomas Tuohey 97.
Joseph Fisch 113.
Tony Calafiore 116.
Joseph Palumbo 155.

COPY DESTROYED
352 AUG 15 1968

32-15-94-14 151

LCS:KN(8)
62-15941-14

September 1, 1933.

RECORDED
SEP 5 - 1933

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
1900 Bankers' Building,
Chicago, Illinois.

Dear Sir:

The Division is in receipt of your letter of August 9, 1933, and desires to thank you for the list of 157 Chicago public enemies included therein.

There are attached two sheets, one reporting the names of the public enemies and their numbers which could not be identified in the Division's Identification Unit and the other sheet listing those persons where there is some question relative to their identity. It is believed that in the cases of the individuals included on both of these sheets, copies of actual fingerprints should be procured, if possible, and referred to this Division for its assistance in the establishment of positive identity and in the event no previous records are located, for the proper entry in the archives of information with reference to each person listed.

It is observed that you have requested that photographic copies of the various photographs which accompanied your letter be prepared and submitted to your office. This will be done at the earliest possible date.

Very truly yours,

Director.

Enc. #201945.

BUREAU FILE MAILED
AUG 31 1933

152

FWH:DSS

September 8, 1933.

RECORDED

MEMORANDUM FOR THE DIRECTOR.

SEP 8 - 1933

62-1594-15
DIVISION OF INVESTIGATION
SEP 8 1933
U. S. DEPARTMENT OF JUSTICE
SEE NOTATION | FILE

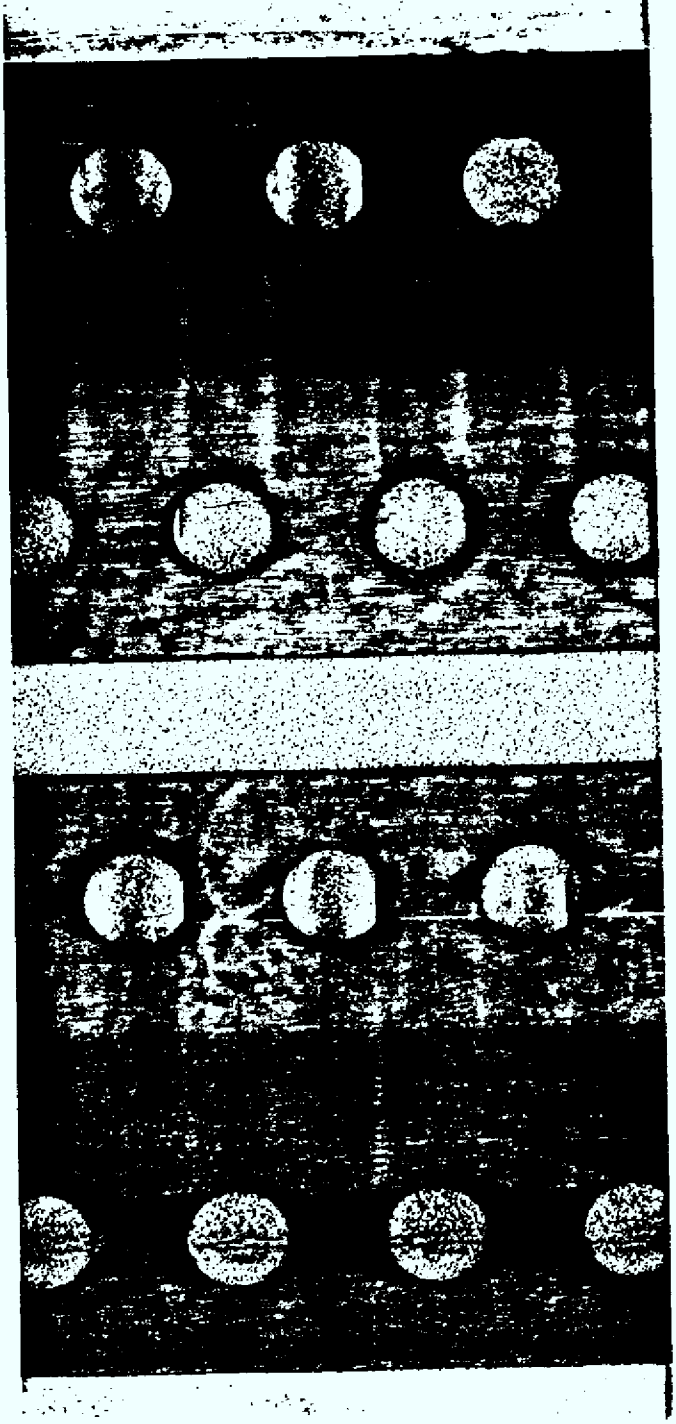
I called the Chicago office with reference to the article appearing in the Washington Star of September 5, page A-5, quoting an article in the Chicago Evening American of that date to the effect that an unnamed prisoner in the county jail had informed Federal Operators that Chicago gangsters had marked Mrs. Frank Nash for death, and furnishing certain other information. Agent in Charge Purvis stated that he knew to what prisoner this referred; that as a matter of fact the Agents had been in contact with this prisoner who had furnished this information to them. He was absolutely at sea, however, as to how the Chicago Evening American obtained the information and stated that he would make immediate inquiries in that connection. He hazarded the guess that inasmuch as this unnamed prisoner is being held on a Post Office charge and the Post Office Inspectors are interviewing him from time to time he may have furnished the Post Office Inspectors with the same information he had furnished our Agents. Purvis stated that he felt this prisoner was a source of good information, although, of course, he was not placing complete reliance upon his statements. Incidentally Agent in Charge Purvis stated that Doc Stacey had waived removal and the Marshal was planning to remove him to Kansas City when he proceeded with other prisoners to Leavenworth during this week. Purvis stated that no unusual steps had been taken to transport Stacey but that he would be along with six other prisoners with the usual detail of Deputy Marshals. Purvis inquired as to whether we thought Agents should accompany them and I told him by all means I thought he should confer with the Marshal and arrange to have very careful thought and attention given to the transportation of Stacey and that he should send along at least two Agents properly equipped at the time of the removal.

I inquired of Purvis as to the information developed relative to his check of the records of the several gangsters whose criminal records had been sent to him about two weeks ago by the Director. He stated that he had not completed his inquiries; that he had developed some information but was continuing with the investigation. I suggested that he send a night letter to the Director furnishing the information he had already received in order that the Director would have that information in the morning. He stated he would do so.

Respectfully,

Chicago Gangsters

K 153



DEPARTMENT OF JUSTICE
OFFICE OF
DIRECTOR, BUREAU OF INVESTIGATION

Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. Looke

September 11, 1933.

Mr. Keenan asked that Mr. Hoover look this over. He thought it might be of interest.

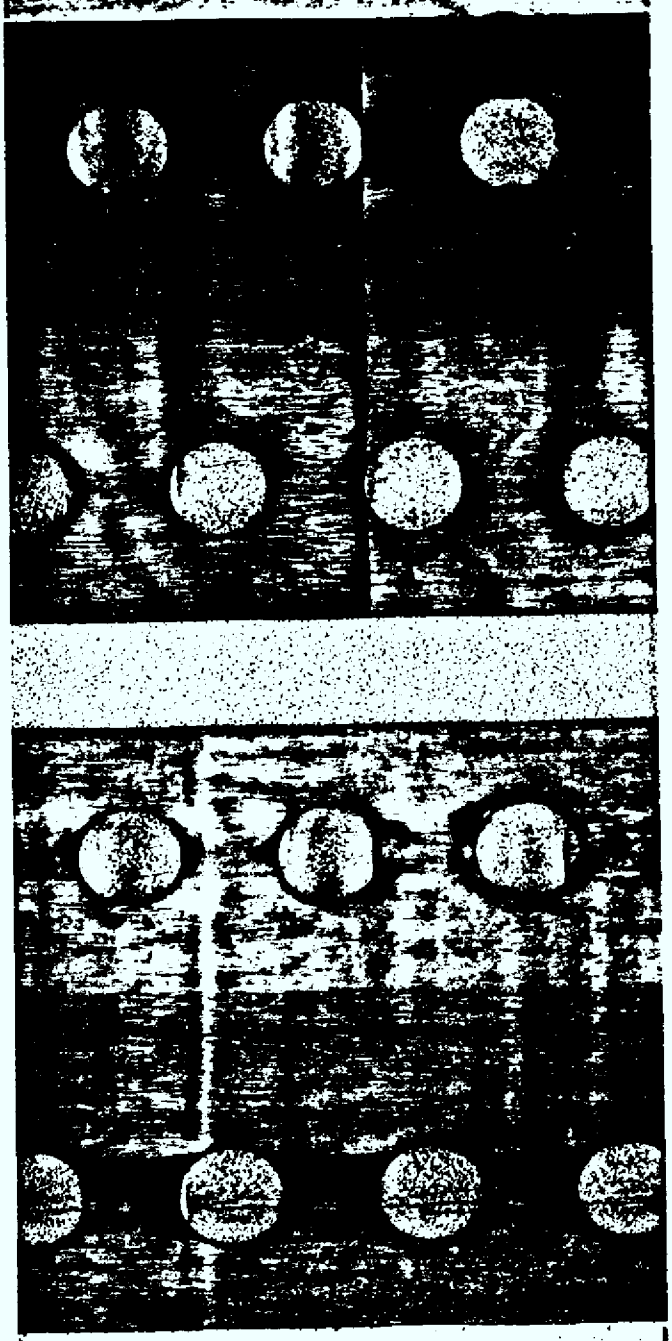
hwg

RECORDED

SEP 21 1933

32-15941-16

154



DEPARTMENT OF JUSTICE
OFFICE OF
DIRECTOR, BUREAU OF INVESTIGATION

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. Looke

September 11, 1933.

Mr. Keenan left the attached.

hwg

RECORDED

32-15941-16

SEP 20 1933

U. S. DEPARTMENT OF JUSTICE

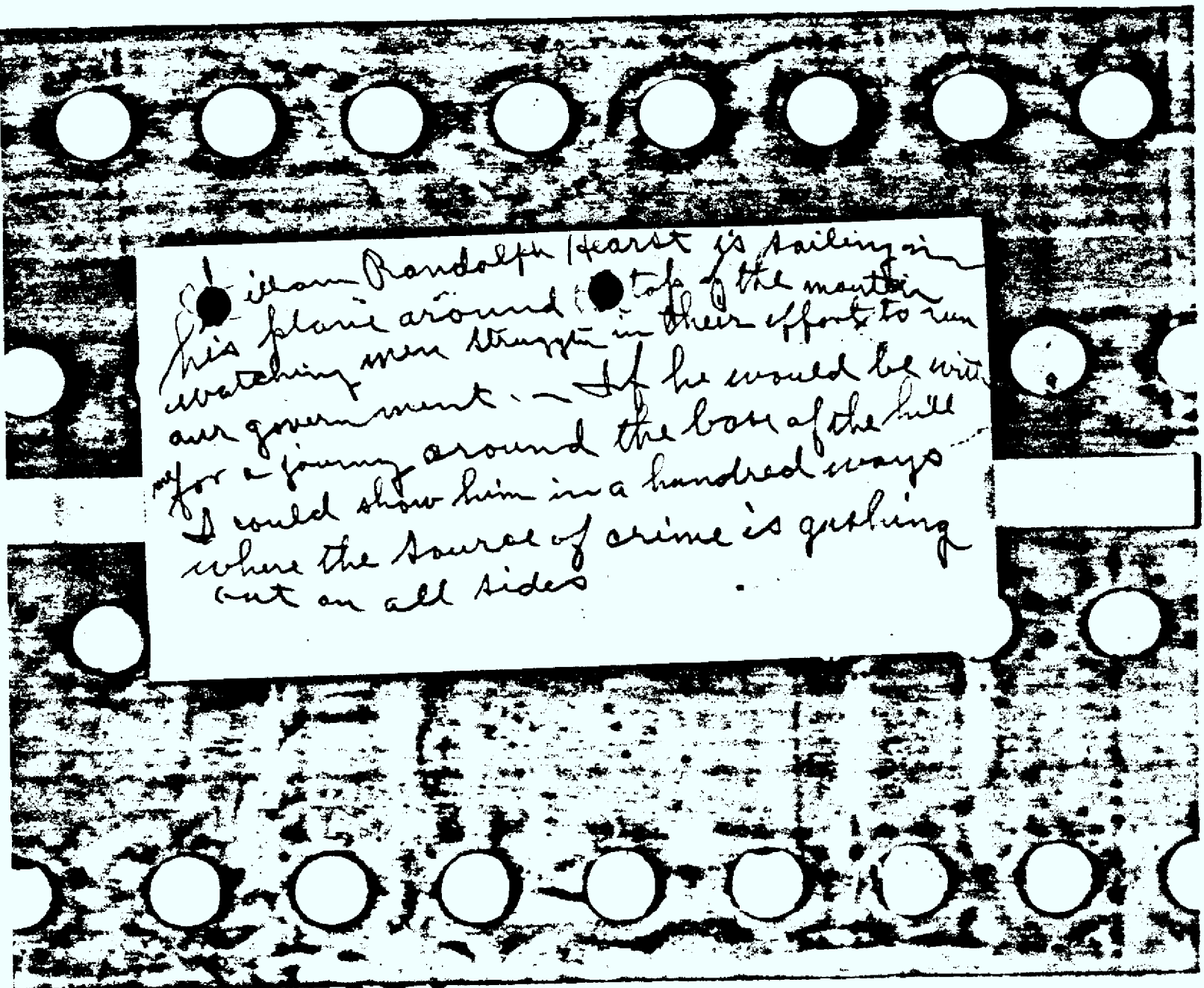
Unit One | FILE

SEP 21 1933

3 Encls.
hwg

SEP 12 1933

155


William Randolph Hearst is sailing in his plane around the top of the mountain watching men struggle in their efforts to run our government. — If he would be willing for a journey around the base of the hill I could show him in a hundred ways where the source of crime is gushing out on all sides.

The source is the most important place to work for those who are trying to stop crime. Is treason crime? A number of congress and State legislators city council and the leading spirit of the dominating political party that he control an expression of all those who can only see bribe at the head of all of his activities that is like sowing thorn and thistle that is what has been done by the exe- publican ward committee man of the 37 ward in the city of Chicago for the last quarter of a century. 32-15941-16

A work from of crime does not come from the underworld as the term is used but from the elevated who have become powerful in the house of God but they have made it "Evil Times" I am a firm believer in the bible and the Church but it also needs to be cleaned like Politics. The church where I have been a member for more than 30 years the oldest deacon in that church with some others of the most prominent member of the church and community defrauded a poor washwoman of $600 more than 15 years ago and then put her out of church because she had done some favor or legitimate business with some one who did not submit to corrupt solicitation and this has become the custom of the community so the people think they are serving God when they act in such manner In my personal case it must have been mentioned for a corruption. The leading spirit in politics saturates all branches of government. What is or should be our greatest concern is to [illegible] Evidently it was decided by the powers that be that my [illegible] should be erased at the state and through the Department of Health the names of my children were removed from the birth record. When the children were growing up to work and birth certificates were required this was necessary to obtain evidence from that source learned of this fact later on the Chicago Health Department made an effort to take my and my family by force and put us in an institution for members. Now after my many years of labor and worry to educate the children are all grown and living at home they are all good children 3 boys and one girl but by satanic still some of those prominent men hearts have succeeded in alienated the affection of wife and children by leading them to commit perjury with an effort to put me out of my home. I live in my home I lived there before I was married and then we were all known there My case should be investigated I refer to Elgin State Hospital Cook County Hospital for Commissioner Superintendent and Chicago Historical Association at Chicago Public Library

Chicago Sept 5, 1935

Mr Joseph B. Keenan, Crime administrator
Washington D.C. U.S.A.

Dear Mr Keenan: The United States Secretary of War Speaking under the auspices of the United States Flag Association made a statement saying that there is a scarlet army of crime in the United States invading the domestic tranquility of our people invading the security of our homes, and confiscating our property."

Wm Randolph Hearst published in his Chicago Herald & Examiner Sept 2 1935 a statement of four full columns in large type entitled George N Lee for this statement with the object in view it seemed that the war Secretary did not know what he was talking about and that he was not competent to fill the position that he holds.

I have been a target for criminals for the last 25 or 30 years and can testify that the situation was not over drawn and they would not even half of it told. Chicago is the point of entry for our nation as far as deterpites are concerned and its magnitude is beyond human comprehension. In fact and crime and indifference are the two outstanding words and cannot be too strongly emphasized. What prompts me to address you at this time Mr Keenan is that I have been prosecuted for righteousness sake civic righteousness and am told by the State of Illinois today. Twice elected to the United States Senate but I found out seats there an account of corruption in politics and I have taken my place at the head of the forces who have been against such corruption and I have fought my battle alone and the last move by the enemy was that I was put in an institution for insane people at Elgin. My case is important enough to be investigated by the U.S. government. From the fact that a cloud of smoke so dense that it involves nearly half a million dollar income by our mayor now in office and thousands of citizens who have their living from such sources and in

Registered Voters

OCTOBER, 1932

WARD 37

PRECINCT 17

Chicago

Issued by
BOARD OF ELECTION COMMISSIONERS
EDMUND K. JARECKI
COUNTY JUDGE
JOHN S. RUSCH
CHIEF CLERK

N CENTRAL AVE

Shank Simon
Shank Bessie Mrs
Shank David
Shank Simon L
Bright Arthur L
Wienke Frank
Wienke Miss Mrs
Fridlund V A
Fridlund Ludwig
Fridlund Lillian A Mrs
Fridlund Le Roy C
Fridlund Augusta Mrs
Blanchard Helena Mrs
Blanchard Beatrix Miss
Thomas Frederick G
Wittemann George
Wittemann Marie Mrs
Wittemann Louis
Bemmer Emma Mrs
Bemmer Ada Mrs
Bemmer Albert
Bemmer Ernest A
Rust W A
Leach Herbert C
Leach Ethel Mrs
Kerrins Maude F Miss
Moloney Mary E Mrs
Howe Thomas
Maloney Thomas
Peterson Signe Miss
Peterson Axel E
Peterson Ruth Miss
Peterson Ida Mrs
Lundin Fred
Stone Gunnar
Anderson Andrew
Anderson Clifford
Hansen David
Soderstjerna Gustav
Harmon Leonard
Harmon John
Harmon Alma Mrs
Bender William
Bender Richard

1051 Dunberg Frank
1051 Dunberg Irene Miss
1051 Dunberg Hannah Mrs
1051 Gilbert Gladys Mrs
1051 Gilbert Wm S
1053 Cassletto Theresa Mrs
1052 Cassletto Michael
1055 Smith George R
1055 Smith Grace Miss
1055 Smith Gertrude A Mrs
1055 Carlson John A
1055 Carlson Anna Mrs
1056 Johansen Hjalmar C
1056 Johansen Josephine Mrs
1056 Hack Neala Mrs
1056 Locander Ida Mrs
1056 Locander E E
1100 Lamson Phil
1100 Lamson Hazel Mrs
1100 Rieckmann Iverna Miss
1100 Riechmann Helen Miss
1100 Meyers Margaret Mrs
1100 Meyers Benjamin
1101 Oakes Ida Mrs
1101 Oakes Edward C
1101 Oakes Mildred Miss
1101 Johnson Harry
1102 Hughes Harry J
1102 Hughes Esther Mrs
1102 Allen Abram
1102 Allen Frances Mrs
1104 Richter Minnie Mrs
1104 Richter Hazel Miss
1107 Callahan Francis
1108 Halvorsen Alfred
1108 Hansen Peter
1108 Jensen Carl
1108 Carlsen Adler
1111 Knudson Clarence
1111 Knudson Richard
1111 Knudson Emma Mrs
1112 Ingram Mae Miss
1113 Ball F W
1113 Ball Norman
1113 Ball Bertha Mrs
1115 Egeberg Mildred L
1115 Egeberg Alice Miss

1003 Hellison Oscar
1003 Hellison Earl
1007 Steiner A P
1007 Steiner Rosella
1009 Bratt Elin Mrs
1009 Bratt Frank
1009 Bratt Carl
1009 Bratt Roy
1009 Bratt Ernest
1015 Wiegman Herman
1015 Wiegman Lillian
1015 Baker Jane Mrs
1015 Mahon Olive Mrs
1015 Mahon Dominic
1019 Daniels Katherine Mrs
1019 Daniels George
1021 Kamberg Charles
1021 Kamberg Theodore
1021 Kamberg Matilda Mrs
1021 Burdick Stanley
1021 Burdick Helen Mrs
1021 Johnson Edward
1021 Johnson Clara Mrs
1025 Michel Hening F
1025 Michel Elizabeth Miss
1025 Michel Katherine Mrs
1025 Michel Carl R
1025 Ostermann R
1025 Ostermann Minnie Mrs
1029 Scelzo Jessie Mrs
1029 Scelzo Oswald C
1029 Blum Otto F
1029 Wolf Emily Mrs
1029 Wolf Martin
1031 Wilkinson Charles
1031 Swanson Gustav
1031 Swanson Anna Mrs
1033 Mellquist Frank
1033 Mellquist Augusta Mrs
1033 Mellquist John H
1037 Cass Clara Mrs
1037 Cass J M
1037 Cass Clifford
1037 Keith Freeland
1037 Keith Lillian Mrs
1041 Stoeckel Albert
1041 Goss Clarence

5500 Kemp Laura T Mrs
5500 Engles Maude K Mrs
5501 Berg Roy S
5501 Berg Martin
5506 Tallman Burt
5507 Cowan Henry A
5507 English Helen Mrs
5507 English Michael
5507 English Agnes Mrs
5507 Ambrose Ralph
5507 Ambrose Agnes Mrs
5508 Falkman Theodore
5508 Falkman Esther Miss
5508 Falkman Lillian Miss
5508 Falkman Catherine Mrs
5508 Baxter Donald
5508 Baxter John
5511 Mathieu Alma Miss
5512 Kernander Helen Miss
5512 Kernander Otto W
5515 Reynolds G G
5515 Reynolds Etoda Mrs
5516 Hellgren Signe Mrs
5516 Helgren Gustav A
5517 McClintock Harold
5517 McClintock Elizabeth Mrs
5517 Wilder Hattie P Mrs
5517 Wilder Joseph H
5518 Mitchell Eleanor Mrs
5518 Mitchell Benjamin P
5518 Mitchell Edward
5521 Ringstrom Bernard B
5521 Ringstrom Tekla Miss
5521 Nicodemus Helen Mrs
5521 Nicodemus Charles
5522 Ohs Arthur
5522 Ohs Florence Mrs
5522 Nelson Swaney
5522 Nelson Ingra Mrs
5523 Schreiner Helen Mrs
5523 Manns Egbert
5523 Manns William
5526 Gray James
5526 Gray Robert
5526 Kelsey Allison
5527 Johnson Anton G
5527 Larson Anna M Mrs

5537 Barrow Blanche C Mrs
5537 Barrow Fred G
5506 Sweet Gertrude Mrs
5506 Snider Ruth Mrs
5506 Snider Milton
5506 Leigh Clara Mrs
5506 Leigh James J
5506 Carlson Nettie Mrs

CORTEZ STREET

5500 Pilgrim Grace Miss
5500 Pilgrim Gertrude Miss
5500 Janesy Barbara Miss
5501 Hankforth Walter
5501 Hankforth Helen Mrs
5501 Heckey Eldon
5506 Anderson Fred W
5506 Anderson Martha Mrs
5507 Greiss William C
5507 Greiss Edith Mrs
5507 Norris Alfred
5507 Norris Minnie Mrs
5509 Hoelzer William P
5509 Hoelzer Wm G
5510 Bragulla Joseph
5510 Bragulla Rosa Mrs
5513 McElligott Robert
5513 McElligott Olga L Mrs
5513 McElligott Mary Mrs
5513 McElligott Mary Miss
5513 McElligott William P
5516 Kaltchuck Minnie Mrs
5516 Kaltchuck William
5517 Hagemeister William
5520 Massman Dora Mrs
5520 Massman C O
5521 Nelson Alyce Miss
5521 Nelson Robert L
5521 Nelson Emil
5521 Nelson Margaret Miss
5524 Essig Elmer
5526 Wilhelm Emil
5526 Wilhelm Minnie Mrs
5526 McIntyre I E
5526 McIntyre Andrey Mrs
5527 Tufigno Anthony

1019 Jorgenson Lawrence
1019 Jorgenson Helen Miss
1019 Hays Raymond
1019 Hays Georgia Mrs
1019 Shields William R
1019 Shields Irene Mrs
1019 Casey Margaret Miss
1019 Casey Mary Miss
1019 Casey Lawrence
1019 Higgins Dan
1019 Fellers Lucas
1019 Fellers Barbara Mrs
1019 Lenz Lena Miss
1019 Lenz Rudolph Robert
1019 Lenz Barbara
1019 Lenz Harry
1019 Lenz Edward
1019 Lenz Lambert
1019 Lenz William
1019 Wiener Frank
1019 Sener Minnie Mrs
1019 Landstrom Olive Mrs
1019 Schmidt Carrie Miss
1019 Schmidt Ida M Miss
1019 Lind James H
1019 Anderson Florence Miss
1019 Anderson Emma Mrs
1019 Anderson Carl T
1019 Gusten August F
1019 Gusten Anna Mrs
1019 Andersen Ruth Miss
1019 Andersen Selma Mrs
1019 Johnson Signa Miss
1019 Johnson Amelia Mrs
1039 Ward William B
1040 Ortenzo Mary Mrs
1040 Ortego Mike
1040 Ortenzo John
1040 Ortenzo Mildred Miss
1040 Ortenzo Joseph
1042 Anticevich Anthony
1042 Anticevich Mathilda Mrs
1042 Masha Rose Miss
1042 Rathnow Helen Miss
1042 Rathnow Joseph
1042 Kase Harry
1042 Mason Jack F
1042 Mason John B
1042 Mason Mollie A Mrs
1042 Jones Walter S
1042 Jones Charles A
1042 Jones Edith L Mrs
1042 Hardman Mary Miss
1050 Just Henry
1050 Just Cora M Mrs

1116 Korman Elisabeth Mrs
1119 Arens Frances Mrs
1119 Arens Anna Mrs
1119 Arens Kenneth
1119 Arens Frank K
1120 Munton Bertha Mrs
1122 Winterton Elmer T
1122 Winterton Dorothy Mrs
1122 Greenacre James
1122 Greenacre James N
1122 Smith Jane B Mrs
1122 Smith John L
1125 Brennan James J
1125 Brennan Eugene
1125 Brennan Mary Mrs
1125 Brennan Loretta Miss
1125 Kinney Michael J
1126 Kinney Bernard
1126 Kinney Donald
1126 Kinney Mamie Mrs
1130 Ladtermann John Jr
1130 Ladtermann Anna Mrs
1130 Ladtermann John H
1135 O'Hara John
1135 O'Hara Sarah Mrs
1135 Underwood Edward
1138 Fleck August
1139 Schultz Harold F
1139 Schultz Katherine Mrs
1141 Lavery Joseph James
1141 Callahan Margaret Miss
1142 Dinella Vincent
1142 Dinella Frances Mrs
1142 Buettner Alma Mrs
1142 Buettner Henry
1142 Buettner Harry
1145 Anderson Edward W
1145 Anderson Clifford
1145 Anderson Maurice
1145 Smith Nathaniel
1146 Wallinder Olga Mrs
1146 Wallinder Carl

N PARKSIDE AVE

1001 Crews Benjamin D
1001 Crews Bertha Mrs
1001 Ball C Leo
1001 King Gladys Mrs
1001 Austwick Minnie Mrs
1001 Austwick Henry
1001 Vander Heide Henry
1003 Berntson Robert H
1003 Helmon Raymond A

1041 Leonard Maybelle Miss
1045 Lund Isabell Miss
1045 Lund Louis C
1045 Irvin Rae Mrs
1045 Irvin William
1049 Shannon Elisabeth Mrs
1051 Fitch Earl R
1059 Carlson Katharine Mrs
1059 Carlson Walter
1059 Carlson Violet Miss
1101 Moeller Maria Mrs
1101 Mahoney Madonna Miss
1103 Anderson Anna Mrs
1103 Anderson Andrew
1107 Nattson Ernest
1107 Mattson Astrid Mrs
1107 Smith Olaf M
1107 Smith Hilda Mrs
1107 Sandilands James H
1107 Sandilands Maria Mrs
1107 Sandilands James
1111 Lindblatt Charles
1117 Lambin Mabel Mrs
1117 Lambin Wilbert F
1117 Dalin Arvid W
1119 Digregorio Nicholas
1119 Digregorio Fannie Mrs
1119 Tamburo James
1119 Panknin Emil
1119 Panknin Violet Miss
1123 Larson John Louis
1127 Stenman Anna M Mrs
1127 Stenman Charles
1127 Christensen Helen Mrs
1139 Sullivan Olga Mrs
...31 Lynch Anna Mrs
1131 Lynch William
1131 Browne Carrie Mrs
1131 Browne William
1131 Browne Wilfred
1135 Carlson Nellie Mrs
1135 Carlson Charles D
1141 Osterlund Eskil
1141 Osterlund Gertrude Miss
1143 Schuchman Hilda Mrs
1143 Schuchman George A
1143 Getzler Frank E
1145 Swanson Anton
1145 Norling Arthur C
1145 Norling Ruth Mrs

HADDON AVE

5508 Kemp Mabelle B Miss

5500 Hansen Olga Mrs
5501 Hopkins Dorothy Mrs
5501 Hopkins Edward John
5501 Gould Chas Edwin
5501 Gould Edna Mrs
5502 Hansen Peter
5502 Hansen Jeppe
5502 Balfanz Arthur R
5504 Cummins Julia Miss
5504 Cummings Anne Miss
5504 Cummins Frank
5505 Coffin Bessie L Mrs
5505 Coffin Charles C
5508 Lessman Gustav W
5508 Lessman Mary A Mrs
5508 Anderson Maude J Mrs
5509 Anderson Charles M
5512 Grebel Arnold
5512 Grebel Harold
5512 Grebel Lydia Mrs
5512 Green Charles L
5512 Green Lucille Mrs
5513 Froberg Abel
5513 Samuelson Gertrude Mrs
5516 Latimer Arthur C
5517 Von Dahrowski Earl
5519 Mitchell Edna Miss
5519 Bugler Ruth M Mrs
5519 Bugler Arthur G
5519 Walsh Catherine Mrs
5519 Walsh James
5520 Jensen Samuel
5520 Jensen Carrie Mrs
5523 Bryant Alice Mrs
5523 Bryant Wilfred
5523 Bryant Charles
5523 Brynaldson Mollie Mrs
5523 Ostling Ellen Mrs
5526 Larson Earl
5526 Larson Martha Mrs
5527 Hedstrom Fredeborg Mrs
5527 Rohr Abraham
5527 Rohr Elsabeth Mrs
5527 Richart: William
5527 Richart: Sadie Mrs
5535 Grant Sadie M Miss
5535 Hinrichsen Henry
5535 Hinrichsen Adeline Mrs
5537 Callaghan Cormack
5537 Callaghan Martin
5537 Callaghan Margaret Miss
5537 Callaghan Rose Miss
5537 Callaghan Rose Mrs

5508 Lundgren Harold C
5508 Lundgren Gene Mrs
5508 Engdahl Charles
5508 Engdahl Sigrid Mrs
5508 Hopper John
5508 Hopper Nellie Mrs
5508 Cuthbert John
5508 Cuthbert Edith Mrs
5508 Yoder Helen Mrs
5508 Yoder Perry M
5508 Gordon Dorothy Miss
5508 Walde Vivian Miss
5508 Scharenhorst Herman K
5508 Dittmann Arthur R
5512 Johnson Swan
5512 Johnson Ella Mrs
5514 Allison Stanley R
5526 Helton Nellie L Miss
5526 Helton Robert A
5526 Schewe Otto
5526 Schewe Minnie Mrs
5526 Zaabel Elsie Mrs
5526 Zaabel Arthur C
5514 Zandt Mary Miss
5514 Jensen Lars
5518 Mann Florence Mrs
5518 Klockziem Wilhelmina
5518 Reese John N
5522 Singfeldt Knute
5522 Singfeldt Hildur Mrs
5522 Stephens William Edward
5522 Stephens Seneda Mrs

DIVISION ST

5511 Duerr William H
5511 Drake August F
5517 Keller Anna Mrs
5517 Lisching Jacob
5517 Lisching Theresa Mrs
5609½ Schroeder Kermit
5609½ Schroeder Anna Mrs
5617 Storm Fred A

N PINE AVE

1120 Jensen Harry M
1120 Jensen Cora Mrs
1120 Berg Margaretta Mrs
1120 Berg Eddie

TMS:CSH

32-15941-16

September 19, 1933

RECORDED

SEP 21 1933

[redacted]

Chicago, Illinois.

Dear Sir:

Receipt is acknowledged of your letter dated September 5, 1933, advising of the alleged corruption in your city.

Please be advised that the facts as related by you fail to indicate a violation of any Federal law, and for that reason it will not be possible for this Division to undertake an investigation.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
SEP 19 1933

1900 Bankers Building,
Chicago, Illinois.

October 24, 1933.

Hon. Dwight H. Green,
United States Attorney,
Chicago, Illinois.

Dear Sir:

Receipt is acknowledged of your letter dated the 20th inst., with attached anonymous letter regarding the activities of Alfred Capone and others in Chicago.

Please be advised that the information furnished will be handled appropriately.

Very truly yours,

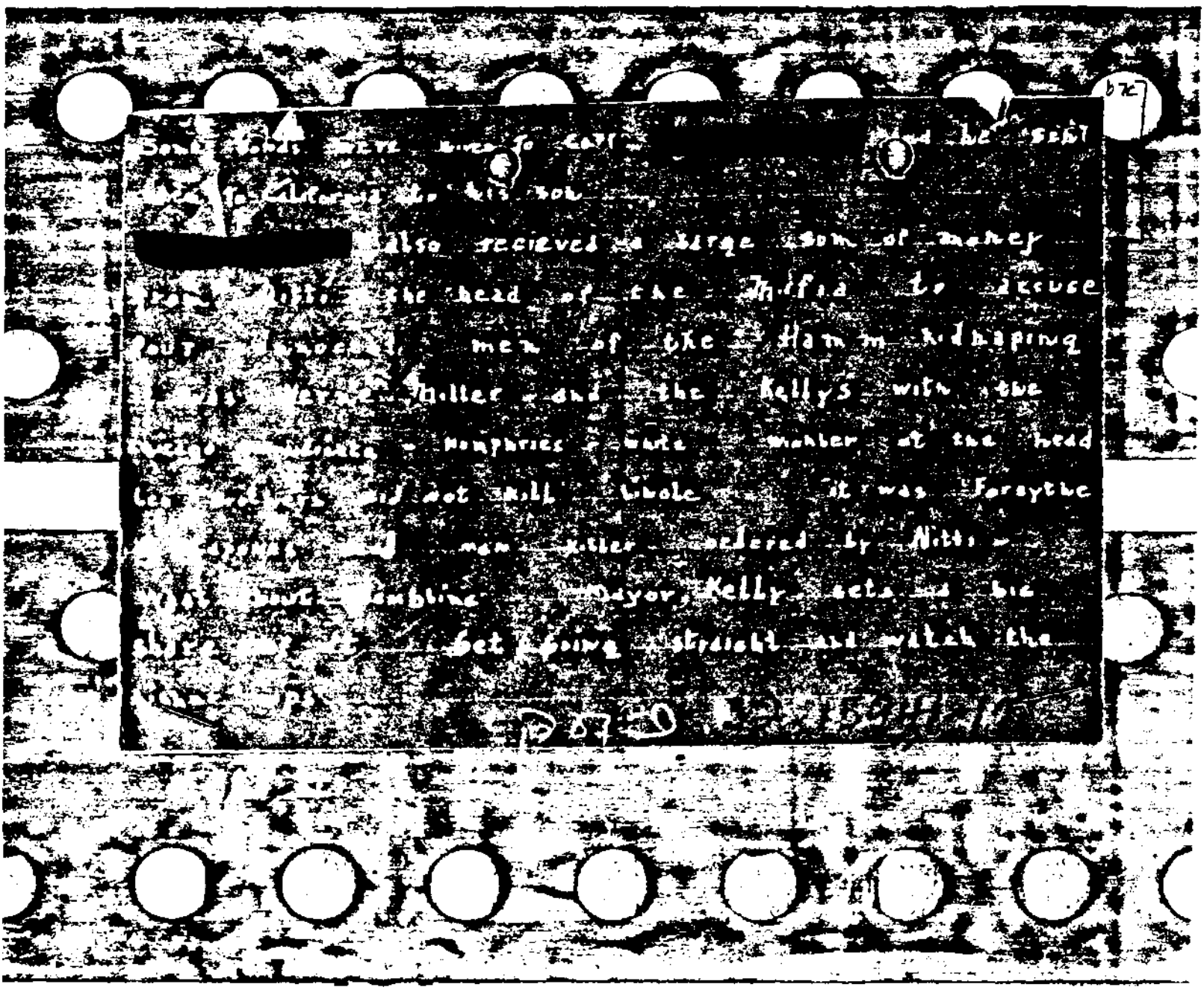
D. O. SMITH, Acting,
Special Agent in Charge.

DOS/KMH
OC Division - Enc.

RECORDED
&
INDEXED
OCT 27 1933

62-15941-17
OCT 26 1933

163



UNITED STATES ATTORNEY
MLT 9T130

U. S. Bureau of Investigation

Department of Justice
1900 Bankers Building,
Chicago, Illinois.

December 5, 1933.

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

Dear Sir:

RE: JAMES BELCASTRO,
Known as "King of the Bombers"

In order that the records of the Identification Unit at Washington, D.C. may be complete, I am herewith setting out the description and criminal record of the above named individual, together with a specimen of his handwriting, same having been secured from the Bureau of Identification, Chicago Police Department:

Name:	JAMES BELCASTRO
Age:	37 yrs.
Height:	5'6"
Weight:	165 lbs.
Build:	Stout
Hair:	Brown
Eyes:	Grey
Complexion:	Light
Residence:	7726 S. Marshfield Ave. Chicago.
Nativity:	Italy
Occupation:	None
Marital Status:	Married
Criminal Record:	

As James Belcastro, Nov. 27, 1929, nolle prossed, asslt. to kill and murder. Judge David.

71761-Vincenzo Belcastro, July 27, 1917, 1 yr. H of C & $25 & costs. A. D. W. Judge Robinson. Off. Starkey, 27th Dist.

C-26250 - James Belcastro, Nov. 17, 1930, G. P. Off. McFadden & Sq. 4A, B. D.

POSTED 12/12/33 AD

COPY DESTROYED
252 AUG 15 1966

RECORDED
&
INDEXED
DEC 14 1933

32-15941-18
DIVISION OF INVESTIGATION
DEC 7 1933 A.M.
DEPARTMENT OF JUSTICE
Wash. Unit
Unit One
FILE

As James Belcastro - Apr. 15, 1930, nolle prossed. Sale of explosives. Judge McGoorty.

As James Belcastro, Apr. 14, 1930, nolle prossed. Sale of explosives. Judge McGoorty.

C-26302 James Belcastro, Nov. 17, 1930, G. P. Off. McFadden & Sq. 4A, D. B.

Arrested 8/28/33 by Off. McMullen & Sq. 4C, D. B. - hold for Division of Investigation. Is Public Enemy #25 - wanted on vagrancy warrant.

On August 30, 1933, James Belcastro was interviewed at the Chicago Division Office by Special Agent Jay C. Newman and the following information was elicited from him:

James Belcastro gave his residence address as 7726 South Marshfield Avenue, Chicago, Illinois, and advised that he was born in Italy, February 6, 1895, and when he was approximately fifteen years of age he came to the United States and secured his second papers and citizenship in Chicago in 1921; that in applying for his first papers he made a false statement to the effect that he was married and because of this false statement his citizenship papers were taken away from him in 1931. With further reference to his statement to the effect that he was married, Belcastro explained that at the time he made this statement he was living with a common law wife and consequently considered that he was married. He stated that he resided in Chicago practically all of his life and that since 1929 or 1930 he had been operating a meat market and grocery located at 268 W. 24th Street, Chicago, Illinois. He stated that he had not been out of the city aside from being in the surrounding suburbs during the past three years; that he is not connected nor has he ever been connected with any "mob"; that he knows Vincent Gebardi, alias "Machine Gun" Jack McGurn, but is not acquainted with any members of the Touhy gang.

The records of the Municipal Court, Chicago, Illinois, disclose that James Belcastro was sentenced to serve six months in the House of Correction, Chicago, Illinois, on September 9, 1933, sentence imposed by Judge Dunn. Belcastro immediately appealed his case to the Supreme Court of the State of Illinois and was released in the sum of ten thousand dollar bond. His case will be heard by the Supreme Court on December 11, 1933.

Very truly yours,

M. H. PURVIS,
Special Agent in Charge.

JJK:GVT

167

1900 Bankers Bldg.,
Chicago, Illinois
December 29, 1933

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
801 Liberty National Life Bldg.,
Birmingham, Ala.

Dear Sir:-

There is being forwarded herewith, a set of Wanted circulars, issued yesterday by the Chicago Police Department, containing the photographs and descriptions of public enemies, whose names appear on a recent list published by the State's Attorney's office, Chicago, Illinois.

It will be noted that several of the persons listed on these circulars are wanted in connection with Division cases; namely, Basil Banghart (I.O./1205), Charles C. Connors (I.O./1206), H. A. Henrichsen and Ludwig Schmidt, who are wanted at Chicago for the kidnaping and holding for ransom of John Factor; John Klutas (I.O./1179) and Edward LaRue, who, as Eddie Doll, is a fugitive in a National Motor Vehicle Theft Act case, wherein Saint Louis is the office of origin.

Very truly yours,

M. H. Purvis,
Special Agent in Charge.

JCH:TEH
CC:Division
Encl.

Note to Division - Copies of this letter, together with the circulars, have been sent to all Division offices.

Chicago Files:
7-24
26-2889
26-3139

RECORDED & INDEXED
JAN 17 1934

32-1594-19
DIVISION 6 1934 U.S. DEPARTMENT OF JUSTICE
FILE

Letter Dec 29 1933 CPC

EPC:CJ

January 15, 1934.

RECORDED & INDEXED 32-15941-19

JAN 17 1934

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
1900 Bankers' Building,
Chicago, Illinois.

Dear Sir:

Reference is made to copy of your letter dated December 29, 1933, addressed to the Division office at Birmingham, transmitting wanted circulars issued by the Chicago Police Department containing photographs and descriptions of public enemies, whose names appear on a recent list published by the State's Attorney's Office at Chicago, Illinois.

The information appearing in these circulars has been posted to the fingerprint records of the individuals described, with the following exceptions, in which cases it has not been possible to identify the persons in the files of the Division:

Pearl Elliott
Mary Linder
Murray Humphreys.

It is suggested that, if possible, copies of the fingerprints of the above named be obtained and submitted to the Division, in order that the files may be complete.

Very truly yours,

Director.

BUREAU OF INVESTIGATION DEPT. OF JUSTICE DIVISION ONE JAN 17 1934 AM

FILES SECTION MAILED JAN 15 1934 P. M. DIVISION OF INVESTIGATION U. S. DEPARTMENT OF JUSTICE

U. S. Department of Justice

Bureau of Investigation

1900 BANKERS BUILDING
CHICAGO, ILLINOIS

January 25, 1934

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

Dear Sir:

Reference is made to your letter of January 15,1934, requesting that if possible fingerprint records be obtained for MARY KINDER, PEARL ELLIOTT and MURRAY HUMPHREYS. (Posted 1/19/34 K.E.)

With reference to the fingerprints of Murray Humphreys, the records of the Bureau of Identification, Chicago Police Department, reflect that copies of his fingerprints were forwarded to the Division on or about March 22, 1932, under Chicago Police number C-37257, classification 5 U Or 14 / 19 W 0

Inspector Emmett Evans of the Bureau of Identification advises that they have no fingerprints on Pearl Elliott or Mary Kinder.

Lieutenant Howe advised that the photographs of Pearl Elliott and Mary Kinder which appeared in the Chicago Police circular, were obtained by Indiana State Policemen from a house of prostitution which was formerly operated by Pearl Elliott, near Kokomo, Indiana; that these photographs are not Police photographs, and so far as known no fingerprints were available for either of these persons.

Under date of January 9, 1934, Special Agent in Charge Werner Hanni of the St.Paul office advised that Pearl Elliott under the name of Marguerite Williams was thought to have operated a house of prostitution near Madison, Wisconsin, and we are therefore requesting the St.Paul office to ascertain whether fingerprints of this woman are available in that city.

Very truly yours,

M. H. PURVIS,

Special Agent in Charge.

[redacted]

WCJ:JMS

32-15941-22
DIVISION OF INVESTIGATION
JAN 27 1934
U. S. DEPARTMENT OF JUSTICE

RECORDED & INDEXED
JAN 27 1934

1900 DIRKSEN BUILDING
CHICAGO, ILLINOIS

January 29, 1934.

Special Agent in Charge,
Division of Investigation
U. S. Department of Justice,
805 Post Office Building,
St.Paul, Minnesota.

Dear Sir:

We are in receipt of a letter from the Division requesting that if possible copies of fingerprints of Pearl Elliott and Mary Kinder be obtained and transmitted to the Division.

We note from your letter dated January 9, 1934, that Sheriff Finn of Madison, Wisconsin is of the opinion that Pearl Elliott formerly operated a house of prostitution at or near Madison Wisconsin under the alias of Marguerite Williams. It is therefore requested that you make inquiry at Madison, Wisconsin, and if fingerprints are available transmit copies to the Division.

Very truly yours,

M. H. PURVIS
Special Agent in Charge.

MCJ:JMS

CC Division

RECORDED & INDEXED
FEB 1 - 1934

32-15941-21
DIVISION OF INVESTIGATION
JAN 27 1934 A.M.
U. S. DEPARTMENT OF JUSTICE
Mail Unit | FILE

171

U. S. Bureau of Investigation

Department of Justice

1900 Bankers Building
Chicago Illinois

February 8, 1934

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

Dear Sir:

Re: FINGERPRINTS OF PEARL ELLIOTT
Chicago File 32-0

On the date of January 31, 1934 we were advised by the St. Paul Office that fingerprints of Pearl Elliott could not be obtained from the sheriff of Madison, Wisconsin, but that the latter advised that the Milwaukee Police Department might have this woman's fingerprints on file.

We are in receipt of advice from Special Agent V. W. Peterson that Mr. Joseph Klucheksy, Superintendent of the Bureau of Identification, Milwaukee, Wisconsin Police Department had made a thorough search of all available records, but that they were unable to find any fingerprints of Pearl Elliott in their files,

Very truly yours,

W. A. Smith

W. A. SMITH
Acting Special Agent in Charge

WCJ:LM

RECORDED
&
INDEXED

32-15941-22

FEB 10 1934

FILE

1900 BANKERS BUILDING,
CHICAGO, ILLINOIS.

AIR MAIL

Special Agent in Charge,
Division of Investigation,
U. S. Department of Justice,
Post Office Box 1741,
San Antonio, Texas.

Dear Sir:

In response to the request in your telegram of this date, there is forwarded a photograph of Edward O'Donnell alias Spike O'Donnell, well known Chicago gangster.

Very truly yours,

M. H. PURVIS,
Special Agent in Charge.

ENC.

cc-Division

Enc.

RECORDED & INDEXED

MAY 19 1934

62-1544-28

DIVISION OF INVESTIGATION
APR 19 1934
U.S. DEPARTMENT OF JUSTICE

Ident. Unit | FILE

173

CLASS OF SERVICE DESIRED

DOMESTIC		CABLE	
TELEGRAM	XXX	FULL RATE	
DAY LETTER		DEFERRED	
NIGHT MESSAGE		NIGHT LETTER	
NIGHT LETTER		SHIP RADIOGRAM	

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

CHECK

ACCT'G INFMN.

TIME FILED

B. B. WHITE, PRESIDENT — NEWCOMB CARLTON, CHAIRMAN OF THE BOARD — J. C. WILLEVER, FIRST VICE-PRESIDENT

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

Los Angeles, Calif. Apr. 16, 1934

M. E. Purvis
Division of Investigation
U. S. Department of Justice
1900 Bankers Bldg
Chicago, Illinois

APR 23 1934 AM — DEPARTMENT OF JUSTICE — WASHINGTON

PLEASE OBTAIN AND FORWARD AIRMAIL FOR USE LOCAL POLICE A PICTURE OF

SPIKE O'DONNELL WELL KNOWN CHICAGO MOBSTER

DUNN

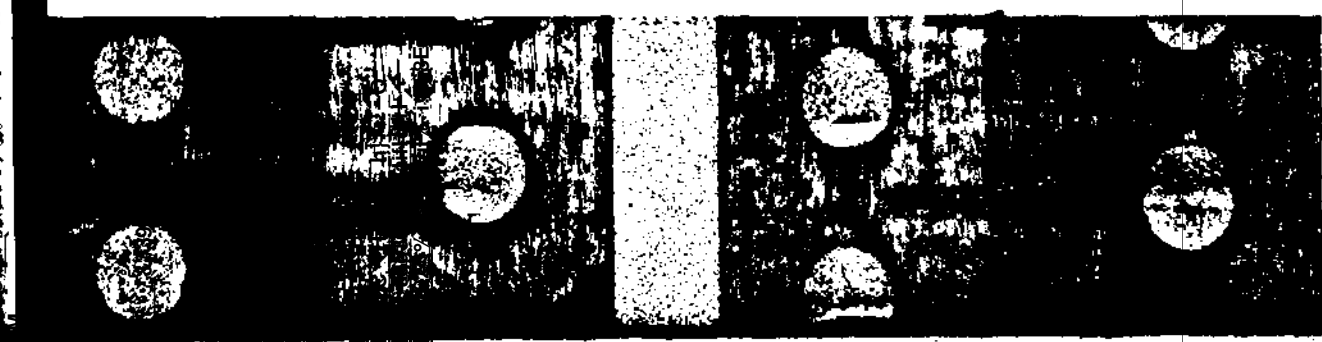
CHARGE GOVT RATE
Div.of Inv.617 Fed.Bldg.
11:25 A.M.

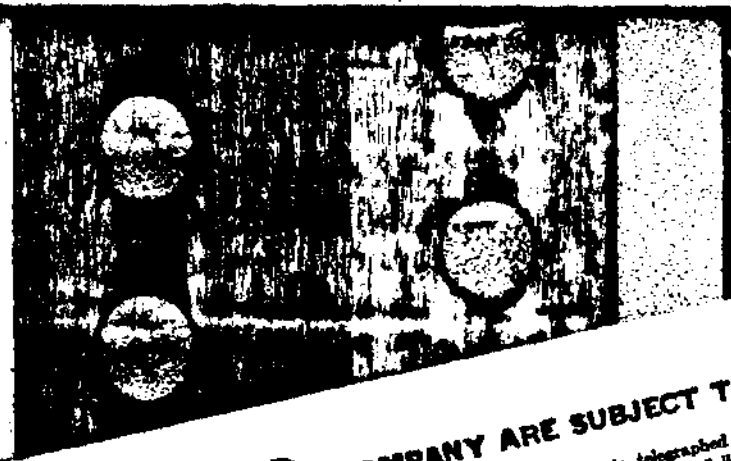
DIVISION
JEPD:AB

RECORDED & INDEXED
APR 24 1934

32-15941-24
DIVISION OF INVESTIGATION
APR 21 1934 A.M.
U. S. DEPARTMENT OF JUSTICE
FILE

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE







ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

To guard against mistakes or delays, the sender of a message should order it repeated, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeated message rate is charged in addition. Unless otherwise indicated on its face, this is an unrepeated message and paid for as such, in consideration wherof it is agreed between the sender of the message and this company as follows:

1. The company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the repeated-message rate beyond the sum of five hundred dollars, nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the repeated-message rate beyond the sum of five thousand dollars, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines, nor for errors in cipher or obscure messages.

2. In any event the company shall not be liable for damages for mistakes or delays in the transmission or delivery, or for the non-delivery, of any message, whether caused by the negligence of its servants or otherwise, beyond the sum of five thousand dollars, at which amount each message is deemed to be valued, unless a greater value is stated in writing by the sender thereof at the time the message is tendered for transmission, and unless the repeated-message rate is paid or agreed to be paid, and an additional charge equal to one-tenth of one percent of the amount by which such valuation shall exceed five thousand dollars.

3. The company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other company when necessary to reach its destination.

4. Domestic messages and incoming cable messages will be delivered free within one-half mile of the company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the company does not undertake to make delivery, but will, without liability, at the sender's request, as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price.

5. No responsibility attaches to this company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the company's messengers, he acts for that purpose as the agent of the sender.

6. The company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the company for transmission.

7. It is agreed that in any action by the company to recover the tolls for any message or messages the prompt and correct transmission and delivery thereof shall be presumed, subject to rebuttal by competent evidence.

8. Special terms governing the transmission of messages according to their classes, as enumerated below, shall apply to messages in each of such respective classes in addition to all the foregoing terms.

9. No employee of the company is authorized to vary the foregoing.

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED

R. B. WHITE, PRESIDENT

CLASSES OF SERVICE

TELEGRAMS

A full-rate expedited service.

NIGHT MESSAGES

Accepted up to 2:00 A.M. at reduced rates to be sent during the night and delivered not earlier than the morning of the ensuing business day.

Night Messages may at the option of the Telegraph Company be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such night messages at destination, postage prepaid.

DAY LETTERS

A deferred day service at rates lower than the standard telegram rates as follows: One and one-half times the standard night letter rate for the transmission of 50 words or less and one-fifth of the initial rates for each additional 10 words or less.

SPECIAL TERMS APPLYING TO DAY LETTERS:

In further consideration of the reduced rate for this special Day Letter service, the following special terms in addition to those enumerated above are hereby agreed to:

A. Day Letters may be forwarded by the Telegraph Company as a deferred service and the transmission and delivery of such Day Letters is, in all respects, subordinate to the priority of transmission and delivery of regular telegrams.

This Day Letter is received subject to the express understanding and agreement that the Company does not undertake that a Day Letter shall be delivered absolutely, and at all events; but that the Company's obligation is upon the condition that there shall remain sufficient [illegible] Day Letter on the day of its date after the transmission of regular

NIGHT LETTERS

Accepted up to 2:00 A.M. for delivery on the morning of the ensuing business day, at rates still lower than standard night message rates, as follows: The standard telegram rate for 10 words shall be charged for the transmission of 50 words or less, and one-fifth of such standard telegram rate for 10 words shall be charged for each additional 10 words or less.

SPECIAL TERMS APPLYING TO NIGHT LETTERS

In further consideration of the reduced rates for this special Night Letter service, the following special terms in addition to those enumerated above are hereby agreed to:

Night Letters may at the option of the Telegraph Company be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such Night Letters at destination, postage prepaid.

FULL RATE CABLES

An expedited service throughout. Code language permitted.

DEFERRED HALF-RATE CABLES

Half-rate messages are subject to being deferred in favor of full rate messages for not exceeding 24 hours. Must be written in plain language.

CABLE NIGHT LETTERS

An overnight service for plain language communications, at one-third the full rate, or less. Minimum of 25 words charged for. Subject to delivery at the convenience of the Company within 24 hours.

SHIP RADIOGRAMS

A service to and from ships at sea, in all parts of the world. Plain language only. [illegible] language may be used.

U. S. Bureau of Investigation

Department of Justice

Room 1900 Bankers Building
Chicago, Illinois.

DEPT. OF JUSTICE
DIVISION ONE
JUN 23 1934 AM

June 19, 1934.

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

6-250

Dear Sir:

There is attached hereto an editorial appearing in the Chicago Daily News dated June 4, 1934 entitled "Capone in the Legislature."

For your information in connection with this matter, James Adducci, alias William Pion, who was listed as Chicago public enemy No. 16, has been elected to the Illinois Legislature from Chicago.

I am furnishing this to you as of interest to the Division. It is being noted that the Division has previously received a copy of Chicago Public Enemy List and on that list appears the name of James Adducci.

Very truly yours,

M. H. Purvis

M. H. PURVIS
Special Agent in Charge.

MHP:EB

RECORDED & INDEXED
JUL 11 1934

62-15941-25
DIVISION OF INVESTIGATION
JUN 21 1934 A.M.
U. S. DEPARTMENT OF JUSTICE
FILE

CAPONE IN THE LEGISLATURE.

While the sworn guardians of popular government play poker politics, and citizens argue about the New Deal, the deputies of Al Capone, by terrorism, theft and defiance of all law, are laying siege to the people's legislature in Illinois. The gangsters aspire to five seats in the house and two in the senate. If the voters do not arouse themselves and their indifferent officials to the danger, Capone, now doing time in Atlanta, will be dictating orders to his representatives in the next general assembly at Springfield. That is the shockingly revealing and amazingly instructive story being told by Warren Phinney in The Daily News.

Night-prowling hoodlums thrust a gun in the ribs of a legislator and demanded his withdrawal from the primary race last April. When he nervily refused, they threatened to kidnap his daughter, and by that dastardly threat forced his surrender. James Adduci, hoodlum, got the nomination by 6,000 majority on the face of the returns. The nomination is equivalent to election. In the 27th district, hired hoodlums virtually ran the primary. Joseph N. DeGrazio, residence unknown, but for a few weeks before the voting a lodger in a cheap hotel in the district, was declared nominated by almost 1,000 majority. In three precincts, with four opponents, one of whom was Representative A. O. Galvin, the sitting member, DeGrazio got every vote on the poll lists and three more. Those are high spots in the story thus far.

Let citizens remember that such things do not happen by chance or in the lawful course of politics. There are laws which, faithfully enforced, would make them impossible. Gangland is running roughshod over the board of election commissioners and police. It is corruptly and by terrorism controlling election officials. It is even hoodwinking so eminently respectable a body as the state canvassing board, on which sit Gov. Horner, Secretary of State Hughes and State Auditor Barrett. That triumvirate, appealed to on the basis of DeGrazio's dubious residential status, stood on technicalities and declined to disallow his candidacy.

Mr. Galvin is contesting DeGrazio's nomination. The case comes to hearing before Judge Friend tomorrow. Mr. Phinney's story will continue. No citizen should neglect to follow it. His government, his liberty, his life are at stake.

32-15941-25

Daily News 6-4-34

11

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D.C. JWBS:cf

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Cowley.....
Mr. Edwards.....
Mr. Egan.....
Mr. Quinn.....
Mr. Leste.....
Chief Clerk.....
Mr. Tamm.....
.....

June 23, 1934.

MEMORANDUM FOR MR. J. EDGAR HOOVER,
DIRECTOR, DIVISION OF INVESTIGATION

Referring to the letter mailed to the Attorney General, entitled "Chicago Racketeers and Gangsters", and signed "Disgusted", with reference to the Safe Movers Union in Chicago, I am forwarding this to the United States Attorney in Chicago since he is familiar with this situation, and will probably know whether the facts stated involve a violation of federal law.

Joseph B. Keenan

JOSEPH B. KEENAN
ASSISTANT ATTORNEY GENERAL.

RECORDED
&
INDEXED

JUN 26 1934

32-15941-26

JUN 26 1934

TAMM

178

28718

Government of the District of Columbia

METROPOLITAN POLICE DEPARTMENT

REPLY TO
MAJOR AND SUPERINTENDENT

October 17, 1934.

Honorable J. Edgar Hoover,
Director, Bureau of Investigation,
Department of Justice,
Washington, D. C.

My dear Mr. Hoover:

Forwarded herewith is a letter from one who signs himself [redacted], of b7D Chicago, Illinois.

This letter may be of some interest to your Department.

Very truly yours,

Lewis I. H. Edwards,
Acting Major and Superintendent.

E:ea

RECORDED & INDEXED 32-15941-27

NOV 9-1934

CCT

179

28719

[redacted] 67D

Chicago, Ill.,
October 10-1934.

RECEIVED
OCT 17 1934
Mail Room
D. C.

Crime Commission,
Washington, D.C.

Honorable Gentleman:-

This letter is from one who was with Mr. Bert[illegible] Man Prison, France. Please accept this letter just as a suggestion and the writer would be grateful to serve you in any capacity. Please let this letter be a confidential one because anyone who is not Italian, who resides in this neighborhood, holds his life in jeopardy and if the writer of this letter was known I would just disappear.

This city should have more policemen on the beat. Two on a beat at same time-one on each side of the street at the same time. They should be from 23 or 24 to 34 or 35 years old. Not too heavy and agile. From 34 or 35 years old they can be placed in squad cars-for after a man sits in an automobile for any length of time his legs are cramped and how can he be expected to be agile? The older the officer becomes, he should be given inside or stationary work or service.

NOV 9-1934 RECORDED 32-15941-

Because of my high family connections I was educated in France and studied fencing with Mr. Kilschoffer of Paris until [redacted] 67D Then when I was to join Mr. Bertillion I also took up jiu-jitsu. My work was among the apaches. Revolver practice is such that we do not stop to aim but our aim is so sure that it usually hits the right spot.

CHF. CLK'S

I live in this terrible neighborhood because I have been unemployed for several years and my dear wife must work. Her employer is the owner of this building, is a widow with two young men sons and is afraid to live alone in this large four-seven room building. She started business here about 26 years ago when this nrighborhood was considered the very best. At the sudden death of a young man son she sold the business and leased the entire building to owner of business and moved away. About three years ago the owner of business filed petition in bankruptcy and the owner of building had to return to take care of what was left of the building (for in the 14 or 15 years she was gone the neighborhood changed to what it is now-the worst settlement) and continues to operate the business here. We needed work in the family, so my dear wife started to work for this lady and this lady moved into the flat under us. After the owner was here sometime and she found that business did not warrant operating three stores (she has double building and double stores but rented a third store from owner of next building who is Italian now) she asked for lower rent for third store but that owner would not come down on rent-so my wife's employer moved and nows operates her own double store. But short time

18

10/17/34
Rick. [illegible]

later the people who failed in business here wanted to buy the business back(it was not altogether legitimate bankruptcy) and they could not so they with Italian owner of next building got together and Italian woman is now engaged in same line-operating opite store and since that time owner of this business and building has been having lots of trouble. Her windows have been broken number of times-young fellow tried to get in thru her bedroom window-held up our store a couple of weeks ago broad daylite with number of clerks and customers in store and yesterday two of these 42 gangsters ran into my flat while I was alone-the back door being open-each with revolver in hand-when I asked them what they wanted ,they asked for quick way out front door. I presume they just committed a job jumped over high barbed wire fence up back stairs thinking the flat was vacant,changed their shirts in downstairs hall,walked around block to their car in alley and left.

This is the most notorious locality (I think in the world) There are no police on the beat. Squad car drives once in awhile. The police probably know who the boys are but they have no warrants and folks are afraid to identify them. They should be picked up as vagrants and held in jail. Most of their families are on relief. This is the neighborhood which is soon to be razed but until that time -this neighborhood should get special protection,especially those who are not Italians.

At the time the store was held up-neighbors knew of it and were standing in front of the store but none would call police and as the owner came in the robbers started for door-she grabbed one of them and they dragged her on sidewalk while she held on-and threw her hard to ground-yet not one of them standing there would even help her up-she is neither young or very strong. But this is the neighborhood which has no police on the beat.

Respectfully,

[redacted]

181

CIC OSD

NF

TIB:ms October 27, 1934

32-15941-27

RECORDED

Honorable James P. Allman,
Commissioner of Police,
Chicago, Illinois.

My dear Commissioner:

There is forwarded herewith a copy of a communication received by the Division of Investigation from [redacted] dated October 26, 1934, which pertains to matters coming within your jurisdiction, and is referred to you for appropriate attention.

b7D

Sincerely yours,

John Edgar Hoover,
Director.

Enclosure #803460

1 copy

FILES SECTION
MAILED
★ OCT 27 1934 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

182

(

(O C,J

RECORDED 62-1594-27

October 27, 1934

[redacted] b7D

Chicago, Illinois.

Dear Sir:

Your letter dated October 18, 1934, addressed to the Crime Commission has been referred to the Division of Investigation for attention.

Inasmuch as your letter pertains to matters which are under the jurisdiction of the Police Department of Chicago, I have forwarded a copy of your letter to that Department for appropriate attention.

You are advised that the investigative duties of the Division of Investigation are performed by Special Agents whose qualifications are reflected in the enclosed statement. If you are qualified for this position and are desirous of submitting an application, a blank form for that purpose will be forwarded to you upon request. However, at the present time there are no vacancies in this service.

Very truly yours,

John Edgar Hoover,
Director.

Enclosure #803459

FILES SECTION
MAILED
OCT 27

DIVISION OF INVESTIGATION

103

b7C

[redacted]

Chicago, Ill.
Dec. 8, 1934.

Hon. J. Edgar Hoover,
Head Div. of Investigation,
Washington, D. C.

Dear Sir:

I read with interest in the Chicago Examiner under date of Dec. 5, 1934 an editorial William Randolph Hearst under the caption of "U. S. Government must conquer crime". In my opinion it seems he could find a great reform organization and crusade should permit crime and criminality to thrive right under their noses.

Everyone knows that in Chicago there is more crime, in fact and committed than in any city in the world as indicated by Chicago statistics.

RECORDED 62-15941-21
INDEXED
DEC 20 1934

For the last decade [illegible] and flaunting [illegible] in such an extensive manner [illegible] Chicago has [illegible] Chicago [illegible] 184

The Sam and Italians are controlling 90% of all the gambling in the South Side Black Belt with the exception of Policy Wheels.

Given over one hundred police districts to look at the enormous take of gambling on the South Side, and 80% of all Charity relief given out, is going into the hands of these gangsters.

The gambling and grafting element is controlling the elections in Chicago. This condition is turning out a new crop of killings and holdups every day. The civic-minded citizens are rousing themselves but it is only a beginning. The organization is [redacted] and [redacted] are not Wheelmen. This is an economic question I can demonstrate.

Yours truly,

[redacted] b7c

For:

[redacted]

185

LRB:CJ
32-1941 - 28

RECORDED

December 19, 1934.

[redacted] b7C

Chicago, Illinois.

Dear Sir:

Receipt is acknowledged of your letter of December 8, 1934 commenting on an editorial in the December 5, 1934 issue of the Chicago Examiner and also commenting on the fact that crime, graft and corrupt politics are prevalent in the City of Chicago.

I wish to thank you for your letter and the comments which you have made. However, from the facts submitted there are no Federal violations within the investigative jurisdiction of this Division.

It is suggested that you may desire to refer the matter to the local law enforcement officials.

Very truly yours,

John Edgar Hoover,
Director.

FILES SECTION
MAILED
★ DEC 19 1934 ★
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

1 yellow

184

PHONE [redacted]

E

[redacted]

CHICAGO, ILL.

b7C

28722

Dec 13 1934

Mr J Edgar Hoover.

Many people do not seem to know that several years ago, Miss Helen Gould issued an order to the Western Union Tel Co. not to transmit any race track re Pool rooms and hand books were out of business many months.

One of the Law stenographers is only working forenoons. The afternoons are long to her and she goes to a poo room and as she says puts in a quarter with some one and they make a 50¢ bet and sometimes they win and sometimes they lose. There are so many men and women out of work and they get tired of sitting around the house and they spend the afternoons listening to the calling of the races. She also told of going with a bunch of girls to the same place after supper where they have a keno game (and many other kinds) which the girls all play. During the first week some one of the bunch won a pot every night but sometimes they had to stay till one o'clock or later to do it.

32-15941-29

RECORDED & INDEXED

DEC 1[illegible] 1934

Whenever Chicago gets a new chief of police [illegible] gambling joint closes up tight and sometimes [illegible] all week or ten days and all wait for

Phone [redacted] C

2 ○ b7C

[redacted]

CHICAGO, ILL.

28723

J Edgar Hoover 2

orders to start

I took a census of the slot machines in cook county outside of Chicago. I understood they were allowed to contribute to the campaign fund instead of being fined.

The Policy game in my home precinct distributes business cards stating "We pay as you hit - no waiting" "Opening hours 7 a m to Midnight."

A client is now getting his records ready ~~ready~~ so as to file his 1934 income tax return. One deductable item will be the amount paid for protection for operating his race track pool room.

If Helen Gould could do this.
If appointing a new Police Chief can do this.
We all together might do something.

yours very truly

b7C

[redacted]

128

28721

REK/ps
RECORDED 32-15941-89

December 29, 1934

[redacted]
Chicago, Illinois.

Dear Sir:

This is to acknowledge receipt of your letter dated December 13, 1934 wherein you discuss gambling and slot machines.

Please be advised that this Division does not have jurisdiction over matters of this nature and, therefore, cannot take any action on the complaints made by you.

Very truly yours,

John Edgar Hoover,
Director.

1 yellow

FILED
DEC 29 1934
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

F-467

89

[redacted]

Chicago, Illinois
January 30, 1935

Attorney General
Homer Cummings
Washington D.C.

OFFICE OF THE ASSISTANT
JAN 31 1935
ATTORNEY GENERAL

FEB 20 1935
RECORDED & INDEXED

DIVISION OF INVESTIGATION
JAN 31 1935

Dear Sir;

For the past
eight or ten years I've been studying
the crime situation very
deeply and my friend thinks I'm
half crazy because I'm writing to you. But Mr Cummings
you have the power to do
whatever I ask, providing
you will. There are many
small crime going on around
town that the police or the
"Feds" will never find out,
just a chance is all I want
I'm not going on trying to
explain the situation, because
its impossible. All I want
you to do is to allow me
come and interview with you
at once. I waiting to catch the
next train as soon as I hear
from you

Yours truly

[redacted]

COPY

[redacted] b7C

Chicago, Illinois
January 30, 1935.

Attorney General
Homer S. Cummings
Washington, D.C.

Dear Sir:

For the past eight years I've been studying the the crime situation very deeply. My friend thinks I'm half crack because I'm writing to you. Mr. Cummings you have the power to do whatever I ask, provding you will. There are many small crime going on around town that the police nor the "duks" will every fine out, just a chance is all I want. I'm not going on trying to explain the situation, because its impossible. All I want you to do is to allow me come and interview with you at once. I waiting to catch the train as soon as I hear from you.

[redacted] b7C

P.S. Please allow me to come and interview with you at once.

2/18/34
check a & B

191

ACB:TD February 18, 1955

RECORDED 52-15941-30

b7C

[redacted]

Chicago, Illinois.

Dear Sir:

Receipt is hereby acknowledged of your letter dated January 30, 1955, addressed to the Attorney General, containing information regarding the criminal situation in the vicinity where you reside. Your letter has been referred to this Bureau for attention.

The contents of your letter have been carefully noted and nothing appears therein regarding the violation of Federal Statutes within the investigative jurisdiction of this Bureau.

Please be advised that it will be unnecessary for you to proceed to Washington for conference with the Attorney General. In the event you have any information concerning the violation of a Federal law over which this Bureau has investigative jurisdiction, please communicate with Mr. H. H. Purvis, Special Agent in Charge, Federal Bureau of Investigation, U. S. Department of Justice, 1900 Bankers' Building, Chicago, Illinois.

Very truly yours,

John Edgar Hoover,
Director.

FILES SECTION
MAILED
FEB 18 1955
DIVISION

cc-Chicago

C-1

Division

19

COPY

28728

CHICAGO LODGE

No. 4 B. P. O. E.

174 Washington St.

Chicago. July 11, 1935.

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

Mr. Hoover, Dear Sir.

I read your speech yesterday in the Tribune, and agrees with you. Chicago is ruled by crooked Politicians and Gangsters. Our Judges are mostly poor Lawyers but good Politicians. The Jury system is bad indeed. In a criminal case when a man is selected on a jury, he is locked up and kept away from his family sometimes for 2 or 3 months, his name and address is published in all newspapers which is all wrong and when he help to convict a felon or a murderer he is waylaid or his home is bombed. A businus man can not afford to serve on such juryes and naturally a poorer class is accepted which is a help to the criminal lawyer. The Judges should be taken out of Politic.

Respectfully yours

[redacted] 57C

[redacted]

Reply 7/20/35

193

TELEPHONE FRANKLIN 2966

28726

Chicago Lodge
No. 4 B.P.O.E.

OFFICE OF
JOSEPH L. GOLDEN
SECRETARY

174 W. WASHINGTON ST.

Chicago July 11 1935

Mr. Hoover, Dear Sir.

I read your speech yesterday in the Tribune, and agree with you. Chicago is ruled by crooked Politicians and Gangsters. Our Judges are most poor Lawyers but good Politicians. The Jury system is bad indeed. In a criminial case when a man is selected on a jury, he is locked up and kept away from his family sometimes for 2 or 3 months, his name and adresse is published in all newspapers which is all right and when he help to convict a felon or a murderer he is waylaid or his home is bombed. A businessman can not afford to serve on such juryes and naturally a poorer class is accepted which is a help to the criminial lawyer. The Judges should be taken out of Politic.

Respectfully Yours

RECORDED & INDEXED
JUL 24 1935

32-15941

FILED
JUL

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

[redacted]

SCHEIDT

28724

EBrOAM
62-15961-28 July 12, 1955

RECORDED

[redacted] b7c

Chicago, Illinois.

Dear Sir:

This will acknowledge receipt of your letter of July 11, 1955, the contents of which have been noted with interest.

It was gratifying to learn that you agree with the remarks made by me in the address which I delivered on July 9, 1955, before the Convention of the International Association of Chiefs of Police at Atlantic City, New Jersey.

Very truly yours,

John Edgar Hoover,
Director.

Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Lester

RECEIVED
JUL 20 1955
FBI

F.H.G.

195

Division of Investigation
U. S. Department of Justice
Post Office Box 812
Chicago, Illinois

July 29, 1936

Mr. Nathan
Mr. Tolson
Mr. Ruckhausen
Mr. Clegg
Mr. Coffey
Mr. Dowsey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

As a matter of interest and for indexing purposes, I am enclosing herewith copies of a memorandum submitted by Special Agent Jerome Doyle relative to all members of former and present day Chicago gangs.

It is believed that this information would be of interest to the Bureau.

Very truly yours,

D. M. LADD
Special Agent in Charge

DML:LJM
1 enc.

copy of letter detached in error 8/13

COPY DESTROYED
AUG 23 1966

RECORDED & INDEXED

AUG 13 1936

32-15941-32

FEDERAL BUREAU OF INVESTIGATION
JUL 31 1936 A. M.
DEPT. OF JUSTICE
FILE

Chicago, Illinois
July 28, 1936

MEMORANDUM FOR THE FILE:

On July 22, 1936, the following list was obtained from Lieutenant J. C. Wilamowsky, firearms identification expert for Cook County Coroner. The list includes the names of all members of former and present Chicago gangs and indicates by an asterisk those now dead.

This current data was compiled by Lieutenant Wilamowsky with the assistance of "Jiggs" Donahue, Chicago policeman attached to the Coroner's office and asserted to be more conversant with Chicago gangs and gangsters than any other one person in Chicago.

It might be noted that Hymie Levine is alleged to be the present leader of the Capone gang in the absence of Frank Nitti.

CAPONE GANG (South Side)

* Jack McGurn
Nick Perry
Louis ("Little New York") Campagna
Frank Diamond
"Mops" Volpe
* Frank Rio
* Albert Anselni
* John Scalise
* Louis ("Diamond Louie") Cowan
Ralph ("Bottles") Capone
Tony Accardo alias Joe Batters
Danny Stanton
Charles Blakely
* Danny Vallo
Claude Maddox
* Tony Balcastro
Louis Clemente
* Joseph Guinta
Johnny Torrio
* Tony Lombardo
Joe Lolordo
* Pasqualino Lolordo
Harry Guzik
Jake Guzik ?
Hymie Levine
Frank Nitti
Johnny Patton
Frankie Kelly
Mike Kelly
Chas. Fischetti
* John Genaro
"Dago" Lawrence Mangano
Carlos Fontana
Ernest Fontana
Martin O'Leary
Mike Corrozzo
Sam Guzik
Jack Heinan

191

SALTIS GANG (Southwest Side)

Joe ("Polack Joe") Saltis
Paddy Sullivan
* John ("Dingbat") Oberta
Willie Heimoth
* Frank ("Lefty") Koncil
Steve Saltis
Jack Geis
"Big Earl" Herbert
* Frank McErlane
* George Kostenek, alias Geo. Darrow
* Charles ("Big Hayes") Hubacek
* George ("Big") Karl
* William Dickman
* Sam Melaga

MORAN GANG (North Side)

George ("Bugs") Moran
* Willie Marks
William Skidmore
Frankie Foster
Leo Mongoven
* Joe Aeillo
Tony Aeillo
* Jack Zuta
* Frank Gusenberg
* Peter Gusenberg
* Rinehart Schwimmer
* John May
* James Clark
*Albert Weinshenk
* Adam Heyer
Anthony ("Red") Kissane
* Ted Newberry
* Dean O'Banion
* Earl ("Hymie") Weiss
* Vincent ("Schemer") Drucci
* "Red" McLaughlin
* Louie Alterie
Maxie Eisen
Henry Finkelstein

O'DONNELL GANG (West Side)

"Klondyke" O'Donnell
* Miles O'Donnell
Bernard O'Donnell
* George ("Red") Barker
* William ("Three Fingered") White
* James Doherty
* Thomas ("Red") Duffy
* William ("Rags") McCue
Harry Madigan
"Mickey" Wendel
* "Mickey" Quirk

GHETTO GANG (West Side)

Sammy Kaplan
Johnny Armondo
James Balcastro
Abe ("Humpy") Klass
* Jules Portuguese
Ben ("Buddy") Jacobson
* Harry Portuguese
* Teddy Stein
* Louis ("Big") Smith
Sam ("Sammy the Greener") Jacobson
* Sam ("Samoots") Amatuna
* Sam Peller
Rocco Fanelli
Alex Portuguese

VINCI GANG (South Side)

Sam Vinci
* Jimmy Vinci
* Mike Vinci
Joe Annoreno
* John Minatti
* "Peppy" Genero
Johnnie Genero
* Joe ("Machine Gun Joe") Granata

198

VALLEY GANG (West Side)

Terry Druggan
Frankie Lake
* Frank ("Red") Krueger
John ("Paddy the Cub") Ryan
* "Paddy the Bear" Ryan
* "Bummy" Goldstein
* Walter Quinlan
* Harry ("The Schoolmaster") Schneider
* "Big Steve" Weisnewski

RAGEN COLTS GANG (South Side)

Ralph Sheldon
* Hugh ("Stubby") McGovern
* William ("Gunner") McPadden
* George Maloney
* Michael ("Bubs") Quinlan
Danny Stanton
* Charles Kelly
Danny McFall

RED BOLTON GANG (West Side)

"Red" Bolton
* "Dinky" Quan
* Frank Wilson
* Ryan

CIRCUS GANG (Northwest Side)

Claude Maddox
Tony ("Tough Tony") Capezio

NORTHWEST SIDE GANG

Marty Guilfoyle
* Matt Kolb
Al Winge
Jimmy Barry
Leonard Boltz

NORTHWEST SIDE GANG (Continued)

Sam Thompson
Christ Madsen
Louis Stryker

Respectfully submitted,

JEROME DOYLE
Special Agent

JD:FC

199

CJZ:JM

September 19, 1936

RECORDED

62-1941-32

Special Agent in Charge,
Chicago, Illinois.

Dear Sir:

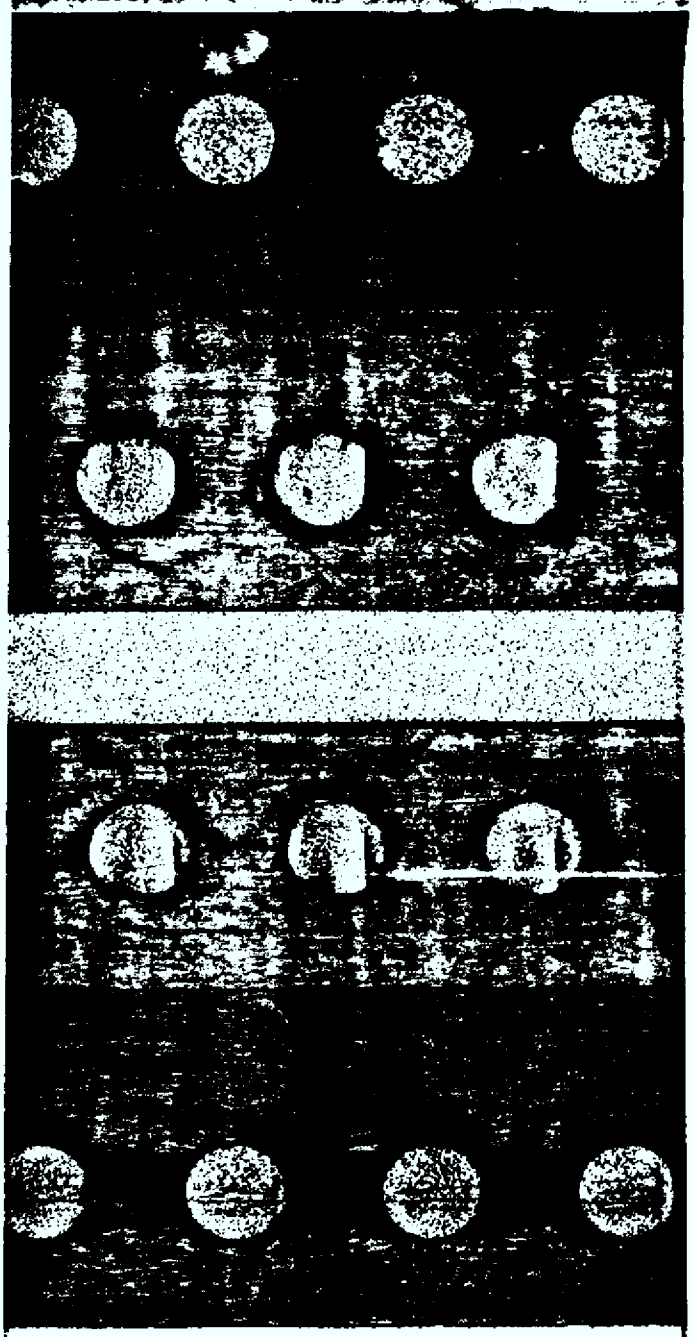
Reference is made to your letter of July 20, 1936, transmitting a memorandum submitted by Special Agent Jerome Doyle relative to all members of former and present day Chicago gangs.

It is suggested that additional information, such as arrest numbers or aliases be submitted for these individuals in order that a more accurate search may be made in an effort to positively identify these persons for possible entry in the Bureau's single fingerprint file.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
SEP 21 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE



FEDERAL BUREAU OF INVESTIGATION

* * * * *

FROM

SINGLE FINGERPRINT SECTION

DATE 11-3 1936

TO:

_____Mr. Nathan	_____Mr. Renneberger
_____Mr. Schilder	_____Mr. Syphers
_____Mr. Coffey	_____Mr. Upton
_____Mr. Burgess	_____Assembly
_____Mr. H. M. Clegg	_____Card Index
_____Mr. Durkin	_____Chief Clerk
_____Mr. Fallon	✓ Files Section
_____Mr. Harrington	_____Recording Sectio
_____Mr. M. C. Hoover	_____Technical Sectio
_____Mr. Knowles	_____Typing Section
_____Mr. Murphy	_____Mrs. Kidd
_____Mr. Nicoll	_____Miss Maiello
_____Mr. Peterson	_____Messenger
_____Mr. Potter	_____Mr.

file

See me _____
Please handle _____
Bring file _____
Answer _____
Make index cards _____

D Hamilton

G. J. ENGE

201

28727

PW:EHG

August 25, 1936.

RECORDED 62-19041 -33

Special Agent in Charge,
Chicago, Illinois.

Dear Sir:

There are being transmitted herewith photostatic copies of an anonymous communication dated August 11, 1936, received by the Bureau in regard to the activities of certain individuals in Chicago, Illinois and Detroit, Michigan.

The facts in this communication do not appear to relate to a violation of any Federal law but are being forwarded to you for your information and as of possible future reference.

Very truly yours,

John Edgar Hoover,
Director.

Encl. 1

cc - Detroit.
Enclosure.

F-467

2 cc

28728

Aug - 11 - 1

Dear Sir

RECORDED & INDEXED
AUG 1 1936

32-1594-3
FEDERAL BUREAU OF INVESTIGATION
AUG 17 1936 P.M.
U.S. DEPARTMENT OF JUSTICE

I am writing you this letter which, I think will be of some information to you.. If not destroy it. I think it is about time that the Goverment should break up this gang known as the Nitti, Capanago who is a ex Convict., Andrea, Addonizio Paccelli and Bertelli. They are running a gang more powerful than the Capone Mob, in the past year they have shot at present States Attorney of Cook Co and have killed two Representa Not a single thing was done the Mayor, or States Attorney District Attorney, I think the are working with them or afraid of them. This gang have Cottage on U.S. Highway 12 on the Outskirts of Benton Harbar Mich They hold their meeting and plan other business, such as killing shakedowns, muscling people

107

The Movie Op. Stors Union & Sam now h
one of their gang George Brown. They
have their men working as Movie Op. stats
They run all the bookie places in Chicago
and the disordly which is run by
Dennis Cooney. They have mucled
in on the Nation Wide Service which
broadcats the Results of the races to the
bookie places. They also muscle in on
the book places in Chicago, just a few
months ago Jago Lawrence muscled
in on two bookie places at Clark &
Devon and Western & Devon. They als
have their gang in the Cleaner & Dying
Union. Their gang have all the book
place in Cicero and all Suberbs of
Cook County. When in Chicago the
big shots mit at the Bismark Hotel
and at Waldmere Junk Yard on Medi
Radecci and his gang met in a Laund
which he is the owner known as the
Illinois Laundry located at 1529 W. Taylo
I know that you broke up the Barker
& Karpis gang and you can break up
this gang. I know that the gang felt ba
about that Cabaret owner from St Paul w
killed himself as his was one of their gang
Told you will invested to this

Federal Bureau of Investigation

U. S. Department of Justice

Post Office Box 812,
Chicago, Illinois.

October 20, 1936

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

Dear Sir,

In accordance with the request contained in Bureau letter of September 19, 1936, file 32-15941, there are being transmitted herewith the original and two copies of a memorandum showing Chicago Police numbers, where obtainable, of all members of former and present day Chicago gangs.

The memorandum submitted with my letter of July 29, 1936 also included the names of deceased members of these gangs. No attempt was made to secure a Police number for the deceased members of these various gangs.

Very truly yours,

D. M. LADD,
Special Agent in Charge

AHJ:mwc
Encs.

62-1690

DESTROYED
AUG 23 1966

RECORDED & INDEXED
NOV 6 1936

32-15941-34

CAPONE GANG
(South Side)

NAME	NUMBER	GROUP NUMBER
Louis "Little New York" Campagna	C-75173	772
Frank Diamond	C-41087	4125
"Hops" Volpe	C-59009	5889
Tony Accardo alias Joe Batters	C-25251	4427
Danny Stanton	C-91427	2054
Claude Maddox alias John Moore	C-25567	2996
Louis Clemente	C-53084	5619
Jake Guzik alias Jack Guzik		2110
Hymie Levine alias "Loud-mouth"	C-40121	1167
Frank Nitti (Nitto)	C-25924	2219
Chas. Fischetti (Frischetti)		990
"Dago" Lawrence Mangano	C-15356	5275
Carlos Fontana alias Carl Fontana	C-57175	5755
Ernest Fontana	C-87152	1592
Martin O'Leary	C-57705	5755
Nick Perry	79926 & C-53403	
Ralph "Bottles" Capone	C-1275	
Charles Blakely	None	
Johnny Torrio	"	
Joe Lolordo	"	
Harry Guzik	"	
Johnny Patton	"	
Frankie Kelly	"	
Mike Kelly	C-17448	
Mike Corrozzo	C-1141	
Sam Guzik	78160	
Jack Heinan	None	

SALTIS GANG
(Southwest Side)

Joe (Polack Joe) Saltis	C-2263	
Paddy Sullivan (Patrick)	C-2400	2455
Willie Neimoth	9205	
Steve Saltis	97570	
Jack Geis	C-2598	
"Big Earl" Herbert	C-781	

COPY DESTROYED
BY AUG 15 1988

32-15941-34

206

MORAN GANG
(North Side)

NAME	NUMBER	GROUP NUMBER
George "Bugs" Moran	C-84689	2194
Leo Mongoven	C-14036	5747
Anthony "Red" Kissane	C-2175	4151
Maxie Eisen	C-26361	
William Skidmore	None	
Frankie Foster	"	
Tony Aeillo	"	
Henry Finkelstein	B-67455	

O'DONNELL GANG
(West Side)

William O'Donnell alias "Klondike"	C-4993	4424
Bernard O'Donnell		1665
Harry Madigan	C-840	
"Mickey" Wendel	None	

GHETTO GANG
(West Side)

James Balcastro	C-26302	2976
Sam Jacobson alias "Sammy the Greener"	C-2327	2202
Rocco Fanelli	C-27403	2976
Sammy Kaplan	79486 & C-12458	
Johnny Armondo	None	
Abe "Humpy" Klass	66384	
Ben "Buddy" Jacobson	C-5143	
Alex Portuguese	C-10461 & C-12257	

VINCI GANG
(South Side)

Sam Vinci	98776
Joe Annoreno	C-35617
Johnnie Genero	C-15334

VALLEY GANG
(West Side)

Terry Druggan	C-26694	
Frankie Lake	C-27508	2516
John "Paddy the Cub" Ryan		8744

RAGEN COLTS GANG
(South Side)

NAME	NUMBER	GROUP NUMBER
Danny Stanton	C-91427	2054
Ralph Sheldon	79314 & C-473	
Danny McFall	None	

RED BOLTON GANG
(West Side)

"Red" Bolton	84188 & C-44653	

CIRCUS GANG
(Northwest Side)

Claude Maddox (Maddoz) alias John Moore	C-25567	2996
Tony Capezio alias "Tough Tony"	C-91593	2996

NORTHWEST SIDE GANG

Marty Guilfoyle	None
Al Winge	"
Jimmy Barry	92283
Leonard Boltz	None
Sam Thompson	"
Christ Madsen	"
Louis Stryker	"

Chicago, Ill., Nov.30th, 1936.

Edgar Hoover,
Chief of G.Men.
Dear Mr. Hoover:

We have repeatedly wrote you in regards to the all powerful Capone Gang of which the newspapers and our esteemed States atterney, Thomas P. Courtney, seem to want the public in general to think that this gang is just a skeleton of its former self. For your information beg to state that this gang is bigger, more powerful than at any time in its history. As we stated previously this organization is ruled with a iron hand by Frank Nitti, seconded by Louis Compagna alias Little New York, and Frnk Rossi. There main stock in trade now is taking charge of all unions operating in Chicago and wee be to any union official that would get out of line. Well you read the papers and you know what happened to Maloy, Alterie and Galvin not to mention of the others that have disappeared and probably were buried in lime. They have as their figurehead George Browne who is international President of the Stage Hands and the Motion Picture Operators, Mike Carrezze, national President of the street sweepers, and to make a long story short they are exacting tribute from every union in Chicag and makeing them like it. They are not satisfied that they con trol all gambling, brewries, the sale of whiskies, but now they are forcing into retirement operaters of dyeing and cleaning establishment, laundries, and many other legitimate businesses. You say this is a local affair, well how can you go and report these things knowing that the next day when you are leaving your home you will be met by a volley of gunshot. It is a terrible state of affairs that exist in this city and from the States Att erney down to the mayer they even have to have a few squads to protect them. If it is so safe here, why do they each have from fifteen to twenty policemen detailed to protect their families & themselves. It is about time that the government took a hand and done something to wipe this gang out, the more time they are given the bigger and more powerful they get. You can't raise yo voice above a whisper unless you want to die. They run and oper like any big gang, have their murderers, business men, line men, They have offices in the Sherman Hotel, The Congress Hotel, I 24 and directly across from the City Hall, on clark Street, in Mak Carrozze Office. They are directly responsible for at least a thousand murders committed in Chicago, in the last five years. Why don't you really do something for manking and wipe this gang of rats out. You would be doing the country at large a big fav and clean the name of this city from the way they have disgraced it.

62-1594-35

28729

This gang have a Cottage at Colona Mich. which is near Paw Paw, they use it as a meeting Place also forgot to tell you how they muscled in on the Tavern & Road Houses in the Country Town of Cook County. Here is a list of some gan

Frank Nitti
Phil | Andreas Cabone 130 Eggs
Louis | Campagna Ex Convict Bank Robb
James | Educci
Wm | Feeney
Dan | Serritella Senator 1st Ward
Wm | Pacelli Alderman 20th Ward
Tony Mol[illegible] Volpe.
Ted | Mario Gambling King 1st Ward

210



These two leading Places they leave in Michigan are loaded with guns and the police of Michigan are proctiny them they also have Connections with deputy Game Wardens to shoot Fowl out of season

LMC:RD

RECORDED 62-15941-35

December 10, 1936

Special Agent in Charge,
Chicago, Illinois.

Dear Sir:

The Bureau is in receipt of an anonymous communication mailed from Chicago, Illinois dated November 30, 1936, which appears to relate to certain alleged conditions existing in Chicago.

I am forwarding herewith photostatic copies of this communication for your information.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAIL
DEC 04 1936

J. Edgar Hoover
Dept of Justice
Washington D.C.

Chicago Ill.
12-

Mr. Tamm
Mr. Clegg
Mr. Coffey
Mr. Tracy
Miss Gandy

ANONYMOUS COMMUNICATION
KEEP ENVELOPE ATTACHED

Dear Sir

Enclosed find clipping from the Chicago Tribune of Sept the 27th 1968. I am sending you this thinking it might interest you, as the party referred to in this item is one of the big shot racketeers of this racketeer ridden town, he is interested in gambling, labor, & liquor, and uses the Do, or else method, which is very dangerous, to those concerned and it seems that now he is establishing a Fort, from which to carry on. he has a powerful organization in and around Chicago and as far back as 1933 X 4 when the government during the first of the depression put several thousand X service men to work on the streets they had to pay him $1.00 a month for a permit to work or else, out of this he collected about $15,000

(over)

Letter AAC changes
10-25-38
J.W.C.

RECORDED

INDEXED

62-1-39741-36

FEDERAL BUREAU OF INVESTIGATION
TOLSON
FAIRCHILD
RES. AGT.
ONE
Gandy
NOV 2 1938 P.M.
DEPT OF JUSTICE

Chicago, Ill.
9/28/38

J. Edgar Hoover,
Dept. of Justice,
Washington, D. C.

Dear Sir:

Enclosed find clipping from the Chicago Tribune of Sept. the 27th, 1938. I am sending you this thinking it might interest you, as the Party referred to in this item is one of the big shot racketeers of this racketeer ridden town, he is interested in gambling, labor and liquor, and uses the Do or else method, which is very dangerous, to those concerned and it seems that now he is establishing a Fort, from which to carry on. He has a powerful organization in and around Chicago, and as far back as 1933 and 1934, when the Government during the first of the depression put several thousand X service men to work on the streets they had to pay him $1.00 a month for a permit to work or else, out of this he collected about $15,000.

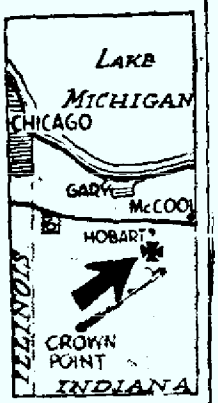
214

RISE OF FORTIFIED CASTLE AMAZES INDIANA FARMERS

Carrozzo Builds Estate in Shower of $1,000 Bills.

[Reprinted from yesterday's late editions.]

It was last May when the residents of Hobart, Ind., [pop. 5,787] came to realize that there were strange doings in the countryside. Some one of great importance — certainly one of great wealth — had come among them.



Cross locates Superior Farms.

Large farms were being swiftly bought up for cash — cash in $1,000 bills. A total of $300,000 had been paid for land and $100,000 was being spent in modernizing five beautiful farm residences, and in barn and outbuilding renovation and reconstruction.

Track Laid Out.

New barns the size of Zeppelin hangars were being built. A half mile dirt track had been laid out and there were special stables for blooded horses and cattle.

Six foot cyclone fences topped with barbed wire inclosed the tract. A fortified empire had been created in the heart of Lake county—John Dillinger's favorite stamping ground. The owner, the people learned, was a Mr. Carrozzo; a Mr. Michael Carrozzo, if you please.

It was something of a shock, however, when they found that their country gentleman was and is none other than the Carrozzo who has long been known as Dago Mike, Capone henchman and czar of the street laborers' council in Chicago. His name has been on many police blotters since 1916. Twice he was indicted for murder and often arrested for carrying concealed weapons, but he never was convicted on these charges.

Subject of Discussion.

Just why the king of the street sweepers chose the old Dillinger territory for his fortified estate—and it is fortified in the most modern manner—is a subject of much discussion both in Chicago and the Hobart countryside.

Carrozzo is wealthy, but those who know him doubt that he could have laid out nearly half a million in cash at any one time in recent years. One report has it that the Carrozzo empire will be graced by no less a personage than Al Capone himself when he finishes a one year term in the county jail after his release from Alcatraz penitentiary next year.

It is said that Capone's friends, recalling the good fortune Dillinger enjoyed in Lake county, have long considered that district to be the safest possible haven for their leader in crime. Dillinger made his fabulous escape from the Lake county jail in Crown Point in 1934 to resume a life of outlawry.

Meanwhile, crews of workmen are renovating and fortifying Mr. Carrozzo's country place, which Mike named Superior farms. Wherever Mike goes on his preserves he is within sight of a number of hard faced, chunky little men. Some of them are beside him, others behind him and still others peer out from the shrubbery.

"My Secretaries," He Explains.

"My secretaries," Mr. Carrozzo explains to his neighbors. But from the many workmen on the farm the neighbors have learned that each of the secretaries carries a large bore pistol on his hip. None speaks English.

Carrozzo's appearance in the area was unheralded. He dropped in one day at the home of a farmer who was offering for $170,000 a 320 acre tract that had three residences on it and a number of barns. Mike laid down 145 $1,000 bills. It was a deal.

Then he bought four adjoining farms, bringing to 900 acres his total holdings. The empire is on U. S. highway No. 6 about fifty miles southeast of Chicago. Driving toward Superior Farms you roll along nearly a mile between the high fences—fences ordinarily seen only around penal institutions—before reaching the first group of buildings.

Barriers Block Gateway.

"The gateway is blocked by heavy iron barriers. Behind them is a pretty white pillared farmhouse, roofed with green slate. About 200 yards to the south stands one of the largest barns in the central west—its length is about 300 feet. There are three enormous silos and many small buildings and sheds, all painted a dazzling white."

"There are signs on the fence at regular intervals, warning against trespassing. "But they haven't had any trouble about trespassers since the folks heard about the secretaries," one native remarked.

Down the road is another pretty white house, with an even heavier fence around it. You are struck by the absolute bareness of the grounds. There are no trees behind which any one could take cover.

"They tell us," remarked the guide, "that Mike can throw electrical current into the fence. That's the Carrozzo residence, you know."

Garage Roof Fenced Off.

There are two other buildings in the enclosure. One is a garage. Even over its roof extends the heavy barricade fencing with mesh made of heavy, unyielding wire.

Down the road a little farther is a fine new stable of tan tile with a slate roof. Beyond the stable is the half mile dirt track.

There are two other groups of buildings, around which carpenters and tilesetters are still working.

"Mike has a lot of guests," remarked the guide. "In their riding clothes, the men and women guests are plenty tricky. But they say Mike is not so hot. He fell off his horse the other day."

32-15941-36

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) 63, 66 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:
32-15941-26

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

XXXXXX
XXXXXX
XXXXXX

216

FBI/DOJ

JHC:MP

October 25, 1938

62-15941-36

RECORDED

Special Agent in Charge
Chicago, Illinois

Dear Sir:

There are being transmitted herewith photostatic copies of an anonymous communication dated September 28, 1938, together with photostatic copies of newspaper clippings, relative to Michael Carrozzo which have been received in the Bureau. These copies are being forwarded to you for your information.

Very truly yours,

John Edgar Hoover
Director

Enclosure

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Ejvel
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. McIntire
Mr. Nichols
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
OCT 25 1938
F. M.
FEDERAL BUREAU OF INVESTIGATION

21

1. An investigation should be made of the citizenship of the gangster "secretaries"; and if possible, deported.

2. The Internal Revenue Department should ascertain as to where Mike Carrezzo secured the money.

3. A place of this type could be used not only for Al. Capone, but other gangsters as a "hideout".

ANONYMOUS COMMUNICATION
KEEP ENVELOPE ATTACHED

1 ENCL

RECORDED & INDEXED

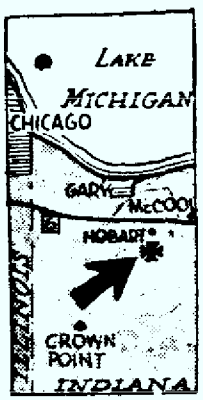
32-15941-37

FEDERAL BUREAU OF INVESTIGATION
SEP 29 1938 P.M.
U.S. DEPARTMENT OF JUSTICE
FILE

ONE

Fortress Rises Among Quiet Indiana Farms

It was last May when the residents of Hobart, Ind., [pop. 5,787] came to realize that there were strange doings in the countryside. Some one of great importance — certainly one of great wealth — had come among them.



Cross locates Superior Farms.

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Then he bought four adjoining farms, bringing to 900 acres his total holdings. The empire is on U. S. highway No. 6 about fifty miles southeast of Chicago. Driving toward Superior Farms you roll along nearly a mile between the high fences—fences ordinarily seen only around penal institutions—before reaching the first group of buildings.

Barriers Block Gateway.

The gateway is blocked by heavy iron barriers. Behind them is a pretty white pillared farmhouse, roofed with green slate. About 200 yards to the south stands one of the largest barns in the central west—its length is about 300 feet. There are three enormous silos and many small buildings and sheds, all painted a dazzling white.

There are signs on the fence at regular intervals, warning against trespassing. "But they haven't had any trouble about trespassers since the folks heard about the secretaries," one native remarked.

Down the road is another pretty white house, with an even heavier fence around it. You are struck by the absolute bareness of the grounds. There are no trees behind which any one could take cover.

"They tell us," remarked the guide, "that Mike can throw electrical current into the fence. That's the Carrozzo residence, you know."

Garage Roof Fenced Off.

There are two other buildings in the enclosure. One is a garage. Even over its roof extends the heavy barricade fencing with mesh shade of heavy, unyielding wire.

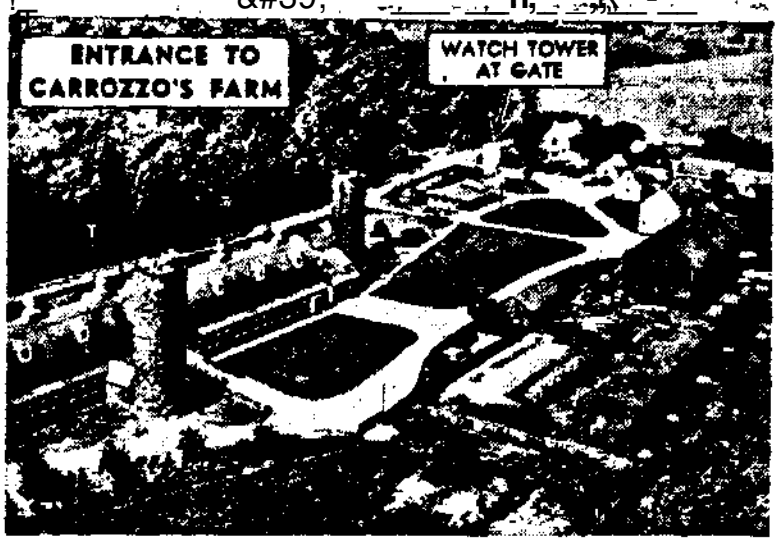
Down the road a little farther is a fine new stable of tan tile with a slate roof. Beyond the stable is the half mile dirt track.

There are two other groups of buildings, around which carpenters and tilesetters are still working.

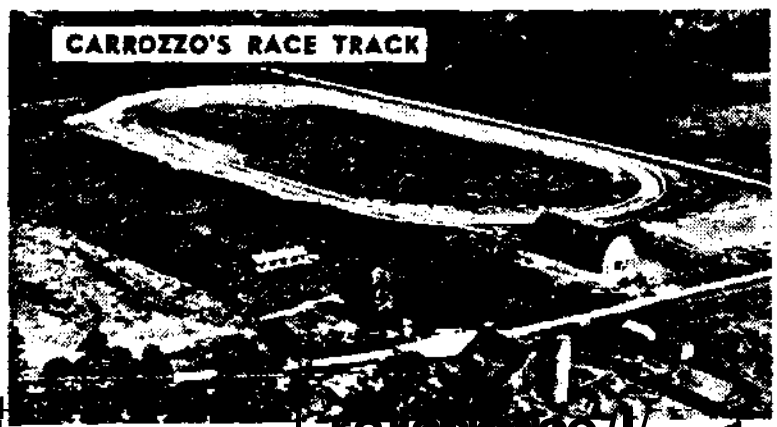
"Mike has a lot of guests," remarked the guide. "In their riding clothes, the men and women guests are plenty tricky. But they say Mike is not so hot. He fell off his horse the other day."

219

32-15941-37


ENTRANCE TO CARROZZO'S FARM
WATCH TOWER AT GATE


CARROZZO'S FARM HOME
HIGH FENCE WHICH RUNS OVER GARAGE


CARROZZO'S RACE TRACK

U. S. Department of Justice

Bureau of Investigation

Chicago, Illinois
December 6,1938

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

Re: No Case.

Dear Sir:

Kindly furnish the known criminal record of the following:

Name (inc. aliases)	City, Police Arrest, or Other Number.	Approximate Date Fingerprints forwarded Bureau of Investigation.	Fingerprint Classification.
[redacted]	Chicago PD [redacted]	12-87	b7c

RECORDED & INDEXED

Very truly yours,

32-15941-38

FEDERAL BUREAU OF INVESTIGATION
DEC 14 1938
U. S. DEPARTMENT OF JUSTICE
MAIL UNIT

D. M. LADD
Special Agent in Charge.

DML:IJM

12-13-38

21

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) b3, b6 with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____ _____, was/were forwarded to them for direct response to you.

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

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

_____

_____

☐ For your information: _____

_____

☒ The following number is to be used for reference regarding these pages:
32-15 94/-38

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

XXXXXX
XXXXXX
XXXXXX

22

FBI/DOJ

Chicago, Illinois

January 11, 1939

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

[redacted] Glenview, Illinois, was interviewed at the Chicago Bureau Office by Special Agent M. W. McFARLIN on January 6, 1939, at which time he stated he has sold [redacted] for the homes of WILLIAM JOHNSON and WILLIAM SKIDMORE, prominent members of Chicago's gambling syndicate.

He stated at one time while at the Club Lon-Air, which is allegedly run by WILLIAM JOHNSON, he saw Captain [redacted] of the Chicago Police Department, receive a large roll of bills from WILLIAM JOHNSON.

This information is being forwarded to be placed in appropriate Bureau file.

Very truly yours,

D. M. LADD,
Special Agent in Charge

MRM:RVT

ORIGINAL FILED IN 62-15941-119

RECORDED & INDEXED

62-15941-37

FEDERAL BUREAU OF INVESTIGATION
JAN 13 1939

NATIONAL HOTEL MANAGEMENT CO., INC.
Ralph Hitz, President
EXECUTIVE OFFICES - HOTEL NEW YORKER
THIRTY-FOURTH STREET AT EIGHTH AVENUE, NEW YORK

Mr. Tol...
Mr. Nich...
Mr. E. A. T...
Mr. Clegg ....
Mr. Coffey ....
Mr. Crowl....
Mr. Egan ....
Mr. Foxwor...
Mr. Gavin ...
Mr. Harbo...
Mr. Lester...
Mr. Mohr...
Mr. Nease...
Mr. Quinn ...
Mr. Tracy ...
Miss Gandy ...

March 31, 1939.

NEW YORKER
NEW YORK

BELMONT PLAZA
NEW YORK

HOOK-CADILLAC
DETROIT

NETHERLAND PLAZA
CINCINNATI

ADOLPHUS
DALLAS

NICOLLET
MINNEAPOLIS

VAN CLEVE
DAYTON

CONGRESS
CHICAGO

EASTERN SLOPE INN
NORTH CONWAY, N.H.

PERSONAL

Mr. J. Edgar Hoover,
Federal Bureau of Investigation,
Washington, D. C.

Dear Chief:

Enclosed is the first sheet of a letter which I received from one of my employees at the Congress Hotel and may or may not be of some value to you. When it has served its purpose, please return it to me, care of the Hotel New Yorker, where I will be all next week, leaving for Dallas on Easter Sunday.

b7C

The initials [redacted] in the letter refer to [redacted] the Congress Hotel. [redacted] is the [redacted] As you know, this is one of the hotels we operate but it is in receivership at the present time.

I will return to the Congress on April 17th and, if at that time I can co-operate with anyone from your Department, I will be very glad to do so regarding this matter.

With kindest personal regards,

Cordially,

[redacted]

b7D

Enc.

1 ENCL.

62-15941-40

FEDERAL BUREAU OF INVESTIGATION
APR 17 1939

Copy [redacted]

67C
67D

[redacted]

Chicago, Ill.
March 25, 1939

Dear [redacted]

I believe that I have stumbled across the reason why [redacted] is wound around the little finger of every hoodlum in Chicago. [redacted] Guzik who controls the gambling syndicate lives in I-22/24 under the alias of Levine. Guzik is in charge of the syndicate during the absence of Al Capone, and is reputed to have contributed five million dollars to Mayor Kelly's campaign. Guzik, himself, served six years for income tax evasion. His headquarters is next door to Colosimo's, but he carries on much of his business in the hotel. Messengers come and go to his room, and every morning he carries a little black bag out of the hotel accompanied by two bodyguards. Primary day, he brought in a suitcase full of money and distributed it to the precinct captains of the first ward.

This morning, I overheard a conversation between two men who appeared to be members of the mob, and from their conversation I gathered that [redacted] is on Guzik's payroll. This information pieces in perfectly with other things I have observed but did not attach much significance to at the time. Several times when I was on the desk, I received an order from [redacted] to deliver a large manila envelope to [redacted]. Each time, I was given particular instructions to place the envelope in his hands. Once, he opened the envelope while I paused to talk to [redacted], and I observed it was filled with one hundred dollar bills. Each time he received the envelope, he would immediately place it in his vault behind the cashier's cage.

[redacted] name was also mentioned several times during the conversation, and it led me to believe that [redacted] might also be on [redacted] payroll. [redacted] is to the ill-famed houses the same as Guzik is to the gambling syndicate. This might explain why the hotel was operated on a wide-open basis until recently. [redacted] operates the [redacted] as a front, and makes his headquarters in the same building. Up to the last year, he was a very frequent visitor at the hotel. He still pays the expenses of his old girl friend who lives in I-32 under the name of Mrs. Smith.

If there is a pay-off, it is almost certain that [redacted] is the go-between. She bought a large farm in Wisconsin where she is raising turkeys on a fairly large scale, and she plays the horses heavily. She once told me that she had tried several times to retire,

COPY DESTROYED
[redacted] AUG 15 1960

62-15941-40 25

but [redacted] asked her to stay on because she was valuable to the department. On the other hand, [redacted] tried to let her go several times because she was old and made many mistakes, but was prevented from doing so by [redacted]

The evidence is strictly circumstantial, and the men might have been discussing another man by the same name. However, the pieces of evidence fit together so perfectly that I am inclined to believe that we have found the reason why three large bookies operate on a large scale in the hotel, why the hotel is handed to the hoodlums on a silver platter, and why the place is operated loosely in general. I imagine the evidence to prove or disprove the payoff lies in [redacted] vault in the hotel.

ENCLOSED

INDEXED

EAT:HA

April 14, 1939

32-15941-40

[redacted] b7C

National Hotel Management Company, Inc.
Hotel New Yorker
New York, New York

Dear [redacted]

I appreciate your courtesy in transmitting to me the first sheet of a letter you received from one of the employees of the Congress Hotel with your letter of March 31, 1939, which was brought to my attention immediately upon my return to Washington. Pursuant to your request, I am returning herewith the original sheet which you transmitted to me and I want you to know that appropriate consideration will be given to all of the facts which you have furnished to me.

With kindest personal regards, I am

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosure

Mr. Tolson	
Mr. Nathan	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Coffey	
Mr. Crowl	
Mr. Egan	
Mr. Foxworth	
Mr. Glavin	
Mr. Harbo	
Mr. Carter	
Mr. [illegible]	
Mr. [illegible]	
Mr. [illegible]	
Mr. [illegible]	
Miss Gandy	

DEPT OF JUSTICE
RECEIVED-TYPE
APR 17 11 [illegible]

COMMUNICATIONS SECTION
MAILED
☆ APR 14 1939 ☆
P. M.
FEDERAL BU[illegible]STIGATION,
U. S. DEPARTMENT OF JUSTICE

28730

EAT:HA

April 24, 1939

Special Agent in Charge
Chicago, Illinois

Dear Sir:

I am transmitting herewith copies of the first page of a letter addressed to [redacted] National Hotel Management Company, Inc., Hotel New Yorker, New York, New York, under date of March 25, 1939, by an employee of the Congress Hotel, in which several references are made to persons generally associated with racketeering activities in the Chicago area. These data are being transmitted to you for your information only at this time.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosures

RECORDED & INDEXED.

32-15941-4

FEDERAL BUREAU OF INVESTIGATION
APR 17 1939
U. S. DEPARTMENT OF JUSTICE

COMMUNICATIONS SECTION
MAILED
APR 14 1939
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPT. OF JUSTICE

Tolson
Nichols
E. A. Tamm
Clegg
Coffey
Crowl
Harbo
Foxworth
Glavin
Lester
McGuire
Nease
Quinn Tamm
Tracy
Gandy

28731

510 South Spring Building
Los Angeles, California
June 2, 1939

Special Agent in Charge
Chicago, Illinois

Dear Sir:

On June 1, 1939 one [redacted], who would not leave his address or telephone number, telephoned the office that he had good information that one [redacted] who runs cigar stores in Chicago, Illinois, and resides at [redacted] Street, Chicago, has made a lot of money as a bookie through the cigar stores; that he is a well-known racketeer and that his name might be of interest to this Bureau.

b7C
b7D

Very truly yours,

R. B. HOOD,
Special Agent in Charge.

JCE:MO
cc: Bureau

INDEXED

32-15941-41X

FEDERAL BUREAU OF INVESTIGATION
JUN 6 1939
U. S. DEPARTMENT OF JUSTICE

SUBJECT Capone, Alphonse

FILE NUMBER 62-32480

SECTION NUMBER

SERIALS 1-

TOTAL PAGES 3

PAGES RELEASED 3

PAGES WITHHELD 0

EXEMPTION(S) USED 0

U. S. Department of Justice

Bureau of Investigation

1900 Bankers Building,
Chicago, Illinois

DEPT. OF JUSTICE
DIVISION ONE
AUG 6 1934 PM

August 2nd, 1934.

Director,
Division of Investigation,
U. S. Department of Justice,
1001 Vermont Avenue, N. W.,
Washington, D. C.

Dear Sir,

There is attached herewith a copy of an unsigned statement entitled "Capone Crowd Cepture Union", which purports to be from a member of the Stage Hands Union.

This is transmitted merely for your information.

Very truly yours,

M. H. PURVIS,
Special Agent in Charge.

MHP:mwc
Enc.

RECORDED
&
INDEXED

AUG 7 - 1934

62-22480-1
AUG 4 1934
ONE

(COPY)

[redacted]

for Brown.

About two years ago a man named William Berg alias Bioff muscled his way in the Stage Hands Union and he has been Browns constant companion since. He also managed Browns campaign for International President.

He is the representative of the Gang and the real leader of the International and also Chicago Stage Hands Union.

We are helpless and believe that one of greatest things needed are laws to control Labor Organizations.

From A Member Of The [redacted] Union

62-32480-1

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Ladd
Mr. Quinn
Mr. Egan
Mr. Glavin
Mr. Crowl
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. Nichols
Mr. Rosen
Mr. Sears
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

Request for Bioff Return Signed by Gov. Horner

By the Associated Press.

SPRINGFIELD, Ill., Jan. 12.—Gov. Henry Horner signed and mailed to Gov. Culbert L. Olson last night a request that William Bioff, Hollywood labor leader, be returned to Illinois to complete a 1922 jail sentence for pandering.

Before he signed the requisition for Bioff's extradition, the Illinois Governor issued a statement suggesting that the defendant "be given an opportunity to relate before a grand jury how he has been able to evade for 17 years the serving of his sentence."

Bioff is Hollywood representative of the International Alliance of Theatrical Stage Employes and Moving Picture Machine Operators.

At Chicago Assistant State's Attorney Wilbert F. Crowley said he would telegraph Los Angeles police asking Bioff's arrest on a fugitive warrant. He was taken into custody there in November but was released during hearings here.

Bioff surrendered to Federal authorities in California yesterday on an income tax evasion indictment returned Wednesday.

DE-INDEXED
DATE 5 4-1-57

JAN 12 1940

62-32480-A

SUBJECT Capone, Alphonse

FILE NUMBER 62-32259

SECTION NUMBER

SERIALS 1-9

TOTAL PAGES 42

PAGES RELEASED 42

PAGES WITHHELD Ø

EXEMPTION(S) USED b7c

2

AGB:CSH

62-35259-1

RECORDED

April 5, 1955

Special Agent in Charge,
Detroit, Michigan.

Dear Sir:

There are transmitted herewith copies of an anonymous telegram received by the Department on April 3, 1955, concerning alleged disturbances by remarks of the Al Capone organization.

These copies are being transmitted for your information.

Very truly yours,

John Edgar Hoover,
Director.

CC Cincinnati
Omaha

Enclosure (1) 66-3

2 copies
1 to Dept

FILED
★ APR 6
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

62-35259-3

From

ASSISTANT ATTORNEY GENERAL KEENAN

To

OFFICIAL INDICATED BELOW BY CHECK MARK

MEMORANDUM

- The Attorney General
- The Solicitor General
- Assistant to Attorney General Stanley
- Assistant Attorney General Wideman
- Assistant Attorney General Stephens
- Assistant Attorney General Sweeney
- Assistant Solicitor General MacLean
- Assistant Attorney General Blair
- Mr. Stewart
- Mr. Hoover, Director, Division of Investigation ✓
- Mr. Bates, Director, Bureau of Prisons
- Division of Accounts
- Chief Clerk
- Appointment Clerk
- Records Division
- Mr. Finch, Pardon Attorney
- Mr. Parrish
- Mr. Ridgely
- Mr. Kiefer
- Mr. Ramsey
- Mr. Fisher
- Mr. Butler
- Mr. Preston
- Mr. Fort
- Mr. Jones
- Mr. Dean
- Mr. Gottshall
- Mr. Weil
- Mr. McGuire
- Mr. J. H. Smith
- Miss Brookley
- Miss Broomhead

agB

N

APR 8 1935

62-35259-1

DIVISION OF INVESTIGATION

APR 8 - 1935

U. S. DEPARTMENT JUSTICE

FILE

RECORDED & INDEXED

APR 13 1935

QUIK

GA 357 48 MI-DAYTON OHIO 8

ATTORNEY GENERAL, CONFIDENTIAL
DEPARTMENT OF JUSTICE BLDG
WASHING

THE AL CAPONE REMNANT ARE DAILY BESIEGING CERTAIN AMERICAN CITIZENS ON PHONES WITH ABDUCTED GALLIENS AROUND WESTERN OHIO CALLING LONG DISTANCE FROM PRIVATE RESIDENCE IN LOWER IOWA CITY ON MISSISSIPPI RIVER WITH TWO OR MORE REAL PHONES IN RESIDENCE WHICH CAN BE TRACED TO LOCAL IOWA TELEPHONE COMPANY

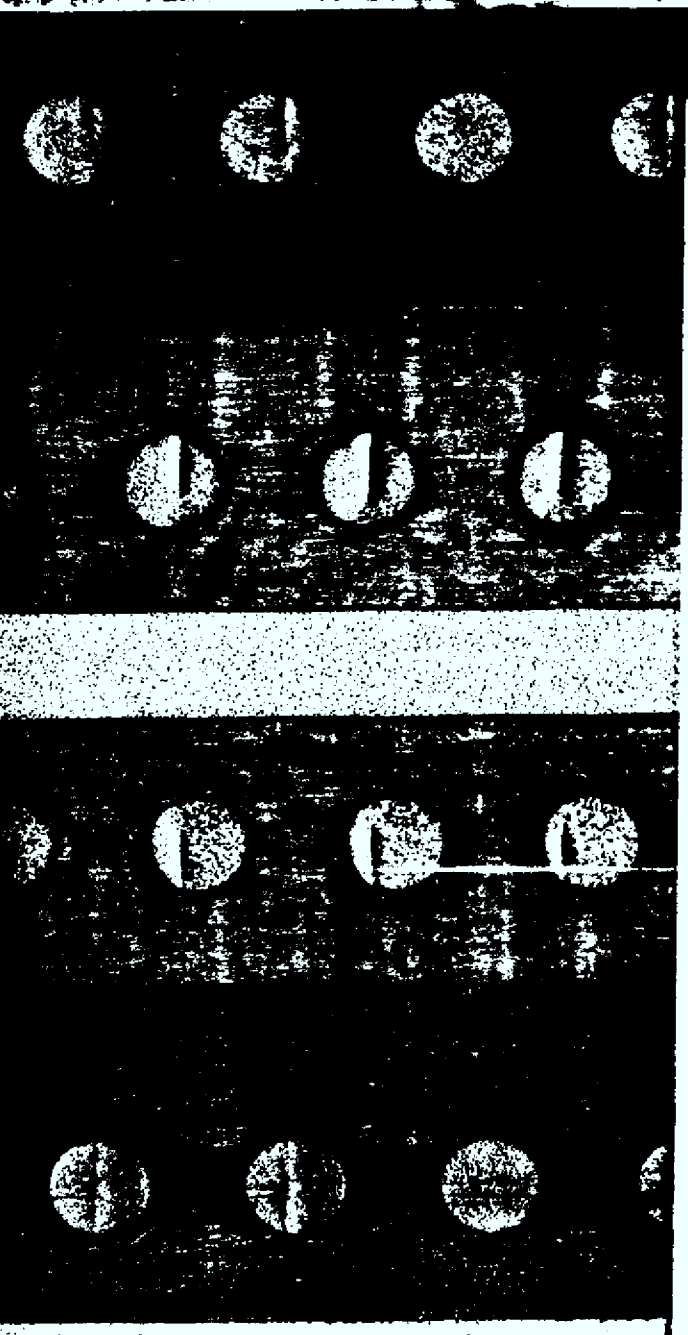
NO SIG.

RECORDED
INDEXED
APR 13 1935
~~APR 9 1935~~

62-35259-1
DIVISION OF INVESTIGATION
APR

62-

5



FEDERAL BUREAU OF INVESTIGATION
FROM: UNIT #1 & UNIT #3

4-6 1935.

TO: ___Director
___Mr. Nathan
___Mr. Tolson
___Mr. Edwards
___Mr. Quinn
___Mr. Tamm
___Unit Two

___Unit Four
___Files Section
___Personnel Files
___Mechanical Section
___Chief Clerk's Office

___Unit Five
___Identification Unit
___Statistical Section
___Technical Laboratory

SUPERVISORS

Unit One
___Mr. Welles
___Mr. Lowdon
___Mr. Bryan
___Mr. Newby
___Mr. Richmond
___Mr. Thompson
___Mr. Chambers

Unit Three
___Mr. Joseph
___Mr. Berens
___Mr. Foxworth
___Mr. Weeks

___Miss McCarthy
___M _____

___Correct
___Re-write
___Re-date
___See me
___Send file

The Bureau received a similar note. Copies of it have been sent to Detroit, Cincinnati & Chicago

Supervisor.

Post Office Department

OFFICE OF THE CHIEF INSPECTOR

Washington

IN REPLY REFER TO:
LBJ

April 5, 1935.

The Honorable

The Attorney General.

My dear Mr. Attorney General:

Attention Division of Investigation.

There is transmitted herewith an unsigned telegram sent to the Postmaster General from Dayton, Ohio, under date of April 2, 1935, stating that German-American citizens living in the western part of Ohio are being badly disturbed by long distance telephone calls from members of the Al Capone gang.

Very truly yours,

For the Postmaster General,

K. P. Aldrich

Chief Inspector.

Inclosure.

RECORDED & INDEXED
APR 9 1935

62 - 35259 - 2
DIVISION OF INVESTIGATION
APR 8 - 1935
U. S. DEPARTMENT OF JUSTICE

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

WESTERN UNION

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

R. B. WHITE
PRESIDENT

J. C. WILLEVER
FIRST VICE-PRESIDENT

CLASS OF SERVICE

This is a full-rate Telegram or Cable-gram unless its de-ferred character is in-dicated by a suitable sign above or preced-ing the address.

SIGNS

DL = Day Letter
NM = Night Message
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Blue = Telegram

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown, are STANDARD TIME.

Received at 708 14th St., N. W. Washington, D. C.

RECEIVED
APR 8 - 1935
POSTMASTER GENERAL

MINUTES IN TRANSIT

FULL-RATE	DAY LETTER

CA355 48 NL=DAYTON OHIO 2

POSTMASTER GENERAL FARLEY=

POST OFFICE DEPT BLDG WASH

THE AL CAPONE REMNANT ARE BADLY DISTURBING GERMAN AMERICAN
CITIZENS ON PHONES WITH ABDUCTED CALLERS AROUND WESTERN
OHIO CALLING LONG DISTANCE FROM PRIVATE RESIDENCE IN LARG
IOWA CITY ON MISSISSIPPI RIVER WITH TWO OR MORE DIAL PHON
IN RESIDENCE WHICH CAN BE TRACED TO LOCAL IOWA TELEPHONE

COMPANY=

NO SIG.

62-35259-2

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

8

AGB:CJ

RECORDED 62-35254-3

Special Agent in Charge,
Omaha, Nebraska.

Dear Sir:

There are being transmitted herewith photostatic copies of an anonymous communication dated April 2, 1935 at Dayton, Ohio pertaining to alleged activities of the Al Capone gang.

These data are submitted for your information.

Very truly yours,

John Edgar Hoover,
Director.

Encl. #264395

CC - Cincinnati
Detroit
Encl. (photostatic copy of anonymous letter, dated 4/2/35 to both offices)

FILED
MAILED

From

ASSISTANT ATTORNEY GENERAL KEENAN

To

OFFICIAL INDICATED BELOW BY CHECK MARK

MEMORANDUM

The Attorney General	
The Solicitor General	
Assistant to Attorney General Stanley	
Assistant Attorney General Wideman	
Assistant Attorney General Stephens	
Assistant Attorney General Sweeney	
Assistant Solicitor General MacLean	
Assistant Attorney General Blair	
Mr. Stewart	
Mr. Hoover, Director, Division of Investigation	✓
Mr. Bates, Director, Bureau of Prisons	
Division of Accounts	
Chief Clerk	
Appointment Clerk	
Records Division	
Mr. Finch, Pardon Attorney	
Mr. Parrish	
Mr. Ridgely	
Mr. Kiefer	
Mr. Ramsey	
Mr. Fisher	
Mr. Butler	
Mr. Preston	
Mr. Fort	
Mr. Jones	
Mr. Dean	
Mr. Gottshall	
Mr. Woll	
Mr. McGuire	
Mr. J. H. Smith	
Miss Brookley	
Miss Broomhead	

RECORDED

APR 23 1935

62-35259-3

DIVISION OF INVESTIGATION

APR 20 1935

U. S. DEPARTMENT OF JUSTICE

TWO | FILE

10

U.S. GOVERNMENT PRINTING OFFICE: 1935

COPY

U. S. DEPARTMENT OF LABOR
OFFICE OF THE SECRETARY

For Department of Justice
Washington, D. C.

Correspondence from Anonymous
Dayton, Ohio

dated April 2, 1935.

relating to wants Department of Justice to get after Al Capone gang.

is herewith referred for your consideration.

The writer has been informed of this action.

/s/ Frances Perkins
Secretary of Labor.

RECORDED

62-35259-3
DIVISION OF INVESTIGATION
APR 20 1935 A.M.
U. S. DEPARTMENT OF JUSTICE
TWO | FILE

APR 23 1935

COPY

UNITED STATES DEPARTMENT OF AGRICULTURE

Office of the Secretary

Washington

April 19, 1935

MEMORANDUM FOR DEPARTMENT OF JUSTICE

Gentlemen:

There are inclosed for attention and disposition letters of recent date received at this office. These letters have not been acknowledged.

Very truly yours,

/s/ J. D. LeCron
J. D. LeCron
Assistant to the Secretary

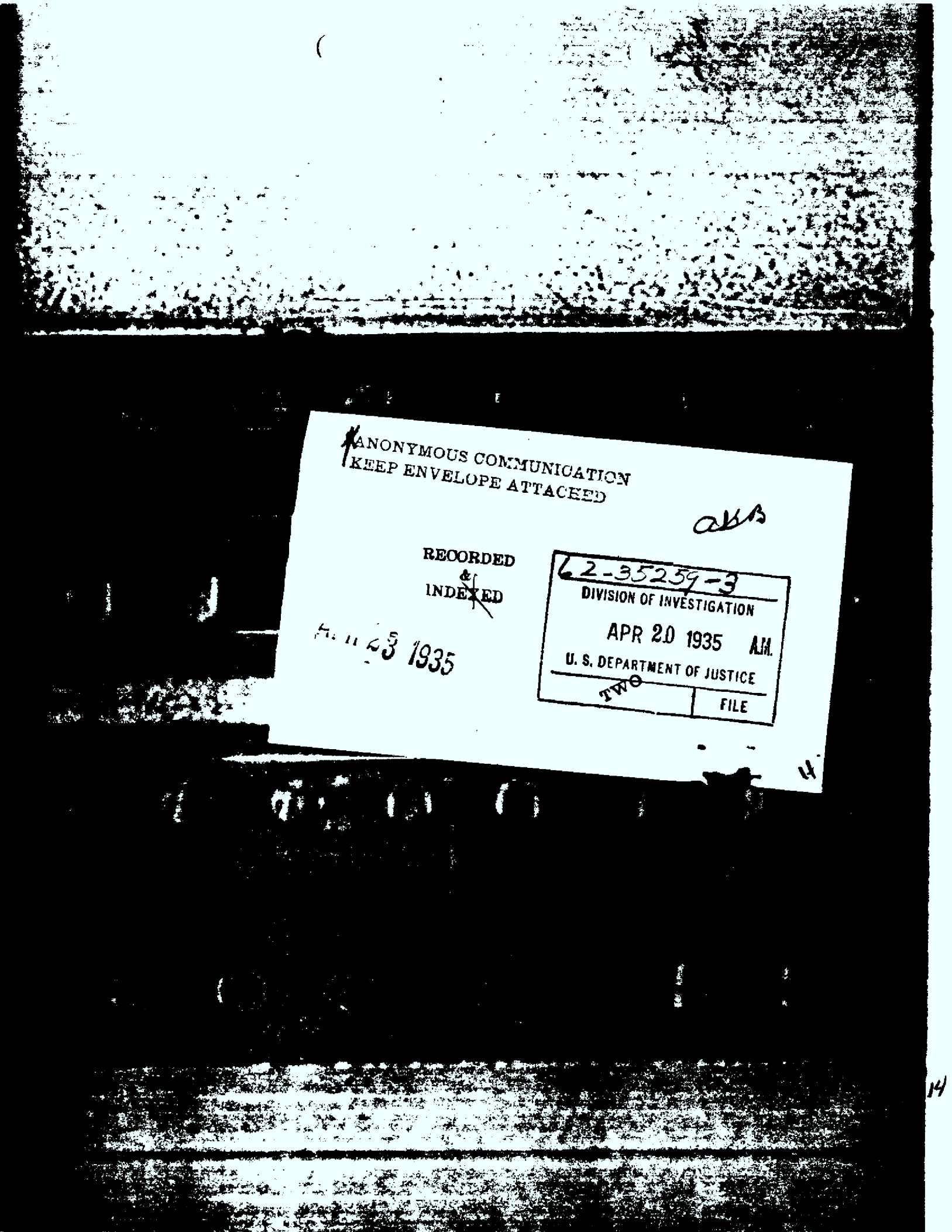
Inclosures

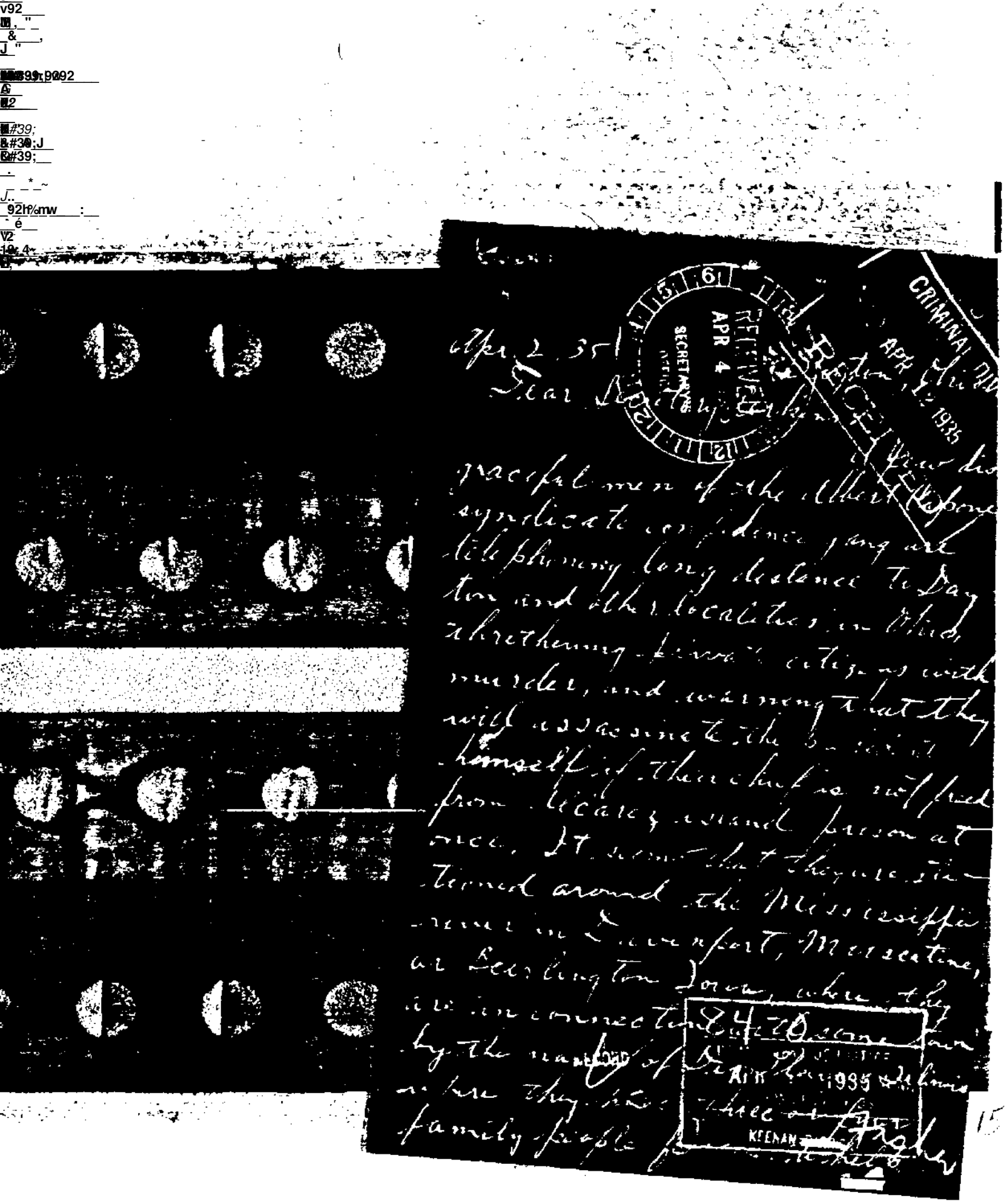
RECORDED
APR 23 1935

62-35259-9
DIVISION OF INVESTIGATION
APR 20 1935 A.M.
U. S. DEPARTMENT OF JUSTICE
FILE

Note:

This same letter was sent to Secretary Wallace, of Agriculture, on April 2, 1935 by the sender. No photostatic copy was made as it is identical with one attached.


ANONYMOUS COMMUNICATION
KEEP ENVELOPE ATTACHED
RECORDED
&
INDEXED
1935
62-35259-3
DIVISION OF INVESTIGATION
APR 20 1935 A.M.
U. S. DEPARTMENT OF JUSTICE
TWO
FILE


APR 4
SECRET SERVICE
CRIMINAL
APR
1935
KEENAN



The phone are a rowdy faction. They have boycotted several new ones with the forced telephone for Miss Capone, in Detroit. The young men and these forced hired phones have to do their talking on phones at any time, day or night, in their fellow workers passion. We believe the best plan of justice can find sufficient cause to get after the entire mob and stop it. We would be glad for your individual cooperation and comply about this matter in Washington, D.C., as it is only a question of elimination.

Yours respectively,
Citizens of Dayton, Ohio.

16

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

May 8, 1935.

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

MEMORANDUM FOR THE DIRECTOR, BUREAU OF INVESTIGATION

The attached telegram from Paul Miller, Fort Wayne, Indiana, is referred to you for such action as you deem advisable.

Director.

RECORDED & INDEXED

62-35259-37

FED... INVESTIGATION
MAY 11 1935
U.S. DEPARTMENT OF JUSTICE

NATHAN TWO

MAY 24 1935

17

United States Senate

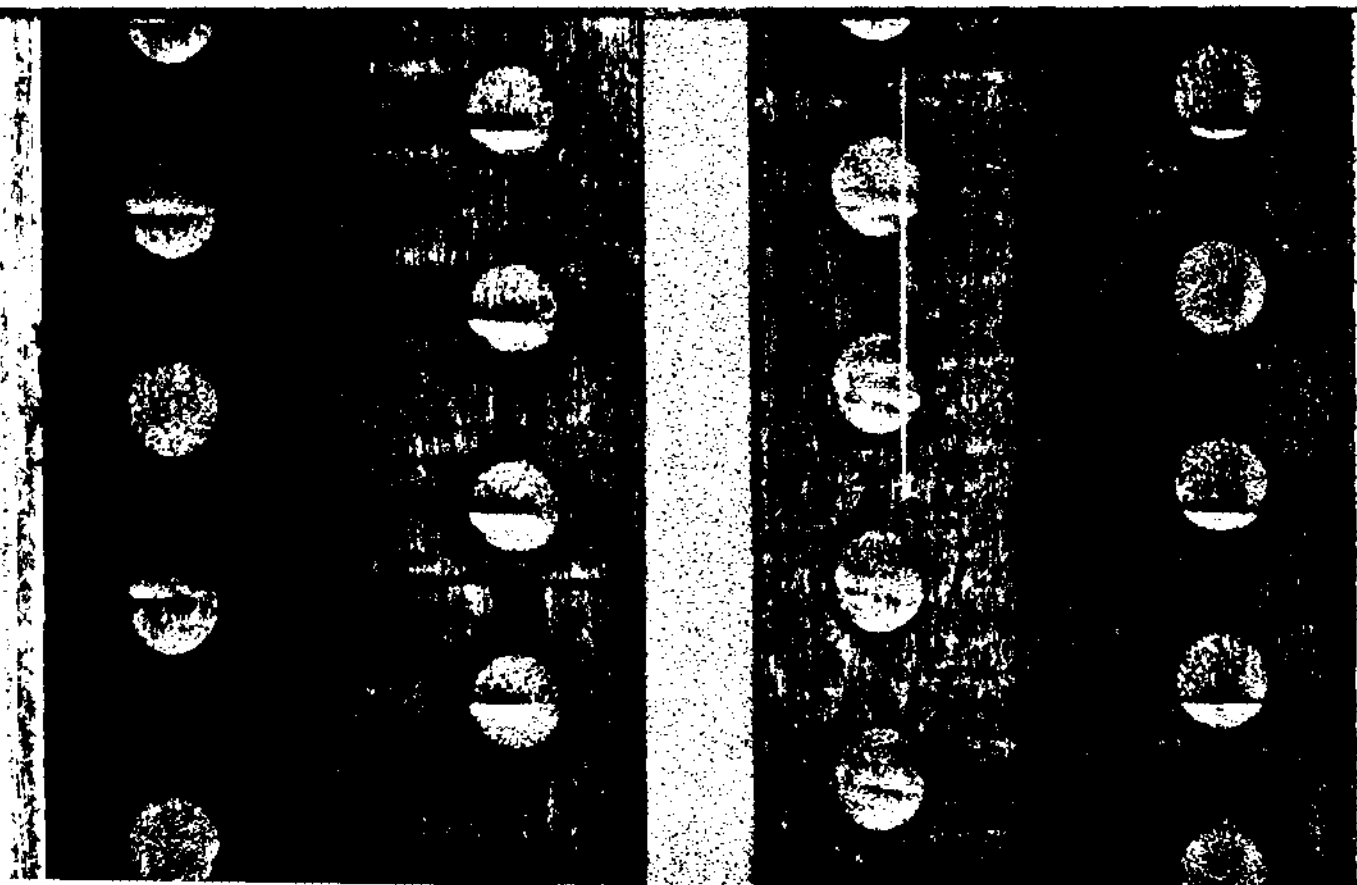
COMMITTEE ON INTERSTATE COMMERCE

FREE

WASHINGTON, D.C. APR 27 8-PM 1939

U.S.S.

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



United States Senate

MEMORANDUM

The attached telegram refers to a subject in which you are interested and is, therefore, referred for your information.

RECORDED 62-35259-4

Yours very truly,

MAY 1 1935

Vic Donahey

NATHAN TWO

FILE

MAY 15 1935

RECEIVED AT

STANDARD TIME INDICATED ON THIS MESSAGE

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial Cables — All America Cables — Mackay Radio

TELEGRAMS CABLEGRAMS RADIOGRAMS

This is a Full rate Telegram, Cablegram or Radiogram unless otherwise indicated by signal in the check or in the address.

DL	DAY LETTER
NL	NIGHT LETTER
NM	NIGHT MESSAGE
LCO	DEFERRED CABLE
NLT	NIGHT CABLE LETTER
WLT	WEEK END CABLE LETTER
	RADIOGRAM

C833 67 NL 6 EXTRA 1935 APR 27 AM 5 16

VANWERT OHIO 26

SENATOR VIC DONAHEY OF OHIO

SENATE BLDG WASHN DC

THE AL CAPONE SYNDICATE REMNATE WITH THREE ILLEGAL SCANDINAVIAN SAILORS AND TWO OTHERS ABDUCTED PHONE CALLERS ARE VIOLENTLY DISTURBING PEACEFUL CITIZENS IN OHIO HOMES LONG DISTANCE FROM THE MISSOURI RIVER VICINITY BETWEEN OMAHA NEBRASKAS AND KANSASCITY USING A PRIVATE RESIDENT WITH TWO OR MORE DIAL PHONES IN OPERATION WHICH NUMBERS CAN BE TRAILED TO LOCAL TELEPHONE COMPANY PLEASE INTEREST JUSTICE DEPARTMENT

INDEXED LOUIS BARTHOFF 726 EAST MAIN ST.

Sat. Chicago cc-Cleveland Omaha, Detroit & Cincinnati

62-3525 9-5½/55 - APB

AGB:LL
UNRECORDED
62-36859

Special Agent in Charge
Chicago, Illinois

Dear Sir:

There are transmitted herewith copies of a telegram addressed to the Bureau dated at Fort Wayne, Indiana, April 30, 1962, signed by Paul Miller, and copies of a telegram addressed to Director The Bureau of Old West, Ohio, April 30, 1962, signed by Louis Herhoff, 1701 Post Wide Street, concerning alleged long distance telephone calls by members of the Al Capone gang.

Various anonymous communications have been received by the Bureau, containing similar information. Copies of these communications have been transmitted to the Omaha, Detroit, and Cincinnati offices for their information.

The Bureau desires that the Chicago and Cleveland offices conduct appropriate investigation to determine the identity of the authors of instant telegrams. It is the opinion in this connection that the names Paul Miller and Louis Herhoff are probably fictitious.

The Bureau believes that no detailed investigation should be made concerning this matter.

Very truly yours,

John Edgar Hoover
Director

Enclosures 4

cc-Cleveland (with copies of above mentioned telegrams)
cc-Omaha (with one copy each of above mentioned telegrams)
cc-Detroit (with one copy each of above mentioned telegrams)
cc-Cincinnati (with one copy each of above mentioned telegrams)

NOTE: [illegible]

1. gr-in.n92 ... 'c-1-1-8#39;...n92=l'92"... =r'='| ...92*_.k&#3

RECEIVED AT

15th & New York Avenue
Washington Building
[illegible] D. C.

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial Cables | TELEGRAMS CABLEGRAMS RADIOGRAMS | All American Cables

Mackay Radio

This is a full rate Telegram, Cablegram or Radiogram unless otherwise indicated by signal in the check or in the address.

DL	DAY LETTER
NL	NIGHT LETTER
NM	NIGHT MESSAGE
LCO	DEFERRED CABLE
NLT	NIGHT CABLE LETTER
WLT	WEEK END CABLE LETTER
	RADIOGRAM

CB131 62 NL

FTWAYNE IND 28

DIRECTOR OF INVESTIGATION EDGAR HOOVER

DEPT OF JUSTICE WASHN DC

DEAR SECRETARY ABOUT SEVEN MEMBERS OF THE AL CAPONE SYNDICATE ARE CAUSING VIOLENT DISTURBANCE CALLS ON PHONES LONG DISTANCE DAY AND NIGHT IN INDIANA THEY ARE USING FOUR ABDUCTED PHONERS THREE ARE ALIEN SCANDINAVIAN SAILORS THEY EMPLOY TWO OR MORE DIAL PHONES IN THEIR PRIVATE QUARTERS WHICH CAN BE TRAILED TO TELEPHONE COMPANY IN SOME MISSOURI RIVER CITY BETWEEN KANSASCITY AND OMAHA

PAUL MILLER.

RECEIVED 1935 APR 28 PM 11 01

INVESTIGATION DEPT.

RECORDED 62-35259-5

MAY 15 1935

MAY 10 1935

St. Chicago - cc. Cleveland, Detroit, Omaha, & Cincinnati 5/9/35. ADB

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

NATHAN TWO FILE

No record 20-3

22

FEDERAL BUREAU OF INVESTIGATION
FROM: DIVISION #1 DIVISION #3

11-30 1935.

TO:
- Director
- Mr. Nathan
- Mr. Tolson
- Mr. Edwards
- Mr. Quinn
- Mr. Clegg
- Division Three
- Division Five
- Identification Division
- Statistical Section
- Technical Laboratory

- Division Four
- Files Section
- Personnel Files
- Mechanical Section
- Chief Clerk's Office

SUPERVISORS

Division One
- Mr. Welles
- Mr. Lowden
- Mr. Bryan
- Mr. Newby
- Mr. Richmond
- Mr. Thompson
- Mr. Chambers

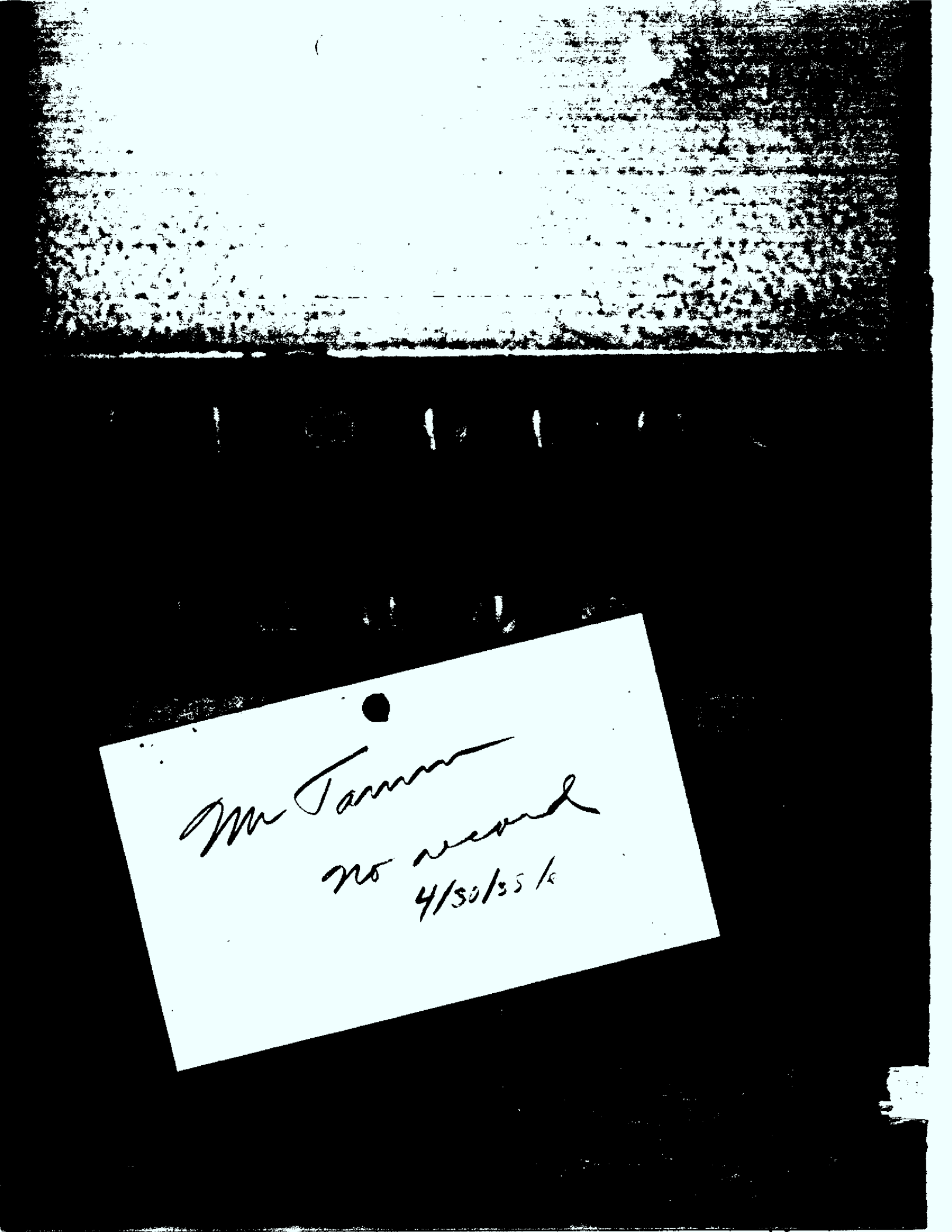
Division Two
- Mr. Joseph
- Mr. Berens
- Mr. Foxworth
- Mr. Weeks

- Miss Gandy
- Mrs. Kelley
- Miss McCarthy
- Mr. Ward

- M
- Correct
- Re-write
- Re-date
- See me
- Send file
- Note and Return
- Please call me concerning this
- Search, serialize and route

Tilden Louis Bartlett

E. A. Tamm - Room 5107.


Mr Tanner
no record
4/30/35 K

W

COPY

POSTAL TELEGRAPH

CB128 50 NL

FTWAYNE IND 7 86

SECRETARY OF COMMERCE ROPER

DEPT OF COMMERCE BLDG WASHN DC

DEAR SECRETARY KINDLY USE YOUR INFLUENCE IN [illegible] CAUSE SYNDICATE LONG DISTANCE PHONE CALLS THEY USE FOUR ABDUCTED PHONERS TO USE BASE LANGUAGE ON HOME PHONES THREE BEING AIRMEN SAILORS THEY USE TWO OR MORE DIAL PHONES PRIVATE HOUSE WHICH CAN BE TRACED TO PHONE COMPANY ON MISSOURI RIVER

PAUL MILLER

62-35259-1

FEDERAL BUREAU OF INVESTIGATION

MAY 20 1935

U.S. DEPARTMENT OF JUSTICE

no reply necessary to dept
case being investigated
AG

25

Copy

POSTAL TELEGRAPH

CB129 65 NL

FT WAYNE IND 3

POSTMASTER FARLEY

Post Office Dept WASHN DC

DEAR SECRETARY ABOUT SEVEN MEMBERS OF THE AL CAPONE SYNDICATE ARE CAUSING VIOLENT DISTURBANCE CALLS ON PHONES LONG DISTANCE DAY AND NIGHT IN INDIANA THEY ARE USING FOUR ABDUCTED PHONES THREE ARE ALIEN SCANDINAVIAN SAILORS THEY EMPLOY TWO OR MORE REAL PHONES IN THEIR PRIVATE LIVING QUARTERS WHICH CAN BE TRAILED TO TELEPHONE COMPANY IN SOME MISSOURI RIVER CITY BETWEEN KANSASCITY AND OMAHA

PAUL MILLER

RECORDED

62-35259-5X

JUN 1 1936

JUN 10 1936

COPIES DESTROYED

19 SEP 29 1964

26

RECEIVED AT

STANDARD TIME
INDICATED ON THIS MESSAGE

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial Cables — *All America Cables* — *Mackay Radio*

This is a full rate Telegram, Cablegram or Radiogram unless otherwise indicated by signal in the check or in the address.

DL	DAY LETTER
NL	NIGHT LETTER
NM	NIGHT MESSAGE
LCO	DEFERRED CABLE
NLT	NIGHT CABLE LETTER
WLT	WEEK END CABLE LETTER
	RADIOGRAM

ASSISTANT ATTORNEY GENERAL

OFFICIAL INDICATED BELOW BY CHECK MARK

MEMORANDUM

- The Attorney General
- The Solicitor General
- Assistant to Attorney General Stanley
- Assistant Attorney General Wideman
- Assistant Attorney General Stephens
- Assistant Attorney General Sweeney
- Assistant Solicitor General MacLean
- Assistant Attorney General Blair
- Mr. Stewart
- Mr. Hoover, Director, Division of Investigation ✓
- Mr. Bates, Director, Bureau of Prisons ✓
- Division of Accounts
- Chief Clerk
- Appointment Clerk
- Records Division
- Mr. Finch, Pardon Attorney
- Mr. Parrish
- Mr. Ridgely
- Mr. Kiefer
- Mr. Ramsey
- Mr. Fisher
- Mr. Butler
- Mr. Preston
- Mr. Ferl
- Mr. Jones ✓
- Mr. Dean
- Mr. Cotthall
- Mr. Wall
- Mr. McGuire
- Mr. J. H. Smith
- Miss Brockley
- Miss Broomhead

RECORDED

62-35259-5X

FEDERAL BUREAU OF INVESTIGATION
JUN 1 1935
U. S. DEPARTMENT OF JUSTICE

JUN 10 1935

EWO


JUN 10 1935
RECORDED
62-35259-5X
JUN 1 1935
TWO

DEMOCRATIC NATIONAL COMMITTEE

NATIONAL PRESS BUILDING

WASHINGTON

JAMES A. FARLEY
CHAIRMAN

April 30, 1935

Hon. Homer S. Cummings
Attorney General
Washington, D. C.

Dear Homer:

I am attaching hereto a telegram which I have received from Paul Miller, Fort Wayne, Indiana, for whatever consideration you feel it merits.

Sincerely,

JAF/dp

97-0-

ASSISTANT ATTORNEY GENERAL KEENAN

OFFICIAL INDICATED BELOW BY CHECK MARK

- The Attorney General
- The Solicitor General
- Assistant to Attorney General Stanley
- Assistant Attorney General Wideman
- Assistant Attorney General Stephens
- Assistant Attorney General Sweeney
- Assistant Solicitor General MacLean
- Assistant Attorney General Blair
- Mr. Stewart
- Mr. Hoover, Director, Division of Investigation
- Mr. Bates, Director, Bureau of Prisons
- Division of Accounts
- Chief Clerk
- Appointment Clerk
- Records Division
- Mr. Finch, Pardon Attorney
- Mr. Parrish
- Mr. Ridgely
- Mr. Kiefer
- Mr. Ramsey
- Mr. Fisher
- Mr. Butler
- Mr. Preston
- Mr. Fort
- Mr. Jones
- Mr. Dean
- Mr. Gottshall
- Mr. Wall
- Mr. McGuire
- Mr. J. H. Smith
- Miss Brockley
- Miss Broomhead

MEMORANDUM

I think that you should take vigorous steps to remind Al Capone from indulging in this sort of conduct!

Parrish

Mr. Nathan
Mr. Tolson
Mr. Berkshire
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilly
Mr. Schilder
Mr. Smith
Mr. Thacker
Mr. Tracy
Miss Gandy

RECORDED
MAY 23 1935

62-35259-6
FEDERAL BUREAU OF INVESTIGATION
MAY 20 1935 P. M.
U. S. DEPARTMENT OF JUSTICE

U.S. GOVERNMENT PRINTING OFFICE: 1934

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS

FILE NO. 62-6

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
[illegible]	5/23/35	5/20/35	[illegible]

TITLE: [illegible]

SYNOPSIS OF FACTS:

Postal telegram advises that [illegible] has no record of number. Pending results of [illegible] neighborhood investigation.

REFERENCE: Bureau letter dated 5/9/35

DETAILS:

AT VAN WERT, OHIO.

Mr. [illegible] Postal Telegraph Company, Van Wert, Ohio, was interviewed and after a search of his records stated that he had no record of the telegram on file stating that he had forwarded all of the original telegrams to the [illegible] Telegraph Company at Cleveland, Ohio.

[illegible] stated [illegible]

APPROVED AND FORWARDED: J. Q. MacFarland

62-35259-7

DATE: MAY 25 1935

COPIES OF THIS REPORT FURNISHED TO:

2 - Bureau
2 - Chicago
1 - Omaha
1 - Detroit
1 - Cincinnati
2 - Cleveland

COPIES DESTROYED
40 SEP 20 1954

UNITED STATES
MAY 24 A.M.
BUREAU OF INVESTIGATION

RECORDED: JUN 1 1935

INDEXED:

ROUTE TO: SECT | FILE

STAT

32

time indicated would have been received by the Entry Tower at the Railroad depot as the office was closed at night time.

[redacted]

telegrams for the Postal Telegraph [redacted] interviewed and stated that she had accepted instant telegram [redacted] who had come into the exchange on April 26, 1933 at 9:45 P.M. Miss Atak further stated that the man had first asked her what the rate was for telegrams to Washington and upon being advised had sat down at the desk and had taken about 15 minutes to draft the message and then had paid the sum of 68 cents plus 3 cents tax, taking the money from what looked like a large white muslin tobacco sack.

Continuing, Miss Atak stated that she had noticed the address sender had given and as she lived in that vicinity, she had looked him over in view of the fact that the wording of the telegram and the man's actions had frightened her and as she was just getting ready to go home she was curious to know who he was. Miss Atak stated that she had never seen the man before nor since, nor did she hear an automobile stop or start at the time the man entered and left. Miss Atak stated that she left her home immediately after the man left but did not see him anywhere.

A tracing of the man's signature and of Senator Wm. Bonahey's name as written by the sender was made by Agent and same is being retained in the files of this office.

The writer contacted Chief of Police E. E. Jackson and he advised that he had never heard of Louis Barthoff nor anyone with a name similar to that as yet [redacted]

Agent interviewed the following persons in the vicinity of 720 East Main St., the address given by the sender and it will be sufficient to state here that none of them have ever heard of any person by the name of Louis Barthoff.

Robert Stickney 808 East Main St.

33

Walter Collins — 725 East Main St. This man rents to about 5 persons in the immediate vicinity and

Bella Hughes — Male

Iva Baltzgar — 720 East Main St. This party has lived at this address for 40 years and stated that no one by that name [illegible] ever lived in this vicinity.

O. A. DeVoe — 800 East Main St. This party has lived at this address for 40 years and stated that no one by that name (Barthoff) has ever lived in this vicinity.

There is no such number as 725 on East Main Street.

The following description of Louis Barthoff was obtained from Nellie Atak, Bell telephone operator, and the person who accepted the telegram.

Name	Louis Barthoff
Residence	725 East Main St., Van Wert, Ohio, [illegible]
Age	45
[illegible]	5'
Weight	150 to 155 pounds
Color of hair	Brown, unkempt, carled out from under hat in rear
Color of eyes	[illegible]
Complexion	Very [illegible]
Mustache or beard	Shaves [illegible] slight red cheek
Build	Medium
Race	[illegible]
Nativity	[illegible]
Peculiarities	Stoop shouldered, carries [illegible] large [illegible] muslin tobacco [illegible]

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

34

Post Office Box #612

Chicago, Illinois

June 12th, 1935

Special Agent in Charge
Indianapolis, Indiana

Dear Sir:

Re: UNKNOWN SUBJECTS; PAUL MILLER;
LOUIS BARTHOFF; MISCELLANEOUS -
ASCERTAIN IDENTITY SENDERS OF
TELEGRAMS RE ALLEGED LONG DISTANCE
TELEPHONE CALLS BY AL CAPONE GANG

In view of the reallocation of territory the entire file in the above entitled case is being transmitted herewith for appropriate attention in your district.

The Indianapolis Office should be considered as the Office of Origin and this matter is being considered referred upon completion at Chicago.

Very truly yours,

M. H. PURVIS
Special Agent in Charge

AEJ:LJH
62-2014
enc.

cc - Bureau

REGISTERED

62-35259
FEDERAL BUREAU OF INVESTIGATION
JUN 15 1935

TWO

P.O. Box 812,
Chicago, Illinois.

Special Agent in Charge,
Indianapolis, Indiana.

Dear Sir:

Re: UNKNOWN SUBJECTS; PAUL HILLER;
LOUIS BARTHOFF; MISCELLANEOUS -
ASCERTAIN IDENTITY SENDERS OF
TELEGRAMS RE ALLEGED LONG DISTANCE
TELEPHONE CALLS BY AL CAPONE GANG

There are being transmitted herewith two copies of report made by Special Agent J.N. Franz, Omaha, Nebraska, dated June 10, 1935, for inclusion in the file recently transferred to your office due to reallocation of territory.

Very truly yours,

M.H. PURVIS,
Special Agent in Charge.

ED
cc Bureau ✓
cc Omaha

62-35259
F. B. I.
JUN 17 1935

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT CHICAGO, ILLINOIS FILE NO. 62-1027

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
OMAHA, NEBRASKA	6/10/35	6/8,24,25/35	[illegible]

TITLE: UNKNOWN SUBJECTS;
PAUL MILLER;
LOUIS BARTHART -

CHARACTER: MISCELLANEOUS - (ASSISTING [illegible] IN ALLEGED LONG DISTANCE TELEPHONE CALLS BY AL CAPONE GANG.)

SYNOPSIS OF FACTS:

No complaints registered with telephone companies, sheriffs' offices, Chiefs of Police, at Burlington, Muscatine, Davenport and Clinton, Iowa. No dial telephones in any Iowa city bordering Mississippi River. Remnants of Capone gang at Davenport, Iowa.

- RUC -

REFERENCE: Bureau letter of April 19, 1935; Bureau letter to Chicago Office, dated May 9, 1935.

DETAILS:

The following individuals were interviewed relative to any complaints they may have received from persons who had been forced to make telephone calls, as suggested in the photostatic copy of communication attached to the Bureau letter of April 19, 1935. None of these individuals have received any such complaint:-

DETAILS:

At Burlington, Iowa - Mr. E. W. Knight, Manager of the local telephone office; Chief of Police Fred F. Meckholz; Harry W. Hunt, Sheriff;

At Muscatine, Iowa - Mr. W. J. Matthews, Manager of the local telephone office; Chief of Police W. F. Longstreth; J. B. Hooper, Sheriff;

At Davenport, Iowa - Mr. E. M. Petersen, Manager of the Telephone Office; Chief of Police Sam Kelly; Sheriff Frank Martin;

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

62-35259-8

RECORDED AND INDEXED JUN 14 1935

CHECKED OFF JUN 17 1935

INDEXED

COPIES OF THIS REPORT FURNISHED TO:

2-Bureau
2-Chicago
1-Detroit
2-Omaha

COPIES DESTROYED
SEP 29 1964

BUREAU OF INVESTIGATION

ROUTED TO: [illegible] FILE

STAT SECT

7—3034

At Clinton, Iowa - Mr. E. G. Conger, Manager of the Telephone Company; Chief of Police M. Barry; Sheriff [illegible]

The various managers of the telephone companies stated that none of the cities in Iowa, along the Mississippi River, have dial telephones; that the only cities in Eastern Iowa having dial telephones are Cedar Rapids, Iowa City and Des Moines, Iowa. They stated that if this was a matter of particular importance, a complaint should be filed with the Area Office of the Bell Telephone Company at Des Moines, Iowa. Mr. E. G. Conger is the General Manager in charge at Des Moines, Iowa.

Sheriff Frank Martin, Davenport, Iowa, informed Agent there is a remnant of the old Al Capone Gang now residing at Davenport, Iowa. Mr. John K. Hall, who has formerly connected with the old Al Capone Gang, is now operating the Casinova Night Club, in Davenport, and very recently, he also took out a lease on the Montrose Hotel, at Davenport, Iowa. Sheriff Martin added he has received no complaints on the operation of either the night club or the hotel, but he has been informed that various members of the old Al Capone Gang have stopped over at the Montrose Hotel on various occasions.

As Agent found no information of value relative to the anonymous telephone calls, this case is being referred to the office of origin.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN.

CLASS OF SERVICE DESIRED

DOMESTIC		FOREIGN	
TELEGRAM		FULL RATE CABLE	
DAY LETTER		DEFERRED CABLE	
NIGHT MESSAGE		NIGHT CABLE LETTER	
NIGHT LETTER		WEEK-END CABLE LETTER	
SHIP RADIOGRAM		RADIOGRAM	

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial Cables | Atlantic Cables | Pacific Cables | Radio

TELEGRAM CABLEGRAM RADIOGRAM

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

Form 2.

4/7

35

To Director of Investigation Edgar Hoover

Department of Justice Washington, D.C.

Dear Secretary:

About seven members of the Al Capone syndicate are causing violent disturbance calls on phones long distance, day and night in Indiana. They are using false abducted phones. three are alien Scandinavian sailors They employ two or more dial phones in their private quarters, which can be trailed to Telephone Company, in some Missouri river city between Kansas City and Omaha

Paul Miller

1628 Wells St

24

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT Indianapolis, Indiana. FILE NO. 88-96

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Indianapolis, Indiana.	7/16/35	7/8,10,12/35	E. B. O'DONNELL

TITLE	CHARACTER OF CASE
UNKNOWN SUBJECTS; PAUL MILLER; LOUIS BASKOFF.	MISCELLANEOUS - RE-CERTAIN IDENTITY SENDERS OF TELEGRAMS RE ALLEGED LONG DISTANCE TELEPHONE CALLS BY AL CAPONE GANG.

SYNOPSIS OF FACTS: Four telegrams sent through Postal Telegraph Co., Fort Wayne, Ind., 4/28/35, addressed to Director of Investigation Edgar Hoover, Dept. of Justice; Secretary of Commerce Roper; Postmaster Farley; and Secretary of Treasury Morgenthau, all detailing the same information concerning long distance calls received in Indiana from Al Capone Gang in Missouri River city. Messages signed Paul Miller, 1626 Wells St. Franklin L. Bischeff residing at that address for five years, knows no Paul Miller, or anything concerning anonymous telephone calls. No complaints registered with Home Tel. & Tel. Co., nor with Ft. Wayne Police Department.

- 6 -

REFERENCE: Bureau letter dated 5/9/35 to Chicago Bureau Office.

DETAILS: AT FORT WAYNE, INDIANA

R. C. Hall, Manager, Fort Wayne, Indiana, office, Postal Telegraph Company, upon request of Agent reviewed all outgoing messages for April 28, 1935, looking for the original of the message addressed "Director of Investigation Edgar Hoover, Department of Justice, Washington, D. C.", and with the original of the message so addressed he displayed three other messages, all signed Paul Miller, and the address 1626 Wells St. appearing on each message. All four messages are set out below:

DE-INDEXED DATE: 5-9-55 13

COPIES DESTROYED 40 SEP 29 1964

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
H. H. Runckle	62-[illegible]35259[illegible]9	JUL 18 1935
	JUL 18 A.M.	JUL 22 1935

COPIES OF THIS REPORT
2 - Bureau (1 enc.)
2 - Cleveland (Info.; 1 enc.)
2 - Indianapolis

U. S. GOVERNMENT PRINTING OFFICE 16-2034

Director of Investigation Edgar Hoover
Department of Justice Washington, D. C.
Dear Secretary:

About seven members of the Al Capone syndicate, are causing violent disturbance calls on phones long distance, day and night in Indiana. They are using four abducted phoners; three are alien Scandinavian sailors. They employ two or more dial phones in their private quarters, which can be trailed to telephone company, in some Missouri river city between Kansas City and Omaha.

Paul Miller 1628 Wells St.

Postmaster Farley
Post Office Department Washington, D. C.
Dear Secretary:

About seven members of the Al Capone syndicate are causing violent disturbance calls on phones long distance day and night in Indiana. They are using four abducted phoners three are alien Scandinavian sailors. They employ two or more dial phones in their private living quarters which can be trailed to telephone company in some Missouri river city between Kansas City and Omaha.

Paul Miller 1628 Wells St.

Secretary of Commerce Roper
Department of Commerce Building Washington, D. C.
Dear Secretary:

Kindly use your influence in terminating Al Capone syndicate long distance phone calls. They use four abducted phoners to use base language on home phones three being alien Sailors. They use two or more dial phones private house which can be traced to phone company on Missouri river.

Paul Miller 1628 Wells St.

Secretary of Treasury Morgenthau
Treasury Department Building Washington, D. C.
Dear Secretary:

Kindly use your influence in terminating Al Capone syndicate long distance phone calls. They use four abducted phoners to use base language on home phones three being alien sailors. They use two or more dial phones in private house which can be traced phone company on Missouri river.

Paul Miller 1628 Wells St.

The originals of the above messages show they were left at the local office at 8:30 P. M., April 25, 1935, all to go "night letter" and were received by Michael Zahempf, whose home is at Somerset, Ohio, and who terminated his employment with the Postal Telegraph Co. on June 20, 1935. At the time these messages were dispatched, Zahempf was on duty alone.

Mr. Hall allowed Agent to examine the Fort Wayne city directory for 1934, which is the latest published, which, for the address given by the sender of the above-described messages listed "Franklin L. Bischoff (Alice F.)-1698 Wells St., (hostler)."

The following is a listing of the Paul Miller's in the directory:
Paul E. Miller, 1349 Oakdale Drive-Anti Borax Compound Co.
Rev. Paul F. Miller-Pastor, St. Paul Evan. Lutheran Church.
Paul H. Miller, 1359 Oakdale Drive, salesman-G. R. Kinks Ins. Co.
Paul H. Miller, 1904 Antoinette, ship.clerk-Ft. Wayne Drug Co.
Paul S. Miller, 804 Greenwood Ave., Knitter.
Paul Miller, 2023 Bowser Ave., Ritzman-Miller Radio Service.

Inasmuch as the message sent to Senator Vic Donahey, from Van Wert, Ohio, on April 26, 1935 was signed Louis Barthoff, Agent requested that the Fort Wayne Postal Office review their files for messages delivered to, or sent by, Paul Miller, Louis Barthoff, and Franklin L. Bischoff between April 25, 1935 and May 1, 1935, which was done with negative results, no other messages being found in any of the three names between these dates than the four previously set out.

Photostatic copies of the message addressed "Director of Investigation Edgar Hoover" were obtained for such value as may be contained in having photostats of the sender's handwriting. One photostat is accompanying copies of this report to the Bureau, and one is being sent to the Cleveland Office, in which file there is contained tracing of the signature "Louis Barthoff". One copy is being retained in the Indianapolis Office file.

E. J. Ford, Supervisor of Collections, Home Telephone and Telegraph Company, 305 E. Berry Street, stated that no complaints of the nature complained of in the telegrams had come to his attention, and after he had contacted other executives of the Company, stated that nothing pertaining to such messages being received in Fort Wayne or elsewhere was known to the Home Telephone and Telegraph Company.

Dan W. Kintz, Captain of Detectives, Fort Wayne Police Department, stated that he knew nothing of telephone calls of the nature complained of. Asked about Franklin L. Bischoff, he said there was no criminal record on Bischoff, and that he knew both Bischoff and his father.

Continuing, Captain Kintz said that he knew of no Miller residing with Bischoff, and that he believed the latter works as an engine hostler with the Pennsylvania Railroad.

Sergeant E. G. Frankfather, Bureau of Identification, Ft. Wayne Police Department, after a review of the files, stated there were two criminal records in the names of Franklin L. Bischoff or Louis Bischoff. Sergeant Frankfather gave the following records as persons arrested under the name of Paul Miller:

9/12/23. [redacted] with aliases Paul Edward Miller, [redacted]

8/15/30. Paul E. Miller [redacted], alias [redacted]

C. A. Tayler, Chief Clerk, Pennsylvania Railroad, Fort Wayne Division, 1401 South Clinton St., stated that Franklin L. Bischoff had the following employment record with the Company:

Started 11/26/24 as a laborer; dropped 12/20/26. Re-employed 10/10/27 as engine wiper; resigned 1/9/28 to better himself, 10/26/29 hired as a hostler helper; 10/2/31 changed to ashpit laborer; 8/9/32 furloughed. Re-employed 7/12/33 as hostler helper; employment continuous to present time.

The duties of a hostler helper according to Mr. Tayler, are to fire engines coming from the engine house to the passenger depot. He further obtained the following information as to Bischoff's work record on April 26, 27, and 28, 1935:

4/26/35. 12 M. to 8 P. M., hostler helper.
4/27/35. 12M. to 8 P. M., hostler helper.
4/28/35. Off duty on account of it being his relief day.

On working days, Mr. Tayler stated that Bischoff would not be out of the terminal during his working hours.

There was no application on file in the name of Bischoff, but the office record indicated that he was born October 17, 1904 at Ft. Wayne, Ind.

After several unsuccessful attempts were made to contact Bischoff at his home, he was contacted by telephone and came to the Anthony Hotel where he was interviewed by Agent. He stated that he has resided at 1628 Wells Street for five years with his wife and children, and that during this period no other persons have resided at the above address. He said

that he knows no Paul Miller or Louis Bartheff and could not identify anyone from the description of the sender of the messages from Van Wert, Ohio, as set out in report of Special Agent A. B. Smith, Cleveland, Ohio, dated May 28, 1935.

Questioned further, Franklin Bischoff could give no information concerning telephone calls of the nature referred to in the telegrams previously set out, and stated emphatically that he was not the sender of the messages from Fort Wayne and that he had not been in Van Wert, except to pass through while driving, for a number of years.

From Agent's dictation, Mr. Bischoff wrote the following in lead pencil, since the original telegrams were prepared in pencil, and his handwriting did not seem to compare with the handwriting in the original messages on file with the Postal Telegraph Company. This specimen of his handwriting is being retained in the Indianapolis office file:

Handwriting specimen: Quote "Paul Miller, Louis Bischoff. Sec. of Commerce Roper. Sec. of Treasury Morganthau. Director of investigation Edgar Hoover. Dear Secritary."

The following description obtained through observation and questioning of Bischoff is set out:

Name:	Franklin L. Bischoff
Address:	1528 Wells Street, Ft. Wayne, Ind.
Age:	51 (Should be 39; born 10/17/84)
Height:	72 inches.
Weight:	172 pounds.
Build:	Medium.
Hair:	Brown.
Eyes:	Brown.
Complexion:	Fair.
Features:	Small moustache.

It will be noted that the description of Bischoff does not compare with that set out of the sender of the message from Van Wert, Ohio, on April 26, and it is further noted that Bischoff was employed on April 26 until 6 P. M., which is Central Standard Time, while the sender of the message at Van Wert, Ohio, called to deposit his message at 9:31 P. M., Eastern Standard Time.

Reference letter stated that no detailed investigation should be made, and since fictitious addresses were used in sending the messages from both places, it is assumed that the names, too, are fictitious. Accordingly, the Paul Miller's listed in the Fort Wayne city directory were not contacted, nor are any leads being set out to continue this investigation, it being left to the discretion of the Bureau if this matter should be further developed.

CLOSED



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 4 OF 11

BUFILE: 62-39128

SUBJECT Capone, Alphonse

FILE NUMBER 62-39128

SECTION NUMBER 1

SERIALS 1-40

TOTAL PAGES 351

PAGES RELEASED 348

PAGES WITHHELD 3

EXEMPTION(S) USED b7C, b7D

Division of Investigation
U. S. Department of Justice

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

May 25, 1935.

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

Dear Sir:

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

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

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

DML:DSS

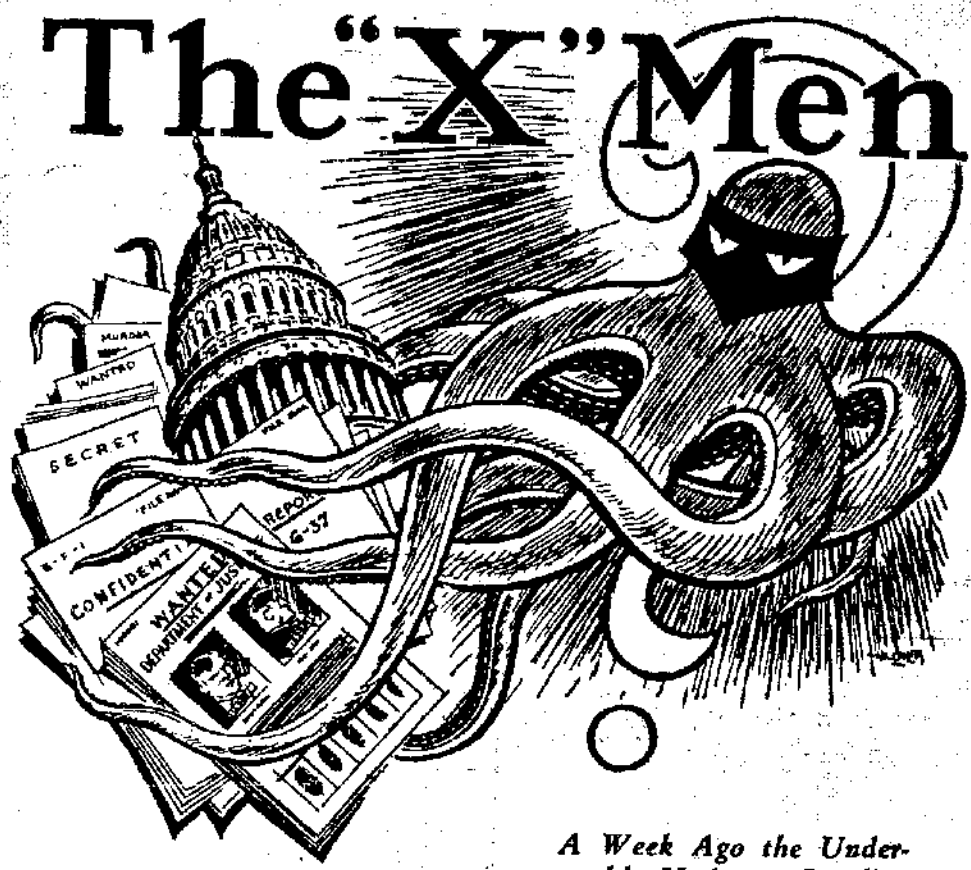
Mr. Nathan
Mr. Tolson
Mr. Baughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Scheidt
Mr. Schilder
Mr. Smith
Mr. Tamm
Mr. Tracy
Miss Candy

RECORDED & INDEXED
62-39128-1
FEDERAL BUREAU OF INVESTIGATION
MAY 27 1935
U. S. DEPARTMENT OF JUSTICE

JUN 3 1935

CLEGG
SCHEIDT

The "X" Men



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

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

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

The underworld is faced by an organization which they have dubbed the "G-men"—the agents of the U. S. Department of Justice. The G-men are incorruptible. The G-men place honor and service to country above price. They are men who have shown that they are not afraid to die in carrying the war into the camp of crime.

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

62-39128-1

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

But now it is different.

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

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

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

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

What is the underworld going to do?

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

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

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

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

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

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

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

These questions are flying around the underworld today.

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

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

II

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

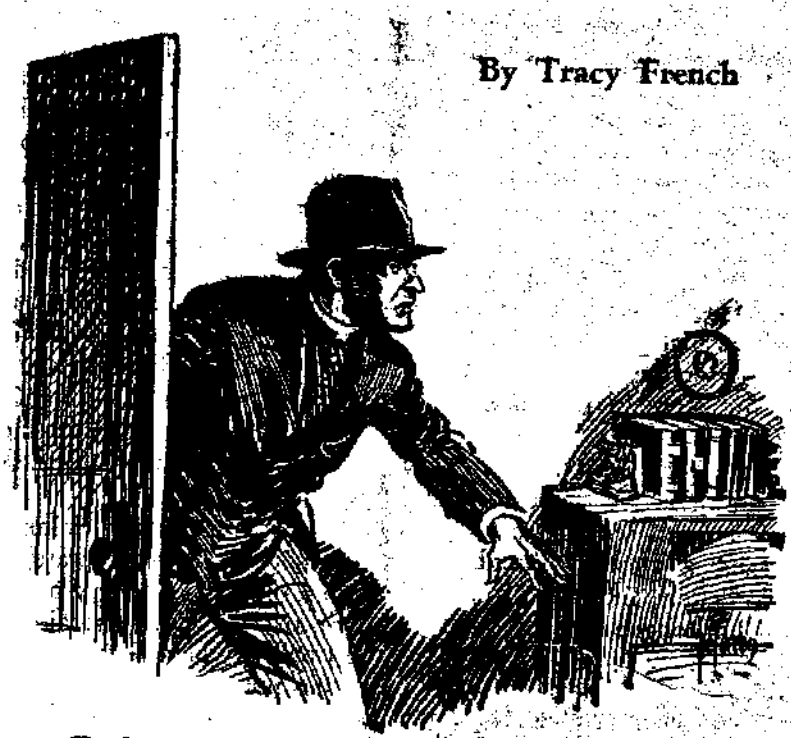
Every police force in the country is going to be approached by these "X-men." It is time to be double and triply careful of the antecedents of every man joining the police, in whatever capacity.

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



The BRAND of

By Tracy French



The door of the study flew open

CHAPTER I

The Devil's Go-Between

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

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

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

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



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delay one instant longer if you suffer torturing agony of itching, protruding, blind or bleeding PILES or HEMORRHOIDS. Let me prove that my new DUAL treatment stops the pain, relieves the pressure, soothes the irritation and inflammation, reduces the swelling and strengthens the tissues. How glorious it is to sit, to stand and to sleep in comfort! Write for my "15-day test at my risk offer"—today sure. Address Mr. J. E. Gessner, 147 North Michigan Ave., Dept. MC-1, Chicago, Illinois.

PUBLISHER'S STATEMENT OF CIRCULATION

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

Copies sold	880,011
Copies distributed free	1,050
Total	881,917

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

Subscribed to and sworn before me on this 21st day of February, 1935.

SEAL

GEORGE H. BOLLWINKEL, Notary Public, Nassau County. Term expires March 30, 1935. Certificate filed in New York County No. 1141. New York Register's No. 5B758.

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Division of Investigation
U. S. Department of Justice

Room 1403
370 Lexington Avenue
New York City

JHH:rd

PERSONAL and CONFIDENTIAL

May 14, 1935

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

Dear Sir:

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

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

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

RECORDED & INDEXED
62-39128-2
JUN 3 1935

TAMM FBI
TWO SCHEIDT

JHH:rd

Director - 5/14/35

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

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

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

Very truly yours,

R. WHITLEY
Special Agent in Charge

Enclosures.

Registered

ACB:LL

62-39129-1 encl. 1

RECORDED 62-28933-50

Special Agent in Charge,
New York, New York.

Dear Sir:

Reference is made to your letter dated May 14, 1955, with which you transmitted a manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", together with various newspaper clippings, photographs of purported inmates of the United States Penitentiary at Atlanta, scenes of that institution, considerable correspondence, and records which are purported to be official records of that Penitentiary. This material is being forwarded by registered mail under separate cover for transmittal to Mr. Hoken in the event the return of ____ is desired.

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

Very truly yours,

John Edgar Hoover,
Director.

FILES SECTION
MAILED
★ MAY 23 1955 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

DIVISION OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

ADM:EL

RECORDED 62-39128-25

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

The New York City Office of this Bureau has recently received from Mr. R. E. Mickum, proprietor of Miter, Real Detective Stories, 32nd Floor, 342 Madison Avenue, New York City, various newspaper clippings, a manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", and photographs of purported inmates of the United States Penitentiary at Atlanta. There were also included in the material received scenes of the Atlanta Penitentiary, considerable correspondence, and records which were purported to be official records of that Penitentiary. This material was obtained after Mr. Mickum had telephoned to the New York City Office, advising that the manuscript and papers had been left at his office by a confidential informant.

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

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

Very truly yours,

MAY 29 1935

John Edgar Hoover,
Director.

Inclosure No. 319422

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

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☐ Deleted under exemption(s) _____ with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____ _____, was/were forwarded to them for direct response to you.

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

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

_____

_____

☐ For your information: _____

_____

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

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

FBI/DOJ

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

June 5, 1935.

MEMORANDUM FOR MR. HOOVER:

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

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

Sanford Bates.
Director.

RECORDED & INDEXED
62-39428-3
FEDERAL
JUN 27 1935
FILE

JUL 2 1935

WRG:MKH

67-61917

June 14, 1935.

MEMORANDUM FOR MR. NICHOLS

[redacted]

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

Respectfully,

W. R. Glavin.

62-39128-4

FEDERAL BUREAU OF INVESTIGATION
JUN 14 1935 P.M.
U. S. DEPARTMENT OF JUSTICE

TOLSON | FILE

RECORDED & INDEXED
JUN 21 1935

files

June 29, 1935.

1190

Special Agent in Charge,
Washington, D. C.

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

Dear Sir:

On May 14, 1935, Mr. R. E. Nielsen, Executive Editor, Real Detective Stories, [illegible], New York City, delivered to the New York Office a manuscript entitled "The Biography of Al Capone", [illegible] Atlanta Penitentiary, together with various newspaper articles, photographs of purported inmates of the United States Penitentiary at Atlanta, [illegible] of that institution, considerable correspondence, and [illegible] are purported to be official records of the penitentiary. Mr. Nielsen advised confidentially that these data had been left with him by a Mr. F. Barrett, of 323 North Fulton Street, Baltimore, Maryland, who had called to sell the manuscript, and that he, Mr. Nielsen, was referring the matter to the Bureau for the reason that he believed that some of the papers were official records of the United States Penitentiary.

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

RECORDED & INDEXED

62-3912-8

Accordingly, it is requested that your office institute appropriate and discreet investigation regarding the background and connections of Barrett. Three copies of your report should be furnished the Bureau.

Very truly yours,

John Edgar Hoover,
Director.

WILLIAM STANLEY
THE ASSISTANT TO THE ATTORNEY GENE

Department of Justice
Washington

June 24, 1935.

MEMORANDUM FOR MR. HOOVER

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

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

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

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

William Stanley
The Assistant to the Attorney General.

RECORDED & INDEXED 62-39128-6

JUL 1 1935

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

Division of Investigation

U. S. Department of Justice

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

July 27, 1935.

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

Dear Sir:

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

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

Very truly yours,

J. M. Keith

J. M. KEITH,
Special Agent in Charge.

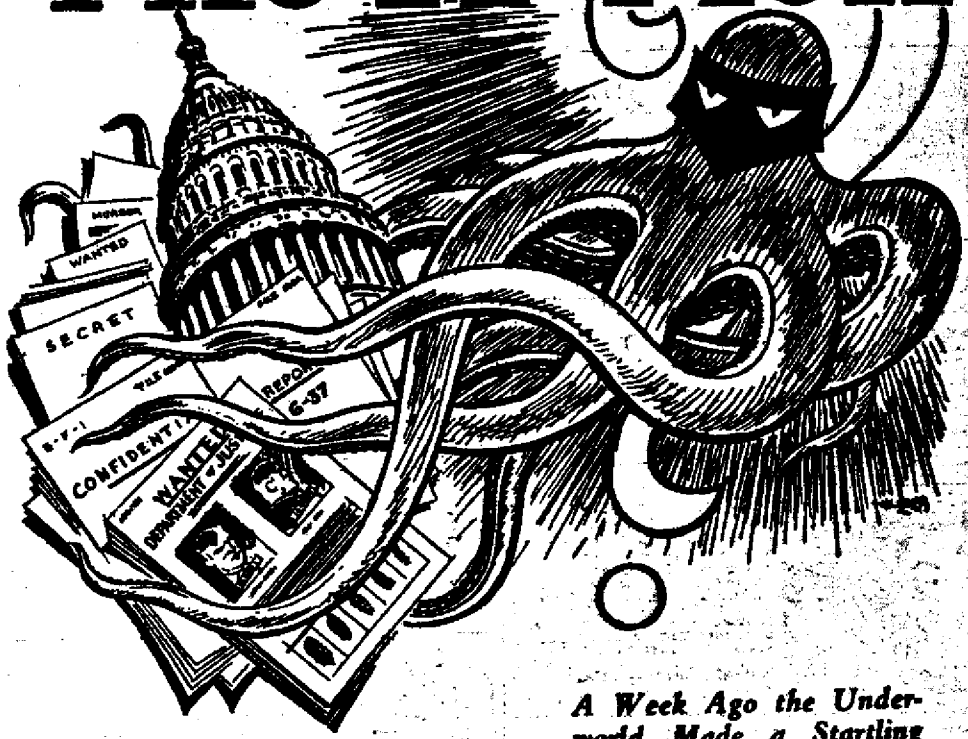
FCD:BW
Enclosure

RECORDED & INDEXED
AUG 5 1935

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

TOLSON | SCHEIDT | FILE

The "X" Men



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

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

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

The underworld is faced by an organization which they have dubbed the "G-men"—the agents of the U. S. Department of Justice. The G-men are incorruptible. The G-men place honor and service to country above price. They are men who have shown that they are not afraid to die in carrying the war into the camp of crime.

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

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

COURT RESTRICTED
U S OCT 6 1964

62-39128-7
to Flying Weekly magazine.



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Dept. 315, St. Louis, Mo.

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WRITE INTERSTATE 410 AGW, Dept. H-4, 75 E. Wacker, Chicago.

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Delay one moment longer if you suffer torturing agony of Itching, Protruding, Blind or Bleeding PILES or HEMORRHOIDS. Let me prove that my new DUAL treatment stops the pain, relieves the pressure, soothes the irritation and inflammation, reduces the swelling and strengthens the tissues. Now glorious it is to sit, to stand and to sleep in comfort! Write for my 15-day test at my risk NOW—today sure. Address Mr. J. R. Cramer, 387 North Michigan Ave., Dept. MC-1, Chicago, Illinois.

PUBLISHER'S STATEMENT OF CIRCULATION

This is to certify that the average circulation per issue of The Munsey Combination, comprising All Story, Argosy, Detective Fiction Weekly, and Railroad Stories, for the six months' period ended June 30 and including December 31st, 1934, was as follows:

Copies sold 881,017
Copies distributed free 2,983
Total 883,971

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

Subscribed to and sworn before me on this 21st day of February, 1935.
GEORGE H. BOLLWINKEL, Notary Public, Nassau County.
Term expires March 30, 1935. Certificate filed in New York County No. 1141. New York Register's No. 5B192.

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Engineer Dobe

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4234 Cozens Ave., St. Louis, Mo.

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

But now it is different.

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

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

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

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

What is the underworld going to do?

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

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

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

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

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

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

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

These questions are flying around the underworld today.

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

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

II

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

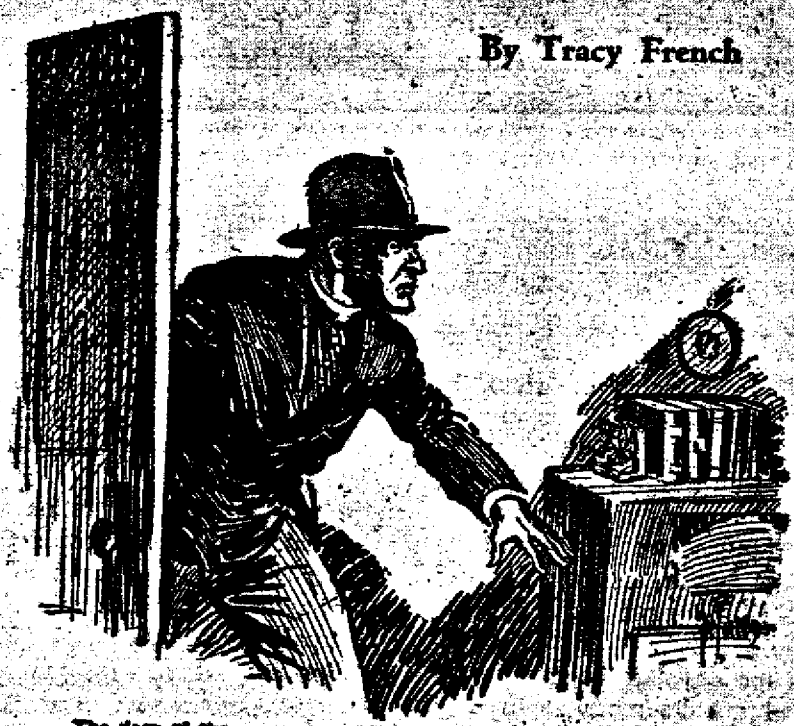
Every police force in the country is going to be approached by these "X-men." It is time to be double and triply careful of the antecedents of every man joining the police, in whatever capacity.

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



The BRAND of

By Tracy French



The door of the study flew open

CHAPTER I

The Devil's Go-Between

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

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

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

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

REN:MAM

July 27, 1935

RECORDED 62-39128-7

Special Agent in Charge
Washington, D. C.

Dear Sir:

There are attached hereto [illegible] original pages and photostatic copies of a magazine article entitled "[illegible]".

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

This matter should receive immediate attention.

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

Very truly yours,

John Edgar Hoover,
Director.

Enclosure [illegible]

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

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

RJA:BN
62-28933

July 23, 1935.

Special Agent in Charge,
Washington, D. C.

Re: [redacted]

Dear Sir:

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

It is desired that a report be submitted in this matter to reach the Bureau not later than 3 P.M., Wednesday, July 24, 1935.

Very truly yours,

John Edgar Hoover,
Director.

62-39128-8

RECORDED

JUL 23 1935

U.S. DEPARTMENT OF JUSTICE

FILE

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

Federal Bureau of Investigation

U. S. Department of Justice

Washington Field Office, Rm. 5745,
Washington, D. D.

July 29, 1935.

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

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

Dear Sir:

Kindly furnish the known criminal record of the following:

Name (inc. aliases)	City, Police Arrest, or Other Number.	Approximate date Fingerprints forwarded Federal Bureau of Investigation.	Fingerprint Classification.
[redacted] b7C			

FINGERPRINTS ATTACHED.

RECORDED & INDEXED

62-39128-9

FEDERAL BUREAU OF INVESTIGATION
JUL 30 1935 A. M.
U. S. DEPARTMENT OF JUSTICE

PLEASE RETURN FINGERPRINTS AS SOON AS POSSIBLE.

AUG 5 1935

IDENT. LCS | FILE

TWO ONE

Very truly yours,

J. M. Keith

J. M. KEITH,
Special Agent in Charge,

RECORDED
JUL 31 1935 MDT:JGM
62-2696
IDENT. DIV.

RECORDED
JUL 31 1935
IDENT. DIV.

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

Special Agent in Charge,
New York, New York.

Dear Sir:

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

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

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

This matter should receive your immediate attention.

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

FCD:SW
Enclosure
cc-Bureau

62-39128-

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

TWO | FILE

RECEIVED
DEPT. OF JUSTICE
INVESTIGATION
BUREAU OF
DIV 2
JUL 30 1935 PM

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) b3, b6 with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____ _____, was/were forwarded to them for direct response to you.

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

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

_____

_____

☐ For your information: _____

_____

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

XXXXXX
XXXXXX
XXXXXX

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

FBI/DOJ

Bu. File #62-28933.

JOHN EDGAR HOOVER
DIRECTOR

RECORDED

62-39128-9

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

Form 6

August [illegible] 1935.

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

b3
b7C

Contributor of Fingerprints	Name and Number	Arrested or Received	Charge	Disposition
PD, Baltimore, Md.	[redacted] b7C	[illegible]	Larceny and Forgery	
			Caption: [illegible] Alphonse Capone, with aliases, et al. - Conspiracy to receive and sell contraband of the U. S. P., Atlanta, Ga.	
(CC - Bu. Off., Wash., D. C.) print ret'd.				
(CC - Bureau)				
Bmal.				

*Represents notations unsupported by fingerprints

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

U. S. GOVERNMENT PRINTING OFFICE: 1934 7—2089

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

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

RJA:LL
62-28933

July 29, 1935

MEMORANDUM FOR MR. TAMM

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

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

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

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

Respectfully,

R. J. Abbaticchio, Jr.

R. J. Abbaticchio, Jr.

RECORDED 62-39128-10
JUL 31 1935
FEDERAL BUREAU OF INVESTIGATION
JUL 30 1935 P.M.
U. S. DEPARTMENT OF JUSTICE
TAMM

Bureau of Inve

U. S. Department of Justice

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

July 27, 1935.

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

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

Dear Sir:

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

Very truly yours,

J. M. Keith
AR

J. M. KEITH,
Special Agent in Charge.

AR:DSS
62-2696

RECORDED & INDEXED

AUG 2 1935

62-39128-11

FEDERAL BUREAU OF INVESTIGATION
JUL 30 1935

FEDERAL BUREAU OF INVESTIGATION

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

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Washington, D. C.	8/5/35	8/5/35	Royal J. Watrelmer RJW:DSS

TITLE: ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE: CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS: Criminal record of [redacted] F.B.I. #[redacted] b7c

P.

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

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

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

PENDING

APPROVED AND FORWARDED: J. M. Keith SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

62 39128 12

AUG 6 - 1935

AUG - 6 A.M.

AUG - 7 1935

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2 New York
2 Washington Field

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Room 1405
370 Lexington Avenue
New York City

AVT:RP
62-5562

August 5, 1935

Special Agent in Charge
Washington, D. C.

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

Dear Sir:

This office is in receipt of the report of Special Agent M. D. Traub of your office in the above matter, dated July 25, 1935, in which a lead is set out for the New York Bureau office to exhibit photograph of [redacted] to Mr. H. W. Mickam, Executive Editor, Real Detective Stories, 444 Madison Avenue, New York City, to ascertain whether or not he can identify this picture as that of F. Barrett. b7C

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

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

Very truly yours,

39128
62-28933

Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION
AUG 6 1935 P.M.
U. S. DEPARTMENT OF JUSTICE

cc-Bureau

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

August 5, 1935.

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

Dear Sir:

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

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

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

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

RJU:TC
CC Bureau
62-2696
Enc.

RECEIVED
DEPARTMENT OF JUSTICE
AUG 9 1935 PM
DIV. 2

39178
62-289
FEDERAL BUREAU OF INVESTIGATION
AUG 9 1935 A.M.
DEPARTMENT OF JUSTICE
FILE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT Washington, D. C. FILE NO. 62-2696

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Washington, D. C.	7/29/35	7/22-27/35	M. D. Traub JCM

TITLE
ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE
CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS:

Discreet investigation at 323 North Fulton Avenue, Baltimore, Maryland reveals no person named F. Barrett resides or is known at this address. No record of F. Barrett at Baltimore Police Department, Post Office, mercantile agencies nor is he listed in city directories. Photograph and fingerprints of [redacted] former tenant this address obtained, photograph being transmitted to New York Office to be exhibited to Mr. Mickam. b7C

- P -

REFERENCE: Bureau letter dated 6/29/35.

DETAILS: AT BALTIMORE, MARYLAND.

Agent searched the old and recent city directories, but was unable to find the name of F. Barrett listed as having resided at 323 North Fulton Avenue (not Street) Baltimore, Maryland. Agent interviewed [redacted] who was unable to find the name of F. Barrett listed [redacted] Similar inquiry was made at the Gas & Electric Company and the files at the Police Department at Baltimore were searched but the name of F. Barrett could not be found. b7D

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

APPROVED AND FORWARDED: J. M. Keith SPECIAL AGENT IN CHARGE

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AUG 8 1935
AUG 8 P.M.
AUG 13 1935

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2 Washington Field

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

Agent at the Southwestern Police Station conferred with Lieutenant William B. Jones and Sergeant George Schlipper, who advised they had no information concerning one F. Barrett, nor did they have any information relating to the occupants of 323 Fulton Avenue. b7C b7D

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

Agent without revealing his identity interviewed Mrs. Lillie Guinan, 323 North Fulton Avenue, who resides in the basement of this house. She states she is a widow and occupies the basement at this address. She states she never had anyone named F. Barrett living at her house, and that she never heard of this person. Mrs. Guinan states her son Frank Guinan did not know of any such person. When questioned as to whether her son Frank was ever arrested, she stated to her knowledge he had never been in any trouble other than being involved in some minor trouble over an automobile somewhere in Florida about two years ago. She denied that her son Frank had ever served any time in any institution. She admitted, however, that he does not work steady and that he is at present unemployed and is now living at [redacted] 1706 Fulton Avenue, b7C and that he has been living with a man named Carl Crawford at this address. She states the last position held by her son Frank was a

laboring job at Pratts Sky Farm, Conaringo, Maryland and that [redacted] also worked on this project, this being about two years ago.

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

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

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

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

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

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

Age	[redacted]
Height	
Weight	
Eyes	

b7c

Hair
Complexion
Occupation
Born

[redacted]

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

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

UNDEVELOPED LEADS.

THE NEW YORK OFFICE AT NEW YORK CITY

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

THE WASHINGTON FIELD OFFICE AT BALTIMORE, MARYLAND

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

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

GJS:LF

August 3, 1935.

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

PERSONAL AND CONFIDENTIAL

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

Dear Sir:

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

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

RECORDED & INDEXED 62-39128-14

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

FBI
AUG 6 1935
P.M.

NATHAN TOLSON TAMM

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SEP 6 - 1935

Let Starr get details.
1. E. H.

Letter doc. hyc 8/9/35

Director, August 3, 1935.

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

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

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

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

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

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

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

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

Director, August 3, 1935.

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

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

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

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

Director, August 3, 1935.

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

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

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

Very truly yours,

R. WHITLEY,
Special Agent in Charge.

CC-Washington Field

BAT:ARK

62-39128-14

RECORDED

August 29, 1935

PERSONAL & CONFIDENTIAL

Mr. R. Whitley,
Federal Bureau of Investigation,
U. S. Department of Justice,
370 Lexington Avenue, Room 1403,
New York, New York.

Dear Sir:

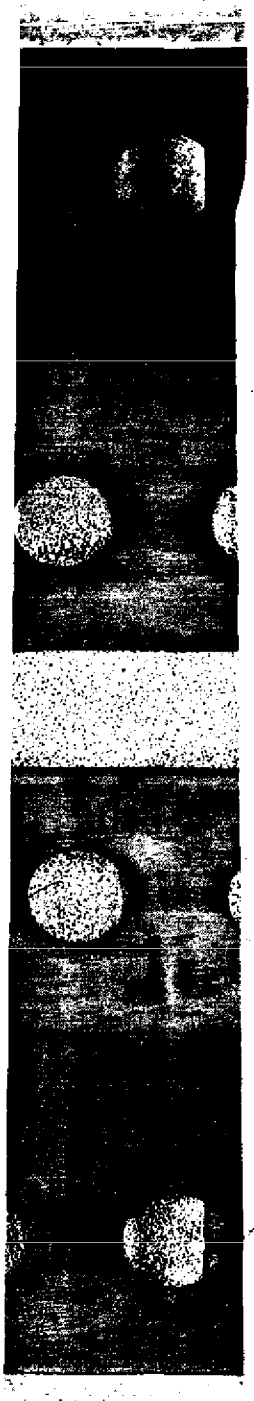
Reference is made to your personal and confidential letter of August 3, 1935 relating to the interview had by Special Agent George J. Starr with Major Charles E. Russell concerning the publication in the Detective Fiction Weekly magazine of May 4, 1935 of an article entitled "The 'X' Men", and to your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

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

Very truly yours,

John Edgar Hoover,
Director.

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



Washington Field Office, Room 5232
Washington, D. C.

August 19, 1935.

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

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

Dear Sirs

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

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

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

Very truly yours,
RECORDED & INDEXED
J. M. KEITH,
Special Agent in Charge.

62-39128

FEDERAL BUREAU
AUG

FMH:DSS
cc Bureau
Nashville

AUG 21 1935

AU OF INVEST
U. S. DEPARTMENT OF JU

FBI:DBG
AUGUST 19 1935

To: COMMUNICATIONS SECTION.

Transmit the following message to: NASHVILLE

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

KEITH FBI

62-39128-16

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DEPT. OF JUSTICE
INVESTIGATION
BUREAU OF
DIV. 2
AUG 21 1935 AM

RECORDED
&
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AUG 27 1935

FEDERAL BUREAU OF INVESTIGATION
AUG 19 1935
U. S. DEPARTMENT OF JUSTICE

cc Bureau
62-2696

SENT VIA _____ M

THBer

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

August 20, 1935.

Special Agent in Charge,
Nashville, Tenn.

RE: ALPHONSE CAPONE, with aliases;
G. T. KINSEY, STEPHEN V. HAGNES;
Conspiracy to Receive and Send
Contraband out of the United States
Penitentiary, Atlanta, Georgia.

Dear Sir:

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

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

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

RECORDED & INDEXED

AUG 27 1935

62-39128-17

FEDERAL BUREAU OF INVESTIGATION
AUG 21 1935 A. M.
U. S. DEPARTMENT OF JUSTICE

FILE

RECEIVED
DEPT. OF JUSTICE
INVESTIGATION

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

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

The file of the Washington Field Office does not reflect any other information which would be of value to you in conducting the investigation requested by telegram on August 19, 1939. Therefore, it is desired that you have an Agent interview Frank Guinan in an effort to establish whether or not he delivered the above described documents to Mr. Mickam.

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

FMH:DSS
62-2696
cc Bureau
New York



Federal Bureau of Investigation

U. S. Department of Justice

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

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

FEW:ML
62-5552

August 24, 1935.

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

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

Dear Sir:-

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

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

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

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JUN 6 1964

SEP 6 - 1935

RECORDED & INDEXED
62-39128-12
FBI - NEW YORK
AUG 26 1935

Director August 24, 1935.

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

b7C

Very truly yours,

R. WHITLEY,
Special Agent in Charge.

cc - Washington Field.

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

EAT:AMK

RECORDED 62-39128-15 August 29, 1935

PERSONAL & CONFIDENTIAL

Mr. R. Whitley,
Federal Bureau of Investigation,
U. S. Department of Justice,
370 Lexington Avenue, Room 1403,
New York, New York.

Dear Sir:

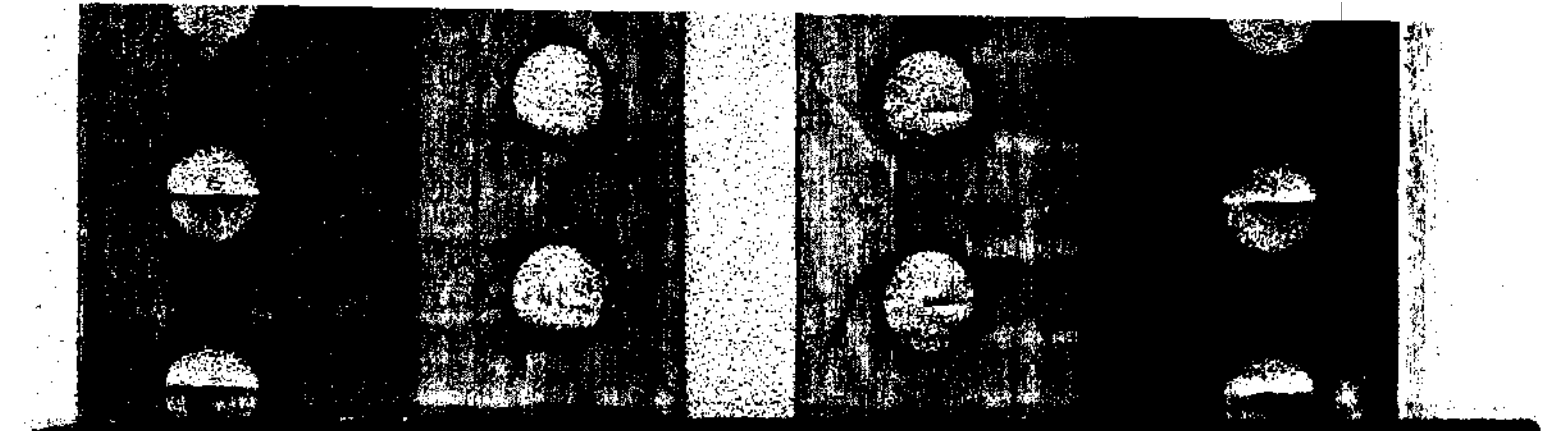
Reference is made to your personal and confidential letter of August 3, 1935 relating to the interview had by Special Agent George F. Starr with Major Charles E. Russell concerning the publication in the Detective Fiction Weekly magazine of May 4, 1935 of an article entitled "The 'X' Man", and to your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

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

Very truly yours,

John Edgar Hoover,
Director.

KRM.



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

Form

NASHVILLE, TENNESSEE AUGUST 18, 1935 JEF

J. M. KEITH
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
5022 U. S. DEPARTMENT OF JUSTICE BUILDING
WASHINGTON D. C.

BUREAU OF INVESTIGATION DEPT. OF JUSTICE
AUG 21 1935 PM
DIVISION ONE

SHERIFF KINGSPORT TENNESSEE HOLDING FRANK [redacted]NIHAN PAROLEE 3822 NORTH FOURTH AVENUE BALTIMORE MARYLAND ASCERTAIN IF WANTED BY PROBATION OFFICER BALTIMORE

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

PETERSON ACTING

62-39128-19

RECORDED & INDEXED
AUG 27 1935

FEDERAL BUREAU OF INVESTIGATION
AUG 21 1935 A.M.
U. S. DEPARTMENT OF JUSTICE

ONE TWO FILE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT WASHINGTON DC. NEW YORK, NEW YORK

FILE NO. 62-42 MEB

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NASHVILLE TENNESSEE	8-27-35	8-19-35	THEIT I. ROE

TITLE: ALPHONSE CAPONE, with aliases; O. T. BISHOP; STEPHEN T. BROWN.

CHARACTER OF CASE: CONSPIRACY TO SMUGGLE AND HAVE CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GEORGIA

SYNOPSIS OF FACTS: Guinan arrested by Deputy Sheriff, Kingsport, Tennessee, on August 16, 1935, charged with drunkenness. Guinan said he left Baltimore, Maryland, without permission of the parole officer. He denies having written a biography of Al Capone's life while in the Federal Penitentiary, or being involved in a conspiracy to receive and send contraband out of the Federal Penitentiary at Atlanta, Georgia. Guinan was arrested driving a 1934 four-door Plymouth Sedan, color, gunmetal, motor [redacted] b7C serial [redacted], New Jersey license [redacted], property of [redacted] Atlantic City, New Jersey, but he had letters proving that he had permission to drive the car any place he so desired. Guinan being held for the United States Marshal.

- R U C -

REFERENCE: Letter from Washington Field dated August 20, 1935.

DETAILS: AT KINGSPORT TENNESSEE

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

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

APPROVED AND FORWARDED: H. A. Smyth, Special Agent in Charge

DO NOT WRITE IN THESE SPACES

62-39128-20

AUG 28 1935

SEP 3 1935

AUG 29 A.M.

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2 - New York
2 - Washington Field
2 - Nashville

Copy returned for M. Ford 9/12/35.

THC

STAT. SEC'Y

U. S. GOVERNMENT PRINTING OFFICE 7—2034

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

b7c

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

Frank J. Guinan, who gave his address as 525 North Fulton Avenue, Baltimore, Maryland, advised that during January of 1933, he was sentenced by the Federal Judge at Roanoke, Virginia, to serve three years in the Federal Penitentiary for forgery of Post Office money orders; that in July of 1934 he received a parole and was instructed to report on the first of each month to the parole officer, Mr. Richard Eddy, Baltimore, Maryland. Guinan advised he reported to the parole officer as required, on August 1, 1935, and a few days later went to Atlantic City, New Jersey, to see his girl friend, [redacted]; that he visited her for a few days and proceeded to Buffalo, New York to seek employment at some steel mill which he heard was being constructed; that he remained in Buffalo for two nights and that on the second night he met Carl Crawford, another parolee, and that they decided to go to Kingsport, Tennessee, and from there he was going to Tampa, Florida, and arrange for his girl friend to open a beauty parlor there.

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

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

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

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

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

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

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

Guinan stated he has been in New York City, New York, several times but that he has not been there since 1929. He denies knowing R. E. Mickan, executive editor of the Real Detective Stories, 444 Madison Avenue, New York City, New York, or F. Barrett, 325 North Fulton Avenue, Baltimore, Maryland. Guinan advised he has stayed at a rooming house on 37th Street, near Ninth Street, and at a rooming house on 191st Street near St. Nicholas Avenue, New York City, New York, but that he does not remember the names of the rooming houses nor the names of the persons in charge of them.

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

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

Citizenship and nationality — American

Fingerprints — Fingerprinted at Federal Penitentiary, Atlanta, Georgia, 1933 & by FB Kingsport, Tenn on August 17, 1935

Police Number — 42507 Atlanta Penitentiary

Photographed — Photographed at Federal Penitentiary, Atlanta, Georgia

Relatives — Father - dead
Mother - Mrs. Lillie Guinan, Mother, 325 No. Fulton Ave., Baltimore, Md.
Brothers- Edward Guinan, 51200 Oakford Ave. Baltimore, Maryland
Raymond Guinan, 428 East 32nd St. Baltimore, Maryland
Leo Guinan, 1020 Whitmore Ave., Baltimore, Md.
Albert Guinan, probably 325 North Fulton Ave. Baltimore, Md. b7C

Friends — [redacted]. Mount [redacted], Pennsylvania
[redacted] Claremont, California
[redacted] Tampa, Florida
[redacted], Stovall Building, Tampa, Florida.

Education — 2 years high school. Business college

Criminal Record — Sentenced January, 1933, by Federal Judge Roanoke, Virginia, to Federal Penitentiary, Atlanta, Georgia, for 5 years, for forgery of Post Office Money Orders. Received a parole July, 1934.

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

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

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

Bureau of Inv

U. S. Department of Justice

Room 1403
370 Lexington Avenue
New York City

GJS:EL
62-5552

September 10, 1935

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

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

Dear Sir:

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

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

RECORDED & INDEXED

62-39128-21

FBI - DEPT. OF JUSTICE
SEP 11 1935 P.M.

Very truly yours,

R. WHITLEY,
Special Agent in Charge.

cc:Washington Field
Nashville

SEP 13 1935

TOLSON
MMF
SCHMIDT

FEDERAL BUREAU OF INVESTIGATION

SYNOPSIS OF FACTS:

[redacted] Letter from Washington Field Office to New York Office dated August 30, 1935, and letter from Bureau to Washington Field Office, dated June 25, 1935

DETAILS:

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Dietes Penitentiary at Atlanta, scenes of that institution, considerable correspondence, and what were purported to be original records of the penitentiary. The second letter of reference indicates that Mr. Mickam turned all this material over to this office and the same was forwarded [illegible]

According to Mickam, [illegible] at his office he, Mickam, was out [illegible] his secretary, Ruth Silverman, [illegible] Miss. Barrett later came in [illegible] Mickam, and both Mickam and Miss Silverman [illegible] follows:

Name:	J. BARRETT
Age:	About 38 years
Height:	[illegible]
Weight:	Unknown
Hair:	Straight, brown
Eyes:	Unknown.
Build:	Slight.
Complexion:	Tan
Features:	Boyish, weak-looking face.
Residence:	323 North Fulton Avenue, Baltimore, Md.

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

Mickam [illegible] that after he received the manuscript back from the Department of Justice, he sent the same to Carl Brandt, Ashland 4-5690, a literary agent, who, after he read the same, informed Mickam that he could not possibly use it and returned it by insured express to J. Barrett, 323 North Fulton Avenue, Baltimore, Md. Brandt advised that he had never seen the man alleged to be Barrett, and had not entered into any correspondence with him. He did say that the manuscript was shipped by insured express on June 26, 1935, collect, and that the same had not been returned to him undelivered. Mickam also stated that he believed Barrett had called him on the long distance telephone on one occasion from Baltimore, concerning the sale of the manuscript.

b7C

SP-[redacted]

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

Baltimore, Md.
April 29, 1935.

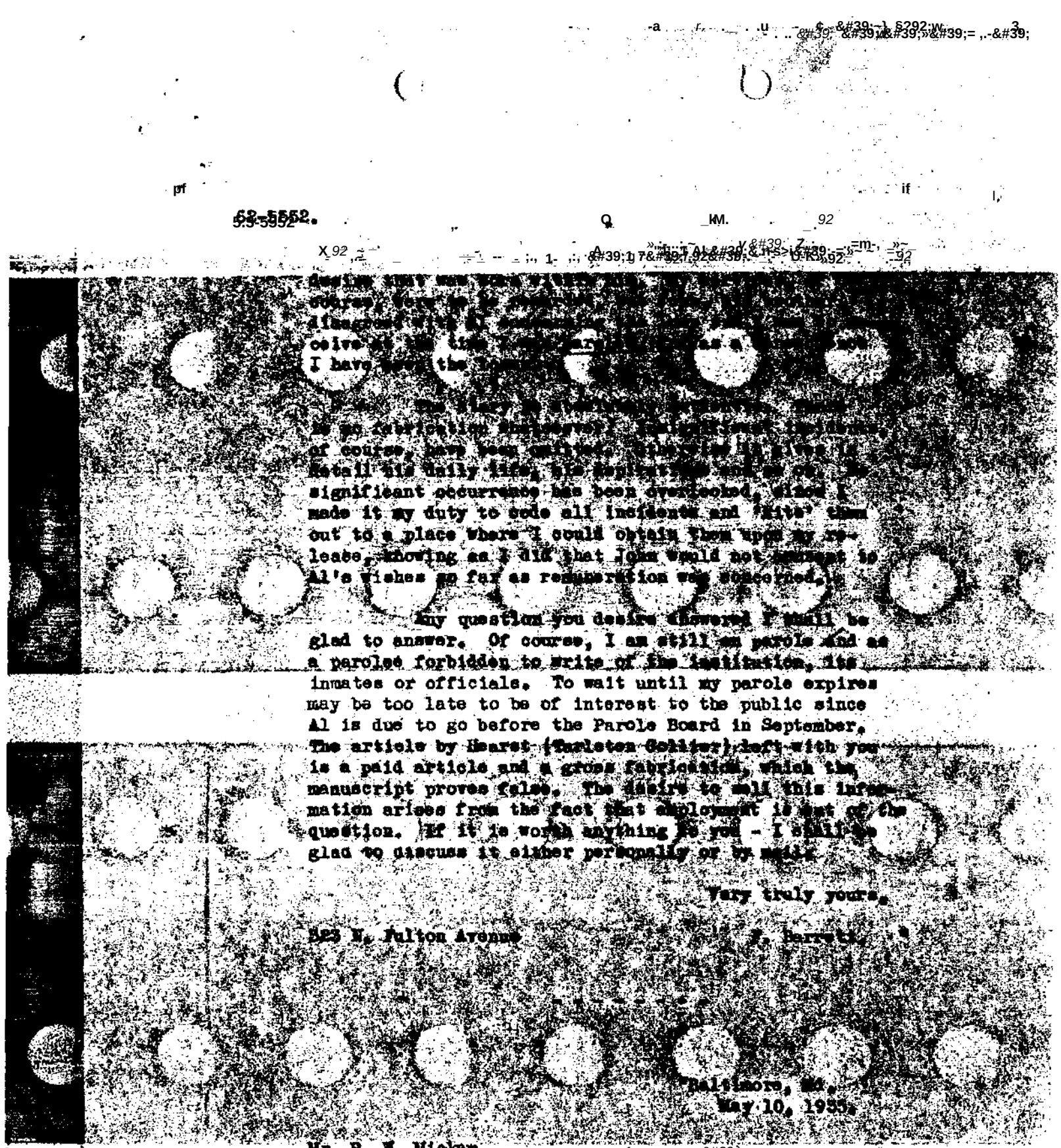
Real Detective Story Magazine,
444 Madison Avenue,
New York City.

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

Dear Sirs:

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

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

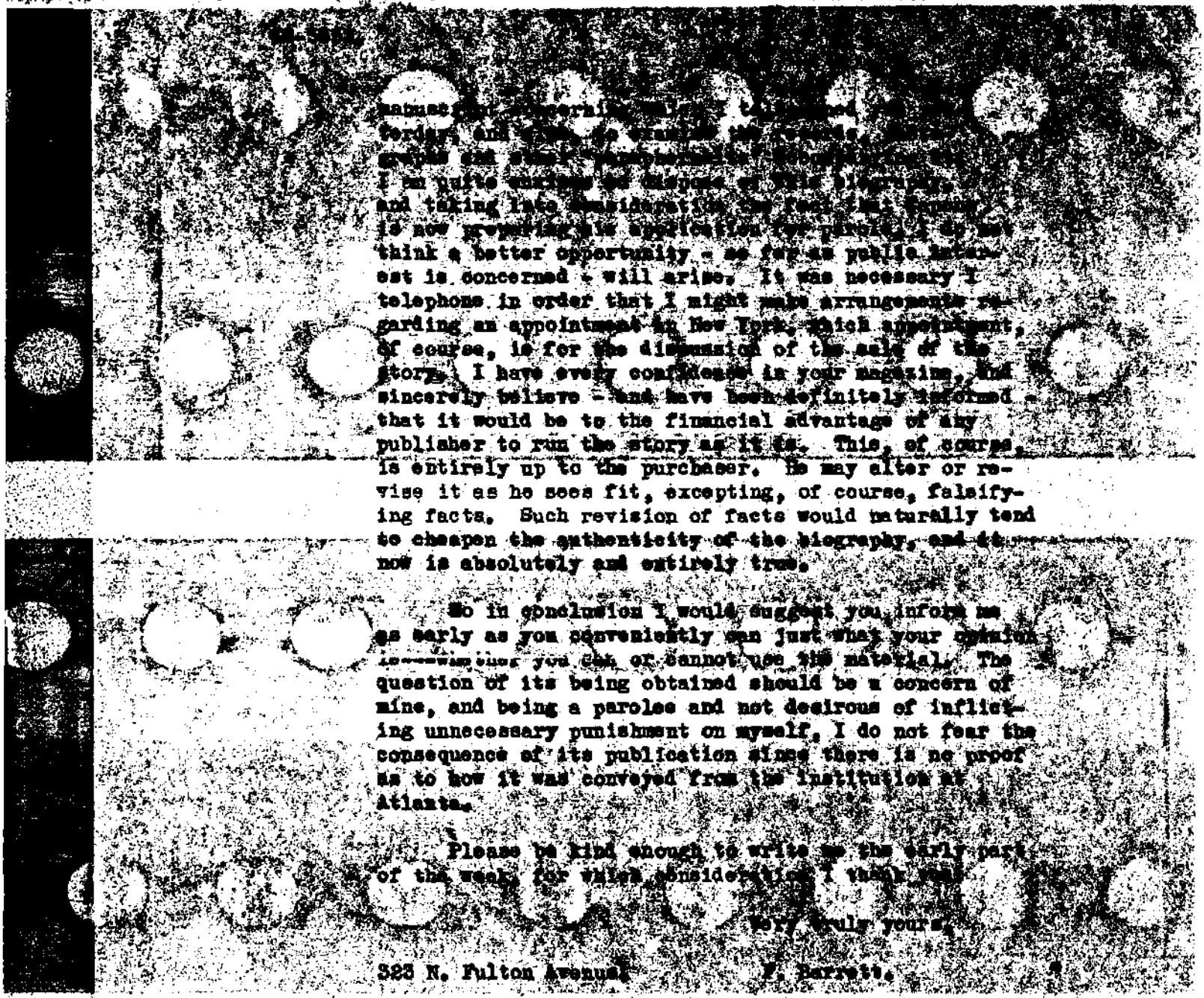


Baltimore, Md.,
May 10, 1955.

Mr. H. W. Mieken,
Editor, [illegible],
444 Madison Avenue,
New York City.

Dear Mr. Micken:

I trust you have had an opportunity to read the



[illegible] I am quite anxious to dispose of this story, and taking into consideration the fact that Governor is now preparing his application for parole, I do not think a better opportunity - so far as public interest is concerned - will arise. It was necessary I telephone in order that I might make arrangements regarding an appointment in New York, which appointment, of course, is for the discussion of the sale of the story. I have every confidence in your magazine, and sincerely believe - and have been definitely informed - that it would be to the financial advantage of any publisher to run the story as it is. This, of course, is entirely up to the purchaser. He may alter or revise it as he sees fit, excepting, of course, falsifying facts. Such revision of facts would naturally tend to cheapen the authenticity of the biography, and it now is absolutely and entirely true.

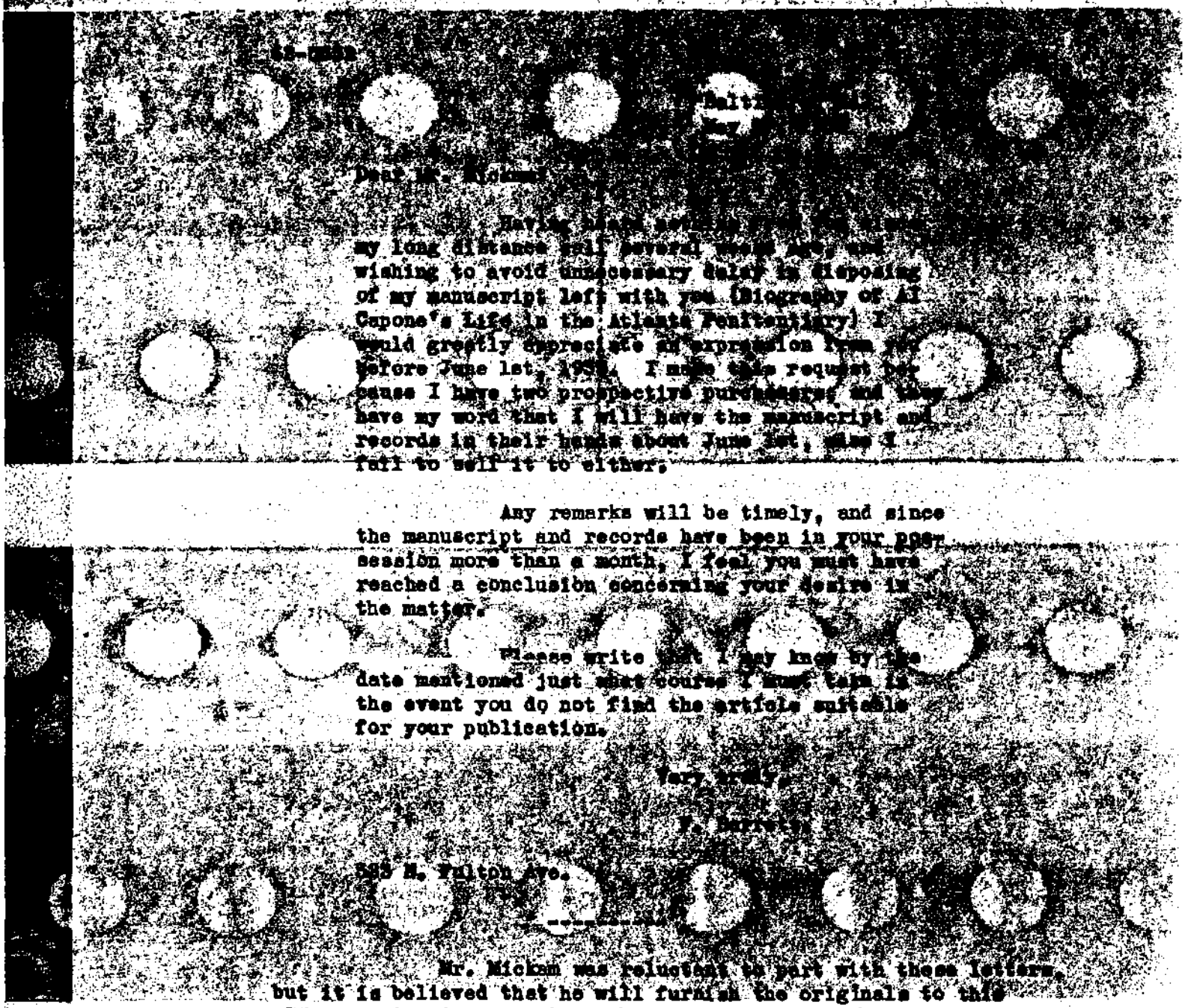
So in conclusion I would suggest you inform me as early as you conveniently can just what your opinion is whether you can or cannot use the material. The question of its being obtained should be a concern of mine, and being a parolee and not desirous of inflicting unnecessary punishment on myself, I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

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

Very truly yours,

523 N. Fulton Avenue. F. Barrett.

- - - - - - - -



Dear Mr. Nickel:

Having heard [illegible] my long distance call several weeks ago, and wishing to avoid unnecessary delay in disposing of my manuscript left with you (Biography of Al Capone's Life in the Atlanta Penitentiary) I would greatly appreciate an expression from you before June 1st, 1939. I make this request because I have two prospective purchasers, and they have my word that I will have the manuscript and records in their hands about June 1st, unless I fail to sell it to either.

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

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

Very truly,

F. Barrett

325 N. Fulton Ave.

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

UNDEVELOPED LEAD: WASHINGTON FIELD OFFICE

At Baltimore, Md., will contact the express agency to ascertain the facts of the receipt by F. Barrett, 325 North Fulton Avenue, of the manuscript which was forwarded to him via

62-[redacted]

Insured express, collect, on or about [redacted] from Brandt, the literary agent, New York City, [redacted] Joseph Barrett.

At Baltimore, MD, will obtain the Federal Parole Officer's [redacted] information relative to J. Barrett, [redacted] and his present whereabouts. Inasmuch as the letter dated April 29, 1935 set out above, states that J. Barrett was then on parole.

-REFERRED UPON COMPLETION TO OFFICE OF ORIGIN-

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

Bureau of Investigation

U. S. Department of Justice

Room 1403
370 Lexington Avenue
New York City

GJS:EL
62-5556 OCT 4 1935

September 10, 1935

PERSONAL AND CONFIDENTIAL

RECORDED
&
INDEXED

62-39128-23
FEDERAL BUREAU OF INVESTIGATION
OCT 3 1935 A.M.
U. S. DEPARTMENT OF JUSTICE
FIL

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

Re: ~~Article Entitled "The [illegible] Men",~~
Detective Fiction Weekly.

TOLSON JOSEPH FOUR TAMM

Dear Sir:

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

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

COPIES DESTROYED
9 8 OCT 6 1964

Director
62-5556
9-10-35

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

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

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

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

Agent inquired further of Major Russell whether or not he had any information to indicate that this Syndicate actually handled any "hot" bonds or securities at the premises where they have their headquarters, and he stated that they did not. Continuing along this line of conversation, however, he stated that somewhere on [redacted] in New York City, is located a detective agency operated by a man named [redacted], who claims to have some very good contacts and supposedly does some work for the Standard Oil and Vacuum Oil Companies. One of his employees or associates is a man named [redacted], commonly known as [redacted]. This [redacted], according to Major Russell, has approached him on three different occasions regarding the possibility of disposing of some "hot" bonds or securities. However, Major Russell states he never went into any details of the matter, has absolutely no knowledge of the nature of the securities of which this man was trying to dispose, and does not know whether all three conversations pertained to the same lot of securities or whether these were three different transactions. b7C

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

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

Director
62-5556
9-10-35

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

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

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

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

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

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

Very truly yours,

R. WHITLEY,
Special Agent in Charge.

cc:Washington Field

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

October 14, 1935

FBI:GH
62-6562

Special Agent in Charge,
Washington, D. C.

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

Dear Sir:

Reference is made to the report of Special Agent F. E. Wright dated at New York City, September 23, 1935, in the above entitled matter, relative to the correspondence received from F. Barrett by R. W. Hickam, Editor, "Real Detective Story Magazine", 444 Madison Avenue, New York City.

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

Very truly yours,

M. E. WHITLEY
Special Agent in Charge

39128

Use-Bureau

3 Enclosures

62-28923-

FEDERAL BUREAU OF INVESTIGATION
OCT 15 1935 A.M.
U. S. DEPARTMENT OF JUSTICE

TWO | FILE

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☐ Deleted under exemption(s) _____ with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____ _____, was/were forwarded to them for direct response to you.

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

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☐ For your information: _____

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62-39128-24

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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FBI/DOJ

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

October 19, 1935.

Mr. Nathan
Mr. Tolson
Mr. Baughm
Chief Cl
Mr. C
M
dwards
Egan
Mr. Forworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Carson

MEMORANDUM FOR THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

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

Sanford Bates
Director.

RECORDED

62-391[illegible]8-24

NOV 14 1935

FEDERAL BUREAU OF INVESTIGATION
NOV 9 19[illegible] A.M.
U. S. DEPARTMENT OF JUSTICE
TAMPA TWO

C C

RECORDED 62-39128-24

November 13, 1935

Special Agent in Charge,
Washington, D. C.

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

Dear Sir:

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

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

Very truly yours,

John Edgar Hoover,
Director.

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

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

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

December 18, 1935.

MEMORANDUM FOR MR. TAMM

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

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

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

Respectfully,

E. F. Enrich

E. F. Enrich.

RECORDED & INDEXED

62-39128-25

FEDERAL BUREAU OF INVESTIGATION

DEC 20 1935 P.M.

DEC 21 1935

TAMM | FILE

62-2696. ALPHONSE CAPONE, W.A., ET AL.
CONSPIRACY TO RECEIVE AND SEND
CONTRABAND OUT OF THE U. S.
PENITENTIARY, ATLANTA, GA.

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

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

INDEXED

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

62-3912-8
FEDERAL BUREAU OF INVESTIGATION
JAN 7 1936
JUSTICE
FILE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

MEMORANDUM AT WASHINGTON, D. C.

File No.: 62-2696

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
WASHINGTON, D. C.	1/4/36	12/16-12/20/35	M. W. Tamm

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, with aliases, et al;	CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS:

Railway Express Agency unable to locate record of shipment for F. Barrett, 385 N. Fulton Avenue, Baltimore, Md. about June 26, 1935. U. S. Probation Officer interviewed advises Frank J. Guinan, a prisoner in the Atlanta Penitentiary wrote story "Remember Me" and furnishes specimen of Guinan's handwriting which is quite similar to writing of F. Barrett. Guinan's residence is 385 N. Fulton Avenue also. F. Barrett thought to be alias of Frank J. Guinan.

- P -

REFERENCE: Report of Special Agent F. E. Wright, New York City, dated 9/23/35 and Bureau letter dated 11/15/35.

DETAILS: AT BALTIMORE, MARYLAND:

A thorough search of the records of the Railway Express Agency, Baltimore, Maryland was made by Mr. J. B. McLaughlin, Chief Clerk, but no record could be found of an express shipment or parcel on or about June 26, 1935 from Carl Brant in New York City to F. Barrett, 385 N. Fulton Avenue, Baltimore, Maryland Mr. McLaughlin stated that no accurate record is kept by his office of incoming shipments and that it is quite possible that a shipment may come through without a record of the same being kept at his office.

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

APPROVED AND FORWARDED: J. M. Keith

DO NOT WRITE IN THESE SPACES

62 3912-F-26

JAN 7 1936

JAN 7 - A.M.

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writing a story "Remember Man", and that while Guinan was a prisoner in the Atlanta Penitentiary (prior to his parole) was a stenographer or secretary to the record clerk of the institution, handling considerable prison correspondence. He states Guinan was paroled and came to Baltimore for a while and lived with his mother, Mrs. Lillie Guinan, 323 N. Fulton Avenue. Guinan was associating with one Carl Crawford, also an ex-convict and probable parole violator from another district. He states that when Frank J. Guinan and Carl Crawford were arrested at Kingsport, Tennessee, they were both held for the U. S. Marshal, and that both Guinan and Crawford were returned to the Penitentiary. He states that Guinan went to the Atlanta Penitentiary, but that he is not certain what prison Crawford was sent to, and that he is not sure that Crawford was the prisoner's correct name. Guinan wrote Mr. Eddy from the Kingsport City Jail on several occasions, blaming Carl Crawford in being instrumental with causing his arrest.

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

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

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

Mr. Eddy furnished Agent with six pages of a letter written by Frank J. Guinan to him from the Kingsport City Jail, Kingsport, Tennessee and the writing of Guinan is quite similar to the letter written by "F. Barrett" on May 27, 1935. A photostatic copy of this and other letters written by "F. Barrett" were forwarded to the Washington Field Office by the New York Office on 10/14/35. The letters with the exception of the one written on May 27, 1935 were forwarded.

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

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

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

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

	F. Barrett.	Frank J. Guinan.
Age -	38	36
Height -	5'7	5'7
Weight -	Unknown	135
Hair -	Straight, brown.	Dark brown
Eyes -	Unknown	Gray or light blue
Build -	Slight	Slender
Complexion -	Tan	Ruddy
Features -	Boyish, weak-looking face	Clean shaven
Residence -	323 N. Fulton Avenue, Balto., Md.	323 N. Fulton Ave., Balto.

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

Agent conducted further discreet inquiry in the vicinity of 385 N. Fulton Avenue, Baltimore, Maryland which is the address of Mrs. Lillie Guinan, mother of Frank J. Guinan, but no information could be ascertained as to "F. Barrett".

UNDEVELOPED LEADS:

Atlanta Office:

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

New York Office:

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

- PENDING -

ision of Investigation

U. S. Department of Justice

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

January 7, 1936.

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

Dear Sir:

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

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

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

MDT:TC
Enc. (2)
62-2696

Copy and Specimens Retained in Laboratory

C.H. 2 1-9

RECORDED & INDEXED

62-39122-27

FEDERAL BUREAU OF I

JAN 9 1936

9/14

RAL BUREAU OF INVES
U. S. DEPARTMENT OF JUSTICE

7615

Laboratory Report

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

Number: 62-30128-27

Specimens:
62-30128-27-A One photostatic copy of a letter to a Mr. Mickman beginning, "Having heard nothing from you since my ..."
" B One six page letter to Mr. Eddy from a Frank J. Guinan beginning,"I do not yet feel quite well enough to make ..."

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

Date received: 6hp 1-9-36 1:25 P.M.

Examination requested: Document

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

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FEDERAL BUREAU OF INVES
U. S. DEPARTMENT OF JUSTICE

7613

Laboratory Report

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

Number: 62-39128-27

Specimens:

62-39128-27-A One photostatic copy of a letter to a Mr. Mickman beginning, "Having heard nothing from you since my ..."

" B One six page letter to Mr. Eddy from a Frank J. Guinan beginning,"I do not yet feel quite well enough to make ..."

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

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

Examination requested: Document

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

A [illegible]

B [illegible]

Identical

0 1/14)

BUREAU OF INVEST. # 7613
U. S. DEPARTMENT OF JUSTICE

Laboratory Report

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

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

Examination requested by: Washinton Field Off.

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

Examination requested: Document

Result of examination: 1/13 Examination by: Blackburn

file Rec'd 1/13

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January 14, 1936

RECORDED
62-39128-# 28

Special Agent in Charge,
Washington, D. C.

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

Dear Sir:

There is transmitted herewith the laboratory report covering the examination of specimens submitted by your office in connection with the above entitled matter and received in the Bureau January 9, 1936.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover,
Director.

Enclosure: #875974

COMMUNICATIONS SECTION
MAILED
JAN 1[illegible] 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

SFP:ERG

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

7613

Laboratory Report

January 14, 1936

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

Number: 62-39128-27

Specimens: 62-39128-27:

A. One photostatic copy of a letter to a Mr. Mickman, beginning "Having heard nothing from you since my---".

B. One six page letter to Mr. Eddy from a Frank J. Guinan beginning "I do not yet feel quite well enough to make---".

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

Date received: 1-9-36

Examination requested: Document

Result of examination: Examination by: Pickering

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

1-Bureau
2-Washington
1-Laboratory

RECORDED

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

JAN 17 1936

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

January 20, 1936.

Special Agent in Charge,
Atlanta, Georgia.

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

Dear Sir:

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

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

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

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

HR:HRL
Enc.
62-2696

cc-Bureau.

62-39128
FEDERAL BUREAU OF INVESTIGATION
JAN 21 1936

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT ATLANTA

FILE NO. 62-18 JV

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Atlanta	2-6-36	2-5-36	W. M. BOTT

TITLE
ALPHONSE CAPONE, with aliases, et al

CHARACTER OF CASE
CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

SYNOPSIS OF FACTS:

Frank Joseph Guinan, #42507, U. S. Penitentiary, Atlanta, Ga., advised that he knows nothing of instant manuscript or of anyone by the name of F. Barrett. Guinan advised that Carl Crawford served a sentence in the United States Industrial Reformatory, Chillicothe, Ohio, but that the present whereabouts of Crawford are unknown. Photograph of Guinan secured.

- P -

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

DETAILS:

[redacted]

APPROVED AND FORWARDED: W.A.G. SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

62 39128-29

FEB 10 1936

FEB 10 A.M.

FEB 12

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[redacted]

Bureau of Prisons

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

Continuing, Guinan stated that 323 N. Fulton Avenue, Baltimore, Maryland, is the address of his mother, with whom he resided during his period of parole, but that he is unable to explain the use of this address in connection with instant matter. Informant stated that if he had attempted to sell any manuscript that he would have been smart enough not to have used his mother's address.

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

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

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

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

UNDEVELOPED LEADS:

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

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

- PENDING -

P. O. Box #766
Cincinnati, Ohio

1179

RDH:MGR
62-995

February 11, 1936.

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

Dear Mr. Sanford:

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

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

Very truly yours,

E. J. CONNELLEY,
Special Agent in Charge.

CC Bureau.

RECORDED & INDEXED 62-39128-30

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

FEB 13 1936

BUREAU OF INVESTIGATION
FEB 12 1936 P.M.
DEPARTMENT OF JUSTICE

FILE

P. O. Box #766
Cincinnati, Ohio



NDH:MOR
62-939

February 15, 1936.

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

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

Dear Sir:

Reference is made to the report of Special Agent W. M. Bott dated at Atlanta, Ga., 2-6-36 in the above entitled case.

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

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

Very truly yours,

62-39128
E. J. CONNELLEY,
Special Agent in Charge.
FEB 15 1936

CC Bureau
Atlanta
Washington F. O.

Federal Bureau of Investigation

U. S. Department of Justice

62-5552
FJM:AOB

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

February 18, 1936

Director
Federal Bureau of Investigation
Washington, D. C.

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

Dear Sir:

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

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

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

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

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RECORDED & INDEXED 62-39128-31

FEB 24 1936

FEDERAL BUREAU OF INVESTIGATION
FEB 19 1936 P.M.
DEPARTMENT OF JUSTICE

TOLSON
HERON
TWO

62-5552
Letter to Bureau
February 18, 1936

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

Very truly yours,

R. WHITLEY

R. WHITLEY
Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT WASHINGTON, D. C. FILE NO. 62-5552 afob

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
NEW YORK CITY	2/19/36	2/19/36	[illegible]

TITLE:

ALPHONSE CAPONE, WITH ALIASES, ET AL

SYNOPSIS OF FACTS:

[illegible] MICKAM, MISS RUTH [illegible], and MRS. ABRAMS, nee ANNE [illegible], shown photographs of FRANK JOSEPH GUINAN and CARL CRAWFORD; failed to identify pictures with individual [illegible], in May, 1935, offered for publication manuscript entitled "Biography of Al Capone's Life in Atlanta Penitentiary". BUC

REFERENCE: Reports of Special Agents W. M. Bott, Atlanta, Ga., 2/6/36; M. D. Traub, Washington, D.C., 1/4/36 and letter of Special Agent in Charge E. J. Connelley, Cincinnati, O., 2/13/36.

DETAILS:

At NEW YORK

On February 19, 1936, the writer visited the offices of ROBERT W. MICKAM, Editor, Real Detective Story Magazine, 444 Madison Avenue, New York City, and displayed the photographs of FRANK GUINAN and CARL CRAWFORD in an effort to have MR. MICKAM, MISS RUTH [illegible] and MRS. ABRAMS, who is known also as ANN POLLACK identify the persons

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: E. J. Connelley SPECIAL AGENT IN CHARGE

62-39128-32

RECORDED AND INDEXED FEB 21 1936

COPIES OF THIS REPORT FORWARDED TO:

3 Bureau
1 Cincinnati (information)
2 Wash. Field
1 Atlanta
2 N.York

BUREAU OF INVESTIGATION FEB 20 P.M.

DEPARTMENT OF JUSTICE

ROUTED TO:

CHECKED OFF: FEB 28 1936

JACKETED:

COPIES DESTROYED

8 OCT 6 1954

USPA—FLR—8-20-32—[illegible]—30651

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

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

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

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

FEB 21
FEDERAL
OF INVES
U. S. DEPAR
OF JUST

April 14, 1936

AR:HD
7-576

MEMORANDUM FOR MR. [redacted]

Re: JOHN PATTON -
BRIBERY

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

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

[redacted]

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

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

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APR 27 1936

62-39128-33
FEDERAL BUREAU OF INVESTIGATION
APR 22 1936 P. M.
U. S. DEPARTMENT OF JUSTICE

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

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

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

In compliance with your request, I have directed a letter to the Jacksonville Office to determine the present location of John Patton and a request has been made of the Washington Field Office for the purpose of determining the particular branch of the Federal Government in which [redacted] is presently employed, if he is now in the Government employ. b7C

Respectfully,

A. Rosen

Enclosure

Post Office Box 812

Chicago, Illinois

May 2nd, 1936

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

Dear Sir:

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

Very truly yours,

D. M. LADD
Special Agent in Charge

DML:LEH

cc - Bureau

62-39128
FEDERAL BUREAU OF INVESTIGATION
MAY 6 1936 A.M.
DEPARTMENT OF JUSTICE
FILE

Two ONE

IDENT UNIT

Bureau of In

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

May 6, 1936.

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

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

Dear Sir:

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

Very truly yours,

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

EKT:IJ
62-2696

RECORDED

MAY 28 1936

62-39128-34
FEDERAL BUREAU OF INVESTIGATION
MAY 7 1936 A.M.
U.S. DEPARTMENT OF JUSTICE
TWO
FILE

Federal Bureau of Investigation

U. S. Department of Justice

501 Healey Building
Atlanta, Georgia

EEC:rd
62-18

May 15, 1936

Director
Federal Bureau of Investigation
Washington, D. C.

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

Dear Sir:

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

The copy of this manuscript was loaned by this office to Bureau of Prisons [redacted]

[redacted]

Returned 5/18/72 per phone 4-341 dated 2/4/72 Tmg

RECORDED & INDEXED

62-39128-35

FEDERAL BUREAU OF INVESTIGATION
MAY 19 1936

MAY 19 1936

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35 OCT 8 1964

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EEC:rd
62-18

Director
5/15/36

Bureau of Prisons

[redacted]

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

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

Very truly yours,

E. E. CONROY
Special Agent in Charge

Encl.

59-39128-135

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(95,200 words)

THE BIOGRAPHY OF AL CAPONE'S

LIFE IN THE ATLANTA

PENITENTIARY

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

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

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

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

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

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

powerful specimen of manhood, his robust appearance all the more impressive as Captain Head, not quite five feet tall, reads the commitment spread on the board before him. The scene brings to mind a weasel holding a lion at bay. . . Goliath before the court of David.

"Alphonse Gabriel Capone?" Captain Head asks.

"Right!" booms Capone.

"Yes, sir!" reprovingly.

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

"You will be known as Number Forty Thousand Eight Eighty-[illegible]."

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

And Capone becomes Convict Number 40888.

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

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

The next pocket excavation brings forth a wallet. From its stuffed appearance we conclude it contains bills of larger denomination. Capone then removes loose change, his wrist watch, diamond rings and a platinum friendship bracelet. . . a present from Gus Winkler. The guard calls off each article as he examines and sets it aside for the clerk to slip into a canvas bag similar to a mail-sack. The inmate clerk calls back each article as the guard writes it down on a slip of paper.

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

Capone stands nude. He does not like the tone of the guard's voice. The guard boldly gazes at the brutally beautiful physique before him. . . a body covered with long black, gorilla-like hair. The smile returns to Capone's lips. At least it is carved there by the fair or Fortune. . . the fate that had been so kind to him.

He walks into the stall as he turns towards the showers and promptly steps onto the slippery concrete floor. He bathes thoroughly, and after each phase of his ablutions is approached by an inmate doctor who makes a thorough physical examination. An ointment is freely applied to Capone's body as to all of the others (for initial use in the institution), and with a gentle slap on the rump the doctor laughs "Next!"

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

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

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

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

"Against regulations," the guard replies.

"But this damned stuff scratches," Capone protests.

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

Capone obeys, sulking and muttering some unintelligible curse.

"This way, now!" the guard calls.

He leads Capone into the dressing-in room at the end of the bath room. The room is approximately 20 x 20 x 25. Along the walls are shelves loaded with blue denim pants and blue work shirts, socks, [illegible] shoes and canvas belts. Nothing on the shelves seem to be in order, although the convict between the counter and the shelves apparently knows just where the "correct" sizes are. Digging in blindly he produces a pair of pants [illegible]. They are too small. He produces a larger size. These, too, are too small. Capone objects to them but the guard signals the inmate clerk that they will do. Shirt, socks and ill-fitting shoes are handed Capone. He [illegible] up and tightens the cheap belt around his paunchy belly. He [illegible] several times in an effort to bring the cuff of the pants [illegible] his leg.

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

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

"Capone!" their eyes seem to say.

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

However, as we pass through this office, on both sides of which are inmates using mouthpieces and typewriters, we are aware it is noisy. It resembles that of a factory office. But a tomblike silence descends upon it as Capone steps into view. Typewriter noises cease. Plugs are pulled from the ears of the dictaphone operators. The Czar of Gangdom passes through! We might like to linger a few minutes to hear what the boys have to say, for there is no doubt something amusing about the situation. A few crisp words, jocular banter, witty responses and they are again pecking at the typewriters.

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

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

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

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

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

The guard [illegible] returns, before further conversation [illegible] between Tony and Capone. Capone is then escorted into the Holy of Holies - - the record Office. In this office are kept all the valuable papers of the institution, including the chart under which the prisoner is classified, [illegible] receipt for valuables or money confiscated after the arrest, the [illegible] correspondence between institution, the cells in prison and other institutions; letters signifying certain inmates are "Wanted" by other institutions and officials, the convict record covering past criminal history in full while a prisoner, and his previous criminal record (which is presented to the Parole Board when it calls the tri-monthly session of prisoners) [illegible] which [illegible] of great value to the institution.

Keller Clark into the private office of Mr. [illegible] Allen, the record Clerk. [illegible] face of one who visits a prison or as a [illegible]. His large, pallid skin covers a small broad face. His eyes, rather behind [illegible] small, see like mere, twinkling bits of coal; the eyebrows beneath a high forehead, are barely perceptible. The [illegible] short hair upon his head is [illegible] always. There is a small brown [illegible] his left [illegible] lip -- a thing about him that seems to increase as one -- are thin and bloodless, and convey to us the picture of a man who has just eaten a canary. A [illegible] self-satisfied vanity, an egotistical outlook on life, and an assurance of a life-long position of influence, scream from his countenance. He holds, a poker player would conclude, four aces!

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

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

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

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

"[illegible] is your name?" asks Mr. Bates. (The name is plainly written at the top of the declaration, yet, for the purpose of verification [illegible].

"Capone."

"What is your full name?"

"[illegible] Gabriel Capone."

"Have you ever use any other name?"

"No."

"What [illegible]

"[illegible]

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

"No."

"[illegible] all are you?" smiling.

"[illegible]

"[illegible] are you come?"

"[illegible]

"[illegible] with violation of the Income Tax Laws, is

"[illegible]

"[illegible] Orleans?"

"[illegible]

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

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

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

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

"That's correct," smiles Mr. Bates. "Now, you earn ten days a month good time, for good behavior. On your sentence, therefore, you will be entitled to 1200 days good time. You forfeit this, of course, at the discretion of the warden, for violation of certain rules. Now, let's see - - you were sentenced on October 24, 1931. Your sentence commences on May 4, 1932. You appealed your case, of course, and naturally, your sentence doesn't run until you are received here. Your full time expires May 3, 1942, but with allowances for good conduct, by earning the 1200 days good time, you may be released January 19, 1939.

"You are eligible for parole September 3, 1935.

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

"Well - - I - - er - ah . . ."

"What kind of work have you done mostly?"

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

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

"Well, I've done a lot of gambling." Capone's broad smile brightens his features. Mr. Bates reflects the smile.

"Professional gambler?"

"Sure!"

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

"That's your regular occupation?"

"That's right."

"Not unemployed, of course?"

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

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

"Oh, about the sixth grade."

"What age were you when you left school?"

Capone ponders. "Let's see. . . I guess about 12 or 13."

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

"I never left home."

"Well, what age were you when you first went away from home? You didn't live home all the time, did you?"

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

"Where were you born?"

"New York."

"Where was your mother born?"

"Italy."

"Your father?"

"Italy.

"Are they living?"

"Mother is."

"You are married?"

"Sure!"

"Any children?"

"One."

"Boy or girl?"

"Boy."

"How many dependents?"

"Three."

"With your mother?"

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

"Do you own any property?"

"Yes."

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

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

"No."

"Now, where is your residence. That is, the place where you make your home?"

"Chicago."

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

Withdrawing the declaratims from the machine Mr. Bates turns them face down on the desk, places the carbons on the reverse sides and reinserts them in the machine.

"Now give me the names and ages and address of your living relatives, mother, wife, brothers, children. . in that order."

Capone calls off the names, ages and addresses.

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

Capone's breath catches in his throat. He cannot answer the unexpected question as readily as he wishes to. His attitude of braggadocio deserts him.

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

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

"Well, I can't remember that."

"Well, about how many times?"

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

"Five. . ten. . fifteen?"

", honestly don't know."

"Well, maybe we can get it this way. . . When was the first time you were arrested?"

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

"Where?"

"New York."

"What for?"

"Disorderly conduct."

"And what disposition was made of the case?"

"Dismissed."

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

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

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

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

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

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

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

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

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

cloth and peer through at him.

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

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

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

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

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

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

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

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

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

What next? he wonders.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Say, feller," offers the mountaineer, "now when I fairst cum heah I couldn eat much 'cause I was sorta upset inside, you know. Anyhow, I made out on that thair moonshine. That's purty good 'shine, brother."

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

Before he can quite satisfy his appetite a bell is rung by an inmate who stands on a platform facing the prisoners. The signal is received from the living hall guard, who continually walks up and down the aisles dividing the sections, in search of contraband food, which contrary to the most rigid observance and discipline, reaches the prisoners. The last to enter the living hall are the last to leave, thus giving late arrivals sufficient time to eat, the early arrivals eating immediately the line enters and is seated. Feeding each batch of prisoners requires six to eight minutes. Those reaching the living hall eight minutes after the others, have the opportunity, while the others are leaving, to complete their meal. All, however, do not always finish their allotted time, but finished or unfinished, they must leave as their row is cut.

He now become impatient to see what Capone shall do with his leftovers. It is now 5:10 P.M. He is again locked in his cell. He hears voices in other cells, arguing, humming and talking. Whistling is forbidden.

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

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

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

"What's matter? Don't you like our serenade?"

Capone, feeling an alibi would sound silly, ignores the remark from the adjoining cell. The caller, however, passes the word on that Capone cursed the musicians. The progressive message is received in the three other cell houses (the latter housing negroes).

And negroes love music!

At first there is a disturbing murmur in "C". It increases to a clamor. . . a many-voiced complaint. . . Yells, individual and collective, follow. Then, as if a bugler broke loose, approximately 2500 prisoners give forth a collective raspberry such as will ever remember. . . The Bronx Cheer, in all its glory! The more disgusting "raspberry"; then a prolonged, unquelled [illegible] that told the inmates' disdain and contempt for Capone and his [illegible], and actually cursed the musicians and their [illegible].

[illegible] are lifted high, and crash it down destructively on wash [illegible]. Pieces are carefully aimed at the tempting windows [illegible]. Glass crashes to the right. . . to the left! Each cell house is in [illegible]. There is no attempt to pacify them less they invite being struck [illegible].

[illegible] exhibitions of this nature many an inmate evens the [illegible], his accurate aim usually hitting the bull's-eye.

We race through each cell house with the Captain of the Evening

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

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

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

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

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

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

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

But something is amiss. . . we are frightened at the silence that seems to press down upon the Dining Hall. There is usually much loud chatter, laughter and joking. Now, the men are eating, but they do not seem to eat with the usual relish. Let us look about and see what may be the explanation.

Guns. . . Thousands of guns! All directed towards Capone! That's 'Good enough' this is!

Capone, however, betrays no air of fright or fear. His fate is sealed. He is a Fatalist. He cannot possibly [illegible]

possibly, he gets up to walk nonchalantly at his own pace and drains his coffee. He is hungry, we agree. And a life we thoroughly enjoy at the bell rings and banishes our fancies.

Ugly glances are directed at Capone as we file out behind him. Leering countenances convey utter contempt. Words, spat from the corners of [illegible] mouths, express the various opinions of the inmates. The "politicians" [illegible] clerical help - - former bankers, lawyers, judges and postal employees] seem amused at the tense situation. They often "wish" for a real riot.

In Capone's shirt pocket is a "7:30 call for 'B' cell house". Whenever one may be called he must first go to "B" cell house. Reaching there, after breakfast, he mingles with approximately two hundred men also on

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

We hear "Forty Thousand Eight Eighty-six!"

"Here!" Capone responds.

We watch him join six or eight others. They stand in line, two abreast, like children ready to return to the school room after recess. Capone towers above those near him. A few more are called and that batch is sent on its way. We follow Capone, of course, since we are interested in his alone.

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

Such absurd questions as "Did your grandfather ever have pneumonia? Was your grandmother rheumatic?" are shot at the bewildered newcomers. Your medical history is then complete - - according to the interne, and you are either dying or your dead or should have died long ago!

We are crowded into the G. U. (Genito Urinary) Clinic. A [illegible] is taken. It is painful. Our blood pressure is taken. It, too, is painful, but less so than the test. We partially disrobe and are further examined. Always but in so methodical. . . so cursory.

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

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

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

A cheery word speeds Capone out with us and to the chest and lung examination. We again disrobe. This time the upper garments are removed. We step upon a scale. We step off. That's it, now, take a deep breath. . . Now blow out. All right, another! That's it! The physician bidding us inhale and exhale mysteriously taps our chest. It seems like a lodge initiation. We are passed through as the doctor in charge calls off to an inmate the assortment of ailments the various men suffer.

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

Aw, hell! Gotta give your name and number again? Seems as though having it on your underwear, shirt and pants would be enough. But we're forever being asked what it is. We tell the interne. He writes it on a chart showing a set of upper and lower teeth. He looks at our teeth and calls out:

"Filling" "Cap" "Crown" "False" Missing" or whatever the molars disclose to his experienced eyes. Another interne "x's" the different symbols representing the foregoing definitions. And we are through here!

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

"Hell, no!" retorts a [illegible] "You [illegible]
damn' often. I know. Don't'll you get [illegible]

"Shots for what?" [illegible]

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

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

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

"What's the quack keeping Capone in there so long for?" someone asks.

"Good and goofey," is the reply.

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

"Who's got 'im?"

"Dr. Beals, the nut examiner."

"Psychiatrist?"

"Si who?"

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

"I don't want none of your lip, either, Brother. I said he's a nut examiner, and I still say he's a nut examiner. Si Ki! Si ---- !" he spits, eyes flashing.

Capone glides out and joins us again. Smiles wreathe his countenance. He murmurs something to a fellow prisoner who has been hanging close to him since we entered the hospital. A friend, perhaps, in the making.

"Now for the shots," the old-timer reminds us. We wonder what these "shots" are. However, we are on our way to get them.

And get them we do!

We line up. Ahead of us stand several interns, a female nurse, and a table littered with syringes, hypodermic needles and similar [illegible] above the

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

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

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

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

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

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

At infrequent intervals he ascends the tier steps and walks along the range. More frequently he sneaks in the alleyway between the long line of cells, and through a small hole in the steel wall, peeps in at the occupant or occupants. Why he should do this in preference to looking directly in through the steel grating in the door, is not beyond our comprehension. They know, as do we, that an inmate is more likely to avoid mischief when being observed.

It occurs to us that Capone has been quite sensibly housed. One does not, of course, select the cell he likes. In a jail this is permissable. But not in the Atlanta Penitentiary.

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

It is the morning of May 6th. Capone responds to another 7:30 "B" cell house call. As we follow him we turn to the right and climb a stairs. These stairs seem familiar. Yes, they're the stairs we ascended to reach the Record Office. But we do not go that far. We are halted outside the door to the Morale Office. We, like the others, sit on the bench or the floor, or lean indolently against the wall. Capone, we observe, the cynosure of all eyes, walks over to a far corner where he can feel the security of no one behind him. The smile lingers. It is a peculiar smile. It is a permanent smile, we conclude.

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

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

"Yes."

"How are you?" affably.

"Oh, so-so!"

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

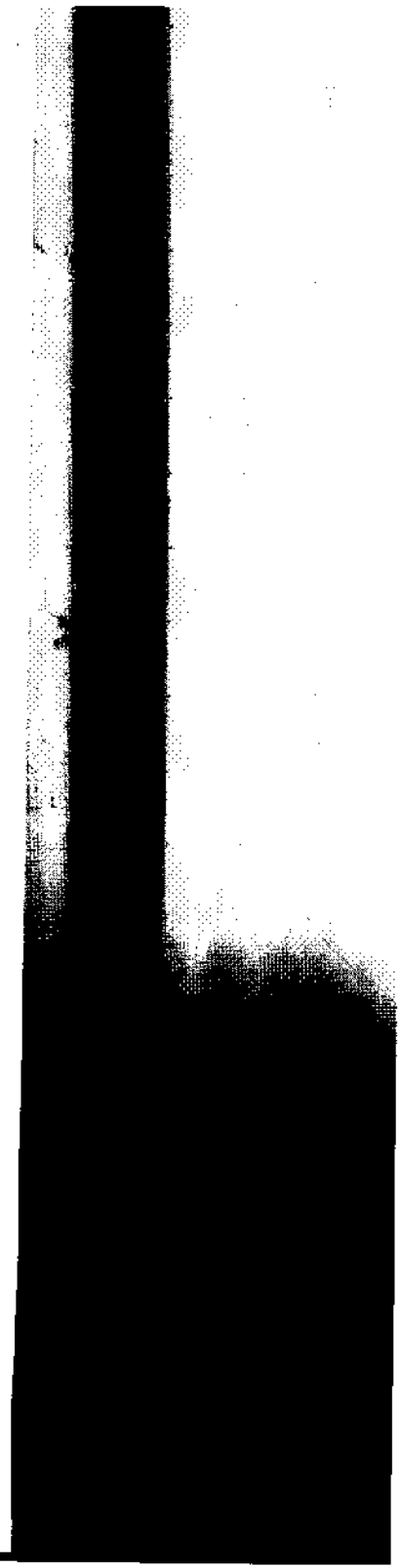
Well, Mr. Grover goes on. He wants to know how Capone's wife is. . . if she is able to support herself. Also, if the son is being supported by someone since his Dad is now in the"pen". If (it is absurd to think of it!) Capone is penniless - - like many others there - - he might be assigned work in the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

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

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

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

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



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

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

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

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

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

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

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

"Up here. Come on," suggests one of his admirers.

He follows his informer, in turn being followed by a motely horde of others, all anxious to be among the first to make an impression on him and have his friendship during his incarceration.

"Pretty good courts," he approves.

"Yes, they are, Al," recommends an unknown. "We've got two ball diamonds, too. One over there at the end of the yard, and this one here. Then there's a handball court down the other end, and a place for basketball. And that over there, you know, is the prize fight ring. We have bouts on holidays, you know. And movies on Saturdays and Sundays, too. One day two cell houses can go, or go to the yard. And the next day the other two, and the dormitories and basement crowd - - the politicians."

"Politicians?" Al repeats.

"Yes, they are the white shirt guys. You've seen 'em in the Dining Hall. . . all eat together. They've got the soft jobs, you know. So they stay in the basement, where they can take showers any time, and can walk around like in a college. We gotta stay in the cells, you see? Well, they don't be confined like that. So we call them politicians."

Capone's mind is suddenly filled with desire for the basement. It must be a swell place! And he'd be in with intelligent, educated - and perhaps influential men. Influential insofar as "knowing men in Washington" is concerned.

"How do ya get in the basement?"

"You gotta be assigned there by Schnozzle."

"'Schnozzle?'" questioningly.

"The Dep."

"Oh!" understandingly.

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

Write him an interview slip and ask him."

"Well, maybe later," Al condescends.

"See that old guy playing tennis over there? Well, he's the best tennis player here. Old Man Pennfield. Doing twenty years for robbing widows and orphans. He's about sixty now, and aint been here so long."

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

"That's Chip Robinson. He's Dinty Colbeck's lieutenant. Boy, can he use a machine gun! He's doing 25, too. Hackethal, down in the Officer's Mess - - he's doing 25 on the same rap. So is Dietemeyer, his brother-in-law. He's in the kitchen. They all came together. You know them?"

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

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

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

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

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

"Hello Al," greets Hackethal.

"Hello," Capone answers the unknown greeter.

"How'r ya makin' it?"

"Not so bad."

"Ja get the chicken?"

"Did you send it?" surprisingly.

"Thought you might want something decent. The chow on the main line's fierce. You'll never make it on that."

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

"Let me worry about that. If you want it your worries are over. I'll do the rest."

Capone extends his hand and Hackethal clasps it warmly.

"Sure appreciate it, Buddy," Capone smiles.

Hackethal smiles his pleasure. "Hackethal's the name. Frank Hackethal. Friend of Dinty's."

"What's Dinty do here?" Capone asks.

"They got him on the radio. . . in the control room. Movie operator, too. Also, in the Catholic Chaplain's office."

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

"Yeah, keeps him busy, all right."

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

"Don't know, tell the truth. There aint a damned thing I know how to do."

"Maybe they wont put you to work. Every man has something to do, though. In about three weeks you'll know. You first got to go the rounds. . . the Record Office, Morale Office, Chaplain's Office, Educational Department and so on. Then, when you're about played out, they assign you to some job."

"Well, I'll worry about that when the time comes. I'll tell you right now, though, and this is between you and me, I don't intend to do nothing that's hard. I'm here on a bum rap, and I'll be damned if they're going to burn me up while I'm here."

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

might let you help Dinty. He could use some help. He could get you em, too. Din's got pull here."

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

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

"You bet! Anytime and anything. . . except that kitchen grub."

"I getcha!"

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

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

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

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

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

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

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

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

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

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

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

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

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

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

However, one suffers loss of "Good Time" for violation of three rules, namely: Assaulting a guard, Attempting or Succeeding in Escaping, [illegible]. Fifty per cent of the losers are comprised of those violating the rule prohibiting sodomy, both parties suffering loss of Good Time. Incidentally, [illegible] escapes from Farm No. 2, the Honor Farm adjacent to the prison.

[illegible] there is no record of an inmate having lost Good Time for any offense of a lesser nature. True, it is optional with the warden, he can give your "Good Time". But he cannot restore it. [illegible] Sanford Bates, Director of Prisons, [illegible] Attorney General of the United States, must first [illegible] before they will even consider its restoration. [illegible] but never for the asking!

[illegible] cell [illegible] Capone has [illegible] there is one cell and he seems to be [illegible] closer and poring over [illegible] All, all, all!!! God, all calm it [illegible] pulls a package from under his [illegible] wrapped in [illegible] paper. Tearing it, [illegible]

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

We can stand no more! We swoon!

It is June 3, 1932. Capone, to our increasing wonder, is rapidly gaining ground. The ill-fitting dark blue shirt he had been issued when dressed in has been replaced by one of robin-egg blue. It fits neatly and is meticulously laundered. The blue denim pants that hung in sacks and pinches, have been cast aside and replaced by a lighter and better fitting pair. The crease in them appears as sharp as a knife. I wonder if running his finger along them will not cut it!

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

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

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

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

And Boy, when I tell her I won it from Capone won't her eyes just pop out of her head! What the Hell's the difference! Some other bird'll get it from him if I don't. And I know from Sartain's experience there's nothing in waiting.

(Sartain, former warden, was imprisoned for two years for accepting bribes. The official records in the institution disclose that he had gotten $7e,000.00 - that the Government learned of! - and no one else knows how much else. Worth two years when it can be done in nineteen months. . . or ten, if parole is granted!)

Two days pass. The rangeman stops outside Capone's cell.

"Get your things together. Gonna move you to'A'".

"What's the idea?" barks Capone.

"Spose they've assigned you to work," is the reply.

"Work?" questically.

"Sure! Everybody's got something to do here - - - even the old and cripple!.

I wonder what it is." Capone is extremely puzzled. He visions himself crossing, with hundreds of others, to the Duck Hill. He visions himself standing over a look. . . carrying baskets after basket full of [illegible] visions himself on construction. . . digging. Hell, I'm [illegible] . . . maybe they'll put me there! What a damn thing else I know how [illegible] I can learn! Come on. . . Pep up! Show 'em you've [illegible] in jail! So rushes scattered thoughts.

"Roll your blankets, your sheet, and other stuff, and put it [illegible] pillow like. Then, I'll tell you. There! Let's get going." The [illegible] having been previously granted favors of cigarettes and candy [illegible] the trusty, by Capone, carries the packed pillowroll.

[illegible] stands attached in the corner near the entrance to the [illegible]

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

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

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

"Right now there's Dirty Colbeck, Dago Marquis, Carter, Rookie, Joe McCann and one other guy --- moonshiner. Hill-billy, you know. Dirty's been trying to get him out, but hasn't been able to do it yet."

"Who's Rookie?"

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

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

"Here!" points the clerk.

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

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

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

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

"Uh-huh. Boss, I guess, of Dagoes."

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

"Well, tomorrow'll tell. Damned if I do any shoe shining, Buddy! Take it from me."

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

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

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

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

"O.K., Al!"

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

Ar, there he is! Paul Muni! The guy what played Scarface. Wasn't so hot, I hear. Should have paid me my price and I'd shown them some action. Just like the damn' magazines....want a lot for nothing. Fifty Grand for my life story. Humph!

Um-mmp! Even got Norma Shearer. And Janet Gaynor. Pretty little kid, her!

He looks behind a waist-high screen and discovers a hopper. Nearby is a washbowl. Glancing upward he sees four elaborate, handmade, tawdry lampshades concealing electric light bulbs. One, more gaudy than the others, proudly swings its fringe in the slight breeze that blows in through the high windows fifteen feet away.

"What the Hell kind of place am I in?" he mumbles.

Simultaneous with his action of sitting on the bunk he hears the slamming of levers and the doors sliding open. He jumps, the thought flashing through his brain that someone's playing a joke on him. As he is about to lift the mattress to examine, men stream by, raucous voices are heard calling one to another, and he is suddenly aware that five glaring men have entered the cell.

"Hello Al!" greets Colbeck. "Welcome to our little home!"

"Hello, Dinty!" warmly responds Capone. "Yes, it's a pip!"

"Hello Al," greets Dago, a broad grin spreading across his features. "You know Rockie, don't you? This is Rockie, our office boy."

Al looks down. A little fellow, not quite five feet tall, looks up into his eyes. Hands extend and clasp.

"Glad to know you," mumbles Rockie.

"Hello Kid," beams Al, realizing that friends, no matter who and what they were beyond the walls, are valuable within them.

"Boy from the hills. . . Them thar good old Tennessee hills!" Colbeck nods towards the uninterested and uninteresting mountaineer.

"Howdy!" Al greets, extending his large hand. An expressionless face is turned upon him. Heard of him, sure! But he means nothing to the mountaineer. I'm more interested in "them thar revenuers snooping up the secret trails to the still back home, and ketchin Sarah."

"And Joe McMann," introduces Dinty. Al shakes the outstretched hand of McMann.

"Hello Dinty, still the politician smiles, "better than that 3 x 6 in C, huh?"

"You said it! Boy, even a bedbug has to back up to turn in one of the cells."

Dinty, Dago and Rockie laugh at Capone's witticism. It is forced laughter, for they have heard the pun innumerable times, and had a ghost arisen with the "crack" he would have been told to put it back in its rocky grave.

Colbeck draws Capone to one side. They sit on Colbeck's bunk. It is a "lower". There are four lowers and four uppers. Capone, though a new arrival in the cell, is given a lower - Rockie's.

"How's you makin' out?" whispers Colbeck.

"Pretty good, Dint. How's chances of getting my food in here?" asks Capone, it seems always his biggest and foremost worry.

"Easy!!" Colbeck informs him, the information accompanied by a gesture of the hand, signifying how simple it can be done.

"Getting yours?"

"Getting mine!" repeats Colbeck, louder than the conversation warrants. "Say, that son-of-a ----- wouldn't give me yesterday's paper!"

"You mean Frank?"

"Goddamn' right!"

"I thought - - -"

"Yeah, everybody thinks so. Hell, if it wasn't for him we wouldn't be here. Anyhow, don't worry about me. I make out all right. Aint missing nothin'."

"You mean you got connections?"

"Plenty. I don't need anything from that bird!"

"Well, you're welcome to anything I got. Say, why can't he pile something on the tray for you. You know how I get it, huh?"

"With the screw's (guard's); sure!"

"Well, why can't he just add a little? I'm paying him well enough. I understand he's gotta pay off, too. But what's the difference!"

"Fenters!"

"That's the guy in charge of the mess?"

"Yeah," nods Colbeck.

"'Scuse of my business, Al, but just how much is he soaking you?"

"Two grand cash in case he gets caught, and $250.00 a month," casually.

"Jeezamcrackers! Boy, that's stiff!"

"Not bad at all, Din, considering what I get. I order, see."

"That dirty bastard told me he was only getting $100.00 a month. Can you feature that? Supposed to be my pal. Supposed to be, get me? I'm a son of a sea cook!"

"But Din," placates Capone, "he's gotta pay Fenters. He doesn't get the money direct, you know. It goes to his sister. She takes care of Fenters. Now I understand the guard'll have to get a slice of it.

He didn't tell me that before. But when I told him yesterday that this month's two fifty was paid, he mentioned something about the guard down there --- in the cell house, you know --- getting his. He's supposed to know it's hidden in his box when he gets his meal. The clerk knows it, too, see? And I've been slipping him some smokes. He just told me yesterday he's got a sick wife, and wants to know if I'll have some money sent to her so she can go to the hospital. Of course, Din, I don't give a damn what it costs. I want it, see?"

Dinty, by the broad smile wreathing his lips, acknowledges he 'sees'. Capone's smile has been replaced by a troubled frown. True, the money part doesn't worry him. But the thought that Dinty and Hackethal are not what Hackethal convinced Al they were --- the best of friends — disturbs Capone.

"Tell you what, Al. Take it easy. I don't meddle with anyone's business. I got 25 years to do, you know. I aint going to lose no Good Time if I can help it, and a guy never knows what these connections wind up in. If he sends anything for me, O.K. If not, O.K. too!"

"What I get you can share," offers Capone.

"Right, Al. Got to go now. Start the radio for these convicts. They can't eat at noon without music. See you anon!"

With a wave of the hand Colbeck pulls open the iron door (which on this particular cell is never locked because of his coming and going at all hours of the day), strides down the range, and out of sight.

"How are you making it? Settled?"

Capone, taken by surprise as he whispers to Dago, looks up and sees the cell house guard in the doorway. He smiles in a friendly way. Dago winks approval and Capone comprehends the guard is "on the make".

"Fine! Fine! Come in!"

"Only got a minute. Just wanted to see if you got settled, that's all."

"Everything dandy!" says Capone.

The guard walks away. The ice has been broken.

"What about that bird over there?" Capone nods towards the mountaineer.

"Dumb!" Dago speaks through the corner of his mouth.

"The kid?"

"O.K." Dago assures Capone. "Italian."

"I see," Capone nods, his eyes narrowing.

"Capone's in the Shoe Shop!" "Hey, Whitey, they assigned Capone to the Shoe Shop." "Say, did you hear? Al's working in the Shoe Shop! Yeah, Capone! In the Shoe Shop!"

Thus, the news of Capone's "soft" assignment raced through the prison. And, of course, we are not amazed at the consternation this assignment causes. Others, however, determine to investigate the authenticity of the rumor. And curious as we have proved we are, we decide to tag along.

Of course, we can't walk in the Shoe Shop just for the purpose of seeing if Capone works there. We must have some excuse. Well, what better excuse than to have rubber heels put on our shoes? The very thing!

Deliberately and with satisfaction of curiosity aforethought, we each remove one of our rubber heels. There! Now we have a valid and plausible excuse for asking for and being granted permission to visit the Shoe Shop. . . and see Capone at work (?)

As we enter the building and climb the stairs leading to the first floor, we see to our left many men ironing "whites", . . pillowslips, sheets - and as we look closer, linen belonging to the civilians and guards employed in the institution. We are not so interested in this just now: we came to see Capone work. We turn to the right, and there, sitting in a large Morris chair, is Capone, a magazine in his right hand, a cigar in the left. He does not look up as one of the inmates approaches us and we explain our difficulty. We remove our shoes, hand them to the inmate, and he attaches new rubber heels. Our eyes, meanwhile, are glued on Capone. We wonder why the guard, standing nearby, does not reprimand him. How pompous he seems sitting there meticulously dressed in his robin-egg blue shirt, black tie, creased and bleached denim pants, silk socks and Florsheims. The guard must have observed us whispering. He stares at us. We become frightened.

Then, to our sheer amazement, he walks over to Capone!

"What about washing these windows?" he asks, no trace of condescension in his voice.

"Who wash what windows?" growls Capone, rolling the magazine into a clublike resemblance.

"Each man's got it to do once a week. You're the new man here, and it's the custom for a new man to do it his first week."

"You're telling me! Yeah? Well, this new man don't wash no windows, See!" inflectively.

"That's how you feel about it?" The guard is uncertain how to proceed with this rebellious celebrity.

"Damn' right! And what you goin' to do about it?"

Insolence! the guard reflects. But dare he do anything about it? It might be easier for one of the ignorant mountaineers to wash the windows, and thus save himself probable embarrassment by a reprimand from his superiors.

"Say, you!" he calls to a 300 pound mountain of flesh busily engaged sweeping the floor. "Drop that broom and get to those windows. They got to be washed."

The mountaineer, who had heard Capone refusing to do the work, strides over to the guard. They are both less than five feet from His Majesty as he sits ostentatiously in his comfortable Morris chair.

"I washed them thar windows last time, Mister. It aint my turn now," he addresses the guard humbly.

"Well, I'm giving you orders. You'll wash them, or --- "

"Say, that guy aint no better'n me," The mountaineer's ire has been aroused and he is unconscious that he is pointing the broom at Capone. "If he's too damn' good to wash them windows, them, by God, so am I! Aint nobody goin' put nothin' over on me. I been yer too long for that, Mister. I'm just a iggurant moonshiner, maybe, and I got five years yer for makin' a gallon corn liquor, but I aint no killer and no robber, like that guy!" (He shakes the broom at Capone).

"And you all! Aint no man yet cum yer that knint do somethin'. Maybe you all are a big shot outside, but in yer you're just another convict, like me and everybody else. And -- "

Capone rises from his chair, throws the magazine into the hollow of the cushion he leaves behind, doubles his fists and swings at the mountaineer. His fist lands on the mountaineer's jaw. The mountaineer swings his broom above his head and brings its straw end down on Capone's

Capone becomes furious. Six convicts rush the mountaineer. He seems to us like a huge, angry, snarling bull being brought in for slaughter. The broom is cast aside and he grabs the first thing his crazed eyes fall upon - a chair. He raises it above his head, twirls it once and hurves it at Capone, now standing back in what he feels is a safe place. The chair, flying through the air, barely grazes Capone's head, crashes through the window and hangs on the iron bars.

The guard shouts for order. His shouts are ignored as Capone rushes towards and clinches with the mountaineer. The club in the guard's hand cannot be used unless he is attacked. His muscles ache to ignore this order. He wants to bring the club down on someone's head, but dares not, without justification. The entire floor is in an uproar. Capone is uncertain just how great is his strength compared to that of the mountaineer's. after all, he begins to realize, the mountaineer has been in prison longer than he, and has many friends of whom he (Capone) is ignorant. It might be best . . .

"Wait a minute!" Capone shouts, his hand upraised, his head thrown back. "What the Hell's a matter wit' you guys? This is my scrap. Now listen, you!" He points a shaking finger at the mountaineer. "You're aimin' to get in the hole. If you don't wanna wash the windows, O.K. Somebody else will. But you're goin' to get yourself in a jam if you try to tell me what to do. Get me?"

"I'll wash 'em, Al," an inmate offers. "I don't mind washin' 'em."

The guard orders them to their respective duties, seeing in this offer a solution to his difficulties. But Hell! he muses, he's got to make a report. Well, that's that!

"Capone's on the spot!" "Capone's on the spot!" "Capone was slipped in the Dime Shop! Yeah, got written up!"

The rumors spread. Sometimes they are exaggerated conceptions of the incident again, diminished ones. The prisoners are on edge. They've been waiting for this! Been expecting it. It just had to happen sooner or later. And now. . .

It is the 1:00 P.M. stockade hour. The prisoners employed in the Duck Mill Industries (comprising the majority of inmates) are permitted stockade between 12:30 and 1:00 P.M. They then return to their duties. At 1:00 P.M. the clerical force, kitchen and hospital workers, and a few others, are permitted stockade for an hour. From 2:00 to 5:00 P.M. another group have their stockade period. The Shoe Shop and Tailor Shop details are permitted stockade from 3:20 until 4:15 P.M.

We follow Capone to the Deputy Warden's Office, accompanied by Captain Fry, Captain Head and the guard assigned to the Shoe Shop.

"Well, Capone," begins the Deputy Warden, "you're getting off with a good start. What's the trouble?"

"Aint no trouble," sneers Capone.

The Deputy looks at the guard's written report.

"Mr. Yates seems to think there was. He reports you refused to obey his order to wash the windows. You must remember, you're in the peni---"

"I aint washing no windows, see?" Capone snaps. "I didn't come here to wash windows. I come here --- "

"Wait a minute! Just a minute!" The Deputy jumps to his feet, anger and rage engulfing him. "This is a penal institution. You are expected to obey the rules and regulations. Every man here has work assigned him. Your duties in the Shoe Shop demand you repair shoes. If there are other duties -- whatever the guard assigns you to do -- you are to perform them. Now, you have my orders. You'll do what you're told to do!"

"I'll go to the hole first!" Capone spits.

"Then you'll go to the hole!" retorts the exasperated Deputy Warden. "Captain - - -"

Capone raises a restraining hand. "No you don't, Deputy. Hold on there a minute, you!" He points his finger at the Deputy Warden. They are less than ten feet apart, facing each other hostilely. Captain Fry, Captain Head and the guard, Mr. Yates, block the door. "Before you put me in the hole I want to talk to my lawyer. You got no right to put me in the hole! None at all, get me!"

"I have the right to inflict whatever punishment I feel you or anyone else who shows rebellion, deserves. Now you're not going to see your lawyer. And you're not going to tell me how to run this institution! Understand this, Capone. I'm Deputy Warden here. Not you. You'll either obey orders or suffer the consequences for refusing to obey them."

The situation is a dramatic one. Capone's throne is being stripped from him. His face is livid with rage. He is being stripped of his arrogance and conceit. In a defiant attitude he places his hands on his hips and stares at the Deputy Warden. Captain Fry and Captain Head look on, Captain Head's fingers nightly ripping his club while Captain Fry's hands are perspiring as they circle the ebony cane he always carries. Mr. Yates, still seated, holds his club in readiness. In his eyes shines a thwarted desire to use it.

"Now get this! Once and for all time, I mean, too! I'll do anything that's reasonable. But I aint gonna do no window washin'. I aint gonna do no floor scrubbin'. And I aint gonna do nothing you fellows tell me to do if I feel like I'm being humiliated!"

The King has spoken! The Deputy, a wise man, and capable of publicially handling a man in such a crisis, resumes his seat.

"Capone," he says, " are you telling me what you're going to do?"

"No, I'm not. I'm telling you what I aim gonna do. Take it or leave it!"

The Deputy Warden's mind is busy weighing a decision that will avoid trouble, yet, one that will impress upon Capone that he's not going to get by with his attitude.

"Capone, I'm going to dismiss you this time. But bear in mind, the next time you come before me on a report by a guard, I'm going to be less lenient."

As Capone turns and makes his exit the Deputy Warden, Captain Fry, Captain Head and Mr. Yates go into conference. Capone returns to the Shoe Shop.

"What the hell road, all?" someone asks.

[illegible] Threatened to put me in the hole! I'll
[illegible] Yates. Hell! He don't know who he's foolin' with."

[illegible]

"But if I was to cry him again I'd go to the hole. Well,
[illegible] in the hole!! This God damned joint'll be torn up
[illegible] with no fly-pucket bootlegger
[illegible]

[illegible], I told him I wanted to see the lawyer first. That threw
[illegible] I know my
[illegible] I ain't done nothin' to be guilded for.
[illegible]"

[illegible] tomorrow.
[illegible] Attorney's Office

[illegible] Capone. His brother John, his wife [illegible] year old niece are seated across from [illegible] the Guards' room. They are not in the regular [illegible] Guards' room, a large & spacious room, contains a long [illegible] stove. Its walls are lined with lockers. It adjoins [illegible] Guard Mulhern is assigned to the visit.

[illegible] are not allowed to pass any article to an inmate they [illegible] each other and kiss at greeting and parting, but hands [illegible] articles belonging to either be handled during the [illegible] on which there is writing or printing are [illegible] other. The conversation is carefully [illegible] whatever concerning the institution may [illegible] by the rigid and strict.

[illegible] have been spoken. Capone, his hands [illegible] across at his son - a boy of fourteen [illegible] at the blonde niece as she sits on the table toying with [illegible] which protected. Guard Mulhern, who has the reputation of [illegible] out smarts, becomes suspicious as the child playfully [illegible] Uncle Al. His eyes are unblinking as he watches her [illegible] peek-a-boo. Each time she drops it it is [illegible] from his hairy hands. She reaches [illegible] laughter filling merrily throughout the [illegible] silent. Flashing latin eyes [illegible] turned back to the child. It [illegible] something momentous to occur. . . [illegible] our breath as we look into Capone's [illegible] on his lips and the dark eyes so full of

[illegible] the child, and embraces her, kissing her [illegible]. His arms tighten about her little waist. His [illegible] her organdie dress. His fingers clasp and [illegible] a small garment that is attached to her underwear. He clumsily

removes it from the thing that fastens it there. He is about to withdraw it when Mr. Hughes rises and speaks.

"None of that! Cut it! What you got there?"

Capone jumps to his feet, the child in his arms frightened and fearful. The movement enables him to conceal the small parcel on his person. The ensuing excitement caused by the women rising to their feet, their chattering, and Capone's words, frighten the guard.

"Put the kid down," Mr. Hughes gruffly orders.

"Who the Hell you talking to?" demands John Capone, rushing towards Mr. Hughes. "That's my brother, get me! I'll break your damned neck if you talk to him like that!"

"I got the right to love the kid, aint I?" asks Capone, his voice apologetic.

"Maybe you have. But you're not supposed to be slipped something," argues Mr. Hughes.

"Who was slipped something?" begs Capone.

"You! I seen it!" answers Mr. Hughes.

"Listen, you!" John Capone speaks, "when we come visit here we don't come slip Al something, and we don't want no scene. I'll report you to the warden for this, unless you apologize to my brother now. You aint seen anything, and there's nothing been done wrong." John's voice has become more persuasive as his hand withdraws a wallet from his coat pocket.

"You're not supposed to touch the child again until she leaves," Mr. Hughes informs Capone.

"All right," Al answers peevishly, winking at John. "Here, Mom, you take her." He hands the child to his mother. The visit ends as a guard steps in and signifies the hour is up.

After affectionate farewells and the promise to return on the morrow, they file out, and are escorted to the front. Capone is then permitted to return to the Shoe Shop. It is the twenty-fourth of the month, and he will receive another visit on the twenty-fifth; and another on the twenty-sixth. Three days! Very much can be accomplished in three days. . . But

he'll have to arrange for another guard. "Hughes was sorta nasty," he confides to an inmate. "Dangerous. Gotta be more careful next time. Might've searched me and found it. Where the Hell did I put it. Yes, here it is. Well, boys, you're going to get your snow. It'll keep you quiet for another month, anyhow. Have to find another way to get this stuff in. Shouldn't bother with it. Wont do to get caught red-handed and the Dep get on my tail again. Son-of-a------!"

Capone places his neatly leathered foot on the hopper of the Shoe Shop lavatory, withdraws the small parcel from his shirt bosom, and slips it in a slit cut in the cuff of his pants. Safe there, anyhow!

He returns to his Morris chair and relaxes. Almost time to quit work. And aint done a damn' thing today, mind you. Sure is tiring. . .

Reaching his cell a few minutes later he changes pants, knowingly leaving the hiding parcel in those removed. They are rolled into a bundle and slipped into a bleached blue shirt and two sheets, in a pillowslip, for laundering. The last place they'd look for anything, if there's a'shakedown". (A shakedown is a thorough search of a man's personal effects. Sometimes there are individual "shakedowns" - when an inmate "fingers" another inmate, and sometimes a general "shakedown" - when it is believed sufficient contraband articles are in the institution to warrant the"shakedown".

The next morning, as Capone leaves for breakfast, the pillowslip with its precious parcel of drugs is thrown into a large canvas basket near the cell house door. Other inmates throw in theirs, too. When the basket is filled it is wheeled to the laundry. Each article of clothing and linen bears the inmate's number. Each basket bears the cell house designation from which it came. The unloader, on the lookout for laundry from 'A' cell house, spots the conveyor. The laundry is to be separated --- sheets and pillowslips in one pile, "blues" in another.

"4158w. 4084w. 4059w." The number methodically repeats itself in the unloader's mind as he anxiously glances at the numbered pieces in search for 4066w.

"Ah!" he sighs, hesitating in his mechanical discarding of other bundles. He raises his eyes to see how close a guard may be. "If I make out O.K. . . ?" He assorts the pieces behind a pile of dirty linen. Feels the cuffs of the pants. A beaming light gleams from his sunken eyes. It's there! Nervous fingers push it through the almost invisible slit. . . The parcel drops into his itching palm, is quickly slipped in his pocket and his work ended --- for the time being.

Glancing furtively about to insure that he has not been observed by other inmates or a guard, he walks out of the building and towards the hospital. He makes his way to Doc, the inmate chiropodist. Doc is awaiting him. Doc is a frail, dark individual. He wears tortoise shell pince-nez. Large brown eyes are sunk in dark-rimmed eye sockets in his typically criminal face. Slick, plastered iron-gray hair give him a dignified appearance, yet, does not rob him of the consumptive ravishes he has suffered from repeated prison terms.

Doc has heard through the private grapevine operated by Capone, that the "stuff" got in O.K. Jenkins enters Doc's office and closes the door behind him. The parcel is delivered. Doc opens it, slips Jenkins his share, then hastily removes his false teeth. The small, valuable package of drugs is emptied into a contraceptive. The contraceptive is flattened, surplus air forced out and the contraceptive then sealed with glue and carefully placed against Doc's palate. The false teethare replaced. Jenkins, who has got his instered by Doc, departs. Doc destroys the remaining evidence - the tailor in which the drug arrived, and is ready to return to 'A' basement.

Not a word is uttered during the entire exchange of possession. Guards are placed at strategetic points throughout the institution, and no [illegible] is executed in his cubbyhole office. Exactly where he has never been able to learn. Too wise for them birds, he soliloquizes. Humph! Call me a [illegible], I been in every jail from Florida to Washington State --- I been in Federal Pen, I been in stir in the best joints in the country. Dingbusters! Just as well use them in a deaf and dumb school as around me!

But let us follow Doc as he tidies up his little place and leaves for 'A' basement, where he'll remain until the dinner gong summons him back to the original where he enjoys an excellent diet. He is nervous

and apprehensive. He's "hot", if you ask him. Hot in the sense that anyone seen talking to him is later questioned by Captain Head. Hot in the sense that he has clothed himself with a "record" that is the envy of more desperate characters who find prison a lucrative place to abide, and his "record" makes of him a hero unto himself. A braggart. A boaster. "Loaded" with drugs he's in no humor to hold a conversation with anyone. And Head might stop him en route to 'A' basement --- which he frequently does --- and "shake him down". Damned shrimp! Always pulling me in that room and making me remove my clothes. Examining me thoroughly! Well, I'm too smart for him. . . No matter where he looks he's not getting wise to me! Yet!

He effuses an insouciant air as he literally prances through the corridor. There's Head --- waiting as usual! Well, we'll see, you little so-and-so! Hmmph! Let me by! Thought sure he'd nab me this time. Boy, I got to get rid of this P.D.Q!

Doc reaches the practically deserted basement. The clerical force doesn't start getting in until 11:25 A.M. Got ten minutes to "plant it". He walks boldly into his stall, unlocks his locker and produces a carton of Camel cigarettes. The table at which he sits is concealed behind a sheet draped on wires. One would not know he were in there unless he walked in and saw him. And NO one dare walk in Doc's stall -- unannounced or uninvited!

Each package of cigarettes is carefully opened and the drug, in small quantities, wrapped in tissue paper, inserted where cigarette tobacco has been removed. The package of cigarettes is re-sealed, and it is returned to the carton from which it came. The carton is not re-sealed.

An inmate cannot buy more than two cartons of cigarettes at one time. He is not supposed to have more than two cartons in his possession, at any one time, regardless of how he came into possession of them. Realizing the danger of having any excess, Doc does not risk retaining more than the allotment. However, he has more grains of heroin and morphine than he is to distribute to Capone's henchmen and friends. It must be planted! Would never do to lose it! Too damn' much trouble getting more. And it means the hole, if caught.

He steps out of his stall, No. 23, and walks around to No. 9, on the North Side. No. 9 is occupied by Berg, a Dane, serving six years for counterfeiting. Doc and Berg were inmates at St. Quentin several years ago. Berg is assigned as Photographer. We are aware that Berg and Doc are "pretty thick". We never knew why. Berg is sitting on his bunk, reading. We can't see the name of the book, but we feel that he is expecting Doc, for without any apparent interest in the book he rises, and both step back behind the draped sheet in Berg's stall. We cannot hear their conversation as clearly as we would like to, but we do hear Doc's voice in a vehement whisper. Berg talks with a broken accent.

" . . . and keep it 'stashed' until I ask for it. It's safer up there, as you never get shook down in the Dark Room."

"Yah, I got you. I hide it, Doc."

" . . . for Christ' sake, don't lose it! And don't forget where you stash it."

"Aw, Doc, don't be foolish. I yust vole you I hide it. Moost I yet you out a hole to retrieve you?"

"I'll be aware of you. You'll get your money before you leave the joint."

Doc struts out and back to his stall. A sense of relief seems to have [illegible] as he emerges from it a few minutes later to join [illegible] at the basement exit, awaiting the signal to dinner. He [illegible] as he takes a place farther back in line. Berg is [illegible] . . . Of [illegible], as usual.

It won't [illegible] are four packages of cigarettes. That's as many as [illegible] on the person without appearing "loaded". It is [illegible] would have on it person at one time -- in fact, three packages [illegible] "Yes sir, one has to take a chance . . . and at by with it. Why [illegible] afraid to carry a couple packs of smokes?

[illegible] the hospital dining room he looks for and sees the [illegible] of trays. [illegible] is [illegible] so much [illegible] [illegible] is replenished, and the [illegible] takes away. A tool [illegible] corridor. He slips a package of cigarettes to an [illegible] . . . another package to another. Hell, that's two, anyway!

Simple, isn't it? That's his consolation as he remembers the other two are to be delivered up in the ward. Well, Tuggle can take care of that, if I can't get up.

And they are handed to Tuggle, as she drops in on Doc to have her feet examined, two hours later.

Thus are Capone's dangerous enemies and needed friends bought!

Another month passes. We were unable to learn how the two succeeding visits of Capone's passed, but we do learn that Mr. Bishop, next in command to Lieutenant Oliver, was the guard assigned to them. And this seems all the more interesting because Mr. Bishop spends the greater part of the day in the radio control room, with Colbeck. Naturally, we are curious to know why he is again on this month's (July's) visit by Capone's relatives. Odd, we think, that he should be selected. Mr. Bishop, we have since learned, is a very congenial sort. In fact, as well liked by the inmates as is Captain Madden, whereas they'd mob any of the other officers in comparison.

Capone's wife sits beside him in the Guards' Room. Our unconcealed amazement threatens to divulge our presence. However, we repectfully smother a gasp of astonishment as they sit there in a fond embrace. He dearly loves his wife --- there's no question about it. Her blonde beauty has made him her slave. She is faithful, one can see. And she'll wait for him. . . if it's a hundred years! Yes, she's telling him so. But he answers that it wont be a hundred. . . that it'll be only until the first year is ended.

"But Al, how can you do it?" she feebly remonstrates.

"Listen, I needn't tell you I can have anything done. I ain't been here no time, Honey, and I'm getting anything I want. Money, Honey, money! It buys even Washington!"

"But Al, Dear, who in the world can do anything for you besides the Attorney General? That is, so far as your freedom is concerned!"

"Honey, I'm not telling you anything but that this time next year you and I' l be together --- outside! Honest, I'm not kiddin'. I mean it, Baby. You think I'd tell you that if it wasn't so?"

"Oh, if I could only believe it!" Her jeweled red-tipped fingers press his arm. "You don't know, Dear, how I've cried night after night. . . Day in and day out. . . since you've been here. It's maddening! Cruel! Sometimes I fear I'll lose my reason. I can't help it, Darling. I can't!

"You try to make me feel content with the thought that it is better and safer for you here than if you hadn't come. Honey, they'd never have done anything to you back home. You know very well they dared not! Not with the power you had for revenge. But if you feel that it was a God-send, you must know. Everything happens for the best, Sweetheart, and I suppose God knows what He's doing when He takes you away from me and lets then put you here." Mrs. Capone is torn between her desire for Al and the gratefulness that he had not had his fears materialized by the lead slugs from an enemy's machine gun.

"Dr. Bishop'll tell you, Honey, I want for nothing. Not a thing! Say, Mom, ain't I lookin' swell? Been playin' tennis and getting some of that fat off. Get a sitz bath every morning; a steam bath three times a week; three rub downs a week, and the best food money can buy. It's like a hotel here --- except I can't leave when I want to. Now, what more could a convict desire?"

Capone laughs as he refers to himself as a "convict". The family join the laughter, but it is a restrained laughter on their part.

Mr. Bishop displays a broad, reassuring smile.

"Then ain't it, either. Look at this!" Capone opens his shirt and discloses to them an expensive pink silk undershirt. "Drawers, too," he smiles. "And look at this!" He calls their attention to the stitches in a specially tailored blue tied blue shirt. "Made to order! Pants, too! Say, Mom, I'll be warden here if I have to stay. Mark my word! He'd, Joe, I'd like to have a son warden of a 'pen'!"

All laugh heartily.

"Let's get down to business, Al. You got the list of names Joe wrote down?" asks Capone in a sobering

"[illegible] to be sent or 'bail' all,

"[illegible] ones who are to get paid; and how much."

"[illegible]." Capone produces a slip of paper from his shirt

"[illegible]. Now listen, each one is to get the amount set opposite his name.

"[illegible] not [illegible], as I don't want an [illegible] or [illegible]."

"[illegible] this --- what, Mom, Joe's brow wrinkles.

"[illegible] impossible, always [illegible] it. Think things up for

[illegible] Joe's passes for a list and goes to it by meals from

the Officers' Mess get to me there. Had to quit eating in the cell for a while. Something blew up. . . Head got wise, and before I got caught Doc ordered it sent to his place. Bishop here keeps me posted so that keeps me from getting nabbed red-handed. They know it's been getting to me, but they can't catch me with it."

"But you got $300.00 a month until further orders," complains John.

"That's right. It's worth it. Besides, his kids are sick and they need it. His wife's an invalid."

"What's this --- Fenters: $500.00?"

"That's the guy what has charge of the Officers' Mess. All you got to do is get the correct names and addresses from Mr. Bishop when he meets you in town at whatever place he says. You gotta be careful you don't get seen. I just got the notations. The rest'll work out between you two."

"That's this mean down here --- auburn?"

"Oh, yeah. An Auburn car. Fenters is planning on getting a car, and I understand from Hackethal - -- Say, am I got him down for $200.00 a month? --- he wants an Auburn. Sort of surprise, you know. Now listen, John, aint no use you thinking I'm being held up, for I aint. I aint outside now. I gotta pay for what I get. Everyone here who wants anything's got to pay for it, someway. And that's dirt cheap?"

"But do you realize how much this amounts to a month?" John asks.

"I never figure anything. I get it, and I'm spending it. For food, mostly. You and Mom got all you need. That's my money. I'd spend or gamble it outside, wouldn't I? Well, what's the difference?"

"But Al, I'm not looking at it that way. It's taking about the risk. You want to make parole, don't you? According to this you're taking $200.00 worth of risk a month. Can't you realize - - -"

"The Hell with the risk. They can't --- they won't do nothing to me."

"But think of these other men. Suppose it is found out. . ."

"They got perfect alibis. Leave that to them."

"Mr. Bishop, I suppose you understand just --- "

"No need to explain to me, John. I see Al every day. I keep my eyes and ears open. He's right. You can't get anything done for you here unless you pay for it. If a fellow types a letter for another, he gets a carton of cigarettes for his trouble. If he types court papers, he gets five cartons. Some of them have their wives send money to other fellows' wives, mothers, sisters and so on. It's done every day and a hundred times a day," explains Mr. Bishop.

"That's understood," agrees John, still dissatisfied with Al's generosity, and feeling that Al is being "taken for a run". "I don't want anything happen that would jeopardize his parole."

"He's got nothing to worry about. Your Senator assures him he'll be outa here in a year. He oughta know. He's been in conference with Roosevelt, aint he?" Bishop is not quite sure Al's information regarding this is on the up and up. He takes this opportunity to verify it. After all, Al's made him some pretty steep promises. He's tired of being a guard. Stars on his sleeves don't keep his wife satisfied. Money! Money's what the wife wants and needs. Travel, maybe. Lots of it. Others make the grade. . . why can't he?"

"Yes," speaks al's mother. "I was with him when he said he would do what he could for my Al. Senator Lewis is sincere. He took me direct to the President and I heard every word he said. But you know how politicians are. Al always said that, and that's why we hesitate to believe everything that is promised."

"Aw, Mom, quit singing the blues," laughs Al. "I tell you I'm getting out soon's I done a year. The public would raise a heluva stink if they turned me out sooner. Besides, the lawyers are working on an appeal. If I can't make it one way, I'll make it the other. See? Why worry about it? Sure I want to get out! The damned place is killing me. And I never know one day to the next what's goin' to happen. Now wait a minute....no need to get upset. See, there you go! When I try to tell you something what's on my mind you all get worked up and scared. Every damned time it's the same thing!"

Capone is peeved and sullkily turns away from his wife, who is visibly upset by his inference. She begs he calm himself, and argues him she is not upset. She can't help how his mother feels. . . "Well, aint I trying to quiet her?" she protests. "My God, Al, I can't stop her from getting excited if you're going to be telling her you're in danger all the time. You make me mad!"

Mrs. Alphonse Capone is now angry. John holds his tongue, a forlorn, exasperated look upon his features. These scenes! How he detests them. Mother's always so easily upset. Al had no business saying that. . . should have had more sense. . . All I'll hear now till next month is: "I wonder if anything happened to Al. I dreamed last night . . ."

"Hell!" exclaims John, unable to control his emotion. He drops a half burned cigarette to the floor, decisively steps on and crushes it, and as if giving vent to his feeling, grinds it under his heel.

Al's mother audibly weeps.

There is a knock at the door. All recover their dignity. . . Mrs. Alphone Capone rushes back to the other side of the table, and when Mr. Bishop answers "All right!" a guard walks in, announces the hour is up, and the visitors prepare to leave.

Fond farewells. . . Embraces. . . kisses. . and tears.

And once again the promise to return on the morrow.

"Al, what you need is arch supports. I can make you a pair that'll give your feet the proper rests. You see, you're heavy, and racing over the tennis courts in tennis shoes don't help a lot. Now, for instance, look at these . . . I made these for Miss Tuggle. You know how big and fat she is! Well, this is the second pair. The first pair gave her such comfort that she brought her sister in. You know, of course, it's against rules for us inmates to do anything for outsiders. But Hell, I make arch supports for most of the guards, and civilians and their families. There's Mr. Steigers. . . he's brought his wife and daughter in, and I fixed them O. K. Then, there's - - -"

"How do ya get by with it?" Al interrupts Doc. "Does the warden know?"

"Say," brags Doc, "I take care of that." A thrilling sense of importance flows through his being as he --- a mouse telling a lion how powerful he is (and the lion believing it!) --- relates what "connections" he has made.

"Look at this! Doc removes the shoe and sock from his left foot. "I operated on that myself! The doctors here started it, but they bungled the job. You know what we've got here? Just a bunch of quacks. If they were any good they'd have a practice outside instead of working for $100.00 or $125.00 a month in here. Anyhow, after they operated it hurt like Hell. Then I decided to do it myself. I applied a local anaesthetic, and aint been troubled with it since. I know my business. You know yours! If--- "

"What kind of 'connections' you got?" inquires the foxy Capone, his interest aroused.

"What kind do you need?" asks Doc.

"All kinds," Al smiles.

"But you got connections. How about Bishop? Adams? Fenton ?

"Yeah, but you never know when one of them's gonna get bumped off with the goods. And they're no good to me after they're caught. I gotta get money in here. Some of the guys don't want smokes. They want cash. Greenbacks!" Capone conveys an attitude of impatience.

"How much, for instance?"

"How much what?" asks Al.

"How much do you want in?"

" Couple thousand, anyhow. See, some of the 'screws' want have it sent to their wives. That's their business, of course. Wives are dangerous, they say. I gotta get it to them without any in-between party."

"I'll handle your cash. I'm here on a four year stretch. I'll do about three years, if I miss parole. I can't make it, I know. I made it last time I was here because I had Dr. Wilson fix up a letter that I wouldn't live sixty days more. That was in '25. I got out on parole on that letter. And I got a record, you know that! And damned if I didn't get in stir again!"

"You got a pretty bad 'rep' around here, Doc. I'd like to do business with you, but some of the old timers tell me you 'rat'."

"Who rats?" Doc is offended. His dark brown eyes flash. "Why the - rotten b------- have been jealous of me since I been here. Look! (Doc picks up a small piece of thread and wraps it around his finger) That's how I can handle those quacks here. I know plenty, see? I give you my word! Give me a chance. You know, though, it costs!"

"Yeah!" with a disdainful turn of the head Capone acknowledges the known. "I know! But all right. See what you can do. I want $3000.00 brought in. Don't bother me with details, understand? I want a list made out worth of the guys what's supposed to get it, and how much. You're to take care of that end, and deliver. Get me? If you come across O.K. . . Or I You'll get yours."

Doc is deeply grateful and affected. His nervousness deserts him and leaves him breathless, as Capone, satisfied with himself and his new conquest, takes his exit.

"Three Grand!" whispers Doc. "Three Grand! Jesus, more than I've ever seen! Boy, let me get my hands on that! Lemme see, now - - If I lose it. . . or if I tell him Head bumped me off with it, how in Hell will he feel about it? Boy, that's a mint!"

Doc loses himself in dreams of splendour. He visions himself rolling away from the penitentiary in an elegant motor car. "All dolled up". No prison outfit for him. No sir! He'll have a made-to-order suit sent in.

You bet! And that dear Ida. . .up in Alderson. . . doing time for bootlegging. Gosh, wont she be glad to see the bank roll! Pretty nice kid, her. Don't know what she seet in me. Guess she believed everything I told her in jail. A surgeon from Vienna! Ha ha! Did she fall for that line! And imagine it. . . two kids to take care of. Aw, Hell! What's the difference? If she's stringing me just to have somebody to write to, I'm stringing her. Those saps here --- thinking she's my wife. Well, that's the only way I can write to her. Dumed rules about writing to other joints. She oughta make parole. . . on account of the kids, anyhow. I wonder if she's got some boob waitin' for her? Well, we'll see. . . She'll ditch him when she sees me roll up to the bungalow in my Buick. That's my car, baby! Buick! And every damned time I steal one I get a stretch. Now. . . NOW, Doc, Old Man, you're going to treat yourself to one all your own. I gotta get a chauffeur, too. Maybe look better. Boy, wont I put on swank? All my life in prison, and come to Atlanta to make good! I'm gonna play Big Boy like he's never been played before! I'll show all those other pikers that I got a head on my. Well, it be a nice racket. Yeah? I wouldn't work for the Ir ident!

. . . carried on his endless soliloquy of success. He builds . . . I can't see that a cinch. Content. That's it! That's what he's . . . Yeah, that's the Big Boy. He just sit - - - the Big Boy would come to him instead of later. That's what he said. That "dope peddlin'" was only a . . . You bet, too! Hoad can sell dope. Damned if he can't. . . . it. Those 'junkies' (drug addicts) are bound to squeal sooner or later. . . . . will do or say anything if they need . . . ". Well, this is a different proposition. . . . will I get to be . . . it is not distributing it. What . . . ?

. . . Doc, took from our riding place behind Doc's ears, and rose . . . Captain's office. Gay was dead in . . . over the television. He . . . that she is up to . . . , but after the conversation and Captain . . . attitude, he assure it is someone of importance. . . a . . . , no doubt.

"I know, sir. I have used every effort to trace its source, but am up against a stone wall. No. No, sir, it is not being dropped from air planes. I have given the tower guards particular instructions regarding observing them. . . Who? He's a guard here! . . Is that so? What makes you think ---? All right, I'll work on it from that angle."

As he replaces the French telephone he sighs, "Well, I'm a ---!"

"What's that?" asks Mr. Mrenn, his clerk.

Captain Head ignores the query. He is lost in a maze of unbelief. One of his trusted men bringing in drugs! Unbelievable! Incredible! Preposterous! But then, would his informant have mentioned the name if there wasn't some foundation for his suspicion? One never knows . . . in a penitentiary!

Well, he thinks as he rises with difficulty and lack of energy, nothing like taking a tip. Tips sometimes prove fruitful. And other times a will-o'-the-wisp. But this one . . .

"I got it!" Captain Head exclaims, forgetting Mr. Mrenn is closely observing his features. "Smith is guard in the Duck Mill. He gets regular treatments from Dunlap, the chiropodist. So does Capone! I knew that Dunlap worked on Capone's feet as a bluff. I got it! Call the hospital and have them send Dunlap over. I want to see him at once!

"No. . . wait a minute! I'll go over there. Better to bust in on him unexpectedly. I'm going to the hospital, if anyone wants me."

Captain Head, his short steps unusually fast, hastens to the hospital.

Knowing Doc as we do, we realize the fruitlessness of following Captain Head to listen to the cross-examination. We look at each other and smile manly. We are confident Doc will have a perfect alibi. He can't be frightened into believing Head's got the goods on him, so far as delivering "dope" is concerned. Head catch me? Say, it'd take a heluva lot smarter guy than Head to get anything on me. I've been in more joints than Head can count. Like to take a sock at him sometime! Just my size, too! Lose Good Time, though. And I can't do that. Not now, anyhow. An on the road to plenty.

Yet, to satisfy our curiosity we eavesdrop on the conversation.

"But I tell you, Captain, I've not even seen any, least of all handled it. You got no proof. You're surmising, that's all. Well, you're wasting time, Captain, if you think I'm handlin' it. That's straight from the shoulder."

"And you deny that Capone doesn't buy it for the men here?"

"I don't know what Capone buys. I don't fool with him. He's 'hot', and I know it. All I got to do with him is 'tend his feet. That's my duty. I do that for any convict. He don't mean a damn' thing to me, and I don't have a damn' thing to do with him. That's my word!"

"Your word!" sneers Captain Head. "What is your word against the word of five others?"

"Five others!" gasps Doc. For it is exactly five to whom he had delivered drugs. "Five who?" he demands, recovering his poise.

"So you do know something!" exclaims Captain Head. "Well, out with it. . ."

"I don't now anything, and I told you you can't prove anything," Doc retaliates, realizing now that Head was bulling him into a confession. "You can put me in the hole from now till my short time date, but I <u>still</u> don't know anything!"

"Pretty smart, aren't you?" Head is sarcastic. "But I'm going to get you yet, Dunlap. I'm not warning you, mind! I'm <u>telling</u> you!" With these parting words Head makes an exit. Doc climbs into the patient's chair - - similar to a barber's chair --- and smiles a smile of victory as he rests his head on the cushion head-rest and exhales cigarette smoke.

"'Pretty smart!'" he murmurs. "Betcha life I am, Captain. "Too damned smart for you, anyhow. If you were so smart you wouldn't put me wise. Ha ha! What they need here is a bunch of 'dums'. They'd know how to find things out. Dope! Say, Shrimp, I wouldn't touch dope in here again if it meant my freedom. . . Not after you let me know you're hot on my tail for it, and me with the chance I got now to get rich!" Doc emphasizes his mental resolve by banging his small clenched fist on the arm rest.

A gloating laugh escapes Doc's throat. He's won the tilt and is in a position now to put Capone on his guard. That's the kind of work he'll do for the Big Boy. . . keep him posted on the bigger things. . . On bags bursting. . . shakedowns. He'll make himself so valuable to the Big Boy it'll be just too bad for anyone who tries to "cut-in" on him. The Big Boy's his meat, and he's going to get it!

"Now listen. I've told you before, and this is the last time --- Don't sneak up on me on the yard! Don't come near me. I can't be seen talking with everyone. You'll have me so damned 'hot' I wont be able to get a breath of air any more. If you got business, handle it with Doc, or somebody he tells you to handle it with. I aint got nothing to do with the money. I told you you'd get it. He'll give it to you, or you can do what I suggested in the beginning - - - let me have it sent to you."

Capone is angry. The inmate accosting him is sore because he was promised a "tenner" ($10.00), and it has not been forthcoming. Three weeks have passed since Capone's visit, and the inmate feels that he should have had the money by now. He, like many others, believes it is handled by Capone personally, after being handed to him in the visiting room. All do not know of the arrangements, connections and conspiracies.

"But Doc don't come out when I'm out. He don't take stockade but once or twice a week. And den when I see 'im da bozo's wit' you. I can't get near 'im," complains the inmate.

"Well, you'll get it. How about cigarettes? Want to take it out in the Commissary? I'll get someone buy you ten bucks' worth of stuff."

"Well, yes. I'll have some in' den."

"All right. Make up the list of what you want and give it to Lane, on the tennis court. You know him? Got charge of the courts."

"Larry Lane? Yes, a little guy. All right. Thanks, all."

The inmate shuffles off and is soon relating to a buddy what transpired between himself and Capone.

"Lane'll charge you for the filling the stuff. He's crooked as a corkscrew. Al gives him $50.00 a month to reserve a court for him every day. And nobody dares go on it, either! He's a dirty snake, that Lane."

"He want fool wit' me, Buddy. I'll get up ten bucks worth or else. . . "

"Else what?"

"I'll put in a 'rap', Snitch. What da hell do I care 'bout Capone now? I aint gonna do no more business wit' 'im. Da hell wit' dat.

to get the ten he offered for it. He gives every guy double what dey spend, but it looks like I can't even get my five back. If he t'inks he's gonna give me da run-a-round, he's got anudder t'ought comin'. I aint afraid of 'im or any of his bodyguards, aabbe? I got a gang, too! And dey don't like 'im a got dam bit. Dat's why I'm quitting buying for the no good sucker!"

"Did you know he got three grand in last week?"

"Three grand!" gasps the peeved inmate.

"Uh-hum!"

"Who --- ?"

"I heard it from a guy in the hospital, a guy in the nut ward. He's supposed to be batty. Maybe he is, I don't pass on that. Anyhow, he was down in the electric therapy room, where Capone gets two hours treatment every day --- baths, rub-downs and hot box --- and while the guy there was giving Al his rub-down, this guy was supposed to be taking a sitz bath, but he left the water runnin' and come over to the door, and the guy what gives the rub-down, Thorpe, was with his back to the door. So the nut just stood t ere and heard Capone tellin' Thorpe that Dr. Beale was taking care of his needs, and brining him underwear and stuff he couldn't get inside here. And that he just got three grand to pay off, and if Thorpe wanted his, he could have it cash or have it sent to his mother. So the nut walks away,'cause he did 't want them see him listening."

"On da level!" asks his astonished listener, eyes wide in amazement.

"'Sa fact!"

"Well, I'm a lowdown what-cha-may-call it! And here I gotta pull da weepin' act to get my ten!"

"Hey, you won't be the first one to get gypped. He's gypped plenty. Else, whoever handles the dough has. I don't know who does, but I heard complaints."

"Doc handles it, Dunlap, you know. Da no good rat! I wonder if he told Capone he gave it to me? Ya see, Capone don't know who gets it. Who's supposed to get it, he tells Doc. Dat leaves him out. Doc den does the balance."

"In other words, Buddy, you're just five bucks out!"

"Oh yeah? Well, we'll see 'bout dat!"

"Say, by the way. How much does Capone pay his bodyguards? Let's take a walk up to the tennis courts and see how many's up there."

They proceed towards the slope overlooking the tennis court. There are seven courts; one for Negroes. Capone has the best kept court... one that Lane takes extra pains with, daily rolling it to a smooth, finished even surface, and lining it more conspicuously than the others.

"Dere's Hugo Marks. . . And Joe McGinn. Capone's playin' wit' Jackson... and Old Man Fairfield. Dat odder guy works in da kitchen. I don't know his name. He's an old timer, but supposed to be da best player here. Look at Capone missin' da ball! Ain't he funny de way he jumps Too fat clumsy to play tennis. Like a hippopotamus. Jesus, look! He banged his racket on de ground because he missed a ball! And look at 'im laughin' it off! Hot, it's a con-and-sol! Did you ever see a temper like dat!?

"He doesn't want nuttin. He don't do all dese t'ings for 'im ... laughin' but just for fun! Sometimes it's frustrations. Or all the de... ladies, or it's because he plays tennis."

"Oh, yeah! The other day I saw him do it at Lou. Once he took the racket over de top and beat the score with it until all the strings was out of it. Then he sits it up against a score and jumps on the handle. And it breaks he walks over his boys and from [illegible] will see that a new one for it. And it's [illegible] like money to him. You can't buy them at the necessary stores, though. [illegible] rackets, and they're going to quit selling balls and [illegible] racket ... a tournament somewhere else except [illegible] Bill Johnston [illegible] guys to study. Pretty soon there won't be no fun at all [illegible] Capone's beating them up."

"It wouldn't be [illegible] true 'bout Dat's bodyguards [illegible] fingers till dey [illegible] off, and den dey don't do a t'ing but eat, talking 'im [illegible] a good one!"

"Say, I heard that, too! Was the ball tellers, now? Let's . . ."

"The guy what works on da handball court?"

"Yeah, that's him. He said he sold Capone two, after Lane sandpapered them. Aint that a smart guy for you? A racket racket in the pen! Boy, what a joke on Capone!

"Listen, Buddy, you could sell Capone the Washington monument. He's ripe for anything. Some of the fellows in your cell --- the moonshiners --- made some bead necklaces. They cost about fifty cents to make, and they sold them to Capone for $10.00 each. Easy! Say, I'd bet he'd fork over plenty if the right guy gets the right racket on him. Some confidence man, for instance."

"You said it, Buddy. But dat aint getting me da ten bucks he owes me. I'm gonna see Doc. See what he has to say and den I'll know where I stand. So long! See you anon!"

The two part, the one with the Bronx accent walking off in search of Doc, the other drawing closer to examine the rackets being bargained for. The hill rises, surmounted by the men in from stockade. Capone's bodyguards [illegible] a pointed glance --- three behind him, two before him, and two on each side . . . all a distance of less than three feet from him. He is now invulnerable to attack.

. . . [illegible] are clever men in the Atlanta institution. . . .

Days. . . weeks. . . months pass. Daily, men charged with violations of the rules, are arraigned before the Deputy Warden...Offenses arising out of the web of intrigue and conspiracy at the head of which sits Capone, self-satisfied, content, indifferent. He continues to yearn for the glad tidings that his appeal will effect his freedom, or Senator Lewis will be successful in his endeavor to induce the President of the United States to use his prestige as t s key to open the gates of the Atlanta Penitentiary for Capone's release. There are conferences two and three times a week --- lawyers from Washington, lawyers from Chicago, lawyers from Atlanta. Interspersed with these business visits are social visits from "Bugs" Moran, "Pur" Sammons and "Gus" Winkler --- under aliases!

Needless to say the best legal minds in the country assemble in the Guards' Room and discuss various and sundry loopholes, all of which, to Capone's unintelligent mind, seem certain and definite grounds for his release. Yes, they tell him, from the United States District Court they will go to the Circuit Court of Appeals. That failing, to the Supreme Court of the United States. They'll go the limit!!

Capone MUST be freed. That's the conclusion of his splendid and expensive array of lawyers and lieutenants.

But, Capone stays on. The claws of his power-greedy hands continue to drag in almost poverty stricken guards and inmates, civilians and outsiders. Money! Money! Money! Everyone is getting it! Anyone can have it --- for services rendered!

Steadily, and with an eye to insuring his incarceration shall be as pleasant --- and safe --- as money can make it, with a shrewd and cunning brain he builds a ladder of victory and conquest. As he smilingly ascends rung by rung he crushes beneath his feet, in a quicksand of pollution, everyone of his employees from the lowest inmate on his pay roll to Lieutenant Oliver! Guards, civilians, physicians, Captain's Assistants!

He is striving insanely and with determination to conquer the last two rungs of the ladder --- the two rungs that seem higher and more inaccessible to reach than all the others --- Captain Heed and Warden Aderhold! A. C. Aderhold! He'll get A. C. yet! Captain was bought.

Other wardens were bought! Why not A. C?

Duty! "Al, Brother," he tells his confederates, " when a man must choose between money and duty, he chooses money!"

"I can't buy Captain Head!" he boasts. "Who wants to bet I can't!" The challenge is directed at Mr. Bishop.

"It's hard to do Al. He's got his eye on bigger things t an dollars. Head's of the old school. The school of loyalty!" Mr. Bishop defensively argues.

"Listen, Bishop. I've bought bigger men than Captain Head. I've bought and I've sold. Nothing stands in my way. Good Lord! If I'm going to be here. . . if my appeal fails, and the Supreme Court turns thumbs down, then watch! Watch me!"

"Al, I know Captain Head. I've been working with him twelve years. I tell you it can't be done. I don't [illegible] about A. C. It'll [illegible] be a mystery to me. But I'll wager you won't get Head in a [illegible] position."

"What'll you bet?" Capone is an inveterate gambler. He'll bet on anything.

"Haven't got a hell of a lot, Al. You [illegible] been throwin' parties, and bought a car, you know, [illegible] me. Oh, maybe a few hundred. . . just to [illegible] to set a definite date, now. That is, set a date by which you'll not have on your pay roll."

"How much've you got so far?"

"From you?"

"Yep!"

"[illegible] little under $2000.00. But you see, we [illegible] bought! Bought lots of things we [illegible] lot left. And if I should get bumped off for [illegible] bet!"

"I told you before, Bishop, I've got a [illegible] your life, if ever you got in a jam for [illegible] track of Eliot's. I owe Eliot for [illegible]

hicago. I got money in a dozen banking houses. I own stock in department stores, buildings, building and loan associations. I'm just what the guys say -- 'lousy with money'. So you got no cause to be worried about a job with me if it comes to a showdown.

"Now, talking about the bet. You know I don't like to be bluffed. I'll [illegible] you on $[illegible].00 to a thousand that I have Head on the pay roll before Easter!"

"Fair enough, Al. My word good for it?"

"Sure thing." They seal the wager with a hand clasp.

"Did ya get the Christmas gift O.K?"

"[illegible] sure is swell of you, Al. The wife's nuts about it. [illegible] a car like that a long time."

[illegible] mention it."

"[illegible] you better get going now. Head might come back and [illegible] see you letter. Oh, yeah! About those letters. . . You have no one's ike to it?"

"Couldn't do. Only Dunlop, of course. See, I send them to [illegible] I write [illegible] and seal them in an envelope. He plants them for [illegible]. I couldn't take the chance, you know. You gotta [illegible] I wouldn't want you to get nabbed. And if [illegible] you no do. I'd feel about it. Particularly since [illegible] like they do."

"[illegible] on me. The wife said the other night she dreamt [illegible], but imagine that? Me in the hole? So she begged [illegible] men are funny with their dreams they believe

[illegible] tell the wife dreams are just her [illegible]" [illegible] open the door, and, stepping into the corridor, [illegible], little dreaming that the dream Mrs. Bishop related [illegible] one of misfortune Capone should heed.

[illegible] he is confronted with hundreds [illegible] parcels. There are so many parcels that it is [illegible] have himself in and out of the cell. Every bunk is piled [illegible] is cluttered up. Every chair is stacked. Candles...

cakes...nuts...fruit...an assortment that would make the department handling such commodities in the Marshall Field Department Store in Chicago sickeningly envious.

There are fruited candies from Italy. Glazed fruits from the Far East. Cakes baked in California. Fruit grown in the South Seas. Truly, an elaborate conglomeration to please the most exacting gourmet's taste.

"Get 'em out!" Capone shouts. "Who wants 'em? Come get 'em!"

"Hey, you gonna give 'em away, Al?" asks one of his cellmates.

"Don't think I can eat them, do ya?" is the barking response.

"Good gravy! Hey!" yells the one addressed. "Lay off that! I told you guys to quit that from the beginning!" The article creating the one-sided argument is a twenty-five pound box of glazed pineapple slices.

"How about this?" he holds up a twenty pound box of assorted salted peanuts and almonds, as he clasps the pineapple slices to his bosom.

"Take it, for Christ's sake! Don't ask me for it," Capone grunts.

"Hey, wait a minute," he orders. "Some of this is gotta go over the back exit. Some's got to go to the hospital. You there -- Rockie, pick some sweet stuff for Doc. Then get some for Beale, some for Miss Tuggle, and some for the others. You know who. The jig'll take 'em over. They ain't supposed to take anything from inmates, you know? Yeah, I thought you did. Well, see that they get there. And if anybody stops you delivering 'em to the jig, tell me who it is."

"Well, Al," whines Rockie, "you know what Wrenn did to me the last time I tried to carry out those cartons of fig newtons for you, for that guy. Said nothin' doing. O.K. to bring stuff in -- but nothing out. So how's the jig gonna alibi?"

"Either you take 'em or leave 'em. Which is it?" Capone demands, reclining in a Club chair from which he has angrily removed an assortment of packages, deliberately upsetting their contents on the concrete floor, mumbling, "I've told you guys keep things outa this chair!"

"I'll get the jig. He'll take 'em in the laundry basket. Okay?"

"I don't want to know anything more about 'em. Throw 'em down the toilet if you want. I don't want 'em around!"

Capone, we later learn, dares not even smell a thing sent to him for Christmas. He is in constant dread of being poisoned, and fears it might be done in any of many ways. His meals, according to his explicit and oft-repeated instructions, are handled by well paid, trusted inmates. No one else must come within five feet of them. For this reason -- though he yearns for the luscious fruits, sweetmeats and delicacies -- he is known to . . . not even daring to eat them after someone else has tasted them, thinking it would be his ill luck to select the one, or part of one, in ten, that may have been purposely poisoned.

"Enough to give a package to every man in the joint," smiles Guinch as he enters the cell.

"Help yourself, Dinty," Al suggests.

"Thanks, Al." Dinty selects several packages and slips them under his belt.

"Take some more. There's plenty."

"Got enough, Al. That'll last me a while."

"Any tricks?"

"Oh, no sir!

"Some Merry Christmas!" Capone sighs.

I have been worse. Got nine to go. You get used to it, Al.

"I'll get used to it?" shouts Capone. "By Christ, I'll turn the joint upside down first! I'll do this one. . . Not no more!"

"Got good news?"

"Same old stuff. Promises. Politics. All that hooey."

[illegible] with the world.

"See about [illegible]?" (Frank Daughrey, Capone's Atlanta

[illegible] all I hear. Money for this and money for

that. I don't mind the money, but they aint doin' a damn' thing!"

"Give 'em time. Took time to get you here; it's going to take time to get you out. Personally, Al, I can say it's sure nerve-wracking. I been through it."

"I'd give every God-damned cent I got in the world if I could get out! I mean that, Dinty. I started broke, and I can start broke again!"

"You're talking through your hat now," admonishes Dinty.

"Hat hell! I'm talking from my heart. What the hell good's the dough when you're cooped up in this lousy joint? What the hell's anything if you can't enjoy it? Money....I wish I never had a red penny, Dinty. I'd never been here if I hadn't."

He begins biting his finger-nails --- a habit he has when excited and irritable or nervous. "What gets me is my mother. She always says it's my punishment for being rotten and having those mugs wiped out. I had to do it. You know how it is, Dinty. You been through the same thing yourself. It's them or me. Same as it was them or you. Punishment! God-damned if I didn't go through enough of it since I come here!

That first night! Jesus, I'd not go through that again. I'd hang myself first! Would you believe that, Dinty? Well, that's straight. Like a murderer. . . Caged! . . The crowd yellin' for my blood! Dinty, I'd give anything if I could erase that from my mind. Go plumb forget it! But I can't! I can't! Sometimes I wake in the middle of the night. . . I can feel the whole gang here strangling me. It's awful!! ... I see the faces of them guys that got wiped off. . . Their teeth shine like radium on a wrist watch at night. I see their mothers behind them, coming hell outa me. . . I see their wives and they're hittin' it, goes out. . . beating me with sticks and pokers. I lay helpless while all this goes on. I don't cry out for I'm afraid it would make them think I'm yellow. Yes, I want to yell, but that's why I don't. It's hell! I wake up in a cold sweat. It's hell! That's what it is. And I'd never go through it if it hadn't been for that first night demonstration. That put it in my head. That's given me them nightmares. . . That's why I want to get OUT! Out, Dinty, OUT! God damn it I want out!"

Cr[illegible] jumps to his feet and kicks over a stool of candy filled [illegible]

concrete floor three tiers below.

"Hey, what the Hell's goin' on up there?" someone yells.

"Aw, go to Hell, you!" retorts Capone.

"Is poor 'ittle Al-ex upset?" taunts the annoyer, disguising his voice.

"Give the Dago a sock on the jaw!" another yells from the right of 3-7.

"Give 'im a rope!" yells still another.

"Say, this is Christmas," someone attempts, pacifyingly. "We should love one another. Come, Dear, kiss and be still!"

Capone rants. He rips the shirt from his back and tears it in shreds, kicking and screaming. Dinty sits calmly by, a faint smile playing at the corners of his lips. He understand Capone must give vent to his Latin temper. These exhibitions are not unusual. The louder Capone curses, the more raucous becomes the taunting laughter of the other inmates. One is reminded of a caged tiger being annoyed by a crowd of hoodlums.

Finally, exhausted, Capone sinks back to his Club chair.

"You need a drink, Al. A good stiff whisky," Dinty suggests.

"Where the Hell is it?" he asks.

"Tell Whitey. He'll get it for you."

"The laundry guy? Cregar?"

"Yeah."

"Hey," calls Capone. "You, rangeman! Tell Whitey I wanna see him."

"Right, Al!"

Dinty, a gang chieftan in his own right, neither bows to nor serves Capone. Consequently, his interests in Al's needs are but casual.

Whitey comes hastily. "What's up?" he asks.

"How about a shot of gin?" Al demands.

"No gin. Give you some good Sherwood."

"Bring it on. Pronto, too!"

Whitey departs, returning in five minutes with a hip flask. He hands it to Capone. Capone takes a lusty swallow, coughs and gags.

"I don't like the stuff. Never did," he apologizes.

"Where'd you get it?" he asks when able to speak clearly.

"Make any difference?" parries Whitey, reluctant to divulge the connection, feeling if he can peddle it to Al he'll make more than if Al can get it direct.

"O. K. Sorry!" answers Capone with a wave of the hand.

"Any time you want it, sing out," Whitey offers.

"Leave it here. Tell Doc how much I owe you for it."

Whitey places the flask under Capone's pillow, waves a hand at parting, and makes his way to Doc, in 'A' basement. Whitey, assistant to the civilian in charge of the laundry, is permitted freedom of the institution in his duties of collecting and distributing lavatory towels. He is not questioned as he enters and leaves the various cell houses, dormitories and basement. Naturally, when he walks boldly into 'A' basement, and visits Doc, it is surmised, by those who observe him, that it is something for Capone, since Doc, everyone now knows, represents Capone in the position of paymaster.

"Al said give me twenty-five."

Doc hesitates, though he knows Whitey is on Al's pay roll. Finally still, he removes the elongated cigarette holder from his mouth and blows a stream of smoke into the air.

"You gotta know what it's for?" snaps Whitey, his dislike for Doc quite apparent.

"Not necessarily, Wagner. Just like to know what kind of business I'm doing. If Al said $25.00 . . . here it is." He hands Whitey a twenty and a five dollar bill extracted from his pants pocket.

"Who's your connection now?" asks Doc, always on the alert to make a new connection, with the view in mind of eventually being in a position to be the only source through which Capone may be able to obtain contraband.

"That's personal. Ain't supposed to tell."

"But I know," teases Doc, an innate curiosity urging him.

"Bet twenty you don't!" Whitey retorts.

"Bet!" agrees Doc, placing a twenty dollar bill on the bed.

"Right!"

"McAdams!" smiles Doc.

"Wrong!" Whitey laughs.

"Who, then?" Doc asks.

"Lynn!" Whitey whispers hoarsely.

"Dr. Lynn?" gasps Doc, his eyes narrowing.

"Not his brother!" laughs Whitey, walking away as he pockets the forty-five dollars.

"And to think I been talking to him every day!" Doc chides himself. "I thought he was acting kinda nervous lately. Well, that'll be a good one for the Big Boy!"

The dinner gong rings. Christmas Dinner! How they've been waiting for it for months! Turkey! Turkey for dinner! Oh, boy! Lots of turkey!

And what did Capone have for Christmas Dinner? Turkey --- at a cost of $300.00 for two! Because he dared not eat the turkey in the Dining Hall or on the diet at the hospital, and because he demanded it be prepared exactly as he relished it. And he had turkey every day for two weeks!

Capone's repeated skirmishes on the tennis courts resulted in rumors of Lane's demotion to assistant, and the promotion of Riddell --- garbage truck driver --- to the position. Riddell had been an interne in the hospital, but because of an unaggravated and murderous assault on an invalid, which necessitated the surgeon using seventeen stitches to close the invalid's wound, Riddell was doubly punished by being confined in the hole and assigned to the disagreeable task of removing garbage. Now, however, because of the intimacy and frequent unusual conversations between Riddell and Guard Claude Nelson -- the Stockade Guard -- Riddell is assigned to the tennis courts contrary to the protests of Guard Simpson, the Stadium Guard.

These assignments, it must be borne in mind, are not made at the request of the inmate. Inmates frequently submit a request for a particular assignment, but only on the recommendation of a guard, civilian or influential inmate, are their requests granted. In this instance, it will be observed, Guard Simpson's objections were overruled by the Deputy Warden, and Guard Nelson's request granted.

Simpson was an habitual cigar smoker. Lane was never without cigars, keeping a full box on the courts at all times. Simpson naturally had access to these. Hatred existed between Nelson and Capone. It had its inception when Capone was ordered to step a little faster (about a month after his arrival), since he was delaying other men (his bodyguards) reaching their cells and being counted. Nelson, it was known, "stood in" with Captain Read. Simpson and Lane frequently discussed these phases of the existing affairs.

Nelson, it seems, knew of the reservations on the courts. . . He knew of the conspiracies and connections. . . he knew of --- since he saw it! --- the exchange of tennis balls over the wall! A perfectly new tennis ball, bearing the number 4-C-8-8-6 (numbered with an indelible pencil, to prevent confiscation by others, of course), would be hit so hard by Capone that it would go over the insurmountable wall. Directly, and

while the game continued, a used ball would come back over the wall, and bounce on the tennis court. . . generally, the one assigned Capone by Lane, and for which he arranged reservation.

"40-8861" Lane, or whoever reached the ball before he did, would yell. The ball, of course, would be placed on the side for Capone. This avoided conflict between others whose balls occasionally were knocked over the wall.

"What is in those balls?" was the question troubling Nelson, hiding in the Duck Hill and peering through the frosted windows, knowing as he did that the ball returned was not the one knocked over. "And who is sending them over?"

These questions so annoyed him, after he had witnessed the known drug addicts gladdened countenances as they sat on the slope overlooking the tennis courts and were helpless to control their excitement when the balls came back, that he confided his suspicions to the Deputy Warden.

This, as we have seen, resulted in Riddell's assignment to the tennis courts --- apparently, as Lane's helper.

Upon being assigned to the Stadium Detail, Riddell, at the same time, was assigned sleeping quarters in 'A' basement. The Clerk in 'A' basement, "Happy", takes him to Bed 36,on the "flats". The flats are so named because the beds are arranged in dormitory style, each one opposite a numbered stall. An inmate is not entitled to a stall and its privacy, until he has reached his seniority and a stall is vacated by an outgoing or moved prisoner. He then, if he so desires, moves in.

It must be borne in mind that Riddell's bed is situated in that section reserved for barbers, lawyers, postmasters and men of decided social standing in the outside world. Lane, on the same day, moves in beside Riddell. Riddell's bed is separated the usual three feet from Lane and the inmate on the next bed, Short Shavings.

Short Shavings, serving three years for working a money order racket outside, because of this being his first offense has been assigned as secretary to the Record Clerk -- the most responsible and confidential assignment an inmate can hold. The fact that he is an experienced stenographer, and has held responsible positions outside, makes him eligible

for this assignment.

In the immediate vicinity of beds 35 (Lane), 36(Riddell), and 37 (Short Shavings), is Lee, the warden's runner. Both Lane and Riddell have unenviable prison records, having served in other institutions. Riddell has eight more months to serve. . . Lane, slightly over a year.

It is but natural that Riddell and Short Shavings become friends, though each is the extreme opposite of the other, Riddell being a typical criminal --- hardened, obnoxious, ruthless, loud-mouthed and arrogant. His contempt for those in the vicinity surrounding him is an outspoken one, ridicule and sarcasm falling from his lips at every opportunity. With Short Shavings alone is he decent and friendly, and the unusual friendship is one that creates endless comment, since Short Shavings is gentlemanly, quiet and congenial with everyone, and immensely popular with the bankers, lawyers and others because he does their personal letter writing and typing (though the rules forbid it). It is only natural, under the circumstances, that Riddell, through Short Shavings, is induced to be less disagreeable with his fellow inmates.

It is the month of April, 1933. Riddell takes charge of the tennis courts. Lane, "burned up" over the loss of his connection, and no longer in a position to earn the fifty dollars a month from Capone, spreads the rumor that Riddell won't last.

Capone, as is his daily habit, goes to the courts ignorant of the change in positions between Lane and Riddell. Every court is occupied. He looks for Lane, and seeing him performing a menial task, beckons him over to inquire why his court isn't reserved.

"I aint got nothin' to do with 'um no more, Al. All I do is sprinkle 'em now, and roll 'em.

"I'm paying you for keeping a court for me, and standing my things --- up an after, tennis shoes and rackets. Now you come along and tell me you aint got nothing to do with them any more!" complains Capone.

"Al, you're 'hot' now more than ever. Riddell's down here for some purpose beside work. Nobody's tellin' me he aint. Him and Nelson's like that!" (Lane holds out two fingers pressed tightly together).

Capone approaches Riddell. "Hey, you!" he calls.

Riddell, noting in a memorandum book the time the players enter the courts that he may inform them when the allotted time is up, to permit others an opportunity to play before the stockade period ends, looks up. He gives no indication that he will move towards Capone.

Capone strides over to Riddell, rage and annoyance that Riddell ignored his command to come to him visibly shaking him.

"Why wasn't a court held open for me?" he demands.

Riddell gives him a straight-from-the-shoulder stare.

"Yes, why wasn't it?" Riddell answers.

"I been having a court reserved since I been playing here. You going to stop it?" threatens Capone, concluding the best way to handle Riddell would be through frightening him instead of cajoling him. "I get what I want around here. You know that, I suppose?"

"Ah, you're just another convict to me," nonchalantly replies Riddell. "There are to be no more reservations. That's orders!"

"Oh, there aint, huh?" Capone sarcastically replies. "And whose orders are they?

"Dep's," informs Riddell, continuing to write in the notebook.

"Well, get this, Smart Guy!" warns Capone, ignoring the several inmates who have approached and are standing nearby, but insuring that his bodyguards are within hearing distance, "You'll hold a court open for me, or else . . !"

"Else?" inflectively asks Riddell, his eyebrows arching. And as though the matter were closed he calls to the players on No. 4 that their period has ended, and duly notes it in the notebook, completely ignoring Capone and his wrath.

This indifference "slays" Capone. He draws nearer Riddell, his fists doubled menacingly, and his head thrust forward. His lips are just three inches from Riddell's ears as he threatens, "I'll cut your throat if you ---- with me. Get that?"

"Oh yeah?" smiles the fearless Riddell.

Capone stalks off the courts, his bodyguards dropping in behind him. He is joined by Dunlap.

"Cut Lane off the list," he orders. His tone is severe.

"What about the other guy -- Cowboy?" asks Dunlap. (Riddell is known as Cowboy).

"He comes across in a week or takes the consequences," Capone answers.

"He's a rotten son-of-a------!" Dunlap informs Capone.

"I'll get him. He made me feel cheap in front of that gang of cheap convicts. That burns me up --- a no good like that giving me lip!"

"Don't work yourself up, Al. Leave it to me. I think I can handle him."

"How d' ya mean?" asks the interested Capone. To him, tennis is the spice of life, and he wants it without trouble. If he can't get it [illegible] and have his way about the entire thing, he'll get it at any cost.

"Never hear of Short Shavings?"

"Short Shavings? No, don't think I have."

"He's the Record Clerk's secretary. Well, him and Riddell's [illegible]." Dunlap makes the same pressure Lane used when trying to tell [illegible] how close Nelson and Riddell were.

"Free week?" asks Capone.

They continue to walk the cinder track, a recreation which [illegible] an opportunity to speak intimacies without the fear of [illegible] and listening. Guards never "walk the track."

"[illegible] you yet, have I?" brags Doc. "Every man you [illegible], didn't I? Well, I'll get Riddell through Shavings. He'll [illegible] time."

"[illegible] one way or the other, Doc. I'd rather not have any trouble, though. If you can handle it with that guy Short [illegible], or whatever you call him, O.K. by me. If you can't -- Riddell's done for!"

Capone delivers the ultimatum. He has no intention of forfeiting his tennis playing privileges. Particularly since he has just had [illegible]. Dr. Lynn, of course, did not

inadvertantly leave it on the courts, but did accept the $100.00 bill (under the coffee pot on his dinner tray) for the racket.

That same evening Lane confides to Short Shavings that Riddell has put himself "on the spot".

"What do you mean?" asks Short Shavings.

"Did'n you hear what Capone told him?" whispers Lane, knowing that Shavings had heard.

"No; what?"

"He said if Cowboy gave him any lip he'd cut his throat. He swung at him." Lane looks around to see that no one is listening.

"What for?" asks the disinterested Shavings, having heard that Lane was a tale-bearer and trouble-maker.

"Got sore because Cowboy won't reserve a court for him. You know, Shavings, I been taking care of Al since he's been here. And he's been taking care of me. Cowboy's the one put in a snitch against me to Nelson. I knew Nelson used to sit up in the Duck Hill and watch the courts. Well, Cowboy's gonna have his hands full now, for Capone'll knock the Hell out of him. "

"Aw, that's hooey! Anyhow, I don't give a damn what goes on on the courts. I don't play tennis, and don't expect to." With this parting shot Shavings walks off, leaving Lane puzzled. Lane feels that Shavings would rather not have heard the warning. Perhaps he will repeat it to Cowboy. Perhaps . . .

It is thirty minutes before bedtime. Cowboy and Shavings are enjoying hot chocolate and cookies. Lane, disgusted and peeved because his words to Shavings did not bring on a dissolution of the friendship between Shavings and Riddell, walks off to complain his story to someone else.

"What the helluvva matter with him. Cowboy asks. "He's been runnin' around all day like a chicken with its head cut off."

"Suppose he's worried about you." Shavings teases.

"Why about me?" gasps Riddell.

"Hadn't any trouble down there today?"

"Had a run-in with the Dago. But what the Hell can he do about it? Said he'd cut my throat! Yeah? Well, when that greaseball comes through, he better be careful whose in his!"

"What happened?" Shavings is concerned, for since Riddell admits it, he believes.

"Wants me reserve a court. Said he'll pay me, like he did Lane. But that's what I'm down there for. . . to stop that squawkin' and connection business. Too many complaints from the other guys."

"Aren't you afraid of him? Afraid of his gang?"

"Say, that bunch of sissies he's got followin' him around would run if anybody jumped him. I know a gang in here -- and I know 'em well, Shavings, for I done time with some of them --- who'd just as soon bump him off as smoke a cigarette. They don't like him because of his damn' attitude towards the other 'cons', and the way he gives them the go-by to fool around playing tennis with them bankers and judges.

"Say, can you keep a secret?"

"What do you think I'm working for Bates for? See any microphone around my neck?"

"No, this is on the level, see? You mark my word. . . Capone's going to get it! There's too many birds in here who got it in for him. Since he come here everythings tightened up. He's bought all the guards he could, and paid them well. The little guy can't get nothin' now. They got plenty against him, and if ever there's a riot in the Dining Room, good-bye Capone! Nobody'll ever know who did it!"

"Sort of optimistic, aren't you, Frank?" asks Shavings, addressing Riddell by his given name.

"Short," replies Riddell, "take my advice and lay off Capone. If he wants you do or get anything for him --- refuse! Now I know what I'm talking about. He had Stewart, who used to be Bates' secretary, on his pay roll, before you came. Stewart's gone now. Anyhow, Capone's hot as a firecracker, and you've got three years to make. Parole, Buddy! Don't forget you'll want to make it."

"Thanks for the tip, Frank. But Capone'll not get me on his pay roll. I'm not interested in him. In fact, I hardly know he's here, except in instances when some confidential report reaches the office. And then that's as far as it goes, for I know how convicts are. The ones you

think you can trust are the ones you can't. You know that."

"Yes, you're right. But I'm warning you for this reason. Lane's told Capone that you and I are thick. See? And through you he might work me. You know I'd do anything for you. And if he knows that, then you're going to get messed up in something it'll be hard to untangle yourself from. I been in joints before. . . a couple of them. I worked like Hell on the Florida Chain Gang. It was Hell. But I'd rather do it any day than put up with orders from Capone. When he's done with you, --- and you happen to know too much about him --- he's got men out there who 'get' you."

"Aw, quit talking nonsense, Frank. What good would that do him?" protests the doubtful Shavings.

"You want proof?" argues Riddell, "I'll give you plenty!"

"Your word's sufficient. But it certainly sounds like a far-fetched yarn to me. Prison gossip, you know."

"Hell, it aint," Riddell assures Shavings. "That's one of the reasons I'm steering clear of him. We might become very good friends, him and me. Like him and Lane was. But then, after I leave here, what?"

"Got insurance?" laughs Shavings, dipping a cookie into the hot chocolate and sticking a cigarette between his lips.

Riddell places his aluminum cup on the chair, takes Shavings cup from his hand and puts it beside him, then wrestles with him. There is much shouting and laughing as they playfully tussle, and Riddell places his knee on Shavings' back. With one hand he holds both of Shavings' wrists. With the other he reaches for the needle and thread at the head of the bed. He laughingly sews Shavings pants to the bed, and having completed a job he believes lasting, he releases Shavings' wrists. Then, joining those who have gathered around, he laughs heartily at Shavings efforts to "un-sew" himself from the bed.

This, incidentally, is not an unusual illustration of the friendship Riddell and Shavings enjoy. To the end, naturally, that the remarkable friendship is one Capone takes advantage of eventually.

Riddell's encounter with Capone tends to serve as a divide between himself and Lane, Lane feeling that Riddell had him demoted and Capone is taking no steps to rectify the injustice. Lane is determined that Riddell's promotion shall not go unprotested. He therefore, sets about to gossiping, relating his version of Capone's threat to Riddell. Knowing he is unpopular, it angers Riddell that Lane tattles and makes him appear "taken down a peg". He is, in truth, a vain and self-centered individual, and beneath the surface of his apparently hardened veneer is a sensitive pride.

A tense situation develops. It exists for days. Riddell confides daily to Shavings. Few incidents occur on the courts, or in the institution, which are not discussed between them. Riddell one day confesses Capone is bribing him, frequently leaving a can of "Granger" tobacco or a box of candy, as "bait".

Shavings then tells Riddell that Doc had approached him the previous evening, regarding information Capone wanted about so and so's record.

"What did you do?" asks Riddell.

"Like the perfect gentleman I was, I excused myself. I told Doc I believe him too dangerous to swedle with, because of his close association with Capone, and the fast trick one gets, merely by the act of having ever held a conversation with him. I'll, however, not tell him so to the conceited ass.

"But that grafter and tell me just what he said. I will, in a friendly, confidential way, now."

[illegible] it was like [illegible] Doc [illegible] and told [illegible] moral fairy [illegible] I could [illegible] for Capone. I [illegible] I [illegible] sold [illegible] worth fifty cents, [illegible] surprised. I [illegible], as a fool would [illegible] old fly that [illegible] into the spider's [illegible] sell, would be [illegible] value.

"Anyway, Doc," I said, "I do it in [illegible] I'll write letters for you or anyone [illegible] the Record Office."

'By the way...Do you know anything about drawing up a will? Here, have a smoke.'"

"I helped myself to a cigarette, and removed the radio earphones from my head, admitting while I did so that I was familiar with preparing wills.

"'If you can draw me up a will, the regular kind, you know, I'd sure like you to do it. I don't think I'll ever make it here. Kinda gettin' me --- my lungs, you know. Cough all night. Weigh only 98 now. And that damned ranch in Arizona's going to cause a Hell of a stink of trouble if I don't make some proper disposition of it.'

"'What kind of ranch have you?' I ask, just to be wheedled into satisfying Doc's inate desire for flattery. I had heard before, of course, that Doc delights in paranoiac dreams of grandeur.

"'Covers about 3200 acres. I got twenty-one men working on it. I own several lots and buildings in downtown Los Angeles. And got safety deposit boxes loaded with jewelry and cash all through the West. If you want to pull along with me --- That is, if you do my private correspondence --- I'll see that you get well paid. But if you work for me you can't do work for these other cons. They'd be always prying into my affairs, and I don't want that.

"'You know, of course, I represent Al. I used to attend to his men back in East St. Louis when they'd get shot. Damned many a one I pulled a bullet from, and saved his life and kept him under cover while the bulls were looking for him. That's why Al is grateful to me now. I've known him, you know, for about twelve years. Him and me's old cronies. Everybody in here don't know that, for I do lots of favors for Al, and if it got around it'd be just too bad for him and me too.'

"Doc ranted on, and I weeded the true from the false statements as they tumbled from his mouth. You see, Ford, I'm a slick city feller. One of those kind who keeps it behind his ears. Deep water kind, you know."

It had often been remarked that Snovings, had he an inclination to pursue a criminal career, would stack up dollars as Ponzi did. What truly arouses his interest in him was his indifference to his surroundings. His attitude towards confinement was puzzling, his frequent jovial, and sometimes cr[illegible] responses to "How're you making it"(the prison 'hello'), having

Riddell, when apprised of Doc's proposition, urges Shavings to pass it up, and, not inclined to have anything to do with Dunlap anyhow, Shavings contends he will do as Riddell suggests.

Riddell, meanwhile --- unknown to Shavings --- is becoming "swell-headed", his position with Capone having taken on a decidedly favorable aspect, his locker being well-stocked at all times.

Capone, nonetheless, is paving the way for a showdown. He has never forgiven Riddell for the insult that "burned him up". Being a man who cannot keep a secret -- not even one concerning his wife and family-- Capone confides to Hackethal his desire to retaliate for Riddell's affront.

Hackethal, it will be remembered, is the twenty-five year mail robber, whose duties as Inmate in Charge of the Officers' Mess permits him to feed Capone. . . to the tune of $250.00 a month. Hackethal, seeing the opportunity to earn a few hundred, assures Capone he will handle Riddell. Hackethal and Riddell have never had anything in common; hardly bidding each other the time of day. Nonetheless, Hackethal --- as is his method when attempting to win someone's friendship for his own benefit --- begins feeding Riddell cheese, pork, cake and other delicacies through Shavings.

Shavings himself is not intimate with Hackethal but is with Mack Lilly, former Director in Charge of the Prohibition Unit in West Virginia, and one of the famous West Virginia Lillys. Lilly, using Shavings for his cleverness in writing letters to women, to compose letters to the woman who had him sent to Atlanta through her deception --- and whom he still loves --- occupied the stall next to Hackethal's. This completes the picture of the four, and illustrates how Hackethal proceeds with his scheme to oblige Capone.

We'll leave the basement now, and take a walk to the tennis courts. It is morning --- between 9 and 10 A. M. Riddell, on his stockade hour, is lounging in the basement. Lane is on the courts, whispering to Miller, an assistant. They stand close together at the far end of the courts. We are compelled to concern ourselves into the nose Lane is using in order to hear the conversation. We cannot understand it, but from what we do hear it appears that Lane is begging Miller to accept five cartons of cigarettes from Capone. Miller is objecting for the reason that he doesn't smoke, nor does he want to get into trouble because of Capone. We hear Lane assure Miller

accepts. Miller agrees under that condition.

At this time Riddell approaches, his hour of rest ended. Miller calls to him, as Lane suggests, and propositions him. Riddell staunchly refuses. He has had word that Nelson's wise to him, having been told by Guard Simpson that Capone's favors had been accepted, and that besides being paid for reserving the courts daily for Capone, Riddell is now taking care of Capone's shoes, sweat shirt and racket. This, of course, annoys Riddell, because he doesn't want to get into trouble through any actio committed for Capone, having only a few months left before his release by short time.

Lane, from a short distance, pretends to be engrossed in rolling the counts. Miller walks to him, tells him Riddell refused, and, [illegible], he did too. Lane ridicules Miller for being a "scare-cat!", walks off, and for the time being, forgets the attempt to "plant" Riddell.

Evening. . . Riddell and Shavings. . . hot chocolate, sandwiches. . . fruits and candies.

Lane is consumed with a burning hatred for Riddell. He beckons Shavings, explaining he'll only be " a minute". He then relates to Shavings his version of the incidents of the day. Shavings, in this manner, gets both sides of all stories, for Riddell makes it a habit to discuss the happenings on the courts, the rumors, gossip and news, while Shavings holds up his part of the conversation by giving Riddell the "lowdown" on inmates written-up for violations, their punishment, and so on. In addition, betraying his confidence to his superior and the institution heads, by relating what letters were sent and received, concerning various inmates, the "wantods", [illegible] and other pertinent and confidential information.

It is our practice to get as close as possible to the ears of those we wish to know things about, and as we hop behind Lane's ears and peer at Shavings opposite him, we are astonished to hear Lane say:

"I know what I'm talking about, Shavings. Capone's got Cowboy in a spot where he can make him do anything. Did Cowboy tell you he was before the Dep about taking care of Capone's things? I'll bet he didn't! Well, he was! And he denied it. Now, Capone threatens to tell the Dep personally that Cowboy <u>does</u> take care of his stuff, instead of Capone carrying it in and out like he's supposed to do. Nothing belong to Capone is allowed

to be kept on the courts. Simpson told me to be careful [illegible] get in a jam because of that.

"Shavings, you're going to get into this damn' mess if you don't drop Cowboy. I'm warning you! Don't say I never told you. Capone's a big guy, and gets what he wants. . . and he wants Cowboy off the courts, and is going to get him off. Mark my word!"

"See you tomorrow," Shavings remarks as he rises to return to Riddell. Lane stoically accepts the dismissal.

Riddell asks, "What's the shrimp want?"

Shavings tells him. Riddell laughs.

It develops that Lane, knowing where Capone's tennis articles are being hidden on the courts, and unable to longer control his envy and jealousy, "snitches". A "snitch" is an unsigned note dropped in the mail box and delivered to the Deputy Warden. Immediately it is read by the deputy, he orders Simpson to investigate. Simpson, aware of the situation, pretends a thorough search, but reports "nothing found". The deputy advises him to keep a sharp look-out. He promises to do so, telling Lane later to have Riddell move the things. Simpson, of course, having permitted the violation of the rule when Lane was in charge of the courts, cannot very well write-up Riddell for the infraction.

Shavings, through his assignment, learning of all official movements, urges Riddell to ask for another assignment before he is the center of a "blow-up". Riddell laughs at Shavings fears, but becomes increasingly sullen and morose. The gaiety and fun have ceased. Riddell no longer enjoys the hot chocolate and goodies, nor is he able to remain still longer than five minutes. He attempts reading, and gives it up in disgust. He listens to the radio, then throws the earphones on the bed, volubly cursing the program. He cannot visit and talk with anyone in the basement as his friends are less than the fingers on one's hand. Hackethal, tho pretending friendship, does not encourage his visits.

Something. . . one cannot help but feel it. . . something is about to explode! And Capone, all seem to feel, shall be the one who sets off the explosion.

Things cannot go on like this much longer. . . It must happen. . . Whatever it is it must happen soon. . . Today! Tonight! Tomorrow! The suspense makes the days seem endlessly long. A noticeable and gaping silence

Capone, except for occasional fits of temperament, when his voice becomes a nasal soprano, reclines serenely content and satisfied with his prison world in so far as accomplishments are concerned. One, standing invisibly near him and capable of reading his mind, is amazed at the perfect and astonishing mechanism that his brain controls. One can see, as if drawn on a chart, a centrifugal and directing control leading to numerous points, each designated by a flashing star. As the star flashes it carries a remembrance to the control, reminding him that there is an unfinished job --- a task to be performed or completed. The star designating Riddell and his proposed removal from the courts, flashes intermittently. The star indicating Hackethal, nearby, reflects the flash. The star designating Doc does likewise. An unfinished job! A job, that when completed, will lessen the reminders and thus grant relief, for there are many flashing stars on the brain chart.

And, as if by a decree of the gods, an event occurs which necessitates immediate action. It is May 24, 1933. It is visiting day for Capone. Three hours association with his family. . . the 24th, 25th and 28th.

The Capone family enters the front gate, receiving an unusually cordial greeting from Mr. Wesley, the front gate guard. They are as is customary, required to give their names to the inmate warden's runner, Lee Hagenaback, No. 42000. A word of friendliness is uttered by Lee. Being in an ill humor this morning, Mrs. Capone directs a contemptible glance at Lee for his greeting. It grates on her nerves. She reports it to her esteemed husband. Al raves because a convict dared to speak to his wife! It is the spark which sets the wheels of retaliation in motion!

92

Hackethal is informed Lee must be "bumped off". And, the edict is: Riddell must do it! Thus, Capone, in one swooping order, has his vanity saved.

Hackethal reluctantly consents. He assures Capone that Riddell will do it, in turn informing Riddell that he (Hackethal) dislikes Lee because he has a habit of coming down to the Officers' Mess and boldly cutting a piece of pie and sloppily eating it, his action preventing that

certain pie reaching Capone because it has been cut.

That evening Riddell gets his orders, unaware that he is obeying a relayed order from Capone. He believes it is to oblige Hackethal. The conference between Hackethal and Riddell last unusually long. Hackethal even had ice cream brought for Riddell, he never making it a practice to carry food himself, delegating that danger to someone else who was promised remuneration at some future time. He is too cautious to risk being caught for the reason that the usual guard gets an occasional day off, and the substitute guard - - Mr. Read - - never fails to spot an inmate leaving the Officers' Mess loaded down with concealed food. Capone's delicacies were occasionally undelivered for this reason, though the inmate when caught, could not deny that the name written on the concealed parcel was anything but CAPONE. He (Capone) however, was seldom mentioned when the inmate was written-up for the violation.

An assault, when unaggravated, is a serious thing. It means forfeiture of Good Time. An aggravated assault, on the other hand, may result in only ten or twelve days confinement in the hole, and reduction to Third Grade. A Third Grade prisoner, of course, is denied all privileges. It, therefore, is agreed that the assault must be an aggravated one, as Riddell has 252 days Good Time at stake. He is assured $600.00 if he makes a successful job of the assault.

"I'll kill him deader than Hell!" he assures Hackethal, who is now in a position where he must comply with Capone's decree.

"All right. But keep your mouth shut when you get over the Dep's. I'll see that you don't get much punishment. Take my word for that," Hackethal advises.

"I know. Leave it to me. I don't like that guy Lee, anyhow."

Hackethal, it happens, was awaiting a decision of the United States Board of Parole. He had served one-third of his twenty-five years, had been duly heard, and his case continued to Washington. He could not risk open complicity in the deed about to be performed, but it stands to reason, he argues with himself, his refusal to obey Capone might result in his being considered yellow. He must not, on the other hand -- if he can prevent it -- place himself in jeopardy. Thus, Riddell is urged to pick a quarrel with Lee. . . One loud and serious enough to cause the other inmates in 'A' basement to conclude it was a private quarrel between Lee

Returning to his bed at 9:30 P.M. -- thirty minutes before the lights are extinguished -- Riddell appears to have been subjected to a "shot" of dope. He is strangely exuberant. Lane is frightened, and cannot understand why Riddell is so talkative and friendly with him tonight, because since his demotion Lane has been practically ignored by Riddell.

"Boy," he tells Lane, "a bag's going to burst tomorrow, and you don't want to be under it."

"What do you mean?" asks the frightened Lane.

"Wait and see!" laughs the tormenting Riddell.

The conversation -- comprised of Lane's despairing questions and Riddell's gloating, torturing bits of warning -- goes on until after midnight.

Riddell asks Lane if he still stashes Capone's things. Lane replies in the negative. Riddell laughs, remarking:

"Simpson, the big farmer, looked right at them today and pretended he didn't see them. Even he's afraid of Capone. Some guard!"

Lane is unable to sleep that night. Riddell, after a restless night, rises at 5:30 A.M. Lane rises shortly thereafter. Immediately after Riddell has left the vicinity, Lane seeks Shavings advice. Shavings confesses he heard part of the conversation, but is at a loss to understand, or even conjecture, what Riddell meant by a "bag bursting".

Riddell's unusual quiet creates comment among the other inmates. His rising is usually accompanied by loud, boisterous talking and sarcasm. Charged drama is suspended in the air. One feels impending events are now about to reach a climax. The glances Riddell casts at Lee, in his stall, are fraught with malevolence and hatred. Lee, ignorant of Riddell's intention, does not notice him.

It is now 6:40 A.M. Riddell stalks to the front of the basement, where the breakfast line forms at 7:00 A.M. He returns five minutes later, and prances up and down before Lee's stall. He covers a distance of about twenty-five feet in his determined walk, each moment his anger and nerve increasing. No one has the faintest idea what is disturbing him.

Lane and Shavings apprehensively watch him.

"What the Hell's eatin' you?" asks Patton, a jovial 300 pound expostmaster. Riddell ignores the remark. Patton's stall adjoins Lee's.

As he passes for the twentieth time Lane, in a slurring manner

remarks to Lee about the "new officer on the tennis courts", referring, of course, to Riddell. Riddell does not hear the whispered slight. Lee makes some inane response, as do one or two others in the vicinity. The inmates ready for breakfast, are gradually proceeding towards the front. Lee and several others dally and tarry behind. Riddell, meanwhile, exhibits a ferocious, murderous look each time his eyes rest on Lee.

The time has come! Riddell cannot longer delay the execution of Capone's sentence! Lee must not leave the basement this morning. . . alive!

He must die! He must pay, with his life, because Capone's vanity was offended by Riddell! A price indeed for so worthless an article.

Little does Lee dream, as he laughs and talks with other inmates and makes arrangements to play ball with them that afternoon, that Tragedy is stalking him and reaching out its hand to grasp him! Little does he dream that the crazed, brutal, offensive Riddell has given him less than ten minutes to live!

The signal to leave for breakfast is sounded! All are in line, prepared to march to the Dining Hall. Mr. Cook, 'A' basement guard, is up at the head of the line --- now out of sight. The line stretches back two hundred men in length. They stand there, laughing, talking. . . joking. . . discussing the morning paper's headlines.

"Let's go!" someone says as the line begins to advance.

Lane, Shavings, Doc, Lilly and three or four others sit on a table facing the diminishing line. They are quiet and apprehensive, for they, more so than the others, are concerned with Riddell's movements. Riddell takes his place at the extreme end of the line. Lane, and those sitting on the table a few minutes since, fall in about twenty-five men ahead of Riddell.

Then, before anyone can utter a word, scream a warning, or make any effort to halt him, Riddell acts. He snatches up a piece of lumber 10' x 2"x 4", and brings it resoundingly down on Lee's head! There is a sickening crushing of bone. . . Blood spurts out over the inmates standing nearby.

Before it dawns on anyone what is happening Riddell rains another blow upon Lee as Lee's knees sag and consciousness is leaving him. The second blow glances off Lee's shoulder. He falls to the concrete floor. Riddell

casts the piece of lumber from him and races up to the head of the line. The astonished inmates draw away from the prone figure on the concrete floor. Mr. Cook, noting the commotion, walks back. He sees the victim of the murderous assault stretched out on the floor. His eyes travel to the silent inmates. Useless, he knows, to question anyone now. He'll get nothing from them. Not now. . . Later, when he gets one of them alone. . .

Lee is rushed to the hospital. Riddell goes on into the Dining Hall with the others.

"Shocking!" "Murderous!" are the comments of eye-witnesses.

The whispers reach Riddell as he eats his breakfast. The news rapidly travels throughout the Dining Hall. Inmates rise to get a glance at the assailant. Riddell does not heed them.

Behind him, in a voice sufficiently loud enough to arouse his anger, someone remarks:

"It was yellow!" This remark causes Riddell to turn his head.

In a loud, threatening voice Riddell warns the speaker that he'll get the same thing if he doesn't keep his mouth shut.

And Capone? Capone, when he learns that it necessitated seventeen stitches to close Lee's wound, expands his permanent smile and murmurs:

"He got what was comin' to him. A couple more get that and they'll know who in Hell's runnin' this joint!"

These, his exact words, brought on most of his ensuing troubles.

There is an investigation to determine what instigated the assault on Lee. Riddell refuses to tell the Deputy Warden why he committed the assault. This refusal costs him loss of grade, the Deputy Warden ordering his punishment be confinement in the hole until he gives a promise of obedience, his transfer from the Tennis Court Detail to the Tailor Shop, and Reduction to Third Grade, thus depriving him for four months of stockade, movie, mail and other privileges.

It is whispered, as things usually are, that Capone made such and such a statement. The thing to do, the officials decide, is put their "stoolies" to work. The "stoolies" weave in and out among the inmates. One never knows who is and who isn't a "stoolie". Warbridge is in a position to know, for the statements of "stoolies" pass through his hands before they are filed. But it is dangerous to point the finger of scorn at a person in the penitentiary, and Warbridge, we have pointed out, is too clever to risk confiding too much in anyone.

The investigation, as it proceeds, follows a straight, roundabout course. Assigned to the Officers' Mess is Smith, a Chinese, called "Ah... graduate of Stanford University, who is serving four years for violating the Drug Act. He has been assigned the duties of Cook, waiter, etc. It is understood, from a wealthy Chinese family. He is to be released at the expiration of his term.

Knowing this, and also knowing that [illegible] and Fenters an enormous sum each, both [illegible] to be carefully and tastefully prepared, [illegible] spoils. Machtel does not feel that [illegible] has been informed that [illegible] tells him, however, that when [illegible] from Capone awaiting [illegible]

[illegible] and found that Capone's [illegible]

"[illegible] a promise to his other, [illegible] and [illegible] would bring disastrous results for all. Fenters would [illegible]

(Hackethal) would be transferred to another institution, and Wu, no doubt, promoted to his position. But he is too avaricious. There seems, at this time, no satisfactory solution to the troublesome problem of keeping Wu quiet.

Wu is called before the warden as a result of rumors to the effect that he is "ripe" to divulge some information regarding Capone. The warden promises to hasten Wu's departure if he will talk. Wu, a gentleman, refuses to do so. The warden tells Wu he (the warden) knows of Capone's influence, and how he successfully manipulates the strings on which hang Fenners, Hackethal and a dozen others. Wu, he says, knows of this too, so won't he tell?

"No, No no squeal," protests Wu.

Isn't it worth something to you to get back to your wife and children in China?" tempts the warden.

"Maybe so; maybe not. I no rat, Warden."

"But you know that Capone is paying money for his food, don't you? To whom does he pay it? That's all I'm asking you. I'm not asking you to tell who takes the food to him, or who prepares it for him. I know that. I'm right, asking who gets the money? Who brings it in? You've seen some of it, and handled it, haven't you?"

"No, no plenty t'ing. No no touch money, no talk."

"What do you mean, 'plenty things?'"

"No no talk, Warden. Too danger talk."

"Have ever been threatened, Wu?"

Wu remains silent, a faraway look in his eyes. He reflects, [illegible], that he dare not go to stockade. . . That he has not been [illegible] guard [illegible] at mealtime! He remembers the incident in the kitchen of [illegible], when one of Capone's planed men threatened him with a [illegible] because [illegible] Capone to get near Capone's food. . . how he resented [illegible] . . . Yes, he remembers!

"You heard my question, Wu?" gently asks the warden. "Were you [illegible]?

"Warden, no talk. No no say yes, no no say no. No mind my [illegible]."

With, how fruitless is his inquiries, the warden dismisses [illegible] to call him at a future date.

is to do so, reaching Fenters and Hackethal, causes them great strain. And when Capone learns of it, new threats reach Wu. However, Fenters and Hackethal, after much deliberation, prevail upon Capone to have $600.00 waiting in San Francisco for Wu, to be delivered to him before he sails. This money was delivered to Wu at the docks, in exchange for a threatened written statement to the warden --- the sword of Damocles that Wu held over the heads of Fenters, Hackethal and Capone!

It is June 6, 1933. The Director of Prisons has arrived. On the 7th a conference, attended by the Director, Warden and Record Clerk, is held. The topic is Capone and the stories reaching Washington, through the dining hall "snitch box", that he is "running Atlanta". It becomes necessary for instructions to be issued to all discharged prisoners that anyone talking or writing about the institution, or Capone, subjects himself to return to the institution to serve his full term and perhaps prosecution. [illegible] and for that reason held the [illegible].

It is the practice of the Director, when visiting the various institutions, to grant selected interview requests. Among those received on this visit were [illegible]. Each proposed, in his report, to inform [illegible] concerning Capone's activities. [illegible]

[illegible] interview only to each Director for the most valid, [illegible] "[illegible]"

[illegible] Capone over his own signature to be placed in the [illegible] Director.

The Director of Prisons, [illegible], [illegible] [illegible] [illegible]

be getting something for it! We shall see!

And what is this? A request from Capone for an interview! Well, he had intended seeing him anyhow. Bring him in!

Ignorant of the fact that Lane had "squawked his head off", and with the determined purpose of "buying" the Director, Capone, arrayed in his robe--blue shirt, freshly laundered, pressed trousers, Florsheim shoes and black knit tie, faces the Director of Prisons.

Unfortunately we could not listen to the conversation that took place, and must rely on Capone's repetition as authentic. He contends that the Director is on the make. In prison parlance, the Director can be bought! Capone does not believe it. In fact, calls Capone a fool for believing it. He thinks he knows of what he is talking, and admits that when the [illegible] he knew of Dr. Beale's being on the pay roll, and of [illegible] on the pay roll, he KNEW SOMETHING! And instead of giving [illegible] for his bribery, he indicated that he, too, [illegible] Capone, of course, is taking things for granted.

[illegible] confidant warns Capone it is a trap. Capone dismisses [illegible]

"[illegible] this boul--but what am I gonna say when he tells me he knows Beale [illegible] couldn't call him a liar. I had to show him that [illegible] to me, and I'm willing to pay for what I [illegible] out of this joint! He sees that now. You watch --- [illegible] pay roll or my name ain't Capone!

[illegible] ask him if you ever see

The following day an investigation to determine Capone's position in the institution is conducted. The tray sent to him at the hospital, daily, is "knocked off". The news reaches Hackethal immediately. He rushes to Capone's cell in order that they can prepare an alibi to withstand discountenance, the blame for the tray being placed on the shoulders of the "jig" delivering it. He, Hackethal outlines to Capone, should receive $100.00 to compensate him for the punishment that will be meted out to him by the Deputy Warden, when he confesses he stole the stuff while Hackethal's back was turned.

It is then agreed that the food will be sent to the laundry guard, concealed in the proper place in the box. Reaching there it can be delivered and eaten in the Shoe Shop.

Learning of the interference, and with a desire for increasing his allowance from Capone, Dr. Lynn suggests the food be sent in his box. (Each guard or civilian, not desiring to eat in the Dining Room of the Officers' Mess, may have his meals delivered in a box or on a tray).

To avoid being deprivedof it at any future time, Capone orders that with each meal delivered a can of fruit, vegetables, soup, ground coffee and other edibles in cans, be sent along. These, he outlines, can be "stashed" until an occasion demands they be brought forth. Doc, he insists, can safely "stash" them.

Doc, Hackethal argues, is a "rat" playing both ends. No good! Capone, with a wave of the hand, silences Hackethal.

"But I don't want him to get anything on me. He squawks to Head. I know he does. Haven't the guards told me? I come in contact with them every day. Al, he's going to get you in a jam sooner or later!

Hackethal's envy makes him bitter.

"He's worth me many a good trick here. I've paid him well, and he's not got me in a jam yet. You do what I say. Let him take care of the rest." Capone, confident of himself and Doc, overrules Hackethal's objections.

"I wouldn't let him know anything about me. But if you say so, O.K. Remember, I got a lot to lose. So've you. He's only doing four years."

The fact that Doc, an exceptionally clever and shrewd crook, has so successfully gained Capone's confidence, and obtained all his hospital connections for him, convinces Capone that he is worthy of trust. This, coupled with the fact that he does not associate with other inmates (because they dislike him, of course, makes it doubly convincing to Capone that he is safe. Capone, in Doc's hands, is now like the piece of string Doc wrapped around his finger when he told Capone how he could handle the "quacks".

At this time Riddell is released from solitary confinement. During his confinement Hackethal managed to smuggle him several meals. His first concern is the promised $500.00. Where is it?

"You know who's going to pay it, don't you?" asks Hackethal.

"You, I suppose," replies Riddell.

"You did it at first, you sap!" Hackethal laughs.

"For Capone?" gasps the astonished Riddell.

"Sure!"

"Then will I get paid for it?" Riddell asks.

"It'll take time, you know. I guess you'll get it when you get out."

"Aaugh! Time! Always time," complains Riddell. "Well, get him, Eddy. If I don't get it - - -!"

The threat is left unfinished. Hackethal puts Riddell on a plane and assures him Capone'll come across. Riddell has his doubts.

"For Capone, huh?" Riddell mutters. "I guess Cravings was right. Lee had a run-in with Capone's wife, huh? And Capone wanted to get Lee out of it, is that it? And you said you had a grudge against Lee! I see, it's all of one piece with it."

"Don't worry. You'll get yours, Frank," Hackethal consoles.

"Get it!" says Riddell contemptuously. "Some more of that [illegible] stuff!"

"Well, for Christ's sake, don't you trust him?" asks Hackethal.

"Only as far as I trust any other convict here. He's the biggest liar in here. Always promising. You know as well as I do ain't no guy in here any more takes him at his word. They want their money...not promises!"

Hackethal very well knows this to be true. Capone has gypped too many. Unintentionally, he apologizes when reminded, since his agents in the institution are responsible for the dispensation of the money.

However, Riddell feels Capone could insure that his be paid.

Ah! Capone could. . . if he intended it be paid!

When Riddell discovers he can't even "bum" a can of tobacco, he calls on Shavings and Patton. Shavings produces it, his regard and friendship for Riddell having never ceased throughout all the unpleasantness.

Lee, released from the hospital, requests an interview with the warden. It is granted. He informs the warden he has determined to have Riddell charged with attempted murder, and incidentally name Capone accessory before the fact!

The warden, having since learned in detail who instigated the plot, asks Lee to be less hasty; particularly at this time. Lee, deeply offended and bitter, insists.

After his dismissal from the warden's office he writes a letter to his father, relating the incident. The letter is not permitted to leave the institution. Lee is called before the warden and forbidden to write of the assault.

"All right," he concludes. "I'll get the message there just the same."

[illegible] through an inmate who is leaving the institution.

[illegible] Lee's father learns of his son's danger, and how Capone [illegible] in having his decree executed, he communicates with Lee.

[illegible] his wife's kind. A disclosure of Capone's activities [illegible] (the warden's) removal immediately. He is helpless to [illegible] through the promise to Lee that he would aid him in making parole, [illegible] to drop the proposed charge.

[illegible] the warden tells the deputy as he mops his brow, [illegible] word of a sensational scandal about the Atlanta institution.

(Lee, [illegible], was denied parole)

June 16th. . . Capone is holding sway on the courts. His game is exceptionally good today. He has had a long conference with Hacketbal, and it is understood between them that any man Capone desires assigned to the Officers' Mess will be assigned at a cost of from $100.00 to $300.00, depending on whether he is a dishwasher, waiter or baker. The list of new prisoners is scanned daily, their financial position outside determined through inmates in the Morale Office, and a contact man interviews them. Prospects are propositioned diplomatically. They are offered the cream of jobs in the institution. . . assignment to the Officers' Mess, with its advantages -- better food, opportunity to form connections (if desirable), and afternoons idle.

At one time, when the bigger bootleggers of the country were being sent to Atlanta, jobs in the Officers' Mess sold for as little as $500.00 and as much as $1000.00. Stalls, in 'A' basement, were sold by Mr. Pike (now in charge of the Fire Department) for from $50.00 to $100.00, depending on how much the inmate had.

Anything could be bought --- except freedom!

Capone, now smacking the ball hither and yon, feels a sense of security that he has succeeded in placing most reliable men in the Officers' Mess. He removes his undershirt and stands stripped to the waist. Men are permitted to remove top shirts when playing tennis -- never their undershirts. If playing basketball or handball, top shirts may be removed. But a man not enjoying some recreation is forbidden to remove his shirt.

Someone calls Capone's attention to Captain Head standing on the slope behind. Capone casually looks over his shoulder and resumes his playing, remarking:

"The Hell with that shrimp! He wont tell me put my shirt on!"

Head, undecided what to do, walks away. Capone is right... Head wont tell him!

June 30, 1933. Tennis rackets are being destroyed by Capone at the rate of three a week. Those selling their rackets are unable to secure more. Hardly a decent racket remains. Fifty dollars for one is the average price he pays now.

Dr. Lynn, learning of the situation, decides to take up tennis. He buys a moderately priced racket. The racket, next day, is owned by Capone, having brought the insignificant sum of $100.00. On the following Sunday it is completely destroyed by Capone because the ball he almost apparently went "through it". He has the most difficult time convincing his partner that the balls he misses actually pass through the quarter inch holes in the racket's gut net. His amusing antics when he gangs on the unfortunate racket, bring forth "Atta-mans" in falsetto voice from the mountain and "Hit-it-mans".

"Little boy, we've 'id toys makin spank!" one calls.

"Is my little man breaking his racket again!" from another.

"Hit-it-man!" another yells.

Capone, enraged by the jeers, doubles his fists and shakes them at the unseen hill-billies standing on the slope behind him, separated from him by a tall wire screen. The names and epithets he hurls at them are certainly not to be more tormenting; for strange as it seems they have no fear of him!

What kind of fiend!

It is indeed a mystery no one could solve. Though his henchmen would have him to "let the lousy hicks in here", Capone would forbid it! It cannot but be concluded that the first evening of his incarceration left not only an indelible impression on his mind, but an eternal fear of those i nocent entertainers. And here to own, he must have known, though unknown that one may be to the others, meant his (Capone's) life was forfeit.

Today, for the third time in a week, hominy, tomatoes, spinach and potatoes is the bill of fare. The men are sick of it! They've been sick of it a long time. They are sick of many things here. Most only twice a week, when [illegible] or mostly bones.

Large, luscious roasts are baked in the Officers' Mess for Capone. We have to suffer for it. (Some foolishly conclude). Chunks of red, tender meat are cut out and grissle inserted. The chunks are baked especially for Capone; the grissle fed the officers as part of their roast. In this way every ounce roasted (grissle is not weighed, of course) can be accounted for by "scientific."

So today we can endure no more. We hear to the right and the left, before and behind, complaints and disgusting remarks concerning the food.

"I'm sick of this garbage!" an old timer whines.

"Aint dat Hell, feeding us dat trash?" another complains.

"And Capone eating chicken! Imagine it! A convict like us!"

"But they're sure made it tough for us, Buddy, believe me!"

"Let's squawk. What say?" whispers one behind us.

"I'm with you, Brother, I'm with you," our neighbor agrees.

Then we hear a man's voice raised in protest.

"We want something to eat!" he shouts.

We then hear another's: "Something to eat! Something to eat!"

The cry is echoed from the other side of the Dining Hall.

[illegible] from behind. . . One from up front. There is a [illegible]. It becomes a roaring cry, composed of three words:

"WE WANT SOMETHING TO EAT!"

The cry is accompanied by the banging of knives, forks and [illegible] on the enamel tables. Feet start beating time on the [illegible] floor. One gets the feeling that he is lost somewhere in the jungles of Africa, surrounded by a thousand savages chanting a dirge as they beat [illegible].

[illegible] Guards blanch. . . Their fingers are [illegible] on their clubs. They remain immobile. They cannot [illegible] in a riot. . . when the men start hurling things and [illegible], clanging, over the heads of the noisy, roaring [illegible].

An emergency call is sent to Captain Madden. He is the only man [illegible]. Like a patriarch, he nonchalantly walks into the [illegible]. His very appearance quiets the convicts. He knows they are

food! He explains this to the Deputy Warden, immobile on the platform overlooking the Dining Hall. This understanding pacifies us. We finish our coffee and return to our cells before going to evening stockade.

And the food, next day, is an improvement over what we had been getting!

July 4, 1933! The boxing bouts are on. The men who did not go to the movies are swarming over the yard. Few men work on a holiday, giving to practically all an opportunity to enjoy the day. The big attraction on a holiday is the boxing bouts. There is betting of cigarettes, as on the baseball games. A syndicate, composed of wealthy inmates, holds the stakes. As many as 2000 cartons of cigarettes exchange hands each time a boxing bout is held.

Capone is close to the ringside, fawners, leeches and his bodyguards surrounding him. He has bet $1000.00 on one man! Cash! The bet is with Dr. Hendrix. In addition to that he has placed minor bets with inmates and guards. He stands ready to win in the neighborhood of $5000.00--if his man wins.

He does win! Capone's men always wins! The opponent, knowing he has less to win by suffering defeat, doesn't hesitate to lose, regardless of how good a fighter he is.

[illegible] The rumor that Capone has collected, and his [illegible] has a "couple grand" in his possession, creates a conspiracy [illegible] Yellow Joe [illegible] because of an attack of yellow fever in the [illegible], Slim Williams, Fontaine (leader of a proposed mass delivery at Leavenworth, which resulted in his transfer to Atlanta), and The Darb --- all [illegible] desperate, ruthless characters. . . men who regard life worthless [illegible] a thrill!

[illegible] of the quartet, because of his record, has been assigned to the Tailor Shop. Men in the Tailor Shop have a means of obtaining dangerous weapons. Consequently, a plan to kidnap Capone is conceived.

[illegible] within the very walls of the Atlanta Penitentiary!

[illegible] one, pleading, tounds, is handed a message. It reads:

"Meet me on the basketball field 2:30, alone. Important!

[illegible] Friend."

[illegible] fraught of the reader's motive, and at all times cautious, yet [illegible] to [illegible] opportunity, Capone, after a conference with two of his [illegible], [illegible] to the basketball court. Williams, tall, slim and [illegible] [illegible], is leaning against the goal post as Capone, too late to [illegible] or [illegible] a sense of security because his bodyguards are

trailing him -- steps on the field. Whether to turn back now or see what Williams wants is the thought dominating his mind. He is aware Williams is part of a prison gang which despises him and his associates. Capone, deciding the former decision would be best, turns on his heel, and is about to retrace his steps, when Two-gun Yellow, Fontaine and The Dark block his path, completely surrounding him.

"Keep goin'!" Two-gun barks, his hand concealing an automatic which bulges menacingly from his sweater.

"What's this, a hold up?" Capone asks, glancing up to the slope where his bodyguards have been stationed, and are now motionless at their with end.

"Get that! Now get over there!" Two-gun prods Capone with [illegible] Fontaine nudges Capone with a raised knee. Capone, for a [illegible] second, hesitates, raises a restraining finger towards his [illegible] -- [illegible] they should wait -- and obeys Two-gun Yellow's co[illegible]

[illegible] If in the midst of the quartet of blackguards.

"[illegible] Capone. He want it now! You don't leave [illegible] call one of your punks up there and [illegible] appealing me' he gets it, get me?"

Capone realizes Two-gun means business. He beckons to one of his bodyguards, a [illegible] frail, ill-favored creature whose spectacles con[illegible]

"I'll [illegible] you the [illegible]. Pronto!" Capone orders.

"[illegible] all!" answers the bodyguard, taking the situation in [illegible] and [illegible] towards the hospital.

[illegible] will ring, Capone guesses. They must then [illegible] station, that his wrist-watch shows it is [illegible] If the bodyguard produce the two grand, what then? If they [illegible] Capone muses, surveying the men from the yard, what then?

[illegible] he concludes. They are desperate, dangerous, [illegible]! He admires their spunk ... truly admires them! It's [illegible] like these he needs. . . Not the damned leeches that he pays $200.00 [illegible]

Two minutes pass wearily. His messenger has not returned.

He's certainly had ample time to see Doc and return with the money. What can be keeping him? What delaying him? Doc's got the dough!

Capone glances again at his expensive wrist-watch. It's tiny hands point to 4:10. Capone raises his eyes towards the steps leading to the stockade. His efforts to enjoy conversation with his captors are fruitless. Little more than mumbling escapes their lips.

Capone's mind is in a turmoil. He digs the toe of his tennis shoe into the soft clay of the sand-lot. The silence is unbearable! He is becoming uneasy. Impatient. . .

He glances again at the watch. 4:12 P.M! How the minutes drag endlessly by, he reflects!

Three more minutes! Three more minutes! Then what?

Once again he raises his eyes towards the steps. Perhaps his messenger was detained by a guard. Perhaps Mr. Mack, the hospital guard, is conversing with him. Perhaps Doc has a patient, and not aware of the seriousness of Capone's situation, is compelling the bodyguard to wait!

Perhaps a thousand things, he inaudibly mutters, damning Doc.

How the minutes drag! How long they seem! His eyes travel from the gold numerals on the wrist watch to the concrete steps in the distance. Inmates are gathering at the foot of the steps, waiting for the signal to ascend and go to their cells. In a minute he will be out here, alone, at the mercy of these four desperate men!

Why can't that guard in the tower see what's going on? Why does he not look down and try to understand? He walks round and round. . .

All recreational activities have ceased and the yard proper is deserted except for the men at the foot of the steps ready to return to their cells. Nelson, the guard on the yard, stands at the head of the steps. An iron bar is clasped in one hand, a watch in the other. He, too, is counting the minutes. He evidently does not see the five men on the basketball court. He does not know Capone is kidnapped! He knows that it is his duty, at 4:15, to strike the triangular iron with the iron rod.

He strikes it!

Capone's heart skips a beat. The men climb the steps and disappear behind the Duck Mill. Capone is now in the hands of his enemies!

They want $2000.00 for his release. They defy any attempt to rescue him! He is their prey. . . Their meat! They need money, and will need it often, while imprisoned. He has it to squander on punks and leeches, and there is no reason why he can't give it to them.

After all, they argue, he's no better than they are. Just had better luck, that's all. A politician outside. . . They were in it for the thrill. He went in it for power! Well, they'll see how much power he has in here. . .

Power! The Dark laughs as he thinks of it. Power! A helluva lot of good his power is now.

"Let's go in, boys," whimpers Capone, his nerves shattered. "Can't this be settled later?"

The gunmen look at each other.

"One of your rotten tricks, is it? Bluffin' us by sending that punk to Doc. . . Well, Buddy, you got it comin' to you, and you're gonna take it standin' up -- like a man! What say, boys. . . Let him have it?"

Two-gun addresses the assemblage, his eyes peering between almost closed lids.

"Wait a minute!" Fontaine suggests. "Capone, we want two grand, get me? We're gonna get it! Savvy? Do we or don't we?"

"I get ya," Capone assents. "You see my position, too. Don't you? I sent for it. That wasn't a stall. You guys know I do it pack greens (money). You'll get it; don't worry about that! You'll keep this on the Q. T., wont you?"

"That'll cost half a grand," The Dark speaks up.

"O. K. That's your word?"

"On the level. Set us the two and a half grand and we'll forget it," Two-gun informs him.

"That's gonna take time," Capone frowns.

"How much?" Williams asks.

"Give me till my visit. If I have to handle it through someone here, it'll leak out. I'd have to tell what the money's for. See how I'm fixed?"

"All right! Right after the visit, then. And listen, no

this. Two and a half grand's too much for us to pack in here. What about sending it to a mouthpiece (lawyer). He's the bird'll take care of it so's we can use it."

"Suits me," Capone consents.

"We'll get you the name later. Let's get in now. Here comes Blabber-mouth Nelson."

They proceed towards the steps, ascend, and are about to turn [illegible] corner of the Dutch Mill, when Nelson steps close and mumbles something about hanging on stockade after the bell has been rung. No one answers him, and he makes no further attempt to reprimand them.

[illegible]ffice to say Capone spent a restless evening, awaiting telegraphic word from his brother, to whom he had a message wired relating his [illegible]

July 18, 1933 . . . Guard Yates is doing guard duty in the basement, the regular guard having a day off. When a substitute guard is on duty in another's assignment, he usually tries to embarrass the regular guard by a shakedown, producing a heap of contraband articles. Each inmate is allowed one bath towel. This towel is exchanged on Saturdays, at bath time, for a clean one. Yates observes that some stalls have as many as three towels.

Determined to accumulate them, he begins a systematic shakedown. He looks not only for towels, but for other contraband goods. Reaching Hackethal's stall he removes eighteen towels, and other contraband articles. Hackethal, by grapevine, is informed Yates is "tearing hell" out of his stall. Instead of making his way to the basement immediately, and attempting to interfere with or induce Yates to desist, he deliberately avoids returning until late afternoon.

In the meantime Yates has telephoned Captain of the Day Watch and informed him of his discovery. The captain hastens to the basement.

Yates, it seems, has created enmity between himself and Hackethal when Yates "wrote-up" Hackethal for hanging around Colbeck's cell during the early years of Hackethal's arrival at the institution. Knowing that Yates was mean enough to do this, Hackethal realizes the futility of asking him to return the seized articles, concluding that he can go over his head and avoid any unpleasantness for himself.

Yates, on the other hand, realizing that Hackethal is bitter towards him for the "write-up", fears eating his meals in the Officers' Mess, bringing his lunch or supper with him in a tin container.

Reaching the basement that afternoon, uneasy and deeply concerned, Hackethal verifies his loss. We are unable to learn what Yates found [illegible], however, from conversation that ensues, it was something of value to Capone.

[illegible] arises on and Hackethal complains he is suffering of an attack of appendicitis. The physician is summoned, and arrangements [illegible] for Hackethal's admittance to the hospital in the morning.

Dr. Lynch, next day, goes into conference with Hackethal. [illegible] and Hackethal is dismissed from the hospital.

What, we wonder, occurred between the two? What, of value to Capone, was confiscated by Yates and Captain Hood?

The answer to our queries remains a mystery. More so because Capone, for several days, is deeply melancholy and sore at Alcatraz!

Not long after this incident the Director of Prisons pays another visit to the institution. He receives a request from Capone for an interview. The Director, since the last interview, made inquiries. These, the nature of which are not learned, were apparently verified truths. Now, seeing Capone's request before him, he turns it over and on the back or reverse side of the interview slip, writes:

"No, will not grant interview. Heard enough of your tale of woe."

Capone, receiving it in a sealed envelope, is furious and angry because the Director refuses to talk to him. He has much to tell him. . . so many secrets he'd exchange for his liberty! The Director must have "smelt a mouse," Capone concludes.

"All right! He won't see me when I ask him. Well, I'll make him sorry for me next time!"

The Director's investigation of the story of Dr. Beale and Mr. Bishop's association and connection with Capone, results in Bishop's being caught removing letters from a designated spot in the institution. After [illegible] observed placing the letters in his shirt, Bishop is followed into town and seen dropping them in a mail box. The letters are retrieved by [illegible] officials and Bishop confronted with them.

Bishop confesses he has been receiving money steadily from Capone, and conservatively estimates that the total amount does not exceed $[illegible] -- since July 1930!

He denies the accusation that he has been bringing in contraband articles to Capone, but his alibi is that the parcels were handed to him by one of Capone's lieutenants at an apartment in town, and he did not examine them. The officials never doubting but that the packages Bishop carried into the institution were his own, did not subject him or the parcels to an examination.

He is, as a result of this affiliation with Capone, summarily discharged and stripped of his honor.

One wonders, as he passes from the institution for the last time, if he regrets the denouement. He doesn't, we conclude, for after

He can earn more working for Capone outside than he would inside.

Because, true to its word, Planet Bishop is a position that

is considerable. He is presented with a road house-and-night club, and

assistant lieutenant of Police in one of Florida's famous winter resorts

Let us spend today in the hospital. We have frequently felt the desire to understand the triangular situation that exists between Miss Tuggle, Hackethal and Capone. But our time is so monopolized in the cell house and on the yard that we have little time to observe what transpires elsewhere.

We shall, for a thrill, hang on to Miss Tuggle's white nurse's cap. We will then be in a better position to see and hear everything.

It's 9:00 A.M. She seems to be pretty busy this morning, and when called away from her desk by an ailing ward inmate, her features disclose provocation. "These convicts," she mutters, "always wanting one to run back and forth!"

She has hardly gone a dozen steps when Dr. Hess enters through another door. He stops at the desk, intending to ask a question or two upon her return. Well, he decides, he'll sit down while he waits.

He is new and unfamiliar with the usual routine of things. Nonchalantly he seats himself on the corner of the desk. A negro inmate arrives and places a tray of food beside him. It is covered with a white cloth, and contains, he concludes, Miss Tuggle's breakfast. But no -- Miss Tuggle has eaten! Yes, they have all eaten!

Lifting the large white napkin which covers the tray he is amazed to discover a can of "Senate Coffee". The seal has not yet been broken. He lifts the top of a dish, and beneath it are two fried chickens. But they didn't have chicken today, he is sure!

Now what in the world. . . .!

Miss Tuggle interrupts his surmise, forcing a cough as she observes him examining the tray's contents.

"Smells appetizing," Dr. Hess smiles.

Miss Tuggle flushes. She has her doubts about Dr. Hess, for Hackethal had told her he suspicioned him of being a Department of Justice agent.

"Why - - Why -- is it yours?" Miss Tuggle stammers.

"No. I've had my breakfast," he replies.

"Well, so've I!" she informs him, knowing that she was soon eating.

"Then this. . ?" he begins.

"I have no idea!" she exclaims, shrugging her shoulders.

"Possibly some convict's," he ventures.

"Oh, no! No, it couldn't be!" she nervously apologizes.

"That's strange," Dr. Hess answers. "Now I've forgotten what I really came here for. Well, I'll think of it later. I must be getting along."

Miss Tuggle stands motionless and undecided. Her mind is engaged in working a solution to the predicament she is in. What. . what must she do? What excuse can she give in the event she is questioned? For certainly, she feels now, Dr. Hess is investigating her connection with Hackethal and Capone.

At 10:00 A.M. Miss Tuggle, still in a maze of unsatisfactory alibis, receives a summons from Dr. Ossenfort, Chief Physician.

"Miss Tuggle," Dr. Ossenfort begins as she takes the seat opposite him in his private office, "who was the tray for?"

"Why, Doctor. . ." she stammers.

"Miss Tuggle, I've been told that a tray frequently finds its way to your desk. This is most unusual, of course, since you do not seem to be the one sending for it. At least, there is no record of that extra breakfast for you each morning."

"Why I know nothing about it!" she boldly bluffs. "Absolutely nothing!" she adds vehemently.

"Do you think Hackethal would know about it? Evidently he prepared it. The negro who brought it said he had instructions to deliver it to you."

Dr. Ossenfort looks at her searchingly. She is a tall, heavy-set, stout woman of forty, cross-eyed and unattractive. Though not betraying her fear she believes that guilt is screaming from her face.

"He's a liar. A dirty black liar!" she screams, now wrought up and excited.

"Be calm, please! I merely wish to get to the bottom of this thing. Certainly you must know something since the negro claims that that was by his instruction right along!"

"Whoever said I get the trays! lies! I don't care who says it!" she screams, rising to her feet and working her hands frantically. She is on the verge of hysteria, realizing now that everything depends on her pulling through safely. If she can, then she is through with Capone and the others, she resolves. If not --- then, by God, she determines she will drag them in the mess with her! Picking up the phone, she calls Dr. Ossenfort!

But what would Capone want it for? Well, she reasons, after Machebeuf had warned Capone that she was hip to a racket, she is back of things! Him and his bribes! Animal! Swine! If ever I do leave here!

"I'll excuse you this time, Miss Tuggle. Send in Miss Smith."

Miss Tuggle departs, accosts Miss Smith in the corridor, and after relating the interview, tells her that Dr. Ossenfort desires to speak to her. Miss Smith prepared, proceeds to his office. But she, we know, is absolutely innocent. She has, it is our knowledge, successfully withstood every attempt to be bribed.

Ten minutes after Miss Tuggle has left Dr. Ossenfort's office, a half bushel ripe tomatoes, two meringue pies and six T-bone steaks are smuggled from the hospital to 'A' basement!! Why 'A' basement? We'll see!

Who, we ask as we thrill watching the excited Doc and Miss Tuggle getting rid of the evidence, will enjoy these delicious things? Only one person in the institution. . . Capone!

Reaching 'A' basement the edibles are conveyed to 'A' cell house via the stairs, a message to the Clerk in 'A' cell house to deliver them to 3-7 having come over the telephone!

It is August 4, 1933. Summer is swiftly passing, it seems, and the hour stockade in the evening will soon be denied us. We have had some eventless days lately, for during the investigations we were unable to find our way into the closeted chambers.

However, we feel that Doc has been neglected. We forthwith decide to spend a little while with him. Deserting the noise and rucket of 'A' cell house we hop and skip down to 'A' Basement. Fortunately, Doc is in a good humor. That is, fortunately for our purpose. He is talking to Short Shavings. Short Shavings, strange to say, seems interested. He is at least displaying a friendly appearance as he listens to Doc's monologue.

"I offered Shafer $3000.00 to destroy my fingerprints. He said he'd do it. He wanted the money for his mother. Well, one thing after another went along, and he kept putting it off. He then, when he saw I really wanted them taken out of the Record Office and torn up, told me it would cost me six grand.

"I asked him where the Hell he thought I could get six grand. He said, 'Capone'll give it to you.' Can you imagine that?"

"Would he?" asks Shavings.

"Sure he would! Look! What does this look like to you?"

Doc draws a yellow-back bill from his pocket.

'Looks like a thousand dollar bill. Real?' Shavings asks.

"You bet it's real! And that's only one. I can produce more!

"Well, when you wanted those fingerprints destroyed, didn't you know that they have a set in Washington that could be duplicated easily?" Shavings asks.

"I can handle Washington O.K. I've done it already!" brags Doc.

"But Doc, what good will that do you? You'll be identified by other institutions as having served time, and then your record will be just the same when it's found out it's you, no matter what name you give. I think it's foolish." Shavings is not enthusiastic about Doc's scheme.

"Listen, you want to make some money, don't you? Well, stick with me. A girl I want from t at office you'll get, huh?"

"Aw, Jenny! I heard too damn' many stories about pigeons [illegible]. Anyhow, I wouldn't do anything till I got paid for it first."

"Well, I like you anyhow, don't I?"

"I do for that. See. I write letters for you."

"Tell me who you want money sent to if you turned me a [illegible]"

"It's a record Official"

"[illegible]"

"[illegible] wife."

"[illegible]"

"[illegible]"

"[illegible] Jenny. [illegible]"

"[illegible] Claim [illegible] I was replied on [illegible] Report and write some [illegible] I [illegible] gave me twenty-five bucks."

"[illegible]"

"Aw! It's old business, I know. Oh, sorry but I might [illegible] stopping them, and I'd get clapped in the hole quicker than [illegible]. I wanted to help Jackson out anyhow. I think he got a raw deal -- seven years. Shafer got only five, and a parole with that. Imagine it!"

"Shafer's the one who did the squealing on Jackson and the others. Did you know that?" Doc asks. "Old Man Jackson told me he's got $170,000.00 buried what they took from that bank. Imagine it, $170,000.00!"

"Baloney!" snorts Lewisohn.

"Didn't Shafer tell me himself? But let's not argue that. I got Julianus working for me up there now, but he has to get someone else copy what I want . . . conducts and so on. I get all the pictures I want. What I want is records. And I want information what comes up about Al, for me, or anyone that's got business with Al. See? You'll get paid for it. Julianus is O. K., but he's dumb. Just a big Dane that don't know what it's all about. Lemme show you something."

Doc delves into his locker, and produces a picture of a famous blonde motion picture actress.

"See that enlargement? Julianna did that. Made it from a snapshot. That's my sister."

"Your sister!" Gasps Shavings.

"Here's the letter where she says she's sent it. Say, my sister's a beauty!"

"She is, according to that. Seems like I saw that face before, though," says the skeptical Shavings, hesitating to confront Doc with the accusation that he is a liar. "Why, Doc," Shavings smiles, "that picture on the wall there . . . that woman has on the same kind of dress and beads as this one -- your sister!"

"That's the same girl," Doc informs Shavings.

"Say, I also that cross-eyed! They're entirely different women. One's a brunette with a small nose, and one's a blonde with a sharp nose.

"It's 'cause the one there's a snapshot in bright sunlight, and this one ---" pointing to the picture on which the motion picture star's head has replaced that of the original head,"---when it was no sun."

"Maybe you're right," concedes the doubting Shavings. "But damned if I can see any resemblance except in the clothes."

Doc laughs what is supposed to be a convincing laugh.

"I will show you her letter when it comes tomorrow. In the meantime you think it over. You can't lose if you're working for me. Here. . . Take this carton of Chesterfields. I don't smoke them. I smoke Camels."

"Thanks," murmurs Shavings, known to have never refused cigarettes.

"Say, wait a minute," Doc calls. "I got some other pictures I want to show you. Now look here - - this is a picture of the bungalow where I used to treat Al's men when they got shot. More than one bullet I pulled outa a gangster. That's why Al's grateful to me. See...This room here on the corner. . . that's the operating room. I would never leave the place, day or night. Always had my meals served right there. A housekeeper, too. Boy, she was a pip! Used to pay her $100.00 a week so she'd stay.

She was close-mouthed, you know. No talker! That's why Al insisted she stay."

"How come you got here?" Shavings asks, knowing Doc was doing four years for stealing a T-Model Ford.

"We were making a getaway. Had nearly $300,000.00 in the car. But we buried that in Kansas City. Still there, too!" Doc lies. Shavings, believing he has had enough of a bedtime story, yawns and bids Doc good night as he eases out.

"See you in the mornin'," he calls as he leaves.

[illegible] before Dr. Ossenfort. Dr.
[illegible] more pauses for foot treatment for Capone,
[illegible] to have his feet treated
[illegible] complains Dr. Ossenfort. "What
[illegible]
[illegible] all is for.
[illegible] Dr. Ossenfort,
[illegible] the thought flashing through his
[illegible]
[illegible] Thirty days more, Nicole
[illegible] if Capone knew that
[illegible] here, what do you think
[illegible] you think I'd be in?"
[illegible] thorough hour, two, six hour and
[illegible] interested in is what he need, his feet
[illegible] I don't want my patients
[illegible] are convicts." Doc turns to
[illegible] of integrity and conscientiousness.

Leaving Dr. Ossenfort's office Doc steps by Dr. Beale's
office. He repeats the conversation with Dr. Ossenfort, exaggerating
[illegible] it will be most good.

"Unless I get those pastes I'll turn in my keys. Damned
if I'll [illegible] to assist him (Ossenfort) anything! You tell me you're going
to [illegible] for you turn around and put me in the middle by sending them
over to Ossenfort. All'll raise hell if he knows that."

A passerby hearing Doc berate Dr. Beale would never believe
that an [illegible] would dare speak to a civilian government employee in such
a tone and manner.

But Dr. Beale has made his bed. He cannot but lie in it. . .

While discussing with Doc the likelihood of this being the
last thirty days treatment for Capone, Dr. Beale's telephone rings. He
is summoned to Dr. Ossenfort's office.

"How much longer are these treatments for Capone to continue,
Doctor?" impatiently asks Dr. Ossenfort, tapping the report of Capone's

excellent physical condition with the point of his pencil.

"I really fail to understand, Doctor. Otherwise, I would never have filled out the papers," Beale apologized.

"It seems to me he is getting a prolonged treatment. In fact, he seems incurable and he's no more willing. He will needs such treatment! You know as well as I do, Dr. Beale, that he has but two purposes coming here to the hospital. One is to avoid war, and the other is using the contraband would be smuggled out without our closest scrutiny, so to speak. I shall _____ him passes for two more weeks only. I think that is sufficient."

"Why not make it the third day?" Dr. Beale pulled.

"I . . . I . . ." Dr. Clifford is on the verge of asking Dr. Beale just how deep is his personal interest. It is a leverage like Dr. Beale's and Miss Mae's on . If we do it so, he must act with _____ caution while removal of _____. Dr. Clifford _____ is more or less sure, Dr. Clifford, _____ a _____ passes for other _____.

Dr. Beale rather _____ Sunday and interview him before _____ follow Dr. Clifford's _____ the _____ days. _____ feel it, Dr. Beale? _____ Sunday, to _____ my friend!

_____ Sunday is _____. Make _____ at _____ the third day _____ [illegible] _____ have _____ for _____ first _____.

(_____ Saturday, third, _____ later, in _____ [illegible]

August 10, 1951. Miss Tuggle, unable to endure the strain longer, and confronted with the alternative of resigning or being discharged, now practically a nervous wreck, makes a request for two weeks leave of absence. The request is granted, and she departs for Alabama, to spend the time with her sister there.

Prior to her departure she is closeted with Doc in his little office.

"Whatever happens, Doc, I'm not in it. I put up with enough of this worry. All I got out of it was promises. You got the pay. So, . . no need to give me an alibi. The law's on your side. If you're going to want something. I know more than you think I know! I know you won't make it necessary for me to plead and cry for what I want when I want it. . . You won't if you know me as you say you do."

She gives Doc a cool look. She shifts his gaze, realizing that she knows indeed that she can be used as a rubber ball by Capone, Accelethal and himself. And now -- faced with disgrace and unemployment, unless she gets away while the smoke is thickest, she gives him time to consider her first appeal for assistance, which she infers she will take in the course of time.

The men are returning from evening stockade. The tramway is thronged with prisoners. . . Everyone is apparently in a jovial mood. It seems the entire population of the prison is out this evening -- excepting those in isolation, the hole or segregation. Two thousand men mingling, laughing, talking. . . Gradually plodding to their cells for the night. Some are tired from recreational activities. Some are on the alert -- watchful, uneasy. . . One never knows in a place like this. Many appear suffering with that fatigue brought on by confinement. . . a listlessness for which there is no cure -- except freedom!

Arnold, an inmate in the Dental Clinic, is laughing and talking to a friend. He seems to have not a care in the world. In twenty-one days he is to be released. He is a first offender, having stolen an automobile to take some girls joy-riding. He pays -- and has now practically completed payment -- the debt the Government imposed. More than that he does not owe.

...ore that he would not be compelled to pay.

Little does he dream as he walks along so carefree that within a ... our his world will have changed. Little does he surmise that King ... doesn't d he is to pay the extreme penalty!

... is now concealed from us where the crowd is thickest. ... reason for it, since we are neither looking for him nor thinking of ... Suddenly there is a piercing scream. . . a commotion. . . cursing. . .

The crowd falls back! Five men, delayed for some reason we cannot immediately learn, are forcing themselves into cover of the surrounding crowd.

In the center of the widening circle lies a bleeding man. It is Arnold.

Four guards, as a rule, are on evening blockade...One to five hundred men. Not counting, of course, those with machine guns on the towers. An incident such as this, naturally, is beyond the power of the guards to prevent. They do not mingle with the men, but stand aside as they come up the tramway.

A deep gash from which blood is freely flowing now mars the face of the youth on the concrete tramway. . . A gash from beside the ear to the chin -- almost identical with the scar upon the face of Capone!

As the guards push through the prisoners several men offer to rush Arnold to the hospital. Though bleeding profusely he is still conscious as they lift him bodily and carry him to the hospital.

"Who did it?" asks the attending physician.

"I don't know," Arnold feebly murmurs.

An inmate, after an attack, seldom fingers his assailant while receiving medical treatment. Interne inmates can -- and have been known to "finish the job".

The answer was expected. However, the attack can often be traced to a grudge. But no one had a grudge against Arnold, he protests.

"I saw it," speaks up one of the men who helped him to the hospital. "Turner was one of them. There were five of them. Turner had a razor blade. I could hear Turner say: 'Hold his legs and arms and I'll cut his throat.' But the others got scared, for after they grabbed you the crowd broke away and Turner just slashed out."

"Turner? I don't know him," Arnold says.

"One of the guys was one of Capone's men."

"Capone?" whispers Arnold, surprised.

"You must keep quiet," the doctor orders. "I'll have to sew that up." The surgeon then proceeds with his treatment, his ears absorbing the information dripping from the lips of Arnold's friend.

Arnold is called before the Deputy Warden next day.

"What is behind this, Arnold?"

"I don't know, Deputy."

"Come, now. You know something."

"All I know is that the guy got me and tried to cut my throat."

"From the looks of the bandage there they did a pretty big job, didn't they?"

"Yes, a scar. Like Capone's and in the same place, my buddy said."

"I see. Did you have a run-in with Turner lately?"

"Not exactly. Maybe it started over the clinic. See, I was supposed to do some work on his teeth, but another guy got the cigarettes, so I told him 'the Hell with that. You do it yourself.' So Capone was sitting in the chair, waiting, and this guy went out and told Capone I said the hell with him. Which I didn't. Then, on top of that, I heard today someone told Capone I was talking about the pull he's got in the hospital. Which I wasn't. Maybe that's the cause of it all. I don't know."

"Can you identify any of the men attacking you?" asks the Deputy Warden.

"Turner was one of them. I think I can identify the others if I see them."

The Deputy Warden reaches for the telephone and instructs Captain Hood to have Turner sent over.

Turner, like a whipped cur, walks in ten minutes later. He sees Arnold and turns his gaze to the Deputy Warden.

"Turner, why did you attack this man?" the Deputy Warden asks.

"Who said I did?" Turner asks.

"Is this the man?" the deputy asks Arnold.

"One of them. Yes, that's the one who did the cutting."

"Turner, who are the four others? This is a serious offense. The penalty will be lighter if you name them. If you don't, you know we can learn."

Turner names his companions. (This type of criminal is not unusual. Violence, and the desire to avoid a severe penalty -- when squawking might lessen it -- seem to go hand in hand with them).

"Why did you do it?" the deputy asks.

"Got paid," haltingly.

"By whom?" asks the deputy, a sense of satisfaction abiding with him in the realization that he is succeeding without any difficulty.

"I don't know the guy. He told me Capone wanted that guy cold-cocked. But we didn't have nothing to crack his head with. We tried to get a ball bat, but couldn't. So I had a razor blade. They were going to hold him while I did the job."

Having called for the four others they are now lead in. All are arraigned at one side of the deputy's desk; Arnold stands alone on the opposite side.

"To each of you I have but one thing to say. You have attempted murder. You know the penalty. I shall confine you each in segregation until your term expires.

"Take the rats away!" he yells to the guard nearby.

"That's all, Arnold. You will remember not to discuss this when you leave the institution."

"Yes, sir," Arnold promises.

"Just a minute, Arnold. You're leaving shortly. Just what seems to be the trouble over at the hospital. Why don't you men get along?"

"Well, Deputy, it's like this . . . "

Arnold recites to the Deputy Warden all he has learned since his assignment to the Dental Clinic. His story chiefly concerns Capone and Capone's ability to accomplish anything desired there. He is now extremely bitter towards Capone, but insists he is speaking the truth when he states all dissension is caused by the inmates wrangling over Capone's favors desire to serve him.

This recital coming at the same time as the order to investigate, results in the removal of seven hospital attaches. Miss Tuggle's name frequently bobbing up during the investigation, necessitates the postponement of further questioning because of her absence.

As a result practically every connection is severed. Dr. Lyle is transferred to New York. Dr. Fraser takes his place. Dr. Hess is being secretly investigated, and his every movement reported to Washington.

About this time Miss Tuggle returns and resumes her duties. The second day of her return a tray is delivered. Miss Ward, to whom is substituting during Miss Tuggle's absence, is ignorant of the real nature or ownership of the tray she finds on the desk. She calls Dr. Hess to inquire if it might be his. Dr. Hess calls it Miss Tuggle. Miss Tuggle protests ignorance. The negro waiter in question says that he was told instructions to deliver it to Miss Tuggle. Miss Ward protests her innocence, and in hysterics threatens to interrupt [illegible] and the Treasury Department lunch at which the hospital is [illegible]. The word brings on another, and she and Dr. Hess are [illegible].

"I have nothing to do with Capone or anyone else in the world," she says. "You needn't insinuate I'm delivering this stuff to him, can I?"

"It's not only rumored, but proven, Miss Tuggle," Dr. Hess explains.

"Proven or not proven, Dr. Hess. Who are you to accuse me? If you've a complaint to make, take it to Dr. Comfort. Let him tell me I have this stuff brought here for Capone!"

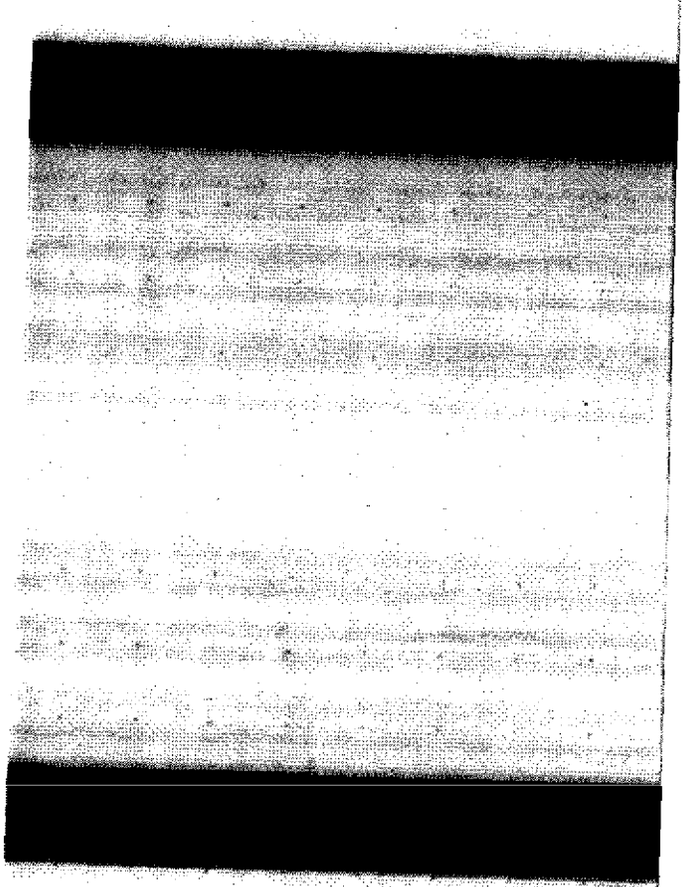
Miss Ward stands silently by.

"Suit yourself. I'm merely trying to be friendly. I don't think it's necessary to engrave on your mind the fact that these things have come to a head in your absence. You should have known that. We've a lot in common. I must, after all, protect myself."

Climaxing his argument with these parting words, Dr. Hess makes his exit. Miss Tuggle looks at Miss Ward. It is an unfriendly, yet pitying look. Sweeping past her she passes from the room and directly to Hess's office. The door is closed behind her, and a conversation lasting

forty minutes, ensues.

Needless to say, however, Miss Tuggle is not permitted by Capone or Uncle Al to sever her connection with them. They need her, and at the price of exposure by them she renders them the demanded service.



August 14, 1933. THOMAS DRUGGAN, Chicago Beer Baron, arrives!

The reception committee is composed of the Captain of the Morning Watch, Inmate Count Clerk, Receiving Clerk and Dressing-in Clerk. We have read in the papers that this former associate of Capone -- who recently stepped out for himself and bigger profits -- was being transferred to Atlanta because of bribes he had forced upon the Deputy Warden at Leavenworth.

We observe, from newspaper accounts, that he had made quite some progress at Leavenworth, and believe he will be successful at Atlanta. Yet, Atlanta is noted for its "bribe-proof" guards and officials! Somehow (and it is not at all improbable), Druggan had gotten word that Atlanta was a better joint than Leavenworth!

Let us look at his record.

(CONDUCT RECORD)

Forfeits 150 days Good Time! That "burns up" any prisoner. And Druggan, a born whiner, naturally is *consumed*. When we pass to stockade next day (he does not get to stockade the day of his arrival) we, among others, wait at the foot of the steps as we did for Capone's descent, to gaze awesomely at the beer baron . . . *The millionaire who cheated the government of due taxes.* Tried, so it is said, to get by with what Capone couldn't!

And all his legal talent, money, *doctors* and alibis, couldn't *coerce* the sentencing judge from his decision that Druggan *was deserving* of a sentence to prison.

And here he comes! Well. . . we are woefully disappointed. We thought we would see a big, broad-shouldered, swaggering fellow. Instead, we look at a typical clerk. His skin is unusually pinkish -- like a girl's. Sandy curly hair is combed straight back from his forehead. Stoop-shouldered. Mincing steps. Shifty gaze. And this. . . THIS, we realize with disgust, is a Chicago gangster!

Druggan is met by someone who knows him. Someone who knows Capone, too, for he is taking Druggan to the tennis courts where Capone holds sway.

"He could have met me," complains Druggan as we fall in line behind him and his companion.

"I never gets in a crowd, Terry," his companion apologizes for Capone.

"No?" astonished.

"Uh-uh!"

"What's the idea of him always playing solo is? A guy told me at [illegible] this morning what's all about."

"Aw-er!" is the terse, truthful answer.

"Here he is. Hi all ya' doin'!" asks the guide.

"Hello, Paul!" a rich brogue.

[illegible] the elegantly attired [illegible] Romeo calls [illegible] his senior lieutenant. All puts his hand, [illegible] affectionately, over his arm around his shoulders and patting his back, and says:

"Well, Terry! So you've made a touchdown after all. Say, [illegible] here. What's you got in a jam out there. How come?"

"Rotten luck (Paul). Batted too far, and I put thumbs down," Dru[illegible] contemptuously answers.

"He's got away from here. Those yokels give me the willies the way they stare. I got used to it, but I know how you feel."

"Well, Al, don't worry about me! I can handle 'em," Druggan brags.

They proceed to the baseball diamond. A game is in progress. Loper, a Spaniard, is at bat. Druggan, Capone and Capone's array of body-guards stand nearby.

"A hundred he makes a hit," bets Capone.

"It's a go, Al," Terry agrees.

Loper strikes out wildly and misses the ball.

"You're lousy!" Capone remarks. "Who ever told you you could

"And I don't want none of yours," retorts Lopez, advancing aggressively.

Lopez, too, has many friends among the convicts.

Capone, without further ado, leads a right to Lopez's chin. In the melee which follows, Capone's bodyguards present an offensive which cannot be overcome by Lopez. Capone, separated from Lopez by his henchmen, spits vituperations at Lopez. Men, baseball bats ready, advance upon Capone. Guards interfere and quell the disturbance.

"I'll get you for that, you wop," threatens Lopez.

"Yeah? You'll never get another wop if you try, you dpick!" Capone answers. "Come, Terry; let's get goin'."

Stepping beside Capone, Druggan, followed and surrounded by Capone's bodyguards, walks the track.

But this was not the end of the skirmish. Lopez happened to be a friend of Fontaine's. Fontaine is one of the quartet who had kidnapped Capone. And promise or no promise of ransom, a friend in need is a friend indeed -- in the penitentiary!

Capone, studying Spanish. . . as does Lopez (both with the same purpose in mind -- shirking work). . . hears his name hissed in the schoolroom. He turns, and looks into Lopez's face several rows behind. Fontaine sits near Lopez.

"Yes, <u>you</u>!" calls Lopez.

"And that goes for me, too," adds Fontaine.

"So that's how you feel about it?" asks Capone, rising. Doubling his fists he advances menacingly towards the pair. Fontaine has not had the opportunity to rise to his feet. Capone strikes out and clips Fontaine on the jaw. They clinch and are punching bellies when the Director of Education rushes in and demands they cease.

"I aint through with you!" Capone warns Fontaine as the

who isn't one of Fontaine's gang. He doesn't know who might attack him while absorbed in his novel or magazine, or while talking to someone. Besides, he reflects, he's received no word that the ransom money has been paid, and Fontaine's attitude might be caused by impatience on the part of his associates.

He becomes so nervous that he decides to return to his cell, conveying word to his bodyguards that he is not enjoying stockade today. . . that he is retiring to his cell and they should not be uneasy about his non-appearance on the yard.

En route to his cell he passes Fontaine's cell. Fontaine is lounging on his bunk. Capone hesitates before Fontaine's cell door. Then, pushing back the grilled door he walks in.

"We'll have it out now," he reminds Fontaine.

Fontaine, hardly more than five feet tall, seems puny beside the giant Capone. Fontaine weighs less than 125 pounds. Capone tips the scale around 230. But Fontaine is game. He jumps to his feet. The ado draws several of Capone's gang and the guard of the cell house. Capone is ordered to his cell. The others are reprimanded and warned.

Fontaine, after the skirmish, nurses a bruised face and body. . . and a grudge!

Fontaine is in conference with Two-gun Yellow and The Darb.

"I'm not goin' ta let that dago get by with that!" he cries angrily.

"But for Christ's sake, man, you'll ruin our part! Can't you see that?" argues The Darb.

"I think Fontaine's right," intercedes Two-gun Yellow. "You'd feel the same way if you were in his boots. It's our place to give the wop a lesson. What say?"

"You know me, Two-gun. Anything you say's jake with me," agrees The Darb.

"Now let's look at this sensibly," Fontaine suggests. "If we bump him off now -- and that's what he deserves for all the screws he's had tightened on this joint since he's been here -- they'll know we're the birds what did it. There aint a chance unless we get some moonshiner sore at him, and get the moonshiner stick him in a crowd. First, though, we want to be sure we're getting the two-and-a-half grand."

"Goddamned if I'm afraid of him, or the hacks, either!" brags Two-gun. "I'd as soon twist the knife in him as I'd gunk that rubber coffee cake in that mud in the mornin'."

"Yes, but we got that two-and-a-half grand to consider. Why not wait a while?" The Darb reminds him, an eye to money more than a aggrieved vanity.

"Yes, that's right," Fontaine agrees. "If we could . . ."

"I got it!" Two-gun belches excitedly, his eyes wide and his palms raised to signify he entertaines a satisfactory solution. "We'll give him a date. If the money's not here. . . Get me?" he infers.

"You gotta head on you, Two-gun," Fontaine laughs.

"You betcha life I am," brags Two-gun. "In odder words, we hasten him up, see?"

"And then?" asks The Darb.

"And then!" repeats Two-gun, patting a concealed automatic beneath his arm-pit.

This agreement seems to pacify Fontaine. He does not speak to Capone when they pass each other or meet in the classroom. Fontaine, however, hears rumors of Capone's vengeful threats. Not to be taken unprepared, he secrets a razor-edged knife beneath his shirt. It is held secure by the belt of his trousers. He'll take no chances, he assures himself. An opportunity. . . an occasion, who knows. . . might present itself or demand he be protected against Capone or his henchmen.

To have obtained possession of this knife it was necessary he keep an eye on the Tailor Shop guard. Each movement of every inmate in the Tailor Shop is carefully watched. The swiftest flash of the hand, sometimes, signifies to the watchful guard that the inmate making it is up to some mischief. Fontaine, nonetheless, manages to slip the knife into his bosom. He proceeds to the toilet, where he securely wedges it beneath his belt and shirt. Any conspicuous article. . the bulge in any pocket . . an unopened parcel. . . is not permitted to pass the rear corridor guard. This, then, secreted as it is, is unnoticeable.

But Fontaine did not bargain on Capone's henchmen. Some, for Capone's protection --- insofar as they could hear things concerning him --- were assigned to the Tailor Shop, as to other duties in the penitentiary. And one, whose particular duty it is to watch Fontaine --- whom Fontaine never suspicioned --- observed the cautious act Fontaine had committed.

Forthwith, during Fontaine's absence from his machine, the spy makes his way to the guard. He informs him that Fontaine "packed a knife". The guard, knowing Fontaine to be a dangerous and desperate man, and having heard of his activities as the guiding genius in the importation of barrels of firearms at Leavenworth, permits him to leave the Tailor Shop unmolested. Immediately he, with others, has passed through the door, the guard telephones the cell house guard, suggesting he search Fontaine as he enters.

It is natural for any inmate carrying a contraband article to be nervous and apprehensive. Especially is this so when the article is a dangerous weapon! Consequently Fontaine, strive as he does not to be, is unduly alert. He reaches the cell house. No sooner does he step into it than the guard calls him from the line of inmates returning to their cells.

Fontaine realizes his game is up! There is no way in the world

to now dispose of the weapon. If he refuses to let the guard search him, the penalty will be the same.

"Remove your shirt!" orders Guard Finn.

Fontaine obeys. In so doing he inhales deeply, permitting the knife to drop from its position to his feet. It clinks on the concrete floor. The guard hears and sees it. Picking it up he looks at it closely, carefully running his finger along its razor-like edge. He directs a reproving look at Fontaine.

"All right," nods Guard Finn. "Go to your cell!"

Fontaine, cursing his luck, passes on to his cell. Just what he expected! he muses. Somebody snitched! Who? Who, he asks!

And the penalty, next day, as he stands before the Deputy Warden:

"Why were you carrying this knife?"

"You know, Dep. Why ask me?" retorts Fontaine.

"Capone again, I suppose," remarks the deputy, his method of extracting confessions being amazingly successful.

"Damn' right! First chance I had he'd got it. . . front or back! I took enough off that dago. And get me, Dep," Fontaine raises a warning finger, "I'll get him yet!"

"Oh, no you won't!" admonishes the Deputy Warden.

"Says you!" spits Fontaine, his hands resting on the Deputy Warden's desk, his face thrust forward, his eyes blazing. . . a perfect picture of insolence and defiance.

"Says I!" yells the Deputy Warden. "For you'll spend the rest of your time in Segregation. Now get out! Take him out!" he yells to the guard standing nearby.

Fontaine is led out and placed in Isolation, there to await his transfer to Segregation. . . where he is compelled to spend the remainder of his term.

And Capone's life is preserved for further dangers!

The news of the premeditated attempt upon Capone's life spreads through the institution. The rumors that reach Capone are so warping and garbled that he is compelled to increase his bodyguard. One-third of the inmates, it seems, are on his payroll. They are receiving cash, of course, having it sent to their relatives or directed to the institution under names corresponding with those on the correspondence record.

Capone can now take no chances with his precious life. Any little war thief might stumble into a conspiracy against his life. He has so far found it safe to go to stockade; but never -- never during his incarceration has he dared to go to the chapel or to the movies. The impression has never left his mind that most riots start in either the dining halls or chapels of penal institutions. The darkness of the movies is no invitation to accept. . . Desperadoes, he reasons, like cats, see better in the dark. And how could he enjoy the show when each moment of it he would be expecting a spearlike weapon dug between his shoulder blades?

And the flesh there is soft. . . and tender. . . and the blood would pour. . . and I'd tumble forward and strike my face on the seat, maybe! No! NO! NO! . . NO MOVIES!

When such an incident as Fontaine's skirmish with Capone occurs, and one of the men is apprehended with a weapon, it affects the morale of the men. They seem all to be under a spell. . . as if some strange drug were administered to them. Laughter becomes noticeably infrequent. Smiles do not come as often, nor linger as long. Wisecracks are forgotten. A strange, gloomy oppressiveness descends and prevails eerily.

Cohen, one of the inmates confined in the Nut Ward, takes it upon himself to relieve conditions. A "nut", bear in mind, is not a maniac nor insane person. In no manner does he suffer the terrors of an asylum or institute for the demented. He is, the convicts will assure you, "damn' smart to get by with it!"

Cohen writes a letter to the Director of Prisons, Washington, D. C. He sets forth the shocking conditions existing in the institution -- part of which he, as an inmate in the Nut Ward, has witnessed. (The physio therapy room is situated in the basement of the hospital, and incorporated in that section known as the Nut Ward. Capone's actions and conversations there, therefore, were not unheeded by the "nuts").

Having thoroughly and at great length set forth many of the "faults" he finds, Cohen deposits his letter in the "snitch-box" in the Dining Hall. From there it is collected by a Government employe not connected with the institution, and conveyed to Washington.

The institution suffers a shocking surprise when the letter -- like all others deposited in the "snitch-box" -- boomerangs to the warden's desk. A photostat is made, as Washington directs. An investigation is demanded.

Yes, Washington advises, we concede the man is a "nut", but it is apparent the man knows of what he is writing. These reports have filtered through from men NOT confined in the "Nut Ward", and there MUST BE SOME TRUTH IN THEM!

Cohen, unknowingly, has taken the move which results in his transfer to the U. S. Hospital for Defective Delinquents, at Springfield, Missouri. For Cohen, Capone had thought, "hadn't sense enough to know he [illegible]!" And for that reason did not fear discussing in his presence

his plans and conquests!

While the investigation is in progress, Doc is thoroughly "shookdown". Every article in the room he refers to as his "office" is minutely examined. Even the large bolts fastening the barber's chair to the floor are removed and their sockets searched. The padding of the chair is destroyed. The pictures are scraped from the walls. (Behind pictures, even, inmates conceal small packets of dope). The shelves are dismantled. The cabinets wrecked. The rolls of advesive tape completely unwound and thrown away. Gauze, bandages and absorbent cotten are so carefully examined that not even an article the size of an ordinary pin head could be overlooked!

And when the "shakedown"has ended we have before us the following:

Six one-pound cans of ground Senate coffee.

Three roasted chickens.

Eight cans of pears.

Five cans of peaches.

Six jars of frankfurters.

Two cans of minced ham.

Five pounds of layer cake.

Two loaves of sandwich bread.

Four cans spaghetti.

Four cans of anchovies.

A jar of honey.

And a collection of smaller items.

Doc's stall, also, is turned "upside down", the locker being taken apart, and the mattress, chairs and pictures completely searched.

This, we gasp when we see it, is sufficient to start one in the grocery business. Two large canvas baskets (used ordinarily for removing laundry) are brought in and the groceries packed in them as Exhibits A, B, C and so on, to be produced before the Deputy Warden when Doc comes "to trial".

"How in God's name, Dunlap, did this stuff get into your office?" asks the deputy.

"You know as much about it as I do, Mr. Schoen," alibis Doc.

"What does that mean?"

"That I don't know a damned thing about it. It was planted there!" Doc tries to be serious.

"Planted!" gasps the Deputy Warden. "Do you think I'm fool enough to believe that, Dunlap? Do you think I'd believe anything so childish?"

"I'm telling you the truth. You can take it or leave it," Doc snaps.

"Dunlap, in all my experiance in this institution, I have never yet known a man to try to make such a fool of me. . . as you do now! Now you look here, Dunlap. Any child would know that in an office the size of yours, these articles would actually be in the way! You couldn't turn around without stumbling over them. Yet, they are covered with dust! The Lord alone knows how long some of them have been there. You know they were there. Who for?"

"I got an idea who planted them there. That's as much as I know. You can put me in the hole from now till the day I leave, and I couldn't tell you any more." Dunlap continues to bluff.

But the deputy is not to be bluffed.

"Dunlap, just how long have you been acting as commissary for Capone?"

Doc blinks. Sure, the Deputy Warden must know! But except for finding the goods in his office, there's no proof that he (Doc) KNEW THEY WERE THERE! And no proof THAT THEY WERE FOR CAPONE!

So what can the Deputy do?

"Who told you that lies. Capone don't pay me nothin'!"

"Humphf! I didn't say he did, but you practically admit he does. I'm going to close that office, Dunlap. I've heard enough about it. This is enough to cause me to put you in isolation. But because of your physical condition I won't. That's all. Get out!"

Doc returns to 'A' basement. What next? he asks himself.

Ignorant of the fact that Cohen had written Washington, but bearing a malicious hatred towards Dr. Lynn -- borne of envy, of course -- Doc conveys to Capone the disastrous result of the shakedown.

Gone! Gone is the little cubbyhole where big business was transacted! Where thousands of dollars passed, at Capone's instructions, from his possession into circulation among the convicts!

Ended is the foot treatments so essential (?) to Capone's health. Ended is the daily contact with hospital attaches!

What next? Capone asks himself.

"Lynn did it. I'll bet anything!" Doc tells Capone as they sit on the slope overlooking the tennis courts. "Fingering me before he left!"

Capone, this day, could not lift a tennis racket. His stomach, he moans, is already suffering.

"What makes you say that?" Capone asks, unbelieving.

"He's always been jealous of how much you give me. That quack aint satisfied with a hundred a month. He wants more. He figures if I'm out of the way he can handle things better!"

"That's fool's talk, Doc. I wonder if I'll get my pie today?"

"Pie? Why worry about your pie?" Doc snaps, his eyes blinking. "There's other things to worry about. Look at me! Suppose Schnozzle puts me in the Tailor Shop. With them real convicts! Sure as Hell one of them guys is gonna getme!"

"Christ, and I was figurin' on chicken today for a change. Damn it! Why did you talk me outa it when I wanted to have them put it down in the electric therapy room? You thought you knew best! Sure! Now I'll have to eat that garbage on the main line. Beans! Stew! Spinach! I can't do it, that's all!" He rises, anger and grief overcoming him. "Let's find somebody!"

Not mentioning whom he was looking for, except "somebody", Capone struts off with Doc at his side. A mountain and a molehill! They wend their way in and out of groups, down the track and back to the tennis courts, Capone's bodyguard shadow ever behind and to the side. The man he searches for, evidently, is not on stockade today.

"Now leave me alone!" Capone tells Doc. "Lemme think this out. When the jig told me you got shookdown, I couldn't believe it. Then, when I did, I didn't realize they'd confiscated everything. I thought the jig who took the stuff to the Dep's would swipe some of it back. Now I'm up against it. I gotta eat something. Get goin', Doc. Get goin' before I lose my temper!"

Doc toddles off, defeated and ill. His Big Boy! His Big Boy yelling at <u>him!</u> After all he done, too. That's gratitude for ya, aint it? Me risking my good time. . . getting them connections. . . Even fixing him up with the quacks! And that's what I get! Showin' me up in front of them bodyguard leeches!

Well, Big Boy, you'll pay now! You'll pay plenty! You been gettin' off light. Been doling out a few paltry hundred a month to me. Beale's got his grands. Bishop got his grands. Convict or no convict, I want grands too! And Big Boy, you're gonna pay 'em!

Let's see now. . . How tha Hell. . . Righto! The wife! Wife's sick. . . No, she needs an operation. That'll be better! And it'll cost $500.00. No, better make it six -- sounds better.

Doc smiles the smile of a successful miser. His twitching fingers form fists as he struts along planning his big coup.

We know, from Doc's unenviable record, that he is one of the cleverest confidence men in captivity! And we believe as he thinks. . . that Capone shall pay PLENTY before Doc is through.

It is September 14th. . . An outstanding event occurs today. Rumors have flown thick and fast as to what work Druggan would be assigned. He, like Capone, is confident he won't be given menial work. The bets are three to one that he'll land a cinch. At noon, when the Transfer Sheet is distributed to the various offices and cell houses, the prisoners gather around the desk to learn who has been transferred, placed in the hole, and otherwise punished, and what assignments new prisoners have been given. Since we are interested in the Transfer Sheet only in so far as Druggan is concerned, since we have heard that Capone assured him he "could handle the deputy's clerk, who does the work on the Transfer Sheet after a committee assigns a prisoner", we manage to work our way to the front desk, anxious to scan the sheet and see Druggan's number, name and to what cell he has been assigned. The assignment of cells occurs simultaneously with the assignment to work.

"There it is!" we point out. 43, 3[illegible]. Dru[illegible]gan. Tailor Shop!"

"Tailor Shop!" *someone* echoes.

The words are re-echoed as the news sweeps over the shoulders and heads of those behind us.

"I'll bet he'll be burned up!" someone remarks.

"He aint no better than the other guys over there. Just 'cause he made a couple million in the beer racket don't mean he's too good to make pants. Some of those highknobs he travels with ought to see him sitting behind one of them machines. Boy, wouldn't that slay him!"

"God Almighty, look! He's transferred to 3-7! Capone's cell! Can you beat that!?" someone shouts.

"No foolin'?" another asks.

"Look for yourself!" the doubting one is advised.

"Say, you're the guy been tellin' me you can't pull anything over here. What's that? Druggan celled with Capone?" we hear in a reproving voice.

Silence is the only answer.

But there is no silence when the Transfer Sheet reaches the warden's office. His secretary (a civilian) observes the assignment..... Tailor Shop. Yes, that's all right. But 3-7? No, sir! It must not be permitted.

"Deputy Warden," the warden instructs his secretary. The secretary rings the deputy on the telephone. He is now in the Dining Hall, advises the deputy's clerk. The secretary telephones there. The noon meal is being eaten as the deputy receives the message requesting he report to the warden immediately.

"Mr. Schoen, you've seen the Transfer Sheet, I suppose?" asks the warden as the deputy walks in.

"No, sir. I haven't been back to my office."

"Druggan assigned to 3-7. Did that have your approval?" asks the warden.

"It certainly did not!" exclaims the deputy. "Rouf has charge of that, as you know. I shall adjust it, immediately!"

The deputy telephones Rouf, inmate clerk in his office.

"What does this mean, Rouf - - placing Druggan in Capone's cell?"

Rouf has his alibi prepared. "There was a vacancy, Deputy."

"There's hundreds of vacancies elsewhere. Get him out of there! At once!"

Rouf issues a removal slip, which is delivered to 'A' cell house guard. Druggan, his baggage unpacked and congratulating himself that his $500.00 worked wonders, is rebellious when requested to pack his belongings and march up two tiers above, to 5-1.

"That's a lousy trick! Lousy!" he bawls.

"Take it easy, Terry," Al pacifies. "I'll handle it later."

Terry, skeptical, quiets down. Perhaps Al can handle it later. He doesn't know just yet how much "pull" Al has.

The Transfer Sheet is revised. Druggan finds shelter in 5-1. He gripes continually because he has to climb five flights of stairs to his cell.

"They're burning me because of what I got by with in Leavenworth," he tells Capone on the yard. "I knew I'd get it!"

"Say, Terry, don't take it so hard. They did it to me when I come in, and now I've got 'em all steppin' like they're on hot coals. Leave it to me. I'll fix it up so you won't have to do that climbin'."

And, true to his word, Capone eventually has Druggan placed in 2-21, on the second tier. . . while the Deputy Warden was absent from the institution and the city.

The chicken, delivered to 3-7, to celebrate the get-together occasion, is consumed by Capone, while Druggan bites his finger nails in anguish!

Now, he concludes, it is going to be doubly difficult for Hackethal to deliver his food. In Capone's cell it was a single risk. One man could handle it. Separated from Capone it means a different rangeman will have to carry it after it is brought up by one of the inmates employed in the Officers' Mess. Conveying this information to Hackethal, Hackethal says:

"I'll feed you regardless of consequences. You wont be jeopardizing Al's connections at all. Don't worry about that. You just take care of the monthly payment, and I'll take care of the rest."

But Druggan's tempetuous rebellion has an aftermath. He broods on the ill done him by the deputy refusing to permit him to cell with Capone. And like a child whose toys have been taken from him, Druggan becomes sulky and obstinate. He will force them to realize that he is a Big Shot! That he is a beer baron, owns race horses, a breeding farm, and property! They're not going to make it harder for him than he can help it, he boasts. So his plan carefully laid, he becomes seemingly hysterical, going into tantrums.

He is taken before the Deputy Warden, charged with insolence when ordered to be quiet.

"You can't get by with that here, Druggan. So you just as well make up your mind to it," warns the Deputy Warden.

"I'm a sick man. I'm not getting proper medical treatment. I'm shifted around from one cell to another. I'm stuck in the Tailor Shop, where only disobedient, low-down prisoners are assigned, and I'm sick of it! Damned sick of it,if you want to know how I feel about it!" Druggan raves.

"So what?" sarcastically asks the Deputy Warden.

"'So what!" Druggan repeats arrogantly. "I want attention!"

"You'll do well to return to your cell, report for work, as usual, in the morning, and take the hospital treatment prescribed. You'll not get anywhere with the attitude you've displayed. You'll not get one thing you demand! Dr. Ossenfort has treated enough men to know when a man is ill, and when he pretends to be ill."

"I want a diet! I can't eat that garbage on the main line. I want hot baths; and I need massages. I got to have them. Dr. Ossenfort tells me I don't. Well, I do!"

"Druggan, you'll do as I say, or I'll place you in Solitary.... until you promise to obey the rules. You're in a penitentiary now, not a kid school or health resort. You are expected to obey. Refusal makes it harder for you. . . not for me."

"Well, I won't do it! I'll not go back to work! I'll go to the hospital! I'll drop on my feet first!" His Irish temper is getting the best of him.

"You'll go to Solitary and think it over, then," admonishes the deputy.

"All right, put me in Solitary. Goddamn it, I at least wont have to work in the Tailor Shop!"

"Take him away!" the Deputy Warden shouts.

Druggan is confined in Solitary for refusing to work. He is placed on a restricted diet (bread and water), and remains in Solitary four days before he sends word to the deputy that he is *now* ready to return to work - - - and obey orders!

A much-changed, obedient and defeated Druggan emerges from Solitary.

"Well, I dared him," Druggan boasts to Capone. "That's more than you did!"

"More than hell!" Capone retorts. "I <u>defied</u> him. You only dared him. Schnozzle knows he can't get by with that stuff on me."

And, to Druggan's chagrin, he is made the laughingstock of the penitentiary, because the guard obeying the deputy's instructions repeats the conversation he heard, and the antics of the prisoner "before the bar".

Once more the "screws" are put on. Things become harder to obtain. Hardly a piece of cheese finds its sorrowful way to the basement. Saltines. . . Cookies. The Commissary does a land-office business. The Officers' Mess is closely watched, and little, if anything, leaves it as contraband.

But Capone must eat! Capone must get something for the money he has paid. The Hell with the guy who carries it. Why worry about him? Let him go to the hole! There's always another one! Yes . . but they're refusing. There's been too much of it getting out. They want it for their friends, now! As long as they can carry it for Capone, they figure. they can carry it for themselves.

Everytime Capone meets Hackethal it is the same argument. Hackethal is leery. He knows the officials are wise to his racket. Capone spares no one. His belly must be filled. . . at any cost! Any sacrifice! Any misery to another!

"They search *everything*!" exclaims Hackethal in protest. "Every towel my men carry out is opened and examined for food."

"Say!" Capone has an idea. "Whitey Cregar. . . the laundry-man!"

"What about him?" asks Hackethal.

"Can't *he* bring it up to me?"

"They search him personally," Hackethal lies.

"They don't search his underwear!" Capone *shouts*.

"No; not unless they would be suspicious he had something on him."

"I'll talk to him. You give him the stuff. I know he'll carry it. He's on the pay roll, and *he'll* do it!"

Capone converses with Cregar. Cregar, we know, has the liberty of passing throughout the institution.

"Now look here, Whitey. That food's gotta get to me. Can you bring it?"

"It's going to be tough, Al. They're got clamps on me now."

"I'll double the pay if you make it," Capone offers.

"It's a go!" They clasp hands.

Whitey, on his rounds, stops at the Officers' Mess to gather soiled towels and tablecloths. He slips into the pantry. Hackethal comes in behind him. They whisper. Hackethal smiles approvingly. Whitey drops his trousers and exposes to Hackethal four pockets made in his drawers. . . Pockets sufficiently large enough to carry Capone's food daily. With Hackethal's assistance the pockets are neatly filled with meats, cheese and bread. Whitey pulls his trousers up. Hackethal examines his appearance to satisfy himself he does not look conspicuous. Everything seems all right. Whitey, a bundle of towels in his arms, leaves the Officers' Mess. He stands before the gate leading into the prison proper. Guard Read is on duty at the gate. Read, according to the inmates, has eagle eyes and a rat's nose. He sees and smells uncannily!

"Step aside there," he orders as Whitey waits to pass through.

Whitey expected . . no, feared this. He didn't suppose he could pass through with such a bundle of towels without their being searched. Read calls another guard to watch the gate. He invites Whitey into the lavatory.

"Drop your pants!" he commands.

Whitey, realizing he's caught, and knowing an excuse will not help, obeys. Read sees the stuffed pockets in the drawers, and orders Cregar to remove them. After doing so Cregar is sent on his way. Whitey's alibi is that he "stole the stuff". He must not implicate Hackethal -- or Capone!

"To the hole!" the Deputy orders. But the order is countermanded!

Cregar has not been dismissed five minutes when Kosulozyk, No. 43116, is brought in. A report slip is laid on the Deputy Warden's desk. It reads:

"No. 43116 - Kosulozyk.

The above named prisoner was coming along No. 3 range, and going to 5, with package containing 3 beefsteaks. He seemingly was going to deliver them to someone on 5.

Guard G. J. Finn.

This apparently was for Drugman.

Deputy's action: This prisoner is orderly on Range 5. Someone handed him the package and he took it down and gave it to officer.

Julian A. Schoen.

Action: Reprimanded and warned."

"'Someone handed him the package!'" -- What an alibi! And Druggan hardly settled! What a reflection on Atlanta. . . when one remembers Druggan was transferred there because of bribery and connections at Leavenworth!

What a laugh --- when one muses that the most dangerous thing to do in a prison is accept a package from another prisoner. . . regardless of the contents of said package! For packages are not exchanged between prisoners!

Yet, Kosulozyk told the deputy that's exactly what he did! And the deputy believed him (?)!

Beefsteaks! Where, one would ask, could beefsteaks come from? There are no butchers running around the yard after cattle. Only one place in the institution would have delivered that beefsteak. . . You guessed it -- the Officers' Mess!

Hackethal is called before the Deputy Warden -- again.

"I think, Frank, that this thing's gone a little too far. It is known that food finds its way out of the mess. You may or may not know of it. I'm not accusing you. But when you begin operating a walking cafeteria on every range in 'A' cell house, I think it's time for a word or two. Gregar -- dressed like an automat! Kosulozyk, carrying a cow around! Do you mean that you are inefficient? That you can't watch these things?"

"I can't help what they steal, Mr. Schoen. I am kept so busy that it's impossible - - -"

"Now, Frank, be candid! Capone and Druggan get hungry. I know that. Everyone does. They can't 'stomach that garbage' on the main line. They'll pay high for decent food, wont they? And they get it! It's got to stop! It must stop or there'll be a change made."

"Yes, sir," whines Hackethal, knowing an argument with "His Honor" is a futile thing.

Hackethal is dismissed.

The following day Druggan and Capone are each enjoying a quart block of harlequin ice cream, ridiculing the deputy for his array of efficient (?) guards and stoolies.

Hackethal, heeding orders from one who learns more about secret investigations, becomes more cautious.

Chattonier, a new guard is placed on the Rear Corridor. The Rear Corridor Guard stands in a position that permits him to see all prisoners passing from their cells to their work and back. It is not an enviable assignment because it offers no opportunity to converse with the prisoners -- and regardless of how severe a guard is, he speeds his monotonous hours when the chatter of prisoners, their rumors and reports about others, is listened to. Nonetheless, the position can prove a lucrative one. An inmate with bulging pockets -- attempting to pass the Rear Corridor Guard -- is, generally, accosted. His pockets are duly examined and contraband confiscated. The inmate, forthwith written-up.

Today Capone pays fifty dollars for a racket brought in by Mr. Fenters. Whether it was negligence on Mr. Fenters part, or whether pre-arranged, he nevertheless left the racket on the tennis courts when he finished his game of tennis. Chattonier had observed him passing to the courts with it, and returning without it. Such things as these --- incidents that might not attract another's casual glance --- are the things that the Rear Corridor Guard must see. Naturally, he makes a mental note of it.

Later the same day, negroes, carrying soiled linens from the Officers' Mess to the Laundry, are stopped by Chattonier. The linens are thoroughly searched. Hackethal made it his duty to follow the negroes, and to stand by and see just what method Chattonier used. Finding no contraband, Chattonier permits the negroes to proceed.

Hackethal steps over to Chattonier and begins a conversation. While thus engaged in a friendly chat, another bundle of laundry is conveyed from the Officer's Mess. The negro shouldering it continues on his way unmolested.

It worked!

Reaching the Laundry the bundle is set aside from other soiled linens and the negro nods to a confederate. The confederate, who unpacks the bundles of linens, removes two roasted chickens. He slips these under a counter and walks over to Capone.

Capone is "buried" in a love story magazine. He listens to the information whispered, his gaze never leaving the pages of the magazine. In a few minutes he rises, stretches, and walks over to the counter. Words pass between him and a prisoner who cells near him. Capone returns to his easy chair. The prisoner, keeping an eye on the guard in the distance, sets about carving the chicken. It is then carefully packed under his clothing. When he reaches Range 3 he proceeds with it to Capone's cell. When Capone returns to his cell at noon he finds and disposes of the chickens at one sitting.

Machethal, later, assures Capone that he can handle Chattonier. . . But, it will cost!

"Say, Shavings, what would you do? I been waiting for weeks now for that fifty dollars Al's sending, and aint got it yet. Do you think they'll give it to me when it comes?"

Lane is speaking. He has, since Riddell's assault on Lee, been again placed in charge of the tennis courts.

"You better get writing to somebody, pretending they owe it to you. You know damned well you can't get money here unless you prove where it comes from," Shavings advises.

"How'm I gonna do that? Who can I write to?" Lane asks.

"Don't you know anyone outside who would do it for you?"

"There's a guy on the other side leaving tomorrow. He goes to Knoxville, Ga. I guess I can trust him."

"All you have to do is tell him write you a letter and say in it that as soon as he gets the fifty dollars he owes you he'll send it in to you. Tell him write under another name then his."

"Then that'll be the letter I take up when the Chief Clerk calls me?" Lane is interested.

"That's all necessary. They wont investigate."

"You write it for me. Write what you want the guy to write me," Lane begs. Shavings complies. Next day, the inmate promising to write Lane the letter, bids him good bye.

Three days later the promised letter arrives.

"Now write back, and tell him you have his letter," advises Shavings. "And you'll sure appreciate his sending the money as soon as he can. That letter will be read going out, and will be further proof that he 'owes' it to you."

"You write it!" Lane pleads.

"You guys! Always depending on me to write," complains Shavings laughingly. He seems willing to oblige Lane but unwilling to be implicated in anything pertaining to Capone.

"Hell, it takes you no time to type them. It takes me an hour to even think what to say," Lane protests.

The letter, written by Shavings, is posted. A correspondence record is the result. The books show that Lane has sent three letters to Knoxville, Ga. They also show that he has received three letters from a "Mr. John Turner" residing there.

Then, impatient and doubtful of the outcome, he awaits Capone's information that the money has been sent to John Turner for relaying to Lane.

On September 27th, the day after Capone's last of his three monthly visits, at which time he informed his brother to be sure take care of the various amounts designated, Jack Wiggins -- Clerk in 'A' cell house -- is "knocked-off" with three hot apple pies and one pound of cheese, for Capone.

Arraigned before the deputy, Wiggins insists that he stole the food for himself. Hackethal, when questioned, pleads ignorance of their theft.

"It stands to reason, Hackethal, these pies have just come from the oven. Do you wish me to believe they were baked on the hot water pipe lines?" The deputy is indeed angry that contrary to his warnings these violations continue.

"The man told you he stole them. I can't see what I have to do with that," Hackethal pleads.

"Stole them! Stole them with whose consent? Now this has gone far enough. It must stop! If it doesn't, then I'll go down there myself and supervise things!"

"Yes, sir," Hackethal answers humbly.

"I'll talk to you later," the deputy tells Wiggins. "Take him away!"

Hackethal leaves and the guard escorts Wiggins to the hole.

Capone is apprised of the situation. Fenters learns of the deputy's anger. Wiggins, they all know, has been delivering food to Capone for some time. They have reason to worry and know suspense. They have reason to fear, believing as they do that when the deputy calls Wiggins later, Wiggins is likely to squawk. He hasn't much longer to serve, and the possible threat of loss of Good Time might make him "open up". Capone is quite uneasy. Wiggins knows "too much" about him.

Notwithstanding this development, and fearing to chance sending the food by another, to the cell house, a negro packs a half leg of sliced mutton in his socks, and delivers it to Capone on the Tennis Courts that very day.

Lane, discovering the "screws are being put on", begins to worry about his money. . . the fifty dollars due him from Capone. He talks. Talks incessantly - -- threatening to stop reserving courts for Capone; threatening to quit carrying his paraphernalia, and, intimating that he'll get gypped. Capone, naturally, hears the rumors. He assures Lane the monthly payment will be there as sure as, 'and for Christ's sake, close up his mouth, of course!'

Lane is appeased to an extent, but the delivery of all to Capone, and his receiving none, saps his patience. He begins a letter campaign, writing every number connected with the Hall Office and Tiger Club's Office, to inform him if his money's arrived. To his utter and bitter disappointment he learns that it has not.

At this time the supply of tennis balls is exhausted. Those Capone is compelled to use prove useless. He claims they are no good when they do not bounce against his racket after someone has hit the ball to him and he has missed it. He now rants and tears because he has to buy all the tennis balls and hasn't any for use when needed.

Lane, when Capone is not near, gloats in Capone's deprivation.

"Serves him right! Gypping me after all I done for him. If he pays out, he'll get tennis balls. I got a dozen of them stashed for just such an occasion!"

And he has! But for Capone? No, not one, until he pays!

Things are now really "tight!" Each day they tighten more. Cheese is now selling for $20.00 a pound! Capone pays it. Steaks sell for $5.00 each. Capone pays it! Milk is at a premium. But Capone is able to secure it. Chicken? Chicken is unobtainable -- it seems -- "but at $10.00 a piece I may be able to get you one."

And Capone gets them!

"We're going to lose out," Hackethal tells Capone. "I have to see what's doing in another way."

He inquires regarding new inmates, and learns that Perla, a politician from Tampa, Florida (an Italian friend of Capone's) has but recently arrived. His financial rating is investigated. Hum...not so bad! Well, we'll try, Hackethal concludes.

So Perla, a month after his arrival, finds himself (after paying an initial payment of $1500.00 and promising to pay $200.00 a month thereafter) baker in the Officers' Mess! And he had never baked in his life. Couldn't even fry an egg! But what difference does that make, he asks those who rile him, so long as he gets what he wants to eat. And can wear white clothes. Cheap at any price!

Captain Ward, since the Higgins' incident, visits the Officers' Mess daily. This measure of interference not only makes it difficult to deliver any food to Capone, but doubly difficult to even prepare it! Only by daring boldness does Perla accomplish this mission. And, needless to say, the man is paid very well for the risk involved.

Capone, it is the oft-repeated bon mot, must not starve!

"There seems to be no way around it, Al," Hackethal informs Capone in response to Capone's insistence his daily menu be observed. This guy Perla. . . How's he stand with you?"

"He's O. K. But he wont carry grub for anyone!" Capone replies.

"I don't know, Al. We might be able to do something with him. After all, it's you first. The Hell with the other guys. If he gets caught, it's his funeral -- not ours, you know."

"Just a big, dumb Dago, that's all. Gets himself in politics; trying to ape me, you see. But Tampa's a dump and he couldn't make any [illegible]. He did pretty well in politics so far's the town's concerned.

Then pulled a fast one on the Government.....bought apartment houses, insured them heavily, then set fire to them. And get this --'cause this is what burns me up -- endangered the lives of women and children! That's something I never done! And gets away with only five years here! The worst of it is -- and the reason I don't go for the guy much -- he dragged in four other wops. Couldn't get rich quick enough. You gotta watch a wop like that, Frank!"

"What difference does it make? He's paid for the job, and we're all brothers under the skin. He's doing five years. He can make it on his ear. Of course, Al, I wouldn't want it done unless you say so."

"Well, if you feel he can get by with it -- and as things stand now nobody else'll take a chance -- O. K. by me. I gotta eat. I'm not going to be deprived of it to save somebody else'll neck. The Hell with him, if you want to load him down."

Hackethal, ever ready to oblige Capone, gradually prevails upon Perla to "pack food" when he leaves the Officers' Mess. Regardless of who the man is on the outside, the guards do not trust him within the walls. The best of men . . . men whose honor and integrity would not permit them to misapply a postage stamp in the business world, without compunction or regret will pilfer anything they can lay their hands on in the penitentiary. It's a strange thing to analyze. A banker. . . a lawyer. . . a judge -- peddling for a package of cigarettes or a bar of candy, a bit of information to a convict who is anxious to know how his record stands. . . To know if he is wanted elsewhere. It is something, indeed, for the prison psychiatrist to look into!

Hackethal, though, does not go for cigarettes. He accepts nothing less than fifty dollars for a favor. It's true, the favors are worth it to those who can afford to pay. And, as Capone's chef, Hackethal, accumulated thousands. He amassed other thousands through connections with the guards -- for Capone. It stands to reason, therefore, that Capone's every wish is granted. . . That Capone's every desire is fulfilled. . . That Capone's most drastic decree executed!

While Hackethal completes negotiations with Perla for carrying the food to the basement, from where it is to be conveyed via the grilled stairway leading from 'A' basement to 'A'cell house - or to the yard, Druggan - the aspiring one - forms a connection with the

head waiter in the Dining Hall.

Druggan has but recently severed connections with Machthal because Machthal had confided to Lilly just how he was going to take Druggan for about ten grand, and Lilly -- to gain the good graces of Druggan, repeated the conversation. Furthermore, Druggan being a born welcher couldn't pay the big tariff charged by Machthal.

As the men file into the Dining Hall they ordinarily occupy the same row at each meal. This is not a rule, but it is customary for every man to have a chosen friend with whom he likes to eat and converse while being fed. This, consequently, throws every man into the position he was in at his former meal. Occasionally a man misses his usual row, but only by taking a place in the row behind or the one before. This, of course, causes no inconvenience to a man who has a Dining Hall "connection".

A food concealed for him beneath the table (or row) he usually obtains, as it is left for him by the man sitting there. Frequently a man's portion of pie, fruit, or eggs, etc., would be confiscated by the inmate occupying that place.

Druggan has a passion for custard. He likes to have egg custard at every meal, although it could not be obtained without a little bribing. However, since he was unwilling to pay, he did not get it.

Meanwhile, Druggan had been forcing himself on Capone. Capone had carelessly dropped remarks about Druggan's business being so insignificant it was beyond his (Capone's) understanding, the Government could get Druggan for income tax! He had little respect for Druggan, and sarcastically referred to him as "my half-pint bootlegger friend, Terry". Capone, incidentally, insisted he had never employed Druggan in Chicago.

These rumors, of course, reach Druggan. Some prisoners, like some women, are ever ready to carry a tidbit of gossip if they feel they can profit by it.

As a result of Druggan's bragging about his custard connection, rumors reach the Dining Hall Guard, Mr. Baugus. Baugus keeps an eye on Druggan, and Druggan, consequently, is caught with his bowl of egg custard.

It is October 3, 1933. Druggan stands before the Deputy Warden. He recalls with a sneer what was said during the last "trial".

"Druggan, it seems you've made up your mind to violate every rule you can. Why do you feel you're entitled to egg custard at every meal?" The deputy impresses Druggan as being in the humor to let him off light.

"Aint I payin' for it?" insolently retorts Druggan.

The Deputy Warden detests a prisoner who is insolent. His attitude immediatoly changes.

"You're not supposed to pay for it -- because you're not supposed to have it! You nor any other inmates are required to pay for anything except that which you purchase at the Commissary."

"Capone gets what he wants. Why can't I get mine?" Druggan is resentful.

The Deputy Warden rises to his feet.

"What Capone gets, and what anyone else gets, has nothing to do with what YOU get. And YOU GET THIS! I don't want you coming before me telling me anything about Capone. I can handle Capone without any suggestions or reports from you. Take him out!"

Druggan goes to the hole!

On October 4th Miss Tuggle is permitted to visit the hospital on the pretext that she had left some personal articles there. No guard accompanies her. One always accompanies any visitor, but Miss Tuggle having been an employee in the hospital, is given carte blanche to walk through the institution unmolested, and unescorted.

After a few pleasantries with the hospital attaches, and the disappointment she cannot conceal when she discovers Doc's place has been converted into a barbershop, she inquires concerning his whereabouts.

"Din't you know what happened?" Dr. Beale's secretary asks.

"No. What?" She is alarmed.

"They shook the Hell out of the hospital! You know Eddie O'Brien's now in the Duck Mill? And Joe went to the hole? Ernie to the Tailor Shop? Well, everyone of them. . . they've been working here in the hospital for years. . . have been transferred to other assignments as a result of Doc's shakedown. (In a whisper)...Everyone who had anything to do with Capone!"

Miss Tuggle nervously twists her handkerchief.

"And Doc?" she asks breathlessly.

"They put him in the book bindery. He wasn't even put in the hole after all they found in his place here. Can you imagine that?"

It is incredible, Miss Tuggle admits. Most incredible, we agree, that Doc, with a small grocery store stock, obviously and unquestionably for Capone, was not confined in the hole, BUT, to the surprise of those who know of this affiliations, assigned under Mr. Miller, the civilian librarian!

Did the officials of the institution have a plan in mind when they made this assignment. Or, was Capone instrumental in insuring Doc was comfortably and advantageously placed? It is for the reader to later determine.

Miss Tuggle, aware that she did not ask permission to visit an inmate, and cognizant of the fact she was violating one of the stringent rules of the institution, ~~concerning employees and former employees--visiting~~

... -- escort guard -- wends her way across the yard, behind

the Dining Hall kitchen, to the Library situated on the second floor of the Tailor Shop building. We cannot fathom what is in her mind except the normal curiosity of a woman. We conclude, after dismissing this probability from our mind, that the apprehensive glance over her shoulder is conviction of a guilt that assails her as she laboriously ascends the concrete steps and disappears into the book bindery.

A mother greeting a son after many years absence would hardly have been more able to render so poignant a greeting. The indelible impression created in our minds as we hand on to Miss Tuggle's hat brim threatens to stupefy us.

"You've come back?" Doc's eyes are afire, and a rare smile shines from his lips.

"For a few minutes only," Miss Tuggle whispers, looking apprehensively around. "What happened?"

"Everything!" Doc hisses. "Things so tight you can't pour water between them. It's awful! Here's what's become of me - - - here pasting books together after the damned convicts tear them up! Me, a surgeon, mind ya!"

Doc contemptuously bangs his index finger on the book in his hand. Miss Tuggle smiles sympathetically.

"Better than the Tailor Shop," she laughs.

"Oh, I aint worried. I'm still handling Al's business. Did you make out all right? Did you get it?"

"Everything's O.K. Thanks. That's why I came." Doc can hardly hear the hoarse voice as it whispers in gratitude.

"Al will be glad to hear that," he assures her.

"And you?" Miss Tuggle asks.

"Who's that coming?" asks Doc, ignoring her question and directing his eyes towards the door towards which footsteps are approaching.

"I must be going!" Miss Tuggle stammers. She is visibly shaken, fearing it is a guard in search of her.

"Oh!" sighs Doc as an inmate enters. "Only Moodey."

Moodey, too, is assigned to the bindery. He greets Miss Tuggle, but with less warmth than Doc displayed. Realising he has in- [illegible] he apologizes and immediately leaves.

A conference, lasting fifteen minutes, is held between Doc and Miss Tuggle.

"Can't get a damned one to do a thing," Doc complains.

"Can you blame them?. Everyone who ever had a finger in the pie has got it burned. Look at me!" She extends her hands palms outward.

"You should complain!" Doc laughs.

"Well,I don't know," she answers reflectively. "But I must be going." She turns, and is about to leave the bindery when as if rehearsing an exit from the stage, her lips part as if to speak. Doc's eyes follow hers. A neat parcel reposes upon the book press. Their eyes meet. A slight nod of Doc's head, indicating the parcel, is given affirmation by Miss Tuggle's nod. No words pass as she makes her exit, and is lost to Doc's view.

What, we wonder, is in that parcel?!

We cannot dismiss the curiosity that abides with us. We simply must know what is in the parcel left by Miss Tuggle. Perhaps automatics! But no. . . we were hardly aware that she had a parcel when she entered the institution. There had been a rumor, spread by Lane, that John Capone was sending his brother "some things". We had no idea then what these "things" might be. Of course, one wouldn't suspect Miss Tuggle of carrying in contraband!

However, any of a score of guards could have passed it to her after she entered. And, we conclude, as we watch Doc unwrap the parcel, that had it been anything dangerous he would be more careful. As it is, he acts with the greatest of ease.

A sweat shirt comes into view. A white cap! A can of tennis balls! A roll of cat gut! So! Sporting equipment. It could have as easily been weapons, we argue. But why the jeopardy of bringing in weapons when there are now sufficient contraband weapons hidden in the institution, if ever needed? We know, because we have not only seen but inspected them! And Doc positively assures us that they are in such strategetic places that only confusion of the inmate intending to station himself at one (if and when needed) would make them useless.

It's amusing to watch Doc "load down". The much-too-large sweat shirt is pulled over his head and covered by his worn gray sweater. The gut, in a hoop shape, is tied in the back to his belt; the cap is folded and stuffed in his hip pocket, and the cylindrical tin of tennis balls (containing three balls) stuffed between his belted pants and back.

Yet, as we watch him proceeding towards the basement, we would not dream that he has one contraband thing on his person!

Through Lane they reach Capone!

The significance of this transaction is lost sight of as, restless and in search of something more interesting, we hang by one leg to the lighted boudoir lamp over Capone's bunk. He is reading--and his interest has never been more fully evinced --of the plan to transfer all dangerous federal prisoners to Alcatraz Island . . The Devils Island of the United States!

He is not the only one interested in the article. At least five hundred inmates, having read the same article in the daily paper, vision themselves westward bound! The government has made no definite statement. It merely infers that hardened criminals. . . inmates who successfully form connections with the outside world and violate the rules of the institution they now are confined in. . . are to be incarcerated and strictly prevented from enjoying such privileges in this impregnable, connection-proof fortress in San Francisco Bay.

"Well, boys," Capone smiles as he drops the paper to his knee, "that's that!"

"What do ya think, Al?" asks Diamond Maguire.

"What do I have to think?" shrugs Al.

"I mean -- You know, I was wonderin'. . ."

"Quit wonderin'," Al interrupts. "I'm here to stay!"

"You got to do a little time, like the rest of you! That's all it is, just a matter of time. And time will be it looks like you won't even get a chance to finish!"

"If you want my opinion," Diamond speaks, "you and me's going to like Alcatraz!" He looks directly at Al, who is now chewing a cigar.

"If I go to Alcatraz, Dinty, remember this: More than one son-of-a-bitch is going to be sorry he couldn't stop me!"

"Meanin' what?" laughs Dinty, a cynical smile on his lips. "You talk like you got the goods on the Big Boys, Al. But take it from me, the Big Boys let you down just like you let the little fellows down when you were out there making promises. That goes for me, too. It's all in the game, a case of snake eat snake. Long timers. . ." Dinty reflects . . "Well, I got seventeen to pull, if I lose Good Time. And I don't think I will. So that makes it nine more. Nine years, Al's, a mighty long time," he concludes tunefully.

"Cut it!" Al commands. "I wouldn't go through out there what I went through the first night here, for everything I got! Feature that pack of wolves out there waiting for me! Getting grapevine news I was arrivin'! Laying awake nights figuring what kind of reception they're

[illegible] I don't know why in Hell all you guys blame

me for things getting like they are. I got nothing to do with the rules and regulations. Hell, when I come here I could get anything I wanted. Then the small-change birds started hornin' in and now I have to pay as high as [illegible]% a pound for cheese. And stale, at that! Feature that! Not that I'm croakin' about the twenty bucks...I don't give a damn what anything costs if I want it. It aint that! But it makes it hard on me to get my share 'cause you guys have chiseled in.

"Well, if I do go," he adds, rising and pacing his cell, "one thing's certain. I'm going to run that joint or know why! I'll have my 'con' on my pay roll. I gotta, Dixty. I gotta! See? Fifty per cent of me will be employed anyhow, and the other fifty'll have to be paid to work things. Boy, it's Hell. Just plain Hell...These joints!"

"One thing you bet your life you ain't gonna do there, Al, and that is have the chance knock your tennis balls back over the wall!

"Is that supposed to be a wisecrack?" Al asks Carter. "If it is, it didn't go over. No more'n the ball's goin' over."

"Just goin' it', that's all," Carter apologizes.

"I'm getting woeful," Capone complains. "And get this while you're all thinking: From now on the pay roll's going to be cut. I ain't forkin' out any more than I have to. Not unless I know the goods are being delivered what I'm payin' for and as I want 'em!

"You!" he points to Rock. "And you!" to Dago. "And you!" to Carter. . . "Get this in your heads --- If Capone goes to Alcatraz, he goes bound hand and foot. He aint goin' willingly. As much as I'd like to get away from all the yokels here, and be some place safe, I aint going to let the public know I'm licked. I'm going to give them the impression I went reluctantly.

"The public expects things of me. All right! They'll get it! They'll get all the sensational news they want, if I have to go to Alcatraz. I'm gettin' out of stir someday. Soon, maybe. When I do it's goin' to be somebody's rump. If they think they're doing me any good letting me sit here and brood, and fear and worry, they've got another thought coming. For they aint! I done my stretch -- as much as I should have done. That Goddamned judge had it in for me. Else, he'd never have thrown the book at me." (Throwing the book, in prison parlance, is imposing

"Say, I know the guy who'll get the lo[illegible]on that Devils Island stuff. That guy in the Record Office. He always knows when a transfer's goin' to be made a month before. They gotta get all the records and that stuff. What do you say, Al, I find out something? Rock is speaking.

"Who's the guy you mean?" Al asks, interested.

"Fellow they call Short Shavings. Bates secretary."

"Is that the guy that Doc knows?"

"I guess so. But he wont pull with Doc. Doc's poison to him for some reason. That's what Lane tells me."

"And you think you can handle him? How? When you don't even know his name!"

"Thorpe. Eddie, you know . . in the physio therapy room. They're friends. "

"Uh huh! That's how it goes, is it? Well, I'll see Thorpe."

"Yeah, but Thorpe maybe can't handle him. Eddie's not the connection kind. Besides, the guy's afraid of money. I know. He's been tried out. Druggan had him do something, but I don't know what it was. Getting some dope on restoring Good Time, so I heard." Rock's enthusiasm seems to be encouragement to Capone.

"If Druggan cuts in on my connections, there's going to be more Hell poppin' around here than he can handle. I got everything in here under control. I work these cons my way. If Druggan's got the idea he can over-bid me, let him start something! That just goes to prove what I said --- he's a chiseler!"

Capone is furious. He shakes his hand menacingly, his face thrust forward, a cigar between his fingers. His flunkies stare stupefied at his harangue.

"That's what burns me up. The no-good gets shoved out of Leavenworth for squawking his head off, and comes here and chisels in on my men. Get that!" Capone rants.

"Say, Al," the inmate clerk calls as he pauses outside the cell. "Two-gun said the money got to Albany O.K. And thanks!"

Capone, for an instant, couldn't recall the transaction -- the extortionists. Yes, he frowns, that settles them -- for a while! $2500.00 to them. . ."What the Hell's it gonna be in Alcatraz? Jesus, walking the 'stem' (begging on the streets) when I get outta there will be what I'll

be doing!"

Something else to worry about, he reflects. Never gave that a thought...Kidnapping there -- Kelly, Bates, Bailey. Bad ones, too. And they've got nothing to lose -- Nothing! Hasn't for them there'd be no talk of Alcatraz. Gotta get out of it. . . Can't go, damn it! Aint going to! No, sir! This joint's good enough for me. Cut out some of the connections; maybe they'll go easy with me then. That's the Hell of it. . . wanting everything my own way. And look what I get! From the frying pan to the fire! Where's your old cunning, Al --- Where? Get your brain working, Big Boy, and find a way out of going to Alcatraz... when the time comes, if it does!

You must. . . Must! It ain't gonna be safe out there. Can't be --- with those bozoes. Cruel. . . Heartless... Like I was. Why'n Hell didn't I listen to Mom? Better if I had stayed poor and been happy. This Hell I'm livin's enough to kill anyone. Worry. . . Worry all the time. And them worryin' their heads off at home!

He paces back and forth, his head bowed, his eyes cast upon the concrete floor. He sees nothing but what his brain conjectures. . . helter-skelter thoughts and vivid scenes that he prays are never realized. Dreads that he hopes will never be lived!

Pay? He pays dearly. Pays every minute of the night and day for every crime he has committed! Pays in desperate fear. . . in disillusioned hope. . . in fruitless efforts for release! And each night and day ahead of him is bringing him endless hours of torment and anguish, from which there is no avenue of relief!

Wiggins, formerly Capone's most reliable man, upon release from Solitary is assigned the menial duty of "slinging hash" in the Dining Hall. This duty -- carrying a bucket of food and forming part of the detail that monotonously walks back and forth feeding the seated inmates -- is known as the degrading punishment. It is not only humiliating and embarrassing because he doing it is compelled to be subservient to other convicts, but it is the only resort the officials have for the ignorant and unintelligent. Naturally, an inmate feels, anything is preferable to "slinging hash".

Wiggins harbors an injured vanity. To think, he protests, that his last few weeks must be served at so menial a task! He had been looked upon by other inmates as one of Al's cronies. To now drag his weary legs from one end of the section of rows to the other end, "taking lip" from grumbling, dissatisfied and finnicky inmates, goes against his grain. Further, he has discovered to his resentment and disappointment that Capone has not made the last payment -- the one due while he was in the hole.

A message to Capone is ignored. Wiggins knows the uselessness and futility of appealing further. He knows a lot about Capone, he boasts, and if he wants to talk. . .

Wiggins knows too that in a few days he will be "on the bricks" (free), and it is an annoying thing to live in constant fear of someone stepping up behind you and silencing you forever! He knows that other men have gone from the prison, and have been found along some deserted road . . . in a ditch. . . the dead occupant of a deserted house!

No, he resolves, he can't take the chance. He shall not go back to Miami, his bona fide residence to where passage has been arranged. Anything but that! Any place else -- providing Capone cannot learn where it is!

But Capone learns the most secret movements of his former aides. He learns everything, Wiggins reasons. Yet, he'll try. Maybe. . . maybe the Director of Prisons will understand. . .

Wiggins writes a letter to his sister in Omaha, Nebraska. He explains the situation thoroughly. The letter is "kited".(Mailed by a guard or civilian). The person kiting it cannot refuse Wiggins because Wiggins has availed himself of the service before.

Wiggins' sister expected the denouement. She had heard. . . had heard plenty about her brother John and his friendship with Capone. Had heard what a dangerous thing it was. . . Had known that though Capone had a $200.00 monthly allowance sent her, it wasn't worth the worry entailed.

What to do? To do what John suggests -- write the warden to grant John transportation to Omaha instead of Miami. She writes. The warden interviews Wiggins. The conversation is absolutely and strictly private. No one can learn any of the details, except that the warden writes to the Director of Prisons, requesting Wiggins be furnished transportation to Omaha instead of Miami. A photostatic copy of Wiggins' letter and of his sister's letter to support the warden's request for approval, is forwarded to the Director of Prisons.

And Wiggins, a few days later - known to only a few of the clerical force - takes transportation to Omaha, Nebraska. He has, he congratulates himself, "put one over on Capone".

But has he? We wonder. . . knowing that Capone has spies in every department in the institution.

Capone, however, learns from Guard Curtis of Wiggins' action. His shrewd, receptive brain responds to the occasion. He immediately posts a letter to his brother. Its contents, of course, we can only surmise.

Close on the heels of this incident (on October 18, 1933) Mr. Sanford Bates, Director of Prisons, unexpectedly visits the institution again. His primary desire is to bring an end to Capone's apparent wardenship. It seems unfortunate, he remarks, that so efficient a personnel cannot terminate these disgraceful affronts by Capone. It must be -- yes, it WILL BE stopped. And, by the grace of God, if no one else can stop it HE (the Director) will!

Before any of the inmates learn that he is actually in the institution, he proceeds to Capone's cell---B-7! Captain Head accompanies him. Mr. Bates had expected a surprise. . . but none so shocking as the

"Luxury! Comfort! A homelike atmosphere!" are a few of the exclamations that drop from his lips as he steps into and examines Cell 3-7. "A picture gallery --- nothing less! A rich man's den! Club chair! Silk covered cushions! Floor lamp! Silk underwear, silk pajamas, purple lounging robe of expensive silk! Specially made beauty-rest mattress for his lazy body to recline on!" The words tumble from his lips as he touches the articles angrily, dropping some to the floor and kicking them aside.

"I want every contraband article cleaned out of this cell! Every one!" he storms.

"Yes, sir," assents Captain Head.

"It must be done immediately. The Georgia article appeared on the 22nd. Too late then. Too late now! I don't know why - - -" His words are lost to our ears as he stamps out and to the warden's office.

"And they are going to foist upon the public a story of Capone being a model prisoner! Well, if this is what a model prisoner is entitled to - - " he raves as he hurries toward the warden's office.

Captain Head is close on his heels as they enter.

Ten minutes later 3-7 has been stripped of its cozy, comfortable atmosphere. It becomes, for the first time since Capone's incarceration, a model prison cell. A cell with no more nor less than the hundreds of others in the prison.

And twenty minutes later, Capone entering it, subjects himself to one of the most violent fits of hysteria he has had in months. The vituperations, invectives and damnation he heaps upon the Director and the authorities in the institution, besides being too filthy to print are too senseless to recall. Nevertheless, though every effort is made by his fawners to pacify him he continues to rage throughout the entire day, his tennis for the nonce being an inconsequential thing.

And ironical as it may seem it is still more amusing -- The very day the Director arrives, with a view to terminating the connections and privileges Capone enjoys, five telegraphic money orders are received from Evansville, Indiana, for five of Capone's employes . . . each in the sum of $50.00!

Lane, through the designing Short Shavings, is successful and given his due credit for $50.00. Thorpe, the physio therapy inmate, having had no correspondence concerning money, is denied his.

Mr. Frick, the Chief Clerk KNOWS the money was sent by John Capone's syndicate, which each month takes care of the payments. Three negroes, when questioned concerning the origin of the money, the sender, and for what purpose it was sent, are unable to present an honest story. They have earned it from Capone. . .they claim it is theirs. . . and the Chief Clerk has no claim upon it! Mr. Frick, to the amazement of the negroes, informs them that they cannot have it. . . that it will be returned!

And returned it is! What disposition is made of it in Evansville is not our concern.

And once more Capone pleads for an interview with the Director. Oh, if only he could talk to him. . . get only a word with him! WHAT HE COULD ACCOMPLISH, he assures himself and others.

But no! And NO again, says the Director. He's heard enough!

Then, to Capone's amazement and humiliation, he is stripped of his nicely laundered blue shirt, bleached pants and silk underwear. He is paraded ignominously to the Clothing Room, and his unique apparel cast aside. A new outfit -- similar to the first he wore when admitted to the institution -- is furnished him. His complaint about it scratching his skin, the seams being so rough they cut, and above all it is ill-fitting, avails him nothing. Captain Head is there to insure he does not bribe either civilians or inmates employed in the Clothing Room.

His chagrin and mortification is so pronounced, and so determined is he that he will have his way that he mutters, when leaving the Clothing Room: "Watch me!"

It's not a threat, but a warning. . . a warning that he will not tolerate such treatment! That he will not wear such clothes which reduce him to the level of the ordinary inmate!

Then the startling news that the Director is closeted with Dr. Beale, his inmate secretary, and other hospital employes, races through the institution. Questions and cross-questions are hurled at them, separately and privately! As a result of this investigation changes are made the

following day in the hospital personnel. And Dr. Falls, [illegible], enters the picture.

It seems that Dr. Falls, through a Dr. Brown from town -- who makes weekly visits to the U. C. clinic -- is recipient of a case of bonded whiskey. Just why Dr. Brown's residence should be the destination selected for delivery of the whiskey for Dr. Falls is more than we can discover. We know, of course, that Dr. Falls and Capone had been intimate. But just what the whiskey represented we cannot say.

On the 20th -- after the Director had departed -- Capone's confiscated wardrobe was smuggled to him. On Cregar's second trip to the Clothing Room - where he collected the soiled linen of discharged inmates -- he obtains Al's Florsheims. His confidence increasing, Cregar becomes bolder. And, upon presenting an absolutely new set of silk underwear -- not the discarded ones, but a set that had not yet been worn -- to the inmate clerk who stamps the prisoner's number on them, requesting "20-333!" his voice was not as low as it should have been.

The result: Another inmate heard, the guard was apprised of the incident, and Cregar, on the third and last trip -- as he leaves the Clothing Room -- is arrested!

For two days Capone was compelled to wear cotton underwear. Had he been chained to the ceiling by his feet he could not have made more noise!

Cregar, of course, is confined in the hole, and his conduct record duly noted. Upon discharge from the hole he is assigned to the Dining Hall. Disgraceful indeed! Slinging hash! Well, it won't be long. Al'll do something to get me outa here!

Capone, of course, in less than a week has re-established himself in his cell. He is again enjoying the ease and comfort that he knew before the Director's onslaught.

In the meantime, official orders are received that a new set of lunch boxes be made. Boxes that cannot conceal contraband dinners. Boxes that will hold only sufficient for the guard ordering. They are duly manufactured in the Carpenter Shop. Hackethal, it seems, has an intimate friend working there. Since a guard stands nearby, overseeing the work, specifications are complied with! Yet, two specially made compartments are so neatly worked into two boxes that not even the observant

guard detected them.

These, of course, for Capone's meals!

For, Capone MUST be fed. . . the best!

With a suspense that at times threatened to "drive us nuts", we have been looking forward to the article by the "Georgian". Week after week we had been on edge. According to advance notices we were to read the intimate details of Capone's model prisonership! Knowing Capone's authority and influence in the penitentiary, we could hardly believe anyone would dare prepare an article contending he was a model prisoner!

To no one's surprise, of course, practically everyone of the inmates had risen at 6:00 A.M. the morning of October 22nd. . . the date (Sunday, too) on which the first instalment was to appear. Not many were subscribers to newspapers, so it was a case of first come first served. Each wanted to be the first to read it. . . to satisfy his curiosity. We must be prepared for the arguments that would result after the article had been digested, and not being subscribers ourselves we rise a little earlier than the others so that we might finish the article and return the paper to its rightful owner before he awakens.

Words cannot describe the sensation we knew! Words -- chapters of them! -- would be utterly futile and inadequate. Our nervous fingers have torn several pages in our anxiety to get to the page which carries the article, and, of course, in the condition we are now in (knowing we have to read in a hurry) we are ready to swoon when these headlines confront us:

CAPONE SURROUNDS SELF WITH CONVICT 'BODYGUARD' IN PRISON HERE

* * *

STITCHES SIDES 8 HOURS DAILY

Then, beneath these glaring streamers, pictures showing Capone on his Miami courts, his home there, his brother John, Al and his son at the races, a prison cell house -- all captioned:

FROM MANSION TO CELL -- "SCARFACE BECOMES MODEL PRISONER"

This indeed was too much for us. Too, <u>too much!</u>

"Stitches shoes 8 hours daily!" Why, Capone has not stitched eight hours in all the time he has been at Atlanta! Men working in the Shoe Shop contend that he has the first time to even handle a shoe other than his own!

"'Scarface' becomes model prisoner!"

That's the line that floored us. What does it make of the others, if he's a model prisoner? What kind of prisoner is he who obeys the rules and regulations?. . . who forms no connections? . . . who conducts himself as instructed? . . . who has no money to bribe officials?

What does it make of him, if Capone, with his conniving and connections, mandates, executions, and disrespect for the entire Bureau of Prisons and its subordinate officers, is a model prisoner?

So model a prisoner that his contamination with others has produced more criminals than the country would have had without him! A criminal who really MADE others criminally inclined --- who moulded of decent citizens grasping, avaricious, murderous beings! Citizens who would have gone back into the society they had been dragged from, as clean and honorable as they were before disgrace, and lived respectable and law-abiding lives -- had he not dripped gold into their hands and poured contempt for the law into their ears!

So model a prisoner that he was permitted evasion of any and every punishment, though he violated all but two rules -- Assaulting a Guard and Attempting to Escape!!

And he threatened to violate the former in his run-in with Nelson!

So model a prisoner that the officials could not, with their universally recognized ability to operate a model prison, properly and with the authority they are vested with for incorrigible prisoners, handle HIM!

When Deputy Warden Schoen returned from Washington on October 24th (having left Atlanta on October 20th), his first official act was to release Cregar from the hole.

Why? Cregar hadn't been in the hole long enough to count the bars!

His next act was the temporary suspension of two guards -- Chattomier and another. Then followed the ignoring of the lunch box

incident, when three days in succession the box for Mathewson (civilian in charge of the laundry) was searched and food in it for Capone discovered and permitted to go unreported!

These things an intelligent prisoner cannot ignore. These things a mutinous prisoner feels on. . . They are strength for his rebellious attitude and discontent. Why, he asks, should Capone escape punishment for infractions so grave and severe when if he (any other prisoner) is found out because of a pain in the leg, he is reprimanded; and if he repeats, punished?

Why?

Money? Unquestionably.

Power? Certainly!!

Yet, all prisoners are to be treated alike. There is to be no favoritism. . . no pampering. . . no leniency [illegible]. Unfortunately, we all are not Capones. Were we. . . [illegible], a comfortable prison the Atlanta institution would indeed be!

Terming Capone's conduct a "standard of propriety for his fellows in that bizarre twilight world", the author of the article certainly, we conclude, knew absolutely nothing but what John Capone and certain officials suggested to him! Never a prisoner has left the institution who could conscientiously admit so misleading and preposterous a statement to be correct!

The truth, as set forth in this article in chronological order, substantiated by official records and occurrences involving dismissal of several of the personnel, and transfer of others, corroborates the writer's contention that Capone timed the article to avoid alcatraz!

It stands to reason, and can be deduced from what has been herein written, that Capone was the symbol of defiance and disrespect. His name was synonomous with bribery and corruption. How could he, under such a circumstance, be a model prisoner?

Warden Aderhold and his assistant warders, the "Georgian" article relates, "must shun the faintest suspicion of favoritism for No. 40660." Does he (the author of the article painting Capone a 'model prisoner') attempt to convey the fact that by shunning the faintest suspicion of favoritism they must necessarily conceal from Washington and the Bureau of Prisons every flagrant violation of the rules committed by Capone?

If so, his statements ring true!

Capone, it cannot be denied, has carte blanche within the prison walls!

He has, as do have others, the privilege of sending two letters each week. But, in addition, he has "connections" which permit him to mail as many as twenty letters each week! Or, as many as his prison secretary can write for him!

He has been interviewed innumerable times. His biography has been sought by several leading magazines. One national weekly offered him $25,000.00 for the story of his life. Another offered $50,000.00!

Capone will accept nothing less than $200,000.00!

And then, he contends, the story must be as HE wants it written. . . Not the editor's idea, nor as the public would expect it!

In other words, it would be SAINT ALPHONSE UBIUS' CAPONE! He wants the public to believe he is being crucified! It would not, of course, include his shady operations in the Atlanta institution. The reflection on Mr. Aderhold would be too obvious. For after all, any article written within the prison would have to be censored! Yet, he or any other inmate can write for publication providing the article does not criticise the prison, its inmates, officials or anything pertaining to the institution.

It was a matter of record that Bishop was posting letters constantly for Capone before the article under discussion was written. To infer that authentic sources of information indicate Capone does not, nor did not enjoy this privilege, forces one to the ultimate conclusion that Capone -- as preposterous as it may seem to the reader -- actually suggested that the article bear witness for him <u>against the very infractions he committed!</u>

One is lost in a maze of uncertainty when he tries to analyze why Capone, who 'picks his friends', made a confidant of Doc, the most deceitful, avaricious and disliked inmate in the institution -- regardless of the fact that Doc could form favorable connections for him!

The writer is familiar with the details of Capone's prison pay roll -- more familiar than the author of the "Georgian" article. . . The writer knows that Capone has never sent (nor had sent) money to anyone [illegible] reference to the two men

who 'had other charges hanging over their heads' can be applied to, first: Inmate Mills, formerly assigned to the tennis courts. Capone paid him for his services by having bond posted for him so that he might not come to trial until after the Prohibition Act had been repealed. Mills, when the case came to trial at Atlanta, was dismissed. The second man for whom Capone supplied money, was a negro in an analagous circumstance.

Such are our arguments the week of October 22nd, after a frightful night of booing and catcalls by the inmates for Capone, as the result of the "build-up" to keep him from Alcatraz.

A "build-up" which, ironically, becomes the key that opens Devils Island for Al Capone! For the public, after all, is not so gullible!

It is customary at the Atlanta institution to shift guards quarterly. A guard assigned to 'A' cell house from July 1st to October 31st, on the 7:00 A.M. to 5:00 P.M. shift, may find himself assigned to 'B' cell house, or one of the dormitories, for the next three months, on the Midnight to 7:00 A. M. shift, or 5:00 P. M. to Midnight shift in a tower.

Chattonier, assigned to the Rear Corridor since his entrance, has had occasional encounters with Capone because of Capone's employes attempting to carry contraband in or out. Chattonier's meals are delivered to him to be eaten at his post -- a desk at the entrance to the Dining Hall, on both sides of which are the exit doors to the yard. He spends his time standing at the desk, leaning upon it, or pacing back and forth between the exits -- approximately ten feet.

October is nearing its close. Hackethal has learned through Chattonier that he (Chattonier) is to be assigned to 'A' cell house. Chattonier, whose ghoul-like eyes, prominent cheek-bones and corpse-like skin earns him the nickname "Ghost", welcomes the change, contending that a tough assignment -- the Rear Corridor. But then, consoles Hackethal, the towers are worse!

And they are, for on tower duty a guard has no one to talk to during the hours of duty.

"Well, when you get in 'A' you'll like it. It's a good cell house. You don't have as much trouble as Old Daley in 'B'. The guys throw anything at him, just to get him sore. He used to be a preacher, and the things they call that poor guy is sinful!"

Chattonier has heard of Daley's troubles with the inmates in 'B'. 'B' cell house cells the most violent prisoners -- all of whom are employed in the Duck Mill industries. It is, Chattonier agrees, a disagreeable assignment.

"How're you an Al comin' on?" asks Hackethal.

"So-so," answers the interested Chattonier.

"Why don't you be nice to him? It'll pay you in the end. Hell, you're going to be there together and you can't lose," Hackethal

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"He's bad business, I hear," Chattonier argues.

"Thinking about Bishop?"

"And a couple others," Chattonier smiles.

"You're foolish. If Lieutenant Oliver can take a chance, I don't see what you got to lose." Hackethal feels that he is gaining ground, and if he presents a strong, supporting argument in Capone's favor, he can win Chattonier over to the pay roll.

"Yeah, but Oliver's word would go against Capone's. Mine wouldn't. . . after Bishop's experience."

"Just think it over. If you get it in your head you want to make something, and be safe, you know Al's chief bodyguard. Give him the signal if I don't see you in the meantime. You'll be on midnight to 7:00 A. M., wont ya?"

"Yeah. Could see him in the mornings, that's all."

"Best time!" says Hackethal. "Aint a bunch around then."

"O. K." answers Chattonier as Hackethal walks away.

Hackethal, pleased with his success, personally informs Capone that he has Chattonier lined up for him. Capone, known to be one who cannot keep a secret, informs Doc. Doc, the braggart, boasts to others that he has made the connection.

Eventually, as rumors will, the information reaches the office of Captain Head. The officials hold a pow-wow. The conference, attended by Deputy Warden Schoen, Assistant Deputy Warden Pet Fry, and Captain Head, ends after thirty minutes of serious argument. Chattonier's proposed assignment to 'A' cell house is not vetoed. Yes, he can go to 'A' cell house, the officials agree. If it isn't Chattonier it will be some other guard. . . So why must the guard suffer?

Then, to everyone's astonishment and Capone's insufferable degradation and humiliation. . .to the chagrin of his bodyguards and delight of his enemies. . Capone is transferred to 'C' cell house. . . TO CELL ALONE!

'C' cell house is famous for its "movie stars". . . for its Hollywoodian atmosphere. . . its paper and living "dolls". It is the cell house which houses the abnormal and degenerate prisoners --- the "misses and madams".

And Capone, too stunned to understand, is breathless. . . helpless!

It was in this cell-house, eighteen months ago, that he lived the most dreadful night of his life! The first time that he knew anguish. . . Hysteria. . . Fright! At that time it was not set apart for the degenerates.

Naturally, such an occasion demanded an appropriate reception, by 'C' cell house inmates. And in such startling contrast to his first reception, Capone was the guest of honor in the "daisy chain".

Needless to say he found this greeting much warmer than his former one. This alone was balm for his insulted dignity. And, before many days had passed he contended he wouldn't give it up for all the cell houses in the institution!

Now, he repeats, he can think for himself. Though he apparently seems to enjoy celling alone he determines to cast off all his leeches and parasites and make the best of it with his new cell house friends. After all, ten years is a mighty long time . . . . . .

And a man in the penitentiary. . . Well, it could be worse, he consoles himself.

Forthwith he stocks his cell with good things to eat, cigarettes, beads, balls of silk cotton for making scarfs, handbag frames and other things that may be desired -- all procurable at the Commissary. If he can get by with indiscretions in the hospital, why not here? After all, again, the guard is human and a few hundred would cause any guard to "forget" to make his rounds occasionally. Surely! In this analyzation of Capone's cunning we have a most intimate glimpse of Al Capone's love life in the Atlanta Penitentiary. . . a love life that astounding in its reciprocity, was nonetheless a magnificent gesture of a man's solitude being broken in response to the muffled cry of a quelled and subdued passion.

"Shavings, you goin' to stockade tonight?" asks Doc as Short Shavings slips on an authentic detail sweater which only those on the football and softball teams are permitted to wear.

"I may think I might."

"I got a letter I'd like you to type. I - - -"

"You can't do it. It may be a clue, after stockade. Get busy on it right now. Be a sport, Doc, come here!"

"No, I can't do it. I would if it were any other night. I want to get home and be in bed to work at four o'clock. It won't take you long, Shavings, what you write."

"Let me see it. The bell'll ring in about ten minutes. Maybe I can finish it by then."

Doc produces nine pages of scrawly writing. Shavings examines it carefully. He glances at the salutation: "Dearest, Darling Daddy Mine."

"What is this?" Shavings suspiciously asks.

"Why, it's a letter my girl wrote me. I want to make a copy of it," Doc unsatisfactorily explains.

"But you have a copy, Doc. This!" Shavings taps the nine pages of writing.

"Yes, I know. But I want a typewritten copy. This is the copy I made from her letter."

Shavings is hard to convince. The truthfulness of Doc's statement does not satisfy, yet, his policy is never to inquire into ones personal needs nor excuses. To perform the work, and accept the payment therefor, fulfills his obligation.

"If you don't mind, Doc, will you tell me why you went to all the trouble of copying this from the original letter, and then giving me this to write from, when you could have let me copy from the original?"

Shavings, unaccustomed to this type of business, is cautious.

"I always destroy her letters after copying them. You see, they are brought in from downtown, and I wouldn't want them found in my possession."

Shavings "does not see", but consents to type the letter. Three packages of cigarettes and a couple cartons of cakes to forfeit stockade privilege and type Doc's letter, seems reasonable enough.

Shavings, we understand, respects the confidence of his clients. A secret entrusted to him (we have been informed) remains a secret. But little did we know that Shavings was not as secretive as he pretended to be. Little do we know that through his association with Doc, in Capone's behalf, he had descended the ladder of trust, and, like all inmates, had a confidant to whom he confided when worried or in doubt. This, it is later proved, came to light when too late to avoid disaster.

The letter, Shavings confides to his intimate, was one of the strangest epistles he had ever read. Not only that, it was one of the most vulgar! The woman -- if woman it was who wrote it -- dwelled on exotic sexual orgies that had occurred between her and the addressee: "Dearest, Darling Daddy Mine". The identity of this "darling daddy" was never clearly disclosed, although references were made frequently to "Bob". Bob, Shavings knew, was the abbreviation of Doc's given name -- Robert. Then, it stood without argument, there was a plan afoot in which Doc had some important and conspicuous part!

But what? What! Shavings asked in vain.

Let us linger for just a few minutes near Shavings as he sits on the bed in Big Pat's stall, his legs beneath him Turk fashion, a cigarette between his fingers, his voice a hucky whisper.

"I don't know what to make of it, Pat. You know I don't like to talk about anybody's business, but I'm thinking Doc's up to something, and that something's All"

"What makes you think that?" Big Pat asks.

"Well, this letter is signed by a girl named Ruth. She refers to Bob as 'her brother'. Ruth, it seems, has some compromising pictures of a judge and a movie actress. Their names are not mentioned, but one gathers from the references made who the actress is. Anyhow, Ruth is blackmailing this judge to go to Washington and urge the authorities or muck-a-mucks there to release this 'Dearest, Darling Daddy Mine.' Now, who that could be other than Doc I don't know. But Doc has told me that

the woman writing is one he met before coming here, and the release in question it HIS! It all seems so mixed up to me, for in the beginning he said the letters were from his 'girl'. I can't make head nor tail of it. Can you?"

Big Pat rolls a "Humming Bird" (Cigarette and pipe tobacco furnished by the institution).

"It's one on me," he surrenders. "How many letters have you written for him like that?"

"There's been three a week. I go by his stall often, you know, and he's always writing. I know he makes them up, for I went in once, without announcing myself, and he was writing one of the letters -- Page 4, for I noticed certain words on it which I remembered when he brought me the letter next day. Well, the funny part of it is I can only write them for him during stockade hour. . . He always has to have them by two o'clock. And while I write them he stands at the entrance to my stall so no one can come in! And that's another thing that makes me curious. Can you beat that?"

"I noticed him several times there, while you were writing. I wondered what it was all about, but you know me . . I wouldn't ask."

"Yes, that's the strange part of it. Nobody can ask me anything, he said, while I wrote for him. Take it from me, Pat, something's fishy. Plenty!"

"Don't think Capone's trying to get you in a jam, do you?" Pat asks concernedly.

"Hardly! What for?" exclaims Shavings.

"You never know that Dago. He's a slick article, Shavings. Shrewd. . . cunning. . . foxy!"

"Yeah? And what am I, dumb?" Shavings snaps.

"Maybe you'll learn later. That gets me, though," Big Pat admits.

"Wonder if it's got anything to do with Alcatraz? You know Al said he's positive he wont go. Did you hear what he said about the Urschel kidnappers -- Bates and Bailey, and Machine-gun Kelly? Called them punks. Said they should've taken lessons from the Lindbergh kidnappers, and hung around instead of going places where they were unknown.

and becoming suspicious. Pretty smart, eh?"

"Did Doc ever say anything to you about the Lindbergh kidnapping? He'd know something, as close as he is to Al, if Al knew."

"Pat, I never gave it a thought. Al's business doesn't worry me. I'm not concerned with him for everybody who ever had dealings with him has paid in one way or another. And I got parole to consider. If I don't make it. . . C. H., I go on Al's pay roll. If I make parole, I [illegible] clear of him."

"What's he offer you?" Pat asks.

"Depends on what I do for him, Doc says. Would easily get [illegible] a month. Some jigs get that for less work than taking care of his clothes."

"Getting back to Doc, Short, what do you make of the way he stays in his stall all the time. Strange, isn't it?"

"I noticed that, too. To give you my frank opinion, I think he's plotting and scheming all the time. Scheming and planning day and night, I'll wager. He doesn't sleep four hours a night. No matter when I awake, he's awake -- coughing, usually. You know he's got . . ., don't you? Well, if ever you see him thinking you can bet your life he's some scheme in mind whereby he can make himself appear important to Capone. . . . and every one else. I know! Look how he stands on the bed from six till nine every night, looking out the window, that long cigarette holder between his lips, that purple velour lounging robe Capone gave him! Mysterious-like, you know? Say, that robe would make him a complete lounging outfit, the way it fits him!"

"Hey, Shavings!" someone calls, "Doc's looking for you!"

Shavings trots off to perform his secretarial duties for Doc, leaving Big Pat to ponder.

As time passes Doc's letters become more frequent. They reach the point where "Ruth" has visited the judge and demanded a definite answer. Either the judge goes to Washington and effects the release of 'Dearest, Darling Daddy Mine', or the compromising photographs will be sent to "Ruth's" friend, who works for the publisher of a tabloid newspaper. The judge, of course, is pleading for time. He beseeches Ruth to have patience, and assures her he will have Bob's friend out by Christmas!

Shavings, unable to decipher the scheme of a paranoiac, since his characters are moved around so confusedly, gives up in despair. He continues to write the letters, but pays little attention to the contents. He is interested now in only the cigarettes he receives for writing them. They are, he confides to another inmate, stereotyped --- the same thing over and over, the language slightly varying. In a few words: Ruth, having the judge on his knees begging for mercy, warns him that unless he effects the release promised she will send the pictures to her newspaper friend.

Then, it develops, a date is set for the release of 'Dearest, Darling Daddy Mine!' Yes, he will walk out of the penitentiary a free man. . . two days before Christmas! Oh, how happy she (Ruth) will be to greet him! To live over again those days and nights of the past! To crush him once more to her heaving bosom. . . To feel his warm flesh against her own! Happiness too complete to dare dream of! She fears. . . fears for the gods are jealous! Fears. . . fears for his safety until then! Fears. . . fears that his happiness upon being released will make him forget all that she has done for him!

Fears. . . fears of fears! . . that he will go back to his wife, instead of proving to her (Ruth) that he loves her more! Wretched Ruth! Poor Ruth! Suppose she has worked in vain? Suppose all her effort and toil has been for an ungrateful man? Suppose?! Suppose many things, she reminds him.

But alas! the day comes. . . the day goes. . . Christmas passes and the New Year has begun, and "Dearest, Darling Daddy Mine", Ruth forlornly regrets, is still behind the walls of the Atlanta penitentiary. And Fred, the guard who is supposed to be bringing in the letters from downtown, is scheduled to go to Alcatraz for duty!

Woe is me! Doc complains.

This situation progresses to the point where Ruth, in desperation, and because of enormous sums of money she has spent flying to California once a week to see the judge, is compelled to ask for reimbursement and sufficient to continue with. Of course, it is immediately received, and her gratitude is overwhelming! Words. . . puny words seem inadequate to express her gratefulness for the money, the new car and the diamonds! All are to beautiful! Daddy, Dearest Daddy. . . how I love you!

Thus she pours out her heart to her 'daddy', who, it seems, is doomed to remain in the penitentiary until the judge is able to go to Washington!

Again and again. . . and yet again. . . she suffers the embarrassment of having a depleted banking account. Again and yet again is a fabulous sum acknowledged by her. From where, Shavings says, he has no idea. But it is so strange. . . so far-fetched. . . he opines, that the letters, though he knows they are composed by Doc, should admit the receipt of these thousands of dollars and presents!

So strange that he begins, like a fool eventually will, to see daylight!

Now let me think, Shavings reflects as he lies abed at night. Let me think! Brother Bob? Yes, that could be Doc. Fred? That could be Guard Clarke or Guard Perkins. Ethel, who is always mentioned as Bob's sister, could be his sister. But the correspondence sheet shows he has a sister Stella, not Ethel!

There is, Shavings assures himself, no record of Doc writing to a Ruth! And certainly, calling Doc "My Dearest, Great Big Handsome Cavalier" is like calling a kitten a tiger! There's a plot somewhere, but Doc's too shrewd to unfold it.

Could it be . . . My God! I'll bet on it! Shavings jumps out of bed and walks hurriedly to Big Pat's stall.

"I've got it!" shouts Shavings as he shakes Big Pat into wakefulness. "I've got it at last!"

"Got what?" growls Big Pat. "A nightmare?"

"No! Doc's racket!"

If the records of the institution were examined into by the public, what would it say to such favoritism shown Capone? For instance:

"Joseph Matchok - No. 54001

Suspected of conniving in an attempted escape.

(Signed) JULIAN A. SCUDER,
DEPUTY WARDEN.

Forfeits 180 days good time.

Isolation on restricted diet.

Reduced to Third Grade.

To be handcuffed to the door 6 hours each day until he gives information of two keys found in his cell.

To remain in isolation until further orders.

In isolation 10 days."

- - -

It will be observed that the man was "suspected". . . not that he actually did attempt to escape! The penalty inflicted is the severest he could suffer. True, he had two keys in his cell. But, men are allowed keys for their private lockers. This alibi did not seem to "take".

Now, let us compare that with the assault on Arnold! A man's life is decreed forfeited because he refused to attend to Capone's teeth!! Refused, it has been proved, to be a slave to Capone!

Or, let us compare it with another case . . . A case in which the prisoner, whose name is immaterial, was justified in protecting himself from a deadly assault:

"ASSAULT WITH DEADLY WEAPON.

The above named prisoner assaulted Colson, No. 57333, with a knife which appeared to be a surgical knife, wounding him, the said Colson, in the abdomen.

LIEUTENANT L. E. OLIVER.

Action: Isolation on restricted diet.

This prisoner acknowledges that he did cut No. 57333, Colson; the condition of wound will decide further action.

- - -

ASSAULT WITH DEADLY WEAPON.

(Doctor's report on above charge)

"The above named prisoner assaulted prisoner No. 37333, Colson, with a knife inflicting a wound in his abdomen.

Deputy Warden Julian A. Schoen.

Action: Already in solitary.

Forfeits all Good Time.

To be segregated upstairs in the Isolation building, when released from Solitary.

In Isolation 12 days."

- - -

Colson, serving an aggregate sentence of fifty years, is one of the most dangerous inmates in the prison. His attacks on others are frequent and unjustified. This attack on him, as will be noted, brought forth such drastic action.

We weigh the above and conclude that there is something radically wrong in the method of punishment IF CAPONE HAS A FINGER IN THE PIE! And, if there is yet some doubt in the reader's mind that Capone's authority does not exceed that of the Deputy Warden, we examine the Disciplinary Report dated June 13, 1933, which reads:

"Cooper, . No. 39245. Cell D-4. Employed: Laundry.

Offense: Possession of Contraband Food.

Specifications: While passing through the Shoe Shop this A. M. I caught the above named prisoner with a quantity of bread and cheese which had been stolen from the kitchen. When caught he was in the act of cutting sandwiches and wrapping them in a cloth. Contraband accompanied with report.

CLAUDE H. NELSON, GUARD."

(Nelson, we know, is the Stockade Guard, an enemy of Capone, and intimate of Captain Head.

Was Cooper punished?

"Action: Placed in isolation on restricted diet until he has given promise of obedience!"

How's that for an illustration? Cooper, like any other convict, will promise and DID promise obedience within an hour after his arraignment before the Deputy Warden!

Prison of Prisons! Atlanta! Capone! Punishments! Favoritism!

We need no further conviction that Capone can "get by with murder". It has been proven. Wiggins' write-up, as shown by the accompanying Conduct Record, is a striking example of how lenient offenders are treated if the offenders have the good fortune to be on Capone's pay roll.

For instance:

"POSSESSION OF CONTRABAND FOOD.

The above named prisoner who is the Runner in 'A' Cell house, came into the Cellhouse with a bag containing a big bunch of different kinds of food. There was pie, chicken, roast pork and cheese, and plenty of it. I have suspected this man for some time of using the job he had to carry stuff in the cellhouse, for #40886.

Guard - JOHN FINN.

ACTION: Isolation on restricted diet. This loot consisted of about three pounds of cheese, two pounds of select roast beef, one pound of baked chicken and one large apple pie.

To be placed in dark cell.

In isolation 9-27-33 5:30 P. M.

Released from isolation 10-1-33 5:00 P.M.

5 days"

- - -

And it was NOT five days. . . it was exactly 95½ hours. Figure it out! One half hour less than FOUR days! Does it not prove favoritism when EVEN THE RECORDS OF THE INSTITUTION ARE DELIBERATELY MISLEADING if Capone is concerned with the violation?

But, we say to ourselves, Capone is powerful! Capone is mighty! Capone is supreme! For we KNOW!

We know because Capone tells. . . We know because we see men do the things he commands!

Yet, an article inferring Capone is shown no favoritism, is foisted upon an incredulous public! A public anxious to know just how severe is Capone's punishment. Anxious to know if Capone has been whipped into submission!

Yes, anxious to know if Capone's imprisonment has been a lesson to others!

Shades of the Catacombs! If Capone had to suffer one hour incarceration! . . If he was divested of his prison authority and power. . HE WOULD EXHIBIT THE MOST DESPERATE CRIME IN PRISON ANNALS!

But he doesn't have to suffer -- except from his conscience. He is prepared. . . has been prepared for months. . . to participate in any wholesale positive break for freedom! Has been able to obtain, through sundry channels, as much ammunition and firearms as he can conceal!

When the day comes. . . well, one dare not surmise! It may never come, if it depends on him. Suffice to say, once he steps outside the forbidding walls --- where an army of his henchmen shall be waiting --- the swiftest airplane shall carry him to a kingdom all his own! A kingdom in the South Seas, where now his fortified mansion is built and awaiting him!!

A dream? Poppycock? To those who do not know Capone, yes. But a reality! A dream that he has made come true --- except for his occupancy of the mansion.

Still, a threatening shadow hangs over his head. . . The shadow of solitude in Alcatraz --- Devils Island! It becomes darker. . . it grows nearer! It is frightful. . . awful!

In a futile attempt to close the vision from his mind, he shuts his eyes as if to shun some descending catastrophe. . . Deeper and deeper are the fear and misgivings engraved!

Alcatraz, he confesses. . . he dreads! . . shall be his tomb!

"Those letters I write for Doc? Well, can you imagine it. . . the son-of-a-gun is writing them to himself! This 'Ruth' person, you know? She's a myth! She doesn't even exist! He's using those letters to get money from Capone, telling him, I'll bet, that this Ruth will get him out through this judge. He's told me several times that he doesn't expect to serve his time out -- June 20th, it is. So that's it! Between now and June 20th he'll have Al paying out the shekels, see?"

"Yes," feebly protests Big Pat. "But that doesn't fit. The woman's supposed to be first, his sister; then, his girl. And if it were either, she surer than Hell isn't going to write those lousy letters. No decent woman would write them to another man, least of all a woman to her brother. That copy you showed me was the rottenest thing I ever read. Smut to the nth degree! And he thinks you're dumb enough to believe he receives them?"

"Sure!" exclaims Shavings. "I have to let him think that or I lose the business. Say, I haven't done so bad -- the cigarettes and cakes I got from him. Have I?"

"Boy, you have 't!" Big Pat agrees, "What was it last month -- thirty-five dollars worth or forty-five dollars worth cigarettes? "

"I don't remember now," Shavings answers.

"Did you ever stop to think what HE'S getting? Money, Kid, and more money! You're a chump. You ought to be getting it too!"

Shavings reflects the truth of this advice. Sure enough, Doc's getting thousands of dollars! I'm getting cigarettes! Well, so that's how the wind blows, huh!

It doesn't take Shavings long to drop in and see Doc. Doc, as usual, is penning a letter "from Ruth". He buries it as Shavings enters, but not too soon to prevent Shavings from seeing it. He still insists he copies the letters from originals. Shavings, for a long time, has known this to be untrue.

"Say, Doc, that last letter I wrote -- the one where Ruth said they were all in an accident on the way here, and she received the $8000.00 for the hospital expenses and a new car? Where's that at?"

shone", continues to get cigarettes and sweets.

Now, Doc informs Shevings, since the pictures are in his possession he will insure that the judge act quickly. . . simply by enclosing one of the pictures in a letter to the judge!

Welfare Island! Joie Rae and his police dog! Drugs! Degeneracy! Women! Favors! Luxury! Comfort!

When Capone read of the expose at Welfare Island he laughed! Laughed hilariously!

"Imitators!" he shouted, throwing his head back scornfully. "Get wind of what I'm doing and shoot the works. Just like the bunch of punks they are. Aint got sense enough to buy the right men. Fool with chiselers.

"Kelly's another one. And Bates and Bailey, too. Punks! That's all. Get a big idea and aint got brains enough to work it out. That's what burns me up! That's what galls me! Me, in here, having to sit back and read what that damned toy-gunner tries. Imagine it . . . $200,000.00, and couldn't make a getaway! Imagine it!"

He throws the newspaper on his bunk. The rangeman, to whom he is addressing his words of derision, stands outside the open cell door. Capone rises, anger gripping him.

"You know what!?" he exclaims, conveying the impression he is about to expound a theory. "You know what! It's a bunch of clucks like that who make it tough for me! Everytime the public reads something like that they think of me. Get worrying what I get away with. Well, Buddy, take it from me --- If I have to go to Alcatraz with a bunch of tripe like that, I'll have so Goddamned many men there that it's going to be too bad! I mean it, too! When they think. . . this Uncle Sam of yours. . . when he thinks he can match his wits with Scarface Al's, he's got another thought comin'. That's on the level.

"And get this, Buddy. I got it straight from Washington. . . I aint goin' to Alcatraz. That's fixed up. Cummings knows damned well if he sends me there it means trouble. Plenty trouble! And Cummings aint fool enough to brew trouble. Only through ignorance will he ship me out there.

"Now look at Dillinger! Look at Prettyboy Floyd! Good guys, get me? But they aint got brains! It's brains that puts a guy over. Hell, yes. . . they've got nerve. But what the Hell good is nerve if you aint got brains to back it up!"

[redacted]

"But Al," protests the rangeman. "Floyd and Dillinger are cop haters. They shoot the law. That's what the guys here admire 'em for. That's why they always cheer when the radio mentions them or the movies show 'em. They say your gang always shoots each other. Bump off their own brothers! That's why the boys say Dillinger's got it all over you. Personally, though, Al, I got a lot of respect for you. I know you got brains. Hell, I wish I had been one of your men."

Flattery, such as this, never impressed Capone. He was immune to it because he KNEW his power.

"Listen, Buddy," Capone says, a finger waving, "anytime I can't pull a string and get what I want on the end of it, I aint Al Capone no more. I got stuck once! Only one time, get me? The biggest thing this country ever had. I made my plans A to Z. It would have gone through without a hitch, but someone had to throw a wrench in the works. Dumb Dutchman! If it weren't for that, I'd be out of here today! Out, get me!"

Capone drifts into recollection. What, the rangeman wonders, does he refer to. Is it presumptuous to ask? No, he decides; Al might say something more to give him an idea of this "biggest thing", which, if it terminated as Capone planned, would have had him "out of here today!"

"That's how it goes," Capone continues, thinking aloud. "Always someone to gum the works. Another thing that burns me up is that St. Valentine Day massacre. Massacre, the papers called it. Hell, them guys got only what they deserved. Everyone of them! But I aint thinking of that. I'm regrettin' the one big chance I had to get out that was jammed up. . . Spitale! Just another Dago who thinks he's got brains and proves he aint!"

He sighs as though fatigued. "$50,000.00 for a corpse! Clever cops!"

What, we ask ourselves as we note the defeated look upon his face, makes him so morose. He dejectedly drops on his bunk, and, his eyes looking into space, seems to be on the verge of tears. What, we further ask, could make him so sad?

Is it because this "biggest thing" didn't pan out as he planned? Does he see the freedom he so nearly found through this scheme now so far from realization?

The rangeman walks off, leaving Capone with his dreams, regrets and sorrows. For deep is the sorrow that now shrouds him in her sombre arms. Deep, indeed.

For we realize, with shocking amazement, horror and even pity, that IT COULD HAVE BEEN HIS SOUL!

"CONVICT PLOT TO MURDER CAPONE!"

This startling title on the lurid cover of a magazine in the possession of Mr. Benny Bates, the Record Clerk, is seen by Short Shavings. The magazine, of course, is listed as one forbidden in the institution. However, Mr. Bates is a civilian, and he undoubtedly is curious to know WHO plots to murder Capone. Short Shavings, on the other hand, is curious, too. But how to get the magazine without Mr. Bates learning of its loss?

"Say, Shavings," Doc begins when Shavings' day's work is done. "I hear Bates is got a magazine with an article in it about Al. Did you see it?"

"Yes, but not the article," Shavings replies.

"What chance is there getting it?"

"Absolutely none!" Shavings retorts with crisp finality.

"Any chance reading it and telling me what it says?"

"I can read it up there; sure! While I'm taking dictation. You know how slow Bates dictates!"

"The Big Boy'll give anything to get that," Doc begins to bribe.

"Does he know of it?"

"No, but I know he'd pay plenty for it."

"How much?" Shavings asks.

"What's it worth?" Doc bargains.

"I've told you plenty times, Doc, I don't want nothing to do with Al. I've got a parole now, and I can't risk losing it for him or anyone else. I been here over a year, and have kept off Al's pay roll, and I intend to keep off."

"Yes, but that's where you're a fool. Other guys are getting it. Why not you?"

After all, Shavings realizes, it might be worth the risk.

"See what he'll give for it. If he makes it interesting I'll get the magazine for him. but he's got to destroy it soon as he reads it.

"Once it's taken out of that office it can't go back! For Bates will know I had it out. And I'd rather let him think it was stolen by someone else."

"I'll see Al soon. Keep an eye on it," Doc advises.

"All right. But remember, Doc, he's not supposed to know who's doing it."

"Hell, why don't you play along with the Big Boy? He's all right!"

"All right Hell!" Short Shavings answers. "I've seen too much up in that office. He's all for himself. He never protects a guy after he gets in a jam. The guy that does the dirty work for him suffers. He sits back and enjoys things. He makes a lot of pawns out of them. I don't want nothing to do with anyone like that."

"But you'll get the magazine, wont you?"

"If he makes it worthwhile," Shavings agrees.

At stockade hour Doc visits Capone in the Shoe Shop. Capone is visibly upset when he learns of the article, and the magazine being in the institution. He must have it! Regardless of how much it costs, he must have it!

" Find out the name of the magazine. . . if Shavings can't get it, I'll get one brought in. I gotta have it! Who in Hell could've written it?" Capone is wrought up and pale.

Doc does not know. Capone cannot guess. It has been written. . that's all! And is now being sold on the newspaper stands throughout the country. And the public'll believe it!

On the spot! Well, let them start something here!

"Al said name your price, Shavings. I got the money here. You got any way to get it out?"

Doc produces a roll of fifty-dollar bills. Shavings fully aware that there is $100,000.00 worth of counterfeit in the institution --- the officials having already found $10,000.00 worth of it hidden in a jar in the Duck Mill, and photographed the fingerprints on the jar --- is unwilling to accept Doc's money.

"What do you want him to do, send it to your wife?"

"No, she might write back and say she received it. She's not wise enough about these connections."

Capone, now extremely annoyed because he is compelled to [illegible] messages to Shavings, raising the price of the magazine from $ 0.01 to $500.00 -- for its immediate delivery!-- causes the rumor to circulate that Capone's bodyguards have deserted him, and he is [illegible] grapevine buzzes. The officials, through Capone's inability to retain a secret, learn of the bribe. The magazine is mistakenly [illegible] dock. No questions are asked, but a close check is made of Shavings' movements. Also, the movements of all those assigned to the Record Office.

It is rumored -- and believed -- that Capone paid $1000.00 for the magazine, believing it would divulge the names of those who plot to [illegible]!

[illegible], Dr. Fraser, and Dr. Falls, the dentist, learning of the price offered for the magazine, determine to sneak one in. Dr. Lynn's successor (Dr. Fraser) lost no time in seeing this favor, if he could accomplish it, a great stepping stone to Capone's esteem! The unfortunate thing, he admits, is that neither he nor anyone knowing of the article knew the name of the magazine. However, that wont deter him from searching for the correct one. Besides, Dr. Falls resigns himself, he must make some effort to earn his monthly allowance from Capone!

Shavings, hearing of this, calls on Doc. He "soft-soaps" Doc into believing he understands how the suspense must annoy Al, and forthwith hands over the article which he had clipped from the magazine, explaining that he returned the magazine to its rightful place in Dr. Bates' desk.

Doc avidly absorbs the contents of the article. It is a [illegible] distorted story of Capone's danger. Other than mentioning that Capone had a few blows exchanged with another prisoner in the Shoe Shop, the story falls far short of being either exciting or convincing. It entirely and completely omits any reference to Capone's indiscretion.

"Loodey wrote that!" Doc later informs Shavings. "He [illegible] think he [illegible]

"You know anybody you'd want it sent to who you can trust?"

"Yes. Here's the name and address. How's two hundred dollars strike you?"

"O. K." agrees Doc. "I know Al will approve any amount you want."

"All right. Send it here." Shavings gives Doc a name and address. "Now, when that guy wires me he got the money, you get the magazine. Meanwhile, I'm keeping it stashed."

"But Al wants it right away!" Doc protests.

"Nothing doing. Money first or no magazine." Shavings walks away. Doc follows him to his stall.

"Listen, Shavings. You don't mean you don't trust Al, do you? I'm offering you the money cash! Here!" He holds out four fifty-dollar bills. "I can't do more than guarantee you'll get it if you don't take this."

"Nope. You know there's a lot of counterfeit around here. Besides, I haven't anyone to send it out with. I don't fool with the guards. If I had to send it out it'd cost me half, and why should I give a guard a hundred for taking out a hundred? I'm no damned fool!"

"Where's the magazine now?" Doc asks.

"Stashed. I stashed it when I went back to work at noon."

"All right. Al gets a visit on the 24th -- tomorrow. John will be here and he'll tell John send it to this address. Is that O. K?"

"It's O. K. with me. But no magazine until I hear that the money's received."

"He wont like that, but I see you wont do business any other way. If you knew how easy it is to get your two hundred taken out, you'd not hesitate, Shavings."

"Any guy that gives a guard a hundred for carrying out a hundred isn't used to money. I'd pay twenty-five, no more. But after all, I'd rather it be sent from outside. I don't want any guard to know my business. I see too much what they report, when they're caught."

Doc walks off to his stall.

"How'd he get it out?" Shavings asks.

"Miller, the librarian, I suppose. Maybe he wrote it after he left, I don't know."

"I see!" Shavings exclaims.

"See what?" Doc asks.

"Washington asked for Miller's resignation. I wondered why. That's it, then. Woodey evidently talked."

"Al'll burn up when he reads this. And listen, don't worry about the money. You get it if I have to steal it for you. And I'll stand there with Al while he reads it, and make him burn it up when he's through. Take my word for it!"

Shavings didn't take Doc's word. And Shavings wasn't surprised the next day when he heard from half a dozen Capone's cronies that they had read the story after it was passed on to them by Capone.

Trust Capone? Shavings said he wouldn't again. . . money or no money. But Shavings, after all, is a convict, and a convict's vows are silly prattle.

When Capone heard of Shavings ultimatum, he vehemently denied having shown the article to anyone. Doc substantiated Capone's statement in this respect. But it was evident, since Capone's own henchmen admitted it, that he had shown them the article to give them an idea just how matters stood.

"We need that guy on the pay roll," Capone tells Doc. "He's in a position to do good. What the Hell's the matter with him that he wont come in?"

"Says he doesn't want anything to do with you. Claims you let a guy down when he needs you. A smart kid, I guarantee, Al. All them bankers and lawyers use him. He even does work for the guards. . . writes letters and things for them. I can't make him out, though. Think he might be a D. J. man? He once said he used to work for the government."

"D. J. or S. B., I gotta talk to him! I been hearing a lot about him, and I know he knows a lot that I want to learn. He's got access to my file, hasn't he? "

"Yeah, Al. Has charge of them. Writes the letters and sees the answers. I can't get much out of him, though. Pretty close-mouthed

with everybody but one guy. A guy named Dick. Old gray haired fellow. They're always eating together. Guess you've seen them. At night, too, they get stuff from the Officers' Mess. This guy Dick used to work down there. He's a friend of that no-good Hackethal. I got a suspicion sometimes Shavings is a government investigator. . . getting the goods on the officials here."

"Well, for Christ's sake, don't tell me your suspicions. You get paid for knowing and doing things. Find out! Do something!"

Doc promises Al that he surely will. Al, it seems, has cared otherwise about Shavings. If Shavings, he reasons, were a G. D. man, he would not be peddling conduct record information to the other inmates. He would not be averse to accepting a position on the pay roll, "if he actually wanted to get the goods on the officials. No, Doc must be wrong. He is wrong!"

"Say," Doc spouts as he rushes to tell on the tennis courts that same afternoon. "Shavings is on Druggan's payroll! Feature that, will you. I just found it out!"

Doc is breathless and excited. He knows Al's contempt for Druggan, and what interest such information arouses.

"That lousy Irishman! No wonder we can't get him on our pay roll. Druggan keeps him off, I guess. Tryin' to put something over on me. How come?"

"Mack Lilly, the clerk in the Tailor Shop, makes a connection with Cannon, the guard, for Druggan. He loads Druggan down what Shavings can do for him, writing letters and all. Druggan's tryin' to get his Good Time restored. And this Lilly guy composes the letters and Shavings revises and types them. I just heard it all! Every damned bit of it! A guy what works in the Record Office told me. He said he saw one of Druggan's letters in Shavings' desk. . . a letter to a woman named Chichester, in Leesburg, Virginia. Druggan reminds her that he saved her life in a fire at Hot Springs, Arkansas, and asks her to return the favor by seeing Roosevelt and having his Good Time restored. She's related to the Roosevelts. Can you feature a guy like that?"

"So that shrimp is still trying to get his good time restored.

"What the Hell would he do if he had my time? And he's got Short Shavings on his pay roll, huh? And writing to a woman to help him! Wont that look good to his friends?" Al is gleefully disturbed.

"I know it! This guy knows Shavings took some records out of a guy's jacket who had eight years restored what he lost for running away. Well, Druggan gave him $10.00 for it. Sent it to his wife. That's straight. Mack Lilly told a guy about it, and the guy told me." Doc is now enthusiastic, feeling that he has Shavings in a position where he can induce him to cater to Al.

"Tell that guy I wanna see him. If he wont come to me --- Goddamn it --- I'll go to him! Turning me down for Druggan. Can you beat that? That's some of Druggan's underhand work. And it must be true, then, that louse Druggan's payin' Cannon three hundred a month for grub. I heard the report, but I couldn't believe it! Cannon brings a lunch can, don't he? Well, that's it! That's where Druggan gets his custard now.

"Get that guy Shavings out here! Arrange a meeting! Get me? And if you can't, you're <u>through</u>! See!"

Capone has spoken! Doc knows he means it. But, Capone does not reckon he has an entirely different type of criminal to deal with when he deals with Shavings. Shavings will not be browbeaten, he boasts. But we shall see whose will is the strongest --- Capone's or Shavings'.

Upon informing Shavings that "The Big Boy wants to see you. When can you meet him on the yard? " Shavings replies that he is not interested.

Is Shavings wary? Alarmed? Conceited? Or really a D. J. man?

"Yeah, but he's gotta see you! Somebody told him you were working for Druggan, and Al's burned up over it. Says that's an insult to him. Take my advice, Kid, and don't make him sore."

"And why not?" asks Shavings defiantly. "That's final, Doc. I'm supposed to get two C's for that article. If I don't get it, O. K. But talking to Capone on the yard is OUT. Absolutely out! If Head saw me it's my turn in the hole, and I'm not going in the hole for Al or anyone else. Besides, I told you I got a parole to consider."

"But you don't understand," Doc insists. "No one will see

"And then what?" Shavings sarcastically replies.

"It's no use, I guess," Doc admits.

And no use it is right, for Shavings flatly and finally refuses to talk to Capone.

Why?

That is the question the inmates ask each other when the rumor circulates that Shavings refuses to go on Capone's pay roll or even obey his command to see him.

Why?

Had Shavings seen Capone in February (1934), when this conversation took place, Capone would have been richer to the tune of $35,000.00! Capone would have learned, perhaps, that he was --- notwithstanding the fact that he was positive he was not --- scheduled to go to Alcatraz Island!

Capone, to his amazement, would have learned who were his friends and who his enemies. . . and, incidentally, that fifty per cent of his supposed friends --- to whom he paid from $50.00 to $200.00 a month --- were regularly and deliberately reporting his every movement and speech!

Capone, to his grief, would have learned which of the guards and civilians to whom he doled a certain monthly sum, were sincere or [illegible].

Capone, however, with the brain he so proudly brags about, had not the ability to weed the good from the bad. . . the straight from the crooked. Thus it is plain that Shavings, who now, if not sure to become contaminated by association with the parasites and leeches that cling to the silken strings of the golden purse of Capone's.

Yet, when the most despicable and carefully planned betrayal and deceit perpetrated by a traitor of the most contemptible type was about to enrich the scoundrel $25,000.00 more, it was Shavings who -- regardless of discretion and consequences -- apprised Capone of the disappointment in store for him.

It seems that Thorpe and Shavings were friends. Thorpe, it will be remembered, treated Capone to his daily massages and baths. Never during the acquaintance of Shavings and Thorpe -- so far as could be learned -- had they discussed Capone.

About the middle of March Shavings decided to investigate the failure of the $200.00 to reach the friend whose name he gave Doc. He inquired of Thorpe if he would object to asking Al about it. Thorpe did. Al contended that he instructed Doc to send the money. Doc, he understood, had given it to one of Al's bodyguards to hand to Chattonier. Chattonier was supposed to mail it. Chattonier, when asked about it, denied ever having received it!

Doc, meanwhile, knew nothing of the judge's promise to Berg, made, and as a consequence, was proven a cheat and thief before he had the opportunity to rectify his deliberate theft of the $35,000.00.

"That's just what I've always been told," Thorpe. "He did the same thing with Berg. He had Berg make a lot of dirty pictures for him. I don't know what he wanted them for because he never let Berg take them out, and he promised Berg $7,000.00.

"Well, Berg got a hundred. He put it in a bible, between the cover and back, and then pasted a wafer on it, and got it out. I never---"

"How did the pictures work, Berg?" Thorpe asked.

"Pictures from medical magazines and nudist magazines. He did some composite work on them, you know."

"Did Doc ever tell you about [illegible] all the [illegible] of a bunch of dirty pictures of a judge?"

"Did he ever tell me? I wrote the letters for him!" Berg shouts.

"You wrote them! How come?" Thorpe is puzzled.

"Well, he used to go [illegible] all out of me a couple times a week to type letters he wrote. Supposed to be from this or that. Then they were supposed to be from this girl. . . with, I think her name is. Her sister's name is Stella, and he never wrote to any with, according to the records. He's such a liar he didn't know from one day to the next what he had said the day before."

Thorpe laughs. It is not a merry laugh. It is a strange, uncertain laugh...What is known as the "horse-laugh".

"Wait'll Al hears that!" he exclaims.

"What's Al got to do with it?"

"He told Al that judge was going to get him out by June 2nd. First it was Christmas. . . then it was January. . . then February. . then April. Now June! Doc, you know, goes out on June 20th. And he's supposed to get Al out first! That's a rich one!"

"Do you mean that Doc told Al he received those letters and pictures?"

"He certainly did! Al talks pretty confidential to me, and I know Al believes it! He's paid out around $35,000.00 so far, to Doc,

"Well, I'm a . . . !" Shavings is speechless. "Say, Eddie, do something for me. Tell Al I want to meet him. I turned him down a couple times, but this is important now. I have to see him if what you say is true. Imagine that! Thirty-five grand! $35,000.00! What a racket!

"Racket is right. I always suspicioned Doc was working a confidence game on Al. How about coming over the hospital in the morning. You can always catch him there at 9:00 o'clock. I'll send you a pass."

"Good! If I don't get it in time I'll tell Old Man Bates I have neuritis and he'll have to give me permission to go. See that no one's around when I come in, will you?"

Whenever Shavings had a "business appointment" -- was negotiating for writing letters, writs and so on, and the man for whom the work was to be done could not pass to stockade at the same hour Shavings did, Shavings would make an appointment with him to be kept at the hospital! Thus, when these engagements were to be fulfilled he'd pretend he had neuritis, and receive special permission to pass through the institution, at any hour of the day, to the hospital!

"O. K!" Thorpe agrees. "I'll not say anything to Al except that there's something mighty important you want to talk to him about. Is that right?"

"Boy, you got a head on you!" Shavings laughs. "You'll be President Thorpe, some day. . . if you leave money orders alone!"

The following morning Capone is sitting in the steambox. Shavings walks in, looks at him calmly, and receives a cordial greeting.

"Hello, Buddy!" Capone smiles. "What's on your mind?"

"Plenty!" Shavings answers.

"You're a hard guy to get an interview with," Capone says. "Busier than a bank president!

"You're getting an important interview now, Al. Now listen, Al, you always do the talking and the other guys the listening. This time I'm going to talk and you'll have to listen. If you can't, there's no use my wasting time here and running the risk of being caught. It means something to you! I think you've enough sense to realize I wouldn't be here . .

article is a past and forgotten issue. So money's not prompting me to this interview.

"Tell me this," Shavings rattles on. "Did Doc show you some dirty pictures?"

"What do you know about them?" Capone fences.

"I'm asking you! Now you've got to be honest with me. It doesn't mean a damned thing to me one way or the other. All I want to know now is did he show them to you?"

"He surely did!" Al answers.

"And what did he say about them? Did he tell you how and where he got them?"

"He did that!"

"Well, it looks like there's no use talking," Shavings says disgustedly. "You seem to be convinced Doc, like Ceaser's wife, is above reproach. However, I'm inclined to believe Doc's more clever than you give him credit for, or dare admit. Am I right?"

"What do you mean?" Al becomes interested. Shavings is too sincere and earnest to be ignored, Al decides, and he'll quit 'stalling' him along.'

"I hear things, you know. See them, too. I understand, in plain words, Al, you've paid Doc something like twenty-five grand or thirty-five grand, even. Am I right?"

"No need to mince matters. I paid him $35,000.00."

"For what?" Shavings asks, expecting the verification of Thorpe's information.

"You know?" Capone asks.

"I got a sneaking suspicion."

"Cough it up!" Al sweats.

"What kind of story did he put across about letters from a girl named Ruth?" Shavings hurls at Capone.

"His sister? That girl's crazy about me! Why, Buddy, she's working night and day to get me out of here. Do you know her?"

"Do I know her? NOBODY knows her. She doesn't exist!"

"Huh!" gasps Capone, rising and catching his neck in the opening of the sweat-box lid. "Doc's exist?"

Shavings nods affirmatively.

"Let's hear more!" Capone commands, stepping from the sweat box.

"I.e. You tell me!" Shavings suggests. The presence of two of Capone's bodyguards standing nearby tend to cause Shavings to prefer he be the listener, not the narrator. After noting the experiences of others in analagous circumstances, realizing that rumors spread swiftly and certainly, he has cause to hesitate. Furthermore, he is cognizant Doc pays money to Capone's bodyguards for information that they furnish him about Capone, which he has no other way of learning.

"Let's see, now," Capone begins. "About Christmas, I guess it was, Doc brings me a letter. No. . . it was before Christmas. It was a typewritten letter. It was from his sister Ruth. We --- "

"Was it addressed Dearest, Darling Wally Mine?"

Flushing deeply, Capone nods assent.

"And did it have a lot of vulgarity in it?"

Capone again nods assent.

"I'm telling you anyhow, I see. Go ahead," urges Shavings.

"Well," Capone resumes, "Doc's sister - She's nuts about me. Reads everything in the papers she can get hold of concerning me. Made a sort of god of me, you know."

"I gathered as much from the letters," Shavings smiles.

"Anyhow, they were just love letters at first. Then she started telling me how much she wanted me out. And then later she tells me about these pictures Doc took of some movie actress and a judge. Well, she started coming here in a Packard Roadster I bought her. Doc's girl, Ethel, and Ethel's kids were coming along.

"Well, they never got here. The next letter told of an accident they had on the way, and how they were all banged up, and Ethel pretty well cut. She had to go to the hospital.

"Am I right?" Capone asks.

"Exactly! Well, you know that much and I'll tell you the rest," Shavings says, ignoring the jeopardy he courts talking about Doc in the presence of anyone. "After the accident you sent $5000.00 to cover hospital expenses and for plastic surgery. Then, you bought her another car. Then, it was decided, because of the accident they'd not come, but return home. And they did!

"All the time the letters were being apparently sent from the same place, although I suppose you never saw an envelope with the post-office mark on it. Meanwhile, the judge had not gotten to Washington, although he begged Ruth to wait patiently, assuring her that he would go there immediately. Right?"

"Right you are!" Al assents.

"Al, how could you be so big a fool?" Shavings boldly asks. "How come you didn't think to ask what the judge's name was? I asked him once, for you see I typed those letters for him. Everyone of them! I saw the pictures. They were made up in the Record Office. Al, there is no Ruth! There never was one except in Doc's distorted brain!"

"YOU typed those letters. . .!" shouts Capone. "Well, I'm a dirty son-of-a-bitch! Say, if anybody ever paid for doing me a rotten trick, that bird's gonna pay. I been like a father to him. Believed him. Trusted him! And he's played me the dirtiest trick I ever had played on me. It all seemed too real. . . the letters and all. And he telling me his brother-in-law -- the guard,Clark,--was bringing in the letters from town. And I been forking out grands like they were pennies, figuring the judge would have me out. Supposed to be a retired Supreme Court judge. . ."

"Doc has no wife and no brother-in-law, Al," Shavings informs Capone. "So all his characters were mythical!"

Capone is lost in reverie.. . Slowly, wearily. . . he trudges forlornly desolate down the Boulevard of Shattered Dreams. . .his head bowed, his eyes dimmed with tears.

Betrayed! he inaudibly murmurs. Betrayed!

Absently he pulls on his prison clothes. Thorpe, Shavings and Capone's bodyguards stand silently by. They gaze pityingly at the man who half an hour ago bubbled with joy and expectation. Dejection. Surrender. Desolation. All are apparent in the eyes of King Capone as

he resigns himself to Fate.

Now, like a storm in all its fury, he rages. His audience, acting as if suddenly awakened from a lethargy, pass horror-stricken at he bids on death's threshold.

"Get it?" he addresses his bodyguards. "That shrimp son-of-a-bitch pays. Pays, I say! PAYS! Don't let him get back into that basement when he leaves that bindery today. He's living now longer than he should! And every hour longer he lives is cutting my soul!"

"O. K., Al," they respond in unison.

"I'll see you later, Kid," he says to Shavings. "And don't be afraid of anyone after what you've done for me!"

Shavings returns to his detail, the Record Office.

"What pay's on the level, Al," Thorpe informs. "He didn't know the way Doc's been doing you until I let something slip yesterday, and he was so surprised he begged me arrange a meeting with you. I understand, Al, that Doc's working the same thing on Druggan. Lilly cells with me, you know, and he said something about Doc being able to get Druggan out."

"Christ, if Druggan finds out I been taken for thirty-five grand by a confidence man, he'll lord it all over me. Don't tell him! Don't tell Lilly! Tell Short Shavings not to say anything to anybody! Let Druggan find out for himself, the chiseler!"

Capone, it is a fact, has nothing but utter contempt for Druggan. It existed before they found themselves guests of Uncle Sam. It continues during their incarceration together. Yet, Druggan and Capone, to all appearances, act friendly when together.

However, fear that Druggan might be apprised of his loss and suffering, before Druggan himself loses, galls Capone. The money he has wasted, he claims, means nothing! The ridicule he will silently suffer, is another thing. Particularly when it shall have its origin in the mouth of an enemy -- Druggan.

Through some source Mack Lilly learns what occurred in the electric therapy room. He pages Druggan on the yard at evening stockade. Druggan and Lilly, congratulating themselves on the narrow escape from Doc's fraudulent scheme, poke fun at Capone!

Capone "can't take it!"

There were five men in the physio therapy room when Capone and Short Shavings discussed the "racket" and found to be lucrative.

There were five men who heard every word uttered!

Five men who minished the execution of Capone's mandate: Don't let him get back into the basement!"

Let us, merely to illustrate how rapidly and unerringly the grapevine operates, eliminate one by one the one who must have told Doc the message that he was to die before noon! That he would never reach the basement once he left the blinder, that morning!

Armand "Dago" Marquis, the tall, sleek Valentino-like Italian, long Capone's trustworthy bodyguard, despised Doc with the scorn a man has for he who takes advantage of a friend's faith for mercenary purposes. His hatred ate at his brain like a cancer. He idolized Capone. His reports to Capone, concerning Doc's double-crossing methods, had been like water upon a duck's back. Capone completely ignored them. Of the five he, under such circumstances, would really gloat in the opportunity to dispose of Doc.

"Humanoe", a husky, trank-buckling, bull-necked and cruel mountaineer, serving twenty-five years for mail robbery, had the reputation of being tight-lipped. He enjoyed neither relaying gossip nor listening to it. His association with Doc was too inconspicuous to even consider their acquaintances, though he was aware Doc disliked him as much as Capone's other bodyguards. . . Disliked him because his physique and strength was to Doc an enviable, unattainable thing. He, we can conclude without hesitation, would have thought as little of Doc's welfare as he would think of getting wet under a shower!

Thorpe! Thorpe knew more about Doc than any other inmate in the hospital. He knew because Capone confided in him, and he respected Capone's confidence. He never spoke of Doc unless his words were tinged with contempt and derision. He always referred to Doc as "Dr. Jekyl and Mr. Hyde'. And, considering his attachment for Al, and Al's promise of remuneration to him, it is unlikely in the extreme that he would have grapevined Doc what fate awaited him.

Short Shavings. . .The fact that Short Shavings fingered Doc and double-crossed him in conversing with Capone against Doc's explicit instructions, disposed of any doubt in our mind that he informed him of Capone's decree. It is possible that he gave thought to the outcome of the secret, and feared his first meeting with Capone might have been observed by some hospital inmate, and, in the investigation, might prove damaging. It is also possible that he permitted his sympathy to conquer him, for he was always the defender of the underdog. However, he could not have relayed the message to Doc without admitting to him that he had personally seen and talked to Capone -- which, as stated above, would have brought Doc's anger upon him.

After all, Shavings was sensible enough to conclude, Doc and Capone might continue to be friends. Why should he make an enemy of Doc, Doc possessing as shrewd a brain as he did!

No one, therefore, compelled to eliminate Shavings as the guilty one.

It leaves but Capone! Capone, who uttered the sentence that Doc die!

Would Capone, after originally the possible consequence of his attack on Doc, and Doc recovering, tighten the noose around his own neck? Would he actually depend on his bodyguards to retain silence? Or Shorpe? Or Shavings! It was too great a risk. . . Too much to expect!

Besides, we believe, Capone "who treated Doc like a son", and who (we were actually ashamed to learn later) still believed Doc might be on the level, may have decided he was too hasty in issuing his mandate!

No of the five, one alone had any concern for Doc. . .

One alone actually FEARED Doc, dead or alive!

One -- and only one!-- placed his hope for early freedom in Doc's hands!

And he alone, it is indisputable, through a <u>strictly private grapevine,</u> warned Doc his life was forfeit!

For, to the surprise of Runyans, Dago, and Shavings, Doc - on leaving the bindery - <u>was accompanied by two guards!</u> Two escorts!

Notwithstanding this exposure of Doc, Capone continued to [illegible] on the pay roll. For, in truth, Doc handled a portion of the pay roll. The sum Doc disposed of relieved the Chicago syndicate of double risk, if investigated.

Upon being questioned concerning his action, Capone offered the excuse that he did not wish Doc to get wise. . . that he wanted Doc to believe he had unlimited faith in him and "Ruth"! And further, that he would continue paying him $500.00 a month; but, would not furnish "Ruth" another dollar!

He learned, through suggestions and information furnished by Short Shavings, how to cross-examine Doc without giving him an idea he was in possession of information which proved Doc an arch cheat. He gradually gained conviction that Doc had really played him for the sweet tune of $35,000.00, and would have had another $40,000.00 had not Short Shavings risked his parole and courted danger by informing Capone of Doc's racket!

Was Capone grateful? Shavings continued to deny that he ever received anything from Capone, but authentic and unquestionably reliable information induces us to believe that Shavings received the comfortable sum of $10,000.00 for his daring visit to Capone!

Doc, of course, was shrewd enough to suspicion Capone had been in touch with Shavings. He was careful enough, too, to avoid Shavings, and eventually absolutely ignored him.

But Capone was not through! He had not had enough! Nor was Doc to be outwitted by an ordinary stenographer! He would show them! He would get that other $40,000.00 -- or die attempting it!

And, fool like, he continued to write the phoney letters to Capone; continued to pretend they were from "Ruth", and went so far as to include in them reference to "convicts who tell you Bob is not your friend, but only a fake!"

Doc, indeed, was a character. A more confirmed paranoiac never lived!

Yet, in his greed and anxiety to amass a huge fortune -- part of which was then in a safety deposit box outside the institution -- he failed to use discretion. He pitched head first into an idea that actually convinced Capone, beyond the shadow of a doubt, that Doc had gypped him. Doc, discovering this too late, had no alibi!

It resulted in disaster. . . as do all deceptions. Believing everyone now knew of his fraudulent racket, Doc dared not ask anyone type the "Ruth" letters. He could not type himself. There was one alternative -- to write them with pen and ink! He would have presented them thus in the beginning were it not that he feared his handwriting was familiar to Capone, and would be recognized immediately.

Nevertheless, he wrote two -- two quite similar to the others, incorporating the same erotic vows and declarations of undying love! Those, Capone admitted, looked genuine; but their contents caused him to be suspicious, because "Ruth" dwelled too much on the loss of his love. . . and he had not told her in the letters HE wrote her (which Doc pretended to have mailed through Chattonier!) that he had ceased to love her!

Capone, the genius who amassed millions. . . the man who regarded the penitentiary as a haven of safety. . . the cunning, shrewd and artful Capone being tricked in a racket that resulted in his writing endearing letters to a woman who did not exist!

His vanity was offended. He could not endure this longer. Every inmate in the institution would learn of it. He must do something! Anything! Or lose his reason.

"Tell that guy Shavings I want to see him. And I wont take no for an answer," he tells Thorpe one morning.

Thorpe informs Shavings. Shavings regrets that he cannot comply, if he must meet Capone at the hospital. On the yard would be O. K. Yes, but you go to stockade at one -- Al goes at 2:30. All right, I'll fake a pass to the hospital for 2:30, and you can meet him on the yard.

So they meet again. And after rehashing Doc's entire racket Capone promises Shavings anything he wants.

"I don't want anything you have, Al," Shavings answers. "I wanted that two hundred because my mother was sick. I don't want that [illegible] Thanks, anyhow!"

"But Kid, you've done more for me than anyone in here. You have, and that's no kiddin'! You can have any damned thing you ask for. You saved me at least fifty grand. Seventy-five grand's as far as I was going to go before I gave up Doc's plan. He kept putting it off and putting it off. I actually believed him, to tell the truth. It aint the thirty-five grand I done paid -- that's nothing! It's realizing that he took me for a chump. And now he tells me the date's set for July 2nd."

"Yeah? He's going out on June 30th, isn't he?" Shavings reminds Capone.

"Wise, aint he?" Capone smiles.

"Too wise, if you ask me, Al."

"Well, Kid, that's how it goes. The better you treat a guy the less he appreciates it. Here I've taken care of his wife and burried his two kids in the last six months, and --- "

"What kids?" Shavings asks, astonished.

"Doc's. Two of them died, you know."

Shavings cannot control the laughter that rocks him. He slaps Capone on the thigh. "Doc didn't have any kids! He isn't even married!"

Capone sits upright. Another shock! Shavings feels that he should not have spoken. Well, it's done now.

"You giving me the straight?"

"Nothing else, Al. I know his family history like a book. I've seen it time and again."

"But he showed me telegrams from his wife, saying they had died, and I sent $2000.00 each time!"

"It's no use, Al. He just took you for a ride. An expensive one, too. I see now why he wanted me to stay away from you."

"Do something for me, Kid. Name your price! Nothing's too much for I'm indebted to you now more than words can express. Get me his record. Bring it to me, or send it to me. And I want to see if there's any telegrams in his jacket, from his wife."

"That's a big order, Al. But I can tell you now - No! I file them. If he showed you a typewritten telegram, he faked it himself. We keep the originals in the jackets and send copies to the inmates. None

came for him about kids dying. There is one or two from some party down-town here -- about everything being received C. I. That must refer to the money you've been giving him for Ruth, and he's sending to someone here to put in bank. Well, to convince you, however, I'll bring you the telegrams that are there. What else do you want?"

"I want to see a copy of his record -- criminal record."

"O. K. I better be skippin' now. Bates is likely to call the hospital to see if I'm there. Doc'll hear about me seein' you again, and finger me surer than Hell."

"Wait a minute!" Capone commands as Shavings rises. "I owe you something. You don't want to take it. What're you going to do when you get out of here? Got a job?"

"Al, if it's one of the jobs you've been promising those other guys that have left, I'm not interested. I hear every day of how disappointed they are to learn it is only a promise."

"But those guys aren't like you, Shavings.... They've not done what you've done for me. They've not got the education you have. You'd be helpful in one of my offices. See, I ain't what people think... just a gangster. I have interests in stock and bonding houses, stock companies, hotels, syndicates and all that. I own the million dollar Hialeah race track. Also a big interest in the one in Chicago. I can give you a job there paying $25.00 a day. Summer in Chicago, Winter in Miami. That's not bad money these days."

"Sounds interesting," Shavings admits, "but improbable."

"Why?"

"Because I don't want anything. I never got the two hundred, and if what I done wasn't worth it, then nothing else is. You promised, then the birdthat's supposed to take care of the promise uses his judgment about it, and either keeps it or sends it to someone he knows. All you can do for me, Al, is remember me. . . Remember what I've done for you. That's enough. If you had told your brother to send that two hundred, I'd have had it. Since you didn't, O. K."

"Hell, I'll do that!" Capone protests.

"Oh, no you won't! You'll have plenty else to talk about and think of. You'll see plenty new faces when I'm gone. When you go to ---" Shavings halts. Almost! he condemns himself! Almost told him! And if he knew he'd write about it; and if he wrote, Washington would investigate and learn where he got his information!

"What were you going to say?" Capone asks, a strange catch in his voice.

"When you go to Doc, don't tell him what I told you," Shavings quickly alibis.

Capone is not convinced, but being no mind reader is unable to learn what Shavings was about to say.

We wondered, afterwards, if Capone had paid Shavings the two hundred dollars he was promised, would Shavings have been grateful enough at that time to have posted him? Or, was Shavings hesitancy in then informing Capone of the impending transfer due to fear of the consequence, because of Capone's inability to respect one's confidence?

Shavings, it need not be explained, produced the desired telegrams and record for Capone. True enough, there were no telegrams notifying Doc of his "children's demise."

"And now," Capone sends back the message, "tell Shavings I got to have a copy of Doc's handwriting. Any piece of paper at all will do. It must be Doc's writing, though."

Shavings did not then know, but learned later, that Doc's "Ruth" letters were losing their power to convince. And Capone, when informed that there was no available writing of Doc's, demanded that the same be obtained AT ANY COST!

Every department in the institution was called upon, by Shavings, with the request that an interview slip with Doc's writing be found. There was not one procurable! Doc, it seemed, was careful with his writing!

Weeks passed without an opportunity to get [illegible] Meanwhile, Doc was bombarding Capone with [illegible] -- printed, himself, with pen and ink, OH BRICK STATIONERY!

You ask "How could Capone be so dumb?" We would, Doc, and only by answering: He is naturally, inherently dumb. Ammunition --- not brains --- acquired for him the power he held in the outside world. And money -- not brains --- retained it for him in the penitentiary!

Believeing the tall yarn Doc assiduously spun, Capone, clutching at every straw of hope that drifted beside him as he sank deeper and deeper into the years of imprisonment and solitude ahead, was not, in our opinion, committing a surprising mistake. Considering his poor judgment, his lack of perspective and inability to analyze character, he did only what anyone else of his proponsities would do.

He became desperate. He was not content with committing the many violations of the rules. . . he went further! He dragged others deeper into the mire of crime and disrespect for law and order. He determined to have Doc's writing. . . a sample of it to compare with the letters Doc was foisting upon him! Regardless of whose honor was trampled in the dust of his desire to satisfy his egotistical nature, the handwriting MUST BE OBTAINED! He was not completely convinced Doc was "bleeding" him! He was not,yet, sensible enough to realize that a dracula, with a lust for money, was sucking the happiness still left in his heart!

A sample of Doc's handwriting -- AT ANY COST!

Shavings was at his wits end. He knew not where to get it. Doc was too cautious, and since no one associated with him he could not be inveigled to write anything which could be carried away. Berg, long since gone, might have obtained it easily.

Capone was not satisfied with this failure.

"He writes letters, doesn't he?" he asked Shavings. two weeks before Doc was to be discharged.

"Yes, but I wouldn't be able to get one of them."

"Why not?" Capone demands.

"The fellow that collects the mail in the basement is a friend of Doc's. That is, he speaks to him. The fellow who lists his letters on the correspondence sheet is asked every time Doc writes a letter 'Did it go out?' What can I do with them, if they'd later tell Doc they gave me, for you, one of his letters?"

"Tell 'em I'll pay 'em what they want!"

"They're not that kind. They have money."

"They might do it as a favor for you," Capone suggests.

"They might. But they absolutely wont do it if they know it's for you. They are afraid." Shavings argues.

"Buddy, if you want to do something for me, like you did before, you'll get that letter. If you don't - -"

"Is that a threat?" asks Shavings amusingly.

Capone is lost in deep reflection.

Shavings wonders just what that unfinished sentence means. Does it convey an admonition? Veiled as it is, Shavings is uncertain. He is no longer the indifferent, reliable and trustworthy secretary he was six months ago. Capone has him in an octopus grip. . . There is no release unless he holds out a sample of Doc's handwriting. Then the tentacles might relax, and he may find himself free from worry and despair.

"Get Capone the next letter Doc writes," Shavings informs one of the mail office inmates. "He must have it!"

"What's up?" asks the man in a position to get the letter.

"Doc wrote a rap against you and Capone. Capone wants to prove it's Doc's handwriting." Shavings is a clever liar.

"I never did like that rat," the mail office inmate answers, his ire now aroused against Doc.

The letter, therefore, is promised. It is not immediately produced due to the unforeseen illness of the inmate relied upon to "get" the letter the morning after Doc deposited it in the mailbox. A substitute, of course, is not approached.

So what apparently is the last opportunity to get the desired handwriting is lost!

Doc has one more letter permissable under the privilege granted all inmates. It is Tuesday evening. Doc is to be discharged in the morning. Shavings has been passing up and down before Doc's stall, wondering if and wishing he will write that final letter. The hours pass. . . Doc reads a book. Fourteen hours from now Doc will be free . . !

Thirteen hours. . . He still reads.

Twelve hours! It is now 9:00 P. M. At 10:00 P.M. all must retire!

The letter that must be delivered to Capone is not being written. Doc is preparing to retire!

Then, as if receiving a telepathic message from Shavings, an urge. . . a command, almost. . . Doc sits down and writes. He destroys the letter before it is completed!

Again he begins a letter. He finishes it as the 9:45 signal, to prepare for bed, is sounded! Indolently walking to the mail box, unaware that his every movement is carefully and breathlessly watched, Doc drops the letter for posting. He returns to his stall and creeps into bed.

In less than twelve hours he will be a free man!

Yet, in less than twelve hours much can happen. He has been expecting it daily....Hourly! Capone will not let him get by with that racket! Never! He dreads the darkness that will soon descend on the basement. . . the night of horror that it brings along!

$35,000.00! Not so bad, he muses. If he can only get out alive! And enjoy it! Mexico? Maybe. Then there's Europe, too! Some place where he'll never find me. Well, I can stay awake tonight. . . Aint no use taking any chance on the last night!

The letter, of course, is stolen the next morning after it reaches the mail office and posted on the correspondence book. In that way, it is explained to Shavings, there's no come-back.

The letter is immediately delivered to Capone. Doc, meanwhile, has passed to the front on his way out. The letter, later, is turned over to John Capone. What it contained remains a mystery to us. We were not able to creep between its folded pages.

"Just as I thought! Same handwriting. That louse! Good thing I didn't have this before he left. He'd never have left!"

Doc has not as yet left. He has been closeted with the warden an hour and a half! An usual procedure, all later agree!

And all wonder: What did he say? Did he trade his freedom for all he knew about Capone and every man on his pay roll? For after all, we remember, he had never been punished for his misdemeanors and connections. Inmate Sellers, we argue, rather than divulge from where he had received the $50.00 bill he was caught with, after being dressed out and ready to step out the front gate, Christmas week 1933, was led back into the institution, forfeited his Good Time, and defied all efforts of the officials to force him to incriminate others, including the donor of the $50.00 bill!

Doc, we know, had secreted on his person not less than ten fifty dollar bills. He dared not trust these to be posted since there would be no opportunity for him to complain if they were not. Since the Sellers' incident every discharged inmate is thoroughly and shamefully examined before he puts on his "going out" clothes -- which, too, are minutely examined.

Doc's dream. . . his life-long dream at last realized! A shining new Buick, a chauffeur at the wheel, and a woman reclining in the rear, spacious, beautifully upholstered seat, await Doc as he casts off his number, resumes a new name, and leaves the penitentiary grounds.

"An hour and twenty-five minutes! Boy, what he must have told! I'll bet he had Al deep in the grease. Scorched him, I bet!" "Al said he'd give his left arm to know what Doc told the warden. You'd imagine with all the connections he's got he could find out, wouldn't you?" "But that's the one thing they're going to guard -- that statement Doc made. I heard a D. J. man from downtown was in there, and a stenographer took it down as they talked."

"Did you?"

We are eavesdropping on Pegler and Summers, as they discuss the impending and dreaded investigation, the unquestionable removal of Hackethal, and the incorporation of other names in the list for slaughter!

Gloom and despair has apparently claim their spirits. Every man who ever had the least thing to do with Capone is unnerved and ready to scream when approached, feeling it is a call to the warden's office.

Capone, King Midas himself, is bereft of every vestige of life. He sits alone. . . absolutely and completely alone! He suffers a solitude of regret, berating a brain that he boasted was imperial. He knows now what it means to be forlorn, wretched, hopeless! What poor judgment, he condemns himself! The man he treated like a son. . . The man to whom he confided his innermost and sacred secrets..Squealing! Ratting! To protect himself.

And all the money he got. . . .

Hell, I should have listened to someone who knew! That guy in the Record Office. . .

By God! That's it! He can get that statement. Then I'll know just what's what!

Capone snaps out of his stupor. He calls the rangeman. The rangeman bends an ear to Capone's whispering.

"O. K., Al. You say his name is Short Shavings? In the basement? All right, I'll get word to him. You want it tonight on the yard, is that it? O. K!"

The rangeman walks away. Capone returns to his reveries.

"It can't be it," protests Shavings when Capone's message is

delivered. "I can't get a copy of Doc's statement because it's too closely guarded."

"Al said he's gotta have it before you leave. Tonight on the yard, he wants it."

"Sorry." Chavings apologizes. "I'm under suspicion now. I'm not going to lose my parole for Capone or anyone else. I've done enough, and I ask nothing in return."

"Say that at ff, Chavings. We know how much you got!"

"You know more than I do, then," Chavings replies.

"You better see him, then. He'll be waiting for you."

Thus ends Capone hour the terrific courts.

"Did you get it?" Capone asks, anxiety betraying the strain he labors under.

"Impossible, Al! In the first place, it's now in your jacket. In the next place, the file clerk's mine. I can't do it!"

"So, if you get me that statement . . !" Capone leaves unfinished the promise of gratitud . . . of riches.

"IF I CAN I WILL!" Chavings promises.

"But if you do, you've nothing to worry about the rest of your life. You'll be sittin' pretty!"

Chavings ponders the grandiose promise of remuneration. He decides, nevertheless, to make an attempt to get the statement. And he learns, later, that he DID GET THE STATEMENT. But let us see what he has to say to Capone. . .

"How much did he say? Did you see it?"

"No," Chavings answers. "But another guy in the office heard the file clerk say it was 56 pages, double spaced. Questions and answers."

"That lousy - - - !"

"Al, it makes a guy sore the way you let him get by with what he did. Even after I warned you what he was doing! And you're supposed to get out July 2nd! July 2nd Doc'll be in South America. And you'll be here!"

"Take it from me, Buddy. If he goes to the jungles of Africa. . . If he goes to the North Pole -- I'll get him! I'll get him! Maybe I wont myself, but he'll know who it is when the time comes. He can't go no place in this world that I can't find him. And when I do. . . I aint gonna be here all the time, you know. And if I don't have the pleasure of putting my hands around his neck, like that" (Capone makes a gesture as if he were strangling someone) "the guy that will will get as much pleasure out of it as I would!"

"He'll be dead before you ever see freedom again," unwisely informs Shavings.

"Why?" Capone excitedly asks.

"You aint out yet!"

"No," dejectedly. "I aint. And here I thought even until the last moment that maybe -- you know how it is, how you hope? -- maybe after all he might have been on the level about that judge, and you were wrong. Then I got that letter though, and saw that handwriting, and some of the things he said in it, I know then it was a frame-up. Can you beat that? A guy I'd stake my life on. . . Two-timin' me after all I done for him!"

"He's just a little more clever than you, Al. This prison- - every prison -- is filled with men who have but one thought when they're backed against the wall: Themselves! Every man for himself; the Hell with the others. Even you. . . No, I'm not trying to be smart, Al. . . even you sacrifice your best friend when the critical moment arrives. I've seen it. I've read it on the reports. I've been amazed at it. . . at what one friend will do to another and for another. Nothing for him, when he needs him most. Everything to him, if he can gain anything by so doing.

"Take that guy Cowboy. Perla paid me $50.00 a month to write his letters. Love letters and business letters. I couldn't have it sent in, so had it sent to Cowboy. He tries to bleed Perla's brother for two grand, and keeps my money in the bargain. That's the kind of lice a guy meets here!

"There's only one human being in this joint --- a guy that's been through the mill and found it doesn't pay. It's made a real guy of him. That's the one friend in all I know here. . . for whom I would

sacrifice my parole and everything else! You don't often meet a guy like that! When you do, cling to him like a drowning man to a raft!"

"You must know, Kid." Al opines. "No wonder you steered clear of me."

"For all you have, Al. . . For all you own, and all you can do and get. . . I wouldn't trade places with you. I wouldn't give one year of my life for one year of yours! All you know is worry. Fear. Misery. A desolate solitude which no one but yourself can enter! You're maker of your own destiny. You created your own world, and the people you've put in it are human snakes and rats and leeches who suck your blood and leave you pale and shaken. I know! I've been around a lot. Traveled. I wanted experience. I wanted it in the depths as I had known it in the heights. Only in that way do we know what life really is.

"And Al, believe it or not, I wouldn't sell my memories for all your wealth. They're too precious."

"You're sort of a philosopher, or what is you call it?"

"Dreamer, maybe. Philosopher, if you want to call it that. But whatever it is, money can't buy it. What I've done for you I check off to friendship. If I took money for it time would erase the value of the favor from my memory. Things done for the sake of friendship never fade nor can they be erased."

"Buddy, you're the tonic I need right now. If I had met you or other guys like you in here, instead of the parasites that hang on, maybe I would have been lots better off."

Al is really sincere in his statement. (He confides, later, that had he to do it over again the suffering and anguish he knew would have been avoided).

"There's no question about it. You would have been. Now, all you know and will know, until you're free, is repentance. And the man in prison who worries and grieves is really making his time."

"Do you think I'll go to Alcatraz?" Capone asks, attempting to take advantage of Shavings present attitude.

"Yes," Shavings admits. "I know you will!"

"You do?" Capone is extremely upset. "How do you know?"

"How do I know anything around here!" Shavings declares.

"Listen, and this is from the shoulder, Kid. You get me a copy of the letter that tells that, and get me a copy of Doc's statement, and tomorrow. . . today, if you want me to. . . I'll have ten grand sent to your mother. How's that?"

Shavings is not interested. He is gazing at a series of rings and circles he is drawing with a small stick, in the sand. He doesn't look up nor even indicate he has heard.

"$50,000.00 couldn't buy a favor if I didn't want to do it. If I do anything, as I said, it is out of friendship. I know, of course, once I'm gone from here I'm forgotten. You wont remember anything but disappointments. You'll remember Doc, for you hate him, now. You wont remember the ones who risked suffering for you. . . Bishop and the others. That's the way of your world. You can't do a thing to remedy it."

"But I want to do something for you!" Capone insists.

"All right. That original $200.00. I'll keep it for a souvenir."

"Aw, cut it. You like to rub it in, don't you, Kid?" Capone pretends he is peeved.

"I mean it, Al," Shavings protests.

"All right. Guess you do, after what you've said. I'll have it sent to you so you'll get it when you get home. On the straight, now! I'll 'tend to it personally!"

"Right! And between now and the time I leave you can have what you want from the office. If I can't get you the original statement, I'll get a copy --- if I have to set fire to the office to get it!"

We desert Capone for a few days since nothing but a pronounced morbidness seems to dwell with him. He seems, in fact, obsessed with the idea that he can force Doc to retract his statement. Silly, of course, but one cannot prevent thoughts from developing into hopes. This reminds us that Shavings has promised to get Doc's statement, and also a copy of the letter informing Capone was to go to Alcatraz. Being curious we hang on to Shavings' night and day.

After an uneventful week has passed we conclude Shavings has either clandestinely delivered the statement to Capone, or could not get it. In any event, we hear no more about it. Rumors circulate that several pages of Doc's statement are missing. These rumors cannot be verified as Shavings spends all his liesure time with a Tennessee desperado. The friendship that has been progressing for sometime has only recently created comment. "Tennessee" seems to act as Capone's assigned bodyguard for Shavings.

The night before Shavings is discharged Capone sends for him for a final conversation. "Tennessee" stands in the background, his eyes glued on Shavings. Does he suspicion foul play? Suspicion Shavings is being put on the spot? Or, is he party to suspected foul play? One never knows. . . . A prison is a breeding place of intrigues and false friendships. Ones most dangerous enemy occasionally develops into ones dearest friend. And vice versa.

Shavings and Capone, we observe, are engaged in an earnest conversation. It seems Capone is instructing Shavings what to do after his release. They clasp hands. . . Capone's big, rough hand enclosing Shavings small, smooth one. Their eyes seem floating in liquid. We are surprised! Is Capone really sentimental!

The conversation --- the only one Capone held sacred -- is never repeated! Whatever was said between them shall always remain a mystery. The bell summoning men in from stockade that evening rings unusually early. We watch Capone and Shavings as they become lost in the crowd of convicts trudging to their cells.

At times we are apprehensive. Again, certain that no harm is to befall him. And the night passes into the limbo of the empty past.

Then comes the morrow. Showing is gone! [illegible] now, we ask, is to become of Capone?

Capone is forlorn. He [illegible] . . . he on whom he gave without reserve. . . He who [illegible] his thoughts, desires and fears, is gone -- dead!

Capone is desolate. One [illegible] . . . One [illegible] in a way he has no other man. . . One whom he [illegible] ship's sake (we are expected to believe!). . . who [illegible] life to warn Capone of the fraud Doc was perpetrating, is gone -- buried!

Capone is grieved. Grieved because he has for [illegible] the story of "Ruth"and the judge, and the promise of freedom [illegible] and gone!

Capone is resentful. Resentful because [illegible], a double [illegible] will has blinded him to the violations he has committed, and prepared [illegible] for Alcatraz.

Capone is determined! Determined that if [illegible] his being sent to Alcatraz Island -- the Devils Island of the United States -- he will force his way to freedom, in time! He is powerful... a king who commands an army and the army obeys! Descent by air. . . without [illegible] It will be a signal for a simultaneous mutiny within the walls! Better to try than wish he had. . .

The years stretch ahead. . . each day a year of yearning. The Supreme Court's decision threatens to be discouraging. . .they, too, will turn thumbs down when asked to decide if his confinement is illegal. For it is not! It means, then, he must serve his time. He can hope for no legal release before January 19, 1939!

The chances, 99 against 1, are that he shall lose Good Time. He cannot, with his arrogant attitude, his aggressiveness and uncontrollable latin temper, serve that time among the nation's most desperate criminals without brawls and a murder or two.

Participation in a wholesale attempt to escape, if unsuccessful, and he should live, would mean release May 5, 1942!

To Capone that is Eternity!

Above all,Capone is still Capone. There is no other like him. There never was another like him. There can never be another like him! He is unique. . . distinct. . . as conspicuous in the public's eye as the sun in a clear sky. And so long as Capone lives the original Public Enemy No. 1 -- the Emperor of Racketeers -- shall live! The man whose power was gained by crushing beneath his machine gun the corpses of friends and foes. . . the man he was he shall always be -- in Gangland!

Can anyone doubt Capone knows the agony of true grief for his crimes? Yes, he does. After all, he is human. . . as human as you or I. His one abject fear is the kidnaping of his son. He not only dreads it, but actually expects it! It shall come to pass, he knows! His kingdom. . . his wealth . . . his life itself, he knows, would be forfeit and would be a slave to the man or men who might kidnap his son, providing they return him safely!

And now Capone's one supreme hope of his nervous habit of [illegible] the immortality of his son is broached. He idolizes him . . . worships him. He is a child of the age to whom the homage of all the world would be but fitting! His one prayer---for he prays---is for the safety of his son!

It is not a sad fact that this man, Capone, continues to prove he bears a lucky charm? Is it not amazing that he forges ahead and onward to new fields of conquest? And it cannot be contradicted that he has successfully maintained actual wardenship of the Atlanta Federal Penitentiary, since his incarceration there!

What shall the end be?

There are two ends for Capone. If he is not killed he will crucify himself! Yes, crucify himself.

We shall now attempt to establish our well-founded predictions.

It is the evening of August 15th. Capone is on stockade. He walks and talks with Joe McCann, a powerfully built Irishman -- one of his favorite bodyguards. McCann, like Doc, has a personal racket which he plays on Capone. Al believes that the woman in town (McCann's sister) is what McCann represents her to be -- his wife. McCann's wife deserted him years ago.

The past ten years of his life have been spent in jails and penitentiaries. All petty thieving raps. The "wife" acts as banker in connection with Capone's pay-offs. That is, she is at all times in possession of not less than $5000.00. Each month $3000.00 of it she turns over to a guard -- for delivery within the walls of the [illegible]. . ."In case of emergency" she retains the remaining $2000.00. What that "emergency" might be we cannot guess.

McCann, trusted implicitly by Capone, induces Capone to consent to paying $500.00 to an "attorney" to re-open his (McCann's) case. The $500.00 is presented to McCann's "wife". Capone, be it understood, will not give unless he receives something in return. He pays McCann $200.00 a month. That's a bodyguard's salary. Naturally, if McCann asked for $500.00 outright, he would be refused. He must lie to get it. And lie to get $500.00 more when the "attorney" informs the "wife" that it will cost that much to bring the prosecuting attorney over to McCann's side!

And this is not an unusual illustration of how Capone is fleeced -- by his supposed friends! But fleeced he is, no matter which way he turns.

"Did ya ever hear from Doc, Al?" McCann inquires.

"That rat'll never write me. He's buried himself. Had John go to New Orleans and get some private dicks on his trail. He gave them the slip. The house told me before he left he was going to St. Louis. Didn't even take the ten bucks they give each con when he leaves. Didn't need it, no doubt!"

"You know, don't you, Al, he's the one caused that investigation of Dr. Beale?"

Capone nods.

"Just what did he get you for, Al? I heard plenty rumors, of course, but how much?"

"Thirty-five grand," Capone replies indifferently.

McCann whistles. "That a fact!" he gasps.

"The rat. He can't get by with it. I don't mind the money, Joe. I got it! But I was thinking he was on the level. On the up and up, you know. And he lets me down like this! Squeals his rotten head off to

the warden and a D. J. the day I got out. What's that name me boy?

"Well, this is a small world after all. Some time ago I was following me in and Nelson told me to stay out. And I told him if he pointed that club at me again I'd take it away from him! Remember that? Tryin' to get a bar on his shoulder. . . not a captain! He'll get a bar, I told him --- over his head! [illegible], Mickey!

"But I'm getting off my point. He told me later that he was glad he was getting transferred to Alcatraz. Me, I mean -- Captain Head's flunkey. He went, too.

"Well, Wrenn gives him the command: 'Say, you'll make it hot for you out there, Nelson. Better watch your step!' And Nelson says, yeah? Well, he don't love you too much, either.' [illegible] Nelson says the bigger the space that separates him from the Big Boy the better like it. . . that the world ain't big enough for us two! See?

"Now, Joe, here's the laugh. That guy in the Record Office, tells me I'm going to Alcatraz. He's got friends in the Attorney General's Office. That's how he knows. And Nelson'll be at Alcatraz. You follow it? He'll find out, Joe, the world ain't so big after all. I'LL TELL YOU WHY I GOT OUT! See?"

"I get you, Al. You mean - - -"

"I mean one thing! Doc nor no one else can get by with anything like that on me. Me falling for a confidence game! Boy, when I think of it I can go wild!! What do those cons think of me when they hear those things? Laugh behind my back, of course. I don't blame them. Any guy who'd fall for a gag like that ought to be laughed at. But if it's the last thing I do, Doc'll pay! I'll torture him until he can't beg for mercy! The rat!"

So Capone, you see, bragging and boasting, is paving his way to doom!

Revenge. . . It's in the heart of every criminal. In the mind of every prisoner! Some seek and find it. Others forget, and to forget is easy after one has been released from confinement.

During the past two weeks Capone has been unusually quiet. Occasionally some inmate would step close to him on the yard or in the Shoe Shop, whisper something mysterious, and then go on. Plans. Schemes. We know not what is coming! Yet, something is brewing. . . Something dreadful! Something that makes us fearful. Apprehensive. The most dangerous inmates are constantly together when permitted on stockade in the evenings. The force of stockade guards has been increased. Capone's bodyguards have increased two score. They never permit him out of their sight.

Here and there we look we see groups whispering. The whispered rumors and admonitions are uttered as a guard approaches and dispels the group. They, too, we recognize, are prepared for some unaccustomed development.

Yesterday. The day before. And again today -- shakedowns! Everything searched. But not as thoroughly as the orders directed. After all, officers, the guards are human. And one cannot quite decently expose an inmate from whom he receives gratuities.

But the officials are dissatisfied. They know, through their stoolies and pigeons, that there are sufficient guns and ammunition concealed on the premises to furnish an arsenal! They know it continues to come in. . . and are helpless to prevent it! To find it! That is it --- to find it and confiscate it before too late.

August 15th. Nothing stirring.

August 16th. The weirdness increases, but the day is uneventful.

August 17th. We are forcing the noon meal in the Dining Hall. For some strange reason we find it unpalatable. Just can't swallow a thing! The indefinable silence hanging over the heads of the men make it hardly possible for us to keep still, so anxious are we for the bell to dismiss us.

Then, so loud that it is deafening. . . so raucous that it makes us tremble. . . so frightening that it leaves us white and pale, we are apprised, in surprised whispers and shouts, that the transfer from the Lewisburg Penitentiary has arrived!

We hear them cursing, swearing, fighting! They hurl invectives and obscene, unprintable vituperations at the guards, the institution and the government. They use their free hands to remove the slimy prison shoes from

their feet and hurl them at the walls, chairs and windows. They are rebellious. Boisterous. Mutinous.

To prevent our joining in the demonstration the doors to the Dining Hall are quickly closed. The noise continues to reach us. We seem to catch the evil influence created by the uncontrollable newcomers, but are not permitted to leave the Dining Hall until everyone of them is placed in the Isolation Building. Reaching there they continue voicing their displeasure at being transferred and on the way to Alcatraz!

The day is fraught with omens of ill portent.

Rumors circulate freely. They generally presage serious forebodings. They do, in this instance, verify our suspicions. A break is imminent!

A concerted attack on the East Gate!

When? When?

Tomorrow...Tomorrow at evening stockade! Everything's ripe now. When the guard blows the police whistle it shall be the incentive for every man's dash to his doom or freedom!

And we hear: 5:30 P. M. tomorrow, on stockade! On stockade tomorrow evening. 5:30! Tomorrow! Yeah, 5:30! Huh? Yeah. . . I'll be under the Parole Tree. . . No, Hell. I'm not going! You are? Who's leading it? He is! Where can I get a gat (gun)? Sure, I'm in on anything, Brother! What the Hell, we all get punished so we just as well have the fun. Yeah, that's right --- dance and pay the piper! You said it, they sure will dance when them machine gun pellets bounce around their feet! Them Tommys can talk, too! I'll say! I aint coming out, Buddy. Not me! Umpum! Da Hell wit' Capone. He aint never gib me nuttin'. Why should I lose my Good Time for him? You'll probably find him packed like a sardine in da middle of da crowd when dey get goin'. He aint gonna be up front, I can betcha dat!

The noise and racket of the newcomers continues throughout the day. They learn of the proposed attempt to "break". Hope! Hope!

Light. . . . ight. . . Peace! So unlike the minds and nerves of those on the verge of Freedom or Death. Radios are listened to without the usual exhortations. Pedroso, poker, dice. . . these games are forsaken to-night. For tomorrow. . . Tomorrow!

Ten o'clock. Lights out! There are no cat-calls. No razzberries for the guards. No blustering talk and cursing of fellow prisoners - the customary evening prayers of some. Not even once is heard the most repeated phrase: "Well, that's another day!"

Midnight. Change of guards. Many men are still awake. Smokin' cigarettes. Pipes. No words are spoken. The guards count. The count's O. K. The lights are extinguished.

Two A. M. Most prisoners have fallen asleep. To the majority sleep is far away. Impossible. Can't, that's all! Just can't sleep. Twist. Turn. Roll. Get up. Pace. Smoke. Sit on the edge of the bunk. Can't sleep. . . for tomorrow! . . Tomorrow . . .

Three A. M. Peace. Quiet. Occasional snores in the distance.

What's this -- footsteps? Stopping in front of Capone's cell! Barely hear the rattle slide the lever back. . . Two, three, five men in uniforms! Guards? Uh-uh! Got a flashlight playing it on Capone! Yeah, he's gettin' up! The guards are packing guns. Look! Sub-machine! Capone's gettin' dressed. My Gawd! they put irons on 'im! Takin' 'im out now!

Look! Two in front, three behind. What the hell - - -!

"Kidnapped?" a cell-mate asks.

We don't know. Inmates could have smuggled uniforms from the Tailor Shop. Maybe there's going to be an execution in the yard. . . stand him against the wall and mow him down! No wonder. . .

Then our wonder becomes curiosity. For over the grapevine comes the message that Colson's been yanked out of bed, dressed and bracelets put on him! Who? Yeah? Him too? We gasp as other names are relayed to us. We can't believe it! They're taking them out one by one. . . Operating secretly and in the dark.. . . One can't even hear the shuffling feet. . .

Follow? How we wish we could follow! Follow them to wherever they are going at this hour of the morning. . . This dark, dreary hour before dawn! Dawn. . . The dawn of Capone's new home --- Alcatraz!

There goes the engine's highball! Blow, Old Boy, blow! We'll be riding you again some day. . . But not as forlorn as the guest aboard who trembles at your signal. . . Who buries his shattered hopes beneath a chilling face.

And Capone is gone!

Gone, with forty-two other desperate --- but not pampered --- convicts, to Devil's Island. . . the connection-proof prison in San Francisco Bay. But Atlanta Penitentiary is supposed to be "connection-proof", is it not?

And was it?

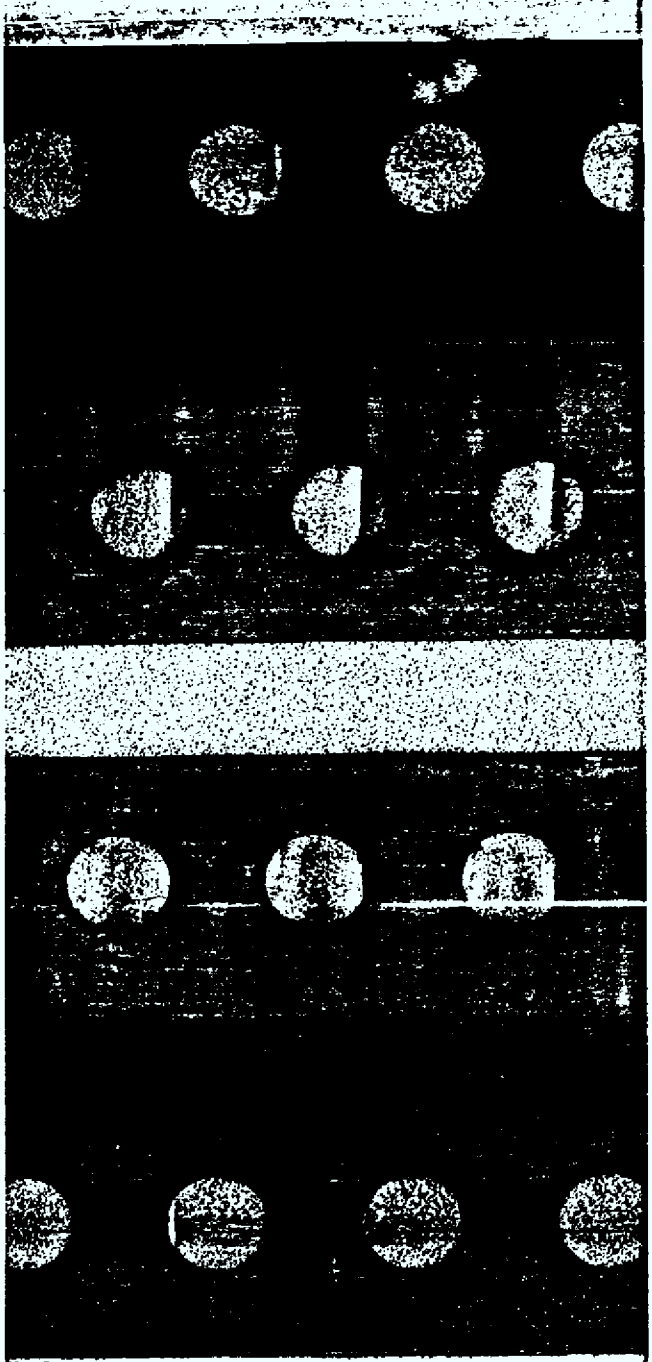
And Capone, we know, dreading Alcatraz as he does, knows as well as you and I now know, that he'll get his chicken, cheese, steaks, pies and other contraband. He knows he'll have the same protection as he had in Atlanta!



Only. . . only he is afraid! Afraid, that's all!

For the hand of Lady Luck is tired of holding him. Fate, sinister and cruel, shall take him from her as one would candy from a child. Then discard him to an end parallel to the finis he had written to the lives of others. For three months he --- as well as other inmates there --- are to be deprived of all contact with the outside world. Not a letter may be sent; not a letter received! Not a visit! Complete and severe isolation from the outside world, except for the contact with the guards.

Has Capone's three months denial of all the things he wanted --- and notwithstanding the rules and regulations in the Atlanta Penitentiary, GOTTEN -- been as genuine as the public and officials believe? We'll never know unless and until someone is released from this Island of the Damned.



FEDERAL BUREAU OF INVESTIGATION
FROM: DIVISION #1 & DIVISION #2

_____ 1936.

TO: ___ Director
___ Mr. Nathan
___ Mr. Tolson
___ Mr. Edwards
___ Mr. Quinn
___ Mr. Tamm
___ Division Three

✓ Files Section
___ Personnel Files
___ Mechanical Section
___ Chief Clerk's Office
___ Identification Division
___ Statistical Section
___ Technical Laboratory

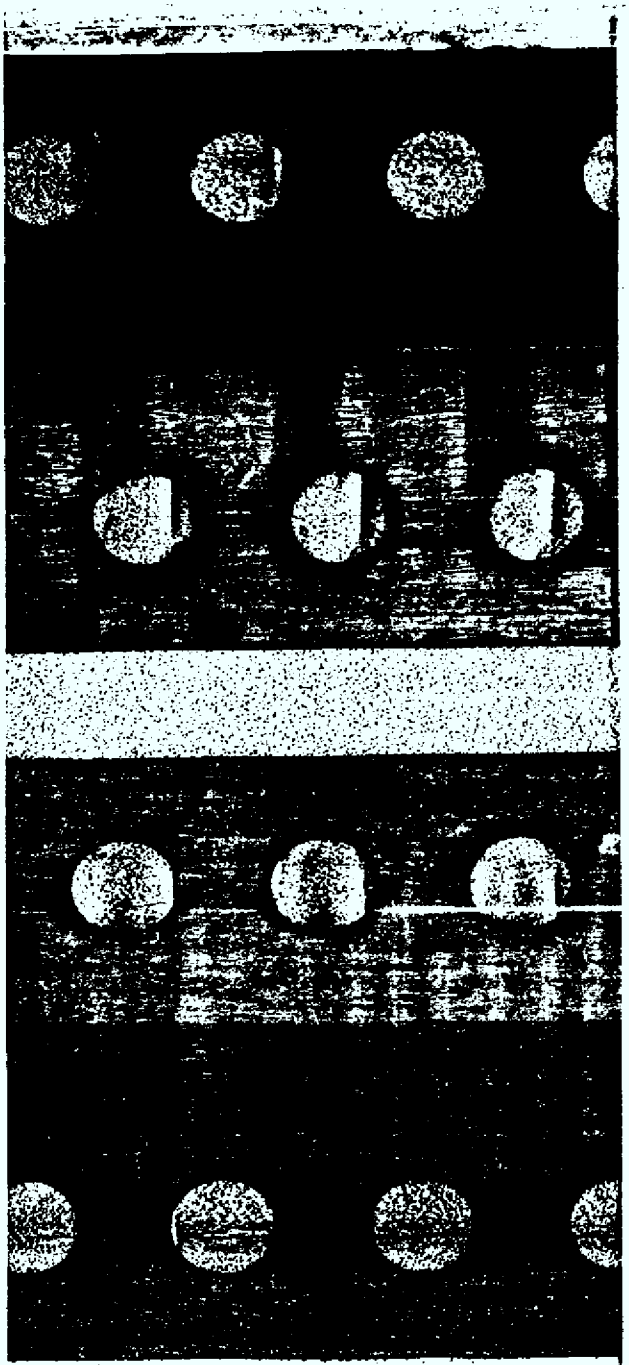
SUPERVISORS

___ Mr. Chambers
___ Mr. Emrich
___ Mr. Foxworth
___ Mr. Hood
___ Mr. Johnson
___ Mr. Lindquist
___ Mr. Rosen
___ Mr. Smith
___ Mr. Soucy
___ Mr. Spear
___ Mr. Vincent
___ Mr. Weeks

___ Typists, Room [illegible]
___ Miss McCarthy
___ [illegible] Room
___ Correct
___ Re-write
___ Re-date
___ See me
___ Send file
___ Please return

Letter should be typed by Butler
Photostat Carbon
Do this up to date

Emrich
Supervisor.



FEDERAL BUREAU OF INVESTIGATION
FROM DIVISION #1 & DIVISION #2.

_____ 1936.

TO

____Director	✓ Files Section
____Mr. Nathan	____Mechanical Section
____Mr. Tolson	____Chief Clerk's Office
____Mr. Tamm	____Identification Division
____Mr. Quinn	____Statistical Section
____Mr. Edwards	____Technical Laboratory
	____Division Three

SUPERVISORS

____Mr. Chambers	____Mr. McIntire
____Mr. Emrich	____Mr. Smith
____Mr. Fletcher	____Mr. Soucy
____Mr. Foxworth	____Mr. Spear
____Mr. Hood	____Mr. Vincent
____Mr. Johnson	____Mr. Weeks
____Mr. Lindquist	

* * *

____Mrs. Fisher	____Re-write
____Typists, Room 4250	____Re-date
____Stenographers, Room	____Send file
____M _____ Room	____Note and return
____Correct	____Search, serialize and return.

Send proper file on this - what is office of origin

E. F. EMRICH
SUPERVISOR

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

WGB:MM
62-28933

June 1, 1936.

Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
Chief Clerk .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Edwards .....
Mr. Egan .....
Mr. Farnath .....
Mr. Harbo .....
Mr. Jones .....
Mr. Keith .....
Mr. Lester .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
Mr. Trapp .....
Miss Gandy .....

MEMORANDUM FOR MR. EDWARDS.

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

Reference is made to the Director's Memorandum dated May 27, 1936 transmitting photostatic copies of two hundred and forty-four pages of the typewritten "Biography of Al Capone's Life in Atlanta Penitentiary", together with a photostatic copy of a typewritten letter addressed to Real Detective Story Magazine, dated April 29, 1935, and signed "F. Barrett"; a photostatic copy of a typewritten letter addressed to Mr. R. W. Mickam, dated May 10, 1935, and signed "F. Barrett"; and numerous photostatic copies of newspaper clippings regarding Al Capone; prisoners' photographs, and prison records of the United States Penitentiary at Atlanta, Georgia.

As requested the typewriting appearing on the photostatic copies of the "Biography of Al Capone's Life in Atlanta Penitentiary" was compared with the typewriting on the photostatic copies of the letters from F. Barrett to Real Detective Story Magazine and Mr. R. W. Mickam and the examiner finds that these three specimens were written on the same typewriter which is a Royal equipped with Elite type. The typewriting on none of the other specimens submitted is similar to the typewriting in the Biography or on the letters signed "F. Barrett".

The specimens submitted will be retained in the Laboratory's file for use in any subsequent examinations which may be desired.

Respectfully,

E. P. Coffey.

RECORDED
&
INDEXED

JUN 25 1936

62-39122-38

JUN 16 1936

EDWARDS
EGAN
TWO

FILE

EFE:AF

RECORDED & INDEXED

62-39128 – 38

June 13, 1936

Special Agent in Charge,
Washington, D. C.

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

Dear Sir:

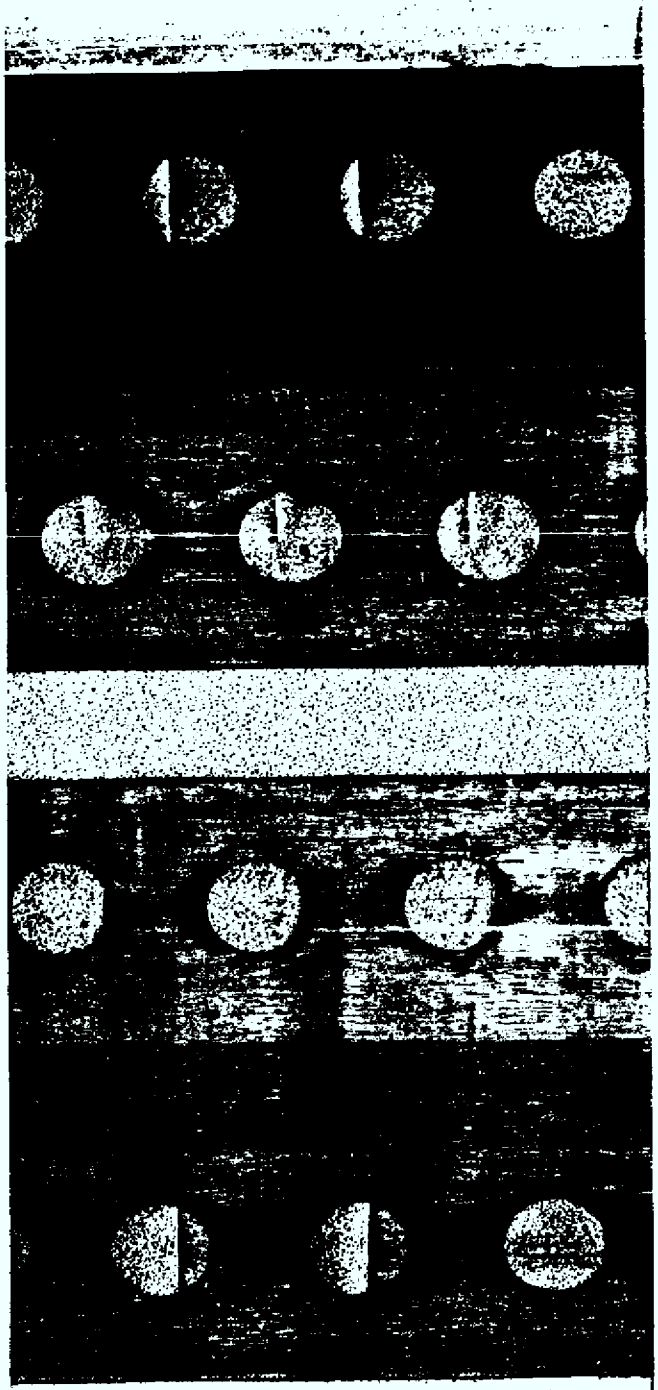
Reference is made to your letter dated May 6, 1936, in which you advise that all logical leads in instant case have been exhausted, and request the Bureau's authority to consider the matter closed. You are advised that a thorough review has been instituted in the files of the Bureau, and it is requested that the following investigative action be taken by your office before the matter of closing instant case will be taken into consideration.

It appears that Frank J. Quinan, the party who is suspected as being the author of the manuscript entitled "Biography of Al Capone's Life in Atlanta Penitentiary", by reason of his address at Baltimore, Maryland, together with his duties while incarcerated at Atlanta Penitentiary, and the identification which has previously been made by the Bureau's Technical Laboratory in connection with his handwriting, received his parole from Atlanta Penitentiary during the month of July, 1934, and was thereafter employed in the printing and stationery establishment of his brother, Raymond Quinan, at 217 West Franklin Street, Baltimore, Maryland, until March, 1935. Inasmuch as the Technical Laboratory of the Bureau has examined the typewriting specimens appearing in the photostatic copies of the typewritten pages of this manuscript, as well as the typewritten letters addressed to Mr. Mickam of the Real Detective Story Magazine, dated April 29, 1935, and May 10, 1935, and has identified all of these specimens as having been written on the same typewriter, which is a Royal, equipped with Elite type, the Bureau desires that at this time appropriate investigation be conducted at the printing and stationery establishment of Raymond Quinan, for the purpose of obtaining typewriting specimens from any Royal typewriters which he may have on the premises. The Bureau deems it advisable, further, to have Raymond Quinan thoroughly questioned in connection with any knowledge he may have of this matter.

Very truly yours,

John Edgar Hoover,
Director.

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



OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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

Record of Telephone Call of Visitor.

June 20, 1936.

Time 4:25 P. M.

Name Representative of United Press tele

Referred to

Details:

Stated he had been unable to locate Col. Gates and he wished to verify a report from the West Coast that a request by Al Capone for parole had been denied. Was informed that any statement from the Bureau would have to come from the Director who was now out of the city.

Caller inquired if the Bureau was the proper place to seek this information. Writer merely suggested he might wish to communicate with the Bureau of prisons.

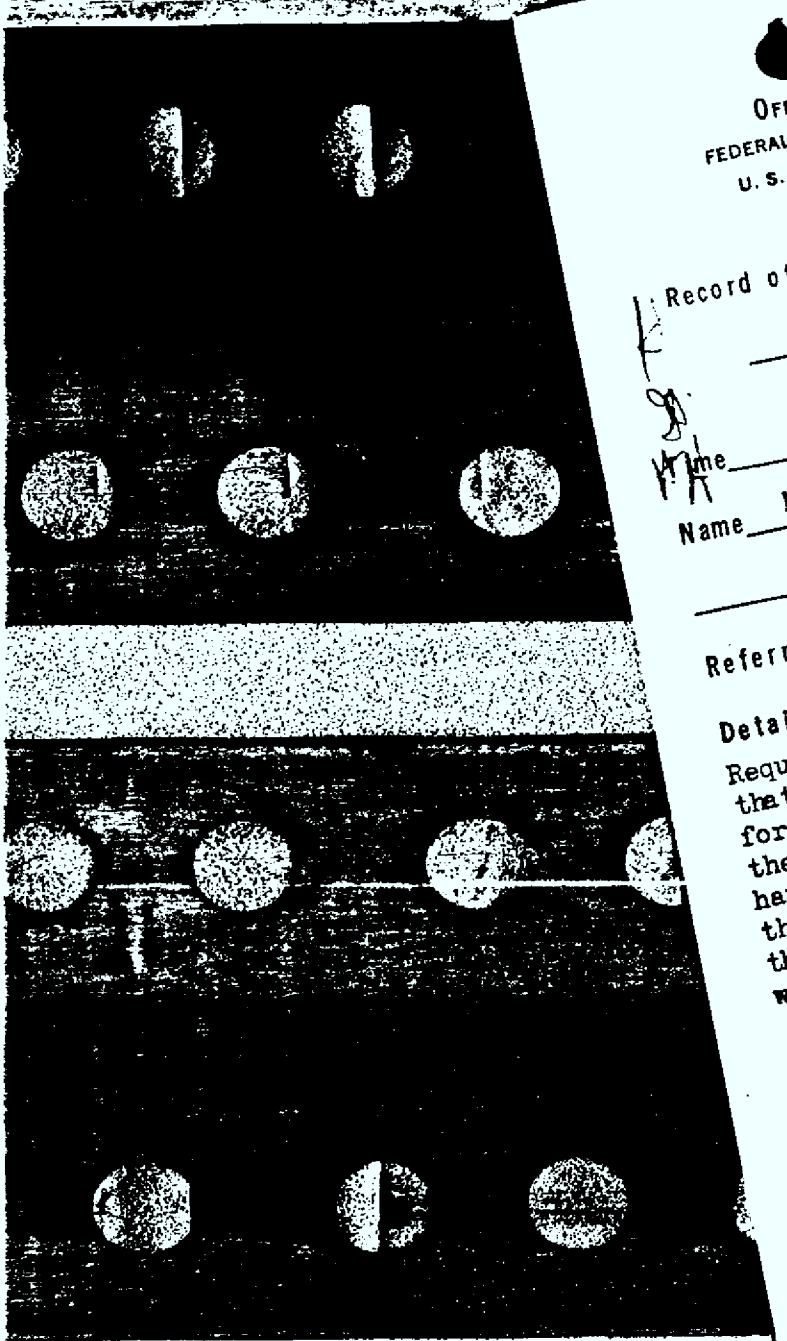
A.S.

RECORDED & INDEXED 62-39128-39

JUN 23 1936

JUN 25 1936

TOLSON



OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Record of Telephone Call of Visitor.

June 20, 1936.

Time 3:39 P. M.

Name Mr. Glynn of the Trans-Radio Service tele

Referred to

Details:

Requested that a comment be made on the information that he received that Al Capone was refused a petition for parole. Was advised that the Director is out of the city at the present time and that any comment would have to emanate from Mr. Hoover. Mr. Glynn asked if the writer knew Mr. Hoover's whereabouts. Was advised that the writer had not been advised of the Director's whereabouts. rhb

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

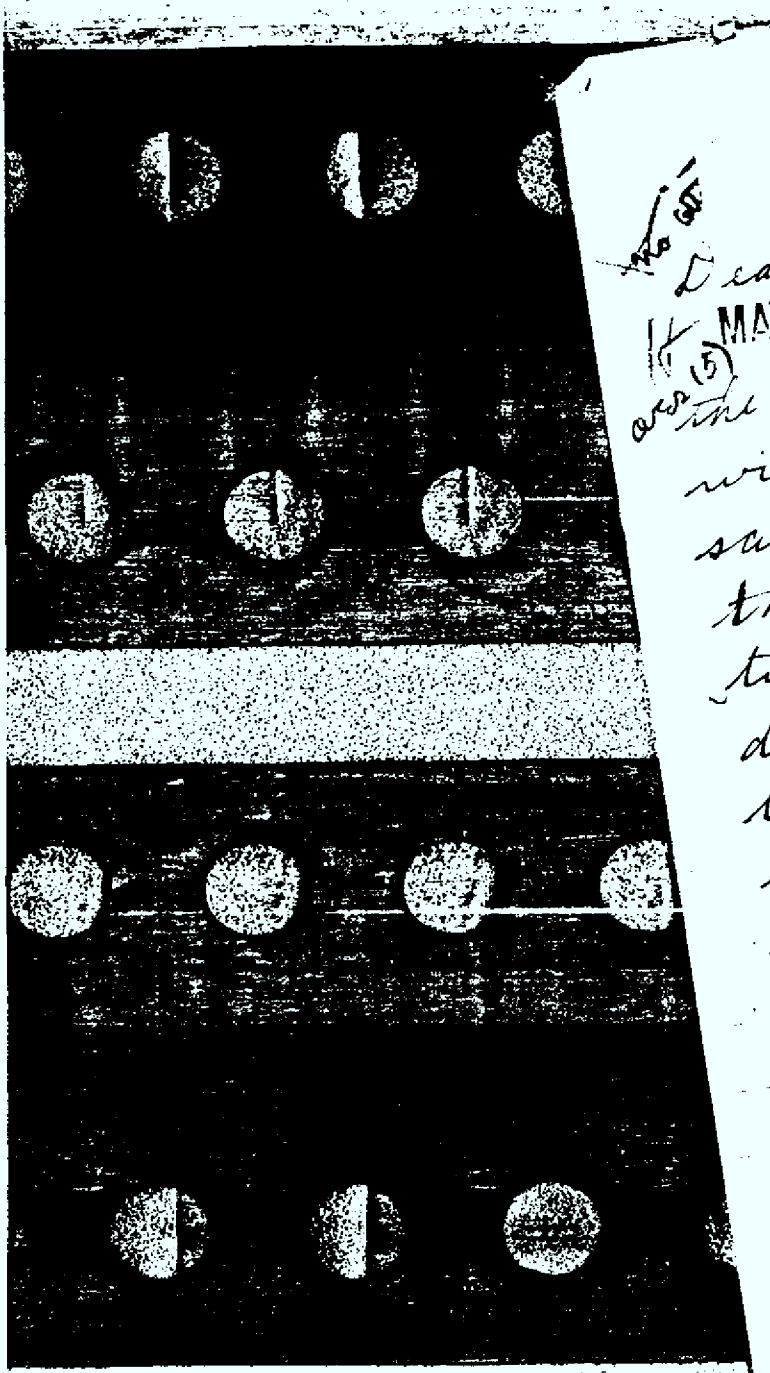
RECORDED & INDEXED
JUN 25 1936

62-39128-40

JUN 23 1936

FILE

DE-INDEX DATE: 34



ANONYMOUS LETTER
ENVELOPE ATTACHED

Watsonville
May,

62-39128-36

Dear Chief: Seven members of the Al Capone gang syndicate, with three Swedish sailors, who have this country illegaly and two other hired Italians are disturbing Japanese settlers late at night on phones ring ing and threatening their lives around Watsonville - I wish this would not lead into any complications i Tokio, Japan. The gang is trying to cause trouble with tal setters in order some wa have Al Capone released f Alcarez prison. This gan calls long distance with

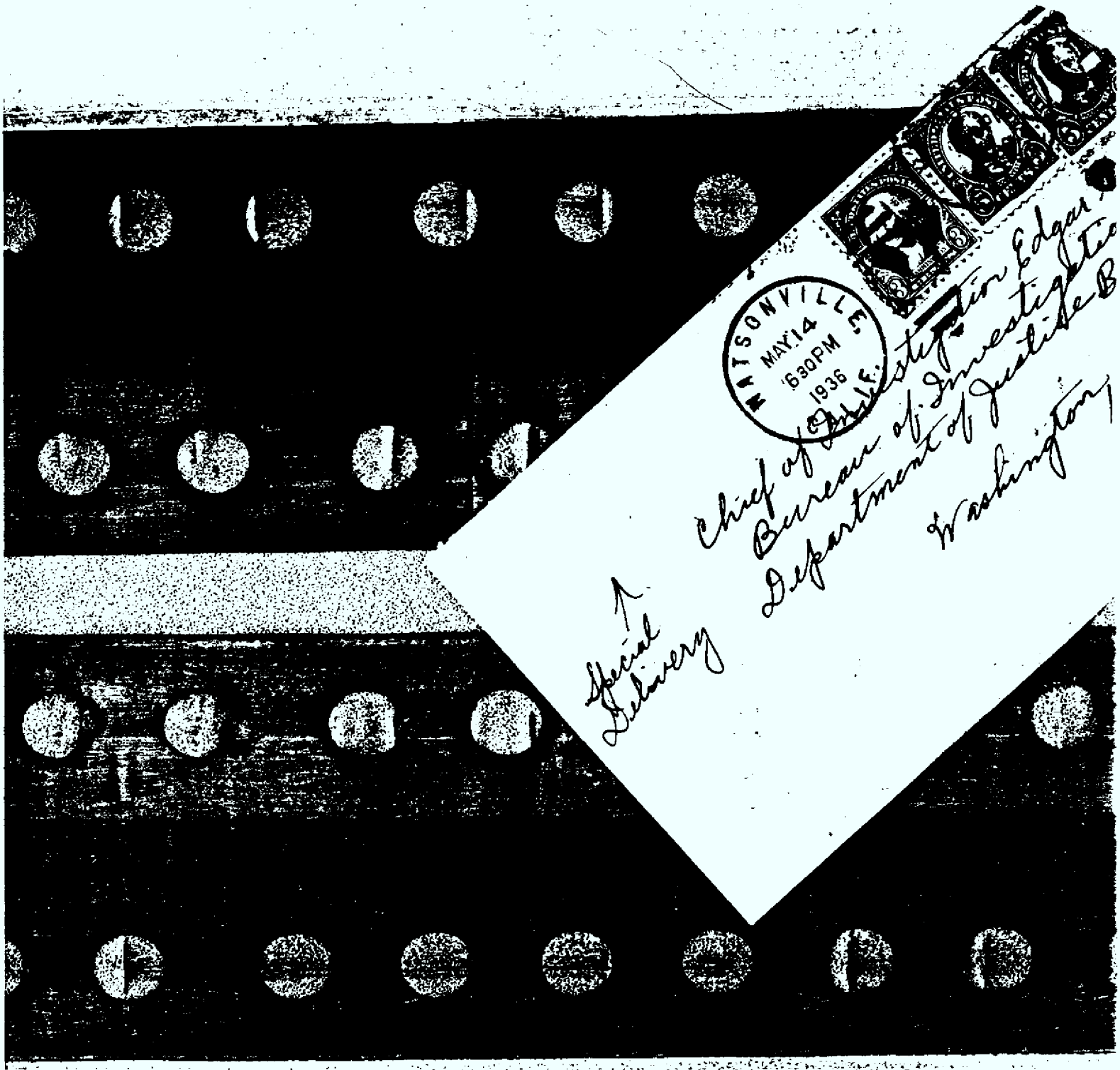
MAY 20 1936

MAY 19 1936

FILE

aid of at least two dial phon
in some hotel or rooming hous
in the Middle West, probably
Missouri, or Indiana, and
could be trailed in some telephon
exchange. They have a family
in Des Plaines, Ill., who have
been forced to help them phone
by connections. They have caused
considerable trouble ringing up
private people from San Francisco
to Monterey, including such
county seats as San Jose and
Santa Cruz. They have used extrem
ely indecent and improper language
on phones. They are guilty of abduc
ting the Swedish alien sailor
and one Italian.

Yours truly,
Interested Citizens.


WATSONVILLE
MAY 14
630PM
1936
Special Delivery
Chief of Division Edgar
Bureau of Investigation
Department of Justice B
Washington,

May 27, 1936

KFE:DT
62-39128-37

MEMORANDUM FOR MR. NICHOLS

RECORDED

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

I am transmitting herewith a photostatic copy of the typewritten manuscript entitled "The Biography of Al Capone's Life in the Atlanta Penitentiary", which was delivered to Mr. R. V. Nicholas, editor of Real Detective Magazine, New York City, New York, for publication by one F. Barrett of Baltimore, Maryland, whose identity the Bureau is at the present time attempting to establish. There is likewise being transmitted a photostatic copy of two typewritten letters which were also addressed to Mr. Nicholas by the party F. Barrett.

It is desired that the Technical Laboratory examine these specimens for the purpose of ascertaining the make of the typewriter used in typing both the manuscript and the letters referred to, and likewise determining whether the typewriting specimens appearing in the manuscript are identical with those in instant letters. This matter should receive your prompt attention.

Very truly yours,

John Edgar Hoover,
Director.

Enclosure #1141291

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

COMMUNICATIONS SECTION
MAILED
MAY 27 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

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

May 20, 1936.

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

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

Dear Sir:

In compliance with the oral request of Mr. E.F. Emrich of the Bureau, there are attached hereto two copies each of letters dated April 29 and May 10, 1935, respectively, signed by F. Barrett.

Very truly yours,

J. M. Keith

J. M. KEITH,
Special Agent in Charge.

EKT:MBL
ENC. W
62-2696

ENCL. BEHIND FILE

RECORDED & INDEXED
MAY 28 1936

62-39128-37
FEDERAL BUREAU OF INVESTIGATION
MAY 21 1936 A. M.
U. S. DEPARTMENT OF JUSTICE

Baltimore, Md.
April 29, 1935.

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

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

Dear Sirs:

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

In order that you may better comprehend the story I give you a brief outline of it's origin. While incarcerated in Atlanta I was secretary to the Record Clerk. In such position I had access to all correspondence and records, and was cognizant of every incident that occurred within the walls, not alone concerning Capone, but confidential matters between the prison and the Department of Justice in Washington. Recognizing my position Capone bid for and obtained my services as his prison secretary, even purchasing and giving to me a typewriter to use in the evenings with which to do his correspondence. Naturally, I was aware of every thought and desire that was born within him. My services, of course, were to be rewarded, but John, his brother, disagreed with Al concerning the lump sum I was to receive at the time I was paroled, and as a consequence I have been the loser.

The story is absolutely authentic. There is no fabrication whatsoever. Insignificant incidents, of course, have been omitted. Otherwise it gives in detail his daily life, his aspirations and so on. No significant occurrence has been overlooked, since I made it my duty to code all incidents and "kite" them out to a place where I could obtain them upon my release, knowing as I did that John would not consent to Al's wishes so far as remuneration was concerned.

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

Very truly yours,

J. Barrett

323 N. Fulton Avenue



Bal imore, Md.
May 10, 193[illegible]

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

Dear Mr. Wickam:

I trust you have had an opportunity to read the manuscript concerning which I telephoned you yesterday, and also, to examine the records, photographs and other 'paraphernalia' accompanying it. I am quite anxious to dispose of this biography, and taking into consideration the fact that Capone is now preparing his application for parole, I do not think a better opportunity - so far as public interest is concerned - will arise. It was necessary I telephone in order that I might make arrangements regarding an appointment in New York, which appointment, of course, is for the discussion of the sale of the story. I have every confidence in your magazine, and sincerely believe - and have been definitely informed that it would be to the financial advantage of any publisher to run the story as it is. This, of course, is entirely up to the purchaser. He may alter or revise it as he sees fit, excepting, of course, falsifying facts. Such revision of facts would naturally tend to cheapen the authenticity of the biography, and it now is absolutely and entirely true.

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

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

Very truly yours,

F. Barrett.

323 N. Fulton Avenue.

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1

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FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 5 OF 11

BUFILE: 62-39128

SUBJECT Capone, Alphonse

FILE NUMBER 62-39128

SECTION NUMBER 2

SERIALS 41- 80

TOTAL PAGES 99

PAGES RELEASED 79

PAGES WITHHELD 19(0-0) 1

EXEMPTION(S) USED b7C b7D

DECODED COPY

FBI SAN FRANCISCO 6-24-36 3-30P JEE

DIRECTOR

PHONE. JAMES [redacted] CAS ASSAULTED ALPHONSE CAPONE ALCATRAZ [redacted]

OFFICIAL NOTIFICATION THIS OFFICE BUT INQUIRY WARDEN JOH[redacted] COLLO[redacted]

PRESS REPORT DEVELOPED [redacted]

STABBED CAPONE IN BACK AT ABOUT 9:45 AM WITH SINGLE EDGE [redacted] RAZOR

SHEARS OBTAINED BY [redacted] WHILE HAVING HAIR CUT AND ALLEGATION DUE

BELIEF ON PART [redacted] THAT CAPONE INFORMED ON HIM RESULTING I[redacted]

[redacted] APOLLO [redacted]

[redacted] WITH KNIFE AND BOTH IMMEDIATELY SEPARATED BY GUARD. CAPONES INJURY

SUPERFICIAL FLESH WOUND AND EARLY RELEASE FROM PRISON HOSPITAL EXPECTED.

[redacted]

USA SAN FRANCISCO DECLINES PROSECUTION ON GROUND AFFAIR PRISON ADMINISTRATIVE

MATTER. NO FURTHER ACTION BEING TAKEN THIS OFFICE

LISTENER [redacted]

RECORDED [redacted]

INDEXED [redacted]

JUN 26 1936

JUN 26 19[redacted]

BUREAU OF INVESTIGATION

CAB[redacted]

RAL BUREAU OF INVI
S. DEPARTMENT OF [redacted] JUNE 24 1936

To: COMMUNICATIONS SECTION.

Transmit the following message to: SAN FRANCISCO OFFICE

ADVISE WHAT ACTION WILL BE TAKEN BY YOUR OFFICE WITH REFERENCE TO
REPORTED ASSAULT UPON [redacted] AT ALCATRAZ PENITENTIARY.

[redacted]

RECORDED

62-39128-42

FEDERAL BUREAU OF INVESTIGATION
JUN 24 1936 P.M.
U.S. DEPARTMENT OF JUSTICE

Mr. Nathan
Mr. Tolson
Mr. Boardman
Chief Clerk
Mr. Nease
Mr. Coffey
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Jones
Miss Gandy

SENT VIA [redacted] Per

EFE:AF
62-39128-43

July 3, 1936

RECORDED

b7C

[redacted]
Pinellas Park,
Florida.

Dear Sir:

I wish to acknowledge receipt of your letter dated June 25, 1936, requesting that this Bureau furnish you information as to whether Al Capone served in either the Army or the Navy during the World War.

Inasmuch as all information contained in the files of this Bureau is, by legislative enactment, confidential and can be divulged only to duly authorized law enforcement officials, I am unable to furnish you the desired advice.

However, it is suggested that this information might be obtainable through an appropriate inquiry directed to Mr. William B. Searle, Chief, Civilian Personnel Division, War Department, Washington, D. C., and to the Honorable, the Secretary of the Navy, Washington, D. C.

Very truly yours,

John Edgar Hoover,
Director.

cc-Jacksonville

COMMUNICATIONS SECTION
RECEIVED
JUL 7 3 1936
P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE



PINELLAS PARK, FL
June 25 1936

Dept of Criminal Investigation
Washington, D.C.

Gentlemen:- will you please advise me as to whether or not Al Capone, now serving time at Alcatraz was a member of the military or naval forces of U.S. during the World War.

I thank you for your favor in answering this question.

Very truly yours

[redacted]

Pinellas Park,
Florida.

RECORDED
&
INDEXED

62-39128-43

FEDERAL BUREAU OF INVESTIGATION
JUL 29 1936 A.M.
U.S. DEPARTMENT OF JUSTICE

AUG 7 1939

Federal Bureau of Investigation

U. S. Department of Justice
P. O. Drawer 567
San Francisco, California
June 30, 1936

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

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

Dear Sir:

RE: JAMES C. LUCAS
Assault on Government Reservation.

With reference to the assault upon Alphonse Capone by James Lucas, in the Alcatraz Island Penitentiary, there is transmitted herewith, for the information of the Bureau, a newspaper clipping from the San Francisco "Call Bulletin", June 25, 1936, which contains a statement purportedly made by me.

This will advise that the San Francisco "Call Bulletin" is an afternoon newspaper, and is essentially a rewrite paper.

For the further information of the Bureau, this will advise that on June 25, 1936, I left the San Francisco Office early in the morning with other Agents, for monthly firearms practice at Ft. Funston Range, and did not return until the middle of the afternoon. The purported announcement on my part is obviously without foundation and entirely erroneous since I made no announcement to the press whatsoever in connection with this case. The morning newspapers, however, carried stories concerning the incident and quoted U. S. Attorney H. H. McPike in the same language. It is apparent, therefore, that the "Call Bulletin", which is the only San Francisco newspaper which referred to me, possibly wanted to vary its rewriting of the story which appeared in the morning newspapers.

Very truly yours,

W. L. Listerman

W. L. LISTERMAN,
Special Agent in Charge

Ans 7-17-36

WLL:MLA
70-144
~~Enc/1~~

ENCL 1

62-37128-44

RECORDED & INDEXED

JUL 28 1936

FEDERAL BUREAU OF INVESTIGATION
JUL 6 1936
U. S. DEPARTMENT OF JUSTICE

TAMM JOSEPH FILE

SAN FRANCISCO "CALL BULLETIN"
San Francisco, California

JUNE 25, 1936

RE: JAMES C. LUCAS

CAPONE STILL IN HOSPITAL

James Lucas, Texas badman, will spend an indefinite period in solitary confinement on Alcatraz Island and will also lose all of his good time credits for his assault on "Scarface" Al Capone.

Wayne Listerman, local chief of the Department of Justice, who announced the punishment to be meted to Lucas for stabbing the one-time Chicago gang chief, said Lucas definitely would not be tried for the assault.

Capone, meanwhile, will be confined to the prison hospital for at least a week.

Meanwhile an appeal is being planned by a San Francisco attorney for Mrs. Capone to Homer S. Cummings, attorney general, requesting Capone be transferred to another prison because his life is in constant danger.

Dr. George Hess, prison physician, announced Capone would be held to guard against possible infection, although the inch long wound is not regarded as serious.

62-39128-44

RAT:RLG

62-79828 -144 July 17, 1936.

RECORDED

Special Agent in Charge,
San Francisco, California.

Dear Sir:

With reference to your letter of June 30, 1936, transmitting a newspaper clipping appearing in the San Francisco "Call Bulletin" on June 25, 1936, in which you are quoted in connection with the assault upon Alphonse Capone at Alcatraz Island Penitentiary despite the fact that you had made no statement concerning this case, I believe you should, on each occasion where a newspaper reports you as having made a statement not issued by you, immediately contact both the city and managing editors of such a paper and protest against the use of your name in connection with statements not issued by you. I believe if this procedure is followed the newspapers will soon refrain from quoting you.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
JUL 17 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT SAN FRANCISCO, CALIFORNIA FILE NO. 70-166

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
San Francisco, Calif.	7/1/36	6/24/36	W. R. RAMSEY - MLA

TITLE	CHARACTER OF CASE
JAMES C. LUCAS	ASSAULT ON GOVERNMENT RESERVATION

SYNOPSIS OF FACTS:

James C. Lucas assaulted Alphonse Capone, Alcatraz Island Federal Penitentiary, 6/23/36; no official notification this Office but inquiry Warden J. A. Johnston, following press report of assault, developed [redacted] stabbed Capone in back at about 9:45 AM, 6/23/36, with single blade of barber shears obtained by [redacted] while having hair cut, and allegedly due to belief on part of [redacted] that Capone had "informed on him", [redacted] Capone struck [redacted] were first men [illegible] immediately separated by prison guard; Capone's injuries superficial flesh wound and early release from Prison Hospital expected. [redacted]

U.S.Attorney, San Francisco, declines prosecution on ground the affair a prison administrative matter.

- C -

DETAILS: Following the appearance of a story in the various San Francisco newspapers, to the effect that Alphonse Capone had allegedly been stabbed at Alcatraz Island Federal Penitentiary, by a fellow inmate, one James C. Lucas, this Office conducted the following investigation: -

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
N. L. Lieterman		62-39128-45	JUL 7 1936
COPIES OF THIS REPORT		JUL 6 - A.M.	JUL 9 1936
3 - Bureau ✓ 1 - U. S. Attorney, San Francisco 3 - San Francisco			

AT ALCATRAZ ISLAND FEDERAL PENITENTIARY:

Agent interviewed Warden Johnston, who advised that approximately at 9:45 A.M., on June 23, 1936, Alphonse Capone, Alcatraz Island Federal Penitentiary Number 85, who was assigned in the bath house of the Prison in the basement of the main cell block, was stabbed in the lower left portion of the back, with a single blade of a pair of barber shears, [redacted]

Warden Johnston related that Capone immediately turned and struck [redacted] in the face with his fist, and that the Prison guard then separated them, and Capone was immediately taken to the Prison Hospital for treatment, and [redacted] He stated that it was discovered that the tip end of the shears blade had been lodged in Capone's left thumb, it apparently having been broken off when Capone wrestled with and struck [redacted]

Warden Johnston advised that immediately following this assault, Dr. Jacob Greenberg, of the Prison Hospital, examined Capone and determined that the scissor blade had caused a superficial flesh wound in the lower left portion of the back, approximately 1/4 inch deep, and 1/2 inch long. He stated that Dr. Greenberg had treated this wound immediately, and had taken one stitch to close the wound. He stated that Dr. Greenberg had also treated the left thumb of Capone, and had extracted therefrom the steel tip of the scissor blade which had become lodged therein. Warden Johnston stated that shortly after the treatment by Dr. Greenberg, Capone had also been examined by Dr. George Hess, who is the Head Physician at the Prison, and that it was determined that Capone's wounds were not serious, and that he would be ready for release from the Prison Hospital in a short period.

As a back ground of the circumstances leading up to the assault, Warden Johnston advised that his personal investigation, in conjunction with Deputy Warden C. J. Shuttleworth, had disclosed the following: He stated that Capone had been assigned in various different jobs at the Prison since originally coming to Alcatraz Island; that for the last several months Capone had been regularly assigned in cleaning up the bath house in the basement underneath the main cell block. He stated that directly opposite to the bath house in the basement of the main cell block, across a corridor from the bath house, is the prison barber shop, and that adjacent to the barber shop, and also directly across the corridor from the bath house, is a clothing supply room. He stated that

this clothing supply room has a wooden counter, and that no prisoners are allowed behind this counter. He stated that in connection with cleaning up the bath house, the convicts assigned for work in the bath house frequently had occasion to go from the bath house to the clothing supply room across the corridor. He stated that one prison guard was always on duty to supervise the work going on in the bath house, the barber shop, and the clothing supply room, during the hours that convicts were working in these three places.

He stated that on the occasion of this assault, Junior Custodial Officer, or Guard, Thomas J. Sanders, was on duty.

Warden Johnston stated that every convict has his hair cut once each month on a regular schedule, and that each day a certain number of convicts visit the barber shop, with authorizations to have their hair cut, in accordance with this plan. He stated that a ticket of authorization is issued to the convict for this purpose, and that on June 23, 1936, [redacted] had been issued a ticket authorizing him to go to the barber shop for the purpose of having his hair cut. Warden Johnston advised that [redacted] He stated that because of friendship which developed between [redacted] and [redacted]

Warden Johnston stated that the prison band also practiced on some occasions in the basement of the main prison cell house, and that due to this fact instruments used by the band players were sometimes left in the clothing supply room. He stated that on the morning of June 23, 1936, a mandolin had been on the counter in the clothing supply room and that his investigation reflected that Capone, in the usual course of his duties in the bath house, went from the bath house to the clothing supply room directly across the corridor, and had his back to the door of the clothing supply room, apparently examining for a moment the mandolin which was laying on the counter, when [redacted] who had been in the barber shop to get a hair cut, entered the clothing supply room, came up behind Capone and stabbed him in the lower part of the back with the single blade of a pair of barber shears or scissors.

He stated that the other blade of this pair of scissors had been found in the barber shop, and that [redacted] had apparently unscrewed the blades while in the barber shop.

He stated that immediately following the stabbing, Capone whirled, wrestled with [redacted] and struck him with his fist and the mandolin; that they were immediately separated by Guard Thomas J. Sanders, who had entered the clothing supply room just prior to Capone's entrance, and who was behind the counter in the clothing supply room at the time of the assault. He stated that the Guard immediately got the attention of the stationary guard in the basement and that Capone was immediately taken to the Prison Hospital for treatment, and [redacted] placed in solitary confinement.

Warden Johnston stated that investigation conducted by him, both before and after the above assault, had failed to reveal any connection between [redacted] and Alphonse Capone, or any antagonism existing between them, or any reason for bad feeling between them. He advised that he, personally, had interviewed Capone following the above assault, and that Capone had stated that some two months ago [redacted] had "boned" him, Capone, for some money which he, Capone, had refused to make available for Lucas. Warden Johnston advised that Deputy Warden Shuttleworth had interviewed [redacted] immediately following the assault, and that [redacted]

Warden Johnston stated that as far as he knew, or as far as any other official of the prison knew, Capone had positively not informed on [redacted] and [redacted]

Warden Johnston exhibited to Agent the scissor blade used by [redacted] in the assault, as well as the mate to the scissor blade, comprising the full pair of shears, which, as noted above, Warden Johnston advised had later been found in the prison barber shop. It was noted that the tip end of the single blade used in the assault was broken off about 1/8 inch from the end or point; that the blade of these shears was approximately 4 inches long and 1/2 inch wide. Warden Johnston retained these shears in his custody.

Warden Johnston stated that within fifteen minutes following the above described assault, he reported the entire matter to Sanford Bates, Director of the Bureau of Prisons, Washington, D.C.,

14

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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):
per DOP

☐ For your information: _____

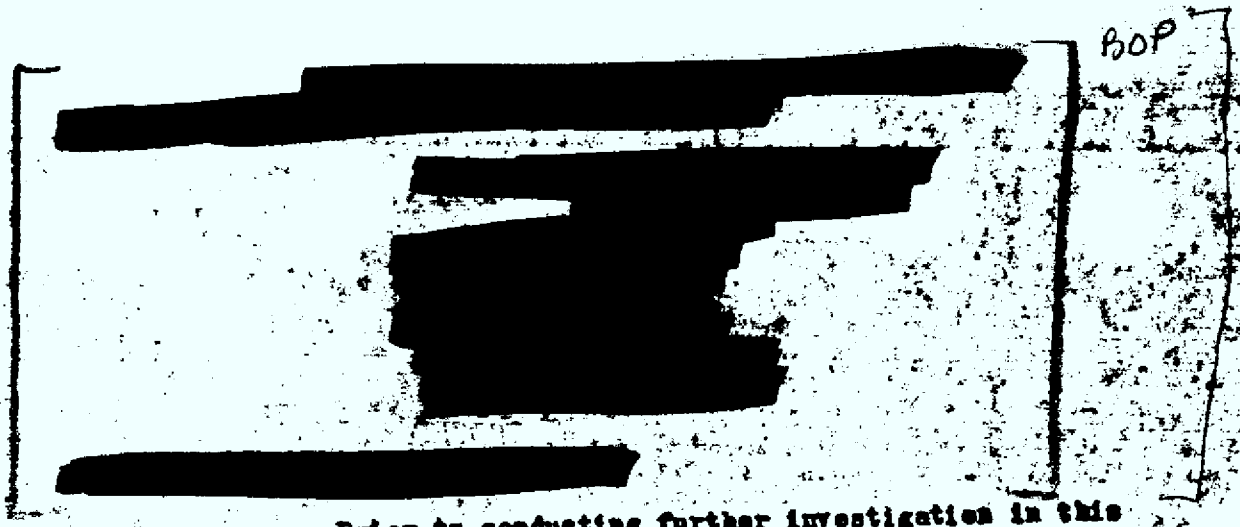
☐ The following number is to be used for reference regarding these pages:
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X FOR THIS PAGE X
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15

FBI/DOJ



Prior to conducting further investigation in this matter, Special Agent in Charge W. L. Listerman and the writer discussed the above facts with U. S. Attorney H. H. McPike of San Francisco, who stated that inasmuch as it appeared that this affair constituted a simple assault and any prosecution in Federal District Court would involve bringing both Luces, as well as Capone, from the Island to San Francisco for trial, where a chance to escape would be eminent, he believed the matter one which should be handled by the Prison Administrative Officers, and that he would decline prosecution.

The substance of the above was teletyped to the Bureau on June 24, 1936.

In view of the decision of the U. S. Attorney, no further action is being taken by this office, and the case is being -

CLOSED

16

General Bureau of Investigation

U. S. Department of Justice

Washington Field Office, Room 4244,
Washington, D. C.

August 17, 1936.

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

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

Dear Sir:

There is being transmitted herewith a photostatic copy of a letter addressed to Real Detective Story Magazine, 444 Madison Avenue, New York City, dated at Baltimore, Maryland, April 29, 1935, signed F. Barrett; and also a letter addressed to Mr. R. W. Nickam, at the same address, dated at Baltimore, Maryland, May 10, 1935, signed F. Barrett.

It is desired that the Technical Laboratory make a comparison of the typewriting appearing on the above mentioned copies with the specimen sheets herewith submitted which are explained below. In the event it becomes necessary to compare the known typewriting appearing on the specimen sheets with the original letters referred to above, the same can be obtained from the files of the Bureau.

The following specimens taken from Royal typewriter X-J255143, the property of Raymond Guinan, 217 West Franklin Street, Baltimore, Maryland, are being transmitted herewith:

Exhibit A: Letter to Real Detective Story Magazine, 444 Madison Avenue, New York City, dated at Baltimore, Maryland, April 29, 1935, signed F. Barrett, which specimen was taken August 4, 1936.

Exhibit B: Letter addressed to Mr. R. W. Nickam, same address, dated at Baltimore, Maryland, May 10, 1935, signed F. Barrett, specimen taken August 4, 1936.

Exhibit C: Separate characters exclusive of the alphebet, specimen taken August 4, 1936.

Exhibit D: Separate capital letters, specimen taken August 4, 1936.

Exhibit E: Separate small letters, specimen taken August 4, 1936.

1 ENCL

RECORDED & INDEXED

62-39168-

FEDERAL BUREAU OF INVESTIGATION
AUG 18 1936
U. S. DEPARTMENT OF JUSTICE

FILED

It is requested that after the photostatic copies mentioned herein are no longer necessary for purposes of comperison they be returned to the Washington Field Office.

Sp, Just.

Very truly yours,

J. M. Keith
EKT

J. M. KEITH,
Special Agent in Charge.

AGB:CC
62-2696
Enc.

RAL BUREAU OF INVESTIG
U. S. DEPARTMENT OF JUST

11536

Laboratory Report

Case: Re: ALPHONSE CAPONE with aliases, et al
Conspiracy to Receive and Send Contraband Out of the U. S. Penitentiary,
Atlanta, Georgia.

Number: 62-39128-46

Specimens:

62-39128-46 A. Photostatic copy of letter dated May 10, 1935, beginning: "I trust you--". (questioned)

" B. Photostatic copy of letter dated April 29, 1935, beginning: Friday noon, April--". (questioned)

" C. Six pages of typing taken from Royal typewriter X-1255143, designated as "Exhibits - A, B, (two pages of C), D & E".

Examination requested by: Wash. F. O.

Date received: 8-20-36 jwp 12:00 Noon.

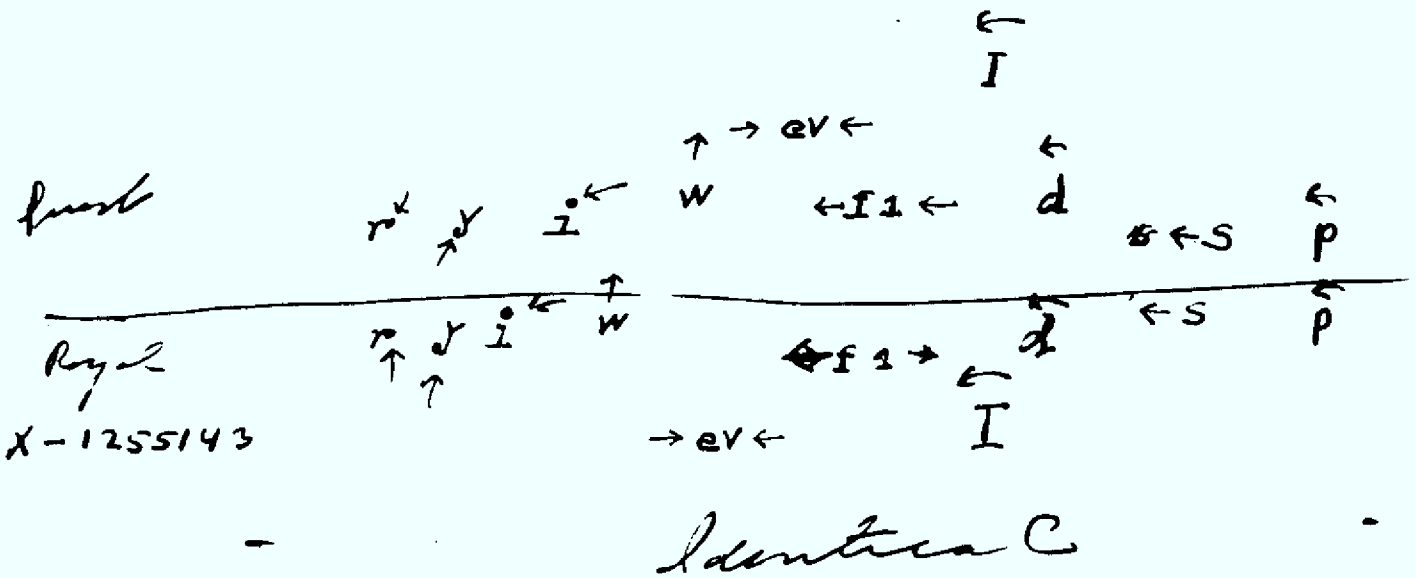
Examination requested: Document

Result of examination:

Examination by: Pickering

(Checked Bur. file #62-39128 for originals of photostats - not there)

RETURN PHOTOSTATS.



PF:BR
62-39128

August 19, 1936

Special Agent in Charge,
Washington, D. C.

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

Dear Sir:

The Bureau file in the above entitled case indicates that this case is not receiving prompt investigative attention in your district.

This matter should be placed in line for early investigative attention and you should submit a report to the Bureau at the earliest possible date.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover,
Director.

RECORDED 62-39128-47
FEDERAL BUREAU OF INVESTIGATION
AUG 20 1936 P.M.
DEPT OF JUSTICE

August 20, 1936

Mr. Hoover:

Perhaps this is a little irregular, but I wonder if it would be possible for you to tell me if there ever was a henchman of Al Capone whose name is [redacted] b7C

This was taken up in a discussion we were having here, and I claimed he was, and some of the others never heard of him, and others did not know. I hope you will answer this either "Yes" or "No", just to clear this up in my mind.

Thank you.

Very truly yours,

[redacted]

RECORDED & INDEXED

62-39128-48

FEDERAL BUREAU OF INVESTIGATION

[illegible] 21 1936 P. M.

AUG 23 1936

TWO

ONE

SFP:ERG

August 29, 1936

RE: 62-39128 — 49

Special Agent in Charge,
Washington, D. C.

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

Dear Sir:

There is transmitted herewith the laboratory report covering the examination of specimens submitted by your office in connection with the above entitled matter and received in the Bureau August 20, 1936.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover,
Director.

Enclosure:

#1046143

COMMUNICATIONS SECTION
RECEIVED
AUG 31 1936

SFP:KRC

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

11586

Laboratory Report

Case: Alphonse Capone with aliases, et al.;
Conspiracy to Receive and Send Contraband
Out of the United States Penitentiary,
Atlanta, Georgia.

August 29, 1936

Number: 62-39128-46

Specimens: 62-39128-46:

A. Photostatic copy of letter dated May 10, 1935, beginning "I trust you—".
B. Photostatic copy of letter dated April 29, 1935, beginning "Friday noon, April—".
C. Six pages of typing taken from Royal typewriter X-1288148, designated as "Exhibits - A, B, (two pages of C), D and E".

Examination requested by: Washington, Field Office

Date received: 8-20-36

Examination requested: Document

Result of examination: Examination by: Pickering

It is the opinion of the examiner that the originals of the photostatic copies of the letters dated May 10, 1935 and April 29, 1935 were written with the same typewriter as that used for the six pages of typing submitted for comparison.

1-Bureau
1-Washington, D. C.
1-Laboratory

RECORDED & INDEXED

62-39128-49

SEP 1 1936 P.M.

SEP 4 1936

NO PREVIOUS RECORD AS LISTED S. P. L.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT WASHINGTON, D. C.

RECEIVED

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Washington, D. C.	9/8/36	8/27/36	A. D. [redacted]

TITLE: ALPHONSE CAPONE, W.a., et al

CHARACTER OF CASE: CONSPIRACY TO RECEIVE AND SMUGGLE CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

SEP 14 1936 PM

SYNOPSIS OF FACTS: Royal Typewriter No. X1855143 located on premises of Raymond Guinan, 217 West Franklin Street, Baltimore and specimens taken therefrom and forwarded to the Bureau Laboratory. Raymond Guinan, brother of subject Frank, purchased Royal typewriter for his brother Frank to be used in public stenographic office set up for Frank. Subject Guinan worked at job of public stenographer shortly after release from penitentiary until about one month prior to re-arrest. Partner of subject Guinan, namely Carl Johnson believed by brother to be implicated in instant matter.

- P -

REFERENCE: Bureau Letter dated June 13, 1936.

PREVIOUS RECORD OF [illegible] IN 62-3772

DETAILS: AT BALTIMORE, MARYLAND

Agent contacted Mr. Raymond Guinan, who operates the USSCO printing establishment at 217 West Franklin Street and was discreetly asked the name and type of the only typewriter which he has in the office. He advised that this was a Royal, equipped with elite type. Agent thereupon stated his mission and asked for specimens of this machine. The specimens were taken and have been forwarded to the Bureau under letter dated August 17, 1936. This typewriter bears No. X-1855143 and was purchased from the Typewriter Sales Company, 104 West Fayette Street, about February, 1935, for the particular use of subject Frank Guinan. Mr. Raymond Guinan was very cooperative and stated that he had no desire to shield his brother, or help him get out of the present mix up, as he had been of assistance to him before and his confidence in Frank had been betrayed. He stated further that upon his brother's

APPROVED AND FORWARDED: [illegible] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

62-37128-50

SEP 18 1936

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2 - Nashville
2 - Washington Field
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98 OCT 6 1936

1 P 10 P.M.

U. S. GOVERNMENT PRINTING OFFICE 7—9284

release from the penitentiary, he attempted to get him started in the business world and because he was an expert stenographer, he conceived the idea of setting up a public stenographic office. He therefore purchased the instant typewriter for the use of his brother and advertised his office as being a place where a public stenographer could be procured. He exhibited blotters advertising this fact, which were used to further the business started by his brother Frank. Frank Guinan did some public stenographic work immediately after his release, until about one month before he got in trouble in Kingsport, Tennessee, at which time he was arrested for violation of the parole. Frank Guinan worked at this job quite steadily and spent some nights at the office typing. The brother, Raymond, did not know the nature of the material which he was transcribing, or writing and did not inquire what it was about. Raymond Guinan stated frankly that he did not doubt but what his brother may have written material which was not of a bona fide or legitimate nature, because according to him, Frank was a very clever individual who did not care to work. The main difficulty with Frank Guinan, according to his brother was the matter of his associates, who always got his brother into trouble and got off without any penalty and his brother usually took the rap. In this connection, he stated that Carl Johnson had been a menace to his brother's freedom for many years. Carl Johnson apparently had some mysterious power over Frank Guinan and whenever in Johnson's company, Guinan got into difficulty. Johnson had hung around the printing establishment to some extent and it was Raymond Guinan's belief that he may have been in on the story written about the Atlanta Penitentiary. Raymond Guinan ordered Carl Johnson out of the store on one occasion while Frank was employed there, because he felt that Johnson would eventually get his brother into trouble. Johnson left and did not reappear.

Raymond Guinan further advised that Johnson was arrested with his brother four or five years ago in Sioux City, Iowa, whereupon Johnson got out of the difficulty and his brother was punished. Raymond Guinan knew very little about Johnson, other than he was a friend or relative of the Sheriff at Kingsport. He could not give any further pertinent information concerning Carl Johnson and was of the opinion that the Sheriff at Kingsport would have sufficient information to identify Carl Johnson. It is possible that Carl Johnson is none other than Carl Crawford who was arrested by Deputy Sheriff George Pierce on August 15, 1935.

UNDEVELOPED LEAD: THE NASHVILLE OFFICE at KINGSPORT, TENNESSEE

will contact the Sheriff's office and determine the identity of Carl Johnson, who is alleged to be a relative of the Sheriff, or be known to that officer. This lead should be developed toward the view of obtaining a photograph of Carl Johnson, who is an alleged friend of Frank Guinan, so that same may be exhibited to members on the staff of the Real Detective Story Magazine.

THE WASHINGTON FIELD OFFICE at BALTIMORE, MARYLAND

[redacted]

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) b7C, b7D 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):

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_____

☐ For your information: _____

_____

☐ The following number is to be used for reference regarding these pages:

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26

FBI/DOJ

Washington Field Office, Room 4844,
Washington, D. C.

September 28, 1936.

Special Agent in Charge,
Atlanta, Georgia.

Re: ALFRED CAPONE, et al.
CONSPIRACY TO ESCAPE AND
CONTRABAND OUT OF THE U. S.
PENITENTIARY, ATLANTA, GA.

SEP 29 1936

OCT 2 1936

RECORDED & INDEXED

62-37128-51

Dear Sir:

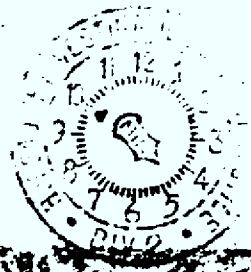
Reference is made to report of Special Agent F. M. Pott, dated at Atlanta, Georgia, February 4, 1936, in the above entitled matter, setting forth that subject Frank Quinan, Atlanta Penitentiary No. 48307, denied having knowledge of the submission to the Real Detective stories of certain documents.

Further investigation conducted at Baltimore, Maryland, which is reflected in the report of Special Agent A. O. Berens, dated Washington, D. C., September 8, 1936, a copy of which is transmitted herewith, revealed that a typewriter owned by a brother of this suspect, was probably used in preparing the documents which were submitted to the magazine company. There is also being transmitted herewith a copy of the Laboratory report dated August 29, 1936, relative to the findings of the Laboratory concerning the use of this typewriter. It may be stated for your information that two photostatic copies of letters addressed to the Real Detective Magazine, 444 Madison Avenue, New York City, dated at Baltimore, April 29, 1935 and May 10, 1935, signed by F. Barrett, were transmitted, together with specimens taken from the typewriter located in the office of suspect Quinan's brother. The substance of these letters was to the effect that the writer, F. Barrett, desired to interview officers of the Real Detective Story Magazine for the purpose of selling contraband material to that magazine.

It is requested that suspect Quinan be vigorously questioned concerning his knowledge of this matter. It is believed that with the additional information contained in reference report, together with the fact that the typewriter was found to be that used in submitting the letters to the magazine, some pertinent information might be obtained from Quinan.

It is further requested that all efforts be made to positively identify one Carl Johnson, who is an alleged "buddy" of Frank Quinan. It is believed that Carl Johnson may be identical with Carl Crawford about whom information has already been obtained, which is apparently contained in your files. In the event Carl Crawford is not identical with Carl Johnson,

RECEIVED



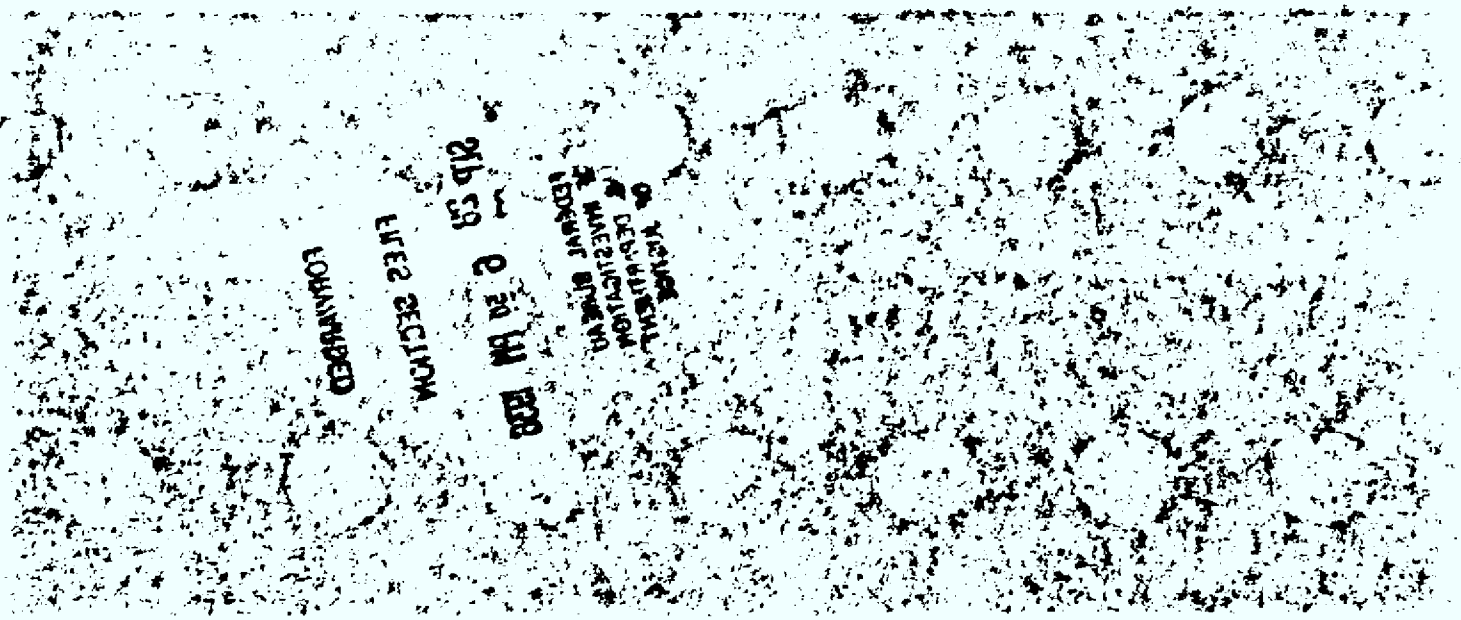
All information as to the latter should be obtained from Haines in an effort to locate him. It is suggested that this be given prompt attention.

Very truly yours,

J. E. HOOVER,
Special Agent in Charge.

AMB:MM
62-2896
Encls.

62 - Bureau



FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT WASHINGTON, D. C.

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NASHVILLE, TENN.	10/1/36	9/21,22/1936	H. K. JOHNSON

TITLE	CHARACTER OF CASE
ALPHONSE CAPONE, Misc., ET AL	CONSPIRACY TO RECEIVE AND SELL CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GEORGIA.

SYNOPSIS OF FACTS:

Carl Johnson, unknown to Sheriff, James Newland, Blountville, Tenn., Sullivan County, Tennessee, One Carl Johnson, Bristol, Tennessee, arrested 8/22/36 for drunkenness and jailed at Blountville, Tenn. Inquiry at Bristol, Tenn., negative as to Johnson's whereabouts, although rumored to have recently gone to Cincinnati, Ohio. Criminal record F.B.I. of Carl Crawford, arrested with Frank Quinan, at Kingsport, Tennessee, about 8/15/35, obtained from Kingsport P.D. Crawford and Quinan recently reported to be together near Kingsport, and rumored to have been involved in recent Church Hill, Tennessee, bank robbery.

- P -

REFERENCE: Report of Special Agent A. G. Berens, Washington Field, dated September 8, 1936.

APPROVED AND FORWARDED: J. Stapleton — SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

62-39178-52

OCT 6 1936

OCT 8 1936

COPIES OF THIS REPORT

3 Bureau
2 Cincinnati
2 Washington Field
2 New York
1 Nashville file 91-67
3 Nashville

COPIES DESTROYED
9 5 OCT 6 1954

DETAILS: AT BLOUNTVILLE, TENNESSEE:

Sheriff James Hoyland informed Agent that he is not acquainted with Carl Johnson, and knew of no person by that name. Sheriff Hoyland stated that he had been sheriff at Blountville, Tennessee, covering Kingsport in Sullivan County, Tennessee, for more than two years. He further stated that one Carl Crawford, arrested in the latter part of August, 1935, was believed to be serving time in the Brushy Mountain Penitentiary, at Petros, Tennessee.

Deputy Sheriff Samuel Feathers, Blountsville Jail, informed Agent that one Carl Johnson was arrested on August 22, 1936, for drunkenness, and was discharged shortly thereafter. Feathers believed that Carl Crawford's home was in Bristol, Tennessee.

Agent attempted several times to locate Ex-Deputy Sheriff George Pierce, stated in the report of reference to have arrested Frank Guinan and Carl Crawford, in August, 1935, at Kingsport, Tennessee. It was learned that Pierce's home was three or four miles from Kingsport, Tennessee, on the Fall Branch Road, near Eastmon's Factory, but that he was not at home.

AT BRISTOL, TENNESSEE:

Sheriff D. L. Heaberlin informed Agent that he had known Carl Johnson for some years; that he never knew him to leave the State of Tennessee; and that he had been arrested for drunkenness several times. Both Heaberlin and Officer C. R. Moore gave the following description of Carl Johnson.

Marital status	Single
Age	25 years
Height	5' 10"
Build	Slender
Complexion	Red
Hair	Light in color
Birthplace	Bristol, Tennessee.

Neither Heaberlin nor Moore knew the address of Carl Johnson, but stated that they knew people who might know his whereabouts. In this connection, Officer Moore, upon investigation, learned that one Fannie Barr, about forty years of age, and mother of Carl Johnson, was presently reported to be living [redacted] at Cincinnati, Ohio. He further stated that Carl Johnson was reported, on release from the Blountville Jail, to have gone, on August 25, 1936, to Cincinnati, Ohio, with an unknown red-faced fellow, the probable purpose of Carl Johnson's trip to Cincinnati being to see his mother.

Heaberlin and Moore promised to make further inquiries to ascertain the address of Carl Johnson, and to notify the Nashville Bureau Office immediately of any facts obtained in that regard.

AT KINGSPORT, TENNESSEE:

From Police Officer Charles Linebach, Agent learned that Ex-Deputy Sheriff George Pierce lived on the Horse Creek Road, from Kingsport, toward Jonesboro, Tennessee, and probably knows where Carl Crawford and Frank Guinan are at the present, since the latter are reported to have sold a Chevrolet coupe recently at Jonesboro, Tennessee, at which time they had possession of another car. Pierce was also believed by Linebach to have a photograph of Crawford. It is the theory of law enforcement officers stated Linebach, in and around Kingsport, that Frank Guinan and Carl Crawford recently pulled the robbery of the Church Hill Branch of the Citizens' Union Bank of Rogersville, Incorporated, Church Hill, Tennessee. In this regard, Officer Linebach stated that a hat had been found by a woman with Frank Guinan's name on the inner band, such apparently having fallen from a car described as similar to that used by the robbers of the Church Hill Bank. Officer Linebach stated further that Ex-Deputy Sheriff George Pierce, and U. S. Deputy Marshal David Scruggs, Knoxville, Tennessee, would probably have some information concerning these facts indicating the

connection of Frank Gaiman and Carl Crawford with the bank robbery.

A copy of this report is being indicated for the Nashville Bureau Office File No. 91-57, which is the file of the Church Hill Bank Robbery.

Officer Linebach stated further that he had no photograph of Carl Crawford and Carl Johnson in the files of the Bureau of Identification maintained by him at the Kingsport, Tennessee, Police Department.

The following criminal record of Carl Crawford was obtained from Officer Linebach and Bureau letter dated July 8, 1935, F.B.I. Number 715983.

PD, Sioux City, Iowa; Carl Crawford, No. 5818; 5/26/32; Inv., Auto larc.; 6/1/32, released.

PD, Kingsport, Tenn.; Carl Crawford, # ___; 10/17/33; Carrying arms; $50.00 fine, 30 days jail.

Wanted as Carl Crawford (Poss. Ident.) Raising and cashing money order at Roanoke, Va. Notify U. S. P. S. Dept., Washington, D. C., for P. O. Inspector, Roanoke, Va. (Inf. Rec. 8/25/33 and 9/9/33) (Indicted Roanoke 1/3/33; charge, raising and entering money orders) (Escaped from Blountville, Tenn., Jail 3/3/33.) No longer wanted. 1/2/34, sentenced 18 months, U.S.B.P., Chillicothe, Ohio.

U.S.I.R., Chillicothe, Ohio; Carl Crawford, # 9296-C; 1/6/34; counterfeiting; 18 months, 5/15/35, released.

Chesapeake and Ohio Ry. Co., Huntington, W. Va.; Walter Ford, # 564; 5/17/35; trespassing; 17 days in Kanawha County Jail, Kanawha, W. Virginia.

Southern Ry. P. D., Alexandria, Virginia; Carl William Clark, # 241; 6/29/35; released.

PD, Marysville, Tenn., 1923; liquor; 1 year State Ref., Nashville, Tenn.; served full time and released.

SO, Blountville, Tenn.; 1929; liquor; fined $150 and 30 days.

Blountville County Work House, received, served full time and released.

SO, Kingsport, Tenn.; 1932; C.C.W.; 30 days Blountville County W. H.; served full time and released.

PD, Blountville, Tenn.; 1933; vagrancy; 30 days in H. of C.; served full time and released.

Arrested 10/17/33; carrying arms; $50 fine and 30 days.

Wanted: As Carl Crawford; 3/15/35; given credit det. 6/29/35; parole violator, warrant issued trespassing, train riding, and leaving limits without permission. Notify U. S. Bd. of Parole. Notified 9/7/35.

Linebach had no record of Carl Johnson.

UNDEVELOPED LEADS:

THE CINCINNATI OFFICE:

At Chillicothe, Ohio, from the United States Industrial Reformatory, will obtain a photograph of Carl Crawford, referred to in this report, number 9296-C.

Such photograph should be forwarded to the New York Office, for exhibition to Mr. R. W. Mickam, Executive Editor, "REAL DETECTIVE STORIES," 444 Madison Avenue, New York City. The New York Office has previously attempted to ascertain from Mr. Mickam the identity of one F. Barrett, who left manuscripts with Mr. Mickam, for publication, said manuscripts containing apparent official records of the United States Penitentiary at Atlanta, Georgia.

THE NEW YORK OFFICE:

Is requested, upon the receipt of photograph from the Cincinnati Office, to exhibit same to

Mr. Mickam, above, will ascertain whether Carl Crawford is identical with F. Barrett, who left manuscripts apparently containing official records of the U. S. Federal Penitentiary, Atlanta, Georgia, with Mr. Mickam for publication.

THE NASHVILLE OFFICE:

At Kingsport, Tennessee, on the Horse Creek Pike, between Kingsport and Jonesboro, Tennessee, near Eastmon's Factory, will locate and interview Ex-Deputy Sheriff George Pierce, reported to have a photograph of Carl Crawford. Such photograph, if available, should be obtained for presentment to the New York Office, in order that they may carry out the above lead for that office.

Ex-Deputy Sheriff Pierce may be able to furnish information concerning the identities and locations of Carl Crawford and Carl Johnson. It should be borne in mind that these are probably two different individuals; that they may be friends of Frank Quinan; and either of them may have been the F. Barrett, previously referred to, as the person who left manuscripts containing official records of the U. S. Penitentiary, Atlanta, Georgia, with Mr. Micham, for publication.

- P E N D I N G -

JDS:MB
62-6552

607 U. S. Court House
Foley Square
New York, N.Y.

October 7, 1936

Special Agent in Charge
Washington, D. C.

Re: ALPHONSE CAPONE et al, deceased, et al
CONSPIRACY TO RECEIVE AND HAVE CONTRABAND OUT OF THE U. S. PENITENTIARY,
ATLANTA, GEORGIA

Dear Sir:

The New York Office is in receipt of the report of Special Agent H. K. Johnson, Nashville, Tenn., dated October 1, 1936 wherein a lead is set out for the Cincinnati Office to obtain a photograph of Carl Crawford at the U. S. Industrial Reformatory, Chillicothe, Ohio, Crawford's number there being 2296-S; and to forward said photograph to the New York Office for the purpose of exhibiting the same to Mr. R. W. Hickan, executive editor of "Real Detective Stories," to ascertain whether Crawford is identical with F. Barrett who left manuscripts, apparently containing official records of the U. S. Penitentiary at Atlanta, Ga., with Mr. Hickan for publication.

Please be advised that under date of February 18, 1936, the Cincinnati Office forwarded to the New York Office a photograph of Carl Crawford, obtained at the U. S. Industrial Reformatory at Chillicothe, Ohio. This photograph was exhibited to Mr. R. W. Hickan and other employes in his office who failed to identify Crawford as being F. Barrett.

Accordingly, it will not be necessary for the Cincinnati Office to again obtain the photograph of Carl Crawford, nor will the lead set out in Agent Johnson's report be duplicated by this office.

RECORDED
INDEXED

62-39128-53

Very truly yours,

R. WHITLEY,
Special Agent in Charge

OCT 10 1936

FILE

cc-Bureau
Nashville
Cincinnati

WMB:EL
62-16

501 Healey Building
Atlanta, Georgia
October 12, 1936

Special Agent in Charge
Washington, D. C.

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

Dear Sir:

Reference is made to your letter dated at Washington, September 25, 1936 in the above captioned case requesting that Frank Quinan, Atlanta Penitentiary, #42507, be re-interviewed regarding the manuscript which was submitted to the Real Detective Stories for publication.

Quinan, who assumed a hostile and smart-aleck attitude when re-interviewed regarding this matter by an Agent of the Atlanta Office, stated that he knows absolutely nothing regarding the manuscript which was presented to the Real Detective Stories for publication and that if he did know anything regarding this manuscript, he would most certainly not discuss the matter under any consideration. Quinan advised that he can offer no explanation whatsoever regarding the fact that letters addressed to the Real Detective Magazine of New York City regarding instant manuscript were typed upon a typewriter subsequently located in the office of Quinan's brother.

Regarding one Carl Johnson, Quinan stated that he has never known anyone by this name; that apparently the party referred to by the name of Carl Johnson is in fact Carl Crawford who was arrested with informant in Sioux City, Iowa for attempting to defraud an inn keeper. Quinan stated that it was Crawford who was ordered out of the home of Quinan's brother in Baltimore and that Quinan is at a loss to understand why his brother has referred to Crawford by the name Carl Johnson. According to Quinan, Crawford once remarked that he was a nephew to the Chief of Police of Kingsport, Tennessee. Quinan's remarks seemed to establish that Carl Crawford and Carl Johnson are identical.

Because of his attitude, it does not appear probable that further interviews with Quinan will result in any additional information regarding this case.

RECORDED & INDEXED
62-39128-54
FEDERAL BUREAU OF INVESTIGATION
OCT 16 1936

Very truly yours,

E. E. CONROY
Special Agent in Charge

cc Bureau

OCT 16 1936

CMD:MRL

BAU OF INVEST[illegible]
U. S. DEPARTMENT OF JU[illegible] 29 1936

To: COMMUNICATIONS SECTION.

Transmit the following message to: NASHVILLE

ALPHONSE CAPONE VA ETAL CONSPIRACY TO REC RECEIVE [illegible] FILE
SIXTYTWO DASH FORTYTWO DISCONTINUE INVESTIGATION AT [illegible] BEEN ESTABLISHED
THAT SAM JOHNSON IS CARL CRAWFORD

[illegible]

CC-Bureau.

RECORDED & INDEXED

62-39128-55

FEDERAL BUREAU OF INVESTIGATION
OCT 30 1936 A.M.
U.S. DEPARTMENT OF JUSTICE

FILE

NOV 3 1936

SENT VIA _____ _____M Per _____

Federal Bureau of Investigation

United States Department of Justice

Washington Field Office, Room 4244,
Washington, D. C.
November 10, 1936

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

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

Dear Sir:

Reference is made to Bureau letter dated June 13, 1936, (file #62-39128), to the report of Special Agent A. C. Berens, dated at Washington, D. C., September 8, 1936, and to the letter from the Atlanta Office, dated October 12, 1936, in the above entitled case.

A recent interview with Mr. Raymond Guinan, 217 West Franklin Street, Baltimore, Md., has established that Carl Crawford is identical with Carl Johnson to whom Guinan had previously referred as the person who has been associating with Frank Guinan and who is thought to be the person who may have approached Mr. Wickam, executive director of the Real Detective Story Magazine. Mr. Raymond Guinan advised that he knew Carl Crawford as Carl Johnson and that he now recalls that these two individuals are identical.

In view of this information, the Nashville Office was advised by teletype to discontinue further investigation. The leads which the Nashville Office had set out in report of Special Agent H. K. Johnson, dated at Nashville, October 1, 1936, were terminated by the letter dated October 7, 1936, addressed to this office by the New York Office, copies of which were indicated for Nashville and Cincinnati.

In view of the information contained in the Atlanta Office letter to this office dated October 12, 1936, advising that Frank Guinan would not admit the authorship of the letters to the Real Detective Story Magazine, and due to the fact that the Technical Laboratory has definitely established that these letters were written on a typewriter which was used by Frank Guinan, it appears that no further leads which might develop pertinent information in connection

RECORDED & INDEXED

62-39128-56
FEDERAL BUREAU OF INVESTIGATION
NOV 12 1936 A. M.
DEPARTMENT OF JUSTICE
FILE

COPIES DESTROYED
9 6 001—9 1954

with this case remain outstanding. Therefore, permission of the Bureau is requested to close this case.

Very truly yours,

Guy Hottel

GUY HOTTEL,
Special Agent in Charge.

AGB:MC
62-2696

RECEIVED

Federal Bureau of Investigation

U. S. Department of Justice

Post Office Box 4907
Jacksonville, Florida
November 20, 1936.

NOV 24 1936 [illegible]

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

There have recently appeared in newspapers at Miami reports relative to the proposed sale of property owned by the Al Capone interests at Miami Beach to satisfy a tax lien. However, prior to such sale newspaper accounts related that the lien had been paid by some one whose name was not disclosed by Treasury officials.

Special Agent Royal J. Untreiner advises me that he was recently informed by [redacted] b7D
[redacted] Western Union Telegraph Company, Miami, Florida, that one [redacted] Miami, informed [redacted] b7C that [redacted] is the individual who paid the tax lien.

The connections of [redacted] are not known, but inquiries to this end will be made if the Bureau so desires.

Very truly yours,

R. B. Nathan
Special Agent in Charge.

RBN:C

Cc: Chicago.

INDEXED

62-39128-57

FEDERAL BUREAU OF INVESTIGATION
NOV 23 1936 A.M.
DEPARTMENT OF JUSTICE
FBI

12/4/36

450 Federal Building
Trenton, New Jersey

November 25, 1936

Special Agent in Charge,
Chicago, Illinois.

Dear Sir:

A request has been made of the Trenton field division by Joseph P. Holland, U. S. Commissioner, Newark, New Jersey, at the instance of Honorable William J. Clark, Judge, U. S. District Court, Newark, New Jersey, for certain information concerning the alleged participation of one, Max Silverman, in arranging the bond of Al Capone at Chicago, Illinois, in the latter part of October or early November, 1931.

Max Silverman, a professional bail bondsman, allegedly flew from Newark, New Jersey, Airport to Chicago, Illinois, via United Air Lines on October 31, 1931, to make a $50,000 bond for Al Capone at Chicago. Silverman was allegedly accompanied on this trip by one, [redacted] 612

You are requested to interview the proper official of the United Air Lines, Chicago, Illinois, for the purpose of obtaining the passenger list of the United Air Lines' flights from Newark, New Jersey, to Chicago, Illinois, on October 31, 1931. This list should be transmitted to the Trenton Field Division for transmittal to Judge Clark.

Very truly yours,

E. L. RICHEY,
Special Agent in Charge.

WD:VG
cc: Bureau

62-39128-58
FEDERAL BUREAU OF INVESTIGATION
NOV 27 1936

RECORDED
&
INDEXED.

DEC 3 - 1936

41

December 4, 1936

RAS:EC
62-[redacted]-87

RECORDED

Special Agent in Charge,
Jacksonville, Florida.

Dear Sir:

This will acknowledge receipt of your letter dated November 30, 1936, wherein you furnish information regarding the activities of [redacted] and his apparent association with the Al Capone Interests at Miami Beach.

It is desired that a discreet inquiry be made concerning the background and history of this individual for possible future reference and to determine whether he is engaged in any activities constituting a violation within the investigative jurisdiction of this Bureau.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
DEC 5 - 1936
P.M.

DEC 4 1936
FBI

4

Post Office Box 512
Chicago Illinois

December 4, 1936

Special Agent in Charge,
Trenton, New Jersey

Dear Sir:

In accordance with the request contained in your letter of November 25, 1936, a list of the passengers out of Newark, New Jersey, on the United Air Lines on October 31, 1931, was copied from the auditor's stubs of the tickets purchased there.

Following is the list of names of persons purchasing tickets in Newark on October 31, 1931:

b7C

[redacted], Milwaukee, Wisconsin.
[redacted], Hila, Hawaii.
[redacted], Cleveland, Ohio.
[redacted], Boston, Massachusetts.
[redacted], Des Moines, Iowa.
[redacted], Chicago, Illinois.
[redacted], city not given.
[redacted], Los Angeles, California.
[redacted], Evanston, Illinois.
[redacted], New York City, New York.
[redacted], West Hollywood, California.
[redacted], Chicago, Illinois.
[redacted], Ottawa, Illinois.
[redacted], Chicago, Illinois.
[redacted], New York City, New York.

The above addresses are supposed to be the home addresses of the parties and not the destination to which they were going by airplane.

RECORDED & INDEXED

62-39128-59

FEDERAL BUREAU OF INVESTIGATION

The auditor's stubs of tickets were checked for a period of five days prior and five days subsequent to October 31, 1936. The names of Max Silverman and [redacted] do not appear on any of the stubs within that period of time.

Very truly yours,

DEC 8-1936

D. M. LADD,
Special Agent in Charge

MSB:RP
62-2290
cc Bureau

[redacted]

450, Federal Building
Trenton, New Jersey

December 12, 1951

Mr. Joseph F. Ballard,
U. S. Commissioner,
Federal Building,
Newark, New Jersey.

Dear Sir:

Reference is made to your federal request for certain information which you desired to obtain for the Honorable William Clark, Justice, U. S. District Court, Newark, New Jersey, regarding the passengers carried by the United Air Lines on October 31, 1951, from Newark, New Jersey, to Chicago, Illinois.

Please be advised that the Chicago Field Division of this Bureau has ascertained from the Auditor's office of the United Air Lines at Chicago, Illinois, the following list of persons who purchased tickets in Newark, New Jersey, on October 31, 1951:

[redacted]

Milwaukee, Wisconsin
Hilo, Hawaii
Cleveland, Ohio
Boston, Massachusetts
Des Moines, Iowa
Chicago, Illinois
[redacted] (city not given)
Los Angeles, California
Evanston, Illinois
New York City, New York
West Hollywood, California
Chicago, Illinois
Ottawa, Illinois
Chicago, Illinois
New York City, New York

b7c

RECORDED
INDEXED

62-39128-60

INVESTIGATION
FILE

The above addresses are supposed to be the home addresses of the parties purchasing tickets and not the destinations to which they were going by airplane. You are further advised that the auditor's stubs of tickets were checked for a period of five days prior and subsequent to October 31, 1951, and the names Max Silverman and [redacted] do not appear on any of the stubs within this period of time.

DEC 21 1951

Very truly yours,

S. L. RICHMOND,
Special Agent in Charge.

RJD:VG
cc: Bureau
6c-

424 Federal Building
Trenton, New Jersey

December 5, 1951

Mr. Joseph F. Holland,
U. S. Commissioner,
Federal Building,
Newark, New Jersey.

Dear Sir:

Reference is made to your request for certain information which you desired to obtain regarding the passengers carried by the United Air Lines on October 31, 1951, from Newark, New Jersey, to Chicago, Illinois.

Please be advised that the Chicago Field Division of this Bureau has ascertained from the Auditor's office of the United Air Lines at Chicago, Illinois, that the following list of persons purchased tickets in Newark, New Jersey, on October 31, 1951.

[redacted] b7C

Milwaukee, Wisconsin
Hilo, Hawaii
Cleveland, Ohio
Boston, Massachusetts
Des Moines, Iowa
Chicago, Illinois
[redacted] (City not given)
Los Angeles, California
Evanston, Illinois
New York City, New York
West Hollywood, California
Chicago, Illinois
Ottawa, Illinois
Chicago, Illinois
New York City, New York

The above addresses are supposed to be the home addresses of the parties purchasing tickets and not the destinations to which they were going by airplane.

RECORDED & INDEXED 62-39128-61

You are further advised that the Auditor's stubs of tickets were checked for a period of five days prior and subsequent to October 31, 1951, and the names Max Silverman or [redacted] do not appear on any of the stubs within that period of time.

Very truly yours,

E. L. RICHMOND,
Special Agent in Charge.

FILE

EJT:VG
cc: Bureau

DEC 10 1951

January 9, 1957

EA:ds

62-95128-62

RECORDED

[redacted]

Yonkers, Oklahoma.

Dear [redacted]

This will acknowledge receipt of your letter dated December 28, 1956, wherein you furnish information regarding various individuals and offer to assist this Bureau in locating them.

I desire to advise you that the jurisdiction of the Federal Bureau of Investigation, U. S. Department of Justice, is restricted to the investigation of violations of specific Federal laws. I have carefully noted the facts contained in your letter but inasmuch as they do not indicate a violation of any Federal law coming within the investigative jurisdiction of this Bureau, I regret that I am unable to be of assistance to you. However, I appreciate your courtesy in furnishing this information to me for my consideration.

I might suggest that you consider the advisability of furnishing the information in your possession regarding this matter to the local law enforcement officials in your district for any attention they deem appropriate.

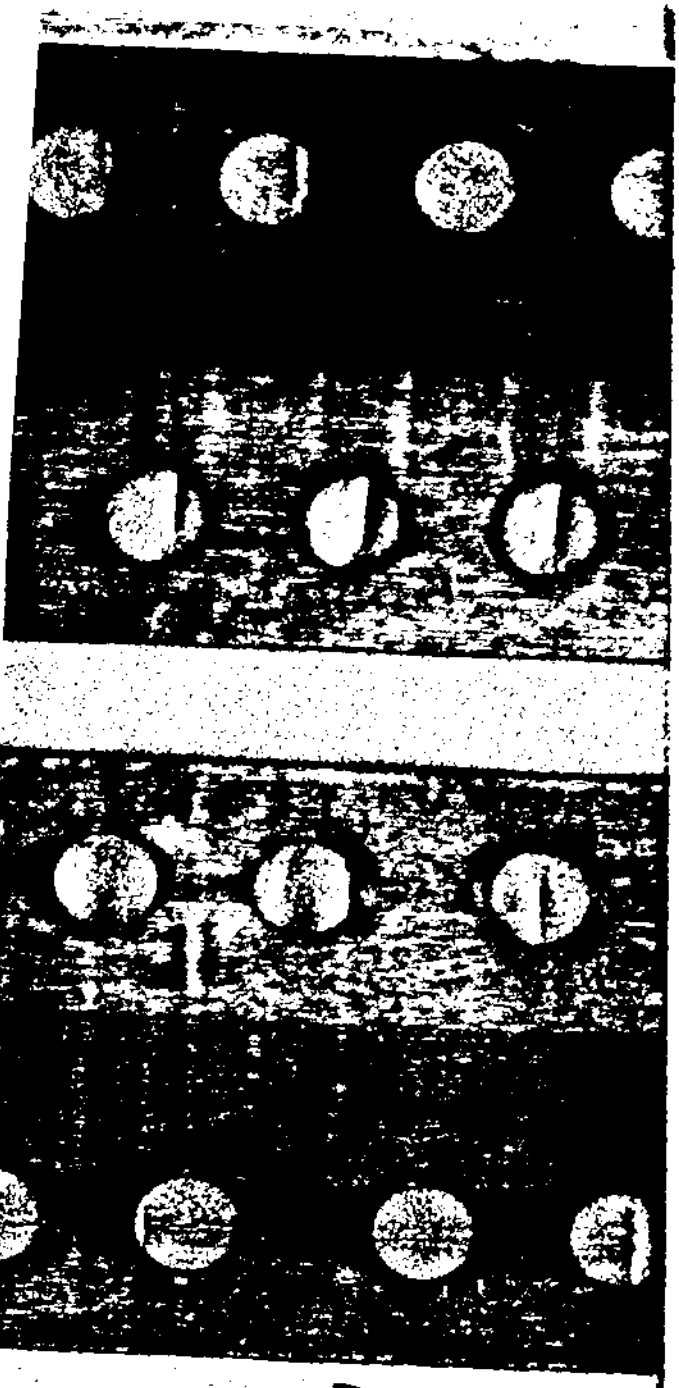
Very truly yours,

John Edgar Hoover,
Director.

cc-Oklahoma City

100-1957

JAN 1 1957



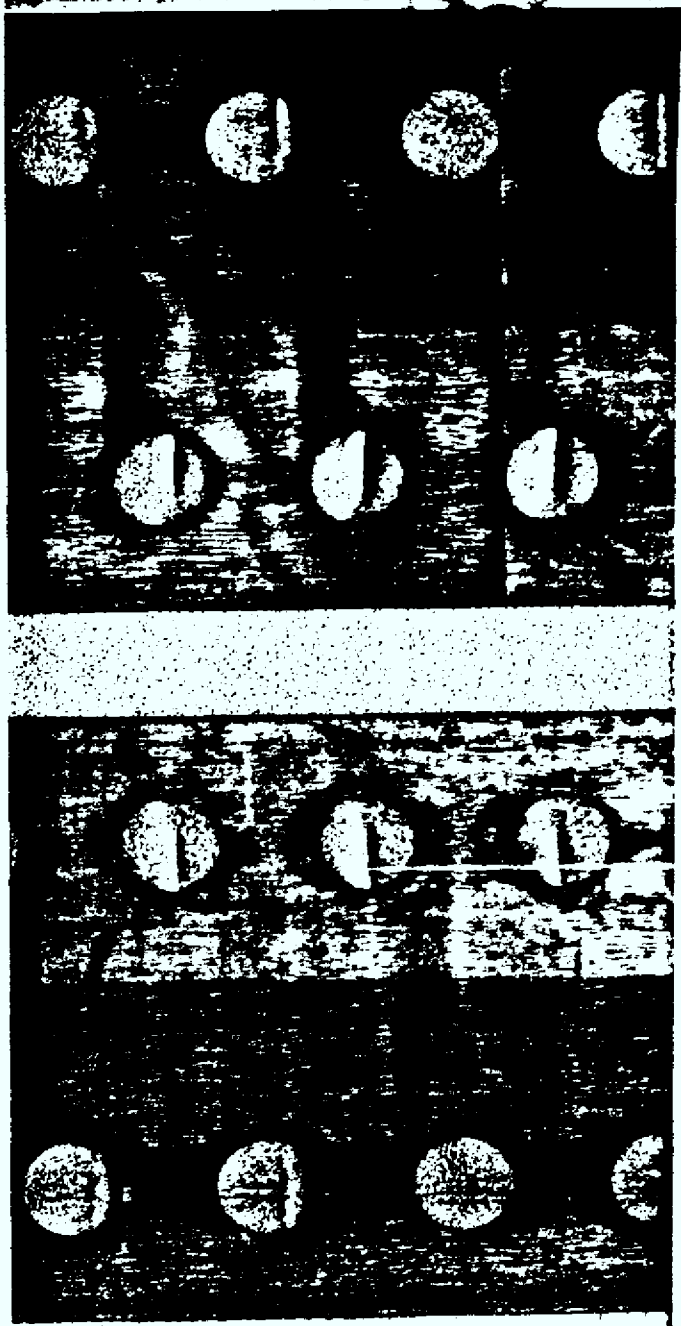
Tonkawa, Okla.
12/29. 36

Department of Justice
Dear Sir: I heard some time ago. of the Chicago Police, looking for some woman who was supposed to have killed a woman that was with her husband, and her husband was suppose to have had connections with al Capone. 62-39128-6
Well there was a woman here who formerly lived there and her husband was supposed to have been Capones partner she stays a good deal in a gambling joint while here

RECORDED & INDEXED

JAN 5 1937

Okla 1/9/37 cc Okla. City



and her husband was a
days, his name was *George
and her's *Ruth. Would know
whether it could be the
same, but if you are
interested think I can find
out her present location
would seem able to find
her last name.

Respectfully b7c

Mrs. [redacted]

Tonkawa, Okla

92

FEDERAL BUREAU OF INVESTIGATION

FORM No. 1
THIS CASE ORIGINATED AT Miami, Florida. FILE NO. 62-1115

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Miami, Florida.	1/20/37	12/10,20/36 1/5/37	[redacted]
TITLE		CHARACTER OF CASE	
[redacted]		MISCELLANEOUS	

SYNOPSIS OF FACTS:

[redacted] who on or about 11/17/36 at office of the Western Union, Miami, Fla., claimed to have paid money due on the Capone estate to prevent tax sale, apparently has no connection with the Capone interests. [redacted] resides in Miami, Fla. On 11/17/36 he received $10 by wire from [redacted] care Boston & Maine RR., Boston, Mass. Failure to receive this wire promptly caused [redacted] to make complaint to Western Union, whereby he recovered damages in amount of approximately $7.65, and during time of making complaint mentioned Capone connection. Tax lien on Capone property paid by Mafia Capone.

REFERENCE: Bureau letter dated 12/4/36.

DETAILS: AT MIAMI, FLORIDA:

Reference is made to Bureau letter dated December 4, 1936, wherein it is stated that a discreet inquiry is desired concerning the background and history of [redacted] for possible future reference and to determine whether he is engaged in any activities constituting a violation within the investigative

APPROVED AND FORWARDED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
[signature]		62 39128 -63 JAN 22 1937

COPIES OF THIS REPORT
3 Bureau
1 Atlanta
1 Boston
1 Chicago
2 Miami.

COPIES DESTROYED
9 8 OCT 6 1964

JAN 22 P.M.

EC

41

U.S. GOVERNMENT PRINTING OFFICE

62-1115

jurisdiction of the Bureau. It is noted that the information concerning [redacted] came to the attention of Special Agent Royal J. Untreiner at Miami, Florida, through [redacted] Western Union Telegraph Company, on November 18, 1936, this information being that [redacted] told [redacted] that he paid the money due on the Capone estate to prevent a tax sale.

[redacted] was interviewed at his office in the Western Union Telegraph Company, Miami, on December 18, 1936. He stated that he did not know [redacted] personally but that about November 18, 1936, [redacted] came to the Western Union office and sent a telegram for some money and gave a residence address, but at the same time said he would call for the answer to this wire. When the money came in it bore the residence address and was sent there and when [redacted] called for the wire no record could be found of it. [redacted] made several critical remarks about the service and was creating quite a commotion in the lobby of the Western Union office, claiming that he had to make a long distance telephone call as a result of the wire not being received and that this call cost him $4.90. [redacted] advised that in order to settle the matter and have no argument he paid the amount of $4.90 to [redacted] at the time and put a voucher for that amount in the file.

It was during the conversation concerning this wire that [redacted] made the statement to [redacted] that he had come down here to Miami to represent the Capone interests and that he had paid the taxes on the Capone property. At that time, evidently to account for the fact that he had to wire for money, he told [redacted] that he had been "stripped" since he got here.

[redacted] advised that another man was standing in the office at the time the complaint was registered by [redacted] and when [redacted] left [redacted] remarked to this man that [redacted] claimed to be a Capone man. This man, who was one [redacted] remarked that [redacted] was a Capone man as he knew him. The conversation with [redacted] then went on like this: [redacted]: "Are you a Government man?" [redacted] "Yep". [redacted] "FBI?" Duncan: "You're a good guesser." With reference to [redacted] stated that [redacted] frequently called for messages that had been sent to him General Delivery and the messages were always found. It was not known why he did not call at General Delivery for them. [redacted] communicated with Agent Untreiner with reference to [redacted] and it was during the time [redacted] was being discussed that the information was given concerning [redacted] It is noted that [redacted] is the subject of an impersonation investigation in this Field Division.

62-1115

b7C
b7D

[redacted] further stated that [redacted] is still in Miami and has made further complaints at the office of the Western Union Company. [redacted] was called into the interview and advised that [redacted] came back shortly after the first complaint and said that the long distance call was 90¢ more than he had at first thought. This was paid and then about two weeks ago he returned and made another vigorous complaint stating that the long distance operator had made some mistake and that he had been billed for $2.05 more. This was also paid but at this time [redacted] made [redacted] sign a statement that he had been paid in full.

During this inquiry [redacted] at the Western Union Office was interviewed as [redacted] made the first complaint to him. [redacted] recalls that [redacted] claimed to be a property owner in Miami. He also at that time as a manner of further identifying himself displayed a pawn ticket on some property, the kind not being known. This ticket was #1132, and the address was [redacted]

A check of the records was made and under date of November 17, 1936, a money order in the amount of $10.00 was found addressed to [redacted], Miami, Florida, the wire being from [redacted] care Boston & Maine Railroad, Boston, Mass.

The records also showed that [redacted] on November 17, 1936, also sent a wire to [redacted], collect, Jacksonville, Florida. No other address appears thereon but the records show the message was delivered by messenger in Jacksonville. This message read: "Darling would appreciate your wiring me ticket to Jacksonville via Western Union Letter received very glad you are convalescing Isleofview [redacted]

[redacted] was described by [redacted] and others at the office of the Western Union as follows:

Age
Height
Weight
Hair
Eyes
Complexion
Dress
Mustache
Glasses
Speech
Residence



62-1115

b7c

Personal observation of the address [redacted] revealed that it is a deep lot facing on [redacted], just past the corner of [redacted] A small building or shed is on the front of the lot and in the rear is a two story frame building, giving the appearance of a barn having been made over, and on this building is a sign designating it as the [redacted]. On December 19, 1936, a Buick five passenger coupe bearing New York 1936 license [redacted] was observed near this building as well as an old model car, possibly a Chevrolet, bearing New Jersey 1936 license [redacted]

Inquiry was made at a grocery store in the immediate vicinity of the [redacted] place and the only available information was that [redacted] resided at the above address and that he was an elderly man, but it was stated that a son also lived there and that it was thought his name was [redacted] The occupation of this son of the elder [redacted] was not known but he was frequently seen around the place.

The 1936 City Directory of Miami shows [redacted] and [redacted] as residing at [redacted] This property was checked through the County Clerk's Office and found to be legally described as Lot [redacted] Block [redacted] and in 1927 it was in the name of [redacted] Miami, Florida. At the Tax Collector's office it was learned that the taxes now and for some years past on the address [redacted] legally described as above, have been paid by one [redacted] at this address. This information was supplied by the Chief Clerk of the Tax Collector's office, T. C. Blount. No further check was, therefore, made concerning the ownership of this property.

At the Dade County Clerk's office it was learned that the legal description of the Capone property was Lot 8, Block 1, Palm Island. The records show that this property was transferred from the grantor, Parker Henderson, to the grantee, Mae Capone, on July 18, 1928. Mr. Blount, of the Tax Collector's office, located the tax records on this property, which revealed that Mae Capone has paid taxes on this property every year and that only the current year's taxes have not been paid. No one has ever paid the taxes on this property as far as Mr. Blount could recall except Mae Capone.

[redacted]

IRS
26 U.S.C. 6103

62-1115

[redacted]

Inasmuch as [redacted] at the Western Union Company had advised that [redacted] in identifying himself had presented a pawn ticket, #1132 from the address [redacted], inquiry was made at Silvers, Inc., pawn shop located at that address. [redacted] located the record of the above ticket which was issued to one [redacted], Miami, for a suit of clothes. This ticket was issued November 16, 1936, and the suit of clothes was redeemed on November 20, 1936. It is noted that this is during the period [redacted] was having the difficulty with the Western Union Company.

At 63 NE 6th Street, which is the Batchellor Hotel, [redacted] thereof advised that [redacted], formerly stayed there but left about a month ago. A book record was located showing the address to which [redacted] went from this hotel as [redacted] Savannah, Georgia.

Inquiry was made at the Identification Bureau, Miami Police Department, of Lieutenant Barker, who advised after a search of the records that there was no criminal record of [redacted] in the local police files.

In view of the information set out herein it is not believed that further inquiries concerning [redacted] are warranted, and the case is being closed on authority of Special Agent in Charge R. L. Shivers.

CLOSED

Federal Bureau of Investigation

United States Department of Justice
Washington Field Division, Room 4244,
Washington, D. C.

February 2, 1937.

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

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

Dear Sir:

Your attention is invited to the letter from this Division dated November 10, 1936, requesting permission to close this case.

In view of the fact that no reply has been received to this letter, this case is being considered closed by this Division.

Very truly yours,

GUY HOTTEL,
Special Agent in Charge.

AGB:JGM
62-2696

62-39128-64

RECORDED

FEB 4 1937

2-25-37

HR:RCL:CDW
62-39128

March 5, 1937.

MEMORANDUM FOR THE DIRECTOR,
BUREAU OF PRISONS.

Reference is made to the memorandum of Mr. Sanford Bates, former Director of the Bureau of Prisons, dated October 19, 1935, with reference to the manuscript purporting to be the story of Al Capone's life in the United States Penitentiary at ATLANTA.

Evidence obtained as a result of investigation into the authorship of this story indicates that it was written by Frank Joseph Quinan, alias Frank Martin, United States Penitentiary (Atlanta) #42507.

Quinan was born in Maryland on December 19, 1900, and was arrested in Roanoke, Virginia, in company with Carl Crawford, and sentenced on January 4, 1933 to serve a sentence of three years in the United States Penitentiary, Atlanta, Georgia, on the charge of forging a Post Office money order. He was paroled on July 3, 1934 and was declared a parole violater on August 19, 1935, being returned to the penitentiary as a parole violater on September 6, 1935, to serve 549 days.

Very truly yours,
For the Director,

Harold Nathan,
Assistant Director.

Mr. Nathan
Mr. Tolson
Mr. Bengheson
Mr. Clegg
Mr. Colley
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
MAR 5 - 1937
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED
&
INDEXED

62-39128-65
FEDERAL BUREAU OF INVESTIGATION
MAR 6 1937

March 5, 1937.

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL,
MR. JOSEPH B. KEENAN.

Reference is made to the memorandum of the former Assistant to the Attorney General, Mr. William Stanley, dated June 24, 1935, with reference to a photostatic copy of a story entitled "Al Capone's Life in the Atlanta Penitentiary".

Evidence obtained as a result of investigation into the authorship of this story indicates that it was written by Frank Joseph Quinan, alias Frank Martin, United States Penitentiary (Atlanta) #42507.

Quinan was born in Maryland on December 19, 1900, and was arrested in Roanoke, Virginia, in company with Carl Crawford, and sentenced on January 4, 1933 to serve a sentence of three years in the United States Penitentiary, Atlanta, Georgia, on the charge of forging a Post Office money order. He was paroled on July 3, 1934 and was declared a parole violator on August 29, 1935, and was returned to the penitentiary as a parole violator on September 6, 1935 to serve 549 days.

Very truly yours,
For the Director,

Harold Nathan,
Assistant Director.

Mr. Nathan
Mr. Tolson
Mr. Baughman
Mr. Clegg
Mr. Coffey
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Gladin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
MAR 5 - 1937
P.M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

RECORDED & INDEXED

62-39128-66
FEDERAL BUREAU OF INVESTIGATION
MAR 6 1937 P.M.
U.S. DEPARTMENT OF JUSTICE

JOHN EDGAR HOOVER
DIRECTOR

...l Bureau of Investigation
United States Department of Justice
Washington, D. C.

LCS:ps

March 9, 1937.

Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Dewey .....
Mr. Egan .....
Mr. Foxworth .....
Mr. Glavin .....
Mr. Harbo .....
Mr. Joseph .....
Mr. Lester .....
Mr. Nichols .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....

MEMORANDUM FOR MR. NATHAN

Mr. Samuel C. Sacco of the War Department, Identity Section, called here today to make an inquiry whether our files revealed that the fingerprints of Al Capone had ever been searched against the War Department records. An examination of the fingerprints failed to show this had been done.

Mr. Sacco stated that an official inquiry had been received relative to the foregoing, and requested to borrow a copy of our fingerprints to have them searched against the War Department files. I furnished him with a photographic copy.

I have a faint recollection that this question came up before, although information relative thereto is not shown in our files here. I think Capone's fingerprints were checked in the War Department and no previous record was found.

Mr. Sacco stated that he believes the inquiry pending in the War Department may have some connection with the request to try to get a parole for Capone, through the assistance of proved military service.

Respectfully,

L. C. Schilder

RECORDED 62-39128-67

MAR 12 1937

NATHAN

2 WOMACK

RECORDED 62-39128-66 September 17, 1937
EJG:MK

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

This is to acknowledge receipt of your memorandum dated September 8, 1937, transmitting copies of correspondence forwarded to your office by Warden Johnston of Alcatraz Penitentiary relative to an attempt on the part of [redacted] to have Al Capone retain him for the purpose of securing his freedom.

Please be advised that this information is being retained in the files of this Bureau, and will also be furnished the Charlotte, North Carolina office.

Thanking you for your assistance in this matter, I am

Very truly yours,
For the Director,

Harold Nathan
Assistant Director.

cc-Charlotte, with copies of correspondence mentioned above

Mr. Nathan
Mr. Tolson
Mr. Baughman
Mr. Clegg
Mr. Coffey
Mr. Crowl
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Hoover
Mr. Keller
Mr. Ladd
Mr. Nease
Mr. Nichols
Mr. Penn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
SEP 17 1937
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

JAMES V. BENNETT
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

September 8, 1937

Mr. Nathan	
Mr. Tolson	
Mr. Baughman	
Mr. Clegg	
Mr. Coffey	
Mr. Crowl	
Mr. Egan	
Mr. Foxworth	
Mr. Glavin	
Mr. Harbo	
Mr. Hottel	
Mr. Lester	
Mr. McIntire	
Mr. Naughten	
Mr. Nichols	
Mr. Pennington	
Mr. Schilder	
Mr. Tamm	
Mr. Tracy	
Miss Gandy	

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

For your information I am enclosing copies of correspondence forwarded to us by Warden Johnston of the Alcatraz Penitentiary in the case of Al Capone.

JAMES V. BENNETT,
Director.

1 ENC.

RECORDED & INDEXED

62-39178-68

SEP 11 1937

FILE

(COPY)

August 23, 1937

[redacted]

BOP

Dear Sir:

When inmates are received at this institution, they are advised about the correspondence regulations and in accordance therewith they list the names of the relatives with whom they desire to correspond.

As correspondence is permitted only with their relatives on the list, your letter cannot be delivered and therefore, in accordance with your request, is here returned.

Sincerely,

J. A. Johnston
Warden

62-39128-68

COPY

To the Warden of Alcatraz,

[redacted]

BOP

Yours truly,

[redacted]

[redacted]

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

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):
pg. 1 of 1

☐ For your information: _____

☐ The following number is to be used for reference regarding these pages:
62-39128-68

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

XXXXXX
XXXXXX
XXXXXX

FBI/DOJ

LAREDO, TEXAS

Sep. 13, 1937.

A Statement.-- subject Al Copone.

There is an ex-naval offic r of I think [redacted] b7C who built the Assembly Plant for the Ford Motor Co. in Germany. I do not know his name but you can easilyfind him this way on the books of the Ford Motor Co.

This engineer is a very fine man.

This engineer had a lodge up on the lake and in a storm was washed to the lodge where Al Copone was. The latter had sparkling burgandy wine in cases stacked up to the ceiling. This engineer had some long talks with Al Copone.

Maybe if your department want any more on Al, maybe this engineer can give it to you.

I and this engineer had some long talks and he is a very fine man, and maybe he knows something that your department wants to know.

Please excuse me from butting in.

Your truly,

[redacted] b7C

Laredo, Texas,

to

Hon. Edward Hoover, Derector os U.S. Investigation.

[redacted] b7C

RECORDED & INDEXED

62-39128-69

SEP 16 1937

FWO

EJG:TD
62-59128-69

RECORDED

September 25, 1937

[redacted]
Laredo, Texas.

Dear [redacted]

This is to acknowledge receipt of your letter dated September 13, 1937, in which you stated that an ex-naval officer might be in a position to furnish this Bureau with information concerning Al Capone.

Please be advised that I appreciate your forwarding this information and assure you that it will be placed in the files of this Bureau for future reference.

Very truly yours,
For the Director,

Harold Nathan,
Assistant Director.

cc San Antonio

COMMUNICATIONS SECTION
MAILED
SEP 25 1937
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED

EJO:RD
62-39128-70

October 18, 1937

[redacted]
Roosevelt Hotel,
Pittsburgh, Pennsylvania.

b7C

Dear [redacted]

This is to acknowledge receipt of your letter dated October 11, 1937, in which you state you have information concerning a person in hiding at 2320 North High Street, Columbus, Ohio.

Please be advised that I am instructing Mr. E. J. Untreiner, Special Agent in Charge, Federal Bureau of Investigation, United States Department of Justice, 620 New Federal Building, Pittsburgh, Pennsylvania to have an Agent from his office contact you in the immediate future for the purpose of ascertaining if the information in your possession is pertinent to any violation within the investigative jurisdiction of this Bureau.

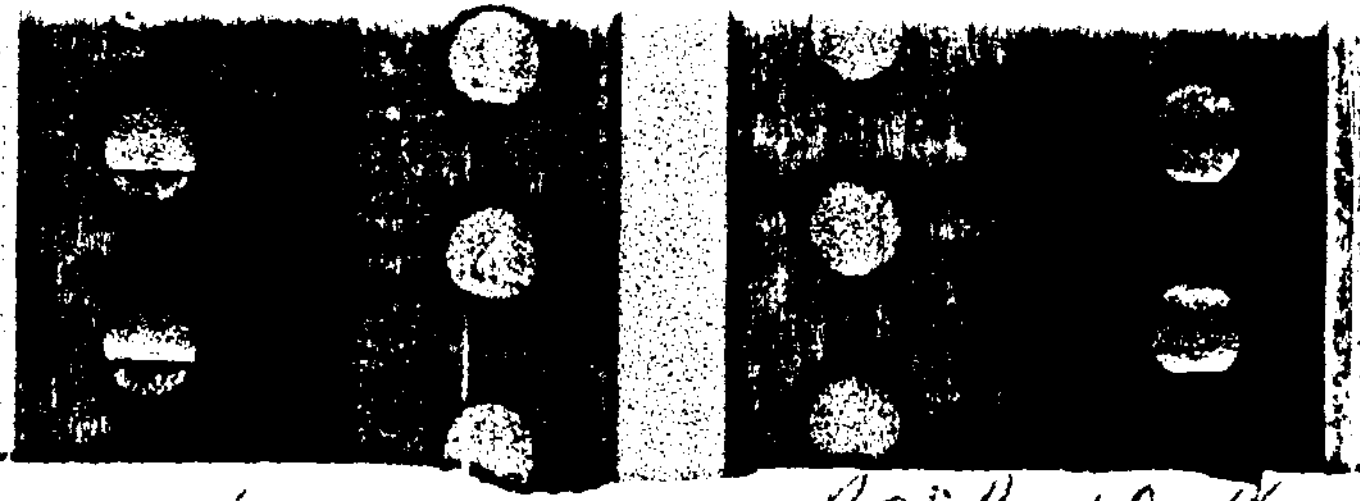
Very truly yours,

John Edgar Hoover,
Director.

CC-Pittsburgh
(copies of [redacted] letter attached)

b7C

COMMUNICATIONS SECTION
MAILED
OCT 18 1937
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE



Mr Hoover, — Pgh Pa 10-6-37

62-37128-70

RECORDED & INDEXED

FEDERAL BUREAU OF INVESTIGATION
OCT 12 1937 P.M.
U.S. DEPARTMENT OF JUSTICE

JWD | Hedding

For your information I have reason to believe one of the Capone ag[illegible] at 2110 north High st Columbus Ohio. I worked there 100 days as dishwasher & French chef. It should have a thoro investigation. There is some thing rotten there.

Very cordially yours

[redacted]

Roosevelt Hotel Pittsburgh

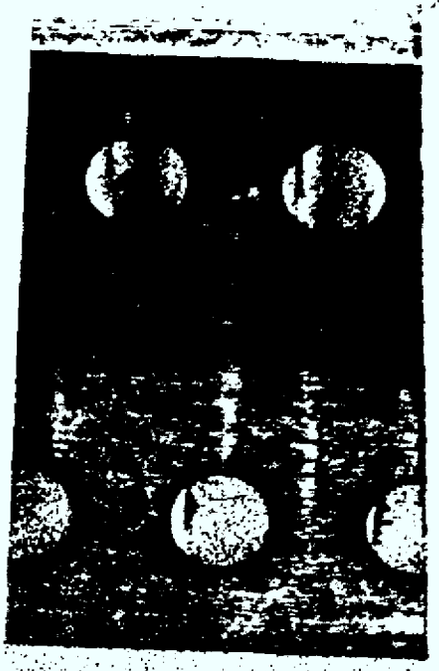
Sec. 562, P. L. & R.

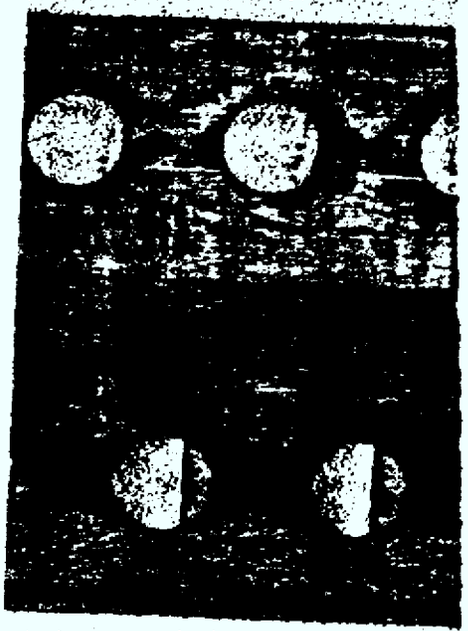
RETURN POSTAGE GUARANTEED

THE PITTSBURGH SYMPHONY SOCIETY

MITSBURGH, PA.

813 FARMERS BANK BUILDING





14 THURSDAY EVENINGS AT SYRIA MOSQUE
14 FRIDAY AFTERNOONS AT CARNEGIE MUSIC HALL

●

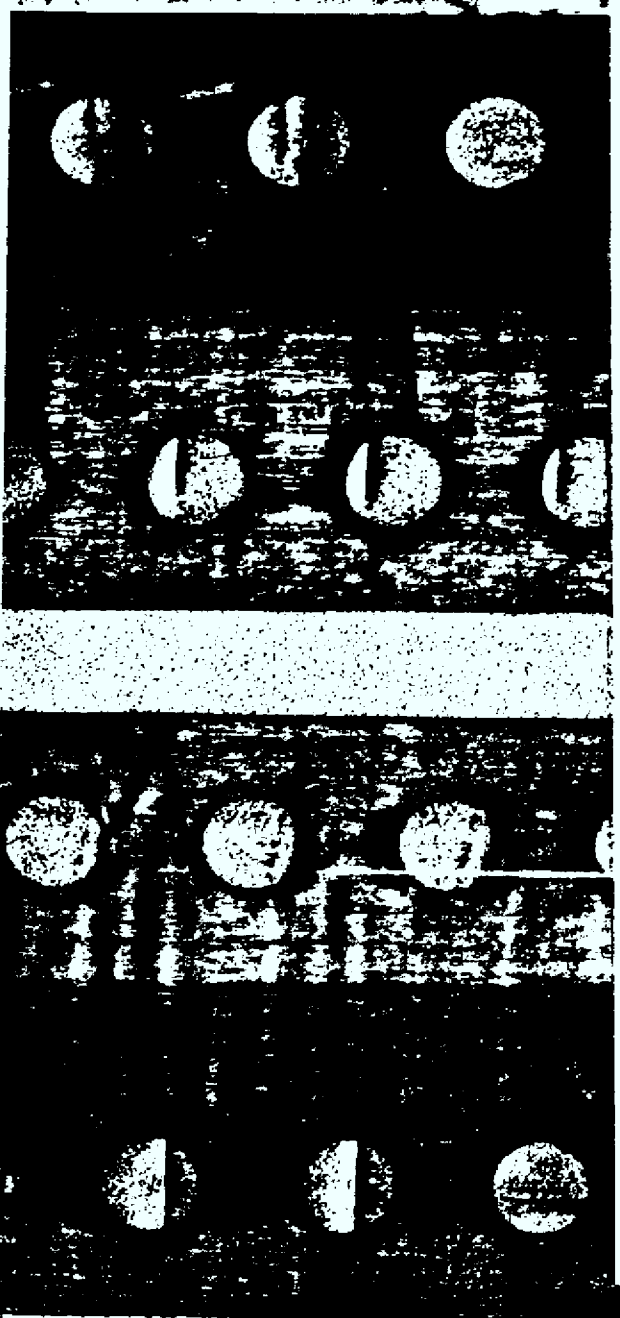
Olin Downes will appear on all afternoon concerts except Friday, January 28th, when Dr. Walter Damrosch, guest conductor, will make his own comments. The afternoon concerts begin at 3:30.

●

DATES . . .	*CONDUCTORS . . . SOLOISTS*
October 21-22	Otto Klemperer, *Conductor*
October 28-29	Otto Klemperer, *Conductor* Josef Hofmann, *Piano Soloist*
November 4-5	Otto Klemperer, *Conductor* Soloist to be announced
November 11-12	Carlos Chavez, *Conductor*
November 18-19	Carlos Chavez, *Conductor* Chaliapin, *Bass-Baritone Soloist*
November 25-26	Carlos Chavez, *Conductor* Michel Gusikoff, *Violin Soloist*
December 2-3	Michel Gusikoff, *Conductor* Rachmaninoff, *Piano Soloist*
December 30-31	Eugene Goossens, *Conductor* Alexander Schuster, *'Cello Soloist*
January 6-7	Eugene Goossens, *Conductor* Dusolina Giannini, *Soprano Soloist*
January 13-14	Fritz Reiner, *Conductor* Nino Martini, *Tenor Soloist*
January 20-21	Fritz Reiner, *Conductor* Nathan Milstein, *Violin Soloist*
January 27-28	Walter Damrosch, *Conductor*
February 3-4	Georges Enesco, *Conductor*
February 10-11	Georges Enesco, *Conductor* Soloist to be announced

CONVENIENT PAYMENT PLAN

A monthly payment plan is provided for those who wish a convenient method of payment. A down payment of 20% should accompany the application blank, and on the first of each of the following 4 months beginning November 1st, a 20% payment is required.



FEDERAL BUR[illegible] O [illegible]TION

_____ 1937.

___ Director	✓ Files Section
___ Mr. Nathan	___ Mechanical Section
___ Mr. Tolson	___ Chief Clerk's Office
___ Mr. Tamm	___ Identification Division
___ Mr. Foxworth	___ Statistical Section
___ Mr. Egan	___ Technical Laboratory

SUPERVISORS

___ Mr. Brandt	___ Mr. Lawler	___ Mr. Rosen
___ Mr. Chambers	___ Mr. Leckie	___ Mr. Scott
___ Mr. Collier	___ Mr. Mertz	___ Mr. Vogel
___ Mr. Cornelius	___ Mr. McIntire	___ Mr. Spear
___ Mr. Drayton	___ Mr. Norstrom	___ M _____
___ Mr. Gebben	___ Mr. Pennington	

* * *

___ Mr. Ward	___ Re-write
___ Mr. Parsons	___ Re-date
___ Stenographers 5730	___ Send file
___ Typists 5724	___ Note and return
___ Correct	___ Search, serialize and return.

File

Gebben

SUPERVISOR

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

October 18, 1937

b7C

[redacted]
Roosevelt Hotel,
Pittsburgh, Pennsylvania.

Dear [redacted]

This is to acknowledge receipt of your letter dated October 11, 1937, in which you state you have information concerning a person in hiding at 2110 North High Street, Columbus, Ohio.

Please be advised that I am instructing Mr. R. J. Untreiner, Special Agent in Charge, Federal Bureau of Investigation, United States Department of Justice, 620 New Federal Building, Pittsburgh, Pennsylvania to have an Agent from his office contact you in the immediate future for the purpose of ascertaining if the information in your possession is pertinent to any violation within the investigative jurisdiction of this Bureau.

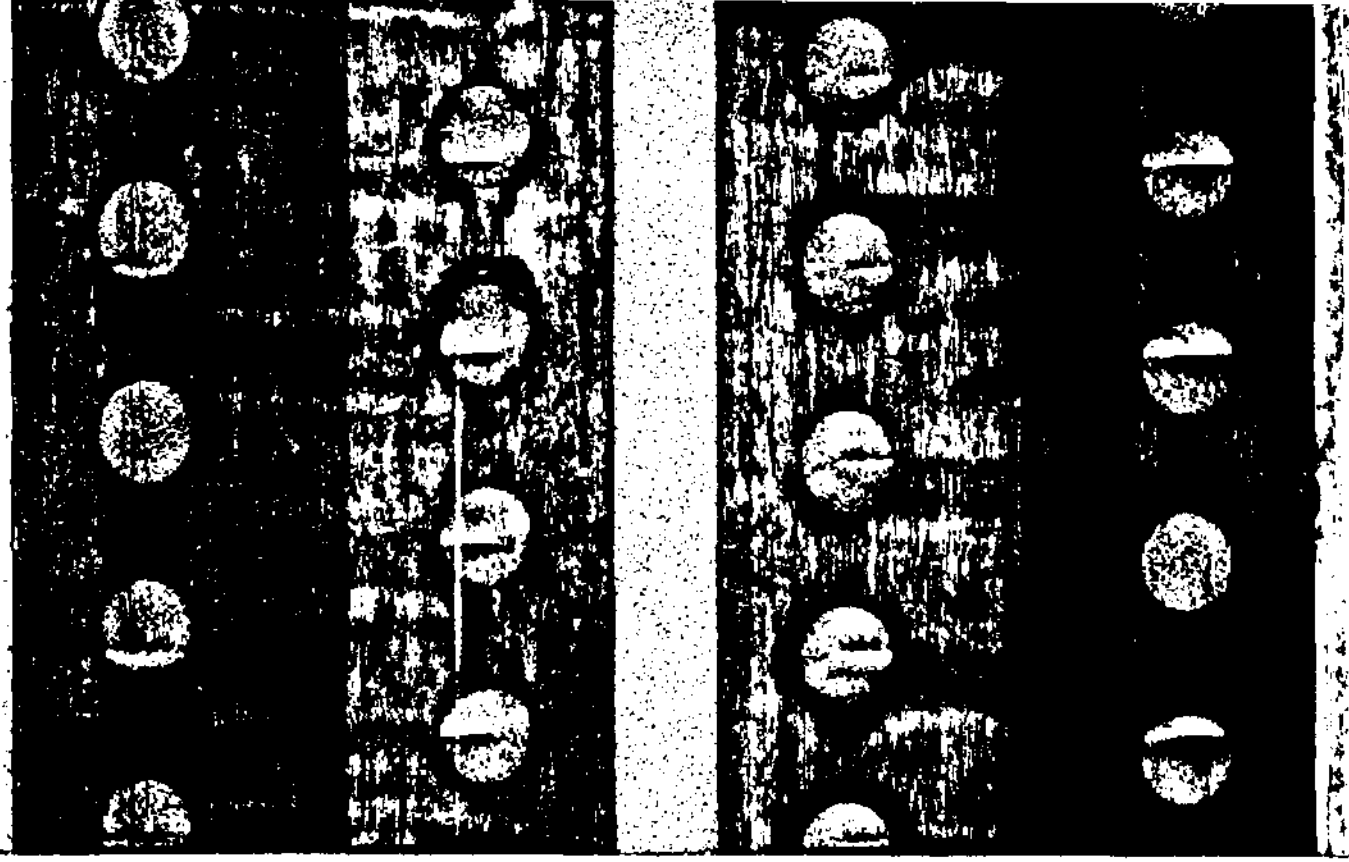
Very truly yours,

J. Edgar Hoover

John Edgar Hoover,
Director.

EJH:PD

62-39128-70



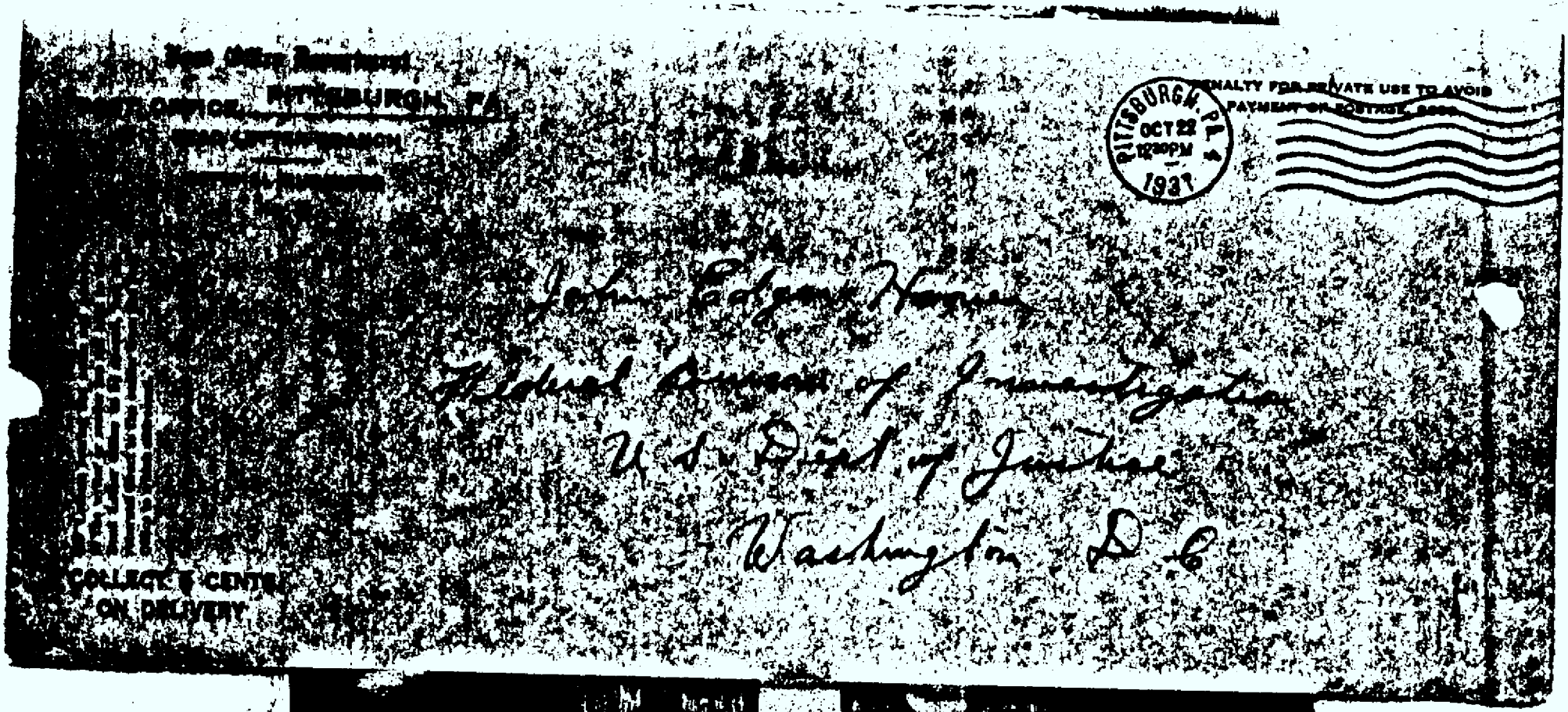
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

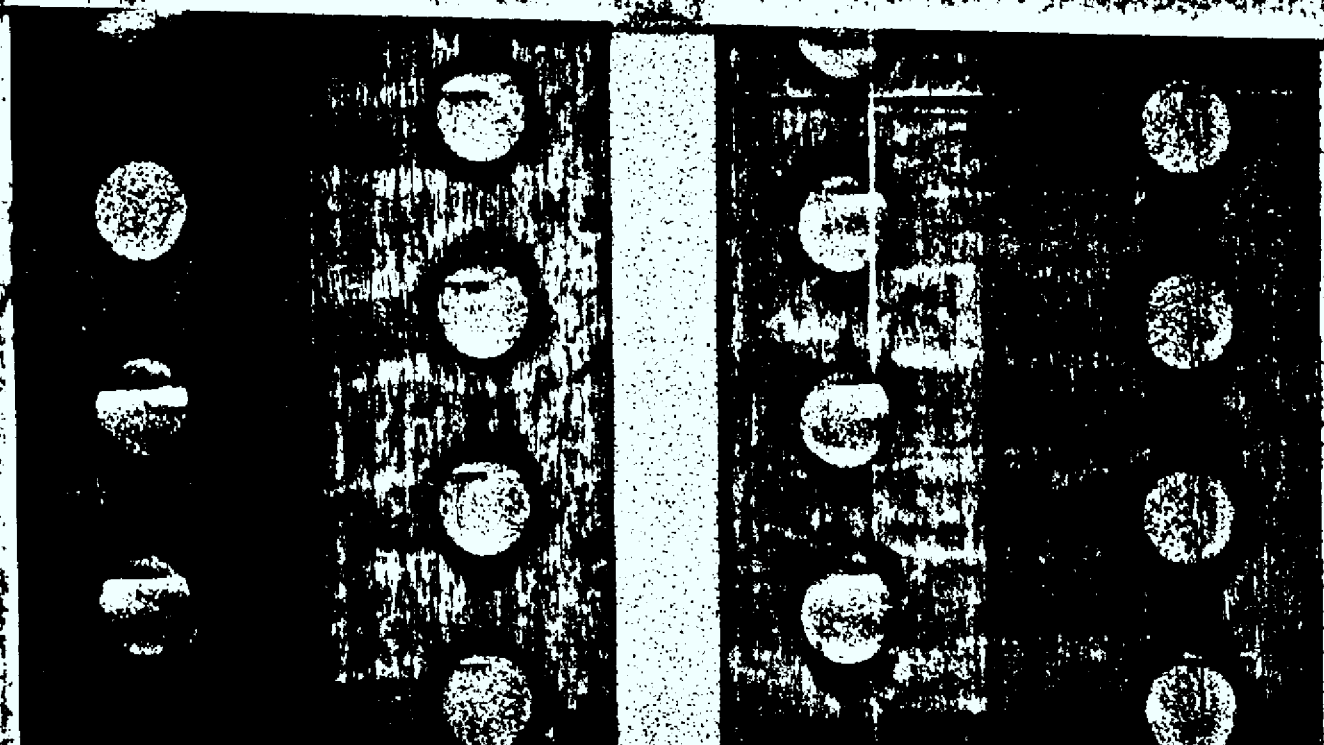
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

WASHINGTON, D.C. OCT 1C 12-PM 1937

NOT AT ROOSEVELT HOTEL


PITTSBURGH, PA.
OCT 22
1937
PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE
John Edgar Hoover
Federal Bureau of Investigation
U.S. Dept. of Justice
Washington D.C.
COLLECT 5 CENTS
ON DELIVERY



General Bureau of Investigation

United States Department of Justice
Post Office Box Number 1525
Pittsburgh, Pennsylvania

November 10, 1937

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

Reference is made to your letter dated October 18, 1937, to [redacted] Roosevelt Hotel, Pittsburgh, Pennsylvania, copy of which was received by this office. (Bureau file 62-39128) b7C

With the Pittsburgh copy of the letter was a copy of a letter written by the above named individual to the Director dated October 11, 1937, in which he stated that he had information that one of the Capone Gang was hiding at 2110 North High Street, Columbus, Ohio.

An unsuccessful attempt was made to locate [redacted] at the Roosevelt Hotel, by Special Agent H. H. Hair at which time the following information was obtained from [redacted] of the Roosevelt Hotel, Pittsburgh. b7D

[redacted] is not and never was employed by the Roosevelt Hotel, nor was he ever a guest there. However, during the past three or four months and up to about two weeks ago, he has received forty or fifty letters addressed to him in care of the Hotel, all of these letters being from various Government Agencies.

At the time [redacted] was interviewed, the Hotel was holding two letters addressed to [redacted] from the Interstate Commerce Commission and the Works Progress Administration. [redacted] advised that [redacted] was a very poorly dressed individual of about fifty years of age and became such a

100-67-58441

RECORDED & INDEXED.

62-39128-71

NOV 11 1937

FWO

COPIES DESTROYED

9 8 DEC 6 1984

nuisance to the employees of the Hotel that he was asked to have his mail sent to him in care of General Delivery.

[redacted] stated that approximately two weeks ago [redacted] came into the Hotel and created quite a disturbance by making a speech to the portrait of Theodore Roosevelt hanging in the lobby. At that time the house detective removed him from the Hotel and told him to stay out. b7C b7D

[redacted] has not been seen at the Hotel since that occasion.

It was [redacted]'s opinion that [redacted] was mentally unbalanced.

Very truly yours,

R. J. UNTREINER
Special Agent in Charge

HRH:LBY
62-0

JAMES V. BENNETT
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Cowl .....
Mr. Egan .....
Mr. Foxworth .....
Mr. Glavin .....
Mr. Harbo .....
Mr. Hoppel .....
Mr. Lester .....
Mr. McIntire .....
Mr. Naughton .....
Mr. Nichols .....
Mr. Pennington .....
Mr. Schilder .....
Mr. Quinn .....
Mr. Tracy .....
Miss Gandy .....

November 18, 1937.

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

I am enclosing for your files and information a copy of a letter and check recently received at the Alcatraz Penitentiary and addressed to Al Capone.

J. Bennett
Director

This sounds a little screwy. J. E.

RECORDED & INDEXED.

62-39128-72

FEDERAL BUREAU OF INVESTIGATION
NOV 26 1937 P.M.
U. S. DEPARTMENT OF JUSTICE

FILE

I ENCL.

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

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.

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

per BOP

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

62-37128 72

XXXXXX
XXXXXX
XXXXXX

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

FBI/DOJ

62-39128-74
EJG:RD

December 1, 1937

Special Agent in Charge,
El Paso, Texas.

Dear Sir:

The Bureau is in receipt of a Western Union Telegram dated November 23, 1937 at Midland, Texas and signed by [redacted] which reads as follows:

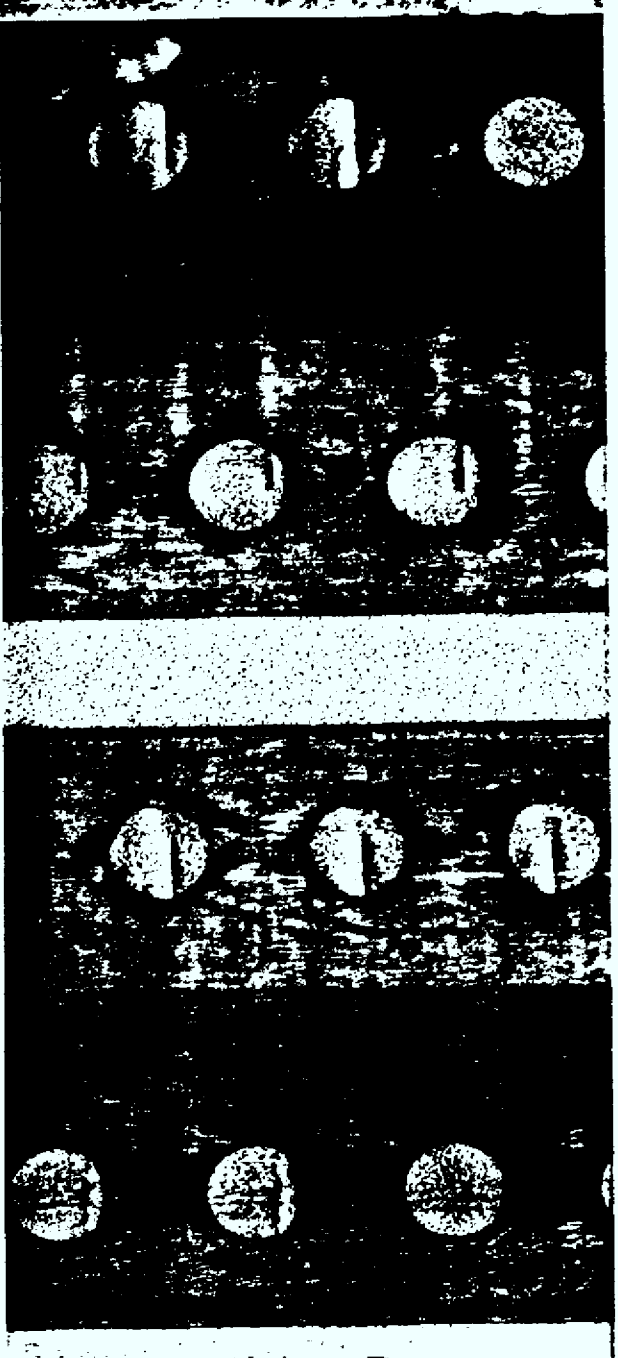
"Please wire full status Al Capones terms".

It is desired that when you next have an Agent of your office in the vicinity of Midland, Texas he interview [redacted] and ascertain the purpose which he had in mind when he addressed his telegram to the Bureau.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
DEC - 1 1937
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE



DG-8

OF DIRECTOR
U OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Record of Telephone Call or Visitor.

Nov. 24 1937.

Time 2:25 p.m.

Name [redacted] b7C tele.

Referred to

Details:

Mr. Coffey
Mr. Crowl
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Hottel
Mr. Kiehlbusch
Mr. Lester
Mr. McIntire
Mr. Houghton
Mr. Nichols
Mr. Pennington
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

Stated that he is a law student here in the city and would like to know something about the record of Al Capone, especially as to when he was sentenced to prison, the length of his term and when he will be released. The writer advised that this information is only given out to duly constituted law enforcement agencies. [redacted] b7C asked if this information could be secured from the Bureau of Prisons and the writer replied that he did not know. gan

RECORDED & INDEXED

62-39128-73

FEDERAL BUREAU OF INVESTIGATION
NOV 26 1937 P.M.
U. S. DEPARTMENT OF JUSTICE

NOLSON JWO

WESTERN UNION

NOV 23 1937

WL13 7

MIDLAND TEX NOV 23 201P

EDWARD J HOOVER

FBI JUSTICE

PLEASE WIRE FULL STATUS AL CAPONES TERMS

[redacted] b7C

331PM

Copy to Mr. Tamm

RECORDED & INDEXED

62-39128-74

FEDERAL BUREAU OF INVESTIGATION

DEC 3 1937 A.M.

DEPT. OF JUSTICE

NICHOLSON TRAMM FILE

no record

December 2, 1937
Manchester, Georgia

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

Dear Sirs!

Will you please send me all the information you can of Alcapone? Any information will be accepted thankfully.

Thank you

b7c

[redacted]

Manchester, Ga.

62-37122-75

DEC 6 1937

RES. DIV.

FWO

ACK 12-8-37

RECORDED & INDEXED

JJH:BM.
62-39128-1.

RECORDED

December 8, 1937.

[redacted]
Manchester, Georgia.

Dear [redacted]

Your letter of December 2, 1937, has been received, in which you request information concerning Al Capone.

I regret that I do not have available for general distribution the information you desire. However, as of possible interest to you I am enclosing copies of this Bureau's publications dealing with our activities which I thought you might care to read.

Sincerely yours,

John Edgar Hoover,
Director.

Enclosure.

FBI
Sel and Trng of Pers
Crim Ident
Youth and Crime
Youth's Duty
True Confession
Crimes Chall

COMMUNICATIONS SECTION
MAILED
DEC 8 - 1937
P. M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:MC January 18, 1938.

Time: 2:05 P.M.

MEMORANDUM FOR THE FILE

Mr. Quinn of the Department called and asked if the Director is en route to Chicago by plane, inasmuch as Mr. Keenan is very anxious to talk to him relative to individuals of the Al Capone gang who Assistant United States Attorney Klein, Southern District of New York, desires to interview.

Mr. Quinn was advised that the Director is on a plane and that while the ultimate destination is Chicago, the weather is very bad throughout the Middle West and it may be necessary for the plane to make several stops. Mr. Quinn said he will so inform Mr. Keenan. I also told him that John Torrio is a lieutenant of Al Capone and none of the individuals referred to were ever subjects of investigation by this Bureau.

Mr. Quinn later called and said that Mr. Keenan is very anxious to talk to Mr. Hoover and his secretary will be able to reach him at any time the Director might call the Bureau tonight. He was advised the Director would be notified.

E. A. TAMM

RECORDED & INDEXED.

62-39128-76

FEDERAL BUREAU OF INVESTIGATION
JAN 20 1938 P.M.
DEPT. OF JUSTICE

FBI

Gentlemen, 1-21-38

Would you please inform me as to the length of Al Capone prison term? Thank You. Yours truly

[redacted] b7C

[redacted] Bangor, Maine

RECORDED & INDEXED

62-39128-77

FEDERAL BUREAU OF INVESTIGATION
JAN 21 1938 P.M.
U. S. DEPARTMENT OF JUSTICE
INV. FILE

Ack 1-24-38
cc Boston
EJE

EJC:DC
62-58128-77

January 28, 1938

[redacted]
Lisbon, Maine.

b7C

Dear [redacted]

This will acknowledge receipt of your postal card which was received by this Bureau on January 21, 1938, requesting information regarding the length of the prison sentence of Al Capone.

Inasmuch as the violation for which Al Capone was sentenced was not one falling within the investigative jurisdiction of this Bureau, may I suggest that you communicate with the Bureau of Internal Revenue, Treasury Department, which has jurisdiction over all violations of the income tax laws.

Very truly yours,

John Edgar Hoover,
Director.

cc-Boston

COMMUNICATIONS SECTION
MAILED
JAN 28 1938
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

EJO:EK

January 27, 1938

Special Agent in Charge,

El Paso, Texas.

[redacted] b7C

Information Concerning.

Dear Sir:

The Bureau file in the above entitled case indicates that this case is not receiving prompt investigative attention in your district.

This matter should be placed in line for early investigative attention and you should submit a report to the Bureau at the earliest possible date.

Very truly yours,

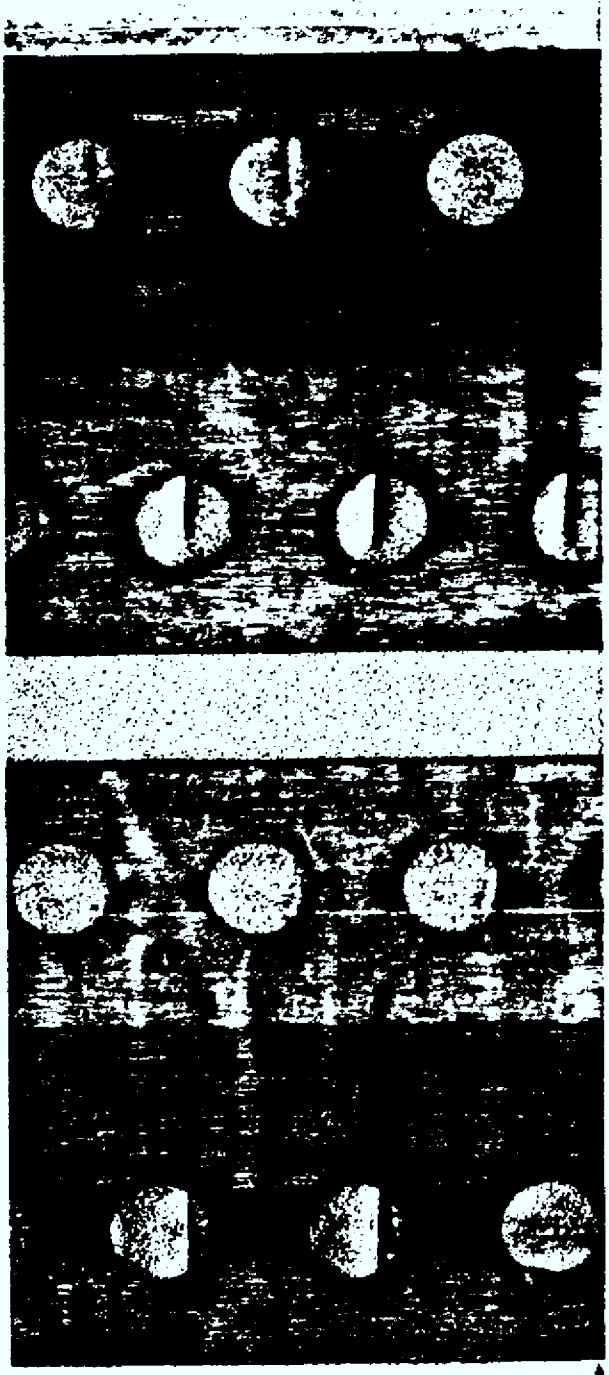
J. Edgar Hoover

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED
JAN 27 1938
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED & INDEXED

62-39128-78
FEDERAL BUREAU OF INVESTIGATION
JAN 28 1938 P. M.
U. S. DEPARTMENT OF JUSTICE
FILE



FEDERAL BUREAU OF INVESTIGATION

3-17-38

___Mr. Tamm	___Identification Div.
___Mr. Foxworth	___Statistical Section
V Files Section	___Technical Laboratory
___Mechanical Division	___Research Division
___Chief Clerk's Office	___Mr. Glavin

SUPERVISORS

___Mr. Balch	___Mr. Drayton	___Mr. Morley
___Mr. Brandt	___Mr. Gebben	___Mr. Munley
___Mr. Carson	___Mr. Kramer	___Mr. Pennington
___Mr. Chambers	___Mr. Landrum	___Mr. Scott
___Mr. Collier	___Mr. Lawler	___Mr. Spear
___Mr. Cornelius	___Mr. McIntire	___Mr. Vegel

* * *

___Mr. Ward	X Send File
___Mr. Parsons	___Correct
___Miss Conlon	___Re-write
___Stenographers 5730	___Re-date
___Typists 5724	___Search, serialize and return
	___Note and return

SUPERVISOR

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

February 24, 1938

[redacted] b7C
Rice Hotel,
Houston, Texas.

Dear [redacted]

This will acknowledge receipt of your letter dated February 11, 1938, in which you state that you wish to protest against the proposed transfer of Al Capone from Alcatraz Penitentiary.

For your information, I wish to state that the operations of the United States penitentiaries fall under the jurisdiction of Mr. James V. Bennett, Director, Bureau of Prisons, United States Department of Justice, Washington, D. C.

I wish to thank you for the complimentary remarks which appeared in your letter regarding the work performed by the Federal Bureau of Investigation.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover,
Director.

62-39128-79

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

OFFICIAL BUSINESS

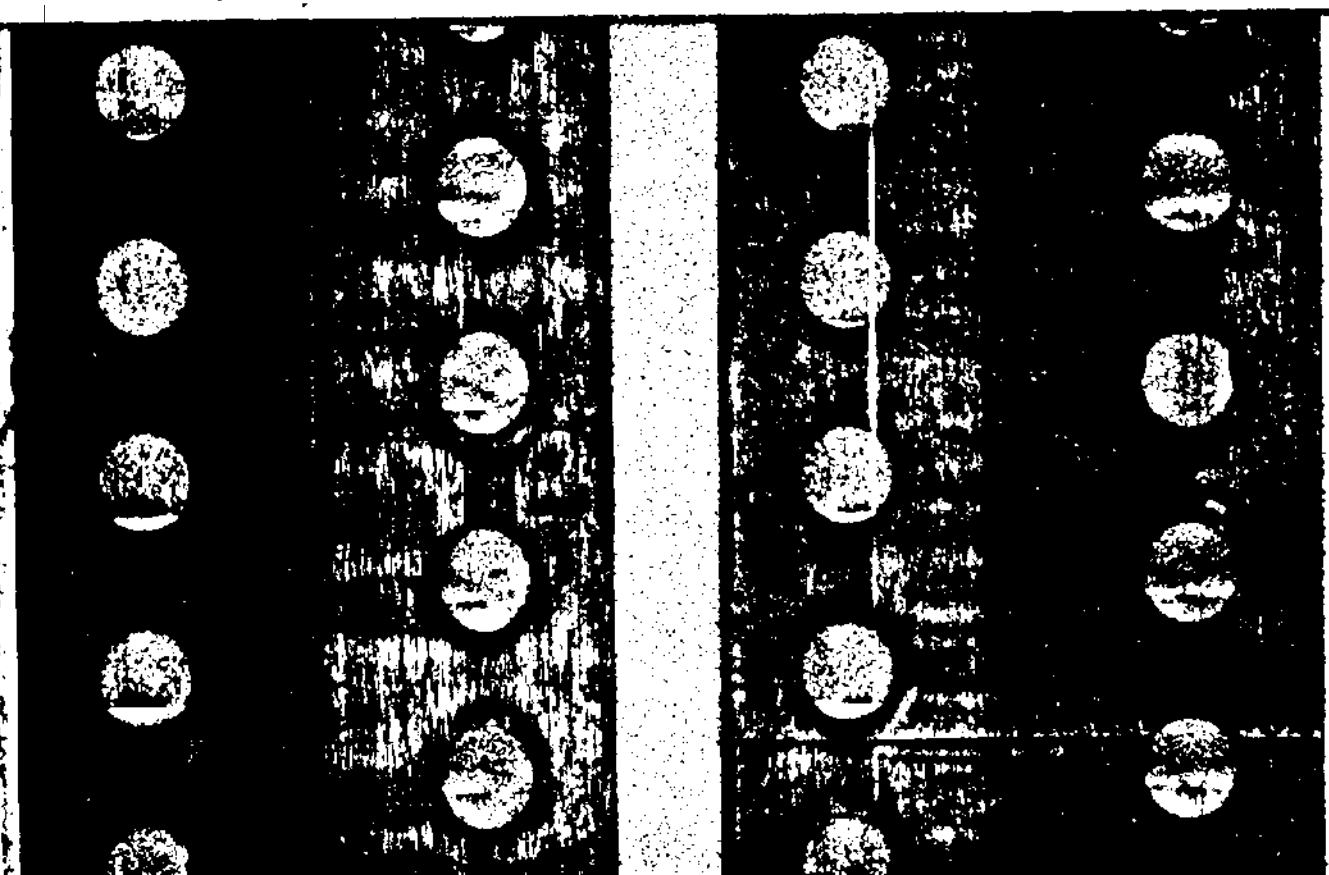
WASHINGTON, D.C. FEB 25 7 PM 1938

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

RETURNED FROM RICE HOTEL

RETURN TO WRITER UNCLAIMED

HOUSTON TEXAS



EJG:JHK

RECORDED 62-62128-79 February 24, 1938

[redacted]
Rice Hotel,
Houston, Texas.

Dear [redacted]

This will acknowledge receipt of your letter dated February 11, 1938, in which you state that you wish to protest against the proposed transfer of Al Capone from Alcatraz Penitentiary.

For your information, I wish to state that the operations of the United States penitentiaries fall under the jurisdiction of Mr. James V. Bennett, Director, Bureau of Prisons, United States Department of Justice, Washington, D. C.

I wish to thank you for the complimentary remarks which appeared in your letter regarding the work performed by the Federal Bureau of Investigation.

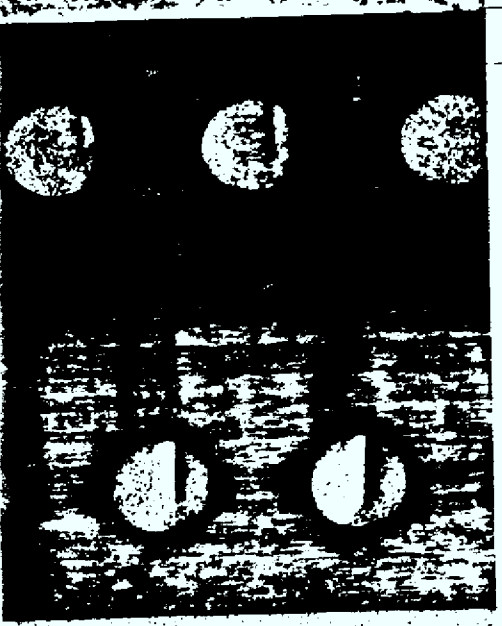
Very truly yours,

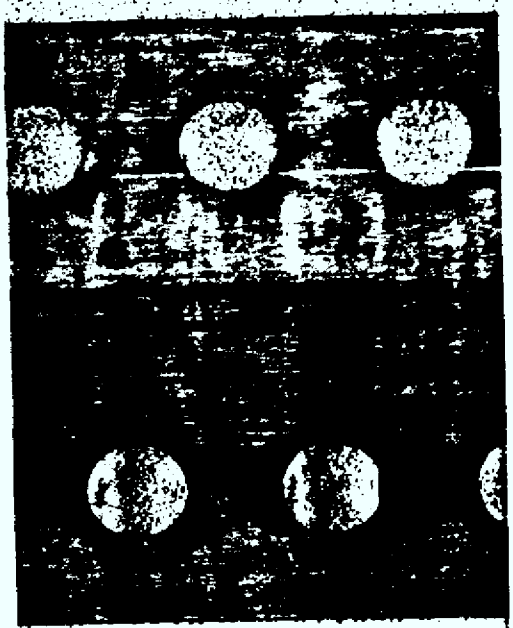
John Edgar Hoover,
Director.

CC San Antonio

COMMUNICATIONS SECTION
MAILED
FEB 24 1938
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Mr. Nathan
Mr. Tolson
Mr. Baughman
Mr. Clegg
Mr. Coffey
Mr. Crowl
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Hottel
Mr. Lester
Mr. McIntire
Mr. Naughten
Mr. Nichols
Mr. Pennington
Mr. Quinn
Mr. Tamm
Mr. Tracy







RICE HOTEL 1000 ROOMS

HOUSTON, TEXAS

Feb. 11, 1938

Mr. J. Edgar Hoover,
Department of Justice,
Washington; D.C.

62-39128-79

RECORDED & INDEXED

FEB 15 1938

Dear Sir:

I protest against your department's proposal to transfer Al Capone to a place where he can more easily direct his vile, underworld business.

Furthermore, I protest against Warden Johnson and the prison physician publicizing this criminal and thereby helping to

ASSOCIATED WITH LAMAR HOTEL HOUSTON

build up a ~~[illegible]~~, sloppy, public sentiment in his behalf.

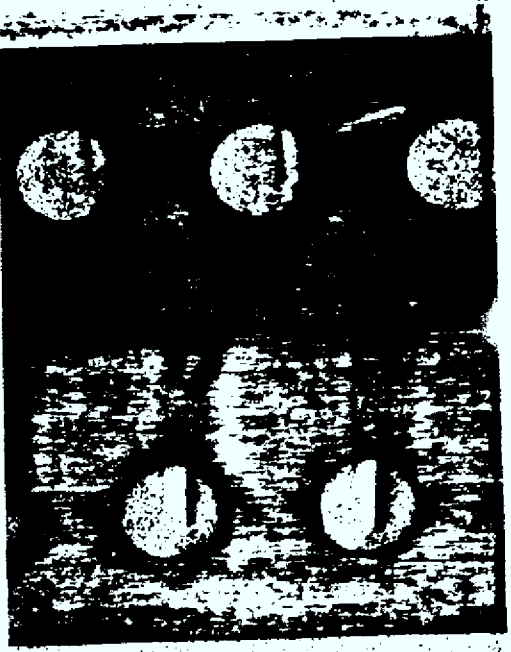
The silent treatment is what he and his like deserve, and it is what they should have.

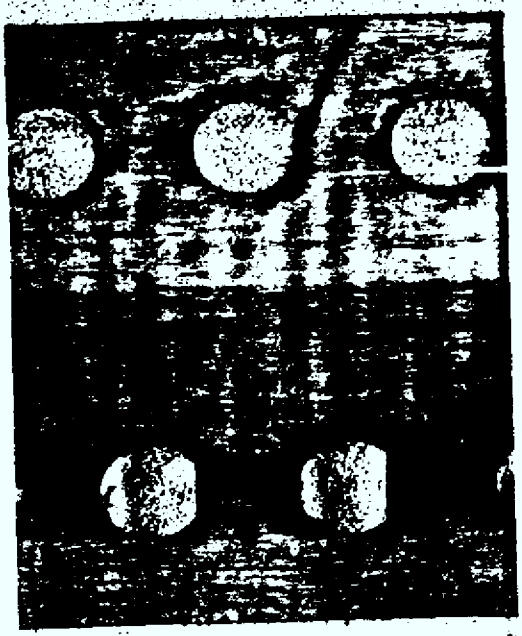
With deep appreciation of your work in general, I am

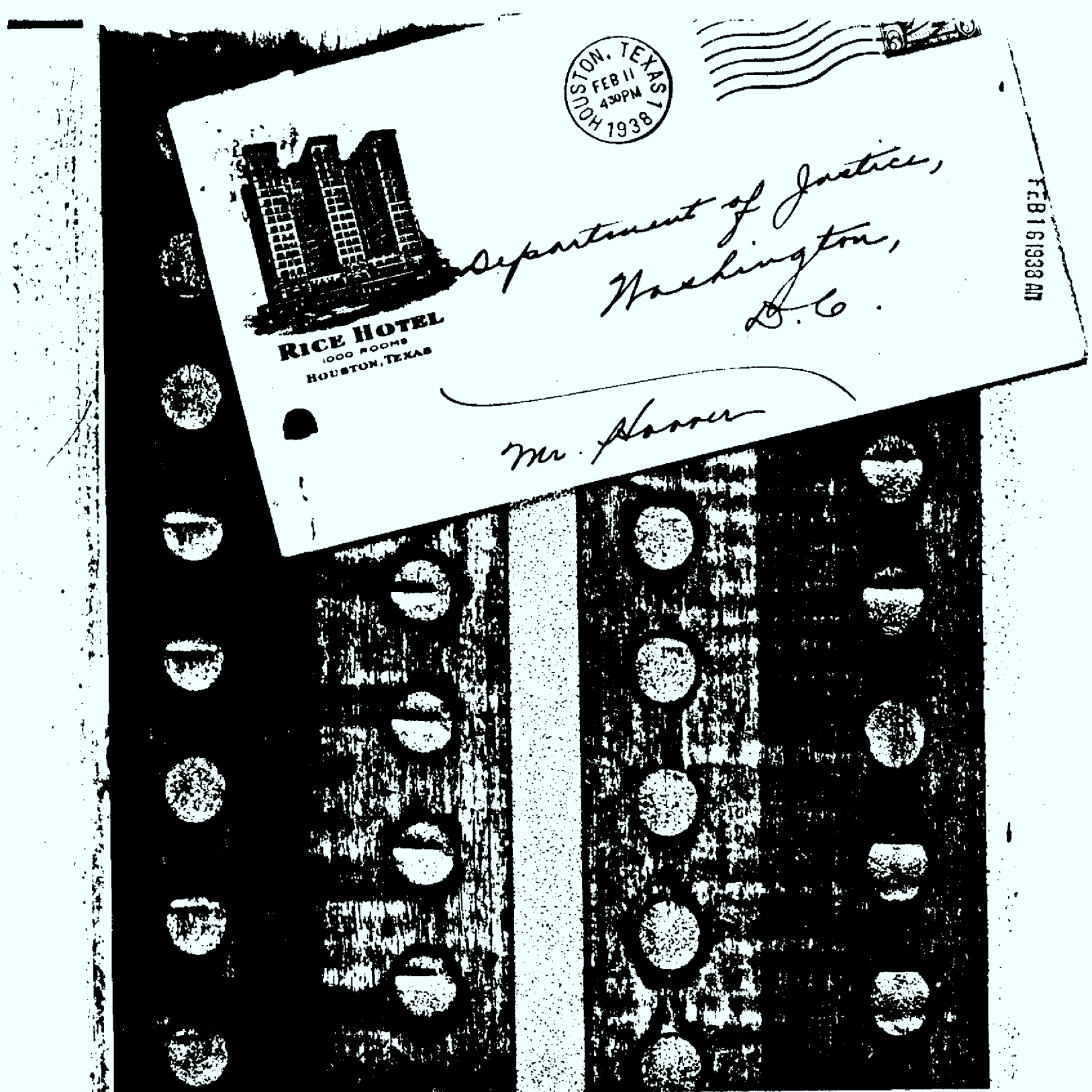
Sincerely yours,

b7C

[redacted]






HOUSTON, TEXAS
FEB 11
4:30PM
1938
RICE HOTEL
1000 ROOMS
HOUSTON, TEXAS
Department of Justice,
Washington,
D.C.
Mr. Hoover
FEB 19 1938 AM

JAMES V. BENNETT
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

February 19, 1938.

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

I am enclosing a copy of a letter from Warden Johnston with which he enclosed an original letter and envelope postmarked at [redacted], purporting to give information about Capone and about [redacted], missing from that institution. This material is forwarded to you for such action as you deem appropriate. You will note that Warden Johnston has asked that the letter be returned for their files when it has served your purpose.

W. T. HAMMACK,
Acting Director.

Mr. Nathan
Mr. Tolson
Mr. Berghman
Mr. Clegg
Mr. Coffey
Mr. Crout
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Hoyal
Mr. Lester
Mr. McIntire
Mr. Naughten
Mr. Nichols
Mr. Pennington
Mr. Rosen
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

RECORDED COPY FILED IN 76-2[illegible]-252
62-27176-218
9-1-7730

ENCL. FOUND FILE

62-39128-80

FEDERAL BUREAU OF INVESTIGATION
FEB 28 1938 A.M.
U.S. DEPARTMENT OF JUSTICE

FILE

AIR MAIL CONFIDENTIAL

Alcatraz, California February 16, 1938

Director, Bureau of Prisons

CAPONE, Alphonse # 85-AZ

The enclosure purporting to give information about Capone and about [redacted] from one [redacted] is forwarded for your information and such follow-up investigation as you think may be warranted. BOP

The typed note and the envelope are inclosed and as you will note from the envelope it was mailed from [redacted]

Following the escape of [redacted] I received anonymous post cards and notes from various places, including [redacted] The originals of the communications were all turned over to the Bureau of Investigation Agent in charge of the [redacted] and while I have no official reports, I understand from the [redacted] that they were all forwarded to Washington and all have been investigated but without turning up anything of consequence.

It may be that th[redacted]

I send the original communication just as received although by this time it probably has several finger prints including the writer's as well as those that get on it in the handling of this correspondence.

When it has served your purpose, please return for our files.

J. A. Johnston
Warden

62-39128-80

:DMS
-39128-80
ab. #21598

March 18, 1938.

DED

MEMORANDUM FOR THE DIRECTOR,
BUREAU OF PRISONS.

Reference is made to your memorandum dated February 19, 1938 with which you transmitted a copy of a letter from Harlem Johnston and an original letter and envelope postmarked "Philadelphia Pennsylvania" for such action as the Bureau deemed appropriate.

Accordingly the typewritten letter was searched through various typewriting files of the Bureau but no identification was effected. No comparison of the typewriting on the envelope and letter could be made with the note received from Philadelphia regarding [redacted] because the note was entirely handwritten.

BP [redacted]

The letter and envelope were examined for latent impressions and one latent fingerprint was found on the letter. This latent fingerprint is of value for comparison purposes but is of insufficient detail to permit classification and search through the single fingerprint file. It has been compared with the fingerprints of the following individuals but no identification has been effected:

[redacted]

BOP

The original envelope and letter, designated by number 62-39128-80 Q1 and Q2, are being returned herewith, photographic having been made for the completion of the Bureau's files.

Very truly yours,
For the Director,

Harold Nathan,
Director.

DE-INDEXED
DATE: 6-25-57

Nathan
Tolson
Baughman
Clegg
Coffey
Crowl
Egan
Foxworth
Gurnea

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

61998
8383

(Recorded 2-26-38 11:00 A.M.)

Laboratory Report

Case: Re: Al Capone, with aliases. Number: 62-39128-80

Specimens:

62-39128-80 Q 1 One envelope postmarked Philadelphia, Pa. 4, Feb. 11, 1938, 11 PM. and addressed to [Kardea James Johnston,] Federal Prison, San Francisco, Cal. BOP

Q 2 One sheet apparently enclosed in Q 1 and reads: [redacted]

Examination requested by [Acting Director W. T. Hammack, Bur. Prisons,] Dep't Justice

Date received: (Blocked 2-23-38) (Rec. 2-25-38 4:00 PM hr) (chp Feb. 23, 1938.)

Examination requested: Document - Fingerprint

Result of examination: Examination by: [redacted] Syphers

RETURN EVIDENCE.

Memo. from [Hammack] dated 2-19-38

2-28-38 Followed to Lab.
3-9-38 - Received from lab.
Latent on Q2 (for comparison only).
Compared latent with prints of following. (Negative results):

[redacted] BOP

Alphonse Capone F.O.I # 214223

Combined report with Lab.

L-7

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

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.

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☐ 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):

1 - b2, b7E

☐ For your information: _____

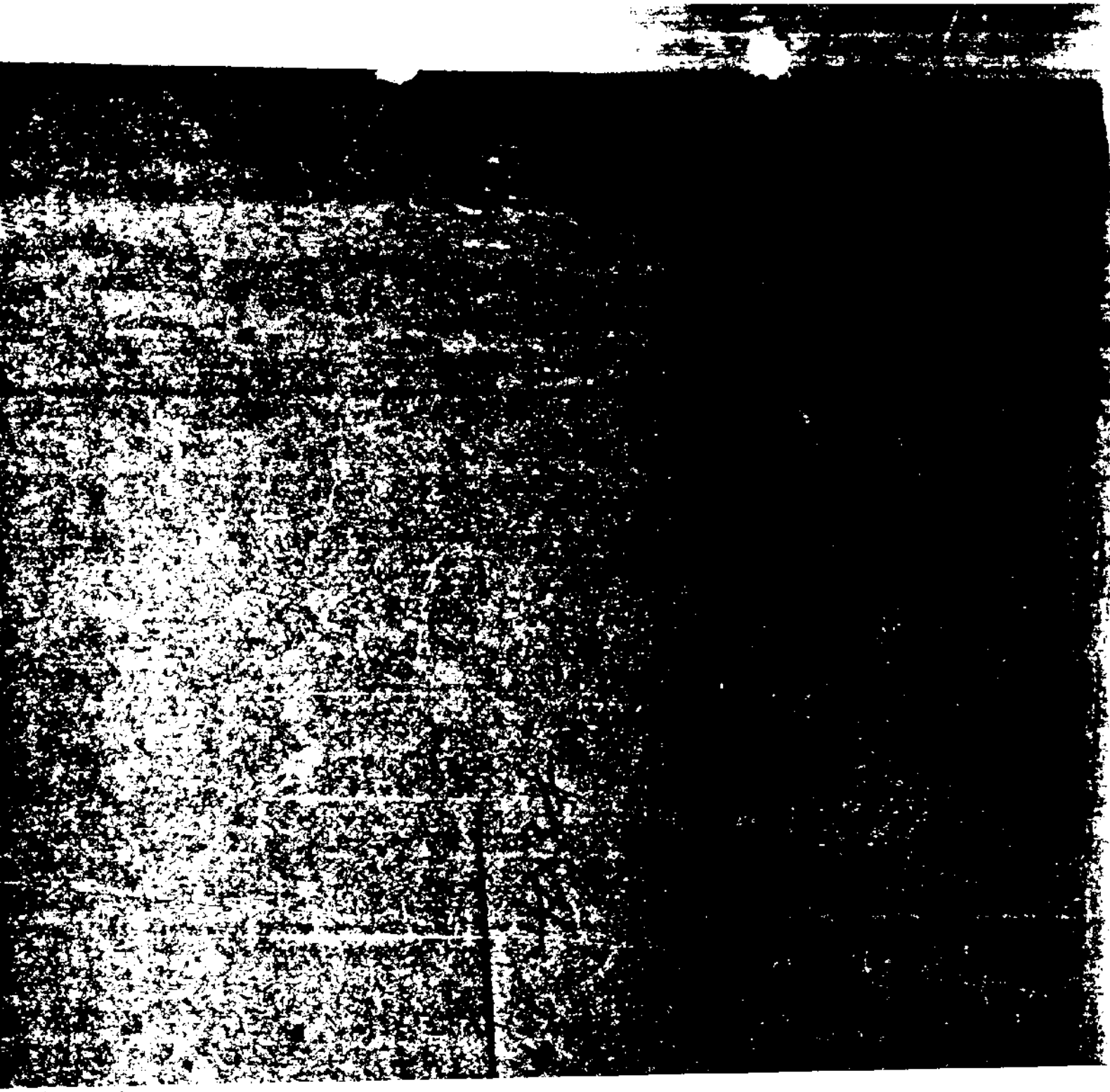
☒ The following number is to be used for reference regarding these pages:

62-3[illegible]

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

XXXXXX
XXXXXX
XXXXXX

FBI/DOJ



SUBJECT _____

FILE NUMBER _____

SECTION NUMBER _____

SERIALS _____

TOTAL PAGES _____

PAGES RELEASED _____

PAGES WITHHELD _____

EXEMPTION(S) USED _____

March 3, 1938

EJM:MH

11597

Special Agent in Charge,
El Paso, Texas.

RE: [redacted]
Information concerning.

Dear Sir:

The Bureau file in the above entitled case indicates that this case is not receiving prompt investigative attention in your division.

This matter should be placed in line for early investigative attention and you should submit a report to the Bureau at the earliest possible date.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover,
Director.

RECORDED

62-39128-81

FEDERAL BUREAU OF INVESTIGATION
MAR 4 1938 P. M.
DEPARTMENT OF JUSTICE

FILE

COMMUNICATIONS SECTION
MAILED
MAR - 3 1938
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

United States Department of Justice

202 U. S. Courthouse
El Paso, Texas

62-400

March 8, 1938

b7C

Re: [redacted]
Information Concerning.

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

62-39128-74

Reference is made to a letter from the Bureau to this Division under date of December 1, 1937 which sets forth information regarding a telegram received by the Bureau that was sent from Midland, Texas on November 23, 1937 and signed by [redacted] This telegram requested information as to "Full status of Al Capone's terms".

You are advised that Special Agent E. C. Dorris contacted [redacted] Midland, Texas, and was advised as follows: He, [redacted], and another individual called [redacted], local bartender, were both drunk at the time this telegram to the Bureau was sent. They got into an argument over the sentence which was imposed on Capone at the time of his conviction. [redacted] advising he at first thought such sentence to be ten years and then later decided it was ten on one count and an additional year on another count, sentences to run consecutively. [redacted] further advised he and his friend then put up a small bet ($2.00 he believes) and then came a discussion of how they were to prove who was right. [redacted] advised he then conceived the idea of wiring the Bureau to secure this information and accordingly did so, his idea being that if he were right he would endeavor to get a larger wager if he could borrow the money. [redacted] then went to the Western Union office to send the telegram but found himself too drunk to word the message as he desired and so secured the assistance of [redacted] local Western Union office. He did not receive any answer to his query. [redacted] denies that he is acquainted with Capone or has any connection with anyone who does know him.

[redacted] Midland Office of the Western Union was also contacted. [redacted] advised he recalled [redacted] sending the telegram in question as he [redacted] had worded the telegram from [redacted] He likewise advised that as he recalled [redacted] was drunk at the time of sending this message.

Local inquiries produced information that [redacted] considers himself as an oil promotor but actually is little more than a bum. The local welfare organizations are ofent called on to furnish groceries for his family and donations are made up by local citizens on other occasions. He, apparently, is a heavy drinker and stays drunk for as long as he can secure whiskey to drink. He is sometimes sucessful in making small deals and usually spends all the money made on whiskey. From information supplied by the local sheriff's office there is no harm in him whatever.

RECORDED & INDEXED

62-39128-82

Very truly yours,

P M Holmes

Suite 1729, 111 Sutter,
San Francisco, California
May 2

Special Agent in Charge
Los Angeles, California

Dear Sir

I am forwarding herewith photostatic copy of a letter recently furnished to this office by W. A. ONEAL, Chief Officer of the U. S. Penitentiary at Alcatraz.

This letter is addressed to AL CAPONE, who was postmaster [redacted] BOP

The letter is forwarded for whatever attention you may deem appropriate.

Very truly yours,

E. J. L. FLYNN,
Special Agent in Charge

ENCLOSURE
Enclosure
to Bureau
(Enclosure)

ANONYMOUS COMMUNICATION

62-39128-83

RECORDED
INDEXED

FEDERAL BUREAU OF INVESTIGATION
RECEIVED
DIVISION ONE

FEDERAL BUREAU OF INVESTIGATION
MAY 8 1938 A.M.
U.S. DEPARTMENT OF JUSTICE
FILE

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

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.

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

b7E

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☐ For your information: _____

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☒ The following number is to be used for reference regarding these pages:

62-3712X-83

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXX

FBI/DOJ

PLEASE ADDRESS YOUR REPLY TO SAC, DEPARTMENT AND QUOTE

b7C

[redacted]

LOUISVILLE, KY.

June 8, 1938

Mr. Tolson
Mr. Nathan
Mr. Tamm
Mr. Clegg
Mr. Coffey
Mr. Crowl
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. McIntire
Mr. Nichols
Mr. Tracy
Miss Gandy

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

One of the officials here is gathering information on short men, and we have searched through the local library for the height of Al Capone.

The City Police Department, County Police Department and The Federal Bureau of Investigation here in Louisville suggested your department in Washington.

We realize that your time is limited, but will greatly appreciate the kindness if you will use the enclosed business reply envelope to give us this information.

Yours very truly,

[redacted] b7C

RECORDED & INDEXED

62-39128-84

FEDERAL BUREAU OF INVESTIGATION
JUN 9 1938 P.M.
DEPARTMENT OF JUSTICE

LCS:AMP
62-39128-84

June 13, 1938

[redacted] b7C

In care of [redacted]

Louisville, Kentucky

Dear [redacted]

In reply to your unsigned letter of June 8, 1938, I am glad to inform that the Bureau's identification records reflect the height of ALPHONSE CAPONE to be 5' 10½".

The stamped, self-addressed envelope which accompanied your letter mentioned is returned herewith.

Sincerely yours,

John Edgar Hoover
Director

Enclosure

Mr. Tolson
Mr. Nathan
Mr. Tamm
Mr. Clegg
Mr. Coffey
Mr. Crowl
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. McIntire
Mr. Nichols
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
JUN 13 1938
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

United States Department of Justice

Chicago, Illinois

October 21,1938

Director
Federal Bureau of Investigation
Washington, D. C.

810-256?

Dear Sir

It is requested that this Office be furnished with a copy of any known criminal record, as well as with a copy of the photograph of, JOHN TORRIO, who was a widely known hoodlum connected with the CAPONE mob in Chicago.

This criminal record and photograph are desired for Mr. CAMDEN of Pinkerton's Detective Agency.

Very truly yours

D. M. LADD
Special Agent in Charge

DML:IJM

RECORDED
&
INDEXED

62-39128-83

FEDERAL BUREAU OF INVESTIGATION
OCT 24 1938
DEPARTMENT OF JUSTICE

File
QT-BW

Oct. 11-7-38

November 7, 1938

NJM:FL
62-39128 -85

Special Agent in Charge
Chicago, Illinois

Dear Sir:

Reference is made to your letter of October 21, 1938 wherein you requested to be furnished with a copy of the criminal record, together with photograph, of one John Terrio for transmittal to Mr. Camden of the Pinkerton Detective Agency.

Please be advised that the Bureau has never furnished information from its identification files to the Pinkerton Detective Agency, inasmuch as that agency under Departmental rules construing Congressional enactment, which limits the furnishing of information appearing in the files to regularly constituted law enforcement officials and agencies, may not be deemed within that category.

A copy of an abstract of the criminal record of one John Terrio, with aliases, #FBI-766329, who is evidently the person in whom Mr. Camden is interested, together with a photograph, is enclosed herewith in order that the substance of this record may be informally communicated to Mr. Camden in the event his office renders a degree of cooperation to the Bureau, which, in your opinion, warrents this action.

Very truly yours,

John Edgar Hoover
Director

Enclosures

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Ennis
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. McGuire
Mr. Nichols
Mr. Trow
Miss Gandy

COMMUNICATIONS SECTION
MAILED
NOV 7 - 1938
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

4-750 (2-7-79)

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XXXXXX
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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) b3, b6 with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

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

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_____

☐ For your information: _____

_____

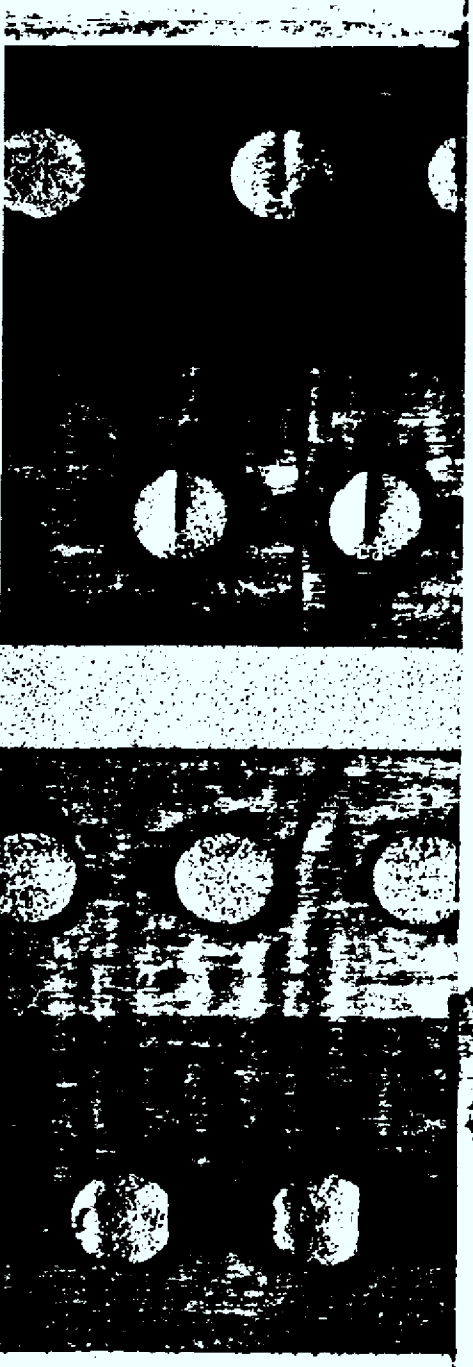
☒ The following number is to be used for reference regarding these pages:
62-39123-45

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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XXXXXX
XXXXXX
XXXXXX

FBI/DOJ



Mr. J. Edgar Hoover
W.D.C.
Washington, DC

Dear Mr. Hoover

I have great admiration for the fine work your department is doing and, for that reason, am sending you the enclosed caption.

What nerve and effrontery that any magazine can publish such an article! American citizens who are law-abiding resent the thought or implication that an American city is to be ruled by a gangster and ex-convict who has stopped at nothing. He [illegible] except

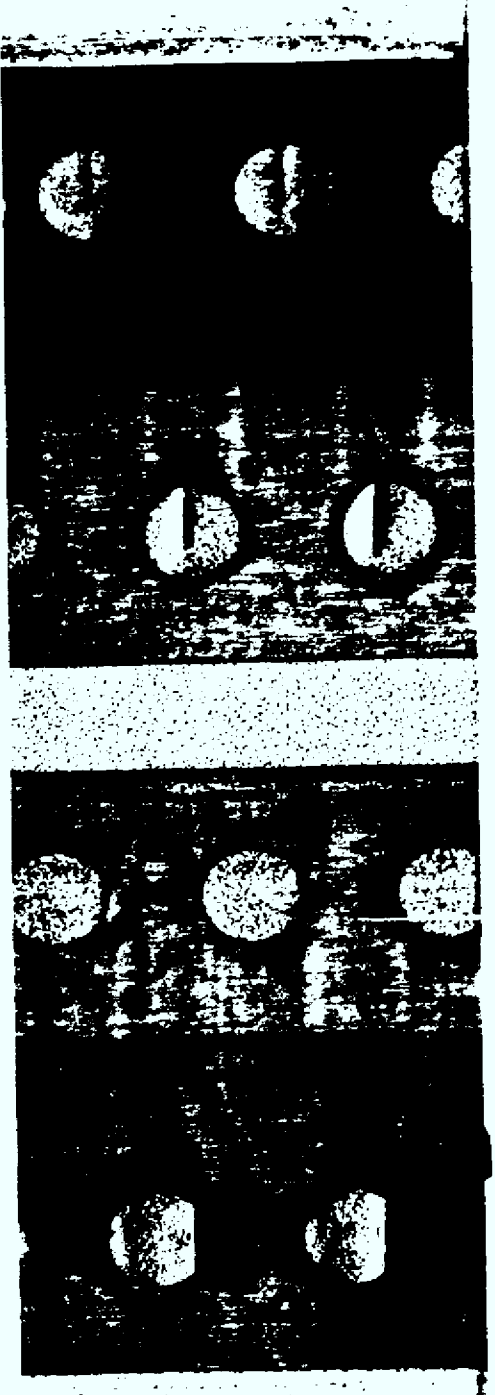
[illegible] RECORDED & INDEXED 62-39128-86

However, we feel that your Department did that such action can not exist as presented by this magazine.

FEDERAL BUREAU OF INVESTIGATION
DEC 19 1934
U.S. DEPARTMENT OF JUSTICE
ONE ENCLOSURE NOT

The newspaper publicity about Mike Lorozzo and his stronghold in Indiana

Wade
No Orders



and his preparation of a fortress. Frog Capone shows what has been done. The Capone home at Long Beach, Michigan City, Indiana is another Estate that has been protected and is being guarded by "Secretaries" with ammunition

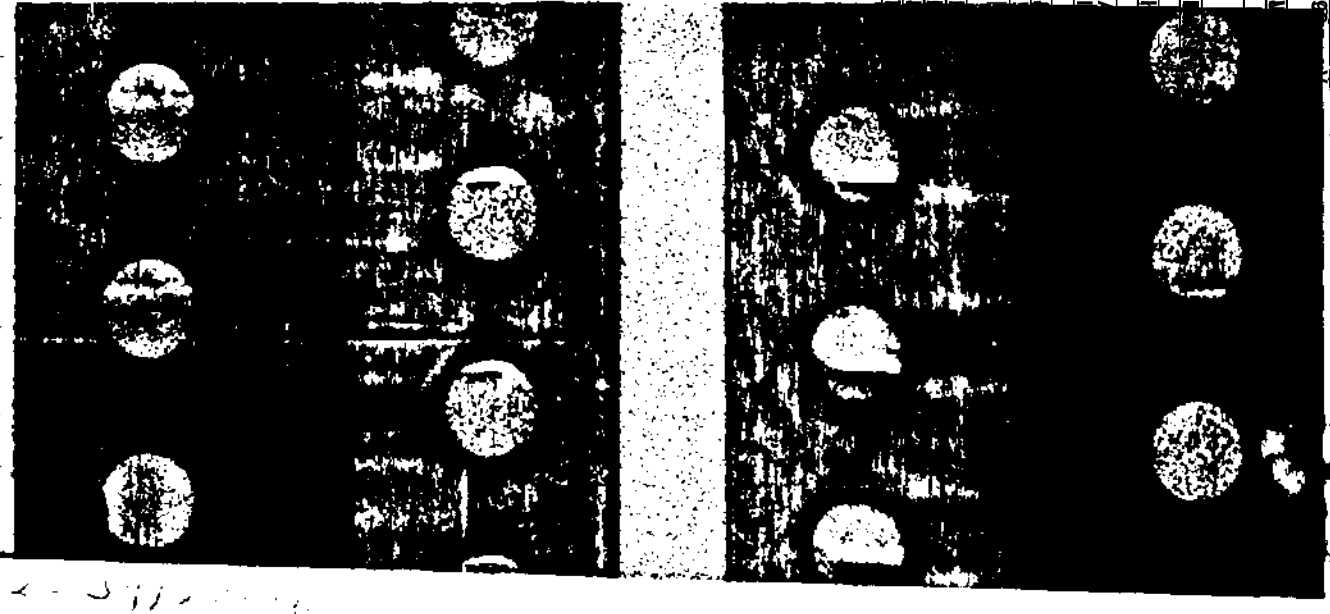
More power to you in the work you and your Department are doing. I am writing this on the train because I do not want to delay sending it to you.

Sincerely

b7C

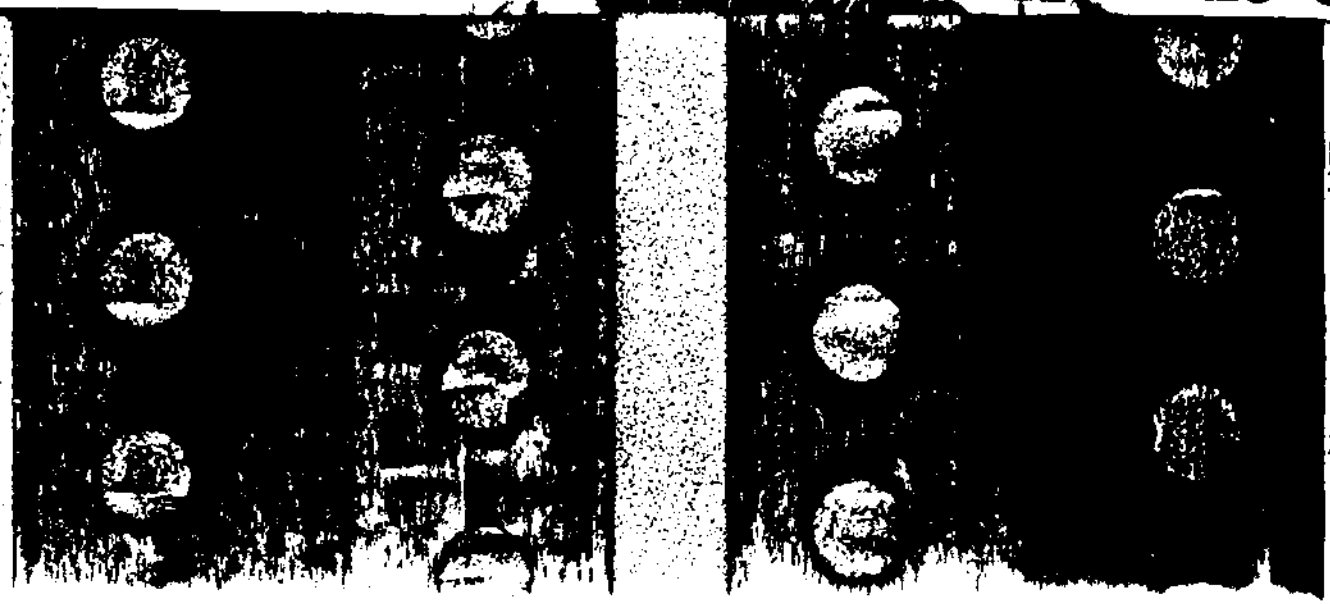
[redacted]

Dec. 7-1938



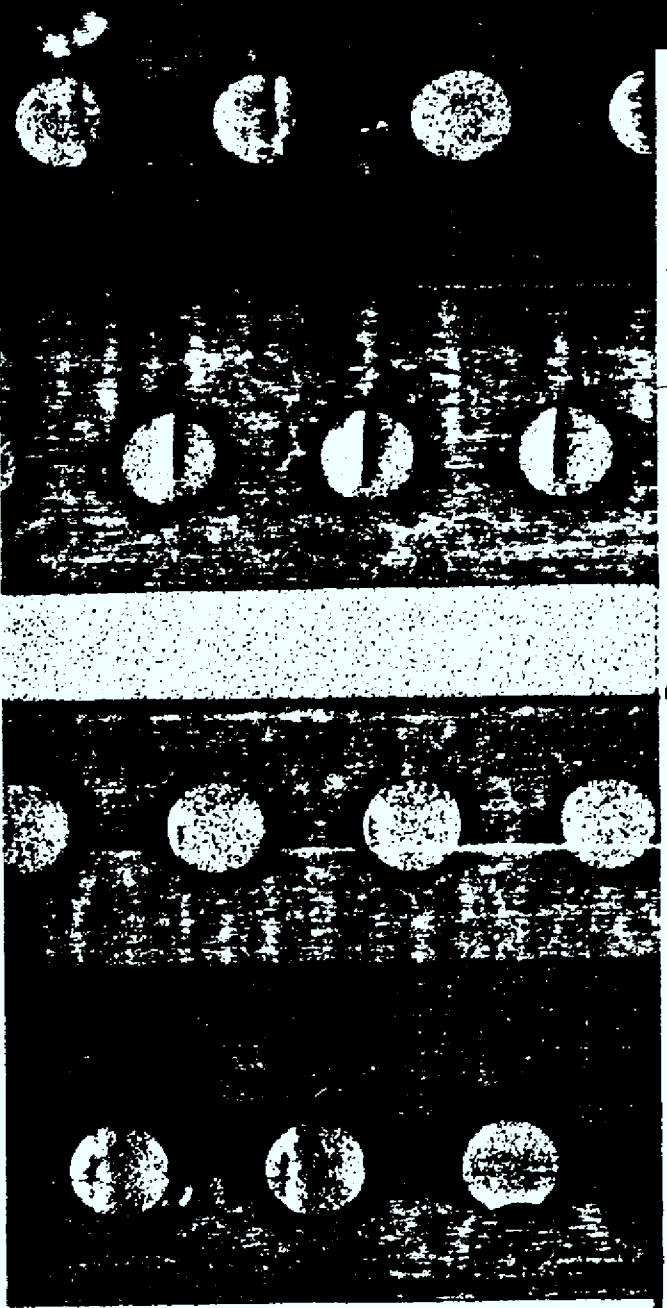
Look

Why CAPONE May Soon Rule Chicago



Mr. Edgar Hoover,
F.B.I.
Washington, D.C.

CHICAGO
DEC 6
5 PM
1938
ILL.
14



Chicago Ills 12-21-38

Dear Mr Hoover I beg you -
from to Do everything Inour Power
to Keep Al Capone In Jail and
away from Chicago Cause his better
Anyone I have been fighting ba-
nishing the Black hand since I-
came to this Country In 1914
and I Wont quit Until Dead
Capone tell his men to get me
and he will Pay 40.000 to any one
who Kep get me, therefore Please
Keep him away from Chicago b7C
Yours truly

[redacted]

Chicago Ills 62-39128-

RECORDED
&
INDEXED

FEDERAL BUREAU OF INVESTIGATION
DEC 27 1938
U. S. DEPARTMENT OF JUSTICE

ONE

Federal Bureau of Investigation

United States Department of Justice

San Francisco, California
January 17, 1939

Director
Federal Bureau of Investigation
Washington, D. C.

Re: AL CAPONE.

Dear Sir:

Please be advised that we have ascertained through a confidential source that the newspaper reports to the effect that AL CAPONE is paralyzed are false. We have determined that on his transfer from Alcatraz to Terminal Island he was in very good spirits and was in a very receptive, talkative mood. He showed no evidences of being paralyzed.

We have obtained the latest photograph of CAPONE, two copies of which, together with his description, are being forwarded herewith. There are also attached two newspaper items relating to CAPONE.

Very truly yours,

N. J. L. PIEPER
Special Agent in Charge

NJLP/mjd
Enc. 4

1 ENCL. T

RECORDED & INDEXED

62-39128-88

FEDERAL BUREAU OF INVESTIGATION
JAN 23 1939
U. S. DEPARTMENT OF JUSTICE

113

CAPONE PARTLY PARALYZED NOW

Prisoner's Condition Result of Advanced Paresis, Physician Reveals

Editorial Comment on Page 12.

By United Press

SAN PEDRO, Jan. 9.—Al Capone entered the final period of his prison term on Terminal Island, the Government's most modern correctional institution, today.

A guard said that he was "screwy" fro madvanced paresis. He was not expected to be allowed visitors, even his wife, before he is released Nov. 19, with good behavior and payment of the outstanding $20,000 on a $50,000 fine. At Alcatraz he could receive one visitor once a month.

Partly Paralyzed

A prison physician said Capone's paresis had reached the point where he was partly paralyzed.

"Normally the case could have been arrested earlier," he said, "except that fear has complicated the disease. Capone's had reached an advanced stage before he entered a Federal prison."

Illness Changes Routine

Capone was brought here Saturday from Alcatraz, "The Rock," in San Francisco Bay. Federal prisoners, in sound health, ordinarily are released in the county where they were convicted. Under this procedure Capone would have been taken by Jan. 19, at the end of his 10-year felony term, to Cook County, Ill., jail to serve a one-year misdemeanor sentence.

Three guards brought him here by train. Six weights were attached to his shackled legs and he wore handcuffs. Instead of his former arrogant swagger, he shuffled; his eyes were glassy and he rubbed absently on one side of his face, which seemed paralyzed.

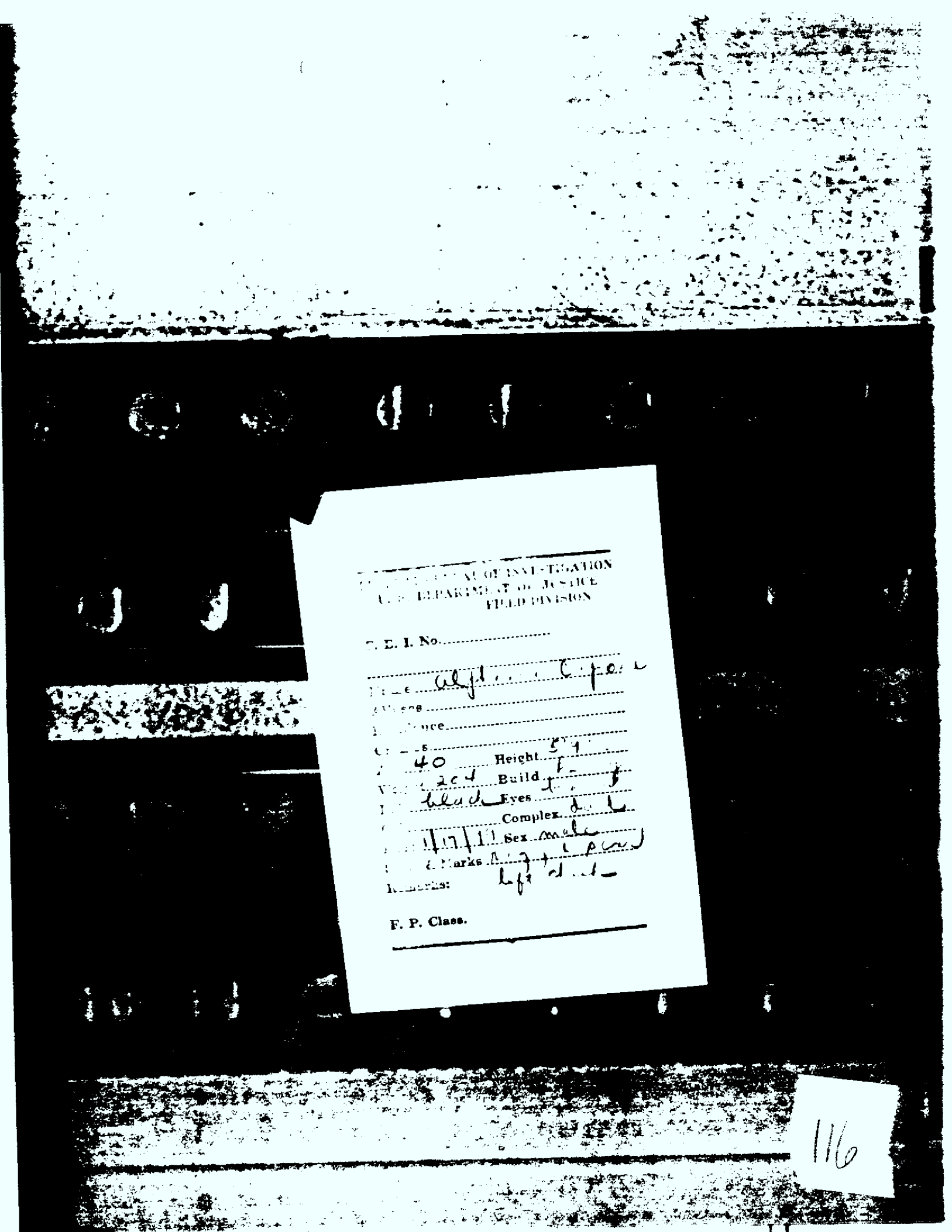
SAN FRANCISCO NEWS

FORWARDED BY
SAN FRANCISCO DIVISION

JAN 9 1933

62-39128-88

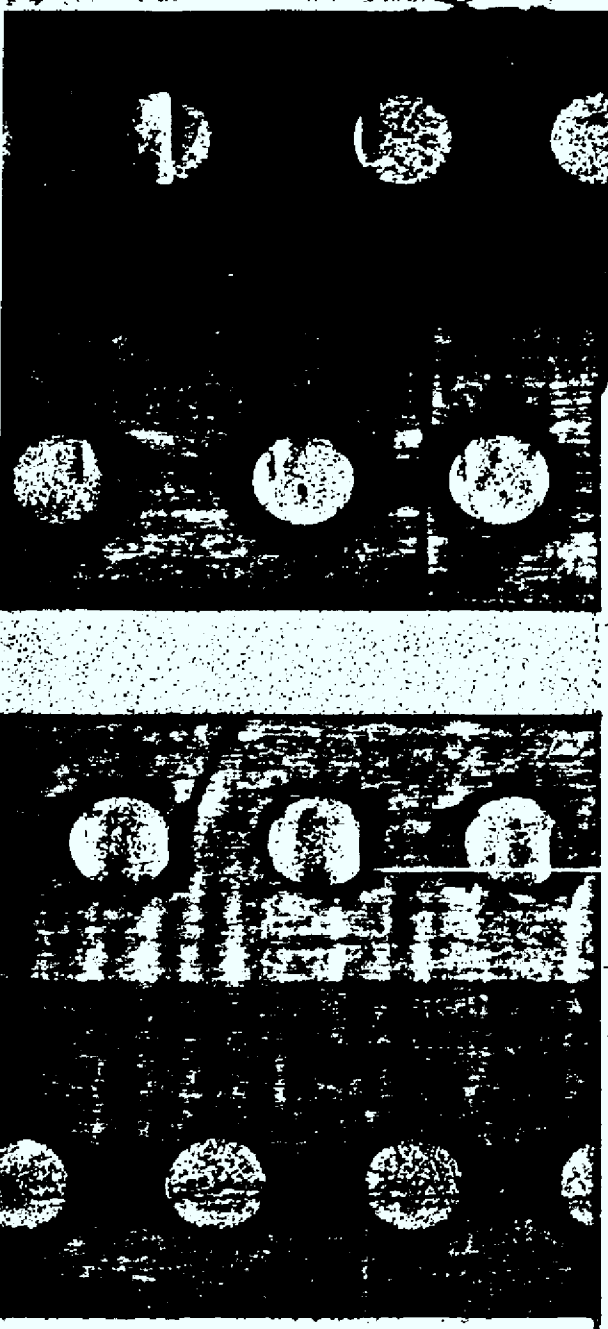
U.S. PENITENTIARY
ALCATRAZ
85


F. B. I. No.
Race
Age 40
Height
Weight 204
Build
Hair bld
Eyes
Complex.
Sex male
Marks
Remarks:
F. P. Class.
116

ENCLOSURE

62-39128-86

117



b7C [redacted]
Detroit Michigan

Dear Sir.

I would like some information on Al. Capone I would like to know what nationality he is, and where he was born. I would appreciate this information very much, because it would help clear up a personal argument. If per chance the information is not available from your office, would you kindly advise me where I could obtain it. Thanking you very much I remain

RECORDED & INDEXED
62-39178-86

Yours very truly

b7C [redacted]

FEDERAL BUREAU OF INVESTIG
MAY 11 1939
U. S. DEPARTMENT OF JUSTICE

ONE

5/17/39

11

JBH:JHK

RECORDED

62-39128 -89 May 17, 1939

[redacted] b7c

Detroit, Michigan

Dear [redacted]

Reference is made to your undated letter which was received at this Bureau on May 11, 1939, requesting certain information about the individual named therein.

I regret to inform you that this information is not available in the files of the Federal Bureau of Investigation, and I am unable to suggest any source from which it could be obtained.

I am returning herewith the self-addressed postal card received with your letter.

Very truly yours,

John Edgar Hoover
Director

Enclosure
cc Detroit

Mr. Tolson
Mr. Nichols
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Ladd
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Lester
Mr. Quinn Tamm
Mr. Traynor
Miss Gandy

COMMUNICATIONS SECTION
MAILED
MAY 17 1939
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

113

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

April 28, 1939

Mr. Tolson	✓
Mr. Nathan	
Mr. E. A. T[illegible]	
Mr. Clegg	
Mr. Coffey	
Mr. Crowl	
Mr. Egan	
Mr. Foxworth	
Mr. Glavin	
Mr. Harbo	
Mr. Lester	
Mr. McIntire	
Mr. [illegible]	
Mr. Quinn Tamm	
Mr. Tracy	
Miss Gandy	

MEMORANDUM FOR MR. TOLSON

I thought you would be interested in knowing that [redacted] in San Francisco, an old-time friend of Damon Runyan, has recently secured the complete life story of Al Capone and it will be published over Damon Runyan's name sometime in the near future.

This information was confidentially related to me by [redacted], who stated that [redacted] had confidentially informed him of this matter.

Respectfully,

L. B. Nichols

RECORDED
&
INDEXED

62-39128-90

FEDERAL BUREAU OF INVESTIGATION
MAY 8 1939
U. S. DEPARTMENT OF JUSTICE

TOLSON
NICHOLS

Federal Bureau of Investigation

United States Department of Justice

Chicago, Illinois

June 13, 1939

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

Reference is made to the telephone call of MR. E.A. TAMM from Washington on June 4, 1939, requesting to be advised whether when AL CAPONE completes his present Federal term he will have to serve a sentence in Cook County.

A thorough search was made of all the files of the Chicago office, which failed to reflect any information regarding any outstanding indictment against CAPONE in Cook County.

[redacted]

IRS
26 U.S.C
6103

Very truly yours,

D. M. LADD
Special Agent in Charge

MHP:FB

RECORDED
INDEXED

62-39128-91
FEDERAL BUREAU OF INVESTIGATION
JUN 15 1939
U.S. DEPARTMENT OF JUSTICE

Dayton Ky. June 25-39

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Justice Dept.
Washington D.C.

62-39128-92
FEDERAL BUREAU OF INVESTIGATION
JUN 26 1939
U. S. DEPARTMENT OF JUSTICE

RECORDED
&
INDEXED

Dear Sir:

I have often wondered why the newspapers and detective magazines keeps referring to the present Capone as if he was the real one when according to information I have the so-called present Capone is in reality Giacomo Colchese a cousin to the dead but not lamented real Capone. According to records of the war department the dead Capone enlisted in the Army at Camp Dix New Jersey with a machine gun battalion in the latter part of 1918. The difference between the present impostor and the real Capone are as follows. The size shoe of the dead Capone 8 but in the Army a half size larger making the shoes 8½ as against mine size of the present Capone. The dead Capone was a loud mouthed cursing Brooklyn rough known as Scarface Diamond and was brought to Chicago by Johnny Torrio who was the Real Boss of the Chicago Alky racket. This loud mouthed Capone decided

he would ~~no~~ knock off Torrio & take charge being Torrio finding this out decided to beat him to it in the meantime the real Capone gets scared of the heat & has himself locked up later on there was some kind of peace talk whereby the head Capone was to meet Torrio, unbeknown to a house in New Jersey the real Capone met with the rest of the gang on the second floor while other hoodlums used machine guns to drill him there the floor no doubt when he was dumped into the ocean many a shark broke off a tooth biting into his bullet ridden body. The present Calabrese Alias Capone was very young and soft spoken. One time when they took him in Brooklyn a a rocket Squad he knew little or nothing about that town even tho he was supposed to have known the town inside and out. One thing I do not know however is why they doctored up Calabrese with a few safety razor blade scares which today is almost gone while the real Capone had deep straight razor scares that could never even off. I think if you check the Adjutant Generals Office of the War Department you will find the full description and photographs of him. I am writing you this letter because I think the public should know the real truth as to his identity Giuseppe Calabrese.

Best Yours.

b7C

VCZ:JEK
62-39128 -92

June 29, 1939

RECORDED

[redacted]
Dayton, Kentucky

b7C

Dear [redacted]

I am in receipt of your letter of June 25, 1939, and the facts contained therein have been made a part of the official records of this Bureau.

Very truly yours,

John Edgar Hoover
Director

cc Louisville

Mr. Tolson
Mr. Nichols
Mr. E. A. Tamm
Mr. Glavin
Mr. Coffey
Mr. Ladd
Mr. Egan
Mr. Foxworth
Mr. Gurnea
Mr. Harbo
Mr. Lester
Mr. McIntire
Mr. Nichols
Mr. Q. Tamm
Mr. Tracy
Miss Gandy

FEDERAL BUREAU OF INVESTIGATION
MAILED
JUN 29 1939
D P M

RAT 124
VJXL

141 Park Lane W.
Grosvenor 1016-7-8

COPY

June 30, 1939

Clyde Tolson, Esquire
The Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Tolson:

I am indebted for your name to Mr. E. Hayter Preston, whom, you may remember, spent some time at the Bureau collecting material for his story of the G-Men in the "People."

As I am at present collecting material for an article on Al Capone to coincide with release in November he suggested I might communicate with you and ask for your help.

The salient facts I want are whether or not there is any possibility of a release before the date originally fixed, so that I can instruct my agent accordingly, and what the effect of his release is likely to be on America's man in the street.

I don't know whether it is possible for you to send me any further information which has not already been used in this country regarding the events which led up to his arrest or anecdotal material concerning his earlier background. If it is, I would be extremely grateful.

Again, it would be useful to me if you could lend me a few press clippings and photographs which would be unlikely to be included in English newspaper libraries. These I would undertake to have photographed or copied and return to you within a few days.

To lend the story authority it would be more valuable to have it signed by somebody who has been connected with Capone at some time, preferably somebody now living in England.

The only person I can call to mind is a man who used to be Al Capone's jockey called Arthur Rae, sometimes going by the name of Lee, whom I believe to be working as a steward on a Royal Mail liner between London and Rio.

Perhaps you would be kind enough to confirm this or to let me know of anybody else I could approach.

RECORDED & INDEXED 62-37128-93

FEDERAL BUREAU OF INVESTIGATION
JUL 14 1939
U. S. DEPARTMENT OF JUSTICE
TOLSON

Should you wish to confirm my bona fides as a journalist I am well known to Mr. Donald MacKerstie, News Editor of the London Daily Mirror, and Major Percy Davies, who acts in a similar capacity on the News of the World.

Thanking you for the favour of a reply at your convenience,

I remain

Yours faithfully,

(S) R. Parry-Ellis

1 2le

LEN:MLB

July 11, 1939

62-39128-93

RECORDED

Mr. R. Parry-Ellis
141 Park Lane West
London, England

Dear Mr. Parry-Ellis:

Your letter of June 30, 1939, addressed to my Assistant, Mr. Clyde Tolson, has been referred to my attention. With reference to your request for data regarding Al Capone, I regret that I am unable to supply you with the desired material inasmuch as Capone was incarcerated on a case not investigated by the Federal Bureau of Investigation.

However, I have taken the liberty of referring your letter to Mr. Joseph A. Maloney, Special Assistant to the Attorney General, for such action as he may deem necessary.

With best wishes and kind regards,

Sincerely yours,

~~J. EDGAR HOOVER~~

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Crowl
Mr. Harbo
Mr. Lester
Mr. Lawter
Mr. Nichols
Mr. Rosen
Mr. Sears
Miss Quinn Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
★ JUL 12 1939 ★
P.M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
JUL 14 1939
U.S. DEPARTMENT OF JUSTICE

LEN:MLB

RECORDED
62-39128-93

July 11, 1939

MEMORANDUM FOR MR. JOSEPH A. [illegible],
SPECIAL ASSISTANT TO THE ATTORNEY GENERAL

I am attaching hereto a letter which I have received from Mr. R. Parry-Ellis, 141 Park Lane West, London, requesting information on the release of Al Capone and a possible associate of his in London.

Inasmuch as the Bureau does not have this material available I have advised Mr. Parry-Ellis that his letter was being referred to your attention for such action as you deemed necessary.

Very truly yours,

John Edgar Hoover
Director

Enclosure

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Crowl
Mr. Harbo
Mr. Lester
Mr. Lawler
Mr. Nichols
Mr. Rosen
Mr. Sears
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
JUL 12 1939
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
JUL 13 1939
U. S. DEPARTMENT OF JUSTICE

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:GVC

August 1, 1939

Time: 3:08 p.m.

MEMORANDUM FOR THE FILE

[redacted] IRS

E. A. TAMM

10:40 A. M. - 8/2/39

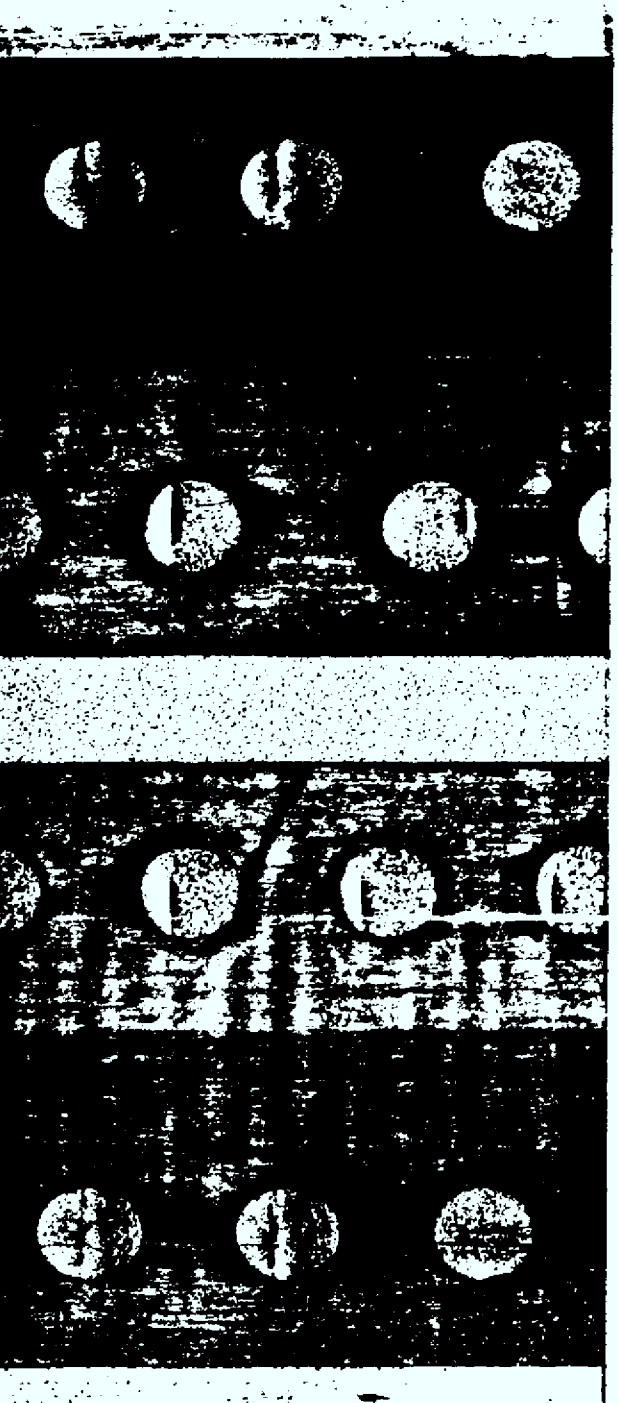
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EAT

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62-39128-94
FEDERAL BUREAU OF INVESTIGATION
AUG 3 1939
U.S. DEPARTMENT OF JUSTICE

RECORDED COPY FILED IN



OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Sept. 30, 1939

Mr. Tolson
Mr. Nichols
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Gurnea
Mr. Egan
Mr. Glavin
Mr. Groval
Mr. Harbo
Mr. Lester
Mr. Rosen
Mr. Nichols
Mr. Quinn
Mr. Sears
Mr. Quinn Tamm
Mr. Schilder
Mr. Tracy
Miss Beahm
Miss Gandy

Re: AL CAPONE

According to Mr. Hood at Los Angeles, Capone will serve his last day in jail on November 19, 1939.

He will be released the morning of Nov. 20, 1939 if his fines are paid and if not paid he will be released Nov. 21, 1939.

I inquired if there was only 1 additional day to be served if the fines were not paid and Mr. Hood said that is correct; that he verified it with the prison authorities.

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RECORDED

62-37129-96

FEDERAL BUREAU OF INVESTIGATION
OCT 2 1939
U. S. DEPARTMENT OF JUSTICE

TAMM

Federal Bureau of Investigation

United States Department of Justice

LOS ANGELES, CALIFORNIA
October 13, 1939

Mr. J. Edgar Hoover
Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

PERSONAL AND CONFIDENTIAL

Dear Mr. Hoover:

You will recall that I orally advised you WALTER B. CLAUSSEN, Chief of Associated Press Bureau in Los Angeles, had requested an interview with you in Los Angeles.

I ascertained from him today that he desired to talk with you concerning the release of AL CAPONE from Terminal Island Penitentiary and wished to know whether it would be possible for an interview with him.

I advised CLAUSSEN that this matter was not one in which the Bureau had any primary interest inasmuch as the handling of prisoners is within the scope of the Bureau of Prisons and he was not sentenced as a result of investigation conducted by this Bureau. He indicated that his Washington office was endeavoring to handle this matter through the Bureau of Prisons and I informed him this appeared to be the proper procedure.

Very truly yours,

R. B. HOOD,
Special Agent in Charge.

RBH:MD
cc: Bureau

62-39128-96

RECORDED

LBN:JCR

62-31127-16

October 23, 1939

RECORDED

Mr. Walter S. Clausen
Chief
Associated Press Bureau
Los Angeles, California

Dear Mr. Clausen:

I regret very much that my commitments were such that I did not have an opportunity to see you while in Los Angeles recently although Mr. Hood has advised me in detail of his conversation with you.

I was there for such a short time and there were several matters which required my personal attention. I hope you understand my situation.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

Mr. Tolson ✓
Mr. Nichols
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Gurnea
Mr. Harbo
Mr. Lester
Mr. Nease
Mr. Richards
Mr. Rosen
Mr. Scott
Mr. Quinn Tamm
Mr. Trotter
Miss Gandy

COMMUNICATIONS SECTION
MAILED
★ OCT 27 1939 ★
P.M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

11598

LOS ANGELES, CALIFORNIA
October 12, 1939

Mr. J. Edgar Hoover
Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

PERSONAL AND CONFIDENTIAL

Dear Mr. Hoover:

On October 11, 1939, MARTIN MOONEY, writer, telephone Wyoming 1557, communicated with the office and stated he would like you to communicate with him at the above telephone number.

WALTER B. CLAUSSEN, 1243 Trenton Street, in charge of the local Associated Press, telephonically communicated with the office and advised Assistant Agent in Charge VAL S. KINNEY that he would like to have about five minutes of your time on a matter not for publication. He was informed that his message would be given to you.

Lieutenant J. R. McKINNEY, telephone Mutual 9211, Extension 2739, telephonically advised Mr. KINNEY that you are invited to speak on the steps of the City Hall on October 27, 1939 at the Navy Day celebration. I am advising Lieutenant McKINNEY that you will not be in town on that date and it will not be possible to make this appearance.

[redacted] Hollywood, communicated with me on October 12, 1939 and stated she desired an interview with you and that she had a telegram from Miss GUNN in Washington. Inquiry disclosed that she wants to report information concerning an alleged murder ring operating in California. She was informed that her message would be relayed to you but in view of your commitments it was not known if an interview could be had with her and she was informed relative to the Bureau's jurisdiction in such matters. She indicated she might communicate with Governor OLSON with reference to this situation.

RECORDED AND INDEXED

Very truly yours,

62-39128-97

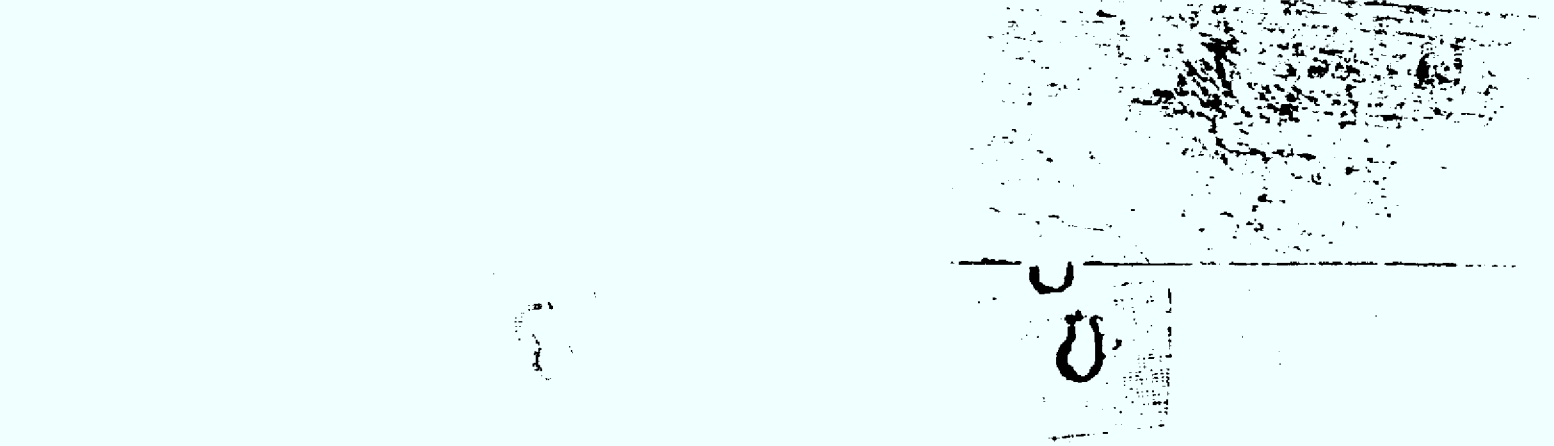
FEDERAL BUREAU OF INVESTIGATION
OCT 16 1939

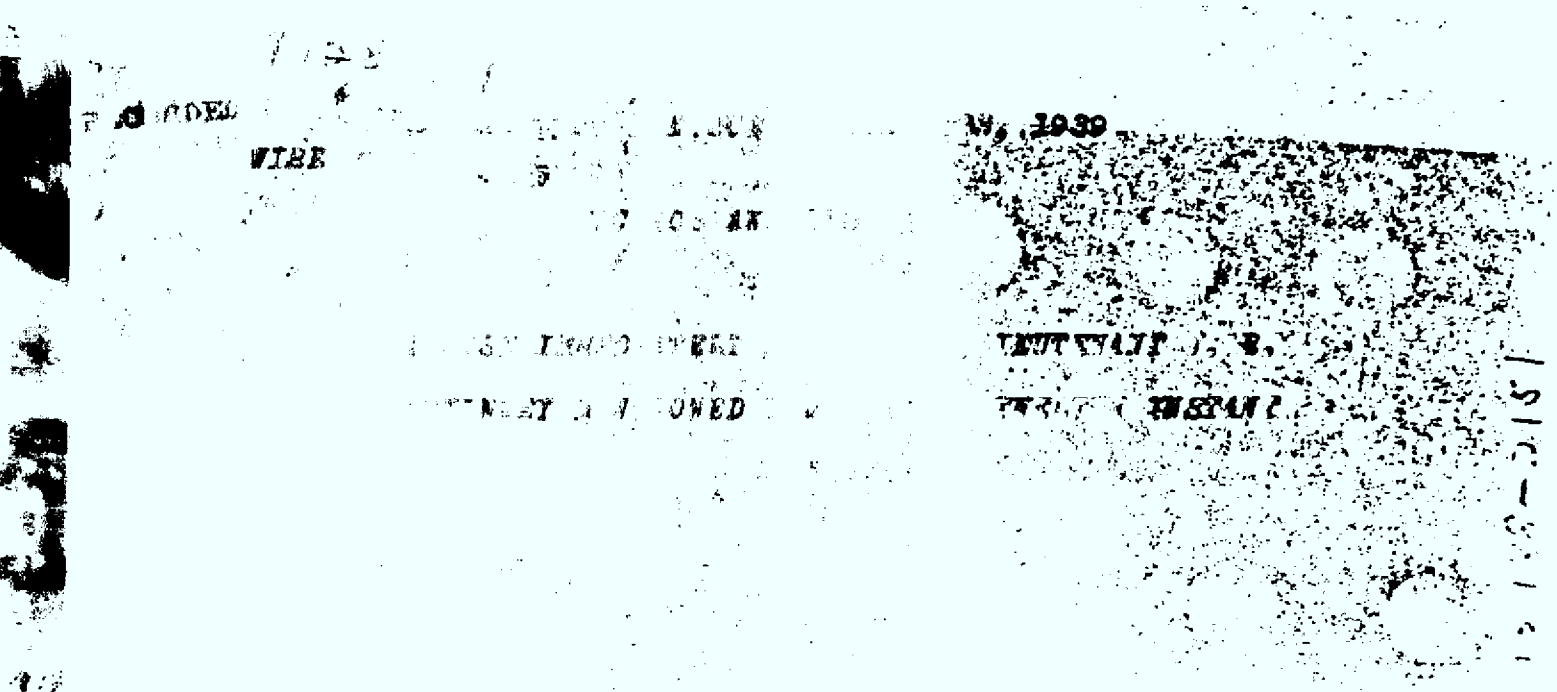
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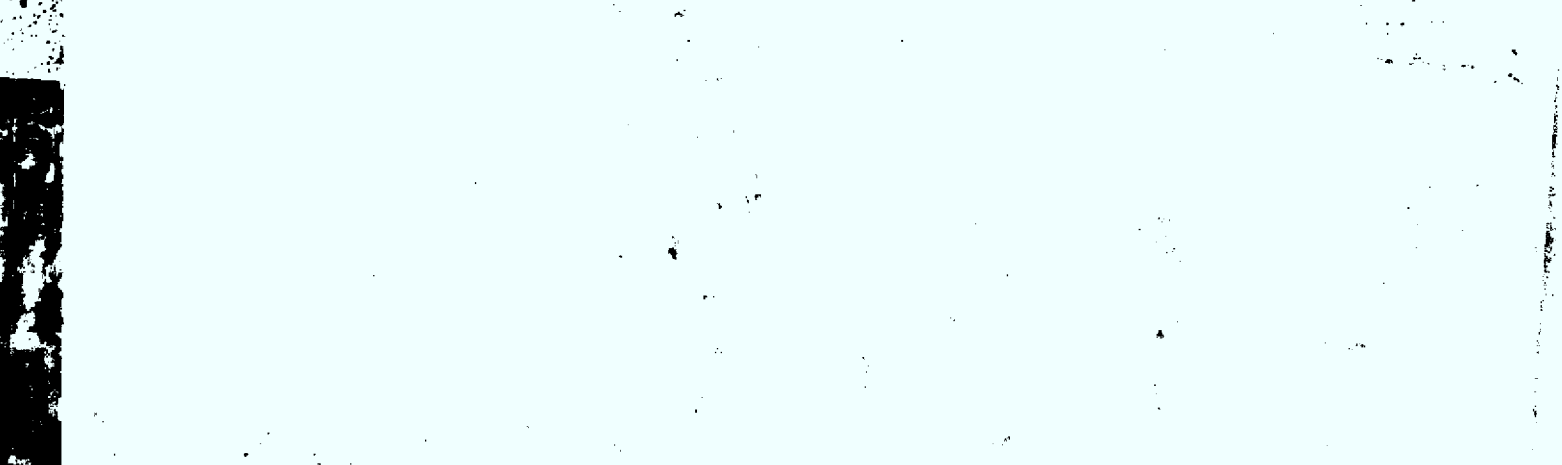
cc: Bureau

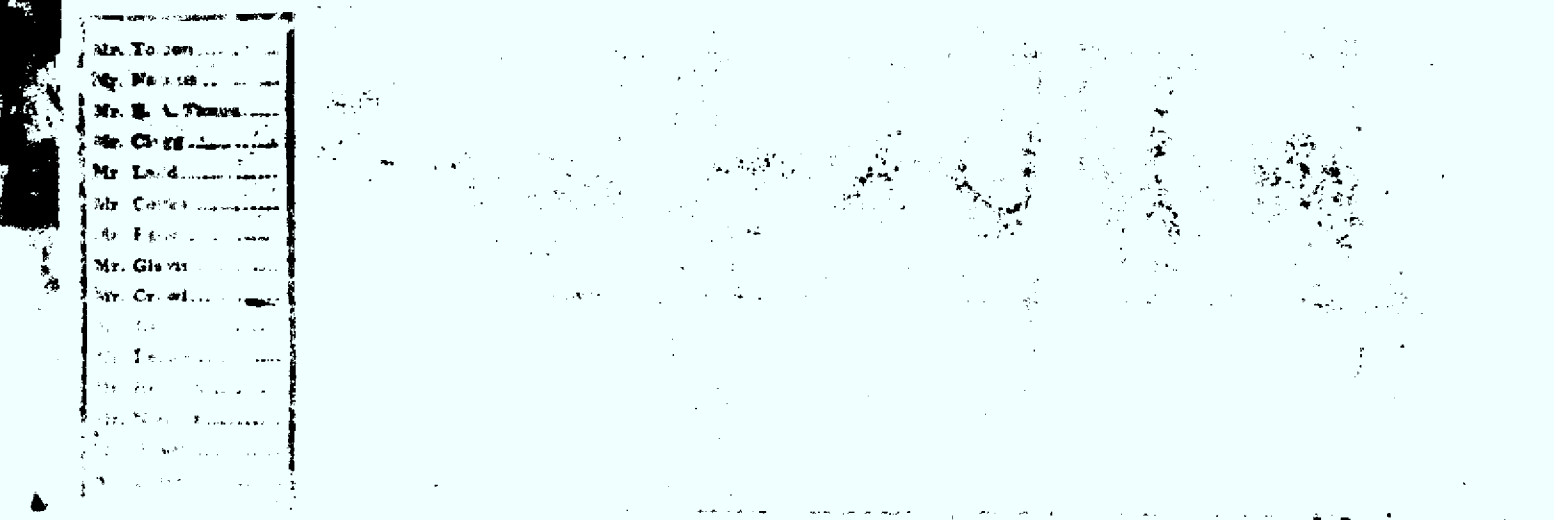
R. B. HOOD,
Special Agent in Charge.

TOLSON
ELMER
CLEGG
EDWARDS
GANDY
MISS GANDY









JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.
October 25, 1939

EAT:TEB

Time 2:30 p. m.

MEMORANDUM FOR THE FILE

I called Assistant SAC Zimmer at Los Angeles and told him it is rumored that Mrs. Capone has divorced Al Capone.

I instructed Mr. Zimmer, if possible, to have an Agent interview Capone under suitable pretext and in the course of questioning incidentally attempt to verify or disprove this rumor without arousing Capone's suspicion.

Mr. Zimmer stated this would be done.

E. A. TAMM

RECORDED

62-39128-9

FEDERAL BUREAU OF INVESTIGATION
OCT 26 1939
U. S. DEPARTMENT OF JUSTICE

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FBI
DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
OCT 23 1939
WESTERN UNION

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LOSANGELES CALIF OCT 23 1939 411P

DIRECTOR FEDERAL BUREAU OF INVESTIGATION

US DEPARTMENT OF JUSTICE

RETEL LIEUTENANT J R MCKINNEY ADDRESS TWO ONE ONE WEST TEMPLE STREET PROBATION DEPARTMENT, LOSANGELES HOOD..

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RECORDED

62-39128-99

TOLSON TAMM JENKINS MISS GANDY

136

NEW YORK MIRROR

DAILY AND SUNDAY

235 EAST 45TH STRE
MURRAY HILL 2-1000

Oct. 27, 1939

Dear Mr. Hoover

I am forwarding the attached at Mr. Winchell's request.

Sincerely

for Walter Winchell

RECORDED & INDEXED

62-39128

FEDERAL BUREAU OF INVESTIGATION

OCT 28 1939

U. S. DEPARTMENT OF JUSTICE

807 South California Ave.
Chicago, Illinois
October 26, 1939

John Note & postmark from NY

Mr. Walter Winchell,
c/o Daily Mirror,
New York City.

Dear Mr. Winchell:

In reference to the telephone conversation of last Sunday, I have been unable to get in touch with you. I have been at the home of my husband, Ralph Capone, where I verified what I told you. The information that I gave you Sunday was correct.

His brother, Al, will be in New York on or about the 13th of November and he is scheduled to be at the home of Mary Chirco, 606 Liberty Ave., Brooklyn, N. Y.

It is also understood that the present Mrs. Capone will grant him a divorce upon his arrival in New York.

Very truly yours,

PEGGY CAPONE

P.S. Wish also to inform you that the $12,000 Income Tax Judgment was lost by Ralph Capone.

138

62-39125-1

November 9, 1939

AR:DM

62-39188-100
RECORDED

Mr. Walter Winchell
115 Central Park West
New York, New York

Dear Walter:

I have just had an opportunity to see your note of October 27, 1939, sent by your secretary concerning the Capones. I have been unable, however, to obtain any confirmation of the material transmitted with this note.

Cordially,

J. Edgar Hoover

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Colley
Mr. Egan
Mr. Glavin
Mr. Crowl
Mr. Harbo
Mr. Lester
Mr. Headon
Mr. Nichols
Mr. Boone
Mr. Beare
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
★ NOV 10 1939 ★
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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DEPARTMENT OF JUSTICE

139

Federal Bureau of Investigation

United States Department of Justice

Los Angeles, California,

October 26, 1939

Director
Federal Bureau of Investigation
Washington, D. C.

PERSONAL & CONFIDENTIAL

RE: AL CAPONE

Dear Sir:-

Reference is made to the telephonic request of Assistant Director E. A. TAMM of October 25, 1939, relative to the fact that the wife of AL CAPONE had divorced him or was attempting a divorce.

Special Agent D. W. Magee of this Office interviewed CAPONE, alone, at Terminal Island for a period of one hour, late in the afternoon, October 25, 1939. CAPONE was approached on two angles during this interrogation. One approach concerned the early history of the Chicago Motion Picture Operators Union, particularly TOMMIE MALLOY (deceased), GEORGE E. BROWN, WILLIE BIOFF, with aliases, JOHN (BIG NICK) NICK, and NICK (NICKELODEON) CIRCELLA, who were also connected with the Motion Picture Operators Union years ago. The second approach was concerning his knowledge of the escape of RALPH ROE and THEODORE COLE from Alcatraz.

AL CAPONE seemed in high spirits during the course of the interview, and stated he knew NICK (NICKELODEON) CIRCELLA well; that he remembered GEORGE E. BROWN, but could not place WILLIE BIOFF, with aliases. He suggested that his brother RALPH CAPONE would be more in a position to furnish information on these individuals, and stated that TOMMIE MALLOY had been one of his men, but MALLOY got out of line and subsequently was killed in an automobile accident, giving Agent a confidential wink of his left eye while making this statement.

62-39128-101

RECORDED & INDEXED

CAPONE then brought out the early history of FRANKIE TORRIO, and explained how he, CAPONE, had left New York for Chicago. He digressed into statements concerning TORRIO; how he had censored TORRIO for being interested in the prostitution racket in Chicago. He stated that he, CAPONE, had made $10,000,000.00 during the prohibition days in Chicago, but stated he had never been interested in any vice racket. He digressed into conversation concerning RANDOLPH HEARST for whom he continually expressed contempt during the conversation. CAPONE stated he was a good friend of JACK DEMPSEY and that on one occasion HEARST had encouraged DEMPSEY to bring him, CAPONE, to HEARST's beach residence at Santa Monica, California, where CAPONE claims to have witnessed various sexual activities which disgusted him.

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During the course of the conversation CAPONE would stop and ask, "What were we talking about?" and he would have to be brought back to the subject matter, which indicated to Agent that his mind does not function normally. CAPONE stated he formerly belonged to Tammany Hall Party in New York prior to the establishment of his Chicago residence.

During the course of the interview, AL CAPONE spoke of " Sonny " his son, who is now a lawyer and who graduated from Notre Dame. He stated he had received a letter from the school authorities at Notre Dame informing him that his son was a diligent student but that he shunned recreation. CAPONE stated that RALPH ROE, Fugitive, was a likeable fellow and that it was his opinion ROE had actually escaped. He stated that he doubted whether COLE made a successful escape but could not explain why one would get away and not the other. He stated that the Alcatraz Institution was so tight he did not believe ROE or COLE, or any other inmate could possibly get information out of Alcatraz for assistance in having a boat meet him. He stated both of these men worked in the mat shop making mats out of tire casings, and it was the general thought that automobile inner tubes had been left in some of the tiers and they had effected their escape by use of the inner tubes.

CAPONE then spoke of a JIMMY LUCAS who had stabbed him four times in the back at Alcatraz. He stated that he smashed LUCAS with a banjo. He stated he had previously been approached by LUCAS requesting his assistance to escape from Alcatraz.

During the course of the investigation, CAPONE expressed delight in the fact he was going to be released on November 19, 1939. He stated he was going to his Florida home to join his wife and his son and enjoy a family life. He stated he expected to be taken to Florida by his brother RALPH CAPONE who was to come to Southern California the latter part of October. He stated that TOM SULLAHAN, Head of the Chicago Office of the United States Secret Service was going to accompany him and RALPH CAPONE to Florida. He gave no indication that he had a divorce from his wife or that his wife was attempting to divorce him. It appeared doubtful to Agent whether his family or the prison authorities would advise him of

141

a divorce or attempted divorce, in view of his mental condition.

CAPONE stated that he and RALPH intended to establish four furniture and automobile factories in Florida, and that this would give employment to thousands of people. He stated he did not intend to go to Chicago and neither he nor his brother RALPH was going to engage in any rackets. He stated he and the family owned a lot of stock in the Pabst Brewery; that they had extensive interests in greyhound racing establishment; that he still owned the Colosimo Cafe and the Metropole Hotel in Chicago. CAPONE, during the course of the interview, seemed to have plenty of courage and spoke in big figures. He stated they had paid over $300,000.00 income tax last year.

He continually stated that RALPH CAPONE was making all the plans. He spoke of other connections in the past, naming CLARENCE DARROW as one of his former attorneys. When conversing on old activities and racketeering connections, CAPONE gave confidential, sly winks of his left eye at frequent intervals. He was not questioned on the divorce matter.

CAPONE advised Agent that at Terminal Island he is in charge of recreation.

[redacted] Bureau of Prisons only had knowledge of the fact that information and history on Chicago gangsters was desired. [redacted]

Very truly yours,

R. B. HOOD,
Special Agent in Charge

DWM:mch
AIR MAIL, SPEC. DEL.

142

HHL:AHK

November 2, 1939

MEMORANDUM FOR MR. TOLSON

Re: Address - Annual Meeting of the New England Postgraduate Assembly, Harvard University, Cambridge, Massachusetts, - October 31, 1939; 380 present.

My conference with Dr. Alan R. Moritz, Professor of Legal Medicine, Harvard University, and his plans to establish a medico-legal institute or school at Harvard, together with my suggestions regarding this planned school, have been made the subject matter of a separate memorandum to the Director under even date.

Upon my arrival in Boston, Massachusetts, on the morning of October 31, 1939, I contacted Dr. Lewis R. Parkins, Secretary of the Program Committee, the New England Postgraduate Assembly, and made arrangements for the conference with Dr. Alan R. Moritz as promised in Bureau communications to Dr. Parkins.

The New England Postgraduate Assembly is made up of practicing physicians from the five New England States of Maine, Vermont, Rhode Island, New Hampshire, and Massachusetts, and had apparently attracted some of the outstanding physicians from New England. Present at the 7:00 P. M. dinner of the Assembly were more than five hundred doctors from the New England States. Many of them had been met personally by me prior to the dinner, which was formal so far as regarded the speakers' table at which were seated all visiting lecturers.

I was the sole speaker at this dinner meeting. The Director's regret at his inability to appear personally was expressed to the assembly by me as well as apologies for the fact that Assistant Director Hugh H. Clegg was unable to give this talk as scheduled.

My talk lasted for 45 minutes and was well received. I stressed particularly the work of the Bureau's Technical Laboratory, with tribute being paid to the medical profession and Mr. Hoover's appreciation being expressed for the fine assistance which the

Mr. Tolson	
Mr. Nathan	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Ladd	
Mr. Coffey	
Mr. Egan	
Mr. Gurnea	
Mr. Crowl	
Mr. Harbo	
Mr. Lester	
Mr. Hendon	
Mr. Nichols	
Mr. Ro[illegible]son	
Mr. Sears	
Mr. C[illegible] Tamm	
Mr. Tracy	
Miss Gandy	

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62-39128

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

TOLSON CLEGG NICHOLS LAB. MISS GANDY

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143

profession had rendered the Bureau, particularly in the establishment of the Technical Laboratory. The audience gave me an ovation at the conclusion of my talk and I met many of the outstanding physicists present personally.

A cordial invitation was extended to the entire audience, on the Director's behalf, to visit the Bureau whenever any of them happened to be in Washington, and I assured them the Director would be glad to have them visit the Technical Laboratory.

It is contemplated that the Bureau will receive a limited number of requests from some of the doctors for two Bureau publications of general interest and for two dealing with the work and functions of the Technical Laboratory. It was explained to them that these booklets were for their own information and for law enforcement officers and not for the general public.

Many of the doctors present were interested in specific articles published by the Bureau from time to time in [illegible] a list of reprints of such articles [illegible] meeting, with the explanation that [illegible] requested specific reprints of [illegible] consideration would be given to [illegible] that these reprints were for the [illegible] officers and for the [illegible] available to the general [illegible]

[illegible]

I assured him that I would mention the matter to no one other than the Director and also pointed out that since Mr. Bennett of the Bureau of Prisons had been interested in making arrangements for the doctor's treatment of Alphonse Capone that the doctor should be able to obtain the desired photograph from Mr. Bennett, as Director of the Bureau of Prisons. He indicated, however, that he might write to the Director concerning the photograph and I thought he might like to have this information. It is possible that the doctor simply wanted to call my attention to the fact that he was going to treat Capone and may never write in for such a picture. It was explained to the doctor further that any picture of Capone in the Bureau's files would probably be one which had been sent in with an arrest record by some local law enforcement agency and to that extent would be considered to be the property of the local law enforcement agency rather than the Bureau, which acted as custodian of fingerprint and criminal records.

Respectfully,

E. A. Tamm Assistant

145

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

November 7, 1939

AR:LCJ

10:17 A.M.

MEMORANDUM FOR MR. E. A. TAMM

I called SAC Foxworth at New York with reference to my telephone conversation of last night with Agent Wynn about an article that appeared in the New York Times-Herald of November 6 to the effect that Al Capone was to be released from prison soon and that he may be called as a witness before the new Federal Grand Jury convening in New York this week to study the crime situation throughout the Nation; that the article also said that Federal authorities were said to be anxious to question Capone before the Jury. I advised him that the Director requested that he determine what that article was all about.

Mr. Foxworth advised that the United States Attorney's office is closed today, this being a holiday in New York City, but that Assistant United States Attorney Doyle would be in the office some time today and he would ask Mr. Doyle as soon as he came in.

Mr. Foxworth stated that he thinks the story is totally unfounded; that he bases this contention upon the fact that certain newspapermen told him that they had heard a rumor to that effect but that they had been unable to obtain a confirmation of it. He stated that he is sure that the newspapermen could obtain confirmation of the story from the United States Attorney's office if the story had been true. He stated, however, that he would speak to Mr. Doyle as soon as he came into the office and would advise the Bureau.

Respectfully,

A. ROSEN

62-39128-102

RECORDED & INDEXED

NOV 7 1939

146

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.
November 6, 1939

AR:TEB

Time 10:12 p. m.

MEMORANDUM FOR MR. E. A. TAMM

I called Agent Wynn at New York and read to him the following article which appears in the Washington Times-Herald today under dateline of New York.

"Al Capone soon to be released from prison may be called as a witness before the new Federal Grand Jury convening in New York this week to study crime throughout the nation, it was reported today. Federal authorities were said to be anxious to question Capone before the Jury which is investigating crime syndicates and their ramifications."

I told Mr. Wynn the Director would like to have additional information, if possible, in regard to this matter.

Mr. Wynn stated he would attempt to obtain same immediately and if successful would call me back tonight.

Respectfully,

A Rosen

A. ROSEN

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C D 11600

Mr. Tolson
Mr. Nichols
Mr. B. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. McGuire
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

Mr. Hoover

from Allen C. Dibble.

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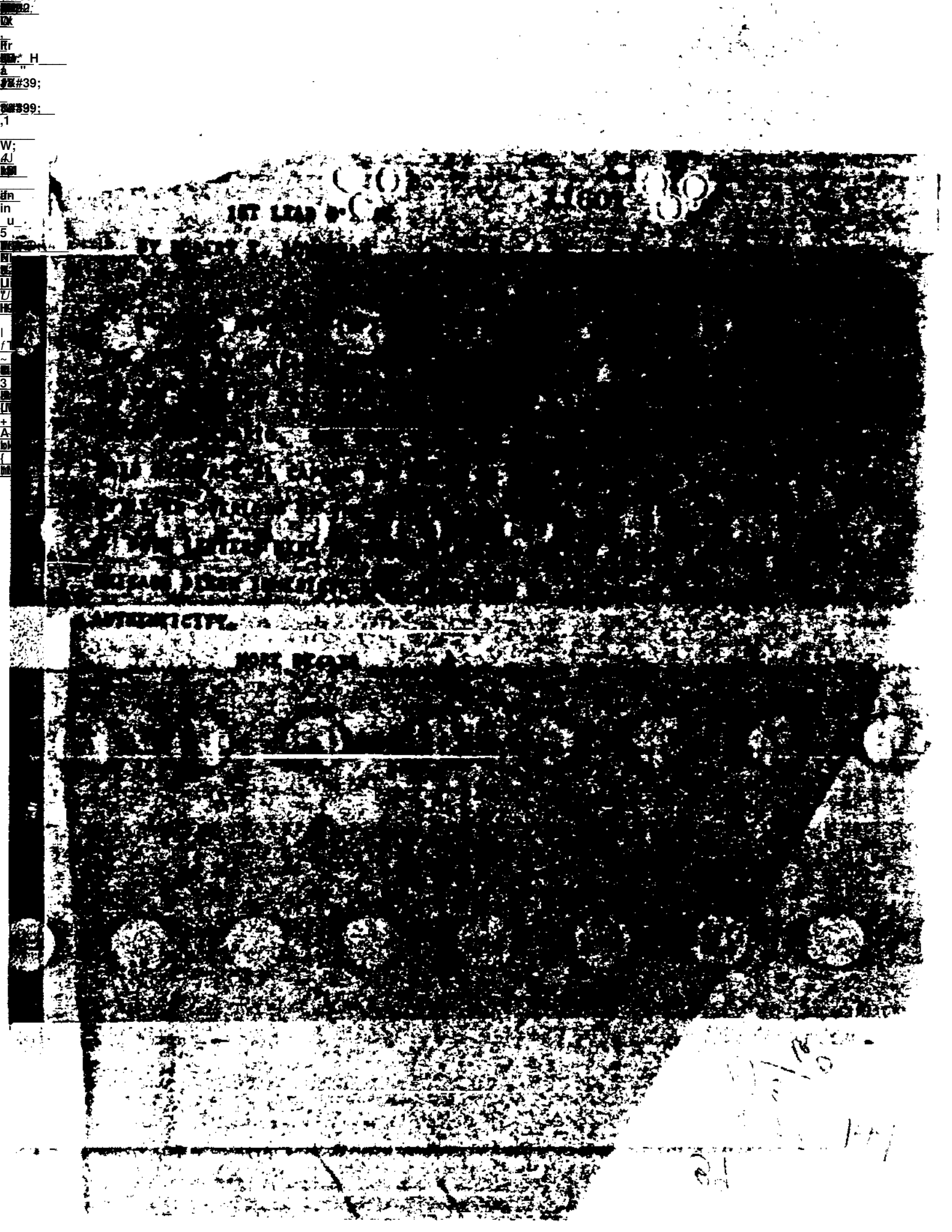
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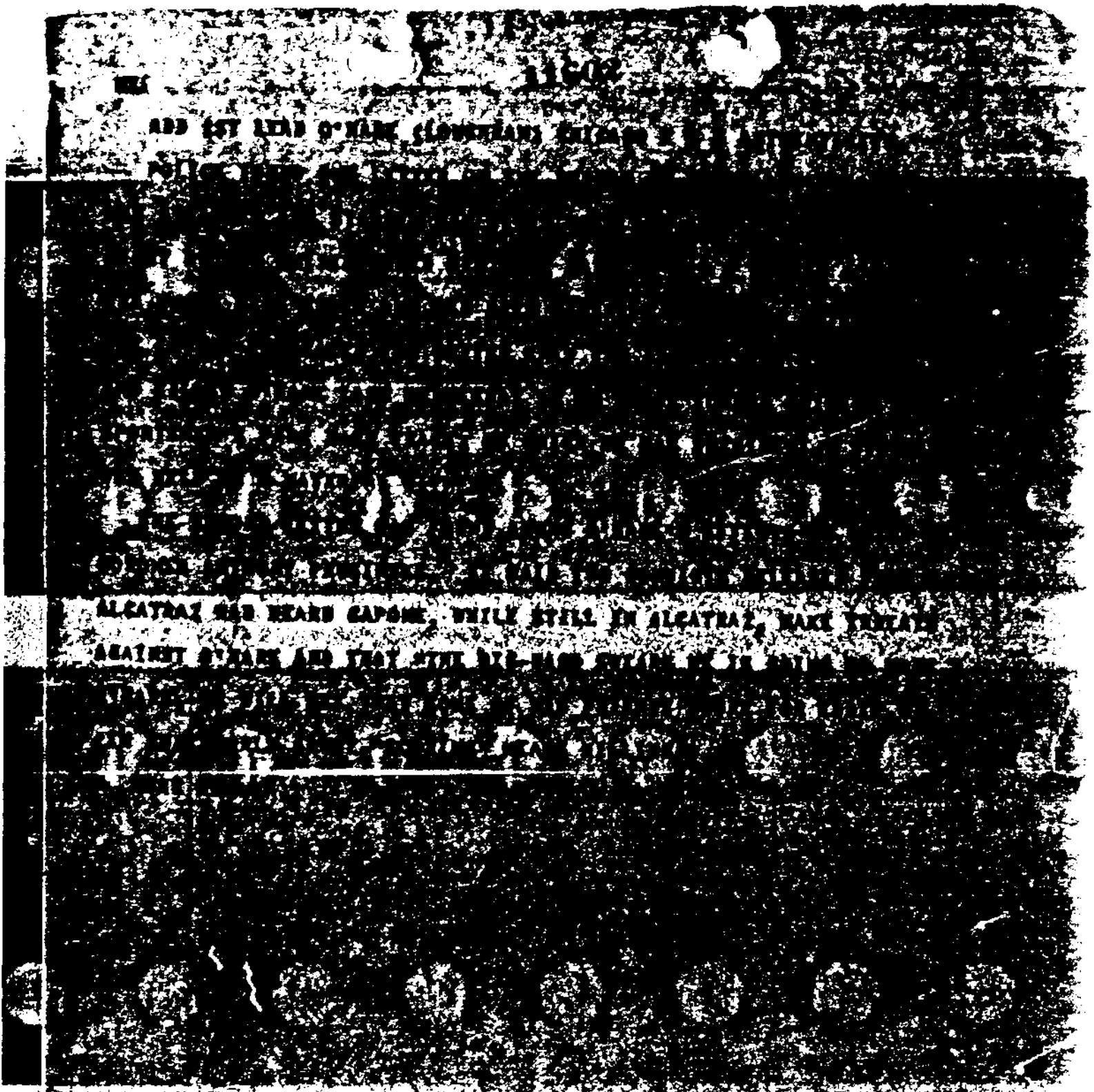
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NOV 16 1939

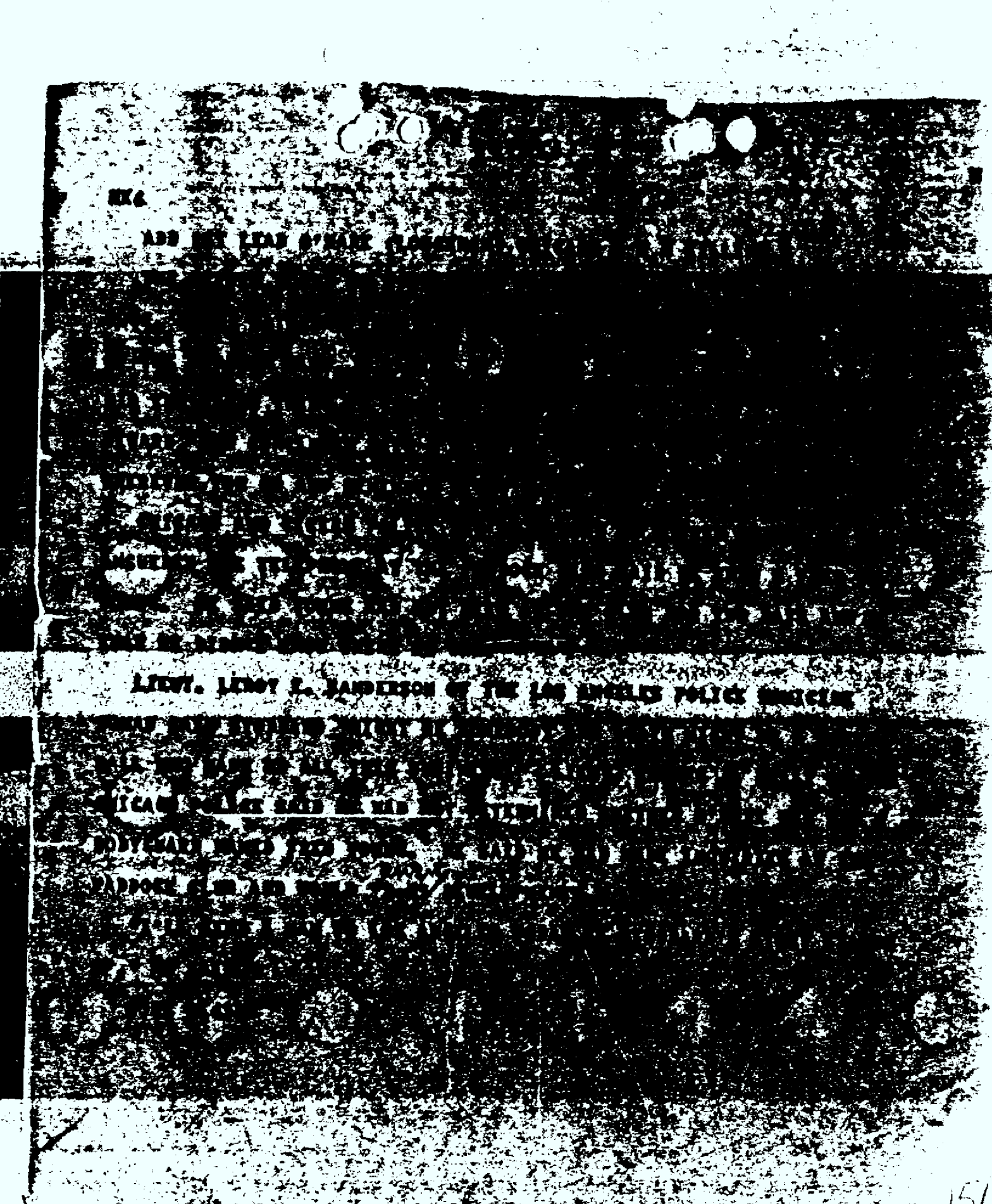
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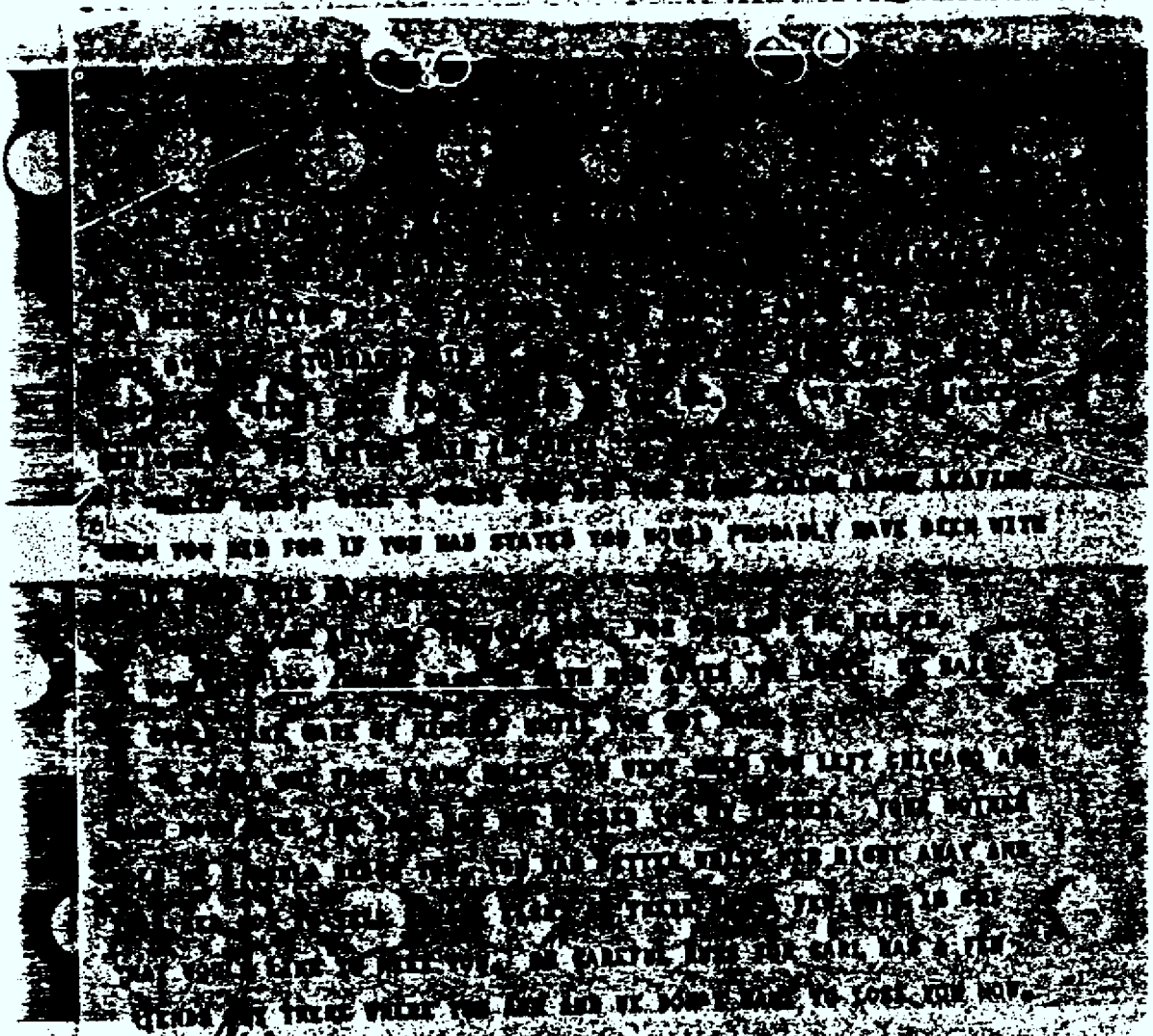




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[redacted] WHEN YOU SEE FOR IF YOU HAD STAYED YOU WOULD PROBABLY HAVE BEEN WITH

[redacted] JOE [redacted] THE TOWER

[redacted] THE AIR [redacted] SAID

[redacted] YOU [redacted] LEFT [redacted] AIR

[redacted] YOUR MOTHER

[redacted] TO GET AWAY [redacted]

[redacted] TO SEE

[redacted] TOO, BY [redacted] SAW, [redacted]

[redacted] WHEN YOU [redacted] IT DOES [redacted] TO LOSE YOUR NOT-

X X

-) LET ME GIVE YOU A WARNING, TWO, DON'T TRY TO CROSS

S IN ANY WAY EVER, FOR YOU'RE NOT FOOLING AROUND WITH THAT GUY

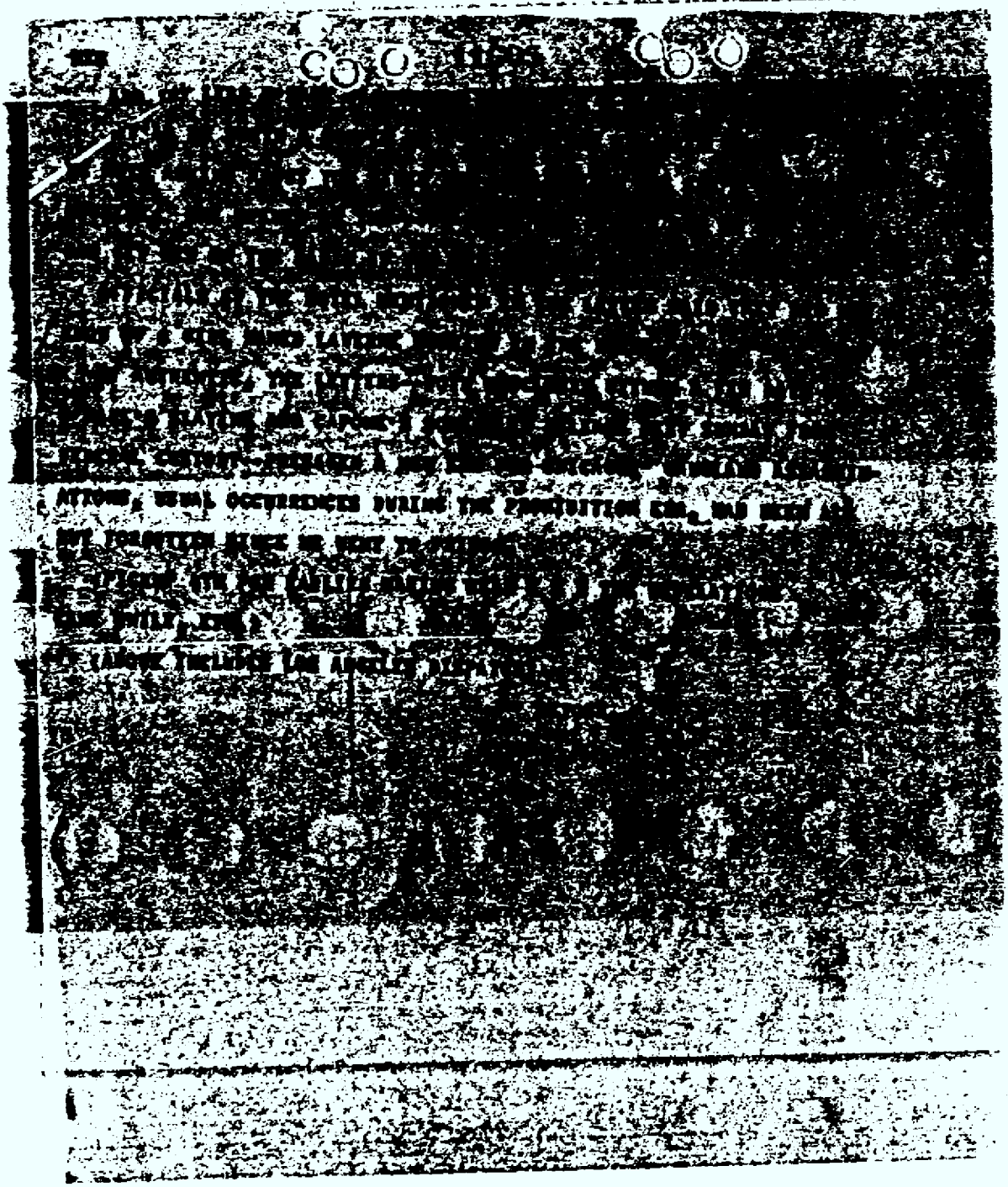
N DALLAS NOW. X X X I HAVE AN IDEA THE BOSS WILL HAVE A PRETTY NICE

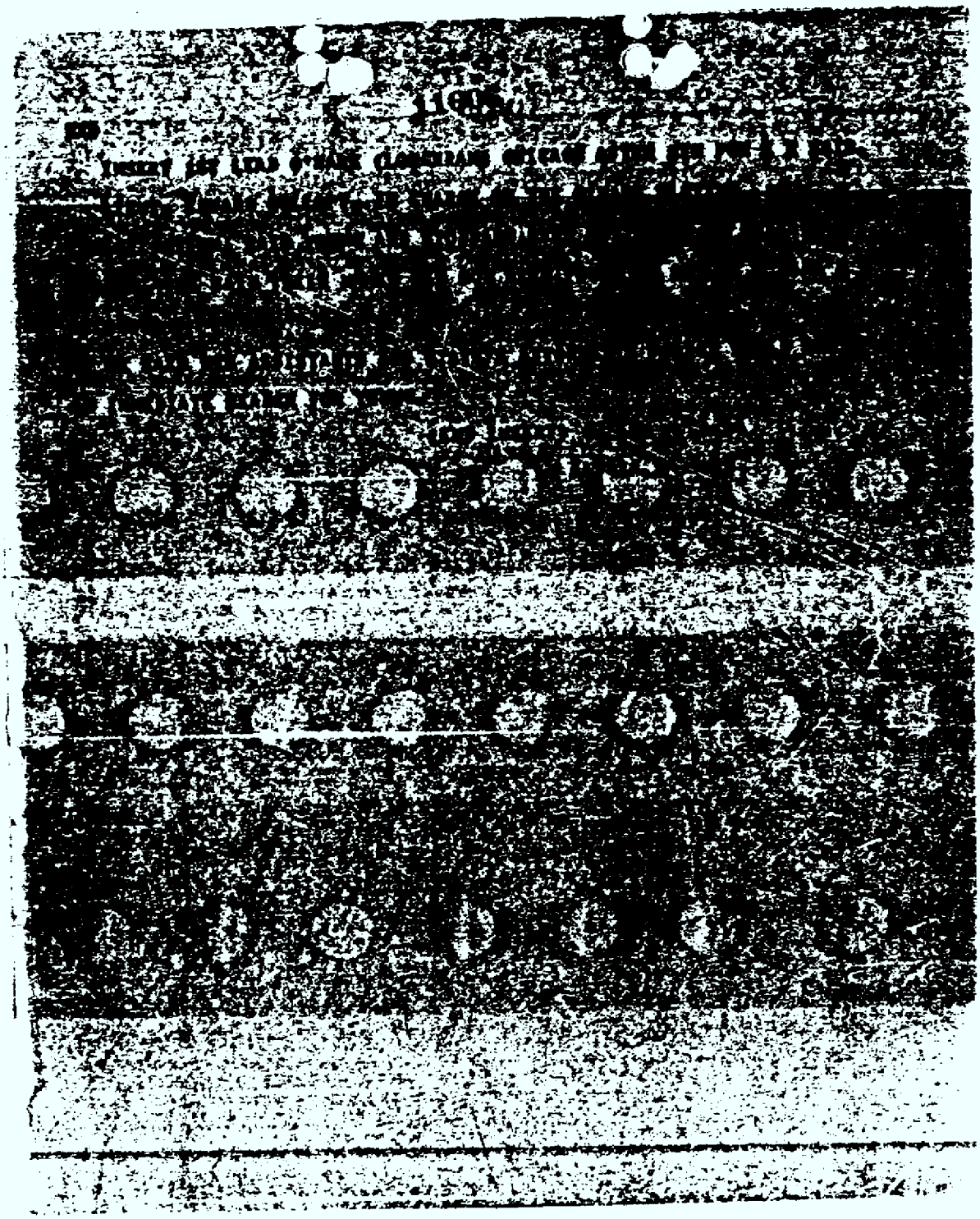
JOB FOR YOU WHEN YOU GET BACK. YOU SEE CERTAIN PEOPLE KNOW WHO WAS

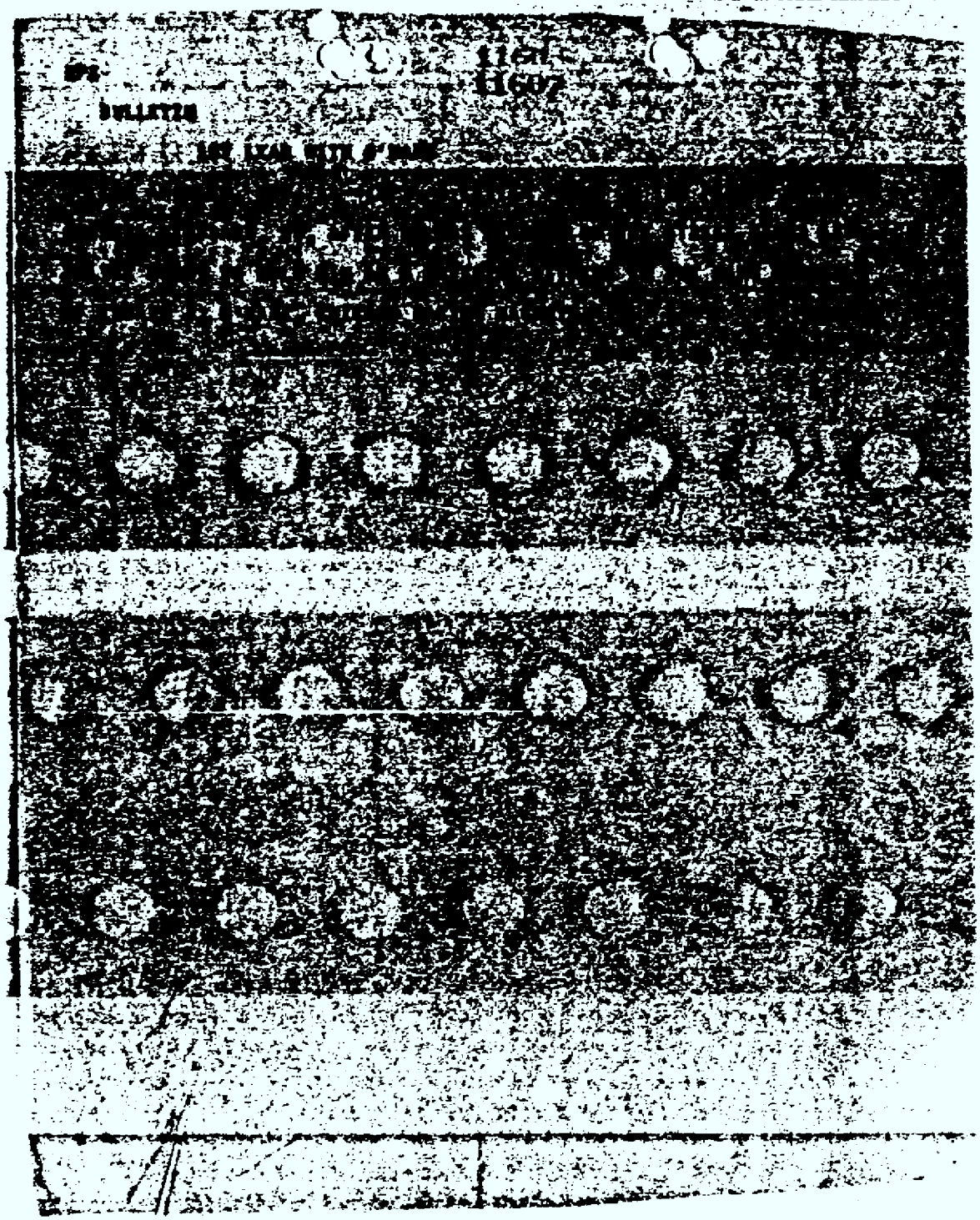
DRIVING THE CAR WHEN THEY GOT KODAK. YOU KNOW WHAT THAT MEANS,

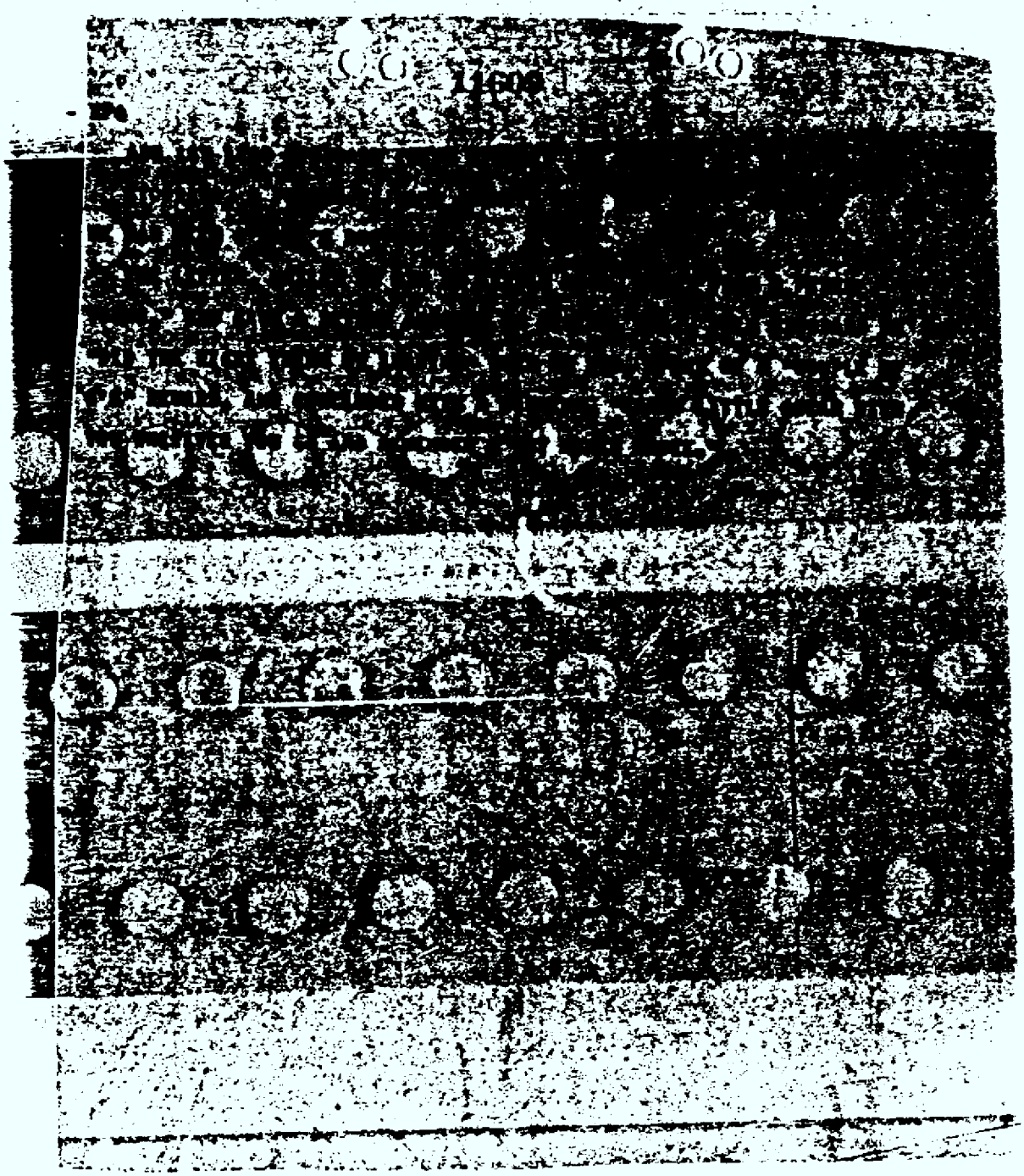
AND I THINK YOU MIGHT BE SMARTER.

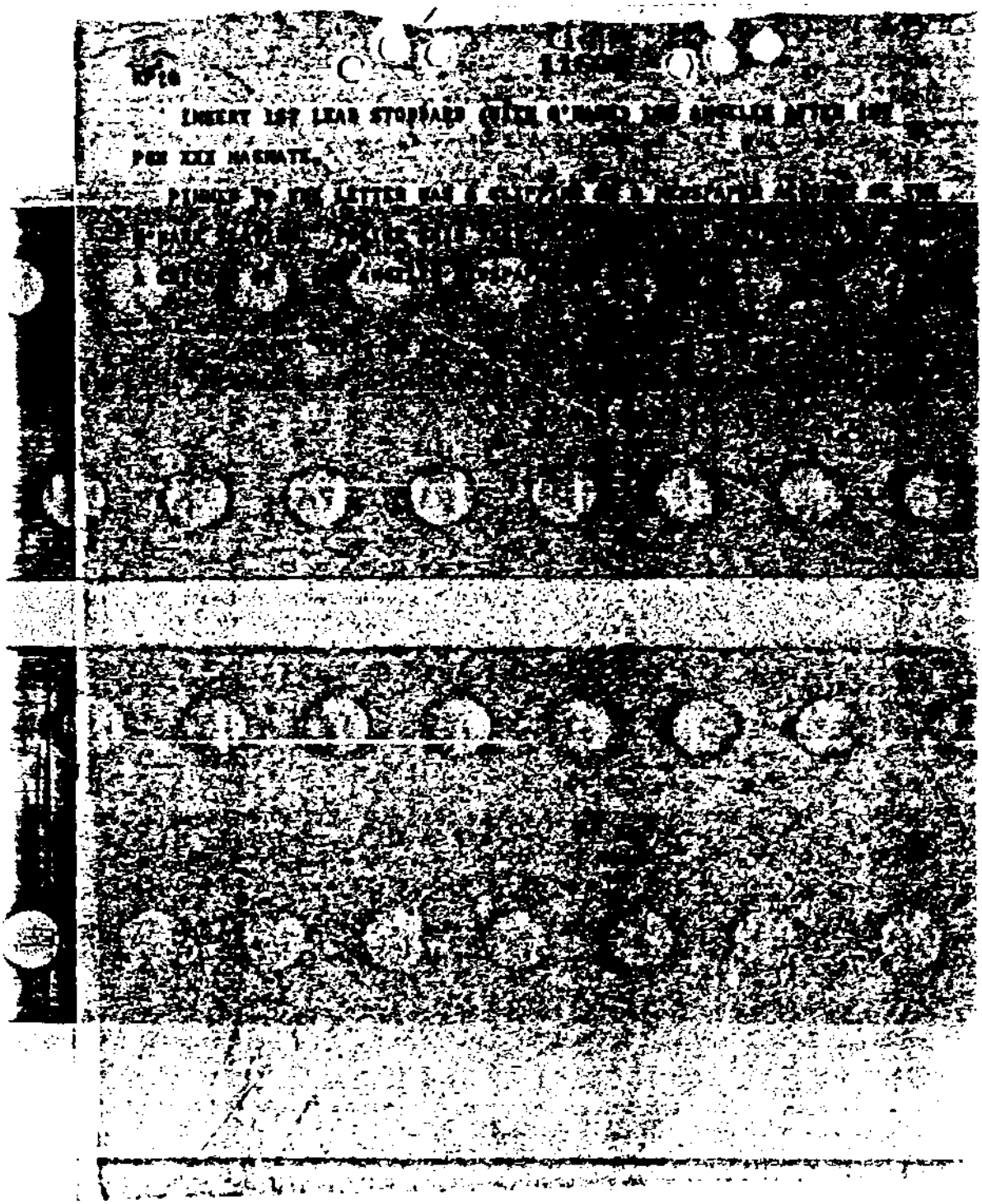
MORE BETWEEN

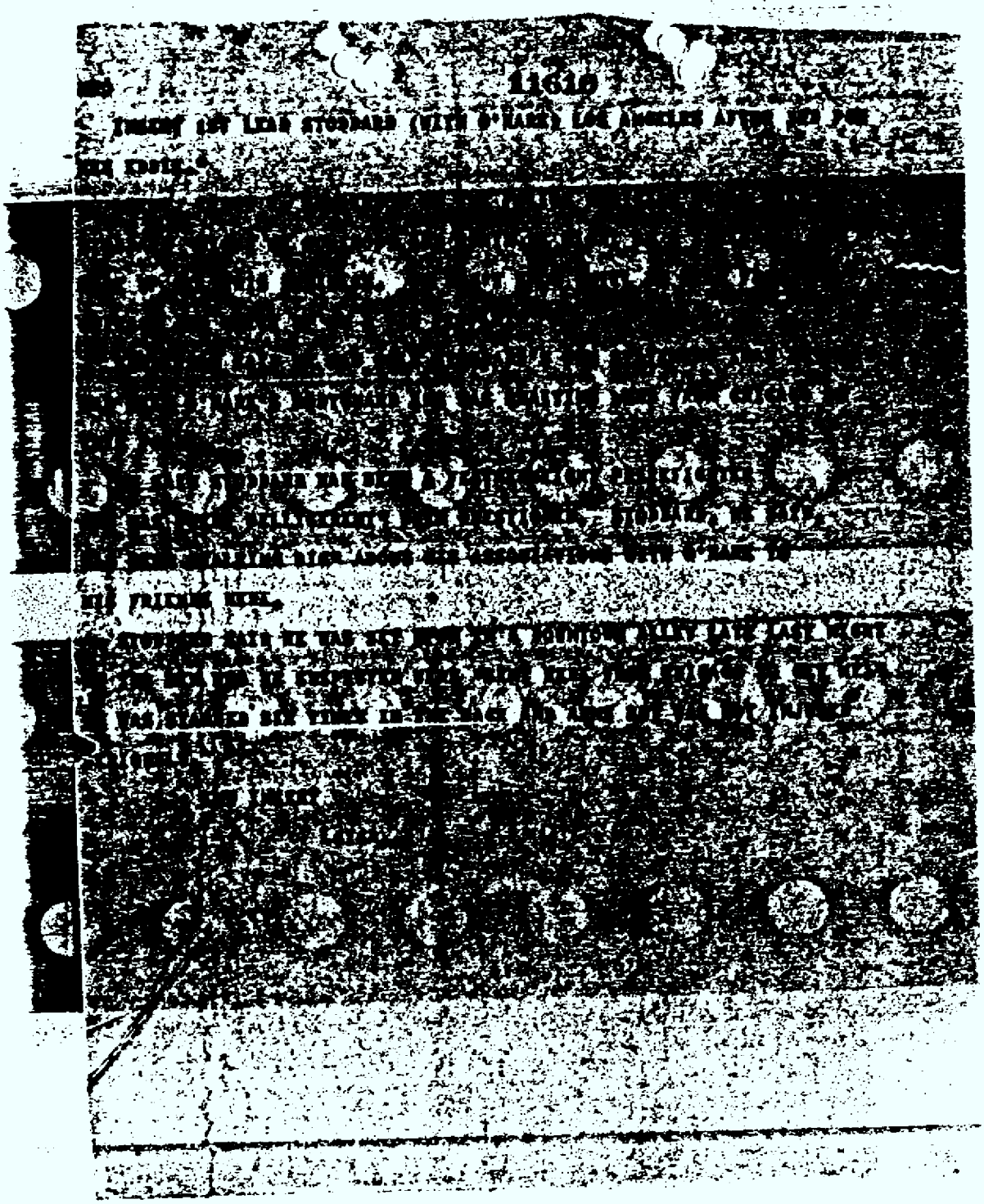


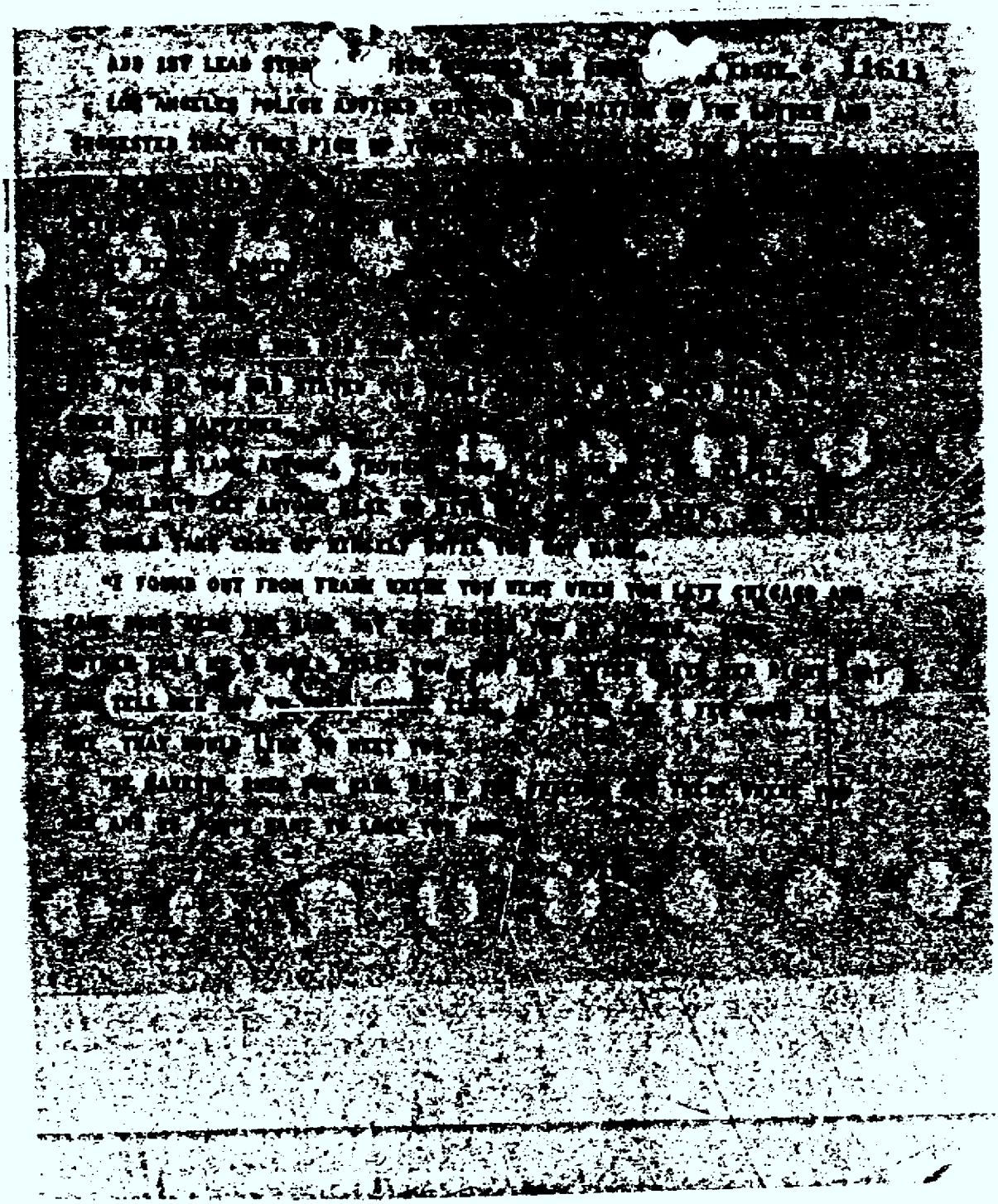


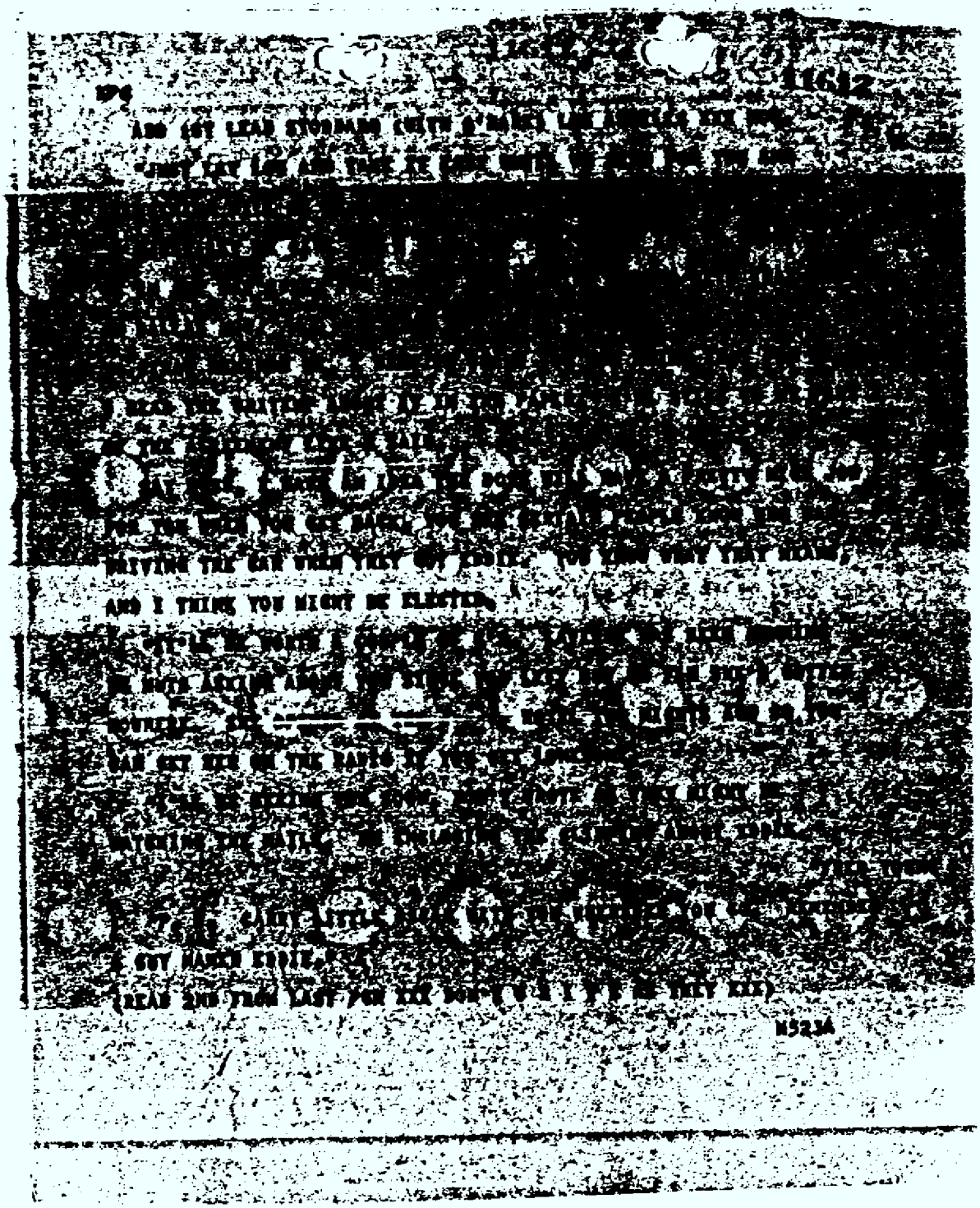




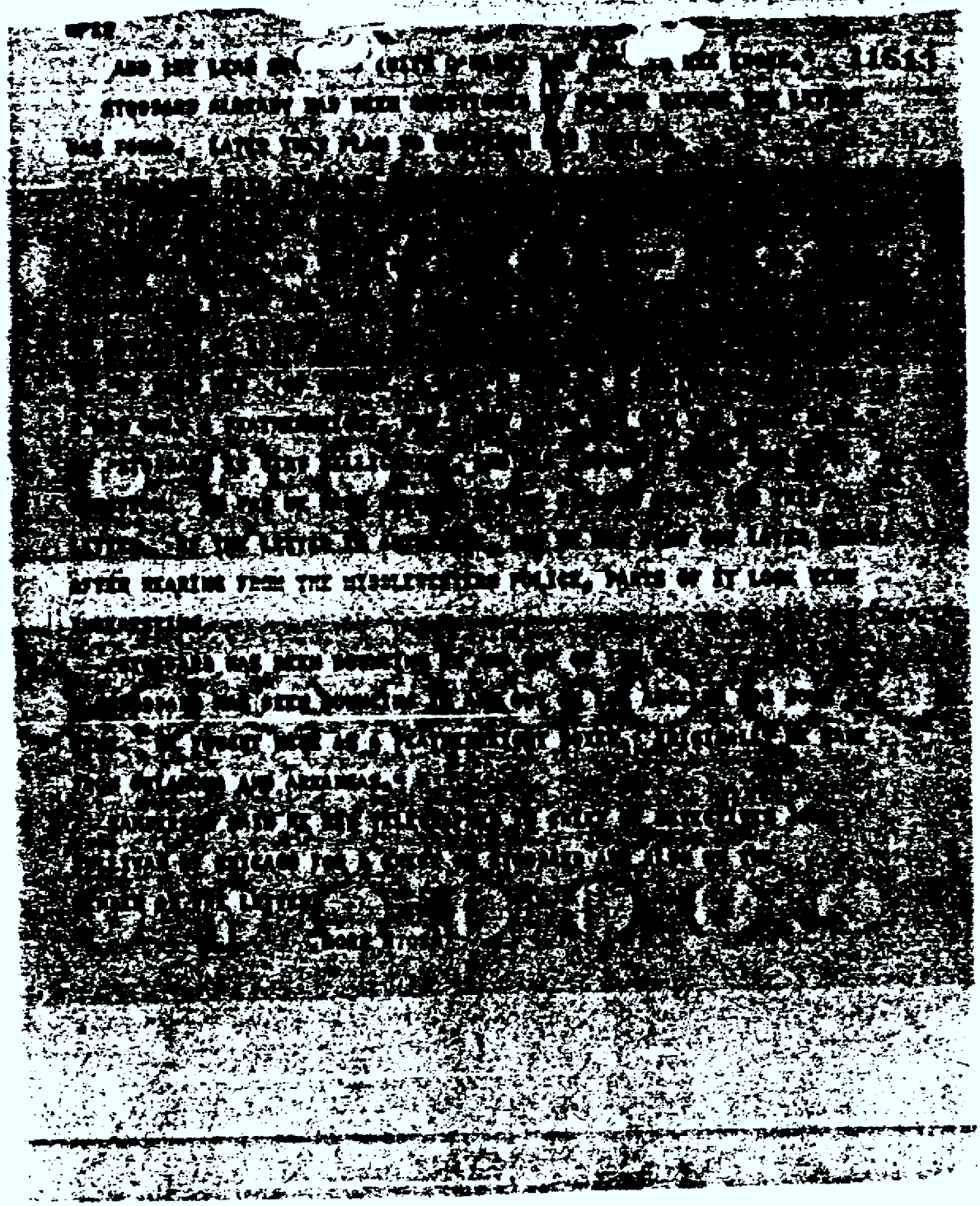


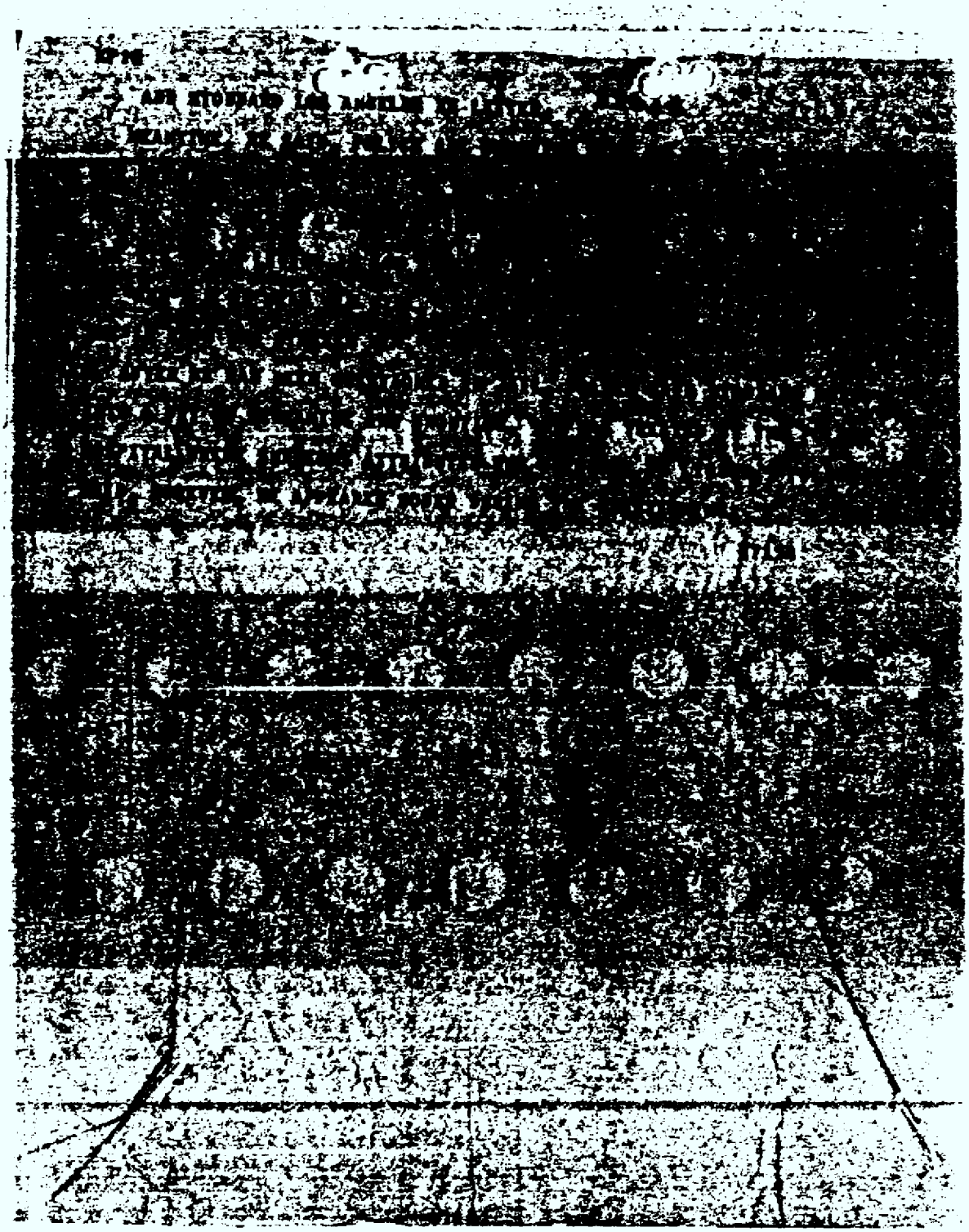


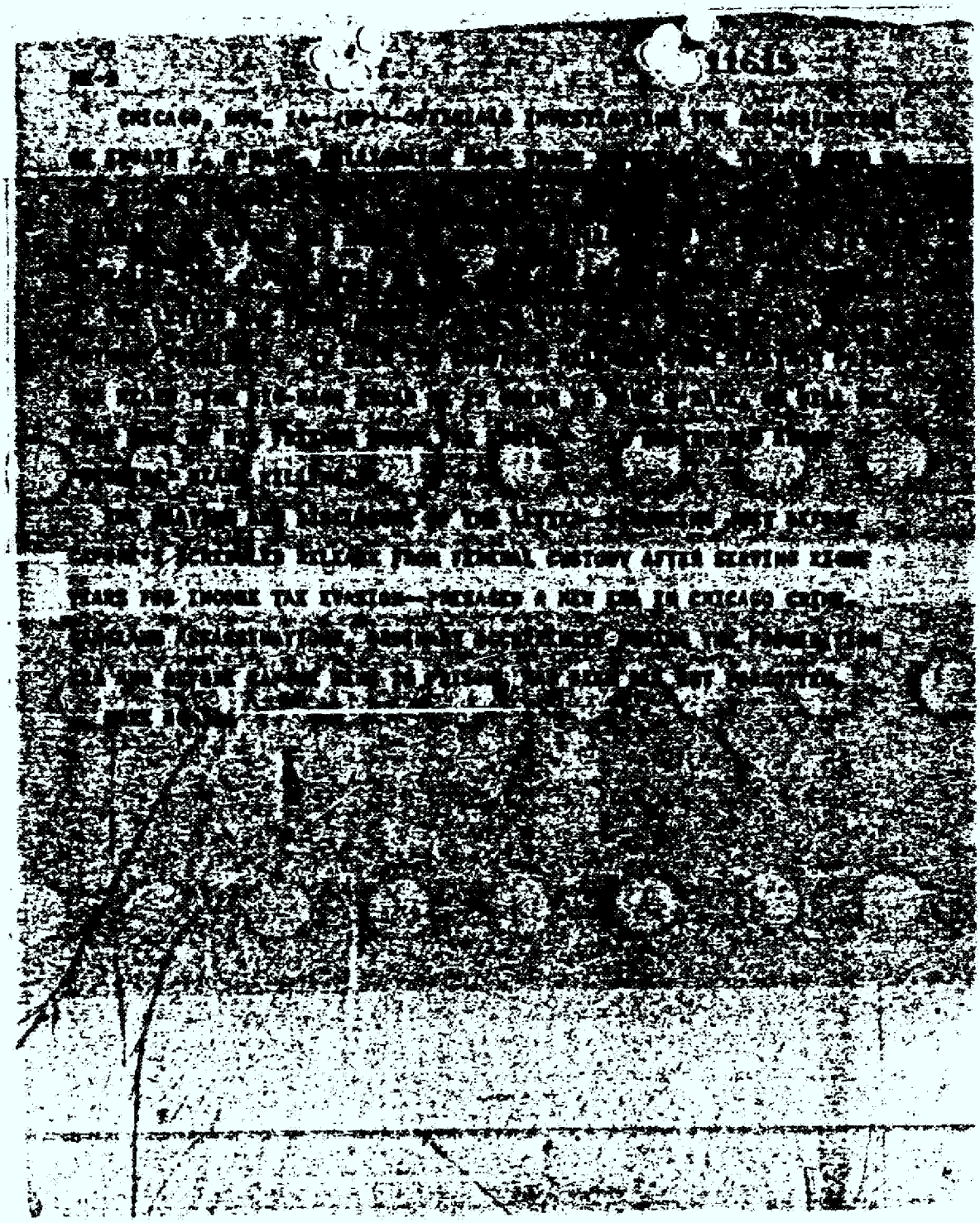




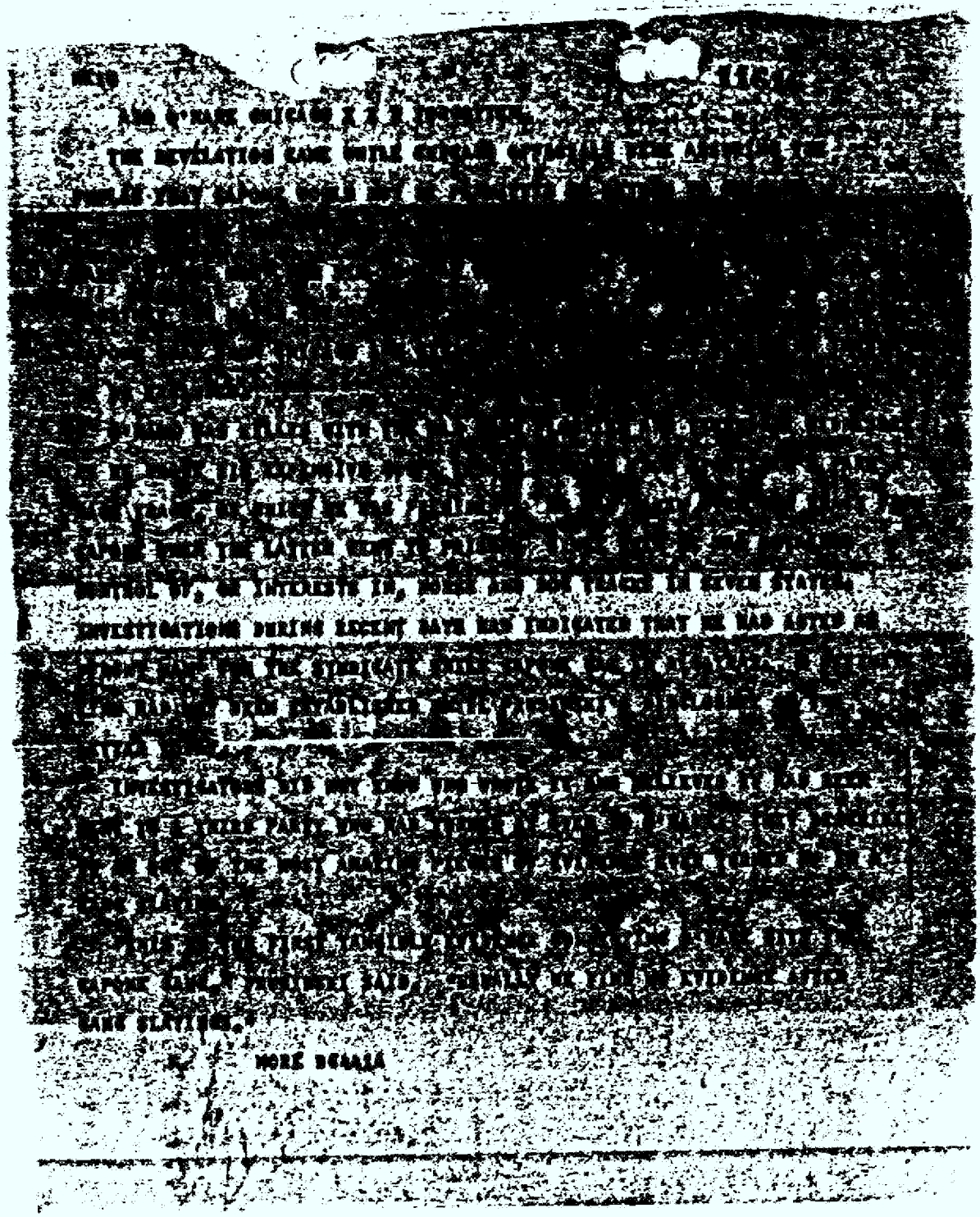
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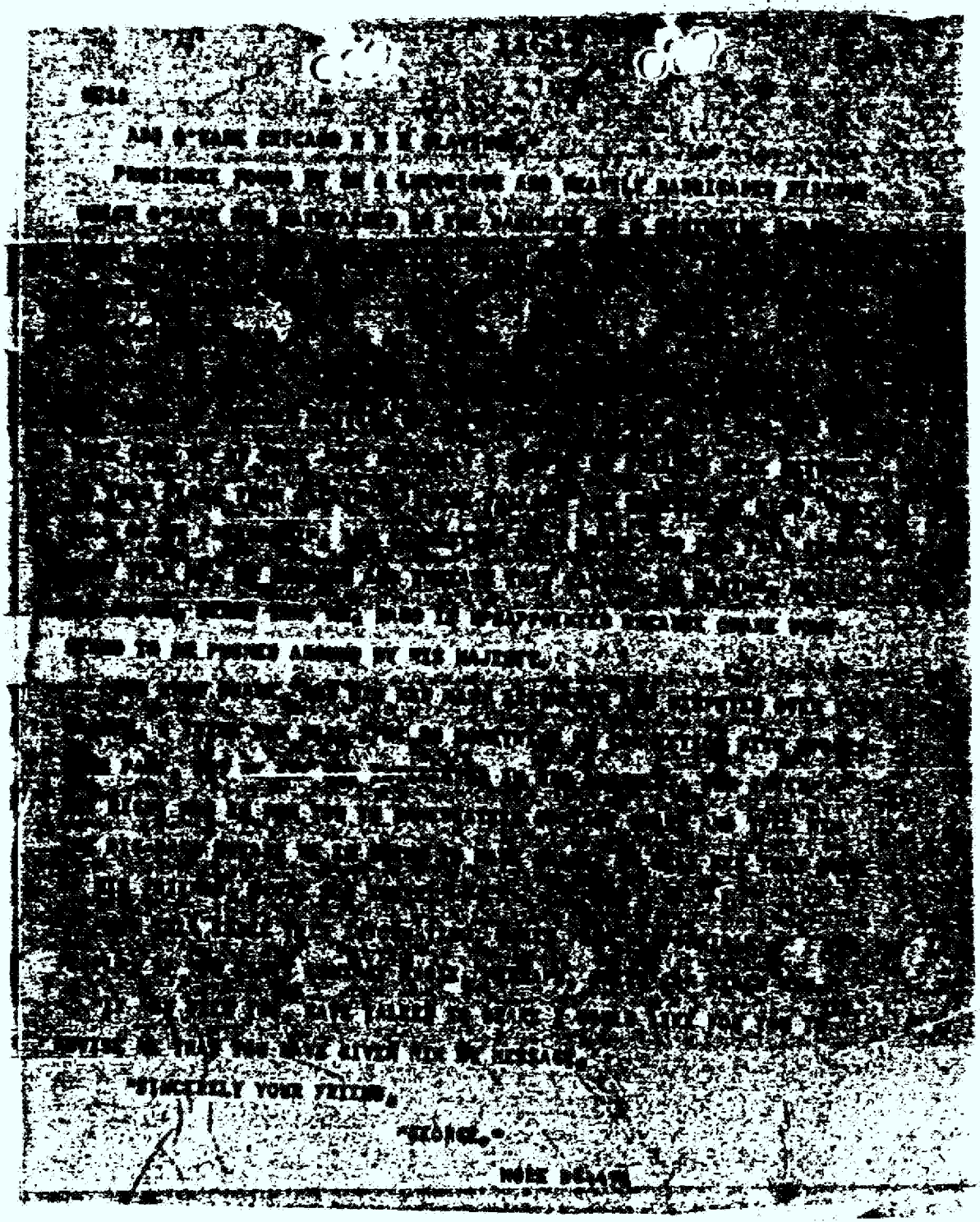




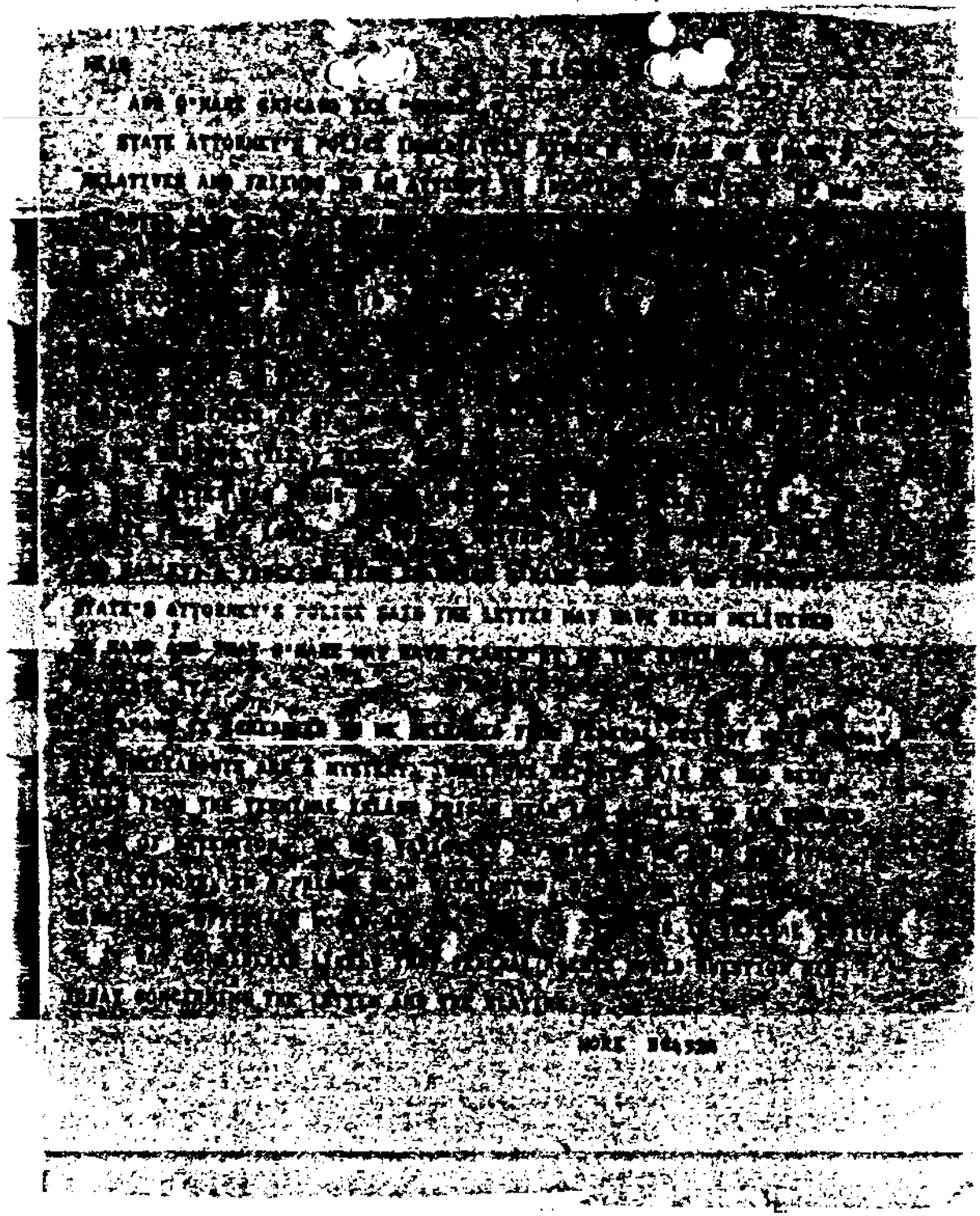
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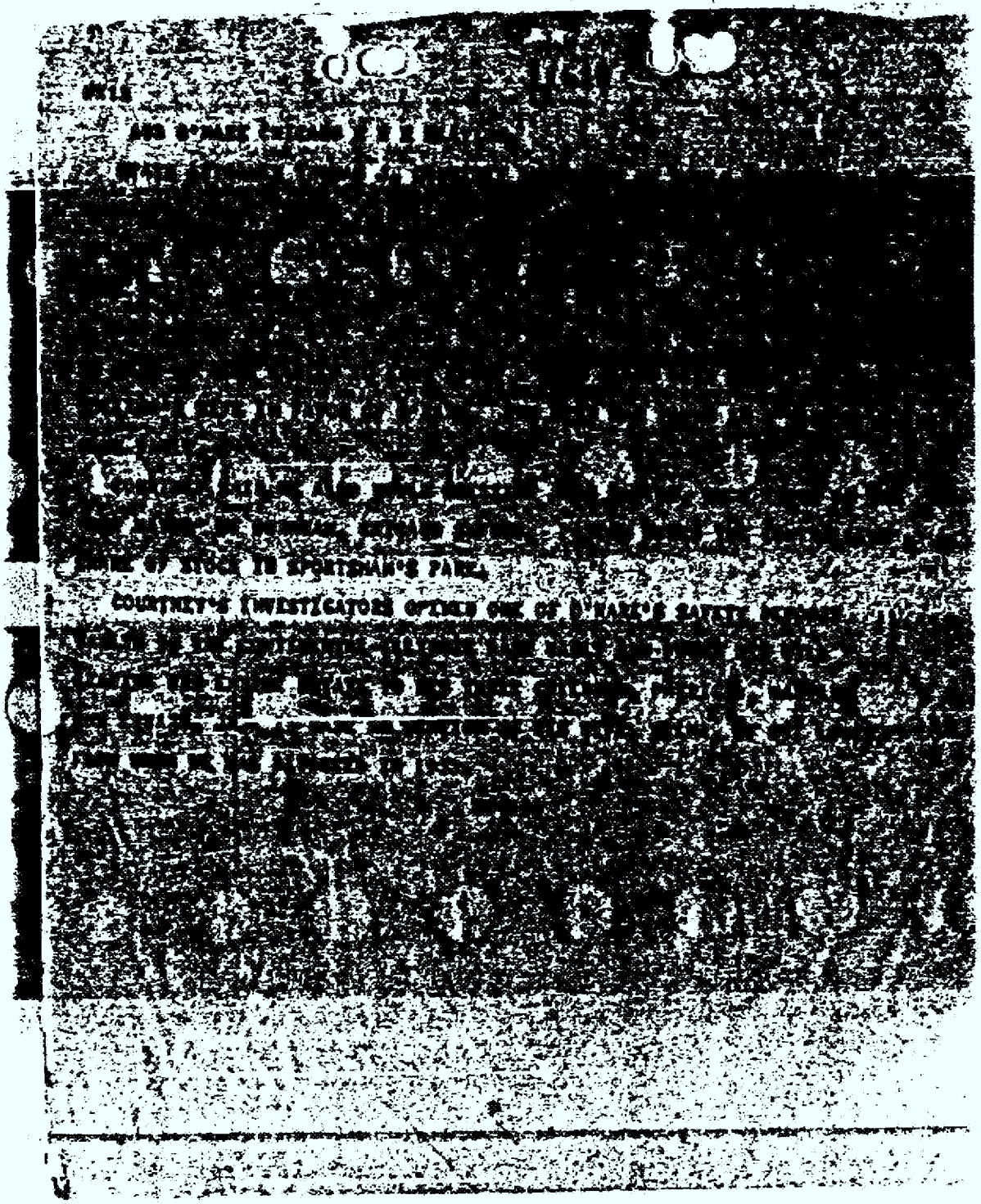
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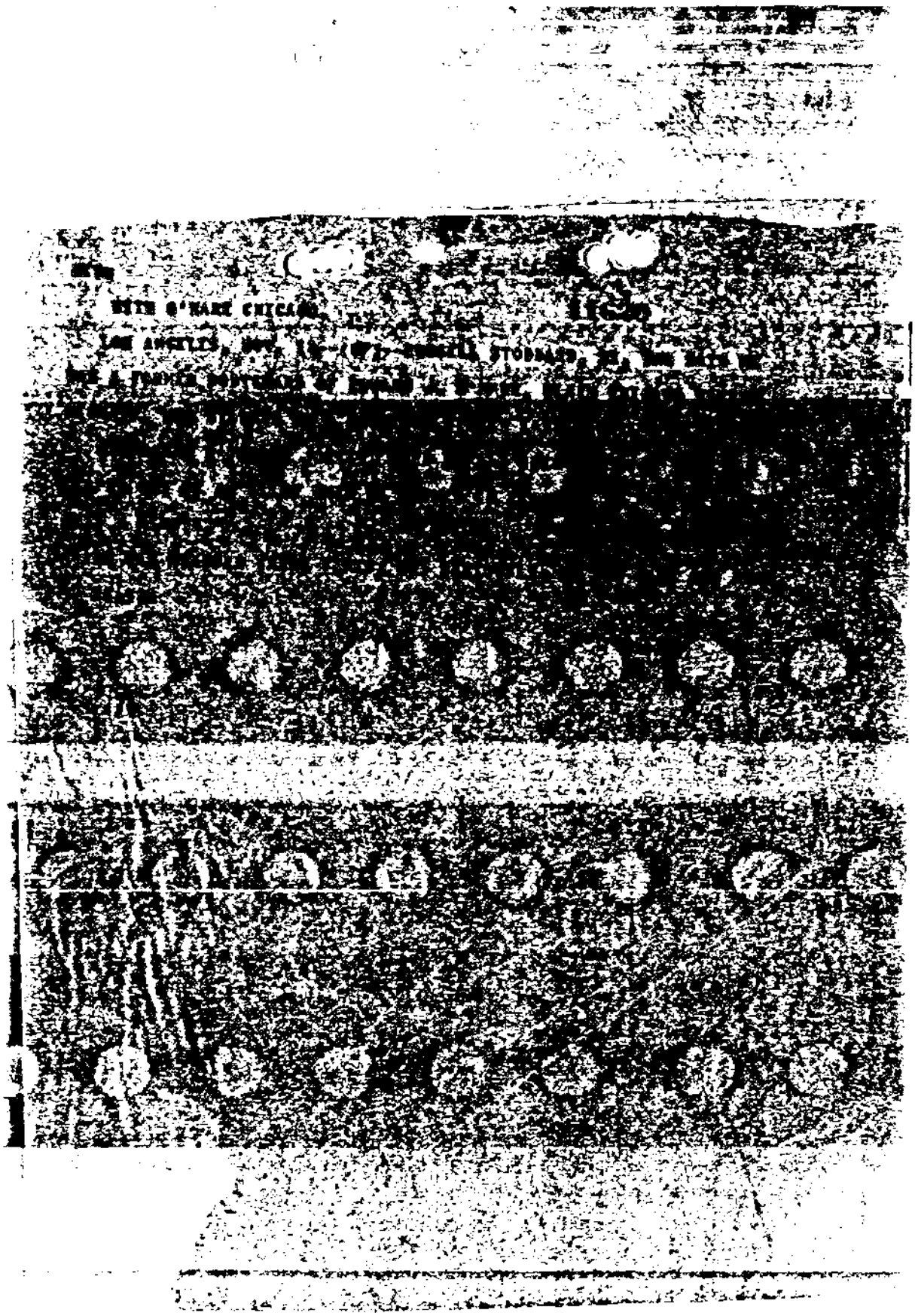


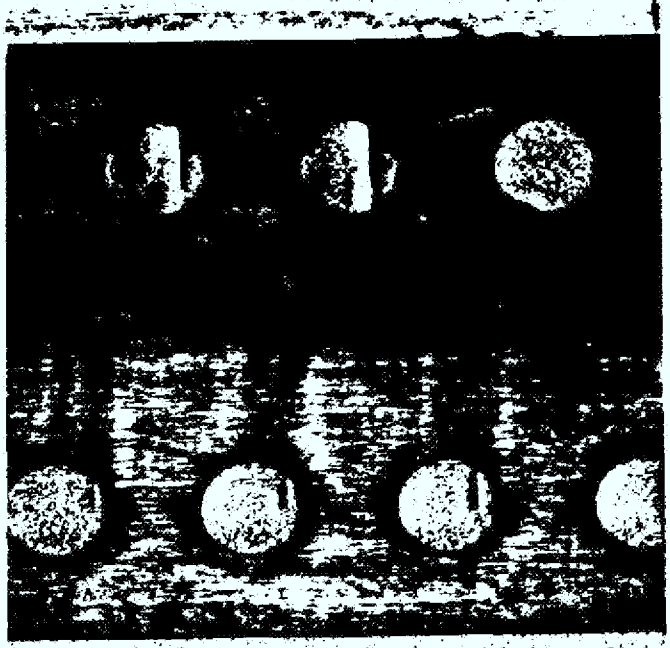
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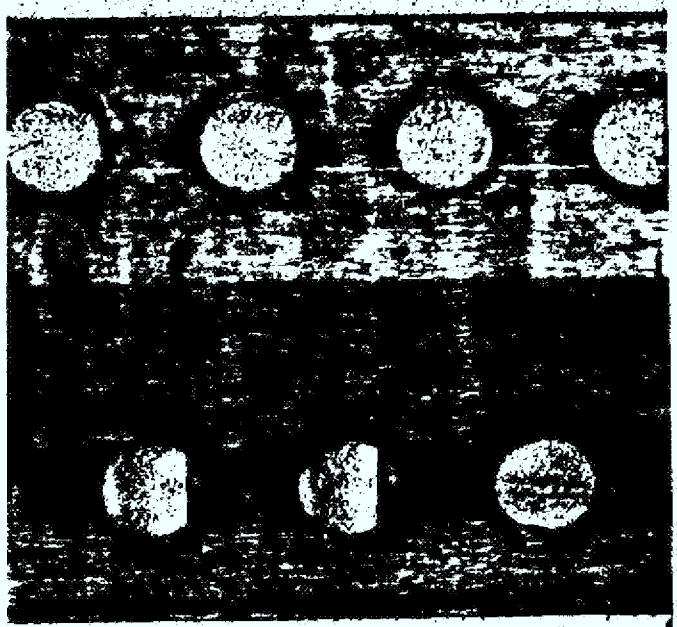


166









OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Record of Telephone Call or Visitor.

November 16, 1939.

Time 9:18 AM

Name Allen Dibble, U-P, tele.

Referred to

Details:

Was advised that Mr. Hoover was in the Building but not in the office. Mr. Dibble stated that the Department had just announced that Al Capone had been released this morning at Lewisburg, Pa., to his relatives. Mr. Dibble stated that apparently Capone had been flown in from California over night.

cbs.

RECORDED & INDEXED 62-39128-104

NOV 16

11599

MMC:EVC:GJ
62-29128-108

November 27, 1939

RECORDED

Mr. Allen G. Dibble
United Press
734 National Press Building
Washington, D. C.

Dear Allen:

I want you to know that I appreciate your thoughtfulness in forwarding me the newspaper item on November 16, 1939.

With best wishes and kind regards,

Sincerely,

J. Edgar Hoover

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Ha[illegible]
Mr. M[illegible]
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
★ NOV 27 1939 ★
P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

JEH:EP
Time - 5:50 PM

November 13, 1939

MEMORANDUM FOR MR. TOLSON

Joe Cepps of Miami called me at this time and asked if I had any information as to when Al Capone would return to Miami. He stated that the newspapers have been trying to get information and he has had a man stationed around Capone's home so that he would know when he arrived. I told Cepps that, of course, Capone will not be released until the 19th and that he will possibly thereafter be receiving medical care. I told him that I had no information as to the matter and do not know where Capone is at the present time. I told him that when I spoke to Capone when I visited Terminal Island in the Spring, Capone indicated that he would return to Miami upon his release and run a furniture factory which he has there. I told Cepps that at that time Capone looked very fine physically and talked very intelligently. I told him that disease which Capone has is one which comes and goes.

RECORDED & INDEXED 62-39128-105

Cepps stated that he was going to try to see Capone and advise him to see the newspaper men all at once and make one statement so that all Winter the newspapers will not be clamoring for information. I told him I thought that a very good idea; that Capone should see them all at once and let it be understood there will be no further press statements and he should then stay to himself. I told Cepps that I thought it was unfortunate that Capone is going to Miami at the opening of the season like this, since this promises to be a very big season and probably many of the wealthy people will be jittery about going to Miami if they believe there will be a large rowdy element there. I told him, therefore, I thought Capone's arrival should be handled with as little fanfare as possible and an attempt should be made to keep Capone on his own place and not have him going to the race tracks and fights and other places. I told him that when I saw Capone at Terminal he was still as egotistical as ever and I felt it would be difficult to keep him to himself. I told him that naturally since Capone has a home there he has a perfect right to go there. Cepps stated he has tried to put over to the AP and UP the fact that Capone's home is rather a modest one as compared to many other homes in that section, in an effort to spike stories concerning his palatial mansion. I told Cepps that if Capone goes to some hospital following his release I would attempt to get him or Steve Hannegan in to see Capone so that they can impress these things on his mind.

P. M
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

Very truly yours,

EAT:DM

AIR MAIL
SPECIAL DELIVERY

November 20, 1939

Mr. George Seltzer
Managing Editor
Philadelphia Evening Bulletin
Philadelphia, Pennsylvania

Dear Mr. Seltzer:

I have been advised by Mr. Tamm of his telephonic discussion with you this morning concerning newspaper dispatches relating to the reported release of Al Capone from the Lewisburg Penitentiary today. I do want you to know that I have not been advised either personally or officially at any time concerning the Departmental plans for the release of Al Capone. As a matter of fact, the first information I received concerning Capone's release was when I heard Walter Winchell's broadcast last Sunday night, at which time Mr. Winchell stated that Capone would not be released from the Terminal Island institution but would be transported to some other point for release. As Mr. Tamm explained to you, the Bureau of Prisons of the Department of Justice is a unit entirely separate in operation and direction from the Federal Bureau of Investigation and I am not consulted nor advised with reference to matters dealing with the operation of the Bureau of Prisons. I desire consequently to assure you that I have not personally or officially at any time known anything whatsoever concerning the plans of the Bureau of Prisons for the release of Al Capone.

In your conversation with Mr. Tamm this morning, you indicated a desire to express a formal protest concerning the manner in which the press release relating to this case was handled and inquired as to the proper person to whom this complaint should be made. I suggest that you address a communication direct to the Attorney General, The Honorable Frank Murphy, since Mr. Murphy is the highest authority in the Department of Justice. I hope I have made my position in this situation absolutely clear to you.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Mr. Tolson
Mr. Nathan
Mr. E. A.
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Crowe
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. Nichols
Mr. Rosen
Mr. Sears
Mr. Quinn
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
★ NOV 16 1939 ★
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECORDED & INDEXED
62-39128-106
FEDERAL BUREAU OF INVESTIGATION
NOV 17 1939
U. S. DEPARTMENT OF JUSTICE

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

SJT:DLS

November 13, 1939

Mr. Tolson
Mr. Ladd
Mr. L. A. Nichols
Mr. Nease
Mr. Clegg
Mr. Harbo
Mr. Lester
Mr. Gandy
Mr. McGuire
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Mr. Tracy
Miss Gra...

MEMORANDUM FOR THE DIRECTOR

Mr. Mulcahy called me this afternoon and stated he had an amusing incident happen he thought Mr. Hoover might be interested in learning about.

He stated that Doris Fleeson, newspaper woman of Chicago and whose column appears in the local Times Herald, telephoned him trying to secure information concerning the information of Walter Winchell on his radio program last night that Al Capone was on a train en route to Boston.

When he attempted to explain to Miss Fleeson the Department's position in the matter, she flew into a rage and stated that all the newspapers know that J. Edgar Hoover and Walter Winchell are "like that," and that all newspaper people know that Walter Winchell got this bit of information from Mr. J. Edgar Hoover, and she thought it was high-time the Department of Justice became aaware of the fact that Walter Winchell gets material of this kind from Mr. Hoover.

I telephoned Mr. Mulcahy later in accordance with your instructions and informed him that you were aware of the identity of Miss Fleeson and that as a matter of fact you would like to know whether there is any truth in the statement that Al Capone is on a train en route somewhere. I advised Mr. Mulcahy it was your suggestion that the Department might well clarify the situation, that Mr. Bennett's release this afternoon denying the story that Al Capone was on a train en route to Boston left the matter still more of a mystery as Mr. Bennett did not state definitely that Capone was still at Terminal Island, so it would appear that the original statement of Mr. Winchell has not as yet been repudiated.

RECORDED & INDEXED 62-39128-101

Mr. Mulcahy stated he informed Miss Fleeson in his original conversation with her that as a newspaper woman he thought she should know that law enforcement agencies investigate and convict people, but it is the Bureau of Prisons which actually puts them in Prison and keeps them there or lets them out.

Mr. Mulcahy began to chuckle after the suggestion that the Department might wish to clarify the situation

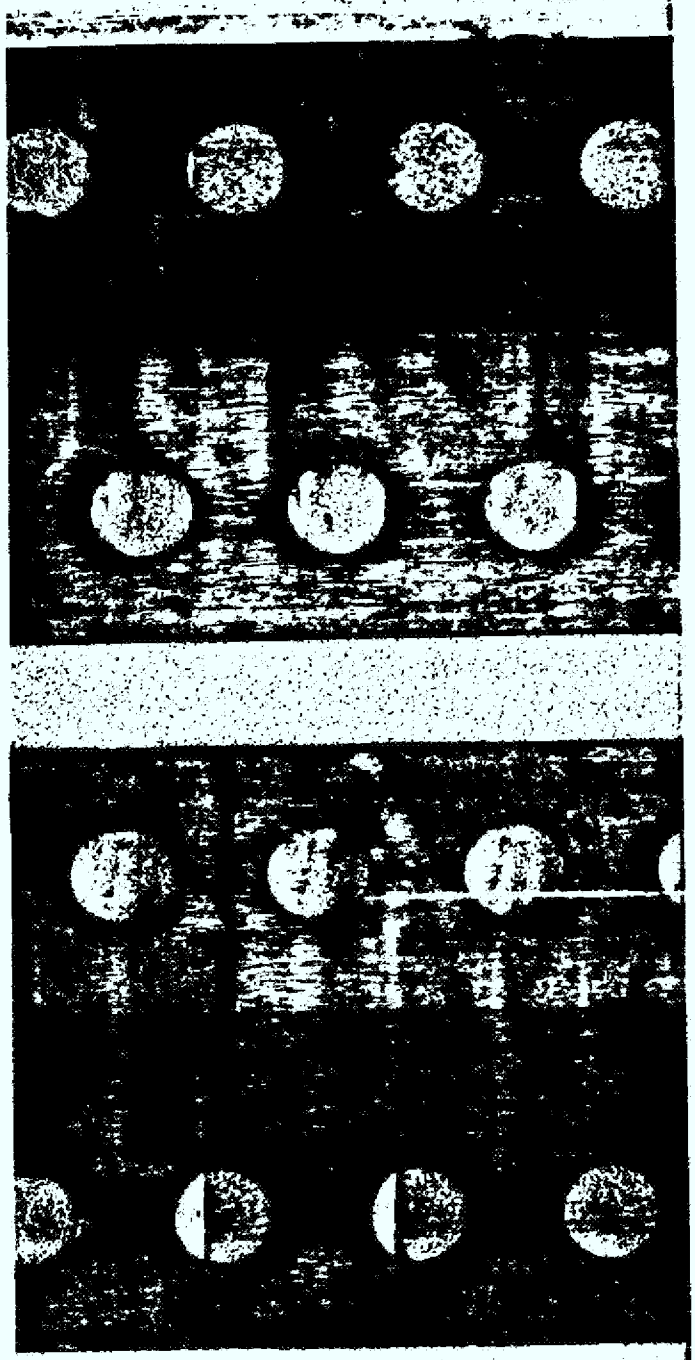
TOLSON

Doris Fleeson & ... last name ... Winchell ... a little ...

and make a repudiation of the announcement by stating that as a matter of fact Al Capone is not at Terminal Island Penitentiary, that as a result of his own request he is not there and that it will be generally realized when the true facts come out later that the Department's action has been taken for the best.

Respectfully,

S. J. Tracy



OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Record of Telephone Call or Visitor.

November 17, 1939.

Time 1:30 PM

Name Mr. Mulcahy, tele.

Fm

Referred to

Details:

Stated that at the Press Conference just finished the Attorney General had stated emphatically that the FBI had never been called in on the Capone case and that Bureau Agents had at no time acted as guards for Capone. He was advised that this message woul be given to Mr. Hoover.

cbs.

RECORDED

62-39128-108

FEDERAL BUREAU OF INVESTIGATION
NOV 18 1939
U. S. DEPARTMENT OF JUSTICE

FOLSOM TAMM

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

NOV 16 1939

POSTAL

Mr. Tolson	✓
Mr. Nathan	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Ladd	
Mr. Coffey	
Mr. Egan	
Mr. Glavin	
Mr. Harbo	
Mr. Lester	
Mr. Hendon	
Mr. McIntire	
Mr. Nichols	
Mr. Rosen	
Mr. Quinn Tamm	
Mr. Tracy	
Miss Gandy	

MW14 21 SER 1 EXTRA RUSH ANSWER REQUESTED

WA MIAMIBEACH FLO 1134A NOV 16 1939

J EDGAR HOOVER

FBI DEPT JUSTICE WASHN DC

PRESS ASSOCIATIONS REPORT CAPONES [redacted] RELEASE OFF TRAIN AT HARRISBURG PENNSYLVANIA CAN YOU TELL ME IF HE'S HEADED THIS WAY REGARDS

JOE COPPS MIAMIBEACH NEWS SERVICE

1158A

Wire him he is at Union Memorial Hospital Balt.

&.

RECORDED & INDEXED

62-37128-109

FEDERAL INVESTIGATION

NOV 17

JUSTICE

Reply by wire 11/16/39

BIR 14GMC

CT:DSS

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NOVEMBER 16 1939

To: COMMUNICATIONS SECTION.

Transmit the following message to:

MR. JOSEPH COPPS
MIAMI BEACH NEWS SERVICE
MIAMI BEACH, FLORIDA

62-39128-109

RECORDED

REPLYING YOUR INQUIRY I UNDERSTAND CAPONE NOW AT
UNION MEMORIAL HOSPITAL BALTIMORE MARYLAND

J EDGAR HOOVER

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Herbo
Mr. Lester
Mr. Houlon
Mr. McIntire
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

COPIES DESTROYED
9 8 001-6-1994

BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
NOV 16 1939

WESTERN UNION

SENT VIA _____ M Per _____

JOHN EDGAR HOOVER
DIRECTOR

CC-180

CT:DGS

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Date November 16, 1939

MEMORANDUM FOR THE DIRECTOR

Mr. Hal Leyshon, of the Miami Daily News, called and stated he thought he had a motive for the Edward O'Hara killing, but did not know whether we would be interested in it. I told him that we were not in the case so far as I knew as there was no Federal angle. He said frankly his information did not include any Federal angle but he would give me a short summary of what he had received.

He stated that when the Gulf Stream race track in Hollywood, Florida, went broke an effort was made to interest O'Hara in it and he was in a deal to take it over. The opening of Gulf Stream would mean a serious financial loss to the Tropical Park race track. The Capone interests owned about 40% of Tropical Park and the balance is owned by the Big Frenchy interests and the Maddens. Consequently, if Gulf Stream did open, Tropical Park would become a liability. He stated he had information to the effect that O'Hara had figures on the proposition and would have moved in possibly this winter, and certainly next winter.

He stated, of course, he would like to see the Bureau in the case. He further stated that frankly he thought O'Hara was on the level. I told him I was very glad to have this information and would pass it on to you but that at the moment we could not get into the case because there was no Federal jurisdiction.

RECORDED & INDEXED

Clyde Tolson

62-39128 11

Federal Bureau of Investigation

United States Department of Justice

LOS ANGELES, CALIFORNIA
November 15, 1939

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

I am enclosing, for your information, a copy of an editorial appearing in the Los Angeles Times of November 14, 1939, entitled "Just Like Russia", which will be of interest to the Bureau.

As you know, J. D. HOTCHKISS is City Editor of this paper and NORMAN CHANDLER, JR., is General Manager.

Very truly yours,

R. B. HOOD,
Special Agent in Charge.

RBH:MO
Encl.

RECORDED & INDEXED

62-5912[illegible]
FEDERAL BUREAU OF INVESTIGATION
NOV 20 19[illegible]
U. S. DEPARTMENT OF JUSTICE

Just Like Russia

The mystery surrounding the whereabouts of Al Capone deepens with each hour that the Federal authorities continue blandly to say that they have nothing to say. There seems to be as much difficulty in discovering the whereabouts of this prisoner as there is of somebody arrested by the Ogpu or the Gestapo.

There may be a good reason for the Department of Justice and the Federal Bureau of Investigation not giving out information about Capone. It has been suggested that he still owes the government a large sum of money, and that if he is knocked off by any of his numerous enemies the government will never collect; hence the secrecy. But if that is the reason, why not say so?

Moscow and Berlin mask their arrests of political prisoners to add to the terrorization of the population. But a similar sinister secrecy is out of place in a free country. A democracy cannot be made to work unless all public affairs are genuinely public. And for public servants to refuse information to the public, without adequate explanation or indeed with no explanation at all, is the same thing as telling the public it is none of its business how public officials act—a piece of impudence that should not be tolerated.

LOS ANGELES TIMES

RCH:LWC
62-39128-11

RECORDED

November 24, 1939

Mr. L. D. Hotchkiss
Managing Editor
The Los Angeles Times
Los Angeles, California

Dear Mr. Hotchkiss:

I have just had called to my attention the editorial, "Just Like Russia," appearing in the November 14, 1939, issue of the Los Angeles Times which unjustly criticises the Federal Bureau of Investigation.

I thought you would like to know that the FBI had nothing whatsoever to do with the release of Al Capone nor his subsequent move across the country. He was not under our jurisdiction and, contrary to unfounded press reports, this Bureau furnished no guard for him. No information could be given out by the FBI because it had none and any press representative inquiring was so informed.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

94-1-C-15-0-5-54

RECORDED COPY FILED IN

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Garvin
Miss Gandy

CC-Los Angeles

COMMUNICATIONS SECTION
MAILED
★ NOV 25 1939 ★
P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

cancel
11/28/39
181

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:COH

November 16, 1939

Time: 11:10 a.m.

MEMORANDUM FOR THE DIRECTOR

Mr. Rex Collier of the "Washington Star" called and made inquiry as to whether the Bureau is interested in Al Capone and whether anything is known of his recent activity.

I advised Mr. Collier that we knew nothing about Capone and that for his confidential information the first you knew about the recent developments in connection with Capone was when you heard Winchell's broadcast the other night. Further, that for his personal guidance, you have been trying for the last three days to find out what this is all about without success.

Mr. Collier stated he has a tip from the Chicago Times that Capone was taken from the train at Harrisburg accompanied by a doctor of the Federal prison and two G-Men. I advised him that the Bureau has no Agents with Capone.

Respectfully,

E. A. TAMM

RECORDED & INDEXED 62-39128-112

EAT:DM November 16, 1939

Time - 8:15 A. M.

MEMORANDUM FOR THE DIRECTOR

Mr. George Seltzer, Managing Editor of the Philadelphia Evening Bulletin, called from Philadelphia and upon being advised by the switchboard operator that you were not available and asking to speak to one of the Assistants, was referred to me. Mr. Seltzer, who was in a very bombastic mood, stated that "they" were getting awfully sore at all of the Democratic politicians giving out all of the news to Pearson and Allen while the rest of the country goes around fighting for a lot of "hot stuff" which has no substance to it. It was obvious that Mr. Seltzer was referring to the Pearson and Allen story appearing in this morning's Washington Herald indicating that the Attorney General had advised Pearson and Allen that Capone was being released from the Lewisburg Penitentiary at 7:00 A. M. this morning and would be transported to a sanitarium. Mr. Seltzer continued by quoting portions of the story appearing in the Pearson and Allen article and stated that as usual the officials of the penitentiary at Lewisburg are acting like typical "Federal dopes" and appear to be in a trance. Mr. Seltzer stated that news is news and that if it is going to be handled on the basis of Democratic politics, the Evening Bulletin would like to know it.

RECORDED & INDEXED

62-39128-113

Mr. Seltzer's delivery and blood pressure were mounting rapidly and I interposed at this point a vigorous protest against his charging the FBI with any participation in the situation. I told Mr. Seltzer that neither the Director of the Bureau nor any other Bureau representative had any information whatsoever concerning Capone's present whereabouts, his place of release or the date of his release. I explained to Mr. Seltzer that Capone had been in the custody of the Bureau of Prisons of the Department of Justice during the entire period of his incarceration and that the Bureau of Prisons operated as an independent agency within the Department of Justice over which the Federal Bureau of Investigation had absolutely no control. I explained to Mr. Seltzer that the Bureau did not know now and had not known for a considerable period of time where Capone was held, from what point he would be released or when he would be released. Mr. Seltzer appeared somewhat surprised at this and inquired whether or not it was not true that FBI Agents were serving as guards to remove

Capone from the Penitentiary to the sanitarium. I told him most emphatically that this was not true and that as a matter of fact the Bureau had not assigned any guards to Capone at any time since the date of his conviction some years ago.

Mr. Seltzer stated that he desired to make a formal protest concerning the manner in which this story was handled to the proper person and I suggested that he make a protest to the Attorney General, who is the head of the Department of Justice. He inquired as to who was the public relations adviser for the Attorney General and I furnished him with Mr. Malcahy's name.

A letter to Mr. Seltzer along the lines of our telephonic discussion this morning is attached.

Respectfully,

EDWARD A. TAMM

184

JOHN EDGAR HOOVER
DIRECTOR

C O

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Mr. Tolson	✓
Mr. Keltan	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Ladd	
Mr. Coffey	
Mr. Egan	
Mr. Glavin	
Mr. Harbo	
Mr. Lester	
Mr. Hendon	
Mr. McIntire	
Mr. Nichols	
Mr. Rosen	
Mr. Quinn Tamm	
Mr. Tracy	
Miss Gandy	

SJT:DLS

November 17, 1939

MEMORANDUM FOR THE DIRECTOR

I called Mr. Mulcahy this morning and informed him that Mr. Hoover had received several press inquiries last evening as to how many G-Men the Bureau had assigned to Al Capone. They referred to a statement allegedly made by the Attorney General with reference to the guarding of Capone.

I informed him that Mr. Hoover wanted Mr. Mulcahy to know what replies he made to the press inquiries; that he told them that the Bureau has not had any men, do not have any men and has not been instructed to have any men with Capone at any time.

Mr. Mulcahy said he thoroughly understood the Director's position with regard to the situation and that he likewise had informed all newspaper reporters the same thing. He stated that he received a terrible going over yesterday following the appearance of the Merry-Go-Round article yesterday morning in the local papers and that when he saw the news ticker reports yesterday evening, quoting the Attorney General he thought at first that it was sort of a slap in the face to him; however, he made inquiry and ascertained that the press stopped the Attorney General following yesterday's Cabinet Meeting and bombarded him with questions such as, "Is Capone under guard?" and "Are the G-Men guarding him?" et cetera. The Attorney General replied that "Capone is under guard provided by the Hospital and his friends," and apparently due to the confusion and the numerous questions being hammered at the Attorney General several news reporters misunderstood the Attorney General's replies to particular questions.

RECORDED & INDEXED 62-39128-114

Mr. Mulcahy stated he noticed the article in the Times-Herald this morning, stating that the Director had said that none of his men were guarding Capone. He stated he would be certain to advise the press along the same lines that Mr. Hoover had and that he understood Mr. Hoover's position.

Respectfully,

A. H. Tracy

RICHMOND, VIRGINIA

November 20, 1939

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

Re: Favorable Editorial Appearing
in the Richmond News Leader
of November 17, 1939

Dear Sir:

I thought you would be interested in the attached favorable editorial which appeared in the Richmond, Virginia News Leader on November 17, 1939, entitled "Capone's Era Is Over".

The editor of this paper is Dr. DOUGLAS FREEMAN.

Very truly yours,

J. E. LAWLER,
Special Agent in Charge.

JEL:VG
Encl.

RECORDED
&
INDEXED

62-39128-115

FEDERAL BUREAU OF INVESTIGATION
NOV 22 1939
U. S. DEPARTMENT OF JUSTICE
HENDON

ORIGINAL FILED IN

CT:ACg

November 21, 1939

Mr. Walter Winchell
New York Daily Mirror
New York City

Dear Walter:

I wanted you to know how much I appreciated your comment on Sunday night relative to the Al Capone matter. I was very glad indeed that you saw fit to clarify the situation particularly as since I have been the subject of criticism on the part of a large number of newspaper men here who felt that I had given you the information concerning the release of Capone from Terminal Island. I hope to see you soon.

With kindest regards,

Sincerely,

J. Edgar Hoover

COMMUNICATIONS SECTION
MAILED
★ NOV 21 1939 ★
P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED
&
INDEXED

62-39138-116

FEDERAL BUREAU OF INVESTIGATION
NOV 22 1939
U. S. DEPARTMENT OF JUSTICE

RECORDED COPY FILED IN 62-31115-1177

TELEPHONE 5-2451

STEVE HANNAGAN ASSOCIATES
247 PARK AVENUE
NEW YORK, N. Y.
TELEPHONE PLAZA 5-2000

MIAMI BEACH NEWS SERVICE
MIAMI BEACH, FLORIDA

JOE COPPS, DIRECTOR

November 20, 1939.

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. Nichols
Mr. Quinn Tamm
Miss Gandy

Dear Skipper:

Thanks very much for your prompt reply to my inquiry regarding Capone, and I wish to apologize for bothering you, but the announcement that he was loose caused me considerable concern down here as you can well imagine.

Steve arrived in town for several days, and I discussed with him your kind offer to attempt to make some arrangement whereby we might interview the gentleman before he heads south, in order to establish some sort of arrangement for a press conference down here to clear up the situation for once and all.

Steve agrees that it is a splendid idea, and it would be possible for us to send someone out of New York, possibly Larry Smits to do the interviewing on the Baltimore end, so I would appreciate it very much if you would notify me immediately if such arrangements can be made.

In the meantime if I can be of any help to you in your contemplated visit here, please let me know.

answered 11-21

Sincerely,

Joe Copps

Joe Copps

Mr. J. Edgar Hoover,
Federal Bureau of Investigation,
Department of Justice,
Washington, D. C.

JC:s

RECORDED & INDEXED

62-31120-117

NOV 21 1939

SON

Federal Bureau of Investigation
United States Department of Justice

Chicago, Illinois
November 16, 1939

Personal and Confidential

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir

As a result of recent contact with Confidential Informant [redacted]

This informant likewise states that [redacted]

62-39128-118

RECORDED & INDEXED

TOLSON
TAMM

Director, 11/16/39

In regard to the O'Hare gang killing, it might interest you to note that the common belief of the newspaper fraternity here in Chicago is that the killing resulted from the fact that O'Hare was attempting to jilt [redacted] who has been his paramour for the last seven years. b7C

It appears that O'Hare was extremely active in the operation of dog tracks and race tracks here in the vicinity of Chicago, as well as in Miami, Florida. Recently, an article appeared in the paper to the effect that a young hoodlum by the name of Stoddard was found in Los Angeles, California, suffering from knife wounds in the abdomen and in the arm. [redacted] confidentially advised me on November 15th that Stoddard was definitely eliminated as being in any way connected with the O'Hare killing and it develops that Stoddard wrote the note supposed to have been found on his person by the Los Angeles Police Department himself. Stoddard previously was a horse exercise boy at the Sportsman's track here in Chicago. b7D

Very truly yours

W. S. DEVEREAUX
Special Agent in Charge

WSD:IAJ

City of Miami-Florida

November, 17, 1939.

Mr. John Edgar Hoover, Director,
Federal Bureau of Investigation,
Washington, D.C.

Dear Director:

It is apparent from all this sickening publicity that Al Capone is comming to Miami to reside in the near future.

You informed me personally one evening at the Willard hotel that Capone is definitely afflicted with a brain disorder known as 'Paresis'.

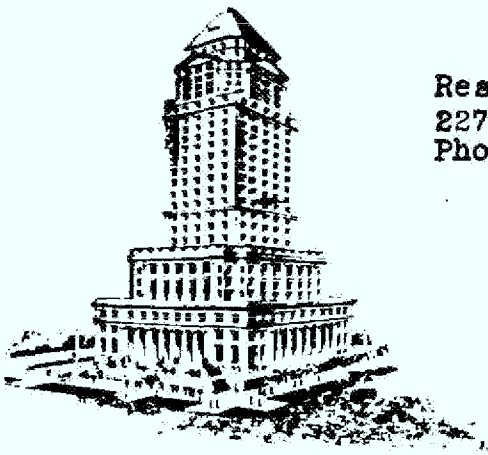
I am going to endeavor to institute lunacy proceedings against Capone, and in order to meet with any degree of success, I would have to a copy of the government doctors diagnosis, relative to this condition, which if true will give me sufficient material to prove him a public menace.

I realize that the Federal Bureau of Prisons will not voluntarily release such a statement, and I seek your advice as to what proceedure I should adopt to obtain such a document.

Your co-operation in this matter will be greatly appreciated and treated with the utmost confidence.

Respectfully yours,
James O. Parker
James O. Parker, Lieut. Dets.,
Miami Police Dept.

Residence.
2271 S.W. 20th St.
Phone 46-413.



0-1-11-24-39

RECORDED 62-39128-718X

INDEXED

Mr. Tolson
Mr. Nathan
Mr. E. A.
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Keenan
Mr. Mohr
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Mr. Tracy
Miss Candy

EAT:DM

November 24, 1939

RECORDED 62-39128-118X

Lieutenant James O. Barker
2271 S. W. 20th Street
Miami, Florida

My dear Lieutenant:

I have received your letter of November 17, 1939, outlining your intention of bringing lunacy proceedings against Al Capone when he returns to Florida. I agree with your comments concerning the unfortunate nature of much of the publicity which has been given to Capone's recent release from a Federal penitentiary. Concerning your desire to secure a transcript of the official reports made upon him by Government doctors, I suggest that you make a formal request for this material upon the Attorney General. All of the reports dealing with Capone's incarceration in a Federal penitentiary are in the care, custody and control of the Director of the Bureau of Prisons, who is responsible to the Attorney General. It is necessary consequently when a request is made for official records of the Department that the inquiry be addressed to the Attorney General.

With kind personal regards and best wishes,

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Tracy

COMMUNICATIONS SECTION
MAILED
★ NOV 24 1939 ★
P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

United States Department of Justice

Philadelphia Pennsylvania

November 24, 1939.

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

Dear Sir:

I am forwarding, herewith, a letter printed by the Philadelphia "Daily News" in its issue of November 24, 1939. It appears that the letter relating to Al Capone is without any justification and the person writing same was not aware of the true facts, and that, likewise, the editor of the Philadelphia "Daily News" was not aware of the fact that this Bureau had no part in the release of Al Capone.

It is respectfully suggested that the editor of this paper be communicated with and advised of the true situation. The president and editor of this newspaper is Lee Ellmaker, Philadelphia, Pennsylvania.

Very truly yours,

H. B. Fletcher

H. B. FLETCHER,
Special Agent in Charge

HBF:BC
Enclosure

RECORDED & INDEXED 62-39128-119

FEDERAL BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

PHILADELPHIA DAILY NEWS

November 24, 1939

What Have You to Say?

The Philadelphia DAILY NEWS will not publish anonymous communications, or letters signed fictitiously or with initials. The name and address of the writer must accompany the letter, but only initials will be used if the communication is published. Write on one side of the paper only and keep your letters brief. Do not exceed 500 words.

Re: Al Capone

SIR: I read in the paper of the solicitude shown by federal agents on behalf of Al (Gangster) Capone when newspapermen tried to interview him at the station following his release from prison.

According to one account, a cameraman who tried to take Capone's picture had his camera smashed by G-men, and another photographer narrowly escaped a similar disaster.

On top of that newspapermen were shoved around when they tried to have a word with Capone before he was taken away to Baltimore. All of this leads up to a question, viz: Just why does Gangster Capone have government men as bodyguards to beat and intimidate law-abiding and decent citizens, when a person like yourself or I am whisked away to court and given short treatment when we pass a traffic light?

It all comes back to the same thing, that such tactics on part of federal agents, or any law officers, only tends to exaggerate the importance of these underworld rats and to make heroes of them in the eyes of boys and impressionable young men.

For my part, if I were head of the FBI, I would reprimand the officers responsible for this outrageous incident and give them a practical lesson in distinguishing between good citizens and bad.

J. Edgar Hoover can't be so proud of what happened. C. L. T.

No Catspaw

SIR: I read a letter in the DAILY NEWS which was perfectly outrageous. The nerve of some people trying to convince us Americans that we should fight for England.

This person stated, "It is our centuries old obligation to the British people to help them, and in this case rid the world of Hitler."

If he don't believe me that America no longer belongs to England, let him read his American history. We fought in the last war and what did we get, depression and a loss which can never be repaid—the loss of our young boys who fought "to make the world safe for democracy."

Perhaps England has bitten off more than she can chew. I always maintained, don't start a fight you can't finish. Furthermore, what is that person doing? Why isn't he over on the other side under arms and fighting for his dear England?

If he is too old, then he should stop telling us what to do and thank his Maker that he is under the American flag. The American people are in favor of only one "ism," Americanism." F. P.

62-39128-119

194

RJL:BR
62-39128-119
~~94-8-552-E~~

RECORDED

December 7, 1939

Mr. Lee Ellmaker
President and Editor
Philadelphia Daily News
Philadelphia, Pennsylvania

Dear Mr. Ellmaker:

My attention has recently been called to the column "What Have You to Say?" appearing in the November 24, 1939, issue of the Philadelphia Daily News which contained a letter signed "C. L. F." regarding Al Capone.

I thought you would like to know that the Federal Bureau of Investigation had absolutely no connection with this incident. No protection or guard of any kind was afforded Capone by this Bureau upon his release from prison.

Sincerely yours,

J. Edgar Hoover

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Colley
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. McIntire
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy

CC - Philadelphia
CC - New York

COMMUNICATIONS SECTION
MAILED
★ DEC 9 1939 ★
P.M.
FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE

December 1, 1930

JEH:CB
Time 12:00 Noon

MEMORANDUM FOR MR. E. A. TAMM

Re: Al Capone

Dr. Joseph Earle Moore of Union Memorial Hospital, Baltimore, Maryland, telephoned to advise that Al Capone was one of their patients. He stated that he had just returned from Chicago and had noted the great amount of publicity given to Al Capone and also to the O'Hara killing in Chicago. Dr. Moore stated he would be very interested in obtaining whatever information could be made available to him about this killing and also whatever tie-up that it might have with Al Capone's activities and associates.

I told Dr. Moore that the Bureau had not made an open investigation relative to Al Capone's brother, Ralph Capone, in recent years, but the general story is that he is interested in dog tracks in Florida and other vice operations in Chicago. I mentioned that I did not know how true these stories were, but the definite impression is that Capone interests are still more or less active in the underworld even though Ralph and Al deny this.

RECORDED & INDEXED 62-39128-12

Dr. Moore inquired if there might be any plan to obtain vengeance against either Ralph or Al. I told the Doctor that I did not know of any definite plan of vengeance, but people of that character are naturally living in a precarious situation as they have many enemies. As to the recent shooting of O'Hara in Chicago, I mentioned that there are many versions as to who was responsible for this. I told Dr. Moore that I would contact our Chicago Office and request them to watch this situation and advise me if any information comes in that Capone is mixed up with this and also if there is likely to be revenge.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
DEC 1 1930
DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

Then, if we do learn of any plots, I stated I would advise the Doctor immediately. I suggested though that some precautions be taken at the hospital as it is possible that someone might seek revenge and therefore people should be properly checked before they are allowed to see Capone. As to having any heavy guard, I stated that at the present time this does not appear to be necessary.

Dr. Moore advises me that Al Capone's health is very bad. The Doctor also advises that Capone's relatives have contacted him and are pleading that Capone has lost all his money. I told Dr. Moore that although Capone probably does not have the money he once had, he is certainly not suffering from poverty, and this just appears to be an old Capone trick to get as much as possible for nothing. In answer to the Doctor's inquiry as to whether any other brothers were involved in the rackets, I stated that Ralph is definitely mixed up with these and he also has a brother-in-law who is in rackets.

Dr. Moore stated that Capone is getting a lot of crank mail. I told Dr. Moore it is very unlikely that a gang would give any previous warning and the only danger would probably be from some crank. Dr. Moore stated that in regard to the publicity Capone has received, that they should just let Capone alone for with his present physical condition it is impossible for him to stage a come-back in the rackets.

I advised Dr. Moore I would be glad to keep him advised of any information which might come in from our Chicago Office relative to this.

Very truly yours,

John Edgar Hoover
Director

Mr. Tolson _____
Mr. Ladd _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Ladd _____
Mr. Coffey _____
Mr. Egan _____
Mr. Harbo _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Foxworth _____
Mr. Carter _____
Mr. Hendon _____
Mr. Pennington _____
Mr. Quinn Tamm _____
Mr. Tracy _____
Miss Gandy _____
_____

197

1500 Biscayne Building
Miami, Florida

PERSONAL AND CONFIDENTIAL

November 20, 1939

Director
Federal Bureau of Investigation
Washington, D. C.

RE: GENERAL SURVEY
MIAMI FIELD DIVISION

Dear Sir:

For the information of the Bureau as well as the Chicago Office, [redacted] who resides at [redacted] Miami, Florida, whose telephone number is [redacted] called at the Miami Office where he was interviewed by Special Agent RICHARD E. SMITH, on November 14, 1939, at which time he stated he has been associated with various Greyhound tracks in this country for a period of several years, and that [redacted]

b7C
b7D

[redacted]

RECORDED & INDEXED 62-39128-120

[redacted]

NOV 28 1939
U. S. DEPARTMENT OF JUSTICE

TOLSON
EDWARDS
CLEGG
GANDY
MISS GRANT

62-39128-12

Director November 20, 1939

b7C
b7D

[redacted] stated, in his opinion, O'HARE'S recent death was due to his welshing on his obligations either with some of his associates in the CAPONE syndicate or others who are not actually members of the CAPONE syndicate but who have interests in various dog tracks.

In this connection he stated that O'HARE had an interest in dog tracks located in the following cities: Miami, Florida; Tampa, Florida; Jacksonville, Florida; West Memphis, Arkansas; Steubenville, Ohio; Taunton, Massachusetts; New Kensington, Pennsylvania. He further advised that O'HARE allegedly had an interest in the following horse tracks: Hawthorne Race Track, Chicago, Illinois; Sportsman Park, Chicago, Illinois; Tropical Park, Coral Gables, Florida. He also stated he has an interest in the dog track at Youngstown, Ohio, which has not operated for a period of the last three or four years.

He stated he believed JOHNNY PATTON had an interest in all of the above named tracks along with O'HARE, and that PATTON was very active in the Steubenville track. [redacted]

[redacted] also stated he has had a feeling for the past year or more that everything was not pleasant between O'HARE and PATTON. He stated during the past season PATTON did not put in an appearance at the Club and that O'HARE was only there on three or four occasions.

[redacted]

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) b7C, b7D with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

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

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

☐ For your information: _____

☐ The following number is to be used for reference regarding these pages:
62-3128-120

XXXXXX
XXXXXX
XXXXXX

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

FBI/DOJ

Director November 20, 1939

b7C
b7D

[redacted]

[redacted] at several times during the course of the interview, referred to the fact that O'HARE'S worst fault was that he would not pay up and that this was his reputation among dog racing people.

[redacted]

[redacted]

This man appeared to be sincere in his fear of these individuals but of course was informed by Agent SMITH no advice could be given him [redacted]

It is possible that [redacted] may be developed into a good informant for the Miami Office, particularly with reference to any information desired concerning the Greyhound racing circle. He undoubtedly is in continual contact in the racing game but of course is not as confident as those who control the tracks.

It should also be mentioned that [redacted], self-styled investigator of Miami, Florida, of whose actions the Bureau has previously been advised, called at the Miami Office on November 14, 1939, where he advised Agent SMITH he had the solution to the O'HARE murder. He stated he would furnish this information to this Bureau if the Bureau was working on this case.

[redacted] was advised by Agent SMITH that the Bureau is not interested in obtaining any information from him. It should be noted that this individual is purely unreliable and operates as an investigator in Miami holding himself out to be a former investigator for the United

Director November 20, 1963

States Government and for the States Attorney's Office in Chicago, Illinois, as well as for the "Secret Six" in that city. He also claims to have been employed by the Nickersham Commission in Washington, D. C. This individual is frequently involved in trouble around Miami and it of course would be most dangerous to have any dealings whatsoever with him. It is more than likely that any information he might have concerning the O'HARE murder or any other crime, would be fabricated to suit his own purpose.

Should additional information be received by this office concerning the O'HARE murder which it is felt might be of some interest to the Bureau, same will be reported in the above captioned matter.

Very truly yours,

J. W. VINCENT
Special Agent in Charge

WWS:rb
62-1273

cc - Chicago

ANONYMOUS COMMUNICATION
KEEP ENVELOPE ATTACHED

Justice

Dear President Roosevelt: FEDERAL BU. OF INV.

I and the majority of Americans do not think that Al Capone should be freed now from a federal prison as long as he and his hoodlums are accused of murdering O'hare. I dont think the Americah people will stand for this.

Kindest regards,
Traveling Salesman

DEPARTMENT OF JUSTICE
DEC 5 1936 A M
DIVISION OF INVESTIGATION
Correspondence Section

RECORD

RECORDED
&
INDEXED

62-39128-12

DEPARTMENT OF JUSTICE

203

11-15-29

Anonymous
(Traveling Salesman,
Columbia, Mo.)

Re: I and majority of Americans do not think that Al Capone should be freed now from a Federal prison as long as his hoodlums are accused of murdering O'Hare.

Justice
iew

163

Department of Justice Correspondents Association

Washington

PRESS ROOM

November 29, 1939

Mr. Tolson
Mr. Nathan
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Foster
Mr. Hendon
Mr. Mcintire
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Mr. Tracy
Miss Gandy
Tour Room

Dear Mr. Hoover:

I felt that you might be interested in the enclosed clip ings from Editor and Publisher.

By the way, I think you can retire Clyde most any time now and let him live off the winnings of Tolson (the horse). Seems to be a sure shot at every running.

With best wishes and warm regards, I am,

Sincerely,

Allen G. Dibble

Send copy to A.G. (that is the enclosure)

62-39128-123

RECORDED & INDEXED

12-4-39

TOLSON TAMM NICHOLS

EDITOR & PUBLISHER

November 25, 1939

Mr. Tolson .....
Mr. Nathan .....
Mr. E. A. Tamm.....
Mr. Clegg .....
Mr. Ladd .....
Mr. Coffey .....
Mr. Egan .....
Mr. Glavin .....
Mr. Harbo .....
Mr. Lester .....
Mr. Hendon .....
Mr. McIntire .....
Mr. Nichols .....
Mr. Rosen .....
Mr. Quinn Tamm...
Mr. Tracy .....
Miss Gandy .....
Tour Room .....
.....

Capone Wait in Vain, Scribes Hold 'Inquest'

SUNBURY, Pa., Nov. 20—Incensed at officials of the Federal Bureau of Prisons because of the secrecy with which they surrounded the release of Al Capone, the press—represented by a score of metropolitan and small-town reporters and news photogs—conducted a mock inquest in the hangar at Municipal Airport here Nov. 16, and returned with a verdict holding the Federal Government guilty of negligence in its duty to the reading public.

Just back from nearby Lewisburg Federal Penitentiary with not a word of comment from an official source concerning the liberation of the once fabulous gang overlord of Chicago, these men who ferret out the news of the day were smarting from the cold shoulder they received.

They found the Federal Bureau of Prisons "indifferent, unfair and negligent in dissemination of news incident to the release of Al Capone," and recommended that steps be taken to establish a better relationship as a means of preventing a recurrence of these misunderstandings.

Reporters Furious

No punches were pulled in the fury that engulfed these men who had failed in their assignment.

For 24 hours before the story "broke," the *Sunbury Daily Item's* news room had scouted reports that Capone was either at Lewisburg, or on his way.

Nevertheless the advance guard of newsmen from news services and metropolitan papers, traveling by airplane and automobile, went to Lewisburg, unsuccessfully attempted to verify Capone's presence there, and then formed a watch at the main gate of the penitentiary.

Even then Capone was speeding east from St. Louis on a fast train, reportedly disguised to shield his identity. The "grape vine" passed word that he would be taken from a train arriving at Harrisburg, Pa., at 3.54 a.m., and the tip came in time for news services to have men at the station. They scanned every person who stepped from the train, and reported back to their offices that it was a "bad steer."

It was later reported that he left the train at the station and was taken to a waiting automobile which sped 60 miles to the prison. The boys were doing "lobster" duty when, Federal officials say, Capone entered the penitentiary shortly after 5 a.m. How he got in is a mystery, for it was as difficult for anybody to get past the cordon of newspapermen as the guards at the prison gates.

It was mid-morning Nov. 16 when press wires brought formal announcement from Washington of Capone's release at Lewisburg. The statement came from James V. Bennett, director of Federal Prisons.

Unofficial Denial

Warden Hill's office said Hill was "out of town." Informed of Bennett's announcement from Washington, his secretary replied: "It's all news to me. We haven't seen Capone around here, but whatever Mr. Bennett announces is authoritative."

Newsmen at the gates were tipped and renewed their demand for a statement. It was a useless gesture, for Warden Hill couldn't be contacted and there was not a spokesman to take his place.

Certain that Capone was gone, the staff men pulled stakes and returned to Sunbury. They transformed the airport hangar into a den of smoke, conducted a post mortem and then busied themselves at the pleasant task of holding an inquest.

One of their number, described as the "dean" of the news photographers, said: "I've been on the *New York Daily News* staff since 1921, and I tell you the public is getting tired of the way officials protect criminals from newspaper contact.

"You would think they were national celebrities, and that such protection was needed for the public welfare. Capone was the nation's most notorious gang leader during prohibition days, accused of every crime in the calendar. There is no reason why he should have been given this protection."

A Washington photog said the sole result of his trip was a "smashed camera." He declared it was struck by a federal officer at the penitentiary.

It was 3 p.m., more than two hours after the metropolitan staff men left the airport, that the final threads of the story were pieced together by the Daily Item in the first official announcement from Warden Hill.

He explained that Capone was received at the penitentiary about 5 a.m., and that he was treated like any of the other 1,600 prisoners during his two-hour stay. At 7 o'clock Hill said he ordered Capone brought to his office. Handed the official papers of release, Hill said Capone "smiled a yard wide" and offered a polite "Thank you."

At that very moment the newsmen were at the front gate, but Hill said that was where they made their mistake—for Capone was released through a rear gate at the other end of the reservation, jumped into a "big, black automobile" and disappeared.

62-39125-123

Mr. Tolson .....
Mr. Nathan .....
Mr. E. A. Tamm .....
Mr. Clegg .....
Mr. Ladd .....
Mr. Coffey .....
Mr. Egan .....
Mr. Glavin .....
Mr. Harbo .....
Mr. Lester .....
Mr. Gordon .....
Mr. McIntire .....
Mr. Nichols .....
Mr. Rosen .....
Mr. Quinn Tamm
Mr. Tracy .....
Miss Gandy
Tour Room .....
.....

H.R.H. AL CAPONE

THE HOSTILITY toward newspapermen displayed by the law officers associated with the recent formal release of Al Capone leads us to call for a new deal insuring proper news in such cases and fair treatment of reporters and photographers seeking legitimate news of importance.

The majesty of government was not upheld when U. S. officers and Henry Hill, warden of the Northeast Federal Penitentiary at Lewisburg, Pa., connived to frustrate the newspapermen and even permitted attacks on photographers. One camera was broken at the prison, from which the ex-gang lord was spirited away in a car identified later as that of Warden Hill's. Government guards engaged in a brief and slightly "acrimonious" skirmish with *Chicago Times* men later at Harrisburg. The guards knocked down one Chicago Times photographer, but his associate took pictures and thus upset the best-laid plans of the Federal officers to spirit Capone across the country in complete secrecy.

A score of newspapermen waited vainly at the Lewisburg penitentiary while Warden Hill conveniently absented himself at the time of Capone's release after refusing all demands for a statement. These newspapermen later held an "inquest" and they can hardly be blamed for returning the following verdict holding the Federal Government guilty of negligence in its duty to the public.

"We, the jury, after due deliberation of the evidence at hand in the case of the Fourth Estate vs. the Federal Bureau of Prisons, do hereby find that the Bureau was indifferent, unfair and negligent in dissemination of news incident to the release of Al Capone, and we do hereby recommend that necessary steps be taken to establish a better relationship as a means of preventing a recurrence of these misunderstandings."

Why, we wish to ask James W. Bennett, director of Federal Prisons, was Capone shown such unwarranted consideration, while the newspapermen covering his release were treated as enemies of the government? An investigation of the facts is in order by this bureau's chief and a policy should be formulated barring a repetition of the mistreatment of the press in the release of any prisoner of Capone's or lesser importance.

"G-MEN"

THE HABIT of describing any government law officers as "G-Men" has grown among newspaper writers to the point where we think a halt should be called to this practice. During the past week several stories erroneously identified as "G-men" the Federal officers who guarded Al Capone on the trip East. We see in this an example of loose writing, since the Department of Justice declares the Federal Bureau of Investigation had nothing to do with putting Capone in prison or with bringing him East.

Newspapers (at least the copy desks, from which the easy headline phrase spread) have made G-man to mean an FBI agent. The term should not be applied generally to government men, we believe, at least no oftener than the adjective "attractive" should be used to describe every woman who appears on the witness stand in a newspaper story.

101

December 4, 1939

62-39128-123

RECORDED

MEMORANDUM FOR THE ATTORNEY GENERAL

I thought you might be interested in the following editorials appearing in "Editor and Publisher" of November 25, 1939 concerning the recent release of Al Capone from Federal custody at the United States Northeastern Penitentiary, Lewisburg, Pennsylvania:

"Capone Visit is Vain, Scribes Hold 'Inquest'"

"Sunbury, Pa., Nov. 20 — Incensed at officials of the Federal Bureau of Prisons because of the secrecy with which they surrounded the release of Al Capone, the press—represented by a score of metropolitan and small-town reporters and news photogs—conducted a mock inquest in the hangar at Municipal Airport here Nov. 16, and returned with a verdict holding the Federal Government guilty of negligence in its duty to the reading public.

"Just back from nearby Lewisburg Federal Penitentiary with not a word of comment from an official source concerning the liberation of the once fabulous gang overlord of Chicago, these men who ferret out the news of the day were smarting from the cold shoulder they received.

"They found the Federal Bureau of Prisons 'indifferent, unfair and negligent in dissemination of news incident to the release of Al Capone,' and recommended that steps be taken to establish a better relationship as a means of preventing a recurrence of these misunderstandings.

"Reporters Furious

"No punches were pulled in the fury that engulfed these men who had failed in their assignment.

"For 24 hours before the story 'broke,' the 'Sunbury Daily Item's' news room had scouted reports that Capone was either at Lewisburg, or on his way.

DEC 6 1939 FBI

"Nevertheless the advance guard of newsmen from news services and metropolitan papers, traveling by airplane and automobile, went to Lewisburg, unsuccessfully attempted to verify Capone's presence there, and then formed a watch at the main gate of the penitentiary.

"From then Capone was speeding east from St. Louis on a fast train, reportedly disguised to shield his identity. The 'grape vine' passed word that he would be taken from a train arriving at Harrisburg, Pa., at 3:54 a.m., and the tip came in time for news services to have men at the station. They scanned every person who stepped from the train, and reported back to their offices that it was a 'bad steer.'

"It was later reported that he left the train at the station and was taken to a waiting automobile which sped 60 miles to the prison. The boys were doing 'lobster' duty when, Federal officials say, Capone entered the penitentiary shortly after 5 a.m. How he got in is a mystery, for it was as difficult for anybody to get past the cordon of newspapermen as the guards at the prison gates.

"It was mid-morning Nov. 25 when press wires brought formal announcement from Washington of Capone's release at Lewisburg. The statement came from James V. Bennett, director of Federal Prisons.

"Unofficial Denial

"Warden Hill's office said Hill was 'out of town.' Informed of Bennett's announcement from Washington, his secretary replied: 'It's all news to me. We haven't seen Capone around here, but whatever Mr. Bennett announces is authoritative.'

"Newsmen at the gates were tipped and renewed their demand for a statement. It was a useless gesture, for Warden Hill couldn't be contacted and there was not a spokesman to take his place.

"Certain that Capone was gone, the staff man pulled stakes and returned to Sunbury. They transformed the airport hangar into a den of smoke, conducted a post mortem and then buried themselves at the pleasant task of holding an inquest.

"One of their number, described as the 'dean' of the news photographers, said: 'I've been on the 'New York Daily News' staff since 1921, and I tell you the public is getting tired of the way officials protect criminals from newspaper contact.

"'You would think they were national celebrities, and that such protection was needed for the public welfare. Capone was the nation's most notorious gang leader during prohibition days, accused of every crime in the calendar. There is no reason why he should have been given this protection.'

"A Washington photog said the sole result of his trip was a 'smashed camera.' He declared it was struck by a federal officer at the penitentiary.

"It was 3 p.m., more than two hours after the metropolitan staff man left the airport, that the final threads of the story were pieced together by the Daily Item in the first official announcement from Warden Hill.

"He explained that Capone was received at the penitentiary about 5 a.m., and that he was treated like any of the other 1,600 prisoners during his two-hour stay. At 7 o'clock Hill said he ordered Capone brought to his office. Handed the official papers of release, Hill said Capone 'smiled a yard wide' and offered a polite 'Thank you.'

"At that very moment the newsmen were at the front gate, but Hill said that was where they made their mistake—for Capone was released through a rear gate at the other end of the reservation, jumped into a 'big, black automobile' and disappeared."

* N.R.H. AL CAPONE

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Respectfully,

John Edgar Hoover
Director

EAT:EM December 2, 1939

MEMORANDUM FOR THE DIRECTOR

About two days after the newspaper stories indicating that Al Capone had been transferred from California to Lewisburg Penitentiary and released from there, Mr. Joseph Mulcahy, Public Relations Officer of the Department, received a call from a Washington newspaper man who represents the periodical "Editor and Publisher" in Washington. This newspaper man stated that he had received a telephonic request from an official of Editor and Publisher requesting a formal statement from Mr. Hoover concerning the conduct of FBI Agents in assaulting newspaper men and destroying a pressman's camera while these Agents were guarding Capone in being transferred from California to Pennsylvania. According to the newspaper men, two FBI Agents participated in this affray. Mr. Mulcahy advised the newspaper men that Agents of the FBI had not participated in any manner or degree at any time in the release of Capone or in his transportation from California to Pennsylvania and were not even advised of this action. Mr. Mulcahy informed the newspaper man that representatives of the Bureau of Prisons had handled this matter in its entirety without the participation or knowledge of any representative whatsoever of the FBI.

Mr. Mulcahy inquired whether the Editor and Publisher magazine desired a statement from the Director of the Bureau of Prisons upon this matter because the employees who participated in Capone's transfer were operating under his direction. Apparently after some consultation with someone else, the Washington newspaper man stated that Editor and Publisher did not desire to pursue this matter further if it had not been handled by FBI Agents. The newspaper man advised further that if the story did not involve FBI Agents, Editor and Publisher had no further interest in it.

These facts were furnished to me orally by Mr. Mulcahy.

Respectfully,

EDWARD A. TAMM

62-3915-123

DEC 18 1939

Federal Bureau of Investigation
United States Department of Justice
CHICAGO, ILLINOIS

December 6, 1939

Mr. Tolson
Mr. Nichols
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Henden
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Tour Room
Mr. Tracy
Miss Gandy

PERSONAL AND CONFIDENTIAL

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

Reference is made to the Director's telephone conversation of December 2, 1939, with the writer at which time it was requested that the Chicago office be on the alert for any information indicating that there was to be an attempt made on the life of AL CAPONE or his brother RALPH CAPONE.

Recently I had an opportunity to have a lengthy conversation with [redacted] who has been a reporter [redacted] for a considerable number of years here in Chicago. [redacted] has numerous acquaintances in the underworld and amongst the hoodlum fraternity. [redacted] opinion is to the effect that there may be some trouble in the distant future as a result of the release of AL CAPONE amongst the various members of the so-called syndicate here in view of the fact that CAPONE represented the "killer type" of hoodlum. [redacted] believes that FRANK NITTI alias FRANKIE THE ENFORCER is well set in Cleveland, Florida, and other sections of the country as a result of so-called legitimate businesses and also as a result of his interest in various labor unions, etc. NITTI, JACK GUZIK, LITTLE NEW YORK CAMPAGNA, as well as the other so-called "big wigs" of the syndicate organization, are now pretty well settled with the strong arm type of employee or "muscle man". In other words, most of the syndicate's desires have been in recent years and are at the present time carried out as a result of threats to do physical harm by the administration of beatings to those who will not comply with their wishes. After AL CAPONE went to jail it appears that there was a wholesale elimination of the employee who resorted to the use of the gun or knife. With the advent of CAPONE'S release, [redacted] informs that it is the opinion of many that some of the gunmen type of hoodlum will attempt a comeback. A concerted comeback will, of course, depend upon CAPONE'S own manifestations. [redacted] believes that there can be no concerted movement unless AL CAPONE will assume definite leadership of such a movement.

62-39128-124

RECORDED & INDEXED

TOLSON TAMM TWO HENDON NICHOLS

DIRECTOR
12/6/39

AL CAPONE

67C
67D

[redacted] stated that he believed EDWARD J. O'HARE was killed solely as a result of his past association with [redacted] who was the sister of [redacted] here in Chicago. Referring to my past communications to the Bureau, it will be recalled that [redacted] apparently is a tool of the syndicate and owes his political life to the backing of this organization.

[redacted] also stated that the general rumor has it that CAPONE will have to be content with whatever monies or power that are thrown to him merely out of goodness of heart on the part of NITTI and other top men of the syndicate. [redacted] states that he has it from good source that the members of the syndicate will not tolerate any real activity or participation on the part of CAPONE in their dealings at this time; further, that it is their desire that CAPONE stay clear away from Chicago in order that not too much interest is focused on the organization itself.

Contact has been had with confidential informant [redacted] and he informs that he has gotten no information that would indicate there is a concerted movement on the part of the underworld members here in Chicago or elsewhere in the country to take the life of either RALPH CAPONE or AL CAPONE. He pointed out that RALPH CAPONE is well set here in Chicago inasmuch as he assumes control of the gambling enterprises of the organization. He informs that RALPH CAPONE is, of course, nowhere near as active as AL CAPONE was during his heyday, nor does he wield the power and authority that NITTI and and other members of the organization presently wield. RALPH CAPONE'S main desire is to stay in the background, get his cut and merely receive a reasonable amount of recognition on the part of the various members.

[redacted]

DIRECTOR
12/6/39

AL CAPONE

b7C
b7D

[redacted] nor [redacted] of the opinion that there would be any sort of action taken against either RALPH or AL CAPONE within the next four or five months. It appears from their conversations that until such time as AL CAPONE is released from the hospital and attempts to take some active part in the organization or in activities that perhaps will run counter or in opposition to the organization's activities, there will be no great danger in AL CAPONE'S suffering at the hands of the underworld.

All of the above information was obtained from [redacted] as a result of casual conversation and at no time was any interest manifested in AL CAPONE'S future. [redacted] entered into the conversation merely as a result of his desire to speculate as to the effect of the O'HARE killing on the underworld here in Chicago and also as to the possibility that the O'HARE killing was a result of AL CAPONE'S release.

While this is probably information that has previously been forwarded to the Bureau, [redacted] informs that the killing of JAKE LINGLE, who was a reporter for the Chicago Tribune, was caused by the fact that LINGLE had "welched" on an agreement involving a $25,000 payment to LINGLE by the crowd here in Chicago. The reason for the payment apparently was the fact that LINGLE was writing a series of articles attempting to uncover the activities of the CAPONE crowd, etc., and it was the desire to open a new club in Chicago that prompted some of the CAPONE representatives to contact LINGLE and offer him $25,000 if he would "lay off" of the publicity in so far as the club was concerned. LINGLE agreed and accepted the $25,000 according to [redacted] but then turned around and wrote an article revealing the activities of the backers of this so-called gambling club.

It might here be stated [redacted] opinion of NITTI is to the effect that NITTI at one time was of the killer type but after AL CAPONE was sent up by the Government he was more or less

converted to the muscle type of practice and now is well satisfied with this procedure and sees the dangers of wholesale killings. [redacted] believes that NITTI will resist any effort on the part of AL CAPONE to come back into a position of authority with the syndicate or a move on the part of some of CAPONE'S former associates to reinstate the "killing method". b7C b7D

The Bureau will be advised from time to time in regard to any information that is picked up here in the Chicago office relative to the instant subject.

Very truly yours,

W. S. Devereaux

W. S. DEVEREAUX,
Special Agent in Charge.

WSD:MG

AIR MAIL - SPECIAL DELIVERY

216

KAT:COH

Time: 3:15 p.m. December 7, 1939

MEMORANDUM FOR THE FILE

I called Mr. Woll of the Criminal Division and informed him I had talked with Mr. McGuire late yesterday afternoon and learned of the information he, Woll, had about a reporter on the Chicago Times having recovered a watch bearing the inscription, "Thai Chief, from Idaho, July 23, 1938". I told Mr. Woll I was curious to have the details from him.

He stated that since being in Washington he had met one Vicki Cahollis, a personal secretary to Mr. Hopkins in the Commerce Department, who was formerly connected with the Chicago Times as a reporter. Cahollis has informed Mr. Woll that he has been advised, apparently by some one connected with the Chicago Times, that some of the reporters on the Times were at Lewisburg at the time Al Capone was released; that there was some scuffle in taking pictures, et cetera, and that after the affair was over, a Times reporter found himself in possession of a watch. Mr. Woll stated he further understands that the Times advertised by placing an announcement in the newspaper that the watch had been found; that it presumably might belong to some Agent of the FBI and that the owner could have the watch by calling at the Times office.

I told Mr. Woll that we have not lost a watch but were just a little curious as to who did.

K. A. [illegible]

ORIGINAL FILED 94-8-[illegible]-13

RECORDED & INDEXED

62-39128-125

FEDERAL BUREAU OF INVESTIGATION
DEC 19 1939
U. S. DEPARTMENT OF JUSTICE

TAMM TOLSON ROSEN NICHOLS CLEGG GANDY PERS. FILES

XXXXXX
XXXXXX
XXXXXX

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: Serials 2-3728-126, 127 and 128 are in this file

☐ The following number is to be used for reference regarding these pages:

_____

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

XXXXXX
XXXXXX
XXXXXX

Chicago, Illinois
December 8,1939

Personal and Confidential

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir

I am transmitting herewith a clipping taken from the Chicago Daily Times of November 17, 1939. It will be noted that this clipping contains that information requested in telephonic conversation with Mr. Tamm, at which time Mr. Tamm informed he understood an article had appeared in the Chicago Daily Times revealing that a G-man had lost a wrist watch bearing the inscription "The Chief from Ident. July 23, 1938" at the time the G-man was supposed to have scuffled with a Times reporter in Baltimore, Maryland.

The information contained in the clipping was forwarded telephonically to the Bureau on December 7, 1939, in a conversation with Inspector Al Rosen.

Very truly yours

W. H. NEWBRAUGH
Special Agent in Charge

WHN:IAF
Encl.

ORIGINAL FILED IN

RECORDED & INDEXED

62-39258-127

FEDERAL BUREAU OF INVESTIGATION
DEC 18 1939
U.S. DEPARTMENT OF JUSTICE

126

62-39128-130

RECORDED

MAT:MM

Personal and Confidential

January 6, 1940

Mr. J. E. Vincent
Federal Bureau of Investigation
U.S. Department of Justice
1330 Biscayne Building
Miami, Florida

Dear Sir:

For your information, I am transmitting herewith copy of a personal and confidential letter addressed to me under date of [redacted]

[redacted] I desire that the contents of this letter be brought to the attention of Agents [redacted] as of possible interest to them in connection with the work being performed by them.

b7C
b7D

Very truly yours,

John Edgar Hoover,
Director.

Enclosure.

ORIGINAL FILED IN 62-38944-35X

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

LRP:COH

Time: 2:30 p.m.

January 18, 1940

MEMORANDUM FOR MR. E. A. TAMM

Mr. Burke of Congressman Kean's (New Jersey) office called and inquired as to whether Al Capone is a native-born citizen of ~~the United~~ States. I told Mr. Burke the files would be checked and the information furnished him.

Respectfully,

L. R. Pennington

L. R. PENNINGTON

Time 3:30 p. m.

I called Mr. Burke and told him that the records of the Identification Division indicate that Capone was born in Brooklyn with the exception of one finger-print card which indicates he was born in Chicago.

RECORDED & ~~INDEXED~~

62-34127-1

FEDERAL BUREAU OF INVESTIGATION
3 JAN 19 1940
U.S. DEPARTMENT OF JUSTICE

Not as though I had already attained either were already perfect: but I follow after, if that I may apprehend that for which also I am apprehended of Christ Jesus.
Philippians 3: 12

Adolf P. Ebert
Pastor

FIRST LUTHERAN CHURCH

Telephone No.
2-5720

February 15, 1940

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

One of the members in my congregation is engaged in distributing and giving whole Bibles and portions of Bibles to any and all who might read. He would like to present a Bible to Al Capone, feeling that if he would read it, he might induce others to follow in his footsteps, and thus be instrumental in crime prevention.

This member feels that if you could furnish him the address he could send this Bible to Al directly, but he also feels that it would be of advantage if he could send it to you and have you forward it to Al. It might be that a character of this type would, in this way realize that you were not chiefly interested in his being brought to justice, but that you were interested in having him become a God fearing, useful citizen.

Knowing that you will give this matter your careful consideration, I am

Sincerely yours,

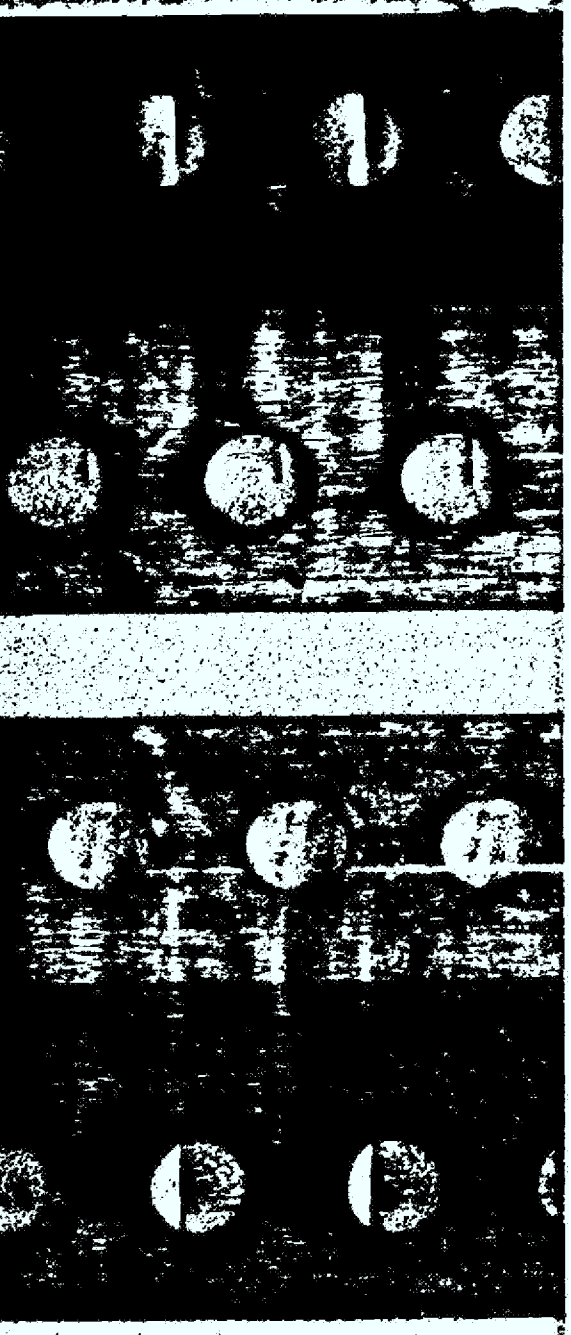
Adolf P. Ebert
Pastor

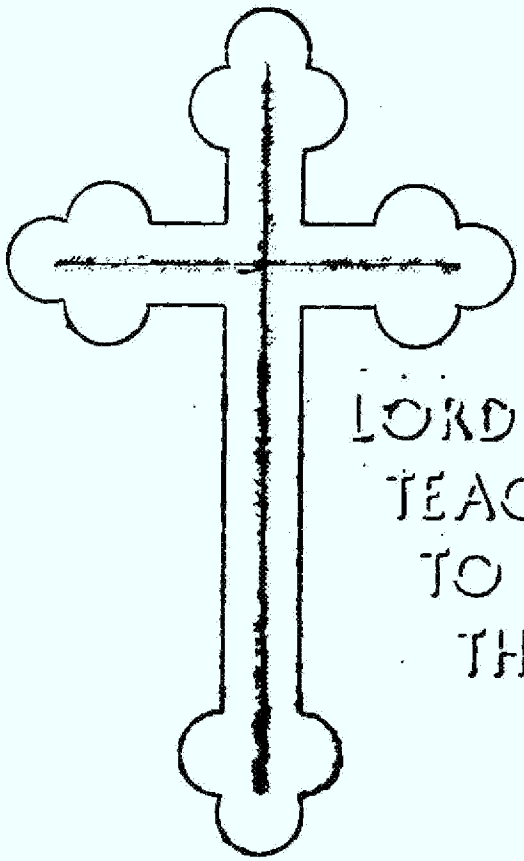
RECORDED & INDEXED

903 E. Tuscarawas St.
Canton, Ohio

62-39120-13

FEDERAL BUREAU OF INVESTIGATION
5 FEB 17 1940
U.S. DEPARTMENT OF JUSTICE

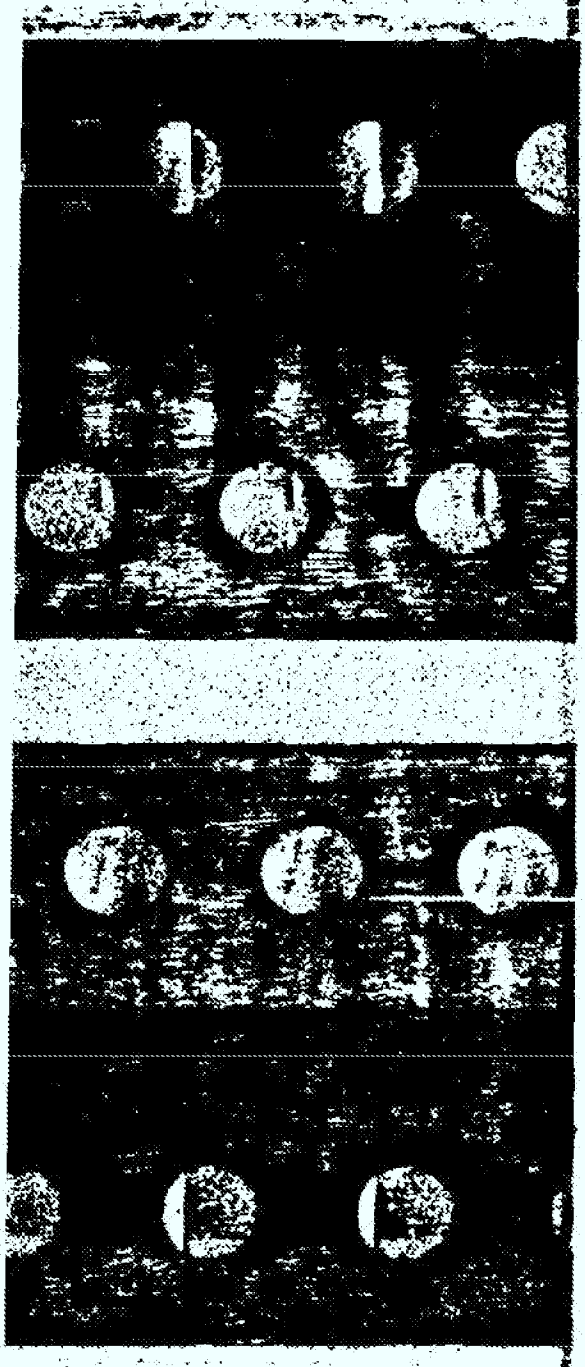




LORD
TEACH US
TO LOVE
THEE

First Lutheran Church
915 E. Tuscarawas St.
February 11, 1940

Adolf P. Ebert, Pastor



I N V O C A V I T - February 11, 1940

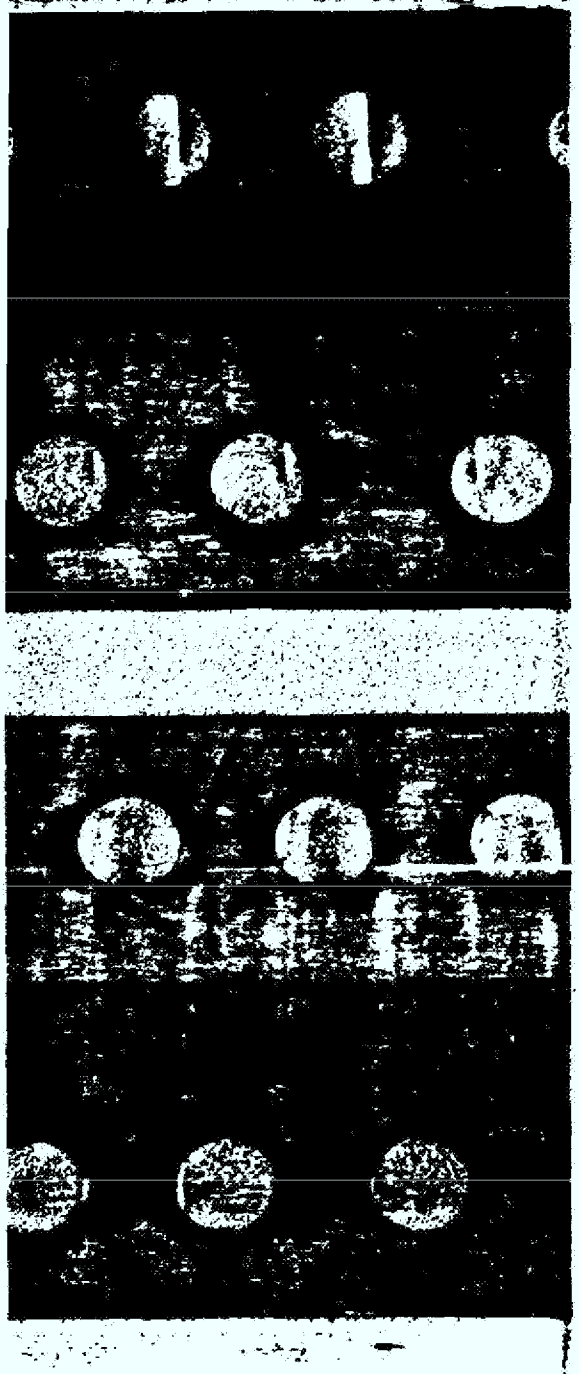
8:45 a.m. - Church School
9:50 a.m. - THOU SHALT NOT KILL
Introit: Page 77
Lenten Sentence: Page 13
10:55 a.m. - TUT BUSSE
2:00 p.m. - Inquirers' Group
6:30 p.m. - Luther League Devotional
7:30 p.m. - ONE WHO KNOWS YOU

Monday - 8:00 p.m. - Senior Luther League
Tuesday - 7:30 p.m. - Union Lenten Service
Rev. C.C. Ellis, D.D. - Pres. of Juniata College, Huntington, Pa. - Preacher
Thursday - 7:30 p.m. - German Lenten Service
Theme: SOLL ICH IHN VERLEUGNEN
Saturday - 8:45 a.m. - Christian Nurture
2:00 p.m. - Junior Choir Rehearsal

The FELLOWSHIP SUPPER is "history". A piece of pleasant history. We wish to thank the Mary-Martha Class for all the effort it put forth, also thank them for the 100 cups which they purchased for church use.
New Cradle Rollers: Donna Joyce and James -- children of John Brendus & Geraldine, nee Fach
During the past week: Private Communion was administered to one soul. Officers of Dorcas Mission Society were installed. Ladies' Society had a nice George Washington Program.

The Church School Teachers decided not to have any Teachers' Meetings during the Lenten Season, except the monthly business meeting. This action's due to the fact that our German Lenten Devotions are on Thursday night.

GOOD SAMARITAN PICTURE WAS A REVELATION, SHOWING WHAT LUTHERAN YOUNG PEOPLE CAN DO. We're sorry if you did not see this picture, which was the result of a venture in faith.



130TH ANNIVERSARY FUND - to date - $ 775.60
Building Fund Total - $ 2017.22

Total received for China Relief - $ 19.55

Attendance last Lord's Day ---- Feb. 4, 1940
Church School - 231; English Worship - 213
German Worship - 71; Evening Worship - 81

On February 18 & 25, we will, in our congregation receive special offerings for the Emergency Appeal directed by Dr. O.C. Mees. A special bulletin will appraise you of the details. Be sure to read it thoroughly.

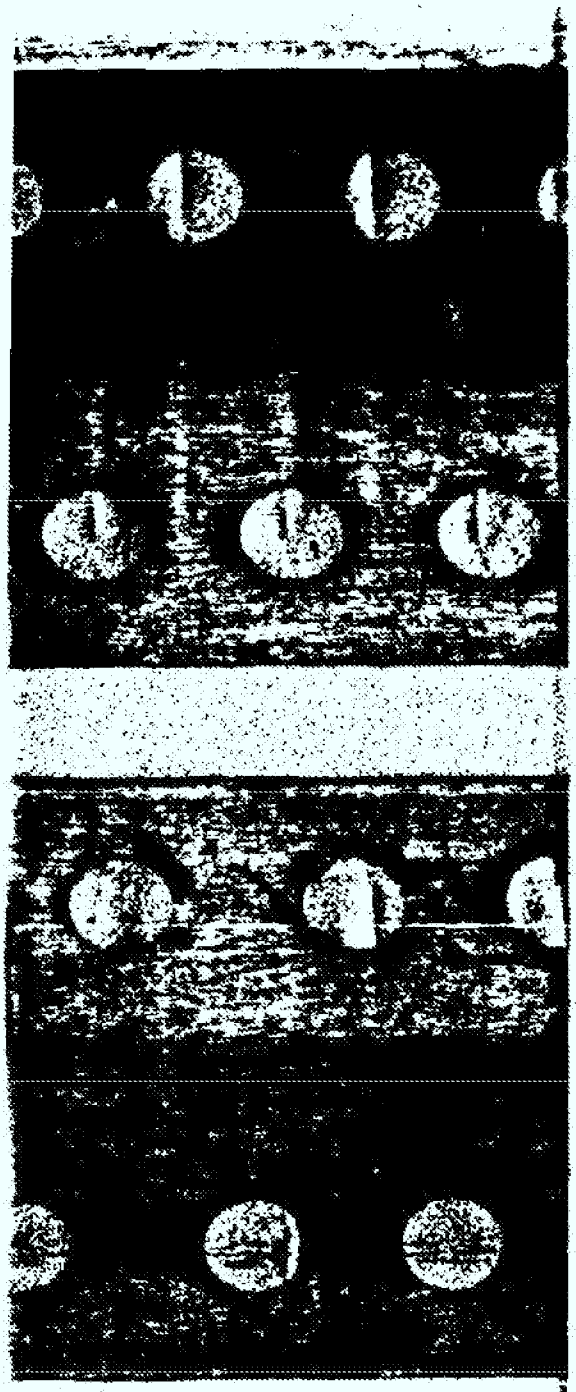
"I am profitably engaged in reading the Bible. Take all of this Book upon reason that you can, and the balance by faith, and you will live and die a better man." - - - Lincoln

On March 3, Dr. Walter E. Schuette will be with us for the visitation which takes place every three years. We are hoping to make it a joint service, so that all of our congregation can take part. Details will be given as soon as possible. Our joint service will begin at 9:15 a.m., so that there will be time to visit the Bethel Congregation also.

Mr. Eric Fietz, a theological student at Cap. will be a guest in the parsonage during this coming week. He is here for his "Interne Work". We wish him God's Blessing and a very happy stay in our midst.

Martha a n d Ruth Maier honor their Father's Birthday on Feb. 14, with today's Bulletin. Our heartiest congratulations, Mr. Maier.

Our Flowers come to us from a loving Daughter in memory of her Parents. Thank you.



Do You Know?

Is it enough, when you have made a financial contribution to the Church's work?

Would you be satisfied to give your son, whom you profess to love devotedly, an occasional quarter and then forget about him? Your thots, your hopes and your prayers constantly go with that boy and the money that you give him is not so important after all.

God does not merely want your gift; He wants you. Is it reasonable to assume that you could "buy off" your God by writing a check? He wants your prayers, your interest, and your love. Your gifts are merely a tangible expression of your devotion to Him.

What happens when you withhold your gifts for the Church's work?

Assuming that Christians will give financial support to the work of the Lord, the Church plans her program of work and promises to give her workers financial aid. If some Christians then withhold their support, one of two things happens. Either some one else must give more than his fair share or the worker does not receive the promised support and must suffer the consequent hardships. Neither is quite honorable.

But there is a more serious implication. Willfully withholding support, that could be given, is a neglect of Christian duty, and God will some day demand an accounting of every man.

For You - From You

For you God has all the treasures of heaven. They are yours through Christ, your Savior. From you God asks love, loyalty and devotion to Him and His cause. Dare you be unmindful of this during this blessed Lenten season? (Prtd. in U.S.A.)

RCH:NWD
62-39128-132

RECORDED

March 5, 1940

Reverend Adolf P. Ebert
First Lutheran Church
909 East Tuscarawas Street
Canton, Ohio

Dear Mr. Ebert:

I have received your letter dated February 15, 1940, and wish to advise that I do not have the address you desire nor can I be of assistance to you in this matter.

It is suggested that you might like to communicate with Mr. James V. Bennett, Director of the Federal Bureau of Prisons, U. S. Department of Justice, Washington, D. C., since the individual to whom you refer has, during the past several years, been in the custody of that organization.

Sincerely yours,

Mr. Tolson
Mr. Nichols
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Gurnea
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Quinn
Mr. Nease
Tele. Room
Miss Holmes
Miss Gandy

COMMUNICATIONS SECTION
MAILED
MAR 5 1940
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

SFP:RTM

February 21, 1940

62-39128 -129

Special Agent in Charge
Chicago, Illinois

Re: Edward J. O'Brien
Miscellaneous

Dear Sir:

With reference to Laboratory Report #2906, in connection with the above entitled case, there are transmitted herewith photographic copies of the following specimens which your office submitted for examination:

Q3 and Q4

COMMUNICATIONS SECTION
MAIL ROOM
★ FEB 21 1940 ★
FEDERAL BUREAU OF INVESTIGATION

RECORDED & INDEXED

62-39128-13
FEDERAL BUREAU OF INVESTIGATION
3 MAR 8 1940
U.S. DEPARTMENT OF JUSTICE

Very truly yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosure #

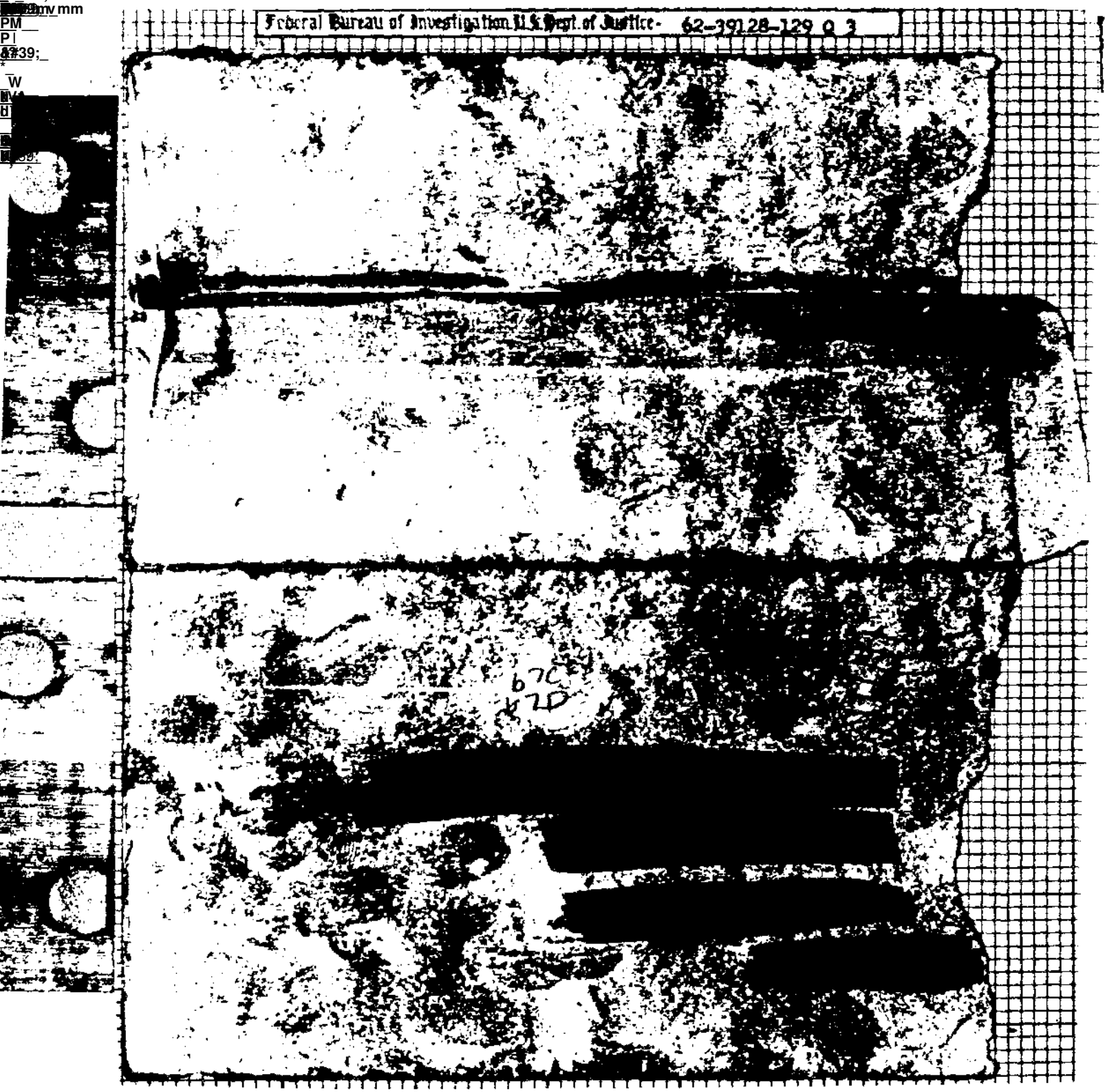
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

OFFICIAL BUSINESS

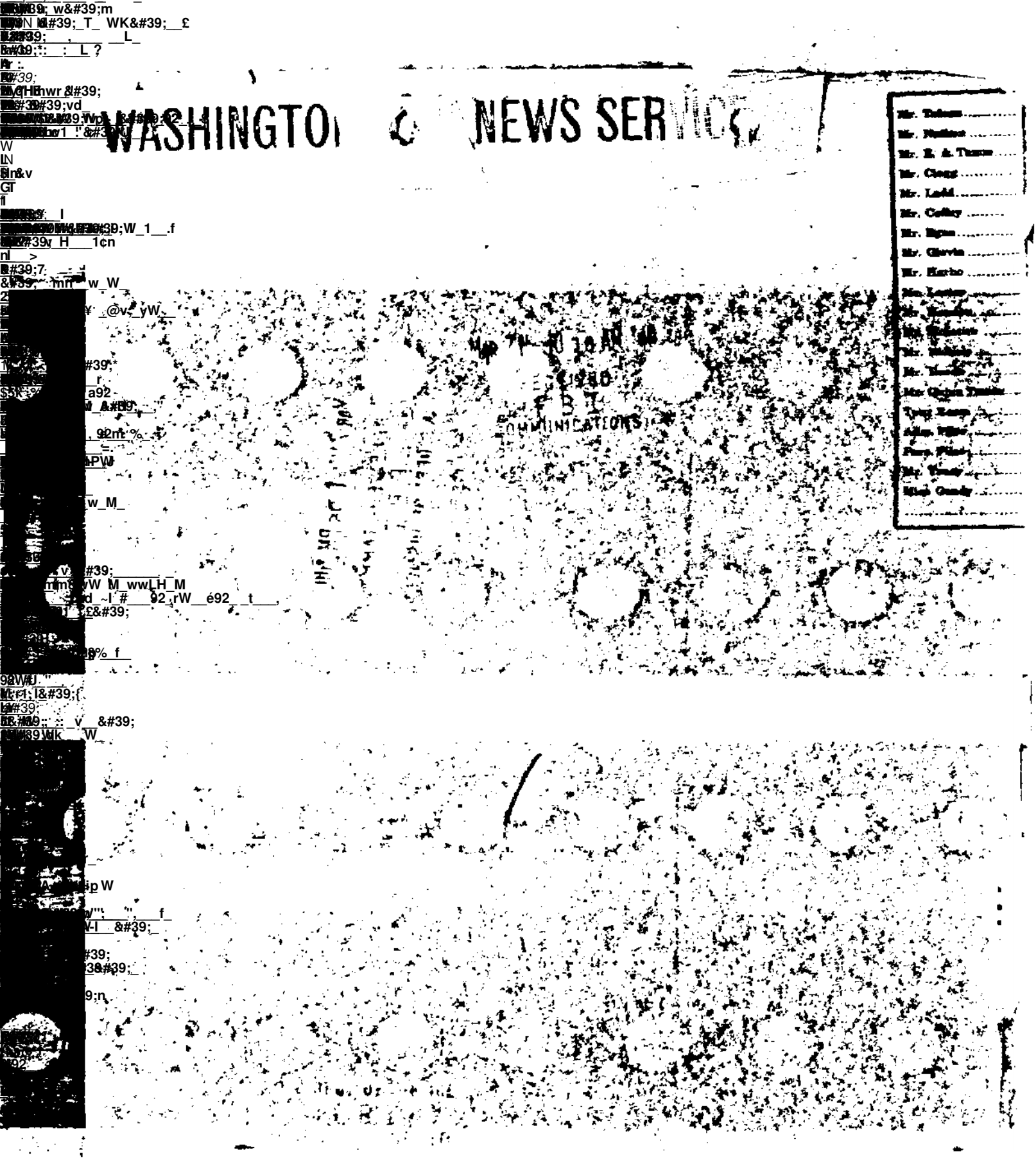
Penalty for Private Use To Avoid Payment of Postage, $300

62-3[illegible]

Shot of Igor


Federal Bureau of Investigation U.S. Dept. of Justice - 62-39128-129 0 3
b7C
b7D

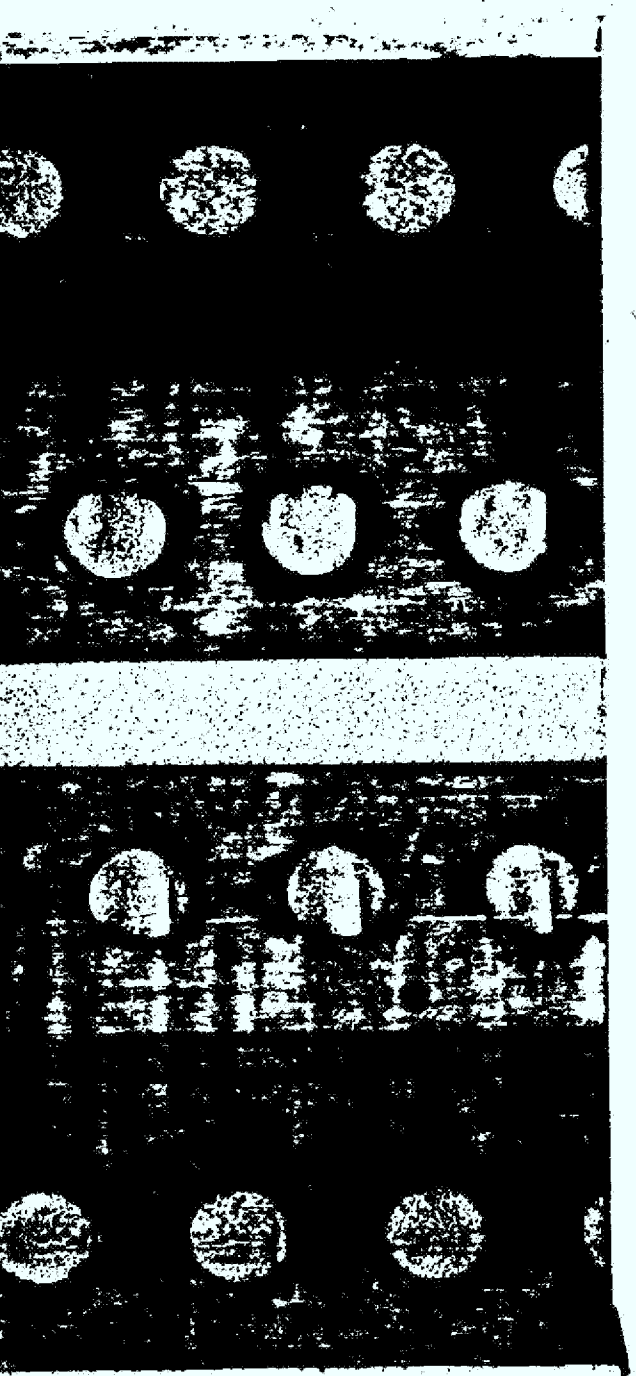
WASHINGTO NEWS SER



62-39128-13

AL CAPONE IS ON HIS WAY TO FLORIDA ACCORDING TO HIS PHYSICIAN IN BALTIMORE. DR. JOSEPH EARLE MOORE, WHO HAD BEEN TREATING CAPONE SINCE HE ARRIVED LAST NOVEMBER, ISSUED THIS STATEMENT: "ALPHONSE CAPONE HAS LEFT BALTIMORE. IT IS UNDERSTOOD HE WILL RETURN TO HIS HOME IN FLORIDA. HE IS STILL ILL AND WILL CONTINUE UNDER MEDICAL CARE."

3/21--GE1016A



OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

March 21, 1940.

Jim Strebig called and inquired if the Bureau was interested in Al Capone. I informed him the Bureau was not.

st

Mr. Tolson
Mr. Nichols
Mr. E. A. Tamm
Mr. Glavin
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Gandon
Mr. McIntire
Mr. Nichols
Mr. Rosen
Mr. Quinn Tamm
Your Room
Mr. Tracy
Mr. Schildecker
Miss Gandy

RECORDED & INDEXED

62-37127-134

FEDERAL BUREAU OF INVESTIGATION
1 MAR 22 1940
U.S. DEPARTMENT OF JUSTICE

1 ENCL. C

COPY/VGS

Hastings, Nebr.
April 5, 1940-

Dear Sir.

I am writeing you in Regards of a man that goes under the name of [redacted] from Grand Island, Nebr. blieved to be [redacted] from Chicago that used to work with Al Capone. I havent saw him sence last Summer but I understand that he is not only acting as Field man for the [redacted] at Grand Island but is some time in [redacted] at Ingleside, Nebr. just 3 miles west of Hastings. they claime the he most all Lights (?) in Grand Island working for him. and lots in hastings. his Discription would be as followes Hight 5 ft. 11 in. Semi Bald with Sandy spot in middle of head and some haire sands almost straight up. hair around ears is some Darcker. he is about 40 years old and weighes about 135 Lbs. has lots of Gold Teeth. Now I am not one of your men and do not want a job but if you want me to get him and take him into Omaha I will do so.

Youre Truley

/s/ [redacted]

FED. BU. OF INV.
DEPARTMENT OF JUSTICE
APR 8 1940
DIVISION OF RECORDS
Correspondence Section
FED. BU. OF INV.

[redacted] ratings Refd. April 5, 1940.

RECORD

b7C

[redacted]

[redacted] 1940

AL CAPONE

[redacted]

[redacted]

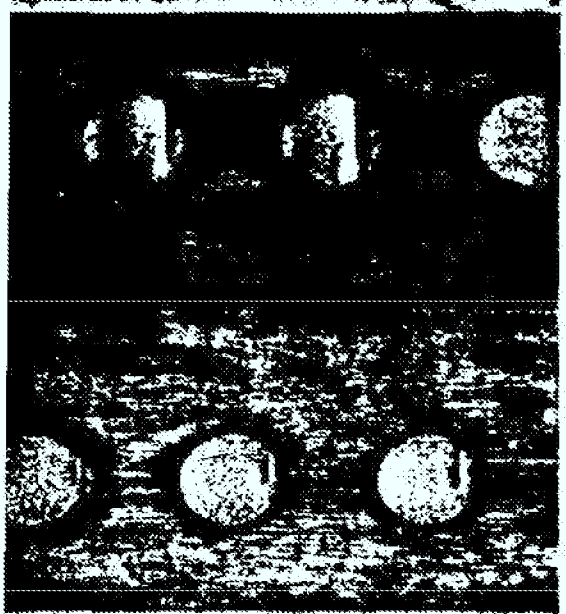
[redacted]

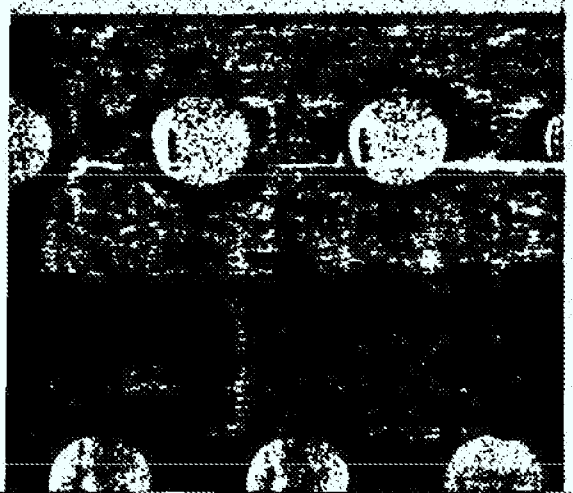
[redacted]

[redacted]

RECORDED & INDEXED

62-39128-155
FEDERAL BUREAU OF INVESTIGATION
4 APR 10 1940
U.S. DEPARTMENT OF JUSTICE





b7C

HASTINGS, NEBRASKA
ST. JOS. & GRAND ISLAND R.P.O.
APR 6
1940

GPS:TOC
62-28128-1SS April 25, 1940

RECORDED

[redacted] b7C

Hastings, Nebraska

Dear [redacted]

This will acknowledge receipt of your letter dated April 5, 1940, and advise that I have noted the contents thereof.

The Federal Bureau of Investigation is authorized by law to investigate violations of certain specified Federal statutes and to collect evidence in cases in which the United States is or may be a party in interest.

From the limited facts set out in your letter I am unable to determine whether or not the subject matter of your communication comes within the investigative jurisdiction of this Bureau. In the event, however, you do have information indicating a violation coming within this Bureau's investigative jurisdiction, I suggest that you communicate with Mr. C. E. Stein, Special Agent in Charge, Federal Bureau of Investigation, U. S. Department of Justice, 629 First National Bank Building, Omaha, Nebraska.

Very truly yours,

John Edgar Hoover
Director

Mr. Tolson
Mr. Nathan
Mr. H. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Gurnea
Mr. Quinn Tamm
Miss Gandy

COMMUNICATIONS SECTION
(with copy of incoming)
MAILED
APR 25 1940
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Mr. Tolson
Mr. Nichols
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Foxworth
Mr. Gurley
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Hendon
Mr. Metterle
Mr. Nichols
Mr. Pennington
Mr. Quinn
Mr. Quinn Tamm
Admin. File
Pers. File
Tour Room
Mr. Tracy
Miss Gandy

Man Who Gave Capone Famous Scar Is Jailed

NEW YORK, July 8 (C.T.P.S.)—Frank Gilluccio, the man who put the scar on the cheek of Scarface Al Capone, was sentenced to 60 days in jail on a vagrancy charge in Brooklyn yesterday. He was arrested last March 27 in District Attorney William F. O'Dwyer's roundup of shady characters.

WASHINGTON [illegible] 1940

Dec. 1 — 1940

Phila. Pa

12/10

b7c

Gentelmen I understand that your

deparment still is looking for [redacted]

[redacted] one of the coponets gang

killers if is your desire, and

I knew few more criminals.

RECORDED & INDEXED

62-39128-136

FEDERAL BUREAU OF INVESTIGATION

Yours Truly

[redacted]

12-11-40

phone wal. [redacted] Pa

JJS:AFS
62-30128-136

RECORDED

December 14, 1940

[redacted]
Philadelphia, Pennsylvania

Dear [redacted]

Your communication dated December 4, 1940, has been received and I wish to advise that the individual mentioned in your letter is not wanted by the Federal Bureau of Investigation nor do the records of this Bureau reflect that he is wanted by any other law enforcement agency in the United States.

I wish to thank you, however, for your thoughtfulness in writing as you did.

Sincerely yours,

John Edgar Hoover
Director

DE-INDEXED
DATE: 6-25-57
34

COMMUNICATIONS SECTION
MAILED
★ DEC 14 1940 ★
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

12 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) b7C, b7D with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

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

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

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:
62-39128-130

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

XXXXXX
XXXXXX
XXXXXX



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 6 OF 11

BUFILE: 62-39128

SUBJECT Capone, Alphonse

FILE NUMBER 62-39128

SECTION NUMBER 4

SERIALS 132-207

TOTAL PAGES 224

PAGES RELEASED 215

PAGES WITHHELD 5 denied; 2 Navy; 2 Army

EXEMPTION(S) USED b3, b6, b7C, b7D

[redacted] 66

Enclosures
1-62 LEB Introduction
2-62 LEB Introduction
What you can do to fight Crime
Cooperation The Backbone of Effective Law Enforcement
The Story of the FBI

NOTE: The above information concerning Al Capone was taken from his identification Record and from the Miami Beach, Florida, Police Department death notice. In connection with Capone, the Internal Revenue Service has previously advised via liaison that it has no information for dissemination concerning him.

b6

[redacted]
Newcastle, Wyoming
March 29, 1962

Federal Bureau of Investigation
Washington D. C.

Gentlemen;

In our school we are writing term papers. My term paper is on Alphonse Capone and I would like to know if you have some information on his life, how he took advantahe of the times, and how he got control of the underworld.

Could you send any information before April 13, 1962? I will appreciate any help you might be able to give me.

Sincerely yours,

[redacted]

[redacted]

62- 39128-163

REC 3

11 APR 4 1962

Ack 4-3-62 RMW

CORRESPONDENCE RMW

see 62-39128-163

REC-3

April 3, 1962

[redacted] 66

Newcastle, Wyoming

Dear [redacted]

Your letter dated March 29, 1962, has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which may be of interest to you.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

MAILED 20
APR 3 - 1962
COMM-FBI

APR 3 10 37 AM '62
REC'D-READING ROOM
FBI

Tolson
Belmont
Mohr
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (5)
1-62 LEB Introduction
You Versus Crime
What You Can Do To Fight Crime
Cooperation The Backbone of Effective Law Enforcement
The Story of the FBI

SEE NOTE NEXT PAGE

RMW:lc* (3)

[redacted] 66

NOTE: The above information concerning Al Capone was taken from his Identification Record and from the Miami Beach, Florida, Police Department death notice. In connection with Capone, the Internal Revenue Service has previously advised via liaison that it has no information for dissemination concerning him.

TRUE COPY

4/15/62

Mr. Hoover,

I am doing a term paper on the rise and fall of Al Capone for College. It is necessary for me to have this information promptly. I would like any information that you have available.

My address is:

[redacted] b6

Columbia, S. C.

You reply would be greatly appreciated.

Thank You,

/s [redacted]

REC- 57 62-39128-164

11 APR 20 1962

ST-105

1-TC Mail 11-17-62

4-19-62

8- Eft

4/15/62

Mr. Hoover,

I am doing a term paper on the rise and fall of Al Capone for college. It is necessary for me to have this information promptly. I would like any information that you have available.

My address is:

[redacted]

Columbia, S. C.

Your reply would be greatly appreciated.

Thank You,

[redacted]

b6

1-TC Lead
4-11-62

4-19-62
Eff: jl

CORRESPONDENCE

6

REC-57 62-39128-164

April 19, 1962

ST-105

[redacted]

Columbia, South Carolina

Dear [redacted]

Your letter of April 15th has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which may be of interest to you.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

MAILED 10
APR 19 1962
COMM-FBI

Tolson
Belmont
Mohr
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes

Enclosures (5)
Cooperation, The Keystone of Effective Law Enforcement
The Story of the FBI
Know Your FBI
Fingerprint Identification
FBI Laboratory
SEE NOTE NEXT PAGE

[redacted] b6

NOTE: Bufiles contain no record identifiable with correspondent. The above information concerning Al Capone was taken from his Identification Record and from the Miami Beach, Florida, Police Department death notice. In connection with Capone, the Internal Revenue Service has previously advised via liaison that it has no information for dissemination concerning him.

June 17, 1962.

Federal Bureau of Investigation,
Washington, D. C.

Gentlemen:

As part of my course in Criminology I am required to write a thesis on the life and trial of Al Capone.

Would if be possible for you to give me any information on this; or the name of published material and where it can be obtained?

Any help you might give me would be greatly appreciated.

Yours very truly,

[redacted]

66

[redacted]
Chattanooga 5, Tenn.

A

6-21-62

REC-64

62-3918-16-5

CORRESPONDENCE

19

REC-64 62-39128-165

June 21, 1962

[redacted]
Chattanooga 5, Tennessee

Dear [redacted]

I have received your letter of June 17, 1962.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which may be of interest to you.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosures (3) The Story of the Federal Bureau of Investigation
Cooperation The Backbone of Effective Law Enforcement
Know Your FBI
DCL:js* (3)

SEE NOTE NEXT PAGE

Tolson
Belmont
Mohr
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

54 JUN 29 1962

FBI
JUN 21 10 04 AM '62
RECD-READING ROOM

MAILED 5
JUN 21 1962
COMM-FBI

FBI
RECEIVED-DIRECTOR

[redacted] b6

NOTE: The above information concerning Al Capone was taken from his Identification Record and from the Miami Beach, Florida, Police Department death notice. In connection with Capone, the Internal Revenue Service has previously advised via liaison that it has no information for dissemination concerning him.

[redacted] is not identifiable in Bufiles.

191

June 25, 1962.

RECEIVED
JUN 28 1962
CRIMINAL DIVISION

Department of Justice,
Washington, D. C.

Gentlemen:

As part of my course in Criminology I must write a thesis on the life and trial of Al Capone. Would it be possible to get any information from the Department of Justice on this man?

Any help you can give me would be greatly appreciated.

Yours very truly,

[redacted]

66

[redacted]

Chattanooga 5, Tenn.

Secret 6-21-62 del

An early response will be appreciated as this is part of my Summer course.

CORRESPONDENCE

RECEIVED
JUN 28 1962
ORGANIZED CRIME AND RACKETEERING SECTION

RECEIVED
JUL 5 1962
FEDERAL BU. OF INV.

7/12 Pat

2 ENCLOSURE

JUL 27 1962
CRIMINAL DIVISION
Organized Crime & Racketeering Section
FEDERAL BU. OF INV.

Form No. DJ-93
(Rev. 6-13-61)

C O

SERVICE REQUEST SLIP

DATE 7-2

TO: RECORDS ADMINISTRATION OFFICE
_____ Administrative Office
_____ Communications Section (Post Office)
_____ Identification Section
_____ Service Unit
_____ Classified Files Unit
_____ General Files Unit
_____ Correspondence Unit
_____ Records Retirement Unit
_____ Attention Miss Hyde

(Check appropriate item(s) below)

_____ CLASSIFY AND RECORD.

_____ NOT FOR _____

C CHANGE ASSIGNMENT _____

_____ NEW CASE. (Make "New") _____

_____ NOW "NEW." SEE _____

_____ BRING FILE UP-TO-DATE _____

_____ FILE ATTACHED MATERIAL. (Each piece marked "File" and initialled)

_____ PLEASE CALL _____ EXT. _____

_____ RETURN TO _____ ROOM _____

_____ OTHER (Specify) _____

See note below

Name of requestor _____

Division _____ Room _____

2 ENCLOSURE

DEC-113

9 JUL 5 1962

55 JUL 13 1962

Form No. DJ-96a
(Rev. 4-23-64)

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO	NAME	BUILDING AND ROOM
1.	MAIL Room	
2.		
3.		
4.		
5.		

- ☐ SIGNATURE
- ☐ APPROVAL
- ☐ SEE ME
- ☐ RECOMMENDATION
- ☐ COMMENT
- ☐ NECESSARY ACTION
- ☐ NOTE AND RETURN
- ☐ CALL ME
- ☐ PER CONVERSATION
- ☐ AS REQUESTED
- ☐ NOTE AND FILE
- ☐ YOUR INFORMATION
- ☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
- ☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

Irene:

Please return to classification unit as it is not a crim init division matter. Possibly the FBI might be helpful

FROM NAME	BUILDING, ROOM, EXT.	DATE
Tim		

ENCLOSURE 62-37125-1

TRUE COPY

To:
Federal Bureau Investigation
Washington D. C.
U.S.A.

-From-
-CKGB Radio
-Timmins-Ontario
-Canada

Gentlemen:

A discussion arose recently during a business matter on, among other things the life of one "Al Capone". Now I suppose you'll wonder where Capone would entre into radio. This had to do with the simple mention of his name during a broadcast. If you could answer one question I would appreciate your doing so.

• "How did "Al Capone" get the scar which gradually brought on the name of "Scar Face?

Thanking you for your time in advance.

I remain

Yours

/s/ William E. LaSalle

Address per envelope:

William LaSalle
CKGB -Radio
Timmins-Ontario
Canada

REC- 13 62-39128-167

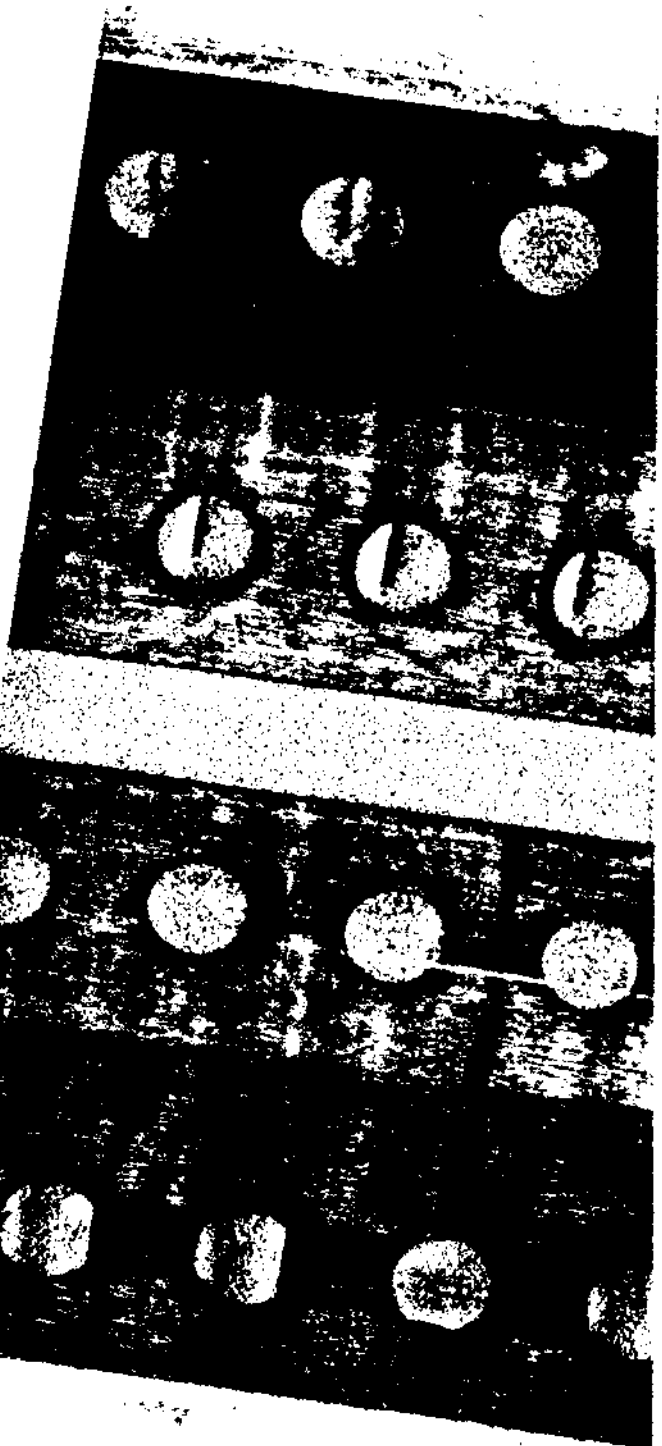
EX-103

SEP 20 1962

8-EFT

ack 9-19-62
EFT/jlh

ack 9-19-12



TO: -FROM-

Federal Bureau of Investigation — C K G B-RADIO

Washington D.C. — TIMMINS-ONTARIO

U.S.A. — CANADA

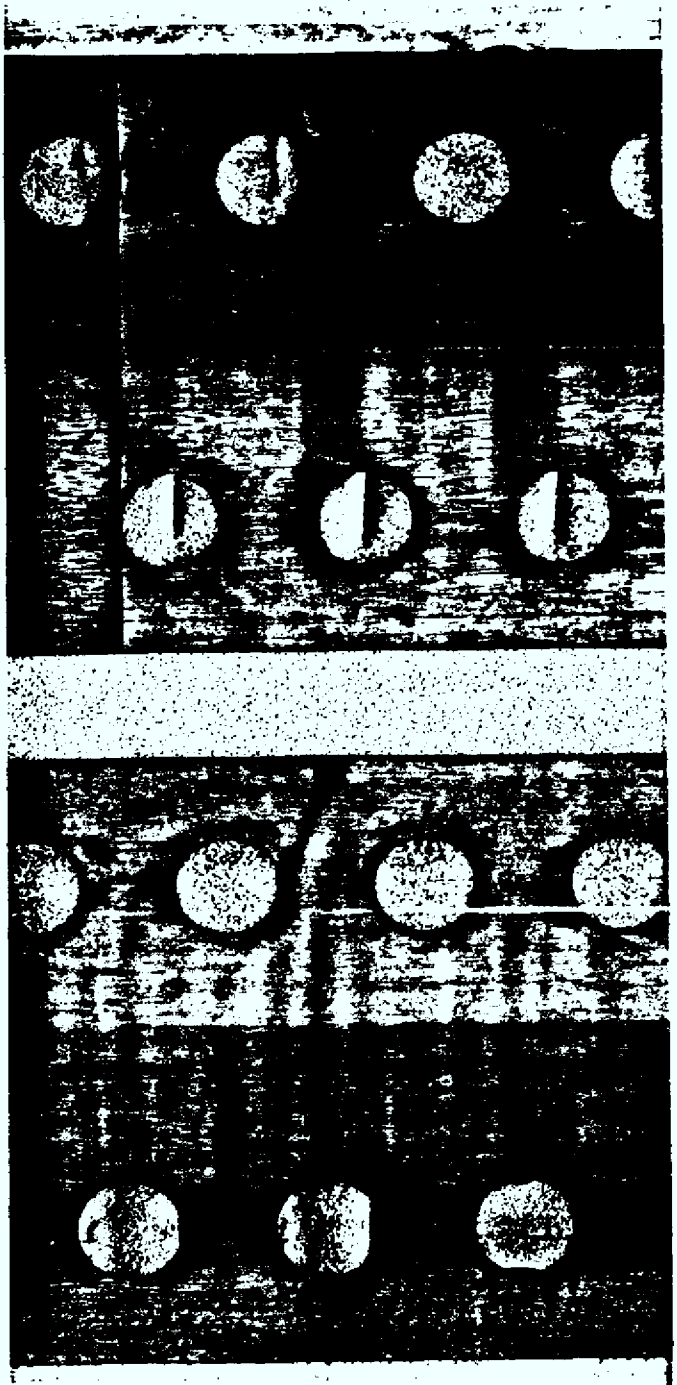
Gentlemen;

A discussion arose recently during a business matter on, among other things the life of one "Al Capone". Now I suppose you'll wonder where Capone would entre into radio. This had to do with the simple mention of his name during a broadcast.

If you could answer one question I would appreciat your doing so.

"How did "Al Capone" get the scar which gradual brought on the name of "Scar Face?

ITC 9-18-62 fld [illegible] CONFIDENTIAL Ept



Thanking you for your time in advance,

I remain

Yours

William E. LaSalle

REC-13 62-39128-167

EX-103

September 19, 1962

AIRMAIL

SEP 19 5 02 PM '62

FBI

Mr. William E. LaSalle
CKGB Radio—
Timmins, Ontario, Canada

Dear Mr. LaSalle:

Your letter postmarked September 13th has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. With respect to your specific question, the February 3, 1947, issue of "Time" magazine reports in an article regarding Capone as follows: "An ugly scar disfigured his left cheek-the mark of a fiery little Sicilian who was the first and last man ever to cut him with a knife."

MAILED 8
SEP 19 1962
COMM-FBI

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

1 - Ottawa - Enclosure
1 - Foreign Liaison Unit - Enclosure
EFT:jld (5)

NOTE NEXT PAGE

53 SEP 25 1962

Tolson
Belmont
Mohr
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

Mr. William E. LaSalle

NOTE: Bufiles contain no record identifiable with correspondent. The Internal Revenue Service has previously advised via Liaison that it has no information for dissemination concerning Capone.

October 9, 1962

[redacted]
Longview, Texas

Dear [redacted]

The Honorable Lindley Beckworth has referred to me a copy of your letter to him dated October 1, 1962.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which may be of interest to you.

REC-30 62-39128-18

EX 101

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosures (3)

SEE NOTE & ENCLOSURES NEXT PAGE

DCL:ps (5)

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

OCT 9 5 01 PM '62 FBI MAIL ROOM

OCT - 9 1962 COMM-FBI

OCT 10 1962 FBI

OCT 9 2 57 PM

[redacted]

b6

Enclosures (3)
Fingerprint Identification
The Story of the Federal Bureau of Investigation
The FBI Laboratory

NOTE: The above information concerning Al Capone was taken from his Identification Record and from the Miami Beach, Florida, Police Department death notice. In connection with Capone, the Internal Revenue Service has previously advised via liaison that it has no information for dissemination concerning him.
Although correspondent says his address is both [redacted] and [redacted] the telephone directory for Longview, Texas, shows a [redacted] living at [redacted]

TRUE COPY

18 Feb -63

Dear Sirs!

I would appreciate it very much if you would send me some information on Al Capone. I would like to know the date he entered prizon and also what prizon! and most important, what he died of. if it was a disease, please put the mane of the disease.

This is very important to me, so please send it as soon as possible

Thank you very much

Your truly

b6

[redacted]
416th OMS - Box 776
K. I Sawyer, A. F. B.
Michigan.

REC 17 62-39125-169

ST-117

15 FEB 27 1963





Dear Sirs,

18 FEB-63

I would appreciate it very much if you would send me some information on al Capone. I would like to know the date he entered prison and also what prison, and most important, what he died of. if it was a disease, please the name of the disease.

This is very important to me, so please send it as soon as possible

Thank you very much

Your truly [redacted] 66

[redacted]
416th OMS - Box 776
K.I. SAWYER, A.F.B.
Michigan.

TC cpld 2/21/63

Ack 2-26-63 CJT'y

CORRECTED 8/8 ENCE

REC- 17

62-39128-169

ST-117

February 26, 1963

[redacted]

416th OMS, Box 776
K. I. Sawyer Air Force Base, Michigan

Dear [redacted]

Your letter of February 18th has been received, and I appreciate your interest in writing.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

MAILED 30
FEB 26 1963
COMM-FBI

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosures (5)
The Crime Problem
Know Your...FBI
Cooperation The Backbone of Effective Law Enforcement
Facts about a Career in the...FBI
SA Job Sheet

NOTE: Bufiles contain no record identifiable with correspondent Reference to a disease being ignored.

CJJ:lj

MAR 6 1963

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

REC'D-READING ROOM
FBI

FEB 26 3 59 PM '63

TRUE COPY

b6

[redacted]
Sacramento, Calif.
March 20, 1963

F.B.I.
Washington 25, D. C.

Dear Sirs,

I am writing a term paper on what factors of Al Capone's first eighteen years may or may not have decided on his later career as one of the United States worst criminals. I have tried to limit the topic because I know if I ask for information on to broad of a subject you won't send me anything. Would you please send me information on the following: How long did Al Capone live in New York? What were his parents occupation? Did his parents ever seperate? Did he have any brothers and sisters? If so, how many? What were their ages compared to his? How well off was his family financally? What kind of a family life did he have? How far in school did he get? What were his favorite subjects? Generally, how did he do in school? Did he have many friends? Did he have girlfriends? How old was he when he commited his first crime? Could you briefly describe how many and what kind, if any, of crimes he commited up to the time he was eighteen?

Any other information you could send about his first eighteen years would be greatly appreciated. Thank you, ahead of time for sending me the information as soon as possible.

Sincerely Yours,

/s/ [redacted] b6

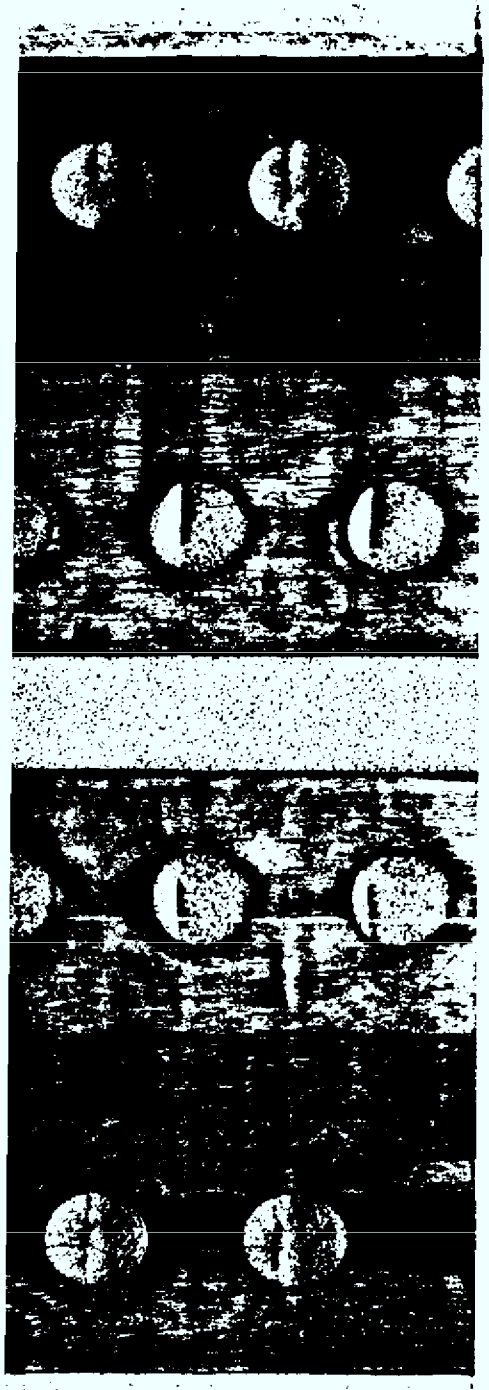
REC- 70 62-39124-170

EX-117

17 MAR 28 1963

b6

[redacted]
Sacramento, Calif.
March 20, 1963



F. B. I.
Washington 25, D. C.

Dear Sirs,

I am writing a term Paper on what factors of Al Capone's first eighteen years may or may not have decided on his later career as one of the United States worst criminals. I have tried to limit the topic because I know if I ask for information on to broad of a subject you won't send me anything. Would you please send me information on the following: How long did Al Capone live in New York? What were his parents occupation? Did his parents ever seperate? Did he have any brothers and sisters? If so, how many? What were their ages compared to his? How well off was his family financially? What kind of a family life did he have? How far in school did he get? What were his favorite subjects? Generally, how did he do in school? Did he have many friends? Did he have girlfriends? How old was he when he committed his first crime? Could you briefly describe how many and what kind, if any, of crimes he committed up to the

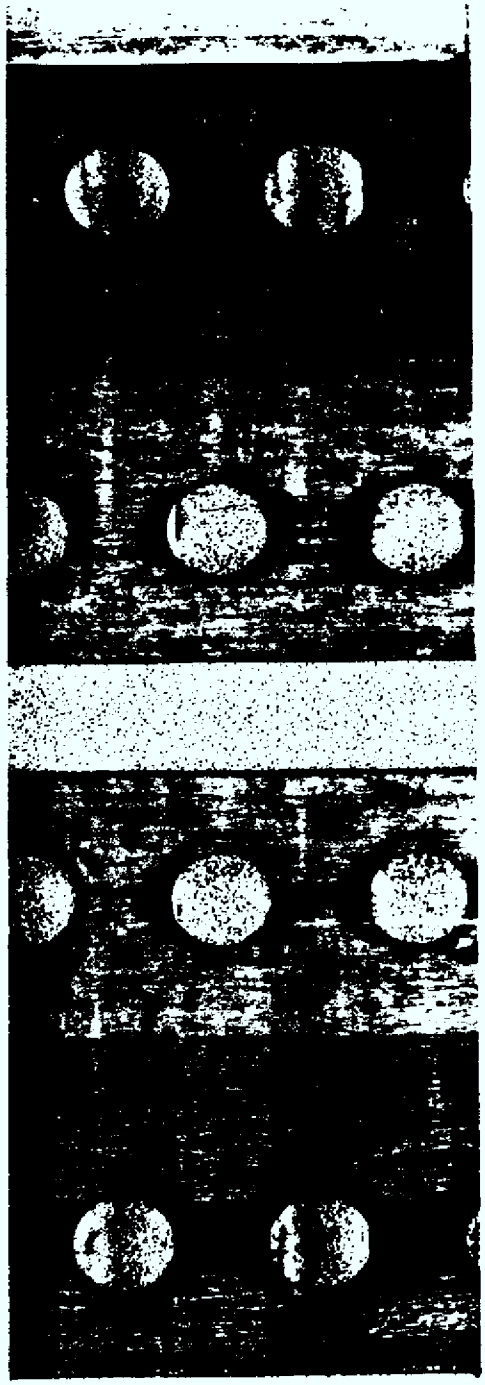
CORRESPONDENCE

time he was eighteen?

Any other information you could send about his first eighteen years would be greatly appreciated. Thank you, ahead of time for sending me the information as soon as possible.

Sincerely yours,

[redacted] b6



March 27, 1963

REC-70 62-39128-170
EX-117 [redacted] 66

Sacramento, California

Dear [redacted]

Your letter of March 20, 1963, has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

MAILED 19
MAR 27 1963
COMM-FBI

Enclosures (5)
The Crime Problem
The Story of the FBI
Know your...FBI
Fingerprint Identification
Facts about a Career in the FBI

NOTE: No record of correspondent in Bufiles.

CJJ:lj (3)

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

[redacted] b6

Ft. Lauderdale, Fla.
June 24, 1963

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

I am very interested in the life of the late Alfonso Capone. I have been trying to tie together a few of the things I've learned, and I need some information about his family.

Could you send me some facts, particularly ~~con~~cerning his living descendents? I would appreciate it very much. Thank you.

Yours very truly,

[redacted] b6

REC-64

62-391[illegible]-171

MCT-11

13 JUL 2 1963

CORRESPONDENCE

June 28, 1963

REC-64 62-29128-171

[redacted]

Fort Lauderdale, Florida

Dear [redacted]

Your letter of June 24, 1963, has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

MAILED 20
JUN 28 1963
COMM-FBI

SAW:ms (3)

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
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Trotter
Room
MAIL ROOM TELETYPE

JUL

FBI
JUN 28 9 42 AM '63
REC'D-READING ROOM

[redacted] 66

ATLANTA 3, GEORGIA

August 31, 1963

United States Department of Justice
Federal Bureau of Investigation
Washington, D.C.

Dear Sir:

Mr. James F. McMahon here in Atlanta did not have the information I requested and I thought perhaps your files would.

I read two books recently and each book had a different story about Mr. Frank "The Enforcer" Nitti of the Capone gang.

One book said that he was the "Brother-In-Law" of Al Capone and the other book said he was the "cousin" of Al Capone. The books mentioned above are: THE DEN AND [illegible] by Judge Lyle and CAPMAK OF CHICAGO.

I would appreciate it if someone in your employ could find out the information that I need. I would like to know what relation Mr. Nitti was to Mr. Capone. I do not know which book to take as truth on this matter.

With kindest regards I am

Sincerely,

[redacted] 66

Atlanta 3, Georgia

62-39128-17

REC-123

3 SEP 6 1963

FX 104

CORRESPONDENCE

ST REC-123 62-39128-172

66

September 5, 1963

[redacted]

Atlanta 3, Georgia

Dear [redacted]

Your letter of August 31st has been received.

Although I would like to be of service, the FBI does not have any publications available for distribution concerning Al Capone. He was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. I regret I am unable to be of help with respect to the information you seek.

Sincerely yours,

Edgar Hoover

John Edgar Hoover
Director

SEP 5 4 32 PM '63
REC'D-READING ROOM
FBI

MAILED 12
SEP 5 - 1963
COMM-FBI

1 - Atlanta - Enclosure
NOTE: Bufiles contain no record identifiable with correspondent. While an article written in November, 1933, reported that Frank Nitti was a cousin of Al Capone, it is not believed the Bureau should resolve correspondent's question as to whether he was a cousin or brother-in-law of Capone.

EFT:cai
(4)

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
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Trotter
Tele. Room
Holmes
Gandy

60 SEP 17 1963

MAIL ROOM ☐ TELETYPE UNIT ☐

Kansas State University
Manhattan, Kansas

Department of History, Political Science, and Philosophy
Eisenhower Hall

September 16, 1963

The Federal Bureau of Investigation
Department of Information
Washington, D. C.

Dear Sir:

I am doing research on the life of Al Capone. Please send me any information and material that you can which would be of help in this endeavor. I will be very glad to pay any charges for this material.

Thank you,

[redacted] b6

% History Department
Kansas State University
Manhattan, Kansas

[redacted]

EX-102 REC 37 62-39128-173

SEP 24 1963

CORRESPONDENCE

REC 31
62-39128-173

EX-102

September 23, 1963

[redacted] b6

History Department
Kansas State University
Manhattan, Kansas

Dear [redacted]

I have received your letter of September 18th.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Mr. Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

MAILED 31
SEP 23 1963
COMM-FBI

REC'D READING ROOM
SEP 2 2 50 PM '63
B I

Enclosures
The Story of The Federal Bureau of Investigation
Know your...FBI
Cooperation The Backbone of Effective Law Enforcement
NOTE: Correspondent is not identifiable in Bufiles.
SAW:ms (3)

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

January 10 '63

b6 [redacted]

Memphis, Tenn 38126

Dear Sirs,

Will you please settle an Arguement? A friend And myself were discussing Al Capone the racketeer. My friend says he died in San Quentin and I say he died in Long Island, New York after being released from prison. Will you please Tell me who is right or if both of us are wrong.

Respectfully yours,

CORRESPONDENT b6 [redacted]

TRUE COPY

January 10 '63

Dear Sirs,

Will you please settle an auguement? A friend and myself were discussing Al Capone the racketeer. My friend says he died in San Quentin and I say he died in Long Island, New York after being released from prison. Will you please tell me who is right or if both of us are wrong.

Respectfully yours,

[redacted]

Address per envelope:

[redacted]

Memphis, Tenn 38126

REC-115 62-39021-174

10 JAN 16 1964

62-39128-174

January 15, 1964

AIRMAIL

115

[redacted]

66

Memphis, Tennessee 38126

Dear [redacted]

Your letter of January 10th, with enclosure, has been received.

With regard to your inquiry, Al Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

You may also wish to refer to "The FBI Story" by Don Whitehead which contains some data relative to Al Capone. You may be able to obtain a copy of it from your local library.

Sincerely yours,

MAILED 27
JAN 15 1964
COMM-FBI

John Edgar Hoover
Director

NOTE: The information concerning Al Capone's death was contained in his identification record and from the Miami Beach, Florida, Police Department death notice. Bufiles contain no record identifiable with correspondent. The self-addressed, stamped envelope he enclosed is being utilized in the reply.

EFT:med
(3)

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

MacKay Alberta
Oct. 15 1964

Federal bureau of
investigation
Washington D. C.

Dear Sirs:

I am a grade 11 high school student, recently I have been told there is no official record of Al Capone's death, would you please confirm or deny this

Yours truly,

/s/ [redacted] b6

1- 1/21/64

COI-TS

REC 61 62-37138-175

OCT

1/9

Mackay Alberta
Oct. 15 1964

Federal Bureau
of investigation
Washington D.C.

Dear Sirs:

I am a grade 11 high school student, recently I have been told there is no offical record of Al Capone's death, would you please confirm or deny this

Yours truly,

[redacted] b6



[redacted]
MacKay
Alta

CORRESPONDENCE

135

October 22, 1964

SUT-LS
REC 61 62-39828-175
66

[redacted]
MacKay, Alberta, Canada

Dear [redacted]

Your letter of October 15th has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

J. Edgar Hoover

MAILED 25
OCT 22 1964
COMM-FBI

Enclosures (2)
Know your FBI
Story of the FBI
1 - Ottawa - Enclosure
1 - Foreign Liaison Unit
SAW:eje (4)

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele.
Holm
Gandy

964 eje

66 OCT 27 1964

MAIL ROOM ☐ TELETYPE UNIT ☐

OCT 22 9 37 AM '64
FBI
TELETYPE UNIT

January 15, 1965

REC-55 62-39128-176

[redacted] 66

Denton East [redacted]
University of Maryland
College Park, Maryland 20742

Dear [redacted]

Your letter of January 10th has been received.

In response to your inquiry, I would like to advise that Al Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. I am, however, forwarding a copy of your letter to the Commissioner, Internal Revenue Service, Twelfth Street and Constitution Avenue, Northwest, Washington, D. C., for any information he can furnish you.

JAN 14 2 41 PM '65
REC'D-READING ROOM
F B I

Sincerely yours,

[redacted] Edgar Hoover

MAILED 30
JAN 15 1965
COMM-FBI

NOTE: Correspondent is not identifiable in Bufiles. A copy of incoming is being sent by form to IRS.
SAW:dll (3)

56 JAN 22 1965

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

Denton East [redacted] b6
Univ. of Md.
College Park, Md.
January 10, 1965

Federal Bureau of Investigation
Washington, D. C.

To Whom it May Concern:

I am very interested in knowing whether or not in your files you have any records of any living relatives of the infamous Al Capone. If so, I would like to know their age and sex, definately, and if possible, their whereabouts. (names not necessary.)

I am interested in obtaining this information for an important part of a novel I am writing, and would appreciate any facts you can send me.

Thank you.

P.S. By "relative" I mean not only blood relatives, but relatives through marriage also.

Sincerely,

s/ [redacted] b6

1 TC dll 1/14/65

Zip code per envelope - 20742

REC- 55 62-39128-176

EX- 117

JAN 18 1965

33

55.

Denton East [redacted]
Univ. of Md.
College Park, Md
January 10, 1965

Federal Bureau of Investigation
Washington, D.C.

To Whom it may Concern:

I am very interested in knowing whether or not in your files you have any records of any living relatives of the infamous Al Capone. If so, I would like to know their age and sex, definately, and if possible, their whereabouts. (Names not necessary.)

I am interested in obtaining this information for an important part of a novel I am writing, and would appreciate any facts you can send me.

Thank you.

Sincerely,

b6

[redacted]

P.S. By "relative" I mean not only blood relatives, but relatives through marriage also.

[redacted]
Denton East [redacted]
Univ. of Md.
College Park, Md
20742

CORRESPONDENCE

31

[redacted] b7C

[redacted]
Lightstreet, Pa.

J. Edgar Hoover

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

Dear Sir:

I am a senior in High school and for my term paper I am writing about the life of Al Capone. Would you please send me any information that you have which is available for public use concerning his life, his activities during the Prohibition period, His trail, his capture, and his imprisionment. If you can not send me the above information please inform me as to where I can obtain it.

I would like the information as soon as possible, because the first draft of my term paper is due February Ist, 1965.

Thank you for your consideration.

Sincerely, b7C

[redacted]
[redacted]
Lightstreet, Pa.

EX-103

REC-132 62-39128-177

28 JAN 28 1965

ack 1-27-65 SAW/ltr PP

CORRESP

EX-103

January 27, 1965

REC-132 62-39128-177

[redacted]

Light Street, Pennsylvania

Dear [redacted]

Your letter was received on January 25th.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

FBI JAN 27 3 42 PM '65 REC'D-READING ROOM

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

J. Edgar Hoover

Enclosures (5)
The Story of the FBI
Fingerprint Identification
Know Your FBI
The FBI Laboratory
Facts About a Career in the FBI
NOTE: Spelling of Light Street per "Postal Guide."
SAW:pp (3)

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM TELETYPE UNIT

64 FEB 5 1965 edm

February 6, 1965

Federal Bureau of Investigation
Washington D.C.

Dear Sirs:

I am writing a research paper on Al Capone and I need some reliable information on him. I would appreciate it very much if you would rush me some information on him. Thank you.

Sincerely yours,

[redacted]

66

My address:

[redacted]
Fredericktown, Pennsylvania

EX-102

REC-132 62-27128-178

FEB 12 1965

Ack 2/1/65
DCL:bmf

CORRESPONDENCE

February 11, 1965

REC-132 62-39128-178

[redacted]

Fredericktown, Pennsylvania

EX-102

Dear [redacted]

Your letter dated February 6th has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is material regarding the FBI which I hope you find of interest.

Sincerely yours,

J. Edgar Hoover

MAILED 4
FEB 11 1965
COMM-FBI

FEB 11 3 35 PM '65
FBI
REC'D-READING ROOM

Enclosures (5)
Know Your FBI
Story of the FBI
Facts about a Career in the FBI
Fingerprint Identification
Lab Booklet

DCL:kaf (3)

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Holmes
Gandy

67 FEB 24 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

April 23, 1965

Dear Sirs,

I am earnestly asking your assistance. I am a freshman at Bloomsburg State College and required to do a research paper in our English class. I chose Alphonse Capone as my topic to elaborate on. Therefore, I'm asking that if there is any information that you could possibly send to me it would be greatly appreciated and needed!

If this request is possible, P l e a s e R u s h the information.

Thanks a-lot,

/s/ [redacted] b6

Orangeville, Pa.

EX 110

REC. 1 62-37128-179

APR 29 1965

April 23, 1965

Dear Sir,

I am earnestly asking your assistance. I am a freshman at Bloomsburg State College and required to do a research paper in our English class. I chose Alphonse Capone as my topic to elaborate on. Therefore, I'm asking that if there is any information that you could possibly send to me it would be greatly appreciated and needed!

If this request is possible, Please rush the information.

Thanks a lot,

[redacted]

Orangeville, Pa.

CORRESPONDENCE (b) (6)

10

EX 110

REC-7 62-39128-179

April 28, 1965

[redacted] 66

Orangeville, Pennsylvania

Dear [redacted]

Your letter of April 23, 1965, has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

J. Edgar Hoover

MAILED 7
APR 28 1965
COMM-FBI

Enclosures (5)
The Story of the FBI
Fingerprint Identification
Cooperative Services
Facts about a career in the FBI
FBI Lab

69 MAY 6 1965

SAW:ajb (3)

MAIL ROOM ☐ TELETYPE UNIT ☐

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

APR 28 3 38 PM '65
FBI
REC'D-READING ROOM

b7c

[redacted]
Colorado Springs, Colorado 80909
November 12, 1965

Federal Bureau of Investigation
Washington, D. C.

Gentlemen:

I am writing this letter in regard to information on Al Capone. I am a senior at Wasson High School in Colorado Springs, Colorado, and have chosen Al Capone as my topic for my senior speech which is due in February. I have exhausted the usual local information sources and would appreciate any worthwhile information you can give me as to his life and era.

If you cannot give me the information, could you refer me to the names and addresses of places where I could obtain this information. Any help you can give me will be very much appreciated.

Very truly yours,

[redacted] b7c

g/h

REC 40
62-39128-180

NOV 13 1965

CORRESPONDENCE

REC- 40

62-39128-180

November 17, 1965

[redacted]

Colorado Springs, Colorado 80909

b6

Dear [redacted]

Your letter dated November 12th has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

MAILED 12
NOV 17 1965
COMM-FBI

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (2)
Know Your FBI
The FBI Laboratory

EFT:ejc
(3)

NOV 22 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

Dear Mr Hoover

I would like very much if you could send me some literature and if possible some pictures or photographs upon. One of the students at the school I go to now, received some very interesting literature on Jack Dillinger. & the reason I am asking for this is I am doing a report on the life of Dillinger. I would appreciate it if possible

Sincerely Yours

[redacted] 66 7Y

DET. MICH.
PM
3 FEB
1966

[redacted]
OAK PARK 48237
MICHIGAN

REC- 80 62-3718-181

EX-102

14 FEB 11 1966

ACK 2-9-66
DCL/cma

CORRESPONDENCE

44

February 10, 1966

REC-80 62-39128-181

EX-102

66

[redacted]
Oak Park, Michigan 48237

Dear [redacted]

Your letter of February 3rd has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

MAILED 13
FEB 10 1966
COMM-FBI

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (3)
The Story of the FBI
99 Facts About the FBI
Facts About a Career in the FBI
DCL:cms (3)

55 FEB 18 1966

MAIL ROOM TELETYPE UNIT

TRUE COPY

Dear Sirs:

Would it be possible for you to send me any literature you have on Al Capone? If there is any bill, I would be glad to send you the money in return mail.

I am enclosing some stamps. Could you please send it air-mail, because it is urgent.



Sincerely yours,

/s/ [redacted] 66

Providence, R. I. 02904

REC-75 62-32125-1

1E FEB 25 1966

ITC 2-24-66 dlw

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Dear Sirs:

Would it be possible for you to send me any literature you have on Al Capone? If there is any fee, I would be glad to send you the money in return mail.

I am enclosing some stamps. Could you please send it air mail, because it is urgent.

Sincerely yours,

[redacted] b6

[redacted]
Providence, R.I. 02904

8-6 ff

1 DEC 11 6 ff

REC-75

62-29127-187

February 24, 1966

AIRMAIL

[redacted]

Providence, Rhode Island 02904

Dear [redacted]

Your letter of February 19th, with enclosure, has been received.

With respect to your request, the FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest. There is no charge for any material we are privileged to disseminate. I am returning the extra stamps you so thoughtfully forwarded.

MAILED 3
FEB 24 1966
COMM-FBI

Sincerely yours,

John Edgar Hoover
Director

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (5)
The Story of the FBI
The War on Organized Crime, and 3 extra stamps
NOTE: Correspondent enclosed 10 stamps and 7 are being utilized in reply.

EFT:deg (3)

MAIL ROOM ☐ TELETYPE UNIT ☐

70 MAR 7 1966

[redacted] b6

Rochester New York (14621)

Dear Sir:

I am giving a report on Al Capone in my English class and I would like as much information as possible on this person. Information such as his birthday, discribtion, crimes, and date of death.

Your information will be most helpful.

Thank you, Sincerely [redacted] b6

REC- 23

62-39128-12

10 APR 15 1966

CORRESPONDENCE

9

REC-23

62-39128-183

April 14, 1966

[redacted]

Rochester, New York 14621

Dear [redacted]

66

Your letter of April 8th has been received.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

MAILED 15
APR 14 1966
COMM-FBI

Enclosures (2)
The Story of the FBI
99 Facts about the FBI
DCL:cmc (3)

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

APR 25 1966
MAIL ROOM TELETYPE UNIT

TRUE COPY

May 10, 1966

Federal Bureau of Investigation,
(information dept.)

I would like to know if you could please send me some information on Al Capone or some of his mob. And something about his guns, and his gangster life, and a few pictures I would like to have the information by May 23, 1966. Because this is for my history report.

Thank You,
very much.

[redacted] b6

San Jose, California 95118

REC 29 62-311-1-14

30 MAY 18 1966

1-TC
5/16/66

Ed

May 10, 1966

Federal Bureau of Investigation,
(information dept.)
I would like to know if you could
please send me some information on
Al Capone or some of ~~the~~ his ~~most~~.
And something about his guns, and
his gangster life, and a few pictures
I would like to have the information
by May 23, 1966. Because this is for
my history report.

Thank you,
very much.

[redacted] 66

San Jose, California
95118

CORRESPONDENCE

REC 29 62-32126-184

May 17, 1966

AIRMAIL

[redacted] b6

[redacted]

San Jose, California 95118

Dear [redacted]

Your letter of May 10th has been received.

The FBI does not have any publications regarding Al Capone or any photographs of him available for distribution; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or public library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed are two booklets pertaining to the activities of this Bureau which I hope you will find of interest.

Sincerely yours,

MAILED 4
MAY 17 1966
COMM-FBI

John Edgar Hoover
Director

Enclosures (2)
Story of the FBI
99 Facts About The FBI
NOTE: Bufiles contain no record of correspondent.

ED:gdc (3)

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

November 16,1966

Mr. J.Edger Hoover
Federal Bureau of Investigation
Washington D.C.

Dear Mr. Hoover:

I am writing to you for some information on the famoes gangster, Al Capone.

The reason that I am writing on this subject is because I am taking speech in high school and I am to give a speech to the rest of the class on this subject. This speech is to move my audience and to let them know how I feel about crime and what this man had to do with it.

The reason that I have chose this subject is because of the things that I have heard of the man, and his work. Many of this came from my parents whom lived in Chicago, and from TV and newspapers.

Our teacher asked us to use visual aids and I do not see what I could use on this subject. I was wondering of you could possibly send me some information on this man, some of the things that he did and some pictures that would help me in this speech.

I would need this information by Tuesday the 21 or the 22, of November.

Thank you very much.

[redacted]

[redacted]
Plains, Montana

[redacted]
Plains, Montana 59859

66
X 101
REC 3
62-39128-185
18 NOV 28 1966
ack 11-22-66

REC-3 62-39128-185

EX 101 [redacted] 66

November 22, 1966

AIRMAIL

[redacted]

Plains, Montana 59859

Dear [redacted]

Your letter was received on November 21st, and in response to your request, the FBI does not have any photographs of Al Capone or any publications regarding him available for distribution. You may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

MAILED 20
NOV 22 1966
COMM-FBI

Sincerely yours,

John Edgar Hoover
Director

252

Enclosures (2)
The Story of the FBI
99 Facts about the FBI
NOTE: Bufiles contain nothing identifiable with [redacted]

b6

ED:ncr (3)

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

62 DEC 21966

MAIL ROOM ☐ TELETYPE UNIT ☐

[redacted]
Wise, Virginia 24293
December 19, 1966

b6

Office of the Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C. 20535

Dear Sir:

As I am interested in your organization, I would appreciate it if you would send me any information you may have on Al Capone.

Thank you for your co-operation.

Yours truly,

[redacted]

[redacted]
Wise, Virginia 24293

1

62-39128-186

DEC 56

AGK 12-21-66
CGN:jg

11 DEC 23 1966

CORRESPONDENCE

ST-107
REC-56 62-39128-186
66

December 27, 1966

[redacted]
Wise, Virginia 24293

Dear [redacted]

Your letter of December 19th has been received, and I am glad to know of your interest in our organization.

The FBI does not have any publications available for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You will probably be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed are some booklets about our activities which I hope you will enjoy reading.

Sincerely yours,

MAILED 3
DEC 27 1966
COMM-FBI

John Edgar Hoover
Director

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (2)
The Story of the FBI
99 Facts About the FBI

NOTE: Correspondent is not identifiable in Bufiles.

EFT:jeg (3)

56 JAN 3 1967

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

b6

[redacted]
Freeport, Illinois

Dear, Sirs

I m working on a political and social science paper for history. I'm writing on Al Capone. By reading some of your interesting articals, I thought that maybe you could pass along some of your vital information on Mr. Capone, and his back, ground. And maybe an illustration or two, too help me along with my study.

Thank you

/s [redacted]

Address below

[redacted]
Freeport, Illinois 61032

[redacted]
Freeport. Ill.

REC-72 62-39127-187

MAR 16 1962

ITC
acp
3/14/67

-100

ack
EO/acp
3/15/67

b6

[redacted]

Freeport Illinois

DEAR, SIRS

Im working on a polital and social science paper for history. I'm writing on Al Capone. By reading some of your interesting articals, I thought that maybe you could pass along some of your vital information on Mr. Capone, and his backg ground. And maybe an illustration or two, too help me along with my study.

Thank You

[redacted]

Address below

[redacted]

Freeport, Illinois. 61032

ITC
acp
3/14/67
ach
EO/acp
3/15/67

CORRESPONDENCE

REC-72
62-39128-187

March 15, 1967

ST-100

[redacted] b6 b7

Freeport, Illinois 61032

Dear [redacted]

Your letter was received on March 13th.

The FBI does not have any publications for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or public library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

MAILED 2
MAR 15 1967
COMM-FBI

Sincerely yours,

John Edgar Hoover
Director

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (2)
Story of the FBI
Facts about the FBI

77 MAR 22 1967

NOTE: Bufiles contain no record of correspondent.

ED:acp (3)

MAIL ROOM ☐ TELETYPE UNIT ☐

J. Edger Ho[illegible]r,
Washington D. C.

Dear Sir;

I am a junior in High school taking American History. I am writing a research paper on Al Capone. I would appreciate it very much if you could provide me with any material on this subject. Especially any Bureau Reports, made public; or the names of any Reference material especially any material published by Government Reports.

Thank You, for Your time and effort.

Sincerely Yours

[redacted] 66

MALTA BEND PUBLIC SCHOOLS
District R-5
MALTA BEND, MISSOURI 65339

MALTA BEND MO
12
A.M.
UNITED STATES

EX-110

REC-52

62-39128

10 MAY 5 1967

ack 5-2-67
ED:mlh
mml

CORRESPONDENCE

May 2, 1967

REC-52 EX-110

62-39128 188 66

[redacted]
Malta Bend High School
District R-5
Malta Bend, Missouri 65339

Dear [redacted]

Your letter of April 26th has been received.

The FBI does not have any publications for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead which contains some data relative to him. You may be able to obtain a copy of it at your school or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed are some booklets about our activities which I hope you will find of interest.

Sincerely yours,

MAILED 2
MAY 2 - 1967
COMM-FBI

John Edgar Hoover
Director

Enclosures (2)

The Story of the FBI and Know Your FBI

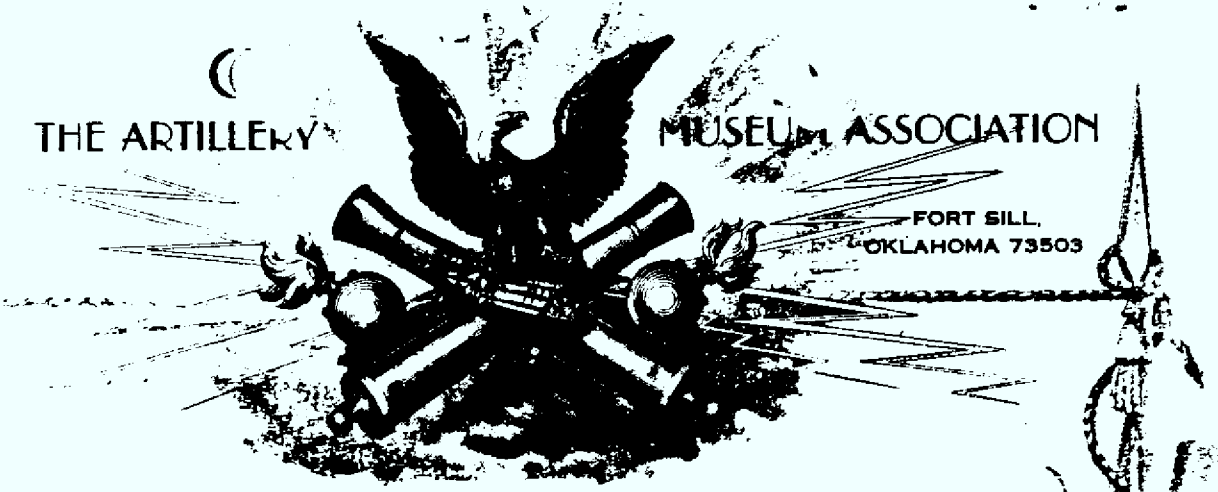
NOTE: Bufiles contain no record of correspondent.

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

59 MAY 9 1967 226

MAIL ROOM TELETYPE UNIT

ED:mlb (3)



THE ARTILLERY MUSEUM ASSOCIATION

FORT SILL,
OKLAHOMA 73503

24 May 1967

Federal Bureau of Investigation
Attn: Crime Records Section
Washington, D. C. 20535

Gentlemen:

During some recent research for the Museum, to which I am temporarily attached, I came across some interesting newspaper articles on Alphonse Capone and his organization.

I have tried to research Capone and his organization here, but no source of reference; therefore, would you please assist me by sending information on the following questions?

Place and date of birth.
Names of parents.
If he had sisters and/or brothers.
When and where he died. Cause of death.

I would appreciate this and any other information you could give me regarding the above mentioned person.

Very sincerely,

[redacted]

Hq Btry, USAANC
Fort Sill, Oklahoma 73503

62-39126-189

REC-121 15 JUN 5 1967

6-1-67
ack 5-31-67
EFT:mlb

CORRESPONDENCE

June 1, 1967

62-37[illegible] 189

[redacted] 66

Headquarters Battery, USAAMC
Fort Sill, Oklahoma 73503

REC-121

Dear [redacted]

Your letter of May 24th has been received.

Although I would like to be of service, the FBI does not have any publications for distribution concerning Alphonse Capone. He was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died of pneumonia on January 25, 1947, at Palm Island, Miami, Florida.

As a matter of policy, we cannot furnish information about his relatives; however, I am forwarding a copy of your letter to the Commissioner, Internal Revenue Service, Washington, D. C., for any information he may be able to send you.

Sincerely yours,

SEC'D MICK
EBI

J. Edgar Hoover
John Edgar Hoover
Director

MAILED 4
JUN 1 1967
COMM-FBI

SEC'D MICK
EBI

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

NOTE: Bufiles contain no record identifiable with correspondent. The information concerning Capone's death was taken from his Identification Division record. A copy of incoming is being referred to Internal Revenue Service by form.

62 JUN 6 1967(3)

THE ARTILLERY MUSEUM ASSOCIATION



FORT SILL
OKLAHOMA 73503

JUNE 13, 1967

DEAR MR. HOOVER,

I HAVE GATHERED AS MUCH INFORMATION AS POSSIBLE, STILL I FEEL THERE IS MUCH MORE CONCERNING ALPHONSE CAPONE THAN WHAT I HAVE ABSORBED.

I WOULD LIKE YOU TO DO ME A FAVOR. I AM ENCLOSING A COPY OF THE INFORMATION I HAVE, WHEN YOU HAVE TIME WOULD YOU PLEASE READ THIS AND LET ME KNOW IF THERE IS ANYTHING WRONG WITH THE INFORMATION I HAVE AND YOUR GENERAL OUTLOOK (PRO'S AND CON'S).

I WANT TO THANK YOU FOR THE ASSISTANCE YOUR DEPARTMENT HAS GIVEN ME IN MY RESEARCH CONCERNING AL CAPONE. I UNDERSTAND YOU ARE A BUSY MAN AND HAVE A GREAT AMOUNT OF WORK TO DO THAT IS FAR MORE IMPORTANT THAN MINE SO I SHALL BOTHER YOU NO MORE.

THANK YOU, [redacted]

REC-12 62-93128-16

66

1 JUN 16 1967

P.S. WHEN YOU FINISH READING THE PAGES I AM SENDING YOU MAY KEEP THEM OR THROW THEM AWAY, WHICH EVER YOU LIKE.

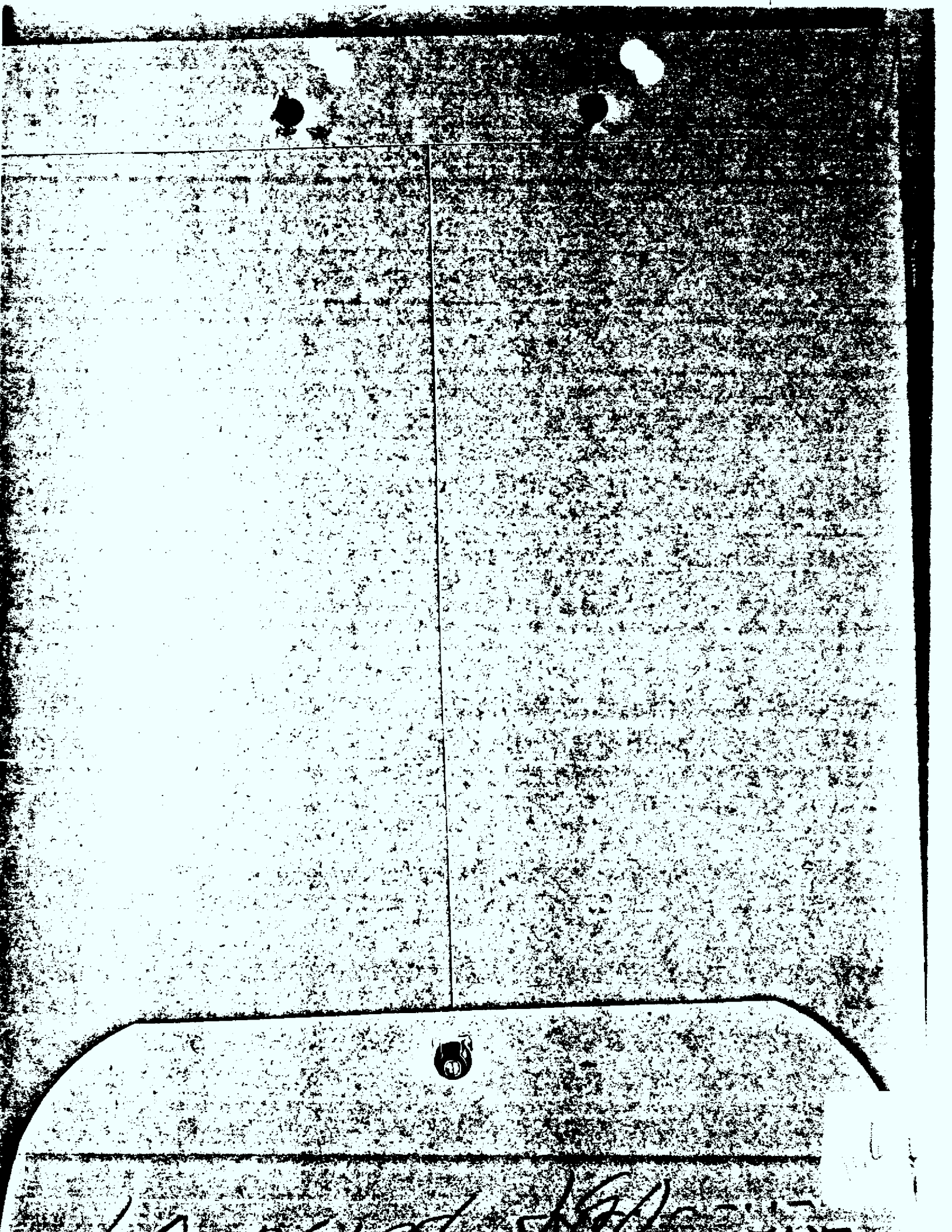
THANK YOU.

1 ENCLOSURE

ack ltr/enc. "ENCLOSURE ATTACHED"
6/15/67 mjm

[redacted]
HEADQUARTERS BATTERY, USAAM
FORT SILL, OKLAHOMA
73503

CORRESPONDENCE



ALPHONSE CAPONE



BORN: January 17, 1899 in Naples, Italy.
NATIONALITY: Italian.
NICKNAMES: Big Al, Scarface.
His name can also be spelled Alphonse.
The name Alphonse came from the french.
BROTHERS: Ralph "Bottles" Capone
Matt Capome
Mimi Capone
Sister: Mrs. Mafalda (Capone) Mariote
Couisin: Rocco Fischetti

Capone started his career as a Brooklyn saloon bouncer.

He learned the bootlegging trade from Frankie Yale.

When Torrio took over "Big Jim" Colomiso's spot, Torrio imported Capone (who was 23 yrs. old at that time) from New Yorks Five Point gang as his body guard. A little while later, Torrio picked Capone as his chief enforcer.

In 1923, Capone recieved a franchise for the industrial suburb of Cicero from Johnny Torrio.

Between 1925 & 1929, 4 major attempts were made on Capone's life.

Early in 1925, Hymie Weiss, Schemer Drucci, & George L."Bugs" Moran were the 1st men to plot against Capone, while he was allied with the then powerful Johnny Torrio. Capone was fired upon while driving from his south side home in his famous armored car. The bullets spattered on the side of the car & splintered on the bullet proof windows, but left Capone unhurt.

When Torrio retired & left for Italy in 1925, Capone bought Torrio's business. He had "Greasy Thumb" Guzik as his paymaster & business adviser. His stalwarts were Frank Nitti, Paul (alias Paul Ricca) "The Waiter" DeLucia, Louis "Little New York" Campagna. For body guards (lieutenants) were the Fischetti brothers. Fred "The Brain" Goetz led Capone's execution squad.

Capone used Cicero as a rest & recreation center for all the Chicago underworld. His own men walked about openly armed. Cicero's mayor, City Council & police force did Capone's bidding.

Once when mad, Capone kicked the Mayor of Cicero down the steps of the City Hall & kicked him when he tried to rise. On another occasion, Capone had a recalcitrant councilman bludgeoned in the midst of a council meeting.

Late in 1925, the same group of men attempted a 2nd time on Capone's life, but fortunately Capone was not in the car & the chauffer met his doom.

A short time later, Moran sent 11 cars of gunmen over to Capone's headquarters (the Lexington Hotel) with machine guns. They fired but no-one was hurt. Once Weiss also sent men over to Capone's headquarters but they were surprized by Capone's guards & fled without firing a shot.

The 4th attempt on Capone's life came from within his own ranks. Louis "Mops" Volpi called a meeting of 7 other Capone guards & told them Capone was spending their money. The plot was to put Ralph Sheldon in the kings chair, but Capone's more loyal friends heard of it & Volpi was turned out of office & driven out of town. Capone was making $1,250,000 yearly & his aids only recieved $300. to $500. per week.

Capone slept in a room with the windows & doors protected by bars & metal sheeting. In front of his room there were 2 other smaller rooms for his body guards, 2 guards to each room. Capone kept 2 pistols under his pillow. When he ate, his food was carefully testes & tasted by his faithful brother, Mimi Capone, who was a good chef. Mimi prepared all of Capone's meals & nothing reached AL's lips without first being tested by Mimi. Capone was as wary of poison as of bullets.

Capone sat in the front seat of his car, it was a 7 ton, armored bullet proof, Cadillac limozene. It was equipped with gun racks & 2 bodyguards, usually Louis Campagni & Willie Zenie. 2 other cars carrying bodyguards accompanied Capone, 1 ahead & the other behind. Capone had 200 gangsters in his organization.

Capone's power extended from the Municipal Government in the city & most of it's suburbs, to the Municipal & state courts.

During the horse racing season in 1925, Capone lost $12,000 on the horses.

In 1926, Capone shot & killed Attorney William H. McSwiggin & 2 of his companions with a machine gun while on a raid in Cicero.

In 1927, Capone's gang collected $60,000,000 from bootlegging.

Capone's biggest competitor was George L. "Bugs" Moran.

On February 14, 1929, Capone imported gunmen from Detroit & had them kill 6 of Moran's men by the use of machine guns & sawed off shotguns. It was so bloody that they called it the "St. Valentine's Day Massacre". Capone was in Miami, Florida, at the time of the massacre. He recieved a long distance phone call from Chicago 20 minutes after the massacre. Who made the call is still unknown.

On February 16, 1929, George Moran told police & local news reporters, Quote: "Only Capone's men could have done a job like that, aided by the Cicero police".

On May 19, 1929, Frank Costello called a meeting at Atlantic City where he knocked together the Heads of Capone & his rivals & told them to behave or else.

On May 21, 1929, returning from this meeting, Capone was arrested & held under $35,000 bail for carrying a concealed weapon in Philadelphia. Edward Carney was the judge. Capone pleaded guilty & was sentenced to 1 year in prison. This was the 1st time Capone had gone to jail.

His stay in Pennsylvania's Eastern Penitentiary was comfortable. He had a cell with 2 easy chairs, a radio, a bookcase, a rug on the floor & other items.

On June 15, 1929, Capone offered $50,000 to any lawyer or group of lawyer's who could gain his release from Holmesburg County Prison before his 1 year sentence was over.

On October 15, 1929, Frank Biege (1 of Capone's bodyguards) was arrested by Chicago police on a charge of extortion.

On October 16, 1929, Pat Roche (chief investigator for the States Attorney, Swanson) paid Mrs. Frank Biege $25. to tell what she knew. She stated that her husband sho & killed Ben Newmark (a Chicago patrolman) on Capone's orders. She also told facts about Capone's organization.

Capone served only 10 months of the sentence & left in the prison in the warden's car.

His return performance in Chicago didn't last long, he was hounded by publicity.

Every year, Capone's gang smuggled 4,000,000 gallons of alcohol to Illinois, Iowa, Minnesota & South Dakota.

On May 1, 1931, a drive for Capone's capture, in Chicago, led by detective Pat Roche, was ordered by the Mayor of Chicago, Anton Cermak. They raided the Lexington Hotel (Capone's headquarters) & confiscated $30,000 worth of fixtures, but could not find Capone. They wanted to arrest him for the murder of Mike de Pike Heilter.

On May 4, 1931, Michael Ahern, Capone's attorney said Capone would surrender for questioning on the condition that he be released if absolved of complicity in the Heiller case. Pat Roche refused the offer.

Capone was running a $200,000,000 bootlegging empire.

On June 4, 1931, Attorney General Mitchell from Washington,D.C. said Capone would be brought in for income tax evasion. 15 accountants & lawyer's of the treasury's income tax force were put to work to locate Capone's bank account. The aim of the Federal officers was to get Capone behind bars for 2 or 3 years, hoping this would be a means of breaking up his gang.

On June 5, 1931, Capone was indicted by the Federal Grand Jury on income tax evasion. William F. Waugh, 1 of Capone's attorney's said he would ask Capone to surrender & to plead guilty. Half an hour after the charges were read, Capone surrendered & pleaded guilty. From 1929 to 1931, government agents had conducted a secret 2 year investigation on Capone's financial affairs from coast to coast, questioning 1,000 persons who had dealings with him. The indictment charged that Capone took $915,552.95 in underworld profits in the years 1925, 26, 27, 28 & 29, & that he owed the government $182,591.24 in taxes. The indictment charged 6 separate felonies & 2 misdemeanors against Capone in a total of 23 counts.

This is when Frank Nitti took over as leader of the mob for Capone.

On June 9, 1931, it was announced that Capone made $2,038,654 between 1924 & 1929. United States District Attorney, George Johnson, gathered the information.

On June 15, 1931, Capone went before Federal Judge James Wilkerson to answer 2 indictment charges. 1 charge was evasion of income tax on millions of dollars. The other charge was violations of the National Prohibition laws over a 10 year period. Both of the indictments were backed by mountains of evidence.

On June 18, 1931, the Federal agents began to mop up the rest of Capone's gang (68 gangsters).

On June 19, 1931, Capone went to the Federal Building in Chicago where he pleaded guilty to defrauding the government of $200,000 in income tax evasion & enspiring in a $200,000,000 beer syndicate violating the liquor laws.

On July 31, 1931, Federal judge James H. Wilkerson permitted the attorney's of Capone to withdraw Capone's plea of guilty in the income tax case, but he reserved decision on the prohibition conspiracy until September 8, 1931. The liquor conspiracy case, charging 5,000 violations, was ordered re-submitted to the Federal Grand Jury for return of indictments, providing a higher penalty than that provided on a conspiracy charge. The grand jurors were then charged to investigate the Capone liquor conspiracy.

On October 14, 1931, Milton Held (a race track bookmaker) testified that Capone placed 4 or 5 bets with him each day, & lost on almost every race. Held said Capone's losses in 1925 amounted to $12,000 on the horses. At the close of that court session, Philip D'Andrea (1 of Capone's bodyguards) was arrested & held wiyhout bond in a Chicago jail for having a concealed weapon in court.

On October 24, 1931, Capone was finally sentenced. Capone was chewing gum at the time. When the final sentence was read by Federal Judge James H. Wilkerson, Capone's jaw dropped, his eyes widened & he bustled importantlly to the side of his attorney's.

On October 26, 1931, Capone's trip to Leavenworth was ordered delayed by the circuit court of appeals. On this day Capone was to start for prison by train to began his 11 year sentence & was fined $50,000.

On October 27, 1931, the defense attorney's seeked a supersedeas for Capone.

On July 20, 1932, Col. Zack Miller, the owner of the 101 Ranch, left Ponca City,Oklahoma, bound for St.Louis, Missouri. There he met Louis Alterie, reputed henchman of Capone. From St.Louis they went to Atlanta were Capone was serving time. Capone wanted to buy the vast ranch to organize an Italian colony to promote grape culture & to continue the ranch as a show place of the southwest. Capone did not buy the land for some unknuwn reason.

On November 16, 1932, Capone, under the heaviest guard of United States Marshals, was taken to the Federal Building an hour before the hearing opened. Corridors of the building were swept clean of loiterers. Spectators were admitted shortly before court opened, everyone forced to find a seat & then the doors were closed. Assistant Attorney General A.G.-Loungquist, who appeared from Washington,D.C. to fight Capone's attempt to [illegible]om, opened the proceedings before Judge E. Marvin Underwood with [illegible]o dismiss the action for lack of legal sufficiency. The court gave [illegible]ouncil 1 week in which to file a breif answer to the governments

With Capone out of the way, George Moran held the power in Chicago.

On January 25, 1933, Judge E. Marvin Underwood granted the governments motion to dismiss Capone's plea for a Writ of Hebeas Corpus. Capone's attorney's sought his release on the grounds that his 11 year sentence to prison was excessive & that the income tax law evasions for which he was convicted were covered by the Statute of Limitations. Capone did not appear in court.

On August 15, 1933, State Attorney Courtney of Chicago asked the Department of Justice to allow Capone to stand another trail in Chicago on racketeering charges because they were serious. The request was made to Assistant Attorney General Pat Maloy. The Attorney General, Cummings was on vacation & wasn't due back until August 16, 1933, that's when Maloy would talk to the Attorney General.

On August 20, 1934, Capone & 42 other prisoners were transferred from Atlanta, Georgia, enroute to San Francisco Bay by train (the south pacific railroad) to go to Alcatraz. They used 2 railroad cars, heavily guarded, that were attached to a special train made up in New Orleans.

On October 15, 1934, the Supreme Court in Washington, refused to consider a petition for a Writ of Habeas Corpus. A petition for a re-hearing could be accepted when he became elegible for parole.

Capone served 3 years at Atlanta, Georgia.

On January 10, 1939, Capone was secretly transferred from Alcatraz Penitentiary at San Francisco Bay, where he served 4 years 5 months, to San Pedro's Terminal Island Prison, California.

Capone spent 9 days at Terminal Island Penitentiary.

On January 19, 1939, after spending 7½ in prison, Capone was released from Terminal Island & was quite ill. He had been ill for more than 15 years, a victim of paresis. After being released, he retired to his Palm Island estate & spent most of his time under the careful watch of physicians. He was never seen on the streets & spent his time only with his mother, wife & son.

On Tuesday, January 21, 1947 (8 years after being released from prison) Capone had a apoplectic stroke which weakened his heart more.

On Saturday, January 25, 1947, Capone's heart failed, pneumonia resulting from the stroke Tuesday, January 21, 1947, finally brought death. Capone died at his Palm Island Estate at Miami Beach, Florida, at the age of 48 years, 8 days.

REC 13

62-39128-190

June 15, 1967

[redacted]

Headquarters Battery, USAAMC
Fort Sill, Oklahoma 73503

Dear [redacted]

Your letter of June 13th, with enclosure, has been received.

While I appreciate the interest which prompted you to send me the information you have gathered on Al Capone, as a matter of long-standing policy, I have always refrained from commenting on any material not prepared by personnel of this Bureau. I hope you will understand why I cannot be of assistance in this instance.

Sincerely yours,

MAILED 5
JUN 15 1967
COMM-FBI

J. Edgar Hoover

John Edgar Hoover
Director

NOTE: Bufiles reflect one prior letter dated 5-24-67 from correspondent requesting information regarding Al Capone. By letter 6-1-67, he was advised that Capone was sentenced on 10-24-31, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI, was released from the Federal Correctional Institution, Terminal Island, California, on 1-19-39, and died of pneumonia on 1-25-47, at Palm Island, Miami, Florida. He was also advised we could not furnish information about his relatives and a copy of his letter was being referred to Internal Revenue Service.
ED:jas (3)

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

54 JUN 22 1967 MAIL ROOM TELETYPE UNIT

September 22, 1967

Federal Bureau of Investigation
Washington, D. C.

Dear Sirs:

Would you please send me all the information, newspapers, photos and written documents on the story of gangsters, preferably Al Capone and his crimes.

Any information you could obtain for me would be most greatfully accepted.

This information is needed by December 22, 1967.

If you cannot obtain this information for me, would you please let me know where I can write to find any information that would help me.

Thank you.

Cordially yours,

[redacted]

[redacted]
Utica, N.Y. 13357

REC 30 62-31128-191

18 OCT 8 1967

EX-102

CORRESPONDENCE

ack Ltr/jao
9-29-67 nmd

EX-102

62 - 39128-191

REC 30

September 29, 1967

[redacted]

[redacted]

Ilion, New York 13357

Dear [redacted]

Your letter of September 22nd has been received.

The FBI does not have any publications regarding Al Capone or any photographs of him for distribution; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or public library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 2
SEP 29 1967
COMM-FBI

John Edgar Hoover
Director

Enclosures (2)
The Story of the FBI
99 Facts about the FBI

NOTE: Bufiles contain no record of correspondent.

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
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Felt
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Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

66 OCT 19 1967

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

66

[redacted]
Weirton, West Virginia
October 15, 1967

Dear Sirs:

I would appreciate it very much if you could send me all of the imformation on all Capone that you have available. I am doing a History report on him and it will help my grade alot.

If you have any pictures on him could you send them also. Could you send it as soon as possible, thank you.

Cordially yours,

[redacted]

1 TEG-1967
mek
11:10-20-67
EFT/mek

REC-58
EX 106

62-3716 E-192
8 EFT

OCT 23 1967

16

[redacted]
Weirton West Virginia
October 15, 1967

Dear Sirs:

I would appreciate it very much if you could send me all of the information on all Capone that you have available. I am doing a history report on him and it will help my grade alot.

If you have any pictures on him could you send them also. Could you send it as soon as possible, thank you.

Cordially yours,

[redacted]

[redacted]
WEIRTON, WEST VIRGINIA
26062

WEIRTON, W. VA. 1967

Federal Bureau of Investigation
Washington D.C.

INDEXED

1-7

1-19-67
acl. 10-20-67
EFT/mek

October 20, 1967

REC-58 62-39128-192
EX 106

[redacted]
Weirton, West Virginia 26062

Dear [redacted]

Your letter of October 15th has been received.

The FBI does not have any pictures or publications for distribution concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

REC-D DISJOB
E B I

John Edgar Hoover
Director

MAILED 3
OCT 20 1967
COMM-FBI

Enclosures (2)
Know Your FBI
The War on Organized Crime.

EFT:mlh
(3)

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TELETYPE UNIT

06 OCT 27 1967

TRUE COPY

66

[redacted]
Bern, Kansas
66408

Federal Bureau of Investigation
Washington 25, D. C.

Dear Sirs:

I am writing a research paper on Alphonse (scarface) Capone, and I was wondering if you would have any information on him which I could have or use. If you have and any needs returning, I would send It back as soon as possible. Thank-you.

Yours Truly,

[redacted]

[redacted]
Bern Kansas
66408

BERN, KS
OCT 18 66
A.M.
1967
66408

REC-92-3724-193

OCT 25 1967

66

[redacted]

Bern, Kansas
66408

Federal Bureau of Investigation
Washington 25, D.C.

Dear Sirs:

I am writing a research paper on Alphonse (scarface) Capone, and I was wondering if you would have any information on him which I could have or use. If you have and any needs returning, I would send it back as soon as possible. Thank-you.

Yours Truly,

[redacted]

CONFIDENCE

190

REC-9 62-39128-193

October 24, 1967

[redacted] L 6

Bern, Kansas 66408

Dear [redacted]

Your letter of October 18th has been received.

The FBI does not have any publications for distribution concerning Alphonse Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

MAILED 4
OCT 24 1967
COMM-FBI

Sincerely yours,

REC-D WITHDRAWN
John Edgar Hoover
Director

L B I

Enclosures (2)
Know Your FBI
The Story of the FBI

LCH:cat (3)

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

66 NOV 1 1967

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

Dear Sirs,

b6

My name is [redacted] and I am a student at Indiana State University. I am a Sophomore and a Business major. Included in my cirriculum is English Composition. One requirement for this course is a 3000 word term paper. The area in which the topic is to be chosen is between the years 1919 and 1928. As my topic I have chosen "Alphonso Capone".

I have searched our library but have not been able to locate sufficient information covering my topic. This is the purpose of my letter to you gentleman. I would like to ask you if you could give me some information concerning this topic. I was not sure if you are able to hand out this type of information but I thought that I would at least try. I knew that if anyone would have such information, the people in your deparment would be most qualified. I realize that you people have more important matters to attend to but I was hoping that you would see what you could do for me. If you are not permitted to hand out this information, I was hoping you could give me the name of some other qualified source of information. (Books, pamphlets, etc.)

Thank-you for your time and trouble, it is well appreciated.

REC- 23

Yours truly,

62-39126 56 - 194

[redacted]
506 Cromwell Hall
Indiana State University
Terre Haute, Ind. 47809

TERRE HAUTE NOV 1967 IND.

8 NOV

Bureau of Federal Investigation
Washington D.C.
20402

Dear Sirs, b6

My name is [redacted] and I am a student at Indiana State University. I am a Sophomore and a Business major. Included in my curriculum is English Composition. One requirement for this course is a 3000 word term paper. The area in which the topic is to be chosen is between the years 1919 and 1928. As my topic I have chosen "Alphonso Capone".

I have searched our library but have not been able to locate sufficient information covering my topic. This is the purpose of my letter to you gentleman. I would like to ask you if you could give me some information concerning this topic. I was not sure if you are able to hand out this type of information but I thought that I would atleast try. I knew that if anyone would have such information, the people in your department would be most qualified. I realize that you people have more important matters to attend to but I was hoping that you would see what you could do for me. If you are not permitted to hand out this information, I was hoping you could give me the name of some other qualified source of information. (Books, pamphlets, ect.)

Thank-you for your time and trouble, it is well appreciated.

Yours Truly,

[redacted]

506 CROMWELL HALL
INDIANA STATE UNIVERSITY
TERRE HAUTE, IND. 47809

CORRESPONDENCE
26
NR

FBI 11-3-66
[illegible]
[illegible]

November 22, 1967

REC-23 62-39128-194

[redacted]
506 Cromwell Hall
Indiana State University
Terre Haute, Indiana 47809

Dear [redacted]

Your letter of November 17th has been received.

The FBI does not have any publications concerning Al Capone; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your University or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

MAILED 8
NOV 22 1967
COMM - FBI

Enclosures (2)

54 DEC 5 1967

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

See Enclosures and Note Next Page.

[redacted] b6

Enclosures (2)
The Inside Story of Organized Crime and How You Can Help Smash It.
The War on Organized Crime

NOTE: Bufiles contain no record identifiable with correspondent.

115

TRUE COPY

Dear Sir or Sirs

I am a jr. in High School doing a term paper in U. S. History on alphonse capone and I'am not able to find enough material on him in library's around this area. I writing to see if it would be possible to send any information on him to me as soon as possible.

B.

thank you 6 6

[redacted]

Return address

[redacted] Stratford Wisconsin

zip code 54484

[redacted]

Rt 3 Stratford
Wis. 54484

REC-100
62-39128-1
5 MAR 5 1968

STRATFORD
FEB 20
PM
1968
54484

Jack

F. B. I

Washington
D. C.

Dear Sir or Sirs

I am a jr. in High School doing a term paper in U.S. History on Alphonse Capone and I am not able to find enough material on him in libbary's around this area. I writing to see if it would be possible to send any information on him to me as soon as possible.

thank you

[redacted]

66

Return Address

[redacted] Stratford Wisconsin

zip code 54484

ITC/lc
2-24-67
ack letter
2-28-67 Occ/mek

CORRESPONDENCE

REC-100

62-39128-195

February 28, 1968

[redacted] b6

Stratford, Wisconsin 54484

Dear [redacted]

Your letter of February 20th has been received.

The FBI does not have any detailed information concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 2
FEB 28 1968
COMM-FBI

John Edgar Hoover
Director

Enclosures (2)

Story of the FBI
99 Facts

54 MAR 12 1968

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

b6

[redacted]

Wilminton, Del. 19808
April 20, 1968

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

Dear Sir:

I am doing a research paper entitled "Al Capone and the Mob: A Descriptive Analysis". If possible, please send me any information about Capone and his syndicate. Thank you.

Sincerely,

[redacted]

ITC xam
4-23-68
ACK-4-24-68 CCH:xam

REC-23

62-39128-19

12 APR 25 1968

1.9

April -0, 1968

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

Dear Sir:

I am doing a research paper entitled "Al Capone and the Mob: A Descriptive Analysis". If possible, please send me any information about Capone and his syndicate. Thank you.

Sincerely, 66

[redacted]

ITC sam
4-23-68

ACK. 4-24-68 LCH. sam

CORRESPONDENCE

90

62-39128-196

REC-23

April 24, 1968

[redacted]

b6

Wilmington, Delaware 19808

Dear [redacted]

Your letter of April 20th has been received.

The FBI does not have any detailed information concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

MAILED 20
APR 24 1968
COMM-FBI

Tolson
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Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (2)
Story of the FBI
99 Facts About the FBI

LCH:sam (3)

66 APR 30 1968

MAIL ROOM [ ] TELETYPE UNIT [ ]

66-7

FED. BU. OF INV.

[redacted]
MILL VALLEY, CALIF. 94941
Telephone 388-0633

Dear Sir:

Is it possible for you to tell me how much Al Capone weighed and how tall he was? If not, could you direct me to someone who could?

Sincerely yours

[redacted]

1 May 1968

[redacted]
MILL VALLEY, CALIF. 94941

[redacted]

MILL VALLEY MAY-1'68 CALIF.

AIR M

The Director
U.S. Government
Washington, D.C.

(asking for information re Al Capone)

Dept of Justice

EX-109 REC 5 62-39128-1

25 MAY 10 1968

CORRESPONDENCE

12

REC 5 62-39128-197

EX 109

May 9, 1968

[redacted]

Mill Valley, California 94941

Dear [redacted]

Your letter of May 1st addressed to the Treasury Department was referred to the FBI and received here on May 6th.

Although I would like to be of service, the FBI is unable to furnish you the information you requested, and no suggestions come to mind where you might be able to secure such data.

Sincerely yours,

J. Edgar Hoover

MAILED 9
MAY 9 1968
COMM-FBI

John Edgar Hoover
Director

NOTE: Correspondent is not identifiable in Bufiles.

DCL:lvc (3)

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan

The Coca-Cola Export Corporation

515 MADISON AVENUE, NEW YORK, N.Y. 10022

JAMES A. FARLEY
CHAIRMAN OF THE BOARD

July 19, 1968

Mr. Tolson
Mr. [illegible]ach
Mr. Mohr
Mr. [illegible] p
Mr. [illegible]ner
Mr. [illegible]an
Mr. Conrad
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]n
Mr. [illegible]
[illegible]r
Tele. Room
Miss [illegible]s
Miss Gandy

Mr. Clyde A. Tolson
4000 Massachusetts Avenue
Washington, D. C. 20016

Dear Clyde:

b6 [redacted] Enclosed is a copy of letter I received from [redacted] in which he is seeking information on what is known as the "Al Capone car". He has apparently corresponded a great deal in trying to get something, and why I do not know.

If you do not have any information I do not know where to turn. If there is anything we can pass on to him I would like to do so as I am sure he will be writing again.

I was glad to run into you at the Waldorf the other day and I hope our paths will cross again.

With my very kind regards and the hope that you are having a nice summer,

Sincerely yours,

JAF-w

8- ENCLOSURE

62-[illegible]

NOT RECORDED
191 JUL 30 1968

ack/scl 7-24-68 wmw. dlk

1 JUL 29 1968

8-wmw

SCL

ORIGINAL FILED IN

July 25, 1968

Honorable James A. Farley
Chairman of the Board
The Coca-Cola Export Corporation
Room 1500
515 Madison Avenue
New York, New York 10022

Dear Jim:

I have received your letter of July 19th, with enclosures. It was certainly good to hear from you again and I was happy to learn from your enclosures of the honors accorded you in recognition of your many years of service to our country. Our generation has been indeed fortunate to have been blessed with men of your stature.

Concerning [redacted] interest in the possible use of Al Capone's car by President Franklin D. Roosevelt, I wish I could answer his inquiry. Unfortunately, however, we do not have the information he is seeking. Although the FBI did investigate Capone, he was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within our investigative jurisdiction. Following this conviction we had no reason to determine what disposition was made of his vehicle.

b6

You may wish to suggest to [redacted] that he communicate with the Honorable James J. Rowley, Director, United States Secret Service, Washington, D. C. 20226, if he has not already done so, regarding any available records maintained concerning automobiles used by the Presidents on various occasions in the past.

With warm regards,

Sincerely,

Clyde Tolson

Clyde Tolson

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Room

WMG:lik (3)

SEE NOTE PAGE TWO.

53AUG 7 1968

MAIL ROOM ☐ TELETYPE UNIT ☐

Honorable James A. Farley

NOTE: Mr. Farley is on the Special Correspondents List and is addressed on a first-name basis. His enclosures included various accolades by members of Congress and author John Quinn concerning his 80th birthday on May 30th and mentioned that a junior high school in his home in Stony Point, New York, was dedicated in his honor on June 4, 1967. [redacted] is not identifiable in Bufiles. Liaison Section has determined from Secret Service that certain records are maintained by that agency regarding the use of various vehicles by the different Presidents over the years. b6

TRUE COPY

Oct 22, 1968
Lexington, Ga

Dear Sir:

I am writing a term-paper on Al Capone. I would appreciate it very much if you would send me some information on Al Capone. My history teacher said you probably had some information on him.

Please send information to: [redacted]
Lexington, Ga 30648

-102

REC-76 62-39128-195

NR OCT 30 1968

8/30

Oct 22, 1968
Lexington, Ga

Dear Sir:

I am writing a term-paper on Al Capone. I would appreciate it very much if you would send me some information on Al Capone. My history teacher said you probably had some information on him.

Please send information to: [redacted] b6

Lexington, Ga 30648

Hon. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D.C.

ITC
10-25-68

8/Dec

October 28, 1968

REC-76 62-39128-198

EX-10 [redacted] b6

Lexington, Georgia 30648

Dear [redacted]

Your letter of October 22nd has been received.

The FBI does not have any detailed information concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

Enclosures (2)
The Story of the FBI
99 Facts About the FBI

OCT 28 1968
COMM-FBI

199

TRUE COPY

b6

[redacted]
Lynchburg College
Lynchburg, Va. 24504
February 10, 1969

Dear Sir,

I am doing a research paper on Al Capone for English. Due to the inadequate resources of my college library I would appreciate it if you would please send me any information on Al Capone or refer me to a source where I can obtain this information.

Thank You.

Respectively Yours,

[redacted]

REC 44 62-33126-199

-143 FEB 27 1969

Federal Bureau of Investigation
Washington, D. C.
20202

b6

[redacted]

Lynchburg College
Lynchburg, Va. 24504
February 6, 1969

Dear Sir,

I am doing a research paper on
Al Capone for English. I went to the
undergraduate resources of my college
library - Special Collections - if you
could please send me any
information on Al Capone or refer-
ence to a source where I can
obtain this information.

Thank you.

Respectfully yours,

[redacted]

12/2nd
2-13-69

acknowledged
2-17-69

CORRESPONDENCE

101

February 14, 1969

62-39128-199

[redacted]

Lynchburg College
Lynchburg, Virginia 24504

Dear [redacted]

Your letter of February 10th has been received.

The FBI does not have any detailed information concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

For your information, Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 3
FEB 14 1969
COMM-FBI

John Edgar Hoover
Director

Enclosures (2)
Know Your FBI
The Story of the FBI

NOTE: Correspondent is not identifiable in Bufiles. Her name could not be clarified by telephone directory check.

DCL:eaw (3)

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

— 66

[redacted]
Peterborough, Ont.,
Feb. 19 /69.

Dear sir:
I would deeply appreciate any information you could possibly send me on "Al Capone". I am doing a school project and any facts about him you send me would a great help. Thankyou.

Yours truly,
[redacted]

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

REC 4 62-39128-200

27 FEB 26 1969

FBI

REC 4

62-39128-200

ST-10

February 27, 1969

[redacted] b6

Peterborough, Ontario, Canada

Dear [redacted]

Your letter was received on February 24th.

The FBI does not have any detailed information concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy of it at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 24
FEB 27 1969
COMM-FBI

John Edgar Hoover
Director

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosures (2)
Story of the FBI
Know Your FBI
NOTE: Correspondent is not identifiable in Bufiles.
MHB:jls (3)

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

Dear Sir

I am doing a reform project for school and as my subject I chose to work on the bootlegging activities of Al Capone. I have now found that the resources that I have access to are very inadequate and was hoping that I could attain some additional information on his activities from your agency. Any Information you could send me on Al Capone and his bootlegging activities and the breaking up of them would be helpful. If I could recieve this information before the end of May I could get the most useage out of it.

Thank you very much

sincerely yours:

[redacted]

East Lans. Mich

66

REC- 87 62-39125-201

3 MAY 29 1969

ITC 5-27-69

DCL 5-28-69

9 did

9.5

Dear Sir

I am doing a term project for school and as my subject I chose to work on the bootlegging activities of Al Capone. I have now found that the resources that I have access to are very inadequate and was hoping that I could attain some additional information on his activities from your agency. Any information you could send me on Al Capone and his bootlegging activities and the breaking up of them would be helpful. If I could receive this information before the end of May I could get the most usage out of it.

Thank you very much

sincerely yours.

[redacted]

Joel

REC-87
62-39128-201

May 28, 1969

AIRMAIL

[redacted]
East Lansing, Michigan 48823

Dear [redacted]

In reply to your card received on May 26th, the FBI does not have any material concerning Al Capone which we can send to you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 24
MAY 28 1969
COMM-FBI

John Edgar Hoover
Director

Enclosures (2)
Know Your FBI
FBI Career Opportunities

NOTE: Correspondent is not identifiable in Bufiles.

DCL:jls (3)

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

JUN 4 1969

[redacted] b6

Monrovia, Maryland 21770

June 22, 1970

Federal Bureau of Investigation
Division of Criminals
Department of Justice
Washington, D. C.

Gentlemen:

Would you please give me the city and country where Alfonso Capone was born.

Sincerely,

[redacted]

EX-117

REC 16 62-39128-2L2

9 JUL 2 1970

CORRESPONDENCE

8

July 1, 1970

REC 16 62-39128-202

EX-117

[redacted] b6

Monrovia, Maryland 21770

Dear [redacted]

In reply to your letter of June 22nd, the FBI has not verified the place of birth of Alphonse Capone; therefore, I am unable to be of assistance with respect to your inquiry. I am sorry we cannot be of help in this instance.

Sincerely yours,

John Edgar Hoover
Director

NOTE: Correspondent is not identifiable in Bufiles. Library references show that Al Capone was born in Naples, Italy, and in Brooklyn, New York. Capone's Ident record also indicates he told us he was born in Brooklyn; however, attempts to verify his birth in Brooklyn have met with negative results.

EFT:njk (8)

MAILED 23
JUL 1 - 1970
COMM-FBI

JUL 9 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

b6

[redacted]
Hauppauge, N.Y.
11787

Federal Bureau of Investigation
Washington, D.C.

Dear Sirs:

I have a term paper to do for one of my classes. It's on Al Capone. I would be extremely grateful if you would send me the full life history of this man. I've checked libraries and other sources, but I thought this would be the best and most effecient way to get a complete life history of him. It's due in early March. Thank you very much.

Sincerely yours,

[redacted]

ack/mail
1/28/71
DCL

ST-117

REC 51 62-39128-103

9 JAN 29 1971

10

SI-117

January 28, 1971

REC-51 62-39128-203

b6

[redacted]

Hauppauge, New York 11787

Dear [redacted]

In reply to your letter received on January 25th, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 22
JAN 28 1971
COMM-FBI

John Edgar Hoover
Director

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Sovars
Tele. Room
Holmes
Gandy

Enclosures (4)
Know Your FBI
The FBI Laboratory
Fingerprint Identification
99 Facts About the FBI

70 FEB 5 - 1971

NOTE: Correspondent is not identifiable in Bufiles.
DCL:nmw (3)
MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

2/16/71

Dear Sir,

Information please--What year did Al Capone die?
Where?
How many years did he spend in prison?
What years were they?

Thank you

[redacted] 66

Torrance, Calif 90504

Jack

The F. B. I.
Washington
D. C.

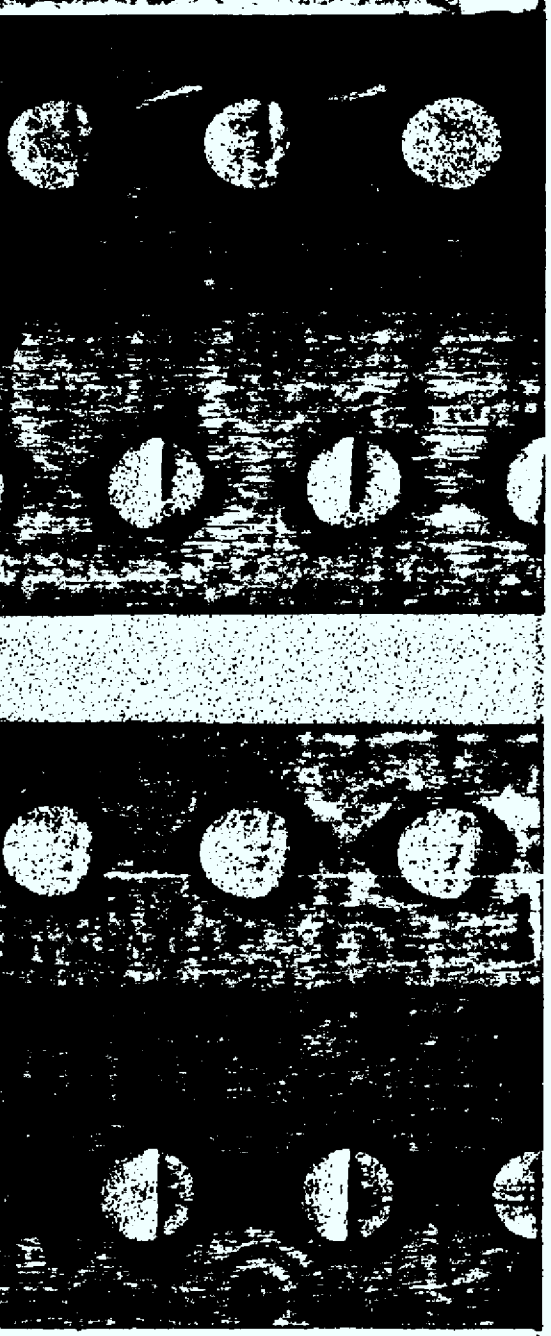
1E
2-19-71
nmw

TRUE COPY

62-9128-204

REC-30

6 FEB 24 1971



2/16/71

Dear Sir,

Information please—

what year did Al Capone die?

Where?

How many years did he spend in prison?

What years were they?

Thank you

66 [redacted]

Torrance, Calif 90504

Ltr
2-19-71
answ
A.I. mail
2-23-71
sic qsw

CORRESPONDENCE

3

February 23, 1971

REC-30 62-39128-204

66

[redacted]
Torrance, California 90504

Dear [redacted]

Your letter of February 16th has been received.

In answer to your inquiry, Al Capone received a one-year sentence on charge of carrying concealed deadly weapon on May 17, 1929. This sentence was commuted and he was released from the State Penitentiary, Philadelphia, Pennsylvania, on March 17, 1930. He was sentenced on October 24, 1931, to a term of 10 years for violation of the Federal income tax laws. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

MAILED 6
FEB 23 1971
COMM-FBI

Sincerely yours,

John Edgar Hoover
Director

NOTE: Correspondent is not identifiable in Bufiles.

DCL:gar (3)

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM TELETYPE UNIT

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) b3, b6 with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____ _____, was/were forwarded to them for direct response to you.

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

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

_____

_____

☐ For your information: _____

_____

☒ The following number is to be used for reference regarding these pages:
62-39128-204

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

XXXXXX
XXXXXX
XXXXXX

5

FBI/DOJ

TRUE COPY

March 11, 1971

Dear Sir:

Could you send me any information on Al Copone.

Thank you.

[redacted]
Burlington, Wisconsin 53105

Federal Bureau of Investigation
Washington, D. C.

EX 101 REC 74 62-39128-[illegible]

TRUE COPY 2 MAR 19 1971

March 11, 1971

Dear Sir:

Could you send me any information on Al Capone.

Thank you.

b6

[redacted]

Burlington, Wisconsin
53105

ITC
3/15/71
JL

ACK
3/17/71
EFT: JL

CORRESPONDENCE

March 17, 1971

EX 101

62-39128-205

REC 74

[redacted] b6

Burlington, Wisconsin 53105

Dear [redacted]

In reply to your letter of March 11th, this Bureau does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is literature which I hope you will find of interest.

Sincerely yours,

MAILED 8
MAR 17 1971
FBI

John Edgar Hoover
Director

Enclosures (4)
Jobs for Women in FBI
The Feminine Touch
Know Your FBI
FBI Career Opportunities

NOTE: Correspondent is not identifiable in Bufiles.

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Sizoo
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

57 MAR 29 1971

EFT:jks (3)

REC-2 62-39128-206

March 22, 1971

[redacted]

Brooklyn, New York 11219

Dear [redacted]

Your letter was received on March 17th and I want to take this opportunity to thank you for your kind comment regarding my administration of the FBI. I deeply appreciate the confidence you expressed in the work of this Bureau.

In answer to your inquiry, information received by this Bureau concerning the birthplace of Alphonse Capone varies. Our records show he has given his place of birth as: Brooklyn, New York; Chicago, Illinois; and New York City. This Bureau does not have any material regarding Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. A copy may be available at your local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is literature which I hope you will find of interest.

Sincerely yours,

J. Edgar Hoover

MAILED 21
MAR 22 1971
FBI

Enclosures (4)
1 - New York - Enclosure

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

SEE NOTE AND ENCLOSURES PAGE 2

[redacted] b6

Enclosures
A Closer Look at the FBI
Profiles in Crime
Know Your FBI
Story of the FBI

NOTE: Correspondent is not identifiable in Bufiles. The information concerning Al Capone's birthplace was contained in his Identification Record.

TRUE COPY

b6

[redacted]
San Diego Calif
92110
4-21-71

2

Washington D. C.

F. B. I.

I am making a report on Al Copone and I wrote to the F. B. I. in San Diego and they told me to wright to you and you will send me more information than they did. I would like to know who his Father & Mother was if he got married - did he have and sons & were any of them gangsters? If you would please send me pictures of him and of you have any of his family who were his big gangster friends what big places he hit what jails he broke out of what prisons I would like to know when he was born if you would. please (back send me this information please by May 19. I need this information bad. please

Thank you

[redacted]

EX-103 REC 9 62-39128-204

9 MAY 13 1971

TRUE COPY

May 12, 1971

EX-103

REC 9 62-39128-207

[redacted] b6

San Diego, California 92110

Dear [redacted]

In reply to your letter received on May 10th, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 22
MAY 12 1971
FBI

John Edgar Hoover
Director

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

Enclosures (3)
Know your FBI
The Story of the FBI
99 facts about the FBI

NOTE: Bufiles contain no record of correspondent.

LEE:sel (3)

MAY 20 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

G

[redacted]

San Diego Calif
92110.

56

Washington D.C. 4-21-71

F.B.I

I am making a report on Al Capone and I wrote to the F.B.I in San Diego and they told me to right to you and you will send me more information than they did. I would like to know who his father & mother was if he got married did he have and sons & were any of them gangsters. If you would please send me pictures of him and of you have any of his family who were his big gangster friends what big places he hit what jails he broke out of & what prisons I would like to know where he was born. If you would please write back

send me this information
please by May 19. I need
this information bad. please

thank you. b6

[redacted]

MAY 10 11 31 AM 1971

FCTD-CORR & TOURS

MAY 10 '78

SUBJECT Capone, Alphonse

FILE NUMBER 62-39128

SECTION NUMBER 5

SERIALS 208-224

TOTAL PAGES 43

PAGES RELEASED 40

PAGES WITHHELD 3 (2 referral & DOJ)

EXEMPTION(S) USED b6, b7C

62-39128-208

CHANGED TO

62-115123-X2

JUL 19 1972

AHR/ms

226

TRUE COPY

b6
[redacted] Merriam Kan.
May 12, 1971 66203
JrP

Dept of Criminal Records
Federal Bureau Investigation
Washington, D. C.

Dear Sir,

I would like some imfortion on Al Capone and the gangster he was affiliated with.

Thank you

Sincerely your

[redacted] b6

TRUE COPY

HOCKER GROVE JUNIOR HIGH SCHOOL
SHAWNEE MISSION PUBLIC SCHOOLS
10400 JOHNSON DRIVE
SHAWNEE MISSION, KANSAS 66203

EX-104
REC-45

62-39125-20

17 MAY 24 1971

ack 5/19/71
LFE:jb

b6

[redacted] Kan. Merriam

May 12, 1971

Dept of Criminal Records
Federal Bureau Investigation
Washington, D. C.

Dear Sir,

I would like some infortion on Al Capone and the gangsters he was affiliated with.

Thank you

Sincerely Your

[redacted] b6

ack 5/19/71
LEE: pp

CORRESPONDENCE

mmlkes

EX-104

May 19, 1971

REC-45 62-39128-209

b6

[redacted]
Merriam, Kansas 66203

Dear [redacted]

In reply to your letter received on May 17th, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

MAILED 9
MAY 19 1971
FBI

Sincerely yours,

J. Edgar Hoover

Enclosures (4)
What it's like to be an FBI Agent
Know your FBI
Story of the FBI
99 Facts About the FBI

NOTE: Bufiles contain no record of correspondent.

LEE:jrp (3)

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

57 MAY 28 1971

TRUE COPY

Strawberry Pt. Ia.
September 23, 1971

Mr. Hoover;

I am writing you to see if it is at all possible to get any information on Al Capone. I am doing a term paper in school which involves Mr. Capone and the federal government. I have read several history books and various other library books but they don't get into any of the involvement he had with the federal government. Please, if it is at all possible, send me as much information on Mr. Capone that is possible. It is very important and I would appreciate it very much.

Thank-you,

[redacted] b6

My address:
[redacted]
Strawberry Point, Iowa 52076

1 TC
9-28-71
lw

EX-102

ack 1 mail
9-29-71
EFT: lw

REC-53 62-39126-21

SEP 30 1971

8 - eft

TRUE COPY

30

Strawberry Pt. Ia
September 23, 197[illegible]

Mr. Hoover;

I am writing you to see if it is at all possible to get any information on Al Capone. I am doing a term paper in school which involves Mr. Capone and the federal government. I have read several history books and various other library books but they don't get into any of the involvement he had with the federal government. Please, if it is at all possible, send me as much information on Mr. Capone that is possible. It is very important and I would appreciate it very much.

1 TC 9-28-71 kw

ack/nm C 9-29-71 EFT:kw

Thank-you, b6

[redacted]

My address:

[redacted]

Strawberry Point, Iowa 52076

CORRESPONDENCE

nm C

EX-100

REC-53 EX-[illegible] 62-39128-210

September 29, 1971

[redacted]
Strawberry Point, Iowa 52076

b6

Dear [redacted]

In reply to your letter of September 23rd, the FBI does not have any material concerning Al Capone which it can send to you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 7
SEP 29 1971
FBI

John Edgar Hoover
Director

Tolson
Felt
Sullivan
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

Enclosures (4)
The Story of the FBI
FBI Tours
99 Facts About the FBI
FBI Career Opportunities

NOTE: Correspondent not identifiable in Bufiles.

54 OCT 7 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

b6

[redacted]

Willowick, Ohio

44094

October 24, 1971

Mr. J.E. Hoover

Federal Bureau of Investigation

Washington, D.C.

Dear Mr. Hoover,

Almost one year ago I wrote to you for some information on the late Eliot Ness. Now I have a question for you. At any point during his life, did Al Capone ever visit the southeast section of Pennsylvania around Johnstown? The reason I am asking this question is that very close relatives of mine have,

-33

11

ing this period and I also know about much corruption in officials, who are most likely dead today, who dominated the scene.

During Prohibition, federal men did raid this village and part of Johnstown. In Johnstown, they flooded the streets with whisky by breaking hundreds of casks of the alcohol. One street carried the whisky in its gutters is still used. The name of the street is Whisky Run Road.

The relatives changed their name from Capone to one still bearing the first four letters of Capone. I shall not divulge the name.

You may wonder why I am asking you a question [illegible]

4

November 1, 1971

REC-32 62-39108-211

[redacted] b6

Willowick, Ohio 44094

Dear [redacted]

In reply to your letter of October 24th, the FBI has no information concerning Al Capone which we can send to you. "The FBI Story" by Don Whitehead, to which you were previously referred, contains some data relative to him.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Sincerely yours,

John Edgar Hoover
Director

NOTE: As indicated, correspondent previously inquired about Eliot Ness. His letter was acknowledged 11-25-70 furnishing him general Bureau booklets and referring him to "The FBI Story."

MHB:klm (3)

MAILED 25
NOV 1 1971
FBI

Tolson
Felt
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

51 NOV 8 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

b6

[redacted]
Newmarket Ont.
Nov. 9, 1971

Dear Sirs:

I wish to have all the information on Al Capone and the facts leading to the arest and conviction of Tax Evasion in 1931. Any theory as to his actions in Chicago and area such as the St. Valentine day massacre. The pre 20's history of his life and his stay in prison.



Sincerely
yours

[redacted]

62-32126-217

REC-4

Federal Bureau of Investigation
Information office
Washington D.C.
U.S.A.

TRUE COPY

I.T.C.
11-17-71
OCL/Lhr

ACK
11-18-71
OCL/[illegible]

6

b6

[redacted]

NEWMARKET ONT.
NOV. 9, 1971.

Dear Sirs:

I wish to have all the information on Al Capone and the facts leading to the arest and conviction of Tax Evasion in 1937. Any theory as to his actions in Chicago and area such as the St. Valentines day massacre. The pre 20's history of his life and his stay in prison.

Sincerely
yours.

[redacted]

1 T.C.
11-17-71
DCL/bmv

ack
11-18-71
DCL:bmv

CORRESPONDENCE

November 18, 1971

EX-100

REC-4 62-34128-212

[redacted]

Newmarket, Ontario, Canada

Dear [redacted]

In reply to your letter received on November 15th, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

John Edgar Hoover
Director

MAILED 24
NOV 18 1971
FBI

Enclosures (4)
The Story of the FBI
99 Facts about the FBI
Fingerprint Identification
The FBI Laboratory

NOTE: Correspondent not identifiable Bufiles.

DCL:bmv (3)

Tolson
Felt
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

55 NOV 29 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

4-341 (Rev. 9-28-71)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO	:	**Mr. Waikart**	DATE: 2/4/72
FROM	:	**E.W. McCoy**	
SUBJECT:		**CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GEORGIA**	

Mr. Tolson	
Mr. Felt	
Mr. Rosen	
Mr. Mohr	
Mr. Bishop	
Mr. Miller, E.S.	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Bolden	
Mr. Soyars	
Mr. Waikart	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

Bulky Exhibit File Number: **62-39128-35**

We are in the process of reviewing all bulky exhibits in order that we may dispose of those which serve no further purpose. Inasmuch as many of the bulky exhibits pertain to inactive cases and are occupying badly needed space, it is requested that the appropriate substantive supervisor review the above-listed bulky exhibit and render a decision as to its retention or disposition. A notation as to the decision reached may be placed on this memorandum. The memorandum should be returned to the Filing Unit of the Records Branch, Room 1116, Identification Building, for filing in the case file.

RECOMMENDATION:

That captioned bulky exhibit be reviewed and a decision rendered as to the retention or disposition of the material.

OTB:ltw

☑ Retain ☐ Destroy ☐ Other Disposition _____

Reason for Decision Retain for historical purposes as it pertains to Al Capone

Signature of Reviewing Supervisor John A. Gordon
Special Agent, Crim Sect

NOT RECORDED
186 FEB 10 1972

4-000

9 7 FEB 10 1972

TRUE COPY

b6

[redacted]
Martin, Michigan
49070
February 17, 1972

96

Federal Bureau of Investigation
Washington D. C. 20000

A. Capone

Dear Sir:

I am doing a report on Alfonso Capone for History. I would like you to send me some information on him. And also, if possible, I would appreciate you sending me a picture.

Thank - you,

[redacted]

[redacted]
Martin, Michigan 49070
ZIP CODE

MAR FEB 17 PM 1972

Federal Bureau of Investigation
Washington D.C.
20000

TRUE COPY REC-32 62-39128-213

6 FEB 24 1972

SI-114

62-39128

81

2 40

b6

[redacted]

Martin, Michigan
49070
February 17, 1972

Federal Bureau of Investigation
Washington D.C. 20000

Dear Sir:

I am doing a report on Alfonso Capone for History. I would like you to send me some information on him. And also, if possible, I would appreciate you sending me a picture.

Thank-you, b6

[redacted]

TTC
2-23-72
2-24-72

NML

CORRESPONDENCE

February 24, 1972

REC-32 62-39128-213

[redacted]
Martin, Michigan 49070

Dear [redacted]

In reply to your letter received on February 22nd, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 25
FEB 24 1972
FBI

John Edgar Hoover
Director

Enclosures (3)
A Closer Look At The FBI
The Story Of The FBI
99 Facts About The FBI

NOTE: Bufiles contain no record of correspondent.

LEE:ljl (3)

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Walkart
Mr. Walters
Mr. Soyars
Tele. R
Miss Ho
Miss Gandy

51 MAR 2 1972

MAIL ROOM ☐ TELETYPE UNIT ☐

April 13, 1972

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C. 20535

Dear Sir/Madam:

In the spring, the Junior Class is assigned a research paper. For my topic, I have chosen to write about Al Capone and his vices.

Would you happen to have any information of this kind that you could send me? Anything you might have would be greatly appreciated. If there is a fee for this service, send me a bill and I will gladly pay it.

Thank you.

Yours sincerely,

[redacted]

b6

[redacted]
Nowata, Oklahoma 74048

EX-100
REC'D 43 62-39122-214

ACK
4/19/72
LEE Kelsen

16 APR 21 1972

ACCRES-CLOSE

NML

1-3

April 19, 1972

EX-100

REC 43 62-39128-214

[redacted] b6

Nowata, Oklahoma 74048

Dear [redacted]

In reply to your letter of April 13th, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws, which does not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

MAILED 23
APR 19 1972
FBI

John Edgar Hoover
Director

Enclosures (4)
Story of the FBI
Know Your FBI
99 Facts About the FBI
What It's Like to be an FBI Agent

NOTE: Bufiles contain no record of correspondent.

LEE:klm (3)

Tolson
Felt
Campbell
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Waikart
Walters
Soyars
Tele. Room
Holmes
Candy

60 APR 25 1972

MAIL ROOM TELETYPE UNIT

EX-117
REC-88 62-39128-215

November 15, 1972

[redacted]

Holden, Massachusetts 01520

Dear [redacted]

In reply to your letter received on November 13th, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violation of the Federal income tax laws which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is some literature which I hope you will find of interest.

MAILED 11
NOV 15 1972
FBI

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

Enclosures (3)
A Closer Look at the FBI
The FBI After Hoover
The FBI Laboratory

NOTE: By letter dated 8-2-72, correspondent was furnished other publication about the FBI. (94-5-82465)

eft:bmv (3)

51 NOV 29 1972

Felt
Baker
Bishop
Callahan
Cleveland
Conrad
Dalbey
Gebhardt
Jenkins
Marshall
Miller, E.S.
Purvis
Soyars
Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

MAIL ROOM ☐ TELETYPE UNIT ☐

Mr. L. Patrick Gray
Acting director of the F.B.I.
Washington, DC 20535

Dear Mr. Gray,

Iam involved in a lengthly report on the direct or indirect involvement of the gangster,Al Capone in murder. One of the requirements of the report is to have material otherwhat what is in local material in libraries and research books.

Therefor, I would apreciate any material, or any recamendations of where I could aquire any material on Al Capone and any of his friends or acquaintances. I would apreciate a reply as soon as possible so I could have that much more time to organize my material.

Sincerely Yours,

[redacted]

Holden, Mass. 01520

b6

REC-88 62-39128-215

17 NOV 16 1972

EX-117

CORRESPONDENCE

March 21, 1973

REC-76 62-37128-216

EX-112

[redacted]

Norwalk, Connecticut 06851

Dear [redacted]

In reply to your letter of March 12th, this Bureau does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violating Federal income tax laws, which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

MAILED 6
MAR 21 1973
FBI

NOTE: Bufiles indicate no record of correspondent.

mn:la (3)

Felt
Baker
Callahan
Cleveland
Conrad
Gebhardt
Jenkins
Marshall
Miller, E.S.
Soyars
Thompson
Walters
Mohr, Room
Kinley
Armstrong
Bowers
Herington
Herwig
Mintz
Neenan

MAIL ROOM ☐ TELETYPE UNIT ☐

[redacted] 66

Norwalk, Connecticut 06851

March 12, 1973

Federal Bureau of Investigation
Washington, D. C.

Dear Sirs:

I attend Nathan Hale Middle School and I am doing a report on Al Capone for Language Arts. I would appreciate any information you could send me. Thank-you for your cooperation.

Sincerely yours

[redacted] 66-

EX-112 REC-76 [redacted] -216

7 MAR 22 1973

ack 3/21/73 mi. pd

CONFIDENTIAL

May 15, 1973

62-39128-17

[redacted]

Jackson, Michigan 49201

Dear [redacted]

Your communication was received on May 10th. In reply to your request, this Bureau does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violating Federal income tax laws, which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

MAILED 24
MAY 1 5 1973
FBI

Enclosed is some literature which I hope you will find of interest.

Sincerely yours,

William D. Ruckelshaus

William D. Ruckelshaus
Acting Director

Enclosures (5)
The Story of the FBI
Fingerprint Identification
99 Facts About the FBI
FBI Career Opportunities
Wage Scale

NOTE: No record of correspondent in Bufiles.

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

MAIL ROOM ☐ TELETYPE UNIT ☐

Al Capone

Dear Sir,

I'm doing a history report and I have picked Al Capone. Could you please send me anything you would have on him. Pictures anything as fast as possible.

Thank you

[redacted]

Jackson, Michigan 49201

REC-21

62-31139-217

EX-117

1 MAY 16 1973

May 31, 1973

REC-84

62-39128-218

[redacted]

Forest City, Iowa 50436

Dear [redacted]

Your letter was received on May 29th. In reply to your request, this Bureau does not have any material concerning Al Capone which we can send you. Capone was sentenced on October 24, 1931, for violating Federal income tax laws, which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

I am enclosing the only material we have for dissemination regarding the gangster era. You may also wish to refer to "The FBI Story," a book by Don Whitehead, for some information regarding activities during the prohibition period. A copy may be available in your local library.

Sincerely yours,

William D. Ruckelshaus

William D. Ruckelshaus
Acting Director

MAILED 5
MAY 31 1973
FBI

Enclosures (2)
The Story of the FBI
The Question of Print Removal by Surgical Planing

NOTE: No record of correspondent in Bufiles.

rkk:mks (3)
mks

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

7 JUN 6 1973

MAIL ROOM ☑ TELETYPE UNIT ☐

23 May 1973

Dear Sir:

I am taking a course in Law Enforcement and would like any information your organization might have on Al Capone and the various gangs of that era. Also any information on the promirent law enforcement officials that where instrumental in their apprehension. All information pertaining to the above stated material will be helpful in the completion of my thesis and would be very much appreciated. Thank you very much.

Sincerly yours,

[redacted]

b6

SEND TO:

[redacted]
Forest City, Iowa. 50436

Federal Bureau of Investigation
Main Office
Pennsylvania Ave.
Washington, D. C. 20013

REC-84 62-32128-27

1 MAY 31 1973

CORRESPONDENCE

2

September 18, 1973

Federal Bureau of Investigation
Washington, D.C.

Gentlemen;

I am a student at Appalachian State University in Boone, North Carolina. My Criminology class requires a project and I have decided to do my project on Al Capone. Would it be possible for me to obtain information about the gangster Al Capone through your organization? If possible I would appreciate any information about Al Capone during his reign of terror during the 1920's and 1930's. Also I would appreciate any duplicate wanted posters of this man and other materials that would be interesting.

Knowing this is an unusual request I will understand if certain laws prohibit giving out certain data. Thank you for your cooperation.

EX-1

62-39128-211

REC-70

3 SEP 26 1973

Sincerely,

[redacted]

b6

Boone, North Carolina 28607

CORRESPONDENCE

September 25, 1973

REC-70 62-39128-219

EX-105

[redacted] b6

Boone, North Carolina 28607

Dear [redacted]

In reply to your letter of September 18th, the FBI does not have any material concerning Al Capone which we can send you; however, you may wish to refer to "The FBI Story," a book written by Don Whitehead, which contains some data relative to him. You may be able to obtain a copy at your school or local library.

Capone was sentenced on October 24, 1931, for violating Federal income tax laws, which do not come within the investigative jurisdiction of the FBI. He was released from the Federal Correctional Institution, Terminal Island, California, on January 19, 1939, and died on January 25, 1947, at Palm Island, Miami, Florida.

Enclosed is literature which I hope you will find of interest.

Sincerely yours,

O. M. Kelley

Clarence M. Kelley
Director

Assoc. Dir. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____

Enclosures (3)
FBI Tours
Cooperation -- The Backbone of Effective Law Enforcement
The Story of the FBI

NOTE: Correspondent is not identifiable in Bufiles.

jkb:bf (3)

MAIL ROOM ☐ TELETYPE UNIT ☐

OCT 3 1973

MAILED 4
SEP 25 1973
FBI

[redacted] b6

July 10, 1974

Director
FBI
Washington, D.C.

Dear Sir:

I am interested in obtaining information under the freedom of information law. The information I want relates to files about 40 years old involving the Al Capone gang. Essentially I want to know whether a particular person was involved in the gang's operation. That person is [redacted]. I need not know who the FBI's informants were who told of [redacted] involvement. I would, however, like to get a sense of what [redacted] activities were within the gang, if he was involved.

Since it is 40 years since [redacted] was supposedly involved, I suppose it is possible that he may have been involved in some other Chicago gang. If that is true I would, of course, be interested. What I am saying is that I want to find out anything you know about [redacted] and can tell me.

[redacted]

As I am sure you understand I am under time constraints. If you can reply by early next week it would be greatly appreciated.

Sincerely,

[redacted]

[redacted]

66



Director
Federal Bureau of Investigation
Washington, D.C. 20535

EX-104 REC-32

JUL 15 1974

Unrecorded Copy Filed In

ST-111 REC-32 6[redacted]-2278

JUL 24 1974

15 JUL 22 1974

LEGAL COUNSEL

REC-32 62-39128-220

ST-111

July 19, 1974

1 - Mr. Mints

b7C

[redacted]

Dear [redacted]

Reference is made to your letter of July 10th requesting information concerning [redacted] whom you identified as [redacted]

For your information, investigatory files of the FBI are exempt from public disclosure pursuant to the provisions of the Freedom of Information Act. However, on July 11, 1973, former Attorney General Elliot L. Richardson issued Order 528-73 affording access to Department of Justice files that are more than 15 years old and are of historical interest to persons engaged in historical research. Concerning the Order, enclosed is a reprint which contains the current Department of Justice regulations and policy implementing the Freedom of Information Act.

According to our interpretation of Order 528-73, your request for information concerning [redacted] is not of the historical significance envisioned by the Order.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 3
JUL 19 1974
A-FBI

Enclosure

1 - Bufile 62-115530 (FOI - REPLIES)

NOTE: [redacted]

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☒ TELETYPE UNIT ☐

XEROX JUL 24 1974

NOTE CONT'D PAGE 2

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☒ Deleted under exemption(s) b7C 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:

65-21128-220

XXXXXX
XXXXXX
XXXXXX

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

FBI/DOJ

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

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 State 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:
62-37125-221

XXXXXX
XXXXXX
XXXXXX

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

FBI/DOJ

The Attorney General

In cases where we are protecting the privacy of a third party, it is extremely important to maintain a uniform response to all requests which will preclude any inferences being made by the requester. Although we do not have the exact information requested in this instance, we do have material relating to [redacted]. An additional request for information concerning him might force us to furnish a different type of answer leading to the logical assumption that we do indeed have the information requested.

Simply put, it is our position that in these situations where the right of privacy of third parties is at issue, the requester is entitled to no information whatsoever and any information we do furnish, even when negative, opens the door to assumptions which could be damaging to the third party.

We feel this policy is sound and is the most protective of the rights of individuals who may be mentioned in our records. We respectfully urge you to affirm our denial of [redacted] request without telling him that we do or do not have a record regarding [redacted]

1 - The Deputy Attorney General
1 - Assistant Attorney General
Office of Legal Counsel

Department of Justice

NOTE: We have learned from representatives of the Department's Office of Legal Counsel that [redacted] However, FOIA Unit feels strongly enough that this procedure suggested by the Department in advising an individual as to whether or not the FBI has a record on a third party would constitute an invasion of privacy in regards to the third party. Therefore, we feel our views should be put on record with the Attorney General.

The Attorney General

October 25, 1974

1 - Mr. Mintz

Director, FBI

DTC

APPEAL OF [redacted] OF
FBI'S DENIAL FOR DATA UNDER THE
FREEDOM OF INFORMATION ACT

This concerns a request received from [redacted], in July of [redacted] for any information in our files concerning one [redacted] involvement with the Al Capone gang. According to [redacted] feels that information on his background would serve the public interest.

A review of our files developed several references to [redacted], but none were located which indicated his involvement with the Al Capone gang. Consequently, since the files concerning the Al Capone gang are over 15 years old, [redacted] was advised that according to our interpretation of Departmental Order 528-73, [redacted] was not of the historical significance envisioned by that Order.

Representatives of the Department's Office of Legal Counsel have advised us that [redacted]

62-391682-221

NOT RECORDED
40 NOV 1 1974

Although the preceding statement is accurate, it has been the FBI's policy in implementing the provisions of the Freedom of Information Act that in those cases where one party inquires as to whether we have a record on a third party, that we do not respond to such inquiry indicating whether or not we have such a record, but reply by indicating that such information would not be available to a third party. In appropriate cases, we go on to explain that the divulgence by the FBI to an individual that a third party does or does not have a record with the FBI could lead to an invasion of privacy of the individual about whom the inquiry was made.

OCT 28 1974

JCP:law (7)

5 NOV 4 1974

NOV 1 1974

MAIL ROOM ☐ TELETYPE UNIT ☐

ORIGINAL FILED IN

Seminars and Workshops
Westlake Press
Murphy and Associates, Inc.

OUTSIDE SOURCE

DR. HARRY J. MURPHY
President

4-19-83

Dear Sirs -

I would like to purchase a photo from your file of Capone preferably his FBI "mug shot."

Would you kindly tell me the price of an 8x10 B+W glossy, & information on how to order?

Many thanks.

Harry Murphy

4-27-83
OK'd
[illegible]

23 MAY 18 1983

022. 02 [illegible] Pub. Aff.

POST OFFICE BOX 4212, THOUSAND OAKS, CALIFORNIA 91359 • (805) 497-6340

OUTSIDE SOURCE

May 10, 1983

Dr. Harry J. Murphy
President
Seminars and Workshops
Westlake Press
Murphy and Associates, Inc.
Post Office Box 4212
Thousand Oaks, California 91359

Dear Dr. Murphy:

Your letter dated April 10, 1983, in which you requested a photograph of Alphonse Capone, has been brought to my attention. I am happy to comply with your request. Enclosed is one 8- by 10-inch black and white photograph of Capone which I hope is suitable for your use. If I may be of any further assistance, please do not hesitate to contact our Office of Congressional and Public Affairs.

Sincerely,

Roger S. Young
Assistant Director in Charge
Office of Congressional
and Public Affairs

MAILED 16
MAY 1983
FBI

DE-140

Enclosure

62-39186-223

23 MAY 18 1983

1 - Mr. Young - Enclosure
1 - Mr. Divan - Enclosure
1 - Mr. Baker - Enclosure
1 - Mr. Price - Rm. 7861 - Enclosure

Exec AD Inv. ___
Exec AD Adm. ___
Exec AD LES ___
Asst. Dir.:
Adm. Servs. ___
Crim. Inv. ___
Ident. ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Insp. ___
Rec. Mgmt. ___
Tech. Servs. ___
Training ___
Public Affs. Off. ___

NOTE: Bufiles contain nothing to preclude this response. Dr. Murphy is being sent a photograph of Alphonse Capone.

CKM (6)

August 26, 1983

LOCAL & STATE

Mr. Willie Ross
Research Analyst
Pennsylvania House of
Representatives
Room 311, Finance Building
Post Office Box 250
Harrisburg, Pennsylvania 17120

Dear Mr. Ross:

In response to your telephone call to our Research Unit on August 15, 1983, for information and photographs of Al Capone and members of the "Capone Gang," the following data are furnished:

The activities ascribed to the "Capone Gang" and others in the 1920s and early 1930s did not, for the most part, constitute apparent violations of Federal law within the investigative jurisdiction of the Bureau of Investigation, the predecessor of the Federal Bureau of Investigation. However, available information which may be of value to you is described below:

MAILED 13
AUG 29 1983

Enclosed is a list of alleged members of the "Capone Gang" as furnished in 1936 by police officials familiar with the hoodlum element in Chicago.

DE-13 V-139 62-39128-124

Also enclosed are copies of articles concerning Al Capone which appeared in the "International Criminal Police Review" of May, 1947, and in "True Detective" magazine of August, 1961. Additionally, articles concerning Al Capone may be found in "The Encyclopedia of American Crime" (EAC), by Carl Sifakis, 1982, Facts on File, Inc., Page 122; and in "Bloodletters and Badmen" (B&B), by Jay Robert Nash, 1973, M. Evans and Company, Inc., Page 17. Those volumes are probably available in a library near you.

Exec AD Inv. ___
Exec AD Adm. ___
Exec AD LES ___
Asst. Dir.:
Adm. Servs. ___
Crim. Inv. ___
Ident. ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Insp. ___
Rec. Mgmt. ___
Tech. Servs. ___
Training ___
Public Affs. Off. ___
Telephone Rm. ___
Director's Sec'y ___

2 SEP 1 1983

1 - Mr. Young - Enclosures (2)
1 - Mr. Baker - Enclosures (2)
NOTE: Bufiles negative re Willie Ross. Material furnished is that available in Research Unit.

JPJM:tmg
MAIL ROOM

Mr. Willie Ross

Articles also appear in one or both of those volumes concerning:

Ralph and Frank Capone, EAC, Pages 124, 125;
B&B, Pages 97-109;
Frank Nitti, EAC, 528;
Jake Guzik, EAC, 305;
Terry Druggan and Frankie Lake, B&B, 183;
Anthony Joseph Accardo, EAC, 3; B&B, 14;
Louis Campagna, EAC, 117;
Philip Louis D'Andrea, B&B, 348;
Jack McGurn, EAC, 456; B&B, 347;
John Torrio, EAC, 716; B&B, 554;
Jim Colosimo, B&B, 127;
Frankie Yale, EAC, 775; B&B, 620;
Sam Hunt, EAC, 353;
Paul Ricca, EAC, 612; B&B, 470.

Enclosed also are copies of available summaries of the criminal careers of some alleged Capone associates, prepared in 1969. These summaries concern Accardo; D'Andrea; Paul De Lucia, also known as Paul Ricca; Jake Guzik; Murray Llewellyn Humphreys; Claude Maddox; Johnny Patton; Torrio and Anthony Volpe. Copies of news items concerning the deaths of Harry Guzik in 1949 and Claude Maddox in 1958 are enclosed.

Copies are enclosed of available photographs of Alphonse Capone, Accardo, D'Andrea, Vincent Gebardi (Jack McGurn), Humphreys, Lawrence Mangano, and Volpe.

Additional information concerning Capone and associates may be found in other literature and a bibliography of some sources is enclosed.

I hope this information will assist in the completion of your project.

Sincerely,

RSY

Roger S. Young
Assistant Director in Charge
Office of Congressional
and Public Affairs

Enclosures (22)

8/17/83

MR. DIVAN:

On 8/15/83 a telephone call was received by John Mullery in Research Unit from Willie Ross, Research Analyst, Pennsylvania State House of Representatives, Room 311, Finance Building, Post Office Box 250, Harrisburg, Pennsylvania 17120. He advised that some time ago, about four months, he had requested photos and histories of several gangster types, including Al Capone and his gang members. He had received the desired material, except for the Capone request.

A check of records of OCPA Research, Special Productions, and Correspondence Units, and of Buindices has failed to verify that Ross's request has been handled.

Unless you disagree, information and photos of Al Capone and members of his gang, as identified in Research Unit folders, will be furnished to Mr. Ross at the Pennsylvania House of Representatives. I am assigning this project to Mr. Mullery.

WILLIAM E. TRIBLE

1 - Mr. French
1 - Mr. Trible

WET:bjc (6)

62-3[illegible]2- 304

6

Alleged members of the "Capone gang" per information furnished in 1936.

Tony Accardo
Albert Anselmi (D)

Tony Balcastro (D)
Charles Blakely

Louis Campagna
Ralph Capone
Louis Clemente
Mike Corrozzo
Louis Cowan (D)

Frank Diamond

Charles Fischetti
Carlos Fontana
Ernest Fontana

John Genaro (D)
Joseph Guinta (D)
Harry Guzik
Jake Guzik
Sam Guzik

Jack Heinan

Frankie Kelly
Mike Kelly

Hymie Levine
Joe Lolordo
Pasqualino Lolordo (D)
Tony Lombardo (D)

Jack McGurn (D)
Claude Maddox
Lawrence Mangano

Frank Nitti

Martin O'Leary

Johnny Patton
Nick Perry

Frank Rio (D)

John Scalise (D)
Danny Stanton

Johnny Torrio

Danny Vallo (D)
Anthony "Mops" Volpe

Those names followed by "(D)" were deceased in 1936.

62-39122-94

269



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 7 OF 11

BUFILE: 69-180

SUBJECT Capone Alphonse

FILE NUMBER 69-180

SECTION NUMBER 1

SERIALS 1 - 54X

TOTAL PAGES 218

PAGES RELEASED 218

PAGES WITHHELD 0

EXEMPTION(S) USED 0

69-180-1

March 21, 1929.

RECORDED

MAR 22 1929

HEC:AMV

MEMORANDUM FOR MR. WILLEBRANDT
Assistant Attorney General

Reference is made to your memorandum which I received this morning requesting an investigation in order to ascertain if Al Capone and Dr. Kenneth Phillips might be held in contempt of court in connection with an affidavit executed by Dr. Phillips, which indicated that Capone had been unable, physically, to answer a subpoena for his appearance before a Federal Grand Jury at Chicago, Illinois.

In compliance with your request, I have issued instructions by telephone for the desired investigation to be made in a very discreet manner at the earliest possible moment. Copies of the reports relating to this matter will be furnished you immediately upon their receipt by the Bureau.

The letter addressed to the Attorney General by United States Attorney Johnson, and its enclosures consisting of the above mentioned affidavit, are herewith returned for your files.

Very truly yours,

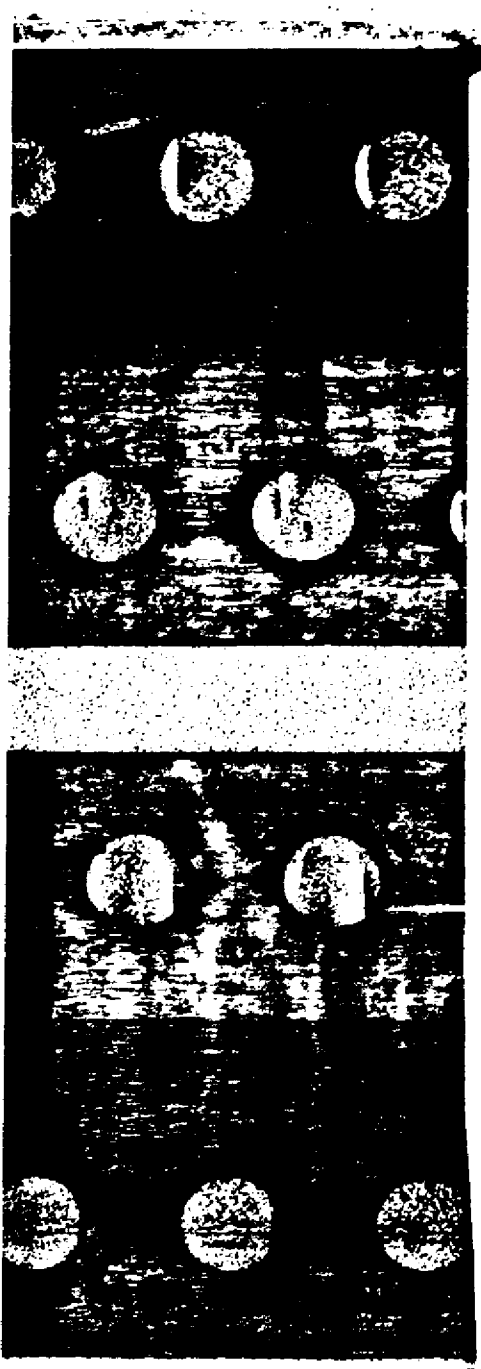
Director.

Encl. #129445.

BUREAU FILES MAILED
MAR 21 1929
P. M.
DEPT. OF JUSTICE

3

vol 1



FROM

ASSISTANT ATTORNEY GENERAL WILLEBRANDT

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Attorney General	
Solicitor General	
Assistant to Attorney General	
Assistant Attorney General Marshall	
Assistant Attorney General Farnum	
Assistant Attorney General Luhring	
Assistant Attorney General Parmenter	
Mr. Chase	
Chief Clerk	
Mr. Hoover	
Superintendent of Prisons	
Division of Accounts	
Mails and Files	
Mr. Jones	
Mr. Henderson	
Mr. Kiefer	
Mr. Gamble	
Mr. Monarch	
Mr. Morrisson	
Mr. Key	
Mr. Byrne	RECORDED
Mr. Kosters	
Mrs. Campbell	MAR 22 1929
Miss Foster	
Mr. McCutcheon	
Mrs. Smith	

Memorandum
for
Mr. Hoover

As a personal matter of very great importance to me, I wish you would look into this Al Capone affidavit. It will be a tenstrike on a huge case in Chicago if you are able to prove the falsity of this affidavit so that we can punish Capone and the Doctor for contempt. May I rely upon you to do so secretly and soon?

mem. mrs. willebrandt
Letter Jacksonville
3-21-29

69-180-1

BUREAU OF INVESTIGATION

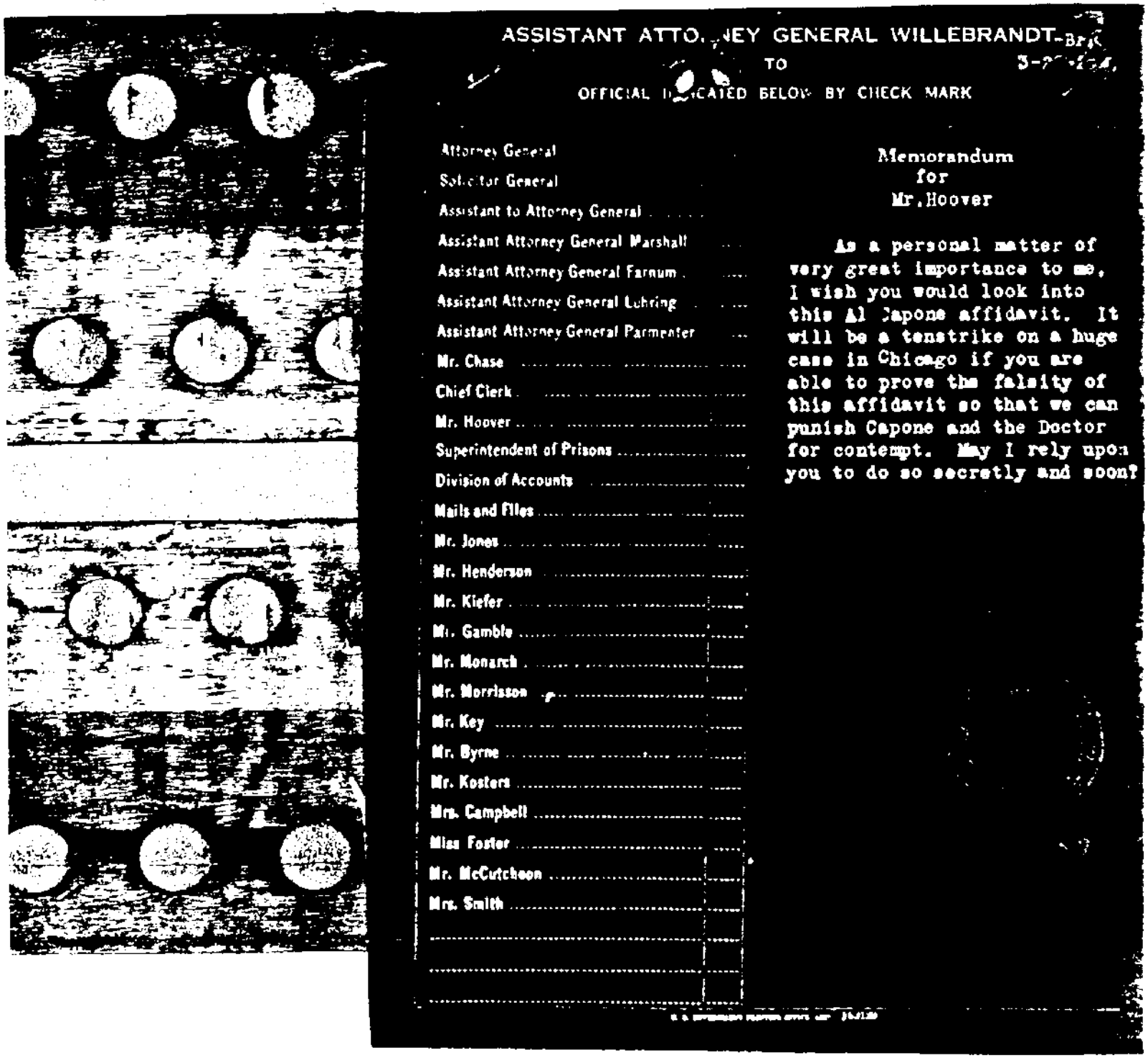
MAR 22 1929

DEPT.

MAR 21 1929

Div. Two

Mrs. Willebrandt
Miss [illegible]
cc Mr. Smith
6-13-29
JHC



ASSISTANT ATTO[illegible]NEY GENERAL WILLEBRANDT-Brk

TO 3-2[illegible]-[illegible]

OFFICIAL I[illegible]CATED BELOW BY CHECK MARK

- Attorney General
- Solicitor General
- Assistant to Attorney General
- Assistant Attorney General Marshall
- Assistant Attorney General Farnum
- Assistant Attorney General Luhring
- Assistant Attorney General Parmenter
- Mr. Chase
- Chief Clerk
- Mr. Hoover
- Superintendent of Prisons
- Division of Accounts
- Mails and Files
- Mr. Jones
- Mr. Henderson
- Mr. Kiefer
- Mr. Gamble
- Mr. Monarch
- Mr. Morrisson
- Mr. Key
- Mr. Byrne
- Mr. Kosters
- Mrs. Campbell
- Miss Foster
- Mr. McCutcheon
- Mrs. Smith

Memorandum
for
Mr. Hoover

As a personal matter of very great importance to me, I wish you would look into this Al Capone affidavit. It will be a tenstrike on a huge case in Chicago if you are able to prove the falsity of this affidavit so that we can punish Capone and the Doctor for contempt. May I rely upon you to do so secretly and soon?

5

March 18, 1929.

In re: Al Capone.

The Attorney General,
Washington,
D. C.

Sir: Attention: Mrs. Mabel Walker Willebrandt.

I have the honor to enclose copy of an affidavit presented to Judge Wilkerson of this district, on March 12, 1929, wherein it is alleged by one Doctor Kenneth Phillips that Al Capone was confined to his bed on account of illness for a period of six weeks subsequent to January 13, 1929, at his home in Miami Beach, Florida.

It is the opinion of this office that this affidavit is false. If it can be proved to be false it seems to me that both the doctor, who executed the affidavit, and Al Capone, who was instrumental in having it presented to Judge Wilkerson for the purpose of obtaining a continuance of his response to a grand jury subpoena, can be punished for contempt of court. Mr. A. P. Madden of the Intelligence Unit here at Chicago was requested to inquire into the truth of this affidavit, but reported today that it was not within the scope of his authority to do so. He suggested, however, that the matter be taken up

with you personally and you probably could arrange to have the matter investigated at once. If evidence could be obtained from persons in Miami Beach, Florida, to the effect that Al Capone was not in bed during the six weeks in question, this office is desirous of availing itself of such evidence for the purpose of instituting contempt proceedings against Al Capone, as well as Doctor Kenneth Phillips, and having them properly punished. If this is to be done it should be done immediately. I shall be pleased to have you consider the matter at once.

Very respectfully,

(GEORGE E. Q. JOHNSON,
United States Attorney.

DA:FM.
Enc.

STATE OF FLORIDA,)
DADE COUNTY,)
CITY OF MIAMI.)

Before the subscriber, a United States Commissioner in and for the Southern District of Florida, residing in the City of Miami, in said district, personally appeared DOCTOR KENNER PHILLIPS, who being by me first sworn in due form of law, says that he is a resident of the City of Miami, in Dade County, Florida, where he is engaged in the practice of medicine and surgery; that he is a graduate of Rush Medical College, Chicago, Illinois, and is a member of the Dade County Medical Society, and a fellow of the American Medical Association, and is duly licensed to practice medicine and surgery by the Board of Medical Examiners of the State of Florida; that he has been actively and continuously engaged in the practice of medicine and surgery in the City of Miami, Dade County, Florida, for the past eighteen months and that he was actively and continuously engaged in the practice of medicine and surgery in the City of Chicago, Cook County, State of Illinois, for four years before beginning of practice of medicine and surgery in the City of Miami; that he is personally acquainted with ALPHONSE CAPONE, who has a winter home on Palm Island, in Miami Beach, Dade County, Florida, and has been professionally attending the said Capone continuously since January 13th, and that the said Capone is now under professional treatment by the affiant; that since January 13, 1929, said Alphonse Capone has been suffering with bronchopneumonia pleurisy with effusion of fluid into the chest

for six weeks was confined to his bed at his home
Island, and has been out of his bed only for ten
, but has not fully recovered from said disease;

that, in the professional opinion of affiant, the said Capone's physical condition is such at this time that it would be dangerous for him to leave the mild climate of southern Florida and go to the City of Chicago, State of Illinois, and that to do so would, in the professional opinion of affiant, imperil the safety of the said Capone, and that there would be a very grave risk of a collapse which might result in his death from a recurrent pneumonia; that affiant strongly advises against the said Alphonse Capone being required to go at this time from Dade County, Florida, to the City of Chicago; that, in the professional opinion of affiant, the said Alphonse Capone will, in from thirty to forty days from this date, be so far recovered that it would not then be inconsistent with his personal safety to go to the City of Chicago; that the opinions expressed by affiant in this affidavit are concurred in by three professional consultants of the City of Miami, Florida, namely: Doctor F. A. Comby, a surgeon; Doctor K. B. Maxwell, an internal medicine man; and Doctor Karl Pearson, an X-ray specialist, all of whom may be reached by addressing them at 4120 Shoreland Arcade, in the City of Miami, Dade County, Florida; that affiant is not related by blood or marriage to the said Alphonse Capone, and has no business connection with him whatever, other than that of physician and surgeon.

(signed) KENNETH PHILLIPS M.D.

Sworn to and subscribed before me this
5th day of March, A. D. 1929.

JOHN F. [illegible]
[illegible]

REC:AMW

March 21, 1929.

69-1801

RECORDED & INDEXED
MAR 22 1929

Mr. C. A. Chapman,
P. O. Box 88,
Jacksonville, Fla.

69-1801-150

Dear Sir:

In confirmation of a telephone conversation with Special Agent J. E. Burdge of your office this morning, you are advised that the Bureau desires that you make a prompt and discreet investigation for the purpose of ascertaining the truth or falsity of an affidavit executed on March 5, 1929, by Dr. Kenneth Phillips, relative to the illness of Alphonse Capone and the latter's inability to answer a subpoena for his appearance before a Grand Jury in Chicago, Illinois.

In this connection there is transmitted herewith a copy of a memorandum which the Bureau has received from Assistant Attorney General Willebrandt, as well as a copy of a letter from the United States Attorney at Chicago, Illinois, and a copy of the affidavit in question. You will observe that the affidavit indicates that Capone was confined to his bed for a period of six weeks since January 18, 1929, and that he had been out of bed for a period of approximately ten days prior to March 5, 1929.

Your investigation of this matter should be made for the purpose of proving the truth or falsity of the illness of Capone, as alleged in the affidavit, in order that it might be determined whether or not Dr. Phillips and Capone may be held in contempt of court, as it appears that the affidavit was transmitted to United States District Judge Wilkerson, at Chicago, Illinois, as an excuse for Capone's failure to answer the subpoena.

The Bureau invites your attention to the fact that photographs of Capone and Jack Sharkey recently appeared in newspapers, showing Capone in conversation with Sharkey, a short time prior to the Sharkey-Stribling fight at Miami, Florida. Newspaper accounts have also indicated that on a comparatively recent date, Capone appeared at a Police Station at Miami, Florida.

BUREAU FILES DIVISION
MAILED
MAR 21 1929
P. M.
DEPT. OF JUSTICE

10

In the event that you should find that the information set forth in the affidavit of Dr. Phillips is untrue, you should continue the investigation for the purpose of establishing all facts necessary to show that the parties involved might properly be held in contempt of court.

Please give this matter your very prompt attention.

Very truly yours,

Director.

Encl. #129445.





11

MEC:AMV

March 22, 1929.

MEMORANDUM FOR MRS. WILLEBRANDT
Assistant Attorney General

62-180

With further reference to the requested investigation concerning the affidavit which was executed by Dr. Kenneth Phillips in behalf of Al Capone, you are advised that the Bureau is in receipt of information from its Jacksonville Office, in effect as follows:

That on February 14, 1929, Capone appeared in the office of the County Solicitor at Miami, Florida, and signed a statement in connection with the Rothstein murder; that this statement was signed in the presence of Solicitor Taylor and Sheriff Lehman, and the statement was taken stenographically by Ruth Caskin; that at the time the statement was given, Capone was interviewed by George Kenney, and he was asked by Kenney if he was going to Chicago, to which Capone replied, "No, I am having too good a time here"; that Chief of Police Guy Reeves of Miami, Florida, stated that it had been reported to him that Capone attended the races in Miami on February 12 or 13, 1929, and probably had been in attendance for several days at approximately that time.

The Jacksonville Office advised that this information was being furnished in advance of a regular report in view of the fact that Capone is a figure of such notoriety that his movements become important news events, and the most casual and discreet inquiries about him are made the basis of considerable gossip.

Very truly yours,

RECORDED

Director.

62-180-2
BUREAU OF INVESTIGATION
MAR 23 1929
DEPARTMENT OF JUSTICE

BUREAU FILES DIVISION
MAILED
MAR 22 1929
P. M.
DEPT. OF JUSTICE

12

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

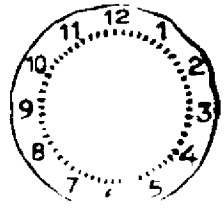
March 23, 1929.

69-180

MEMORANDUM FOR THE DIRECTOR

In accordance with your instructions, I telephoned the Jacksonville Office relative to the investigation concerning Dr. Phillips and Al Capone. Acting Special Agent in Charge Burdge, advised that the investigation had been completed, the report was being typed, and would be placed in the mails this afternoon. Agent Burdge was instructed to obtain affidavits in all instances possible from informants in this case and forward them to the Bureau immediately. He advised that a notation would be added to the report that affidavits were being obtained in support of the information set forth in the report, and the affidavits would be forwarded to the Bureau immediately after they had been executed. Agent Burdge was informed that it was desired that all available evidence which might support contempt proceedings, should be obtained in this matter. He advised that there was in the report being dictated, in his opinion, ample evidence to support a citation for contempt, as it had been found during the period that Capone was alleged in the affidavit to have been confined to his bed, that several policemen and other citizens had seen Capone at the Miami races. Agent Burdge advised that his report was being forwarded immediately and that affidavits would be obtained at once and would follow at the earliest possible moment.

Respectfully,



MAR 23 1929

RECORDED & INDEXED

MAR 25 1929

69-180-3

MAR 25

Div. One

13

69-180-4

REC'D MAY RECORDED

MAR 26 1929

March 25, 1929.

MEMORANDUM FOR MR. WILLEBRANDT
Assistant Attorney General

69-180

Personal

There is transmitted herewith for your information a copy of the report of Special Agent J. H. Burdge, dated March 25, 1929, at Jacksonville, Florida, relative to the case entitled: ALPHONSE CAPONE and [redacted] PHILLIPS, M. D. - Contempt of Court and Perjury. Two copies of the report in question have been forwarded to United States Attorney George E. Q. Johnson, of Chicago, Illinois, who was advised that in accordance with information obtained during a telephone conversation with the Bureau's Jacksonville Office this morning, four affidavits have already been mailed after being obtained from informants listed in the report, and the remaining affidavits are being obtained and will be placed in the mails today. Immediately upon receipt of the supporting affidavits, they will be forwarded to United States Attorney Johnson, in accordance with your request.

Very truly yours,

Director.

Encl. #129485.

14

Department of Justice

Bureau of Investigation

P. O. Box 32
Jacksonville, Fla.
Mar. 23, 1929

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

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

Dear Sir:

With further reference to the above entitled case, there is transmitted herewith the original and five copies of my report of even date.

Having in mind that it may be Assistant Attorney General Willebrandt's desire to handle this matter specially at Chicago, I have not transmitted any copies of my report to the Chicago Office, but have, instead, transmitted a sufficient number to the Bureau for forwarding if desired.

Very truly yours

J. R. Burdge
Acting Special Agent in Charge

JRB:CB

RECORDED
MAR 26 1929

69-180-4
BUREAU OF INVESTIGATION
MAR 25 1929 P. M.
DEPARTMENT OF JUSTICE
MAR. TWO | FILE

Agt Burdge advised by telephone 4 affidavits mailed at 1:00 am. Saturday night. Remainder probably mailed to Bureau by Agt Perkins from Miami Sunday or Monday a.m.
3/25/29

MAR 25 1929

15

THIS CASE ORIGINATED AT Jacksonville, Fla.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	3/23/29	3/21,22/29	J. R. Burdge

TITLE:	CHARACTER OF CASE:
ALPHONSE CAPONE KENNETH PHILLIPS, M. D.	CONTEMPT OF COURT PERJURY

Jax. File 69-9
74

SYNOPSIS OF FACTS:

On March 5, 1929 Subject Phillips appeared before U.S. Commissioner John F. Spitler, Miami, Florida, and executed an affidavit indicating that Subject Capone had been confined to his bed during the period January 15, 1929 to approximately Feb. 25, 1929. Affidavit apparently false. UNDEVELOPED LEAD TO JACKSONVILLE OFFICE.

P

REFERENCE: This investigation is predicated upon telephonic instructions received from Mr. H. H. Clegg of the Bureau on March 21, 1929; also Bureau letter of March 21, 1929.

DETAILS:

On March 12, 1929 an affidavit was presented to Federal Judge Wilkerson at Chicago, Ill., wherein it is alleged by one Kenneth Phillips, M. D., that Alphonse Capone was confined to his bed on account of illness for a period of six weeks subsequent to Feb. 15, 1929 at his home in Miami Beach, Fla.

DETAILS: On March 5, 1929 Kenneth Phillips, M. D., appeared before U. S. Commissioner John F. Spitler at Miami, Fla., and executed the affidavit of reference. The affidavit is quoted as follows:

DO NOT WRITE IN THESE SPACES 16

APPROVED AND FORWARDED:			RECORDED AND INDEXED:
J R Burdge	acting SPECIAL AGENT IN CHARGE	69-188-4	MAR 26 1929
COPIES OF THIS REPORT FURNISHED TO:		BUREAU OF INVESTIGATION	CHECKED OFF:
6-Bureau 4-Jacksonville 2 Cop. U.S.A. Johnson Chicago 1 Cop. Miami 1 Copy U.S. Office		MAR 25 1929 DEPARTMENT OF JUSTICE	JACKETED:
		ROUTED TO: Mr. Tom	FILE

T—1338

DADE COUNTY,)

CITY OF MIAMI)

Before the subscriber, a United States Commissioner in and for the Southern District of Florida, residing in the City of Miami, in said district, personally appeared DOCTOR KENNETH PHILLIPS, who being by me first sworn in due form of law, says that he is a resident of the City of Miami in Dade County, Florida, where he is engaged in the practice of medicine and surgery; that he is a graduate of Rush Medical College, Chicago, Illinois, and is a member of the Dade County Medical Society, and a fellow of the American Medical Association, and is duly licensed to practice medicine and surgery by the Board of Medical Examiners of the State of Florida; that he has been actively and continuously engaged in the practice of medicine and surgery in the City of Miami, Dade County, Florida, for the past eighteen months and that he was actively and continuously engaged in the practice of medicine and surgery in the City of Chicago, Cook County, State of Illinois, for four years before beginning of practice of medicine and surgery in the City of Miami; that he is personally acquainted with ALPHONSE CAPONE, who has a winter home on Palm Island, in Miami Beach, Dade County, Florida, and has been professionally attending the said Capone continuously since January 13th, and that the said Capone is now under professional treatment by the affiant; that since January 13, 1929, said Alphonse Capone has been suffering with broncho-pneumonia pleurisy with effusion of fluid into the chest cavity, and for six weeks was confined to his bed at his home on said Palm Island, and has been out of his bed only for ten days last past, but has not fully recovered from said disease; that, in the professional opinion of affiant, the said Capone's physical condition is such at this time that it would be dangerous for him to leave the mild climate of southern Florida and go to the City of Chicago, State of Illinois, and that to do so would, in the professional opinion of affiant, imperil the safety of the said Capone, and that there would be a very grave risk of a collapse which might result in his death from a recurrent pneumonia; that affiant strongly advises against the said Alphonse Capone being required to go at this time from Dade County, Florida, to the City of Chicago; that, in the professional opinion of affiant, the said Alphonse Capone will, in from thirty to forty days from this date, be so far recovered that it would not then be inconsistent with his personal safety to go to the City of Chicago; that the opinions expressed by affiant in this affidavit are concurred in by three professional consultants of the City of Miami, Florida, namely: Doctor F. A. Cowdy, a surgeon; Doctor E. B. Maxwell, an internal medicine man; and Doctor Earl Pearson, an X-ray specialist, all of whom may be reached by addressing them at #120 Shoreland Arcade, in the City of Miami, Dade County, Florida; that affiant is not related by blood or marriage to the said Alphonse Capone, and has no business connection with him whatever, other than that of physician and surgeon.

(Signed) KENNETH PHILLIPS M. D.

Sworn to and subscribed before me this 5th day of March, A. D. 1929

JOHN W. SPRINGER, United States Commissioner, Southern District of Florida.

Upon receipt of the above information, this agent communicated with Agent J. J. Perkins who was at that time on assignment at Miami, Fla., and following are listed the names of persons interviewed by Agent Perkins in this connection and the information obtained by them.

W. H. AUSTIN, police officer, Hialeah, Fla., states that he was on duty at the Hialeah, Fla. Race Track from the day of the opening of the season which was January 17, 1929 until February 1, 1929. That during this period he saw Subject Capone at the races every other day, that on February 15, 1929 he was again assigned to duty at the race track and was in attendance at every race until the conclusion of the season, March 13, 1929, that from Feb. 15, 1929 until about six days before the closing of the race track, Subject Capone was in attendance at the races, at least every other day.

C. E. EKBLER, police officer, Hialeah, Fla., states that he was on duty at the Hialeah Race Track, Hialeah, Fla. the entire month of February, 1929 and personally observed Subject Capone in attendance at the races at least eighteen or twenty times during the period mentioned.

J. M. CORONRAS, detective, Hialeah Police Department, Hialeah, Fla., states that he was on duty at the Hialeah Race Track, Hialeah, Fla. from January 17, 1929 to March 13, 1929; that Subject Capone came to the track on January 22, 1929, and attended every race during that month with the exception of being absent for about three days due to being sick with a cold; that from Feb. 1, 1929 to Feb. 25, 1929 Subject Capone was in attendance at the races at least thirteen times; that it is his opinion that he saw Subject Capone at the Hialeah races at least twenty five days of the racing season, namely, from Jan. 17, 1929 to March 13, 1929. Detective Coronsah further states that he is very positive in his estimation of the days that Subject Capone was present at the races for the reason that he was constantly on the look-out for Subject Capone and his crowd, as he considered it his duty to keep them under observation, and whenever possible he stood near the box occupied by Subject Capone and his associates.

SERGEANT M. S. WOOD, Hialeah Police Department, Hialeah, Fla., states that he was on duty at the Hialeah Race Track, Hialeah, Fla., on every Thursday, Friday, and Saturday during the racing season of 1929, namely, from Jan. 17, 1929 to March 13, 1929; that he considered it his duty to keep Subject Capone and his associates under observation, and that he is certain he saw Subject Capone at the races almost every day during the season.

MISS RUTH GASKIN, clerk in the office of the county solicitor, Miami, Fla., states that on Feb. 14, 1929 Subject Capone in the presence of Robert H. Taylor, county solicitor, and M. P. Lehman, sheriff, Dade County, Fla. and Louis Goldstein, assistant district attorney, Kings County, Brooklyn, N. Y., gave a signed statement in connection with the murder of Frankie Whale (pronounced Frankie Yale). Miss Gaskin further states that Subject Capone appeared to be in perfect health, and made no mention of being sick in any way. George Keeney, reporter on the "Miami Herald" was present at the time Subject Capone gave the statement of reference, and asked Subject Capone, "When are you going back?" (meaning Chicago), and Subject Capone replied, "I am not going back, as I am having a pretty good time in Miami."

Detective Joseph Jenkins, Miami Police Department, Miami, Fla., states that he was assigned to the Hialeah Race Track, Hialeah, Fla. from January 17, 1929 to March 13, 1929, which period covers the 1929 racing season at that track; that to the best of his knowledge, Subject Capone was at the races nearly every day of the season; that while he could not testify that he observed Subject Capone at the races every day, he is positive that Subject Capone was absent from the races only a very few days [illegible]

Dr. Samuel D. Light, Colonial Building, Miami, Fla., states that about January 8, 1929 he was called to the home of Subject Capone to attend the wife of Subject Capone who had threat trouble; that on Jan. 8, 1929 Subject Capone was confined to bed with influenza and bronchial pneumonia, and he treated Subject Capone from that date until January 17, calling at least once a day, but sometimes two and three times a day; that Subject Capone was in a very serious condition. However, on Jan. 17, 1929, the date on which he discontinued making professional calls on Subject Capone, the Subject's condition was very much improved, though he was still confined to bed, and had some temperature. Dr. Light further states that on Jan. 15 or 16, 1929 Subject Capone told him that some friends of his from Chicago had requested that he call Dr. Kenneth Phillips whom they had known in Chicago for a consultation; that he informed Subject Capone that this procedure was agreeable to him; that a consultation was had about the condition of Subject Capone, after which he informed Subject Capone that there would have to be a "boss", and if Dr. Phillips made any suggestions, he wanted it understood that he, Dr. Light, would have to be consulted before any suggestion of Dr. Phillips should be acted upon; that Subject Capone replied that he was perfectly satisfied with his, Dr. Light's, work, and the only reason Dr. Phillips had been called was at the request of his friends; that from that date on, Subject Capone paid little attention to Dr. Phillips. Dr. Light further states that on Jan. 17, 1929, while paying a professional visit to Subject Capone, Dr. Owens of Chicago, his former family physician at Chicago, was a guest in his home and he wanted Dr. Light to meet him. Dr. Light stated that Subject Capone then introduced him to Dr. Owens, and after the introduction, he informed Subject Capone that as long as his family physician was residing with him, there was no longer any necessity for him to continue on the case, and he withdrew from the same on that date. Dr. Light further states that as far as he knows, Dr. Owens was the only physician consulted by Subject Capone from January 17, 1929 to date.

The above statements appear to establish beyond a doubt that the information submitted in the affidavit of Kenneth Phillips, M. D., under date of March 5, 1929, was wholly and materially false. Further investigation is being conducted for the purpose of ascertaining the connection between Kenneth Phillips, M. D., and Alphonse Capone.

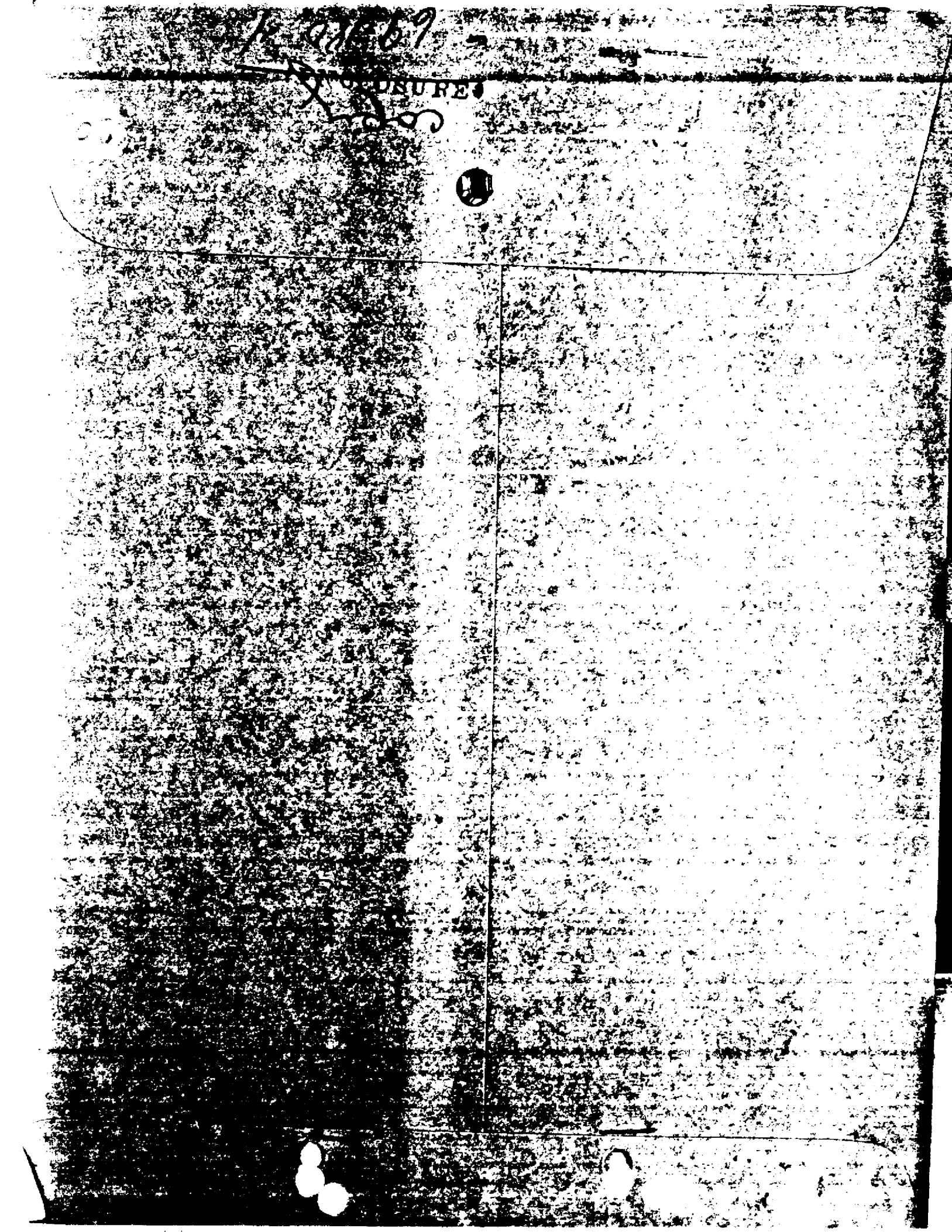
The persons whose names and statements are listed above may be reached by subpoena at the addresses given, and formal affidavits are being obtained and forwarded to the Bureau direct from Miami by Special Agent J. J. Perkins.

UNDEVELOPED LEAD THE JACKSONVILLE OFFICE will continue investigation at Miami and Miami Beach, Fla., particularly inquiring into the connection between Subject Capone and Subject Phillips.

No action will be taken with respect to prosecution in this district until receipt of further information from the Bureau.

19

PENDING



March 28, 1939.

MHC:AMY

Honorable Geo. E. H. Johnson,
United States Attorney,
Chicago, Illinois.

69-180

Dear Sir:

In accordance with the request of Assistant Attorney General Willebrandt, I am transmitting herewith two copies of the report of Special Agent J. E. Burigo, dated March 25, 1939, at Jacksonville, Florida, relative to the case entitled: ALPHONSE CAPONE and KENNETH PHILLIPS, M. D. - Contempt of Court, and Perjury.

The investigation in question is predicated upon the affidavit executed by Dr. Phillips relative to the physical condition of Alphonse Capone during a part of January and February, 1939.

I have been in communication by telephone this morning with the Jacksonville Office of this Bureau and am advised that affidavits were obtained from four of the prospective witnesses listed in the enclosed report Saturday night, and these affidavits have already been placed in the mails. Additional affidavits from the remaining informants are being obtained and will be placed in the mails today. Immediately upon their receipt by the Bureau, I will forward these affidavits to your office for your information and for such action as may appear to be proper.

A copy of the enclosed report is also being forwarded to Special Agent in Charge E. J. Connelley, of the Chicago Office of this Bureau for his information and guidance in the event you should desire any investigation to be made at Chicago in connection with this matter. Mr. Connelley will see you upon receipt of the report in question in order to ascertain your further desires in this matter.

RECORDED

Very truly yours,

Encl. #129466
CC - Chicago Office.

Director.

69-180-6

MAR 28 9 21

March 28, 1929.

MHC:AMV

Mr. M. J. Connelley,
P. O. Box 1406,
Chicago, Illinois.

69-180

Dear Sir:

There is transmitted herewith a copy of the report of Special Agent J. E. Burige, dated March 25, 1929, at Jacksonville, Florida, relative to the case entitled: ALPHONSE CAPONE and DOCTOR KENNETH PHILLIPS, Contempt of Court and Perjury.

It is suggested, upon receipt of this report, that you ascertain from United States Attorney Johnson if he desires any investigation of this matter to be made at Chicago, Illinois. This suggestion is offered as it appears possible that he will desire that inquiries be made relative to the status of Dr. Phillips as a physician in Chicago Medical circles, as well as his connection with Subject Capone. Your action in this matter, however, should be guided by the advice of the United States Attorney.

Very truly yours,

Director.

Encl. #129466.

RECORDED

69-180-6
BUREAU OF INVESTIGATION
MAR 28 1929 A M
DEPARTMENT OF JUSTICE
FILE

22

COPY

DEPARTMENT OF JUSTICE

OFFICE OF UNITED STATES ATTORNEY

CHICAGO

March 25, 1929.

RE: AL CAPONE.

The Attorney General,

Washington, D. C.

Sir:

Attention Assistant Attorney General
Mabel Walker Willebrandt.

I have the honor to report that this office is considering the question of filing a criminal information for contempt against Alphonse Capone, pursuant to which I requested an investigation to be made at Miami, Florida.

Your information over the telephone indicates that the reports are about ready. I would, therefore, respectfully ask that a summary of these reports be telegraphed to me immediately upon receipt of the same and reports transmitted by air mail, for the reason that Capone is to appear before the grand jury on Tuesday, March 26. It may become difficult to hold him here longer on the subpoena and if there is a possible basis for filing an information for contempt I would like to have the information on hand so that the petition might be prepared and the necessary orders procured.

Respectfully,

(Signed) GEORGE E. Q. JOHNSON,
United States Attorney.

GEQJ:MH

RECORDED

MAR 26 1929

69-180-7

MAR 26 1929

23

Dep. Dir.

69-180-7

March 25, 1929.

REC'D-DEPT

RECORDED

MAR 26 1929

69-180

MEMORANDUM FOR MRS. WILLEBRANDT
Assistant Attorney General

In accordance with the request of Mr. MacCutcheon, of your office, a telegram, a copy of which is enclosed, was forwarded to United States Attorney Johnson, Chicago, Illinois, today summarizing the information obtained relative to the case involving Dr. Kenneth Phillips and Alphonse Capone.

The letter of United States Attorney Johnson requesting such action is herewith enclosed for your files.

Very truly yours,

Director.

Encl. 6138006.

BUREAU FILED UNION
FILED
MAR 25 1929
P. M.
DEPT. OF JUSTICE

24

March 25, 1929.

EHC:AMV

62-20690.

Honorable Geo. E. C. Johnson,
United States Attorney,
Chicago, Illinois.

69-180

Dear Sir:

Supplementing the Bureau's letter of even date, relative to the case involving Dr. Kenneth Phillips and Alphonse Capone, there are transmitted herewith original affidavits which have been obtained by Agents of the Bureau from J. H. Cornuena, W. R. Foster, C. E. Zebler and H. S. Wood.

You will observe that there are some discrepancies in the names of the affiants appearing on the attached affidavits, and as set forth in the report of Special Agent J. E. Burige which was forwarded to you this morning. It is believed that the discrepancies in question were occasioned by the fact that the report prepared by Agent Burige was probably based upon information furnished to him from Miami, Florida, over the telephone. Additional affidavits in this matter are now being obtained, and they will be submitted to you immediately upon their receipt by the Bureau.

Very truly yours,

Director.

Encl. #128005.
CC - Chicago Office.

RECORDED & INDEXED

69-180-18
BUREAU OF INVESTIGATION
MAR 26 1929
D:

25

BUREAU FILES DIVISION
MAILED
MAR 25 1929
P. M.
DEPT. OF JUSTICE

March 25, 1929.

EMC:AMV

62-20690.

MEMORANDUM FOR MR. WILLEBRANDT
Assistant Attorney General

Supplementing the Bureau's memorandum of even date, there are transmitted herewith for your information photostatic copies of four affidavits which have been obtained in connection with the investigation relating to Alphonse Capone and Dr. Kenneth Phillips. The original affidavits have been forwarded to the United States Attorney at Chicago, Illinois.

There appears to be some discrepancies in the names of the affidavits as shown on the enclosed affidavits and as set forth in the report of Special Agent Burdge, which was submitted to you today. It is believed that the discrepancies in question occurred in transmitting the information by telephone from Miami to Jacksonville. This fact has been called to the attention of United States Attorney Johnson.

Very truly yours,

Director.

Encl. 4 (1 ENCLOSURE)

RECORDED

69-180-9

MAR 26 1929

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BUREAU FILES DIVISION
MAILED
MAR 25 1929
P. M.
DEPT. OF JUSTICE

Dade County)
) ss
State of Florida)

J. M. Coroneas, being duly sworn, on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for about a year prior to this date;

That from January 17, 1929 to March 13, 1929, he did continous duty at the horse races at Hialeah, Florida, to wit the race track of the Miami Jockey Club, Hialeah, Florida;

That on January 18, 1929, affiant observed Al Capone at the race track above mentioned, this date being the second day the race track was in operation this season; after January 18, 1929, and up to and including the closing day, to wit, March 13, 1929, affiant observed Al Capone at said track on at least twenty four different days of the meet; that between the dates of February 1 and February 25, 1929, affiant states that he saw said Al Capone at said race track at least thirteen different days; furthermore, affiant states he is positive as to his statements herein made relative to the number of days he personally observed Capone at the track for the reason that affiant was parking automobiles in front of the race track enclosure and three or four days after the opening of the meet said Capone gave affiant a Ten Dollar tip and affiant looked for him daily thenceforward; that during part of the time affiant was on duty at the track he was on duty in the inside of the enclosure and said Capone's box was right over where affiant stood, and frequently affiant would look into Capone's box and greet him; that at the first of the meet Capone appeared to be in robust health - but towards the last of the meet he did ~~not look well at all~~; affiant made inquiries and was informed that Capone had been sick after noting his rather ~~ill~~ poor appearance, and was informed at that time that Capone had been sick. Further deponent sayeth not.

I solemnly swear that the above statement is the truth.

J. M. Coroneas.

Sworn and subscribed before me this twenty third day of March, A. D., 1929, at Hialeah, Dade County, Florida.

Notary Public.

Department of Justice

Bureau of Investigation

Dade County }
State of Florida } ss

W. R. Foster, being duly sworn on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for the past three years;

That on January 17, 1929, he was assigned to the horse races at Hialeah, Florida, and did continuous duty from that date until February 1, 1929 at the race track, to wit, the race track of the Miami Jockey Club, Hialeah, Fla.;

That he saw Al Capone at least every other day at the Hialeah Race track herein mentioned from January 17, 1929 up to and including February 1, 1929;

That on February 15, 1929 he did continous duty until the day of the closing of the race track, March 13, 1929 - working at the race track as a police officer there; that he, affiant, saw said Al Capone at least every other day at the track between February 15 and March 5th, or in other words, between February 15, 1929 and the period ending about eight days before the race track closed.

W R Foster

Sworn and subscribed before me this twenty third day of March, A. D., 1929, at Hialeah, Dade County, Florida.

Agnes Bowers
Notary Public.

[illegible]ida at Large
[illegible]23, 1932

Department of Justice

Bureau of Investigation

Dade County }
} ss
State of Florida }

C. E. Bebler, being duly sworn, on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such since May of 1926;

That during the entire month of February, exclusive of Sundays, he did continuous duty at the horse races at Hialeah, Florida, to wit, the race track of the Miami Jockey Club, Hialeah, Florida;

That he, affiant, personally observed a man who has been pointed out to him and who he understands is Al Capone, referred to in the press from time to time as a "Chicago Gangster", this observation being made at the above mentioned race track during the season of 1929, which was run off from January 17, 1929 to March 13, 1929;

Affiant further states this man who he understands to be Al Capone, approximately eighteen or twenty times during the month of February, in attendance at the race track; the "February" referred to being February 1929;

I solemnly swear the above affidavit represents the truth.

C. E. Bebler.

Sworn and subscribed before me this twenty third day of March, A. D., 1929, at Hialeah, Dade County, Florida.

Notary Public.

Department of Justice
Bureau of Investigation

Dade County)
) ss
State of Florida)

M. G. Wood, being duly sworn, on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for about a year prior to this date;

That from January 17, 1929 to March 13, 1929, affiant was on duty at the horse races at Hialeah, Florida, to wit, the race track of the Miami Jockey Club, Hialeah, Florida, every Thursday, Friday and Saturday;

That a man named Al Capone was pointed out to me by ~~MAXXXXX~~ by someone, just who I do not now recall - the man who pointed Capone out to me was either officer J. M. Coroneas or W. R. Foster of the Hialeah Police;

Affiant further states that his regular beat at the race track was in front of the grand stand and that he was on that beat all but two days when he was with Ex Governor Smith of New York; that his regular beat carried him right in front of the box occupied by the man known as Al Capone; that affiant noticed Capone particularly because there had been so much talk in the papers concerning him;

Affiant further states that he personally observed the man pointed out to him as Al Capone nearly every Thursday, Friday and Saturday that affiant was on duty at the meet as set forth above;

Further affiant sayeth not.

M. G. Wood

Sworn and subscribed before me this twenty third day of March, A. D., 1929, at Hialeah, Dade County, Florida.

Notary Public.

Dade County)
) ss
State of Florida)

J. M. Coroneas, being duly sworn, on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for about a year prior to this date;

That from January 17, 1929 to March 13, 1929, he did continous duty at the horse races at Hialeah, Florida, to wit the race track of the Miami Jockey Club, Hialeah, Florida;

That on January 18, 1929, affiant observed Al Capone at the race track above mentioned, this date being the second day the race track was in operation this season; after January 18, 1929, and up to and including the closing day, to wit, March 13, 1929, affiant observed Al Capone at said track on at least twenty four different days of the meet; that between the dates of February 1 and February 25, 1929, affiant states that he saw said Al Capone at said race track at least thirteen different days; furthermore, affiant states he is positive as to his statements herein made relative to the number of days he personally observed Capone at the track for the reason that affiant was parking automobiles in front of the race track enclosure and three or four days after the opening of the meet said Capone gave affiant a Ten Dollar tip and affiant looked for him daily thenceforward; that during part of the time affiant was on duty at the track he was on duty in the inside of the enclosure and said Capone's box was right over where affiant stood, and frequently affiant would look into Capone's box and greet him; that at the first of the meet Capone appeared to be in robust health - but towards the last of the meet he did not look well at all; affiant made inquiries and was informed that Capone had been sick after noting his rather ~~ill~~ poor appearance, and was informed at that time that Capone had been sick. Further deponent sayeth not.

I solemnly swear that the above statement is the truth.

J. M. Coroneas.

Sworn and subscribed before me this twenty third day of March, A. D., 1929, at Hialeah, Dade County, Florida.

Notary Public.

Department of Justice

Bureau of Investigation

Dade County }
State of Florida } ss

W. R. Foster, being duly sworn on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for the past three years;

That on January 17, 1929, he was assigned to the horse races at Hialeah, Florida, and did continuous duty from that date until February 1, 1929 at the race track, to wit, the race track of the Miami Jockey Club, Hialeah, Fla.;

That he saw Al Capone at least every other day at the Hialeah Race track herein mentioned from January 17, 1929 up to and including February 1, 1929;

That on February 15, 1929 he did continous duty until the day of the closing of the race track, March 13, 1929 - working at the race track as a police officer there; that he, affiant, saw said Al Capone at least every other day at the track between February 15 and March 5th, or in other words, between February 15, 1929 and the period ending about eight days before the race track closed.

W R Foster

Sworn and subscribed before me this twenty third day of March, A. D., 1929, at Hialeah, Dade County, Florida.

Agnes Gaines

Notary Public.

[illegible] at Large

Department of Justice

Bureau of Investigation

Dade County)
) ss
State of Florida)

C. E. Bebler, being duly sworn, on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such since May of 1926;

That during the entire month of February, exclusive of Sundays, he did continuous duty at the horse races at Hialeah, Florida, to wit, the race track of the Miami Jockey Club, Hialeah, Florida;

That he, affiant, personally observed a man who has been pointed out to him and who he understands is Al Capone, referred to in the press from time to time as a "Chicago Gangster", this observation being made at the above mentioned race track during the season of 1929, ~~which was~~ run off from January 17, 1929 to March 13, 1929;

Affiant further states this man who he understands to be Al Capone, approximately eighteen or twenty times during the month of February, in attendance at the race track; the "February" referred to being February 1929;

I solemnly swear the above affidavit represents the truth.

C. E. Bebler

Sworn and subscribed before me this twenty third day of March, A. D., 1929, at Hialeah, Dade County, Florida.

Notary Public.

Department of Justice

Bureau of Investigation

Dade County)
) ss
State of Florida)

M. G. Wood, being duly sworn, on oath deposes and says:

That he is a police officer of Miami, Florida, and has been such for about a year prior to this date;

That from January 17, 1935 to March 16, 1935, affiant was on duty at the Tropical Park at Miami, Florida, to wit, the race track of the Miami Jockey Club, Miami, Florida, every Thursday, Friday and Saturday;

That a man named Al Capone was pointed out to me by ~~Nathan X~~ by someone, just who I do not now recall - the man who pointed Capone out to me was either officer J. M. Coroneos or W. R. Foster of the Miami Police;

Affiant further states that his regular beat at the race track was [illegible] that beat all but two days when he was with Ex Governor Smith of New York; that his regular beat carried him right in front of the box occupied by the man known as Al Capone; that affiant noticed Capone very frequently because there had been so much talk in the papers concerning him;

Affiant further states that he very orally observed the man pointed out to him as Al Capone nearly every Thursday, Friday and Saturday that affiant was on duty at the race track as set forth above;

Further affiant sayeth not.

M. G. Wood

Sworn and subscribed before me this twenty third day of March, A. D., 1935, at Miami, Dade County, Florida.

[illegible]
Notary Public.

69-180

AIRMAIL

WASHINGTON, D. C.
MARCH 26, 1969

GEORGE S. JOHNSON
UNITED STATES ATTORNEY
FEDERAL BUILDING
CHICAGO ILLINOIS

SOME DEPROGGED WOMEN RE ALPHONSE GAPONE AND DOCTOR HERBERT PHILLIPS REPORT IN MAIL TODAY FOLLOWED BY FOUR SUPPORTING AFFIDAVITS UNDER SEPARATE COVER ADDITIONAL AFFIDAVITS BEING OBTAINED STOP SUMMARY OF STATEMENTS BY POLICEMEN J M CORDEMAS W R POTTER C E BEELER M G WOOD HIALEAH FLORIDA THAT THEY FREQUENTLY SAW GAPONE AT MIAMI JOCKEY CLUB RACE TRACK HIALEAH FLORIDA FROM JANUARY SEVENTEEN TO MARCH TWENTIETH STOP RE MADE STATEMENT BEFORE COUNTY SOLICITOR ROBERT E TAYLOR SHERIFF E P BERMAN AND MISS RUTH GASKIN ON FEBRUARY FOURTEEN APPEARED IN GOOD HEALTH STOP DOCTOR SAMUEL D LIEBT MIAMI ADVISED SUBJECT CONFINED TO BED WITH INFLUENZA [illegible] AND PNEUMONIA JANUARY TWO TO SEVENTEEN OR LATTER DATE CONDITION MUCH IMPROVED

JOHN EDGAR HOOVER

DIRECTOR

RECORDED

69-180-10
BUREAU OF INVE
MAR 26
DEPA

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Department of Justice

Bureau of Investigation

Box 32
Jacksonville, Fla.,
March 23, 1929.

WRITTEN AT MIAMI , FLORIDA.

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

69-180

Dear Sir: Subject: AL CAPONE
(Classification given this case in
Jacksonville headquarters office unknown).

This afternoon, while in Miami, Agent Burdge called me on the telephone from Jacksonville and informed me that you desired Agent Perkins to secure certain affidavits concerning the physical activities and whereabouts of Al Capone between the dates of January 13 and February 25, 1929, or thereabouts. Agent Burdge further informed me that it was your desire to have these affidavits in the mail, direct to Washington from Miami, tonight or by noon tomorrow.

I immediately hired an automobile and drove Perkins to Hialeah and secured four affidavits which are enclosed herewith. I understand from him that there are three others, and while we have expended our best efforts to get them this evening, it will be physically impossible to get them tonight. Moreover, we cannot get them before one or two o'clock tomorrow - the only reason being that the affiants' engagements will not or do not conform with our desires.

On tomorrow (Sunday) afternoon's mail, Mr. Perkins will forward the remaining affidavits to you.

I do not pretend to know much about this matter - I am merely writing this letter as a transmitting agent. The file is in Jax and I never heard of this matter until this afternoon. I hope the enclosed papers will be of value for the purpose they may be designed to serve.

Very truly yours, RECORDED

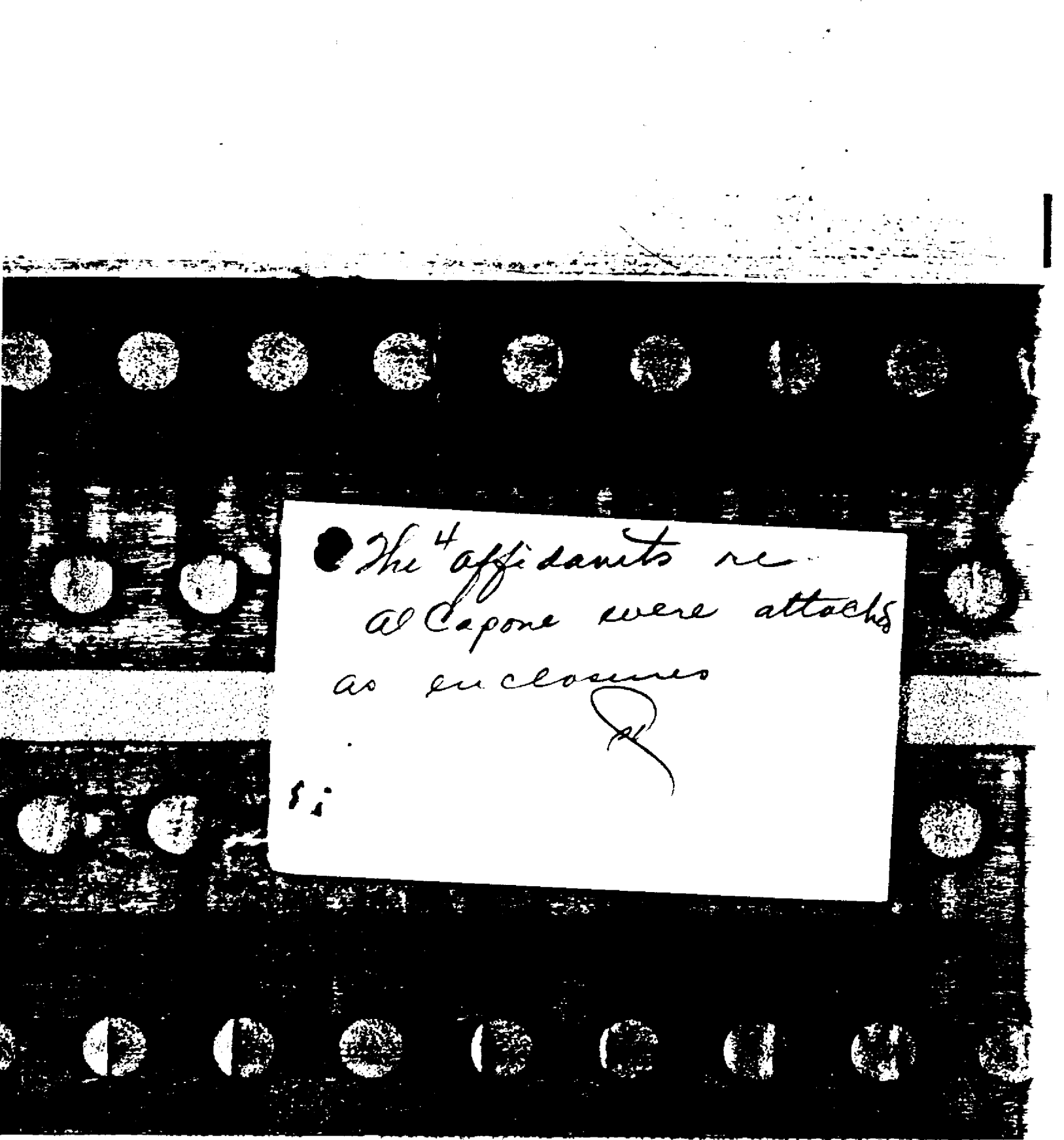
GEORGE A. CAMPANA
Special Agent in Charge.

69-180-11
BUREAU OF INVESTIGATION
MAR 26 1929 A. M.
DEPARTMENT OF JUSTICE
Div. Two | FILE

MAR 26 1929

MAR 26 1929

36


The 4 affidavits re
Al Capone were attached
as enclosures

March 26, 1929.

RECORDED

Honorable Geo. E. C. Johnson,
United States Attorney,
Chicago, Illinois.

69-180

Dear Sir:

With further reference to the case involving AL CAPONE and MR. KENNETH PHILLIPS - Contempt of Court Matter, there are transmitted herewith for your information, the original affidavits obtained from Sidney Joseph Kennedy, Joseph Jenkins, Ruth Jenkins and Robert E. Taylor, Jr.

The Bureau is just in receipt of a telegram from its Jacksonville Office advising as follows:

"NEW INFORMATION IS CERTAINLY FORTHCOMING SUPPOSED PASSAGE KAPTAPOR REVEALS THAT ON FEBRUARY EIGHT VOYAGE FORMER FIFTY ONE ALPHONSE CAPONE AND FIVE OTHERS WENT ASHORE STOP SAME VESSEL RECORDS SUBSEQUENT VOYAGE FORMER FIFTY TWO REVEALS SAME PARTIES LEFT NASSAU FEBRUARY TWELVE ARRIVING MIAMI FEBRUARY THIRTEEN EIGHT THIRTY MORNING STOP I HAVE OBTAINED FOREGOING SWORNE AFFIDAVIT FROM CAPTAIN OF VESSEL AND FORWARD DIRECT TO YOU TONIGHT"

The additional affidavits will be submitted to you immediately upon their receipt by the Bureau.

Very truly yours,

Director.

Encl. #138008
CC - Chicago Office
CC - Mrs. Willebrandt.

69-180-12
BUREAU OF INVESTIGATION
MAR 26 1929
DEPARTMENT OF JUSTICE

38

69-180-13

MAR 27 1929

March 26, 1929.

EHC:AMV

MEMORANDUM FOR MRS. WILLEBRANDT
Assistant Attorney General

69-180

There are transmitted herewith for your information photostatic copies of four affidavits which have been obtained from informants in connection with the case entitled: DR. KENNETH PHILLIPS and AL CAPONE - Contempt of Court Matter. There is also enclosed a copy of a letter which the Bureau forwarded today, under Special Delivery cover, to United States Attorney Johnson at Chicago, Illinois.

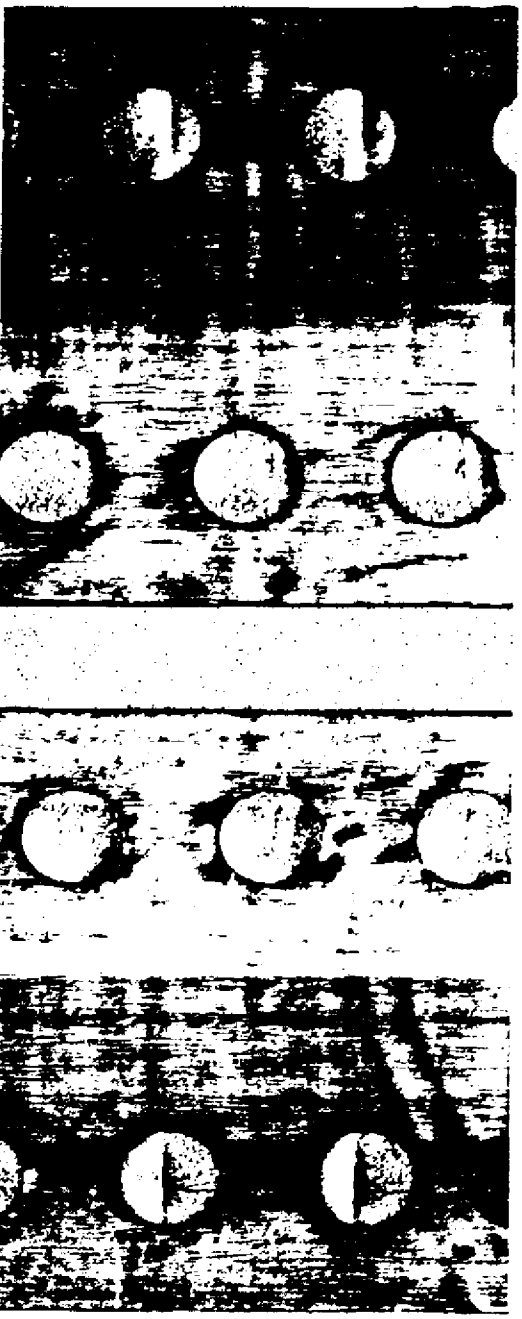
Very truly yours,

Director.

Encl. #133011.

39

BUREAU FILES DIVISION
MAIL SECT.
MAR 26 1929
DEPT. OF JUSTICE



From

OFFICE OF THE DIRECTOR, BUREAU OF INVESTIGATION

To

OFFICIAL INDICATED BELOW BY CHECK MARK

Attorney General	☐
General Donovan	☐
General Willebrandt	☐
General Marshall	☐
Mr. Carusi	☐
Mr. Baldwin	☐
Mr. Stewart	☐
Mrs. Rishel	☐
Assistant Director	☐
Mr. Baughman	☐
Mr. Boddis	☐
Bureau Filing Section	☐
Mr. Cunningham	☐
Miss Gandy	☐
Mr. Grimes	☐
Mr. Keep	☐
Mr. McKean	☐
Personnel Filing Section	☐
	☐
	☐

40

2

Department of Justice

Bureau of Investigation

Miami. Fla.
March 24,1929.

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

Dear Sir;

Subject Al Capone.
(Classification given this case Jacksonville headquarters office unknown).

In accordance with instructions of Acting Agent in Charge Burdge I am enclosing herewith four more affidavits concerning the activities and whereabouts of Al Capone between the dates of January 13 and February 25. 1929.

Following is a list of those from whom affidavits have been secured and submitted;

C.E.Bebler.	Hialeah. Fla.
M.C.Wood.	Hialeah. Fla.
J.M.Coroneas.	Hialeah. Fla.
W.R.Fostor. (Previously reported as W.R.Austin).	Hialeah. Fla.
Sidney J.Newcomb.	Miami. Fla.
Joseph Jenkins.	Miami. Fla.
Robt. R. Taylor.	Miami, Fla.
Ruth Gaskin	Miami. Fla.

Trusting these affidavits will be of some value I remain

Very Truly Yours
James J. Perkins.

James J. Perkins

C.C.
SAC Campana.
Jacksonville. Fla.

67

62-180-13

41

Department of Justice

Bureau of Investigation

STATE OF FLORIDA)
) ss.
COUNTY OF DADE)

Before me the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sidney Joseph Newcomb, who resides at 351[illegible] 24th Street, Miami, Fla. and who being first duly sworn, deposes and says; that he has been employed by the Miami Jockey Club located at Hialeah, Fla. during their last two meetings, that is to say during the seasons of 1927 and 1929.

Affiant further states that his employment was usher or attendant to those that had rented Boxes, further during the season of 1929 he was personally in charge of thirty boxes, comprising an upper and lower tier.

Affiant states that a few days after the 1929 racing season at Hialeah, Fla. opened ~~he~~ Al Capone, reffered to in the Press as a Chicago Gangster was pointed out to him as occupying a Box bearing the name plate of L.Gentry. Affiant states that there was fifty one racing days during the season of 1929, to wit, from January 17th. 1929, to March 13th. 1929. further that from the day of the opening, January 17th up to and including ~~he~~ March 1st, 1929. he has personally observed the said Al Capone at the race track thirty different days during the racing ~~season. Further that~~ the said Al Capone was not observed by him at the race track towards the end of the meet, that is to say from about March 1st to March 13th.

Affiant states that from all appearances the said Al Capone was in perfect health and was able to converse with anyone.

Sidney Joseph Newcomb
Affiant

Sworn to an subscribed
before me this 24th day
of March, A.D. 1929.

Minnie E. Tekus

6"

Department of Justice
Bureau of Investigation

2

STATE OF FLORIDA)
) ss.
COUNTY OF DADE)

Before me the undersigned authority, an officer duly authorized to administer oaths and take acknowledgements, personally came Joseph Jenkins, who, being first duly sworn, deposes and says that for the past six years he has been connected with the Miami Police Dept, Miami, Fla.

Affiant states that he was assigned for special duty at the Hialeah Race Track, Hialeah, Fla. by Sheriff W.F.Lehman with the sanction of Chief of Detectives L.C. Scarboro, Miami Police Dept. Affiant states that from January 17.1929. he did continuous duty at the race track at Hialeah, Fla. until the end of the last March 13.1929.

Affiant further states that about two years ago he met Al Capone of Chicago, Ill. referred to in the Press from time to time as a "Chicago Gangster". Further that he did not personally observe said Capone at the race track at the start of the 1929 racing season, but did observe this said Capone at the races quite frequently during the said racing season.

Joseph Jenkins
Affiant

Sworn to an subscribed
before me this 24th day
of March, A.D. 1929.

Minnie E Taber

[illegible]

Department of Justice

Bureau of Investigation

STATE OF FLORIDA,)
:SS.
COUNTY OF DADE,)

Before me, the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally came Ruth Gaskin, who, being first duly sworn, deposes and says that she is astenographer working in the office of the County Solicitor of Dade County; that on February 14th, 1929, beginning at twelve-thirty o'clock P. M., Robt. R. Taylor, Jr., the County Solicitor of Dade County, and Mr. Lewis Goldstein, Assistant District Attorney of Kings County, New York, questioned Alphonse Capone for about two hours in the County Solicitor's in the Dade County Court House at Miami, Florida, and that the said Alphonse Capone, from all appearances was in good health, and did not complain of being ill.

Further, that Sheriff D. P. Lehman of Dade County was present during the questioning.

Ruth Gaskin

Sworn to and subscribed before me this 24th day of March, A. D. 1929.

By [illegible] . St. , 192 .

Department of Justice

Bureau of Investigation

STATE OF FLORIDA,)
:SS.
COUNTY OF DADE,)

Before me, the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally came R[illegible] E. TA LOR, Jr., who, being first duly sworn, deposes and says that he is County Solicitor for Dade County, Florida, and that on February 14th, 1929, at twelve-thirty o'clock P. M., this affiant, with Mr. Lewis Goldstein, Assistant District Attorney of Kings County, New York, questioned Alphonse Capone for about two hours, in this affiant's office in the court house at Miami, Florida. Further, that Alphonse Capone, from all appearances, was in good health, and did not complain of being ill.

Further, that the questions and answers were taken down in short-hand by Miss Ruth Geskin, and that Sheriff M. P. Lehman of Dade County was also present.

Affiant

Sworn to and subscribed
before me this 24th day
of March, A. D. 1929.

K 1

Department of Justice

Bureau of Investigation

STATE OF FLORIDA)
) ss.
COUNTY OF DADE)

Before me the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sidney Joseph Newcomb, who resides at 3012 S.W. 24th Street, Miami, Fla. and who being first duly sworn, deposes and says; that he has been employed by the Miami Jockey Club located at Hialeah, Fla. during their last two meetings, that is to say during the seasons of 1927 and 1929.

Affiant further states that his employment was usher or attendant to those that had rented Boxes, further during the season of 1929 he was personally in charge of thirty boxes, comprising an upper and lower tier.

Affiant states that a few days after the 1929 racing season at Hialeah, Fla. opened ~~him~~ Al Capone, reffered to in the Press as a Chicago Gangster was pointed out to him as occupying a Box bearing the name plate of L.Gentry. Affiant states that there was fifty one racing days during the season of 1929, to wit, from January 17th. 1929, to March 13th. 1929. further that from the day of the opening, January 17th up to and including ~~him~~ March 1st, 1929. he has personally observed the said Al Capone at the race track thirty different days during the racing season. Further that the said Al Capone was not observed by him at the race track towards the end of the meet, that is to say from about March 1st to March 13th.

Affiant states that from all appearances the said Al Capone was in perfect health and was able to converse with anyone.

Sidney Joseph Newcomb
Affiant

Sworn to an subscribed
before me this 24th day
of March, A.D. 1929.

Minnie E. Baker

Department of Justice

Bureau of Investigation

STATE OF FLA. (illegible)
COUNTY OF DADE

Before me the undersigned authority, an officer duly authorized to administer oaths and take acknowledgements, personally came Joseph Jenkins, who, being first duly sworn, deposes and says that for the past six years he has been connected with the Miami Police Dept, Miami, Fla.

Affiant states that he was assigned for special duty at the Hialeah Race Track, Hialeah, Fla. by Sheriff W.H.Lehman with the sanction of Chief of Detectives L.C. Scarboro, Miami Police Dept. Affiant states that from January 17.1939. he did continuous duty at the race track at Hialeah, Fla. until the end of the meet March 18.1939.

Affiant further states that about two years ago he met Al Capone of Chicago, Ill. referred to in the press from time to time as a "Chicago Gangster". Further that he did not personally observe said Capone at the race track at the start of the 1939 racing season, but did observe this said Capone at the races quite frequently during the said racing season.

Joseph Jenkins
Affiant

Sworn to an subscribed
before me this 24th day
of March, A.D. 1939.

Minnie Elder

Department of Justice
Bureau of Investigation

STATE OF FLORIDA,)
:SS.
COUNTY OF DADE,)

Before me, the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally came Ruth Gaskin, who, being first duly sworn, deposes and says that she is astenographer working in the office of the County Solicitor of Dade County; that on February 14th, 1929, beginning at twelve-thirty o'clock P. M., Robt. R. Taylor, Jr., the County Solicitor of Dade County, and Mr. Lewis Goldstein, Assistant District Attorney of Kings County, New York, questioned Alphonse Capone for about two hours in the County Solicitor's in the Dade County Court House at Miami, Florida, and that the said Alphonse Capone, from all appearances was in good health, and did not complain of being ill.

Further, that Sheriff M. P. Lehman of Dade County was present during the questioning.

Sworn to and subscribed before me this 24th day of March, A. D. 1929.

[illegible] . 8t., 192 .

Department of Justice
Bureau of Investigation

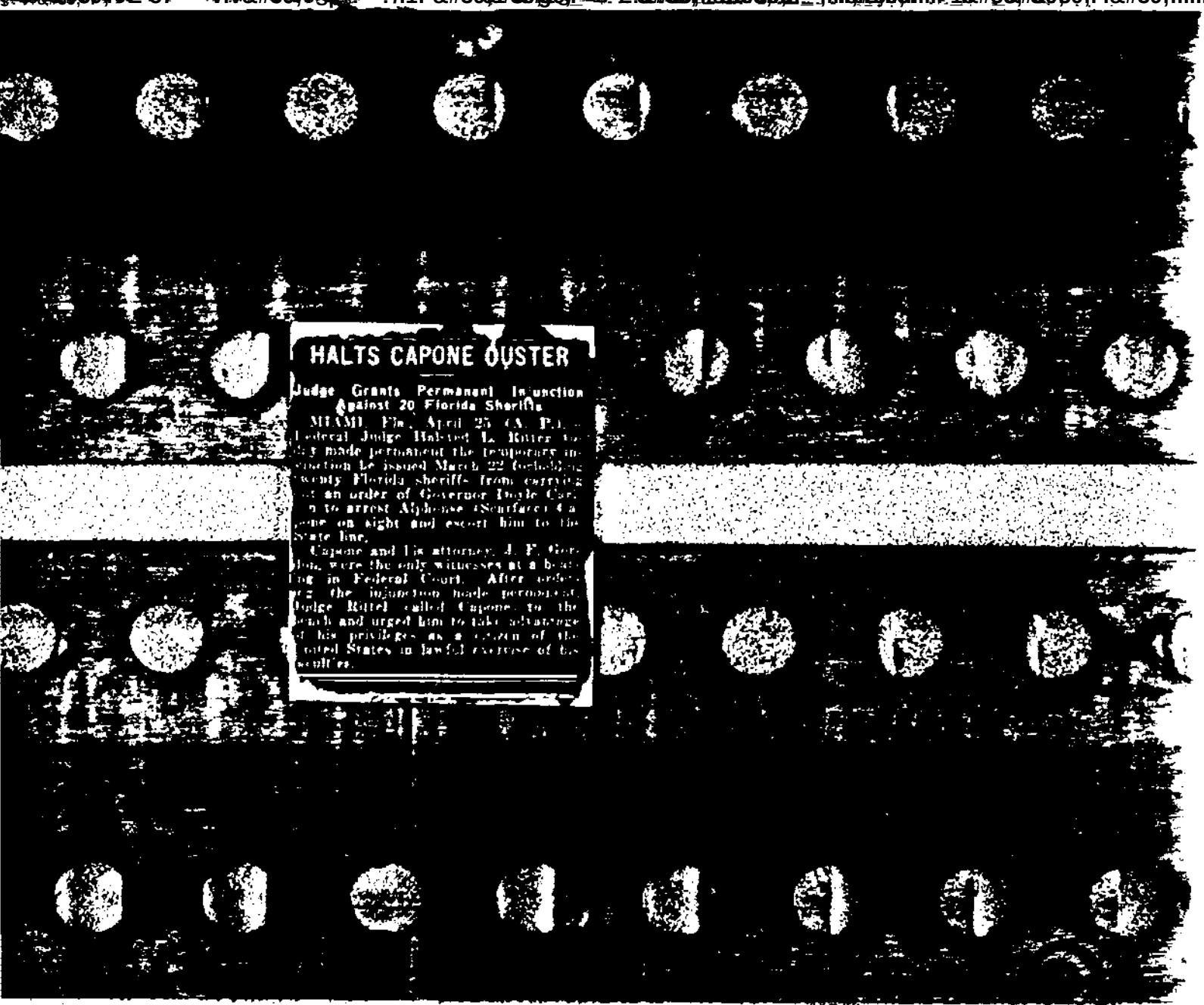
STATE OF FLORIDA,)
:SS.
COUNTY OF DADE,)

Before me, the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally came R[illegible] E. [illegible] LOR, JR., who, being first duly sworn, deposes and says that he is County Solicitor for Dade County, Florida, and that on February 14th, 1929, at twelve-thirty o'clock P. M., this affiant, with Mr. Lewis Goldstein, Assistant District Attorney of Kings County, New York, questioned Alphonse Capone for about two hours, in this affiant's office in the court house at Miami, Florida. Further, that Alphonse Capone, from all appearances, was in good health, and did not complain of being ill.

Further, that the questions and answers were taken down in short-hand by Miss Ruth Gaskin, and that Sheriff M. P. Lehman of Dade County was also present.

Affiant

Sworn to and subscribed
before me this 24th day
of March, A. D. 1929.



HALTS CAPONE OUSTER

Judge Grants Permanent Injunction Against 20 Florida Sheriffs

MIAMI, Fla., April 25 (A. P.).—Federal Judge Halsted L. Ritter today made permanent the temporary injunction he issued March 22 forbidding twenty Florida sheriffs from carrying out an order of Governor Doyle Carlton to arrest Alphonse (Scarface) Capone on sight and escort him to the state line.

Capone and his attorney, J. F. Gordon, were the only witnesses at a hearing in Federal Court. After ordering the injunction made permanent, Judge Ritter called Capone to the bench and urged him to take advantage of his privileges as a citizen of the United States in lawful exercise of his welfare.

TIME INDICATED ON THIS MESSAGE — AMERICA — THE WORLD — WLT | WEEK END LETTER

29 SM 85 COLLECT GOVT

JACKSONVILLE FLO MAR 25 29

DIRECTOR BUREAU OF INVESTIGATION

69-180

WASHN DC.

RECORDED MAR 25 1929

INVESTIGATION 15TH & K STS N.W. PHONE MAIN 6600 BR MAR 27 1929

69-180-14

Dep. T... | FILE

MAR 27 1929

CAPONE MATTER STOP AFFIDAVITS ADDITIONAL THOSE YOU HAVE FORWARDED BY PERKINS ON EIGHT TEN TRAIN LAST NIGHT SPECIAL DELIVERY STOP NEW INFORMATION IS STEAMSHIP NORTHLAND OUTBOUND PASSAGE MANIFEST REVEALS THAT ON FEBRUARY EIGHT VOYAGE NUMBER FIFTY ONE ALPHONSE CAPONE AND FIVE OTHERS WENT NASSAU STOP SAME VESSELL INBOUND MANIFEST VOYAGE NUMBER FIFTY TWO REVEALS SAME PARTIES LEFT NASSAU FEBRUARY TWELVE ARRIVING MIAMI FEBRUARY THIRTEEN EIGHT THIRTY MORNING STOP I HAVE DIRECTED PERKINS SECURE AFFIDAVIT FROM CAPTAIN OF VESSEL AND FORWARD DIRECT TO YOU TONIGHT CAMPANA

MAR 25 1929 4PM

USatty Johnson - Mrs. Willebrandt + Chief Price & Lines 3/26/29

51

Department of Justice
Bureau of Investigation

MAR 27 1929

69-180-45

Miami, Florida,
March 25, 1929.

RECORDED & INDEXED
MAR 27 1929

Div. Two | FILE

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

Re: Al Capone
(Classification of this case in Jacksonville office unknown).

Dear Sir:

Enclosed herewith you will please find additional affidavits taken from material witnesses in the above entitled matter, together with copy of a letter from Mr. H. E. Aspinwall, Manager of the Munson Steamship Lines, Nassau, Bahamas, to Mr. H. V. Perry, Manager of the Munson Steamship Lines in Miami, Florida.

I conducted further investigation of the Capone matter at Miami, which revealed that Capone and a party of friends visited Nassau, Bahamas, during the early part of February 1929 by the way of the steamship New Northland.

Investigation was conducted at the office of the Munson Steamship Lines, Columbus Hotel Building, Miami, Florida, and a perusal of the outbound passenger manifest revealed that on February 8th, 1929, voyage numbered fifty one of the steamship New Northland the following passengers were listed: inbound Passenger manifest numbered fifty two also gave the following names as leaving Nassau February 12th. 1929

Alphonse Capone,	93 Palm Island, Miami Beach, Florida.
Albert Capone,	93 Palm Island, Miami Beach, Florida.
Philip D'Andrea,	92 Palm Island, Miami Beach, Florida.
Wen Phillips,	715 Olympia Building, Miami, Florida
Fred Girton,	715 Olympia Building, Miami, Florida.
William McCabe,	Floridian Hotel, Miami Beach, Florida.

I was informed at the offices of the Prohibition Department in the Seybold Building, Miami, by Mr. William Kelly, who I have been informed is a Prohibition Agent, that the above mentioned parties listed with Alphonse Capone as above on his trip to Nassau, were Capone's party and all their expenses were paid by him (Alphonse Capone).

I interviewed Mr. Harold V. Perry, Manager of the Munson Steamship Lines, Columbus Hotel Building, Miami, who advised me that the first information he had of the booking of Alphonse Capone via the Steamship New Northland to Nassau was during the afternoon of February 8, 1929.

52

Department of Justice

Bureau of Investigation

Previous to the SS New Northland sailed, Captain Tremblay of the SS New Northland, asked Mr. H. V. Perry who Capone was, as a friend of the Captain's had introduced Capone to him and requested that Capone be given special attention on the trip from Miami to Nassau. Mr. Perry recommended to the Captain of the SS New Northland not to fraternize, and if necessary to stay in his quarters in order to avoid Capone.

Mr. H. V. Perry gave me a copy of the letter received from Mr. H. E. Aspinwall referred to above which is self explanatory.

Very truly yours,

James J. Perkins

J. J. Perkins,
Special Agent

CC
SAC
Campana

53

Department of Justice

Bureau of Investigation

STATE OF FLORIDA)
COUNTY OF DADE)

Personally appeared before me the undersigned authority in and for the County of Dade, State of Florida, Captain William P. Tremblay, Master of the Steamship New Northland, which is owned by the Clarke Steamship Company of Quebec, Canada, and which vessel plies between the Port of Miami, Florida and the Port of Nassau, Bahamas, B. W. I., Captain Tremblay being duly sworn, upon oath, deposes and says that -

On the eighth day of February 1929, the said stea ship New Northland left the Port of Miami about three P.M. for the Port of Nassau, Bahamas, B. W. I., and affiant states that among the passengers on this voyage numbered fifty one was Alphonse Capone with a party of friends. and the affiant further states that said Capone was introduced to him by a party whose name affiant cannot recall.

Affiant states that he could positively identify the said Alphonse Capone by a scar appearing on the side of his face.

Affiant further states that the said Capone appeared to be in perfect health and apparently enjoyed the trip from the Port of Miami to the Port of Nassau.

Affiant further states that on February twelfth 1929 the said Alphonse Capone and his party left the port of Nassau, Bahamas for the Port of Miami, Florida on the steamship New Northland, said vessel arriving at the port of Miami about eight thirty A. M. on February thirteenth 1929.

Affiant states that he saw the said Alphonse Capone only once during this return voyage and he appeared to be in perfect health and made no mention of being sick in any way.

Wm Tremblay.
Master SS NEW NORTHLAND.

Sworn and subscribed to before me a Notary Public this twenty fifth day of March 1929 A. D.

Notary Public State of Florida.
My commission expires 2-19-30.

54

Department of Justice

Bureau of Investigation

STATE OF FLORIDA)
COUNTY OF DADE)

PERSONALLY Appeared before me the undersigned authority in and for the County of Dade, State of Florida, John William Cooper, Jr., residing at 458 Ocean Drive, Miami Beach, Florida, who upon being duly sworn upon oath, deposes and says that he is District Traveling Passenger Agent for the Munson Steamship Lines, at Miami, Florida, who operate the Steamship New Northland plying between the port of Miami and the port of Nassau, Bahamas.

Affiant further states that on February eighth 1929 at about three oclock in the afternoon he was at the Municipal Piers #3, Miami Florida, checking passengers boarding the steamship New Northland, which was on a direct and continuous voyage from the port of Miami to the Port of Nassau.

Affiant states that among the passengers he checked on said date and on said vessel was Alphonse Capone, his brother Alfred Capone, Wen Phillips and several others in the same party, whose names he cannot now recall. Affiant states that the purpose of making this check was to ascertain that all passengers booked for this voyage were on the vessel.

Affiant further states that the said Alphonse Capone who booked passage on the steamship New Northland on February eighth he personally saw board said vessel and saw the said Capone and party standing on the deck of said steamship New Northland prior to its leaving the Port of Miami.

Affiant further states that Alphonse Capone mentioned heretofore is the same said Alphonse Capone whose pictures he has seen in a number of newspapers and the one that was referred to by the press as the Chicago gangster.

_____

Sworn and subscribed to before me a Notary Public this twenty fifth day of March 1929 A. D.

_____
Notary Public State of Florida
My Commission expires 2-19-30

DR. SAM'L D. W. LIGHT
CALUMET BUILDING
10 N E 3RD AVE
MIAMI, FLORIDA

STATE OF FLORIDA)
COUNTY OF DADE)

PERSONALLY appeared before me the undersigned authority in and for the County of Dade, State of Florida, Doctor Samuel D. Light, a practicing physician in the City of Miami, State of Florida, County of Dade, who upon being duly sworn, upon oath, deposes and says - that on or about January second 1929 affiant was called at the house of Al Capone Palm Island to attend son of the said Capone who was sick, and on or about January fifth was again called to the house of Al Capone who was suffering from influenza which later developed into double pneumonia.

AFFIANT states that condition of the patient, Al Capone, became serious and it was necessary to have two nurses in attendance. Affiant also states that he was called at least every day to the house of Capone and some times made two calls a day, a total of sixteen or seventeen calls were made during the period from January fifth to fourteenth.

On January fourteenth when patient was last seen by affiant, Capone was still in bed suffering with congested lungs and having a temperature.

Affiant's services were discontinued on account of a Doctor Omens arriving as a house guest of said Capone, and the said Doctor Omens affiant was informed was Capone's family physician in Chicago and that Capone wished him to take charge of the case.

Several days before affiant relinquished the case to Doctor Omens, Doctor Phillips of Miami Florida was called in consultation at the request of the said Capone and his friends, with affiant's approval.

Sworn and subscribed to before me a Notary Public

State of Florida at large this twenty fifth day of March 1929 A. D.

Notary Public
My commission expires 2-19-30

COPY.

Nassau, B. W. I. February 21, 1929.

Munson Steamship Line
Nassau Branch Office,
B. W. I.
H. E. Aspinwall, Manager in Nassau.

Mr. H. V. Perry, Local Manager,
Munson Steamship Line,
Columbus Hotel Building,
Biscayne Boulevard & N. E. 1st St.,
Miami, Fla.

Confidential.

Dear Sir:

On the NEW NORTHLAND , voyage 51, from Miami, Feb. 8th, you booked a 1st class passenger named Alphonse Capone. He was accompanied by his brother, Albert Capone, and two or three others in his party. It is common knowledge with this Government that Alphonse Capone bears a bad reputation with the authorities in the United States. When he arrived here, they had not any advice of his proposed visit, and therefore was treated with the customary courtesy extended to visitors.

I have now been officially advised that should Alphonse Capone pay another visit to Nassau he will be refused permission to land, under the Immigration Act, 1928. The last paragraph of Clause 2 provides, under the title of Undesirables, that such person shall not be allowed in the Colony.... "whose presence in the colony would not be conducive to the public good". Further that the Governor in Council has the power to refuse admittance to any person as may be considered undesirable, which is the case in this instance.

I advise you of the foregoing in case Mr. Capone should apply to you for passage to Nassau on our steamer.

Yours very truly,

H. E. Aspinwall (Sgd)

Manager in Nassau.

69-180-15

57

Al Capone Arrested on Contempt Charge, Free on $5000 Bond

Reputed Chicago Beer Baron Taken as He Leaves Jury After Inquiry on Massacre

By United Press

CHICAGO—The U. S. government today arrested "Scarface" Al Capone, notorious Chicago gang leader, on a charge of contempt of Federal Court growing out of his attempt to dodge a federal grand jury summons.

The warrant was served on Capone as he emerged from the grand jury room in the Federal Building where he was being questioned concerning the activities of beer runners in the suburb of Chicago Heights. He gave bond of $5000 and returned immediately to his suite in the Lexington Hotel.

Capone is alleged to have presented a false affidavit from a Miami physician early this month as a part of his campaign to postpone his appearance.

Affidavit of Illness

The affidavit said Capone was so ill at his Florida estate that a trip to Chicago in early March would endanger his health. On the strength of it his appearance before the federal grand jurors was postponed from March 12 to March 20.

Capone was locked in an anteroom of the grand jury quarters in the federal building when it became known that the warrant had been issued.

Asst. Dist. Atty. Daniel Anderson revealed that Mabel Walker Willebrandt, assistant attorney general in charge of prohibition enforcement, had advised government authorities here to place Capone under arrest. Anderson said the warrant probably would be served as soon as the gang chieftian emerged from the grand jury room.

Fixes $5000 Bail

Asistant district attorneys took their warrant before Federal Judge Charles E. Woodward, who said that Capone's bond would be set at $5000. The attorneys said that an investigation of Capone's physical condition, ordered by Mrs. Willebrandt from Washington, had shown that "Scarface" was in good health at the time the affidavit was made.

The petition presented before Judge Woodward charged that Capone "wilfully, corruptly, knowingly, falsely and contemptuously" [illegible] a letter to be [illegible] Before [illegible] neth Phi[illegible] [illegible] [illegible] [

69-180-15

H:C:ALV

March 26, 1929.

RECORDED

MAR 27 1929

MEMORANDUM FOR MRS. WILLEBRANDT
Assistant Attorney General

Confidential

There is transmitted herewith for your information a copy of a letter which the Bureau is today forwarding by special delivery mail to United States Attorney Johnson, at Chicago, Ill., in connection with the case involving AL CAPONE and MR. KENNETH PHILLIPS - Contempt of Court Matter. Copies of the enclosures which accompanied the Bureau's letter to United States Attorney Johnson, are enclosed for your information.

Very truly yours,

Director.

69-180

Encl. #133026.

By messenger
3/27/29

59

BUREAU OF INVESTIGATION
MAR 27 1929
DEPARTMENT OF JUSTICE
FILE

69-18015

INDEXED RECORDED

MAR 27 1929

March 27, 1929.

Honorable Geo. E. C. Johnson,
United States Attorney,
Chicago, Illinois.

Dear Sir:

With further reference to the case involving ALPHONSE CAPONE and MR. KENNETH PHILLIPS - Contempt of Court Matter, the following documents are transmitted herewith for your information:

Copy of a letter dated March 25, 1929, which has been received from an Agent of the Bureau's Jacksonville Office.

Original affidavits made by William P. Brumley, John William Quigley, Jr., and Dr. Samuel R. Lightfoot.

Copy of a letter addressed to the Universal Steamship Line by L. H. Aspinwall.

Very truly yours,

Director.

Encl. (5)
CC - Chicago Office
CC - Mrs. Willebrandt.

60

Department of Justice.

OFFICE OF UNITED STATES ATTORNEY,
NORTHERN DISTRICT OF ILLINOIS,
826-833 FEDERAL BUILDING,
CHICAGO.

March 28, 1929.

Mr.J. Edgar Hoover, Director,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

69-180

Dear Sir: Re: Alphonse Capone.

I acknowledge with thanks receipt of your letter of March 27 enclosing affidavits made by William P. Tremblay, John William Cooper, Jr. and Dr. Samuel D. Light; also copies of letters therein indicated.

Again, I wish to thank you for your cooperation and helpfulness in this matter.

GEQJ*MTH

Yours very respectfully,

GEORGE E.Q. JOHNSON,
United States Attorney.

61

69-180-16

MAR 30 1929

MAR 30 1929

Dep. Dup.

Department of Justice

Bureau of Investigation

Miami. Fla.

March, 28.1929.

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

Re; Al Capone.
(Classification of this case in Jacksonville Office unknown).

Dear Sir;

Enclosed herewith you will find the affidavit of Edward Nirmaier, address 1442 N.E. Bayshore Drive, Miami. Fla. which is self explanatory.

The Curtiss Flying Service, Miami, Fla. is Managed by J.P.Baker. Mr Baker and I checked the records of the Curtis Flying Service and found that Edward Nirmaier, Pilot, had made a trip to Bimini, Bahama on February 2rd, 1929 carrying passengers as mentioned in his affidavit, returning to Miami on the same date.

Immigration Officials at Miami advised me that the Official record of Nirmaier's trip aforementioned would be in the Immigration Office at Jacksonville. Fla.

Trusting this affidavit and information will further assist you I remain,

Very Truly Yours

James J. Perkins

James J. Perkins
Special Agent.

69-180-17
BUREAU OF INVESTIGATION
APR 1 1929 A. M.
DEPARTMENT OF JUSTICE
Dis. Rec. | FILE

RECORDED
APR 1 1929

MAR 30 1929

cc - Special Delivery copy to Chicago
Copy Jackson Chicago
Copy Chicago Office
cc - Mrs. Millebrandt

Department of Justice

Bureau of Investigation

(State Of Florida)
County of Dade) SS

Personally appeared before me the undersigned authority in and for the county of Dade, state of Florida, Edward Nirmaier who resides at 1442 N. E. Bayshore Drive, Miami Florida. Who after being duly sworn upon oath deposes and says; that he is a pilot for the Curtiss Flying Service of Miami, Florida.

Affiant states that on February 2nd., 1929 at ten thirty A.M. he piloted a Seaplane NC 6813 from Miami Florida to Bimini, Bahama carrying the following passengers; Al. Capone, J.R.Clark, N. Circella and P.L . De Andrea .

Affiant further states that he carried the above named passengers in Seaplane NC 6813 from Bimini, Bahama to Miami, Florida arriving at three P.M. February 2nd,1929.

Affiant further states that the Al. Capone referred to herein is the same Al. Capone that owns a residence at Palm Island Miami Beach, Florida and who has a scar on one side of his face. Affiant states that the said Al. Capone appeared t o be in good health during the time that he took the trip from Miami, Florida to Bimini, Bahama and return.

Ed. Nirmaier

Sworn to and subscribed before
me this 28th day of March, AD 1929.

J. P. Watters, Notary Public
Member Explosive Squad

April 1, 1929.

EHC:ACS

69-180-17

RECORDED
APR 1 1929

Hon. George E. C. Johnson,
United States Attorney,
Federal Building,
Chicago, Illinois.

69 180

Dear Sir:-

With further reference to the case entitled- Mr. Kenneth Phillips and Alphonse Capone - Contempt of Court Matter, there is transmitted herewith for your information a copy of a letter dated March 26, 1929, which the Bureau has received from an agent of the Jacksonville Office.

There is also enclosed the original affidavit signed by Ed Hirmaier relative to this case.

Very truly yours,

Director.

Encl. #123061.

CC Chicago Office.

By Special Messenger
4-1-29

64

April 1, 1929.

EHC:ACS

MEMORANDUM FOR MR. [illegible]

With further reference to the case entitled:- Dr. Kenneth Phillips and Alphonse Capone - Contempt of Court Matter, there are transmitted herewith for your information, photostatic copies of communications which the Bureau has received from an agent of its Jacksonville Office.

A copy of the enclosed letter, together with the original affidavit which accompanied it, was forwarded today under special delivery cover to United States Attorney Johnson, Chicago, Illinois.

Very truly yours,

Director.

Encl. #133067.

Routed

69-180-~~115~~ 18

TION

APR 2 1929 M

FILE

BUREAU FILES DIVISION MAILED APR 1 1929 P. M. DEPT. OF JUSTICE

65

Department of Justice.

OFFICE OF UNITED STATES ATTORNEY,
NORTHERN DISTRICT OF ILLINOIS,
826-833 FEDERAL BUILDING,
CHICAGO.

March 27, 1929.

Mr. J. Edgar Hoover,
Director Bureau of Intelligence,
Department of Justice,
Washington, D.C.

Dear Sir:

I am extremely obliged to you for your letter of February 25 enclosing affidavits of J. M. Coroneas, W. R. Foster, C. E. Bedler and M. G. Wood.

Also your letter of March 26 with copy of telegram. I am very anxious that the information quoted in copy of telegram be thoroughly checked so it may be available for evidence.

I also acknowledge receipt of affidavits of Sidney J. Newcomb, Joseph Jenkins, Ruth Gaskin and Robert N.Taylor, Jr.

I have filed a criminal contempt this morning and have citation issued and the respondent Capone was placed under arrest and gave bond in the sum of $5000 for appearance.

APR 2 1929

Permit me to say that I appreciate very highly your cooperation in this matter and the promt and efficient manner in which it was handled. In dealing with persons like Capone my policy is to prosecute vigorously for every violation and this prosecution for contempt will be helpful in other ways. I thank you very much.

69-680-19

APR 2 1929

GEQJ*MTH

Yours very respectfully,

GEORGE E.Q.JOHNSON,
United States Attorney.

CAPONE SNEERS AS CONTEMPT WRIT IS SERVED

THE WASHINGTON HERALD MARCH 28, 1929.

CHICAGO, March 27 (U.S.)—"This is a disgrace!"

Thus did Al (Scarface) Capone, notorious gangster and reputed czar of the underworld, today label his arrest under a capias from Federal Judge James H. Wilkerson's court.

Capone isn't used to being arrested. In fact this is only the second time he has been arrested in his life—yet during the last five years his name has been linked with every major crime that has been committed in Chicago and points north, south, east and west.

NOT CRIMINAL RECORD

The only official record the police department has of Capone is his arrest on January 25, 1925, when he was "picked up on suspicion." However, this is not considered a criminal record.

Capone suffered the unspeakable ignony of his second arrest late today as he emerged from a grand jury ante room in the Federal Building. The capias charged contempt of court.

"All right," Capone sneered as the warrant was read to him. "What do we do now?"

He was promptly led to the clerk's office where it was announced that a $5,000 bond would be necessary.

"That's easy," laughed Capone, "my lawyers have that all fixed."

BOND IS READY

Sure enough. A legal-looking envelope was shoved across the counter to the clerk and there was a nice brand new $5,000 bond—from a surety company—for his release.

"See you later, boys," Capone called over his shoulder as he headed for the door.

A "special" elevator took Capone and his friends, some folks call them his bodyguard, to the street level. Deputy United States marshals, aided by detectives, made way for him to his taxi and as the taxi started off, a detective bureau car swung in ahead of it and still another fell in behind—because the officials are determined that no bad gunmen are going to "knock off" Capone while he's a Government guest.

M .BEL IS BLAMED

Mrs. Mabel Walker Willebrandt, assistant attorney general, is at the bottom of all this trouble, according to information given today. It seems that for some reason Mrs. Willebrandt has taken a special interest in the affairs of Capone and has a very elaborate check-up on his in ome, outgo and general doings.

The particular case against Capone right now is whether or not he was actually too ill to come to Chicago, March 13, when he was summoned here under a Government subpoena. The Government demands if he was able to attend [illegible]

[illegible]

NOT RECORDED

69-180

April 1, 1929.

69-180-19

RECEIVED
APR 2 1929

Hon. George E. C. Johnson,
United States Attorney,
Federal Building,
Chicago, Illinois.

69-180
11

Dear Sir-

Reference is made to your letter dated March 27, 1929, relative to the case involving Alphonse Capone and Dr. Kenneth Phillips - Contempt of Court Matter.

In connection with your request that the contents of the telegram quoted in the Bureau's letter dated March 26, 1929, be thoroughly checked so that the information may be available for evidence, you are advised that it appears from the files of this Bureau that affidavits supporting the information given were forwarded to you as enclosures with the Bureau's letter dated March 27, 1929.

I assure you that it has been a pleasure to be of service in this matter as in all other cases which are referred to the Bureau for investigation.

In the event that you desire any further investigation of the instant case, it is suggested that you communicate your wishes to Special Agent in Charge Connelley of the Bureau's Chicago Office, who has been instructed to follow your advice in this matter.

I also desire to thank you very much for the sentiments expressed in your letter.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
APR 1 1929
P. M.
DEPT. OF JUSTICE

68

Department of Justice.

OFFICE OF UNITED STATES ATTORNEY,
NORTHERN DISTRICT OF ILLINOIS,
826-833 FEDERAL BUILDING,
CHICAGO.

April 3, 1929.

Mr.J. Edgar Hoover, Director,
Bureau of Investigation,
Washington, D. C.

Dear Sir:

I acknowledge receipt of your letter of April 1, with enclosure #133061, being the affidavit of Edward Nirmaier, and photostat letter of James J. Perkins, Special Agent at Miami, Florida, in the 202 Capone matter, for all of which accept my thanks and high appreciation.

GEQJ:MTH

Yours very respectfully,

GEORGE E.Q.JOHNSON,
United States Attorney.

69-180

69

RECORDED

APR 5 1929

69-180-20
BUREAU OF INVESTIGATION
APR 5 1929 A M
DEPARTMENT

THIS CASE ORIGINATED AT Jacksonville, Fla.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	4/3/29	3/21-28/29	J. J. Perkins

TITLE: ALPHONSE CAPONE
KENNETH PHILLIPS, M. D.

CHARACTER OF CASE: CONTEMPT OF COURT
PERJURY.

SYNOPSIS OF FACTS: Sarasota File 69-9

Reporting further investigation and incorporating twelve affidavits secured from persons interviewed relative to activities of Subject Capone during period January 15, 1929 to February 25, 1929, same showing conclusively that information contained in affidavit of Subject Phillips dated March 5, 1929 is materially false. Pending Bureau instructions.

REFERENCE: Report of Agent J. R. Burdge, Jacksonville, 3/23/29.

DETAILS: AT MIAMI, FLORIDA

Pursuant to Bureau instructions, the following affidavits were secured from persons interviewed, originals of which have been forwarded to the Bureau:

1. AFFIDAVIT OF SIDNEY JOSEPH NEWCOMB

STATE OF FLORIDA)
COUNTY OF DADE) SS

DETAILS: Before me the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sidney Joseph Newcomb, who resides at 3346 S. W. 24th Street, Miami, Fla. and who being first duly sworn, deposes and says: That he has been employed by the Miami Jockey Club located at Hialeah, Fla. during their last two meetings, that is to say, during the seasons of 1927 and 1929.

Affiant further states that his employment was usher or attendant to those that had rented boxes, further during the season of 1929 he was personally

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:		RECORDED AND INDEXED:
George A. Campana SPECIAL AGENT IN CHARGE	69-180-21	APR 6 1929
COPIES OF THIS REPORT FURNISHED TO: 6-Bureau, 4-Jacksonville	BUREAU OF INVESTIGATION APR 6 1929 A.M. DEPARTMENT OF JUSTICE	CHECKED OFF: APR 8 1929
	ROUTED TO: FILE	JACKETED:

CB

in charge of thirty boxes, comprising an upper and lower tier.

Affiant states that a few days after the 1929 racing season at Hialeah, Fla. opened Al Capone, referred to in the press as a Chicago gangster was pointed out to him as occupying a box bearing the name plate of L. Gentry. Affiant states that there were fifty one racing days during the season of 1929, to wit, from January 17, 1929 to March 13, 1929, further that from the day of the opening, January 17th up to and including March 1st, 1929 he has personally observed the said Al Capone at the race track thirty different days during the racing season. Further that the said Al Capone was not observed by him at the race track towards the end of the meet that is to say from about March 1st to March 13th.

Affiant states that from all appearances the said Al Capone was in perfect health and was able to converse with anyone.

(Signed) Sidney Joseph Newcomb
Affiant

Sworn to and subscribed
before me this 24th day
of March, A.D. 1929

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11. AFFIDAVIT OF JOSEPH JENKINS

STATE OF FLORIDA)
COUNTY OF DADE) SS

Before me the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally came Joseph Jenkins, who, being first duly sworn, deposes and says that for the past six years he has been connected with the Miami Police Dept., Miami, Fla.

Affiant states that he was assigned for special duty at the Hialeah Race Track, Hialeah, Fla. by Sheriff M. P. Lehman with the sanction of Chief of Detectives L. O. Scarboro, Miami Police Dept. Affiant states that from January 17, 1929 he did continuous duty at the race track at Hialeah, Fla. until the end of the meet March 13, 1929.

Affiant further states that about two years ago he met Al Capone of Chicago, Ill. referred to in the press from time to time as a "Chicago Gangster". Further that he did not personally observe said Capone at the race track at the start of the 1929 racing season, but did observe this said Capone at the races quite frequently during the said racing season.

(Signed) Joseph Jenkins
Affiant

Sworn to and subscribed
before me this 24th day
of March, A. D. 1929.

71

III. AFFIDAVIT OF M. C. WOOD

DADE COUNTY
STATE OF FLORIDA } SS

M. C. Wood, being duly sworn, on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for about a year prior to this date;

That from January 17, 1929 to March 13, 1929, affiant was on duty at the horse races at Hialeah, Florida, to wit, the race track of the Miami Jockey Club, Hialeah, Florida, every Thursday, Friday and Saturday;

That a man named Al Capone was pointed out to me by someone, just who I do not now recall - the man who pointed Capone out to me was either Officer J. M. Croneas or W. R. Foster of the Hialeah Police;

Affiant further states that his regular beat at the race track was in front of the grand stand and that he was on that beat all but two days when he was with Ex-Governor Smith of New York; that his regular beat carried him right in front of the box occupied by the man known as Al Capone; that affiant noticed Capone particularly because there had been so much talk in the papers concerning him.

Affiant further states that he personally observed the man pointed out to him as Al Capone nearly every Thursday, Friday and Saturday that affiant was on duty at the meet as set forth above.

Further affiant sayeth not.

(Signed) M. C. Wood

Sworn and subscribed before me this twenty third day of March, A. D. 1929, at Hialeah, Dade County, Florida.

(Signed) Agnes I. Powers,
Notary Public.

IV. AFFIDAVIT OF C. E. BEBLER

DADE COUNTY)
STATE OF FLORIDA) SS

C. E. Bebler, being duly sworn, on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such since May of 1926;

That during the entire month of February, exclusive of Sundays, he did continuous duty at the horse races at Hialeah, Florida, to wit, the race track of the Miami Jockey Club, Hialeah, Florida;

72

That he, affiant, personally observed a man who has been pointed out to him and who he understands is Al Capone, referred to in the press from time to time as a "Chicago Gangster", this observation being made at the above mentioned race track during the season of 1929, which was run off from January 15, 1929 to March 15, 1929.

Affiant further states this man who he understands to be Al Capone was approximately eighteen or twenty times during the month of February, in attendance at the race track; the "February" referred to being February 1929.

I solemnly swear the above affidavit represents the truth.

(Signed) C. M. Zoeller

Sworn and subscribed before me this twenty third day of March, A. D. 1929, at Hialeah, Dade County, Florida.

(Signed) Agnes I. Powers
Notary Public

V. AFFIDAVIT OF W. R. FOSTER

DADE COUNTY)
STATE OF FLORIDA) SS

W. R. Foster, being duly sworn on oath deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for the past three years;

That on January 17, 1929, he was assigned to the horse races at Hialeah, Florida and did continuous duty from that date until February 1, 1929 at the race track, to wit, the race track of the Miami Jockey Club, Hialeah, Fla.;

That he saw Al Capone at least every other day at the Hialeah Race Track herein mentioned from January 17, 1929 up to and including February 1, 1929;

That on February 15, 1929 he did continuous duty until the day of the closing of the race track, March 15, 1929 - working at the race track as a police officer there; that he, affiant, saw said Al Capone at least every other day at the track between February 15 and March 5th, or in other words, between February 15, 1929 and the period ending about eight days before the race track closed.

(Signed) W. R. Foster

Sworn and subscribed before me this twenty third day of March, A. D., 1929 at Hialeah, Dade County, Florida.

(Signed) Agnes I. Powers
Notary Public.

VI. AFFIDAVIT OF J. M. CORONEAS

DADE COUNTY)
STATE OF FLORIDA) SS

J. M. Coroneas, being duly sworn, on path deposes and says:

That he is a police officer of Hialeah, Florida, and has been such for about a year prior to this date;

That from January 17, 1929 to March 13, 1929, he did continuous duty at the horse races at Hialeah, Florida, to wit the race track of the Miami Jockey Club, Hialeah, Florida;

That on January 18, 1929, affiant observed Al Capone at the race track above mentioned, this date being the second day the race track was in operation this season; after January 18, 1929, and up to and including the closing day, to wit, March 13, 1929, affiant observed Al Capone at said track on at least twenty four different days of the meet; that between the dates of February 1 and February 25, 1929, affiant states that he saw said Al Capone at said race track at least thirteen different days; furthermore, affiant states he is positive as to his statements herein made relative to the number of days he personally observed Capone at the track for the reason that affiant was parking automobiles in front of the race track enclosure and three or four days after the opening of the meet said Capone gave affiant a ten dollar tip and affiant looked for him daily thenceforward; that during part of the time affiant was on duty at the track he was on duty in the inside of the enclosure and said Capone's box was right over where affiant stood, and frequently affiant would look into Capone's box and greet him; that at the first of the meet Capone appeared to be in robust health but towards the last of the meet he did not look well at all; affiant made inquiries and was informed that Capone had been sick after noting his rather poor appearance, and was informed at that time that Capone had been sick. Further deponent sayeth not.

I solemnly swear that the above statement is the truth.

(Signed) J. M. Coroneas

Sworn and subscribed before me this twenty third day of March, A. D. 1929, at Hialeah, Dade County, Florida.

(Signed) Agnes I. Powers
Notary Public

VII. AFFIDAVIT OF ROBERT R. TAYLOR JR.

74

STATE OF FLORIDA)
COUNTY OF DADE) SS

Before me, the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally came Robert R. Taylor, Jr., who,

being first duly sworn, deposes and says that he is County Solicitor for Dade County, Florida, and that on February 14th, 1929, at twelve-thirty o'clock P.M., this affiant, with Mr. Lewis Goldstein, Assistant District Attorney of Kings County, New York, questioned Alphonse Capone for about two hours, in this affiant's office in the court house at Miami, Florida. Further, that Alphonse Capone, from all appearances, was in good health, and did not complain of being ill.

Further, that the questions and answers were taken down in short-hand by Miss Ruth Gaskin, and that Sheriff M. P. Lehman of Dade County was also present.

(Signed) Robert R. Taylor, Jr.

Sworn to and subscribed
before me this 24th day
of March, A. D. 1921.

VIII. AFFIDAVIT OF RUTH GASKIN

STATE OF FLORIDA)
COUNTY OF DADE) SS

Before me, the undersigned authority, an officer duly authorized to administer oaths and take acknowledgments, personally came Ruth Gaskin, who, being duly sworn, deposes and says that she is a stenographer working in the office of the County Solicitor of Dade County; that on February 14th, 1929, beginning at twelve-thirty o'clock P. M., Robt. R. Taylor, Jr., the County Solicitor of Dade County, and Mr. Lewis Goldstein, Assistant District Attorney of Kings County, New York, questioned Alphonse Capone for about two hours in the County Solicitor's in the Dade County Court House at Miami, Florida, and that the said Alphonse Capone, from all appearances was in good health, and did not complain of being ill.

Further, that Sheriff M. P. Lehman of Dade County was present during the questioning.

(Signed) Ruth Gaskin

Sworn to and subscribed before me
this 24th day of March, A.D. 1929.

IX. AFFIDAVIT OF DR. SAMUEL D. LIGHT

STATE OF FLORIDA)
COUNTY OF DADE) SS

Personally appeared before me the undersigned authority in and for the County of Dade, State of Florida, Doctor Samuel D. Light, a practicing physician of the City of Miami, State of Florida, County of Dade, who, upon being duly sworn, upon oath, deposes and says - that on or about January second 1929 affiant was called at the House of Al Capone, Palm Island, to attend one of the said Capone who was sick, and on or about January fifth was again called to the house of Al Capone who was suffering from influenza which later developed into double pneumonia.

Affiant states that condition of the patient, Al Capone, became serious and it was necessary to have two nurses in attendance. Affiant also states that he was called at least every day to the house of Capone and sometimes made two calls a day, a total of sixteen or seventeen calls were made during the period from January fifth to fourteenth.

On January fourteenth when patient was last seen by affiant, Capone was still in bed suffering with congested lungs and having a temperature.

Affiant's services were discontinued on account of a Doctor Omens arriving as a house guest of said Capone, and the said Doctor Omens affiant was informed was Capone's family physician in Chicago and that Capone wished him to take charge of the case.

Several days before affiant relinquished the case to Doctor Omens, Doctor Phillips of Miami, Florida was called in consultation at the request of the said Capone and his friends, with affiant's approval.

(Signed) Samuel D. Light

Sworn and subscribed to before me a Notary Public,
State of Florida at large this twenty fifth day of March 1929 A. D.

(Signed) Helen T. Toomey
Notary Public.
My commission expires 2-19-30

X. AFFIDAVIT OF CAPTAIN WILLIAM P. TREMBLAY

STATE OF FLORIDA)
COUNTY OF DADE) SS

Personally appeared before me the undersigned authority in and for the County of Dade, State of Florida, Captain William P. Tremblay, Master of the Steamship New Northland, which is owned by the Clarke Steamship Company of Quebec, Canada, and which vessel plies between the Port of Miami, Florida and the Port of Nassau, Bahamas, B.W.I., Captain Tremblay being duly sworn, upon oath, deposes and says that -

76

On the eighth day of February 1929, the said steamship New Northland left the Port of Miami about three P. M. for the Port of Nassau, Bahamas, B. W. I., and affiant states that among the passengers on this voyage numbered fifty one was Alphonse Capone with a party of friends, and the affiant further states that said Capone was introduced to him by a party whose name affiant cannot recall.

Affiant states that he could positively identify the said Capone from a scar appearing on the side of his face.

Affiant further states that the said Capone appeared to be in good health and apparently enjoyed the trip from the Port of Miami to the Port of Nassau.

Affiant further states that on February twelfth 1929 the said Alphonse Capone and his party left the port of Nassau, Bahamas for the Port of Miami, Florida on the steamship New Northland, said vessel arriving at the port of Miami about eight thirty A. M. on February thirteenth 1929.

Affiant states that he saw the said Alphonse Capone only once during this return voyage and he appeared to be in perfect health and made no mention of being sick in any way.

(Signed) William F. Tremblay.
Master SS New Northland

Sworn and subscribed to before me a Notary Public this twenty fifth day of March 1929, A. D.

(Signed) Helen T. Toomey.
Notary Public State of Florida.
My commission expires 3-19-30.

XI. AFFIDAVIT OF JOHN WM. COOPER, JR.

STATE OF FLORIDA)
COUNTY OF DADE) SS

Personally appeared before me the undersigned authority in and for the County of Dade, State of Florida, John William Cooper, Jr., residing at 468 Ocean Drive, Miami Beach, Florida, who upon being duly sworn upon oath, deposes and says that he is District Traveling Passenger Agent for the Munson Steamship Line, at Miami, Florida, who operate the steamship New Northland plying between the port of Miami and the port of Nassau, Bahamas.

Affiant further states that on February eighth 1929 at about three o'clock P. M. the afternoon he was at the Municipal Piers #3, Miami, Florida, checking passengers boarding the steamship New Northland, which was on a direct and continuous voyage from the port of Miami to the Port of Nassau.

77

Affiant states that among the passengers he checked on said date and on said vessel was Alphonse Capone, his brother Alfred Capone, Wen Phillips and several others in the same party, whose names he cannot now recall. Affiant states that the purpose of making this check was to ascertain that all passengers booked for this voyage were on the vessel.

Affiant further states that the said Alphonse Capone who booked passage on the steamship New Northland on February eighth he personally saw [illegible] said vessel and saw the said Capone and party standing on the [illegible] said Steamship New Northland prior to its leaving the Port of Miami.

Affiant further states that Alphonse Capone mentioned aforetime is the same said Alphonse Capone whose pictures he has seen in a number of newspapers and the one that was referred to by the press as the Chicago gangster.

(Signed) John William Cooper, Jr.

Sworn and subscribed to before me a Notary Public this twenty fifth day of March 1929 A. D.

(Signed) Helen T. Toomey
Notary Public State of Florida
My commission expires 3-19-30

XII. AFFIDAVIT OF EDWARD NIRMAIER

STATE OF FLORIDA)
COUNTY OF DADE) SS

77

Personally appeared before me the undersigned authority in and for the county of Dade, State of Florida, Edward Nirmaier who resides at 1442 N. E. Bayshore Drive, Miami, Florida. Who after being duly sworn upon oath deposes and says; that he is a pilot for the Curtiss Flying Service of Miami, Florida.

Affiant states that on February 2nd, 1929 at ten thirty A. M. he piloted Seaplane NC 6813 from Miami, Florida to Bimini, Bahama, carrying the following passengers: Al Capone, J. R. Clark, M. Circella and P. L. De Andrea. Affiant further states that he carried the above named passengers in Seaplane NC 6813 from Bimini, Bahama to Miami, Florida, arriving at three P. M. February 2nd, 1929. Affiant further states that the Al. Capone referred to herein is the same Al. Capone that owns a residence at Palm Island, Miami Beach, Florida and who has a scar on one side of his face. Affiant states that the said Al. Capone appeared to be in good health during the time that he took the trip from Miami, Florida to Bimini, Bahama and return.

(Signed) Ed. Nirmaier

Sworn to and subscribed before me this
28th day of March, AD 1929.

78

With reference to Subject Capone's trip to Bimini, Bahama and return, agent assisted by E. E. Eyster, Assistant District Director, Immigration Service, Jacksonville, Florida, made a check of [illegible] for February 1929, which revealed the following:

Out-bound manifest records show that the American [illegible] departed from Miami, Florida for Bimini, Bahama, February [illegible], having on board four United States citizens, to wit: Al Capone, Toy Clark, Nicholas Circella and Philip De Andrea.

In-bound manifest records show that the American [illegible] departed from Bimini, Bahama on February 8, 1929, arrived at Miami, Florida on same date, having on board four American citizens, as follows: Al Capone, address United States, Palm Island, Miami Beach, Florida; Toy Clark, Nicholas Circella, Philip De Andrea.

A further check of the immigration records reveals:

Out-bound manifest, SS "New Northland", Voyage 61, departed from the Port of Miami for Nassau, Bahama on February 8, 1929, having as passengers, among others, the following: Alphonse Capone, Albert Capone, Philip De Andrea, Fred Girton, Wen Phillips, William McCabe.

In-bound manifest, SS "New Northland", departed from Nassau, Bahama for Miami, Florida on February 12, arriving at the Port of Miami on February 13, having among others, the following passengers: Alphonse Capone, Albert Capone, Philip De Andrea, Fred Girton, Wen Phillips, William McCabe.

Agent interviewed Harold V. Perry, manager of the Munson Steamship Lines, Columbus Hotel Building, Miami, Florida. Mr. Perry advised that the first information he had of the booking of Alphonse Capone and his party via the SS "New Northland" to Nassau, Bahama, was sometime during the afternoon of February 8, 1929, prior to the departure of the SS "New Northland" on February 8, Captain Tremblay asked Mr. Perry who Capone was, as a friend of his, the captain, had introduced Capone to him and requested that Capone be given special attention on the trip from Miami to Nassau. Mr. Perry further stated that he recommended to Captain Tremblay not to fraternize with Capone and if necessary, to stay in his quarters in order to avoid him.

Mr. Perry gave to this agent a copy of a letter received from E. E. Aspinwall, copy of which has been forwarded to the Bureau for their information.

UNDEVELOPED LEAD:

JACKSONVILLE OFFICE. No action will be taken with respect to prosecution in this district until receipt of further information from the Bureau.

PENDING

79

April 8, 1929.

[redacted]
89-130-48

[redacted] FOR MR. WHITE.

RECORDER

With further reference to the case involving Alphonse Capone and Dr. Kenneth Phillips - Contempt of Court Matter, there is transmitted herewith for your information, a copy of the report of Special Agent J. Z. Perkins, dated April 5, 1929, at Jacksonville, Florida.

A copy of the report of Agent Perkins has been forwarded to United States Attorney Johnson of Chicago, Illinois.

Very truly yours,

Director.

Encl. 2138118.

BUREAU FILES DIVISION
MAILED
APR 8 1929
P. M.
DEPT. OF JUSTICE

80

REC:AGS
62-116-81

April 8, 1929.

APR 8 [redacted] RECORDED

Hon. George E. Q. Johnson,
United States Attorney,
Federal Building,
Chicago, Illinois.

Dear Sir-

With further reference to the case existing re Alphonse Capone and Dr. Kenneth Phillips - Contempt of Court Matter, there is transmitted herewith for your information, a copy of the report of Special Agent J. J. Perkins, dated April 5, 1929, at Jacksonville, Florida.

Very truly yours,

Director.

Encl. 185116.
CC Chicago Office
Encl. 185120.

Hand delivered

81

Department of Justice.

OFFICE OF UNITED STATES ATTORNEY,
NORTHERN DISTRICT OF ILLINOIS,
826-833 FEDERAL BUILDING,
CHICAGO.

April 10, 1929.

Mr.J. Edgar Hoover, Director,

Bureau of Investigation,

Washington, D.C.

Dear Sir:

I thank you for your letter of April 8 enclosing copy of report of your agent at Jacksonville, Florida, in the Alphonse Capone matter.

GEQJ•MTH

Yours very respectfully,

GEORGE E.Q.JOHNSON,
United States Attorney.

69-180

RECORDED
APR 13 1929

69-180-22
BUREAU OF INVESTIGATION
APR 12 1929 A M.
DEPARTMENT OF JUSTICE

REC-58
62-100-85

April 18, 1929.

RECORDED

APR 19 1929

MEMORANDUM FOR MR. WILLEBRANDT,
Assistant Attorney General.

For your information in connection with the investigation concerning Alphonse Capone and Dr. Kenneth Phillips - Contempt of Court Matter, there is transmitted herewith, for your information, a copy of a letter dated April 16, 1929 which the Bureau has received from its Chicago Office.

Very truly yours,

Director.

Enc. #129082

BUREAU FILES DIVISION
MAILED
APR 18 1929
P. M.
DEPT. OF JUSTICE

83

Department of Justice

Bureau of Investigation

Chicago, Illinois
April 15th, 1929

CONFIDENTIAL

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

Dear Sir:

RE: ALPHONSE CAPONE,
DR. KENNETH PHILLIPS,
Contempt of Court and
Perjury

Reference is made to your confidential letter of March 25th, 1929 and in this connection, immediately upon receipt of your letter, I conferred with United States Attorney Johnson at Chicago. At this time he advised me that at a later date he would request such investigation, if any, as he desired this office to make. I advised him that I would assign a competent Agent whenever request was made of me as to this.

On March 27, 1929, contempt citation was had before U. S. District Judge Charles B. Woodward at Chicago, as against ALPHONSE CAPONE, charging him with contempt as to his action in failing to respond to subpoena served upon him in Florida March 12th, 1929. On this same date Capone was arraigned before the Court and gave bond in the amount of $5000 for his appearance when called to answer to this charge.

Hearing has not as yet been had in Court as to Capone, and the United States Attorney has made no request upon me for further investigation. For that reason this matter has been held in abeyance, pending such request.

Very truly yours,

E. J. CONKLIN
Special Agent in Charge

EJC:FEM

cc: U.S.Attorney, Chgo

69-180-23

RECORDED
APR 19 1929

BUREAU OF INVESTIGATION
APR 17 1929 A.M.
DEPARTMENT OF JUSTICE
Div. Two

APR 17 1929

Department of Justice

Bureau of Investigation

P.O.Box 32
Jacksonville, Fla.
May 31 , 1929

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

69-180

Dear Sir:-

Please refer to the file on ALPHONSE CAPONE and KENNETH PHILLIPS, Contempt of Court and Perjury, the most recent report on which is the report of Agent J.J.Perkins, dated April 3, 1929.

If there is nothing further to be done on this matter I would like to eliminate it from my records. May I have your permission to close the matter?

Very truly yours

George A. Campana
Special Agent in Charge.

GAC:LA

RECORDED & INDEXED 69-180-24

JUN 3

Dep. Dir.

Report 6-5-29

JUN 8 - 1929

85

[illegible]:JR
89-166 - 24

June 5, 1929.

RECORDED

JUN 6 - 1929

Mr. S. A. Campoma,
P. O. Box 32,
Jacksonville, Fla.

Dear Sir:-

Reference is made to your letter dated May 31, 1929 relative to the case entitled: - ALPHONSE CAPONE and KENNETH PHILLIPS - Contempt of Court and Perjury Matters.

In this connection, you are advised that this matter has been called to the attention of Assistant Attorney General Willebrandt for suggestions as to the advisability of presenting the information obtained during the investigation to the U. S. Attorney in Florida for his decision with reference to the perjury angle in this case.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAILED
JUN 5 1929
P. M.
DEPT. OF JUSTICE

86

MEMORANDUM FOR MR. WILLEBRANDT,
Assistant Attorney General.

Further reference is made to the case entitled: - ALPHONSE CAPONE and DR. KENNETH PHILLIPS - Contempt of Court and Perjury Matter.

In this connection, the Bureau will be pleased to be advised as to your desires with reference to submitting the facts obtained in this matter to the U.S. Attorney in Florida in connection with the allegations of perjury relating to the statement submitted by Dr. Phillips.

Very truly yours,

Director.

69-180

RECORDED 69-180-25

JUN 5 1929

FILE

BUREAU FILES DIVISION MAILED JUN 4 1929 P. M. DEPT. OF JUSTICE

40252

REC:JH
69-180

June 15, 1929.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL WILLEBRANDT:

Attention: Mr. Smith.

In accordance with the request of Mr. Smith of your Division, there is transmitted herewith, for your information, a photostatic copy of a letter dated March 18, 1929 addressed to the Attorney General, for your attention, by U. S. Attorney George E. Q. Johnson of Chicago, Ill., with reference to the case entitled: - ALPHONSE CAPONE and DR. KENNETH PHILLIPS - Contempt of Court and Perjury Matters.

There is also enclosed, a photostatic copy of an affidavit which Dr. Phillips executed in connection with this case.

Very truly yours,

Enc.#126222

Director.

69 180

RECORDED

69-180-26
69-180-2

BUREAU OF INVESTIGATION
JUN 14 1929 A. M.

JUN 13 1929
P. M.
DEPT. OF JUSTICE

Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO ILLINOIS

2

2nd NATIONAL BUR. OF INVESTIGATION
JUN 21 1929

June 19th, 1929

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

Chicago File: 69-19

CONFIDENTIAL

Dear Sir:

RE: ALPHONSE CAPONE
DR. KENNETH PHILLIPS
Contempt of Court
and Perjury.

With further reference to my letter of April 15th, 1929, no further action has been taken as to the contempt citation as to subject Capone, and it is noted that this subjectwas recently arrested at Philadelphia, Pa. and charged with carrying concealed weapons, and on this charge he was sentenced and is now serving one year in the County Jail.

Very truly yours,

E. J. CONNELLEY,
Special Agent in Charge.

EJC:JMS

CC U.S.Atty.Chicago.

69-180

Reply 6-25-29 DJR

RECORDED

JUN 25 1929

69-180-27
BUREAU OF INVESTIGATION
JUN 21 1929 A M

89

SEC:DB
89-120-67

June 24, 1929.

RECORDED

JUN 25 1929

Mr. E. E. Connelley,
P. O. Box 1408,
Chicago, Ill.

Re:- Alphonse Capone and
Mr. Kenneth Phillips,
Contempt of Court and
Perjury.

Dear Sir:-

Reference is made to your letter dated June 19, 1929 relating to the above entitled matter.

You are advised that the facts which have been obtained in connection with the investigation of this case have been submitted to the Department and it would appear that no further action is to be taken by the Bureau until additional instructions are received or until a time when subject Capone is given a hearing on the charges of contempt now pending against him.

Very truly yours,

Director.

BUREAU OF INVESTIGATION
FILES DIVISION
JUN 24 1929
P. M.
DEPT. OF JUSTICE

90

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

234121

June 25, 1929.

69 180

2

MEMORANDUM FOR MR. HOOVER
Director, Bureau of Investigation

Receipt is acknowledged of your memorandum dated June 4, 1929, requesting advice as to my desire in reference to submitting the facts obtained in the Alphonse Capone and Dr. Kenneth Phillips contempt of court and perjury matter to the United States Attorney in Florida.

After reviewing the facts as developed and submitted by you in this case, I am of the opinion and respectfully request that they be transmitted to the United States Attorney for his consideration with a view to institution of the criminal proceedings they warrant.

Respectfully,

Mabel Walker Willebrandt

Assistant Attorney General

RECORDED

69-180-28

JUN 28 1929

JUN 28 1929

91

[redacted]:[redacted]
62-120-68

June 27, 1929.

RECORDED

Mr. C. A. Campana,
P.O. Box 38,
Jacksonville, Fla.

JUN 28

Dear Sir:

Reference is made to the case concerning MR. KENNETH PHILLIPS and ALPHONSE CAPONE - Contempt of Court and Perjury. In regard to this matter, you are advised that the Bureau is in receipt of a memorandum from Assistant Attorney General Willebrandt requesting that the facts of this case be presented to the United States Attorney in Florida with reference to a possible perjury charge in connection with the affidavit submitted by Mr. Phillips.

The Bureau has received a report that on March 27, 1929, Alphonse Capone was cited for contempt of court before United States District Judge Woodough at Chicago, Ill., in connection with his having failed to respond to a subpoena served upon him in Florida on March 12, 1929. All the facts relating to this matter should be submitted to the United States Attorney in question for his decision as to further action.

Copies of all further reports relating to this matter showing Jacksonville as the office of origin should be submitted both to the Bureau and to the Chicago office. The United States Attorney at Chicago and the Chicago office have previously been furnished with copies of reports in this matter.

Very truly yours,

Director.

C.O. Chicago.

92

BUREAU FILES DIVISION
MAILED
JUN 27 1929
P. M.
DEPT. OF JUSTICE

REC:JS
62-2[illegible]-69

RECORDED

JUL 19 1929

July 18, 1929.

Mr. E. J. Connelley,
P. O. Box 1486,
Chicago, Ill.

Dear Sir:-

There are enclosed herewith, for your information, three copies of the report of Special Agent Felix O. Cox, dated July 12, 1929 at Jacksonville, Florida relative to the case entitled: - ALFRESCO [illegible] and KENNETH PHILLIPS, M. D. - Contempt of Court and [illegible]. One copy of the above mentioned report should be submitted to the U. S. Attorney at Chicago, who should be advised the Department has requested that the facts in this matter be presented to the U. S. Attorney for the Southern District of Florida for his consideration, with a view to the institution of such criminal proceedings as the facts may warrant, particularly with reference to the allegations indicating perjury on the part of Phillips.

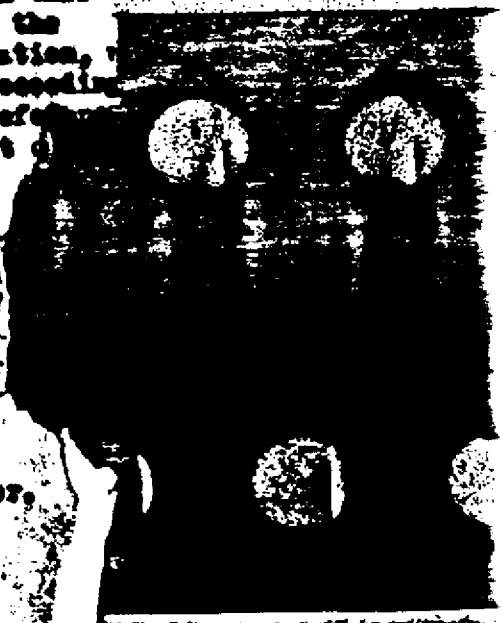
The Jacksonville Office is requested to send copies of the report to you as directed in the Bureau's letter dated July 27

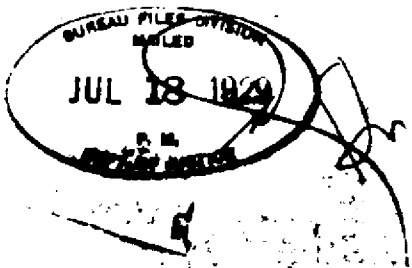
Very truly your

Director.

Enc. (3) 62-[illegible]
62 - Jacksonville Office.







93

THIS CASE ORIGINATED AT Jacksonville, Fla.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	7-12-29	7-11-29	Felix O. Cox.

TITLE: ALPHONSE CAPONE
KENNETH PHILLIPS, M. D.

CHARACTER OF CASE: CONTEMPT OF COURT
PERJURY

SYNOPSIS OF FACTS: SUMMARY REPORT

Jax. File 58-0-

In this case the Subject Kenneth Phillips, M. D. at Miami, Florida, on the 8th day of March, 1929, made an affidavit stating in brief that he is personally acquainted with Subject Alphonse Capone and that he had been professionally attending the said Capone continuously since January 15, 1929, and that the said Capone was suffering with Broncho Pneumonia Pleurisy and was confined to his bed at his home on Palm Island, from the 15th day of January to the 23rd day of February, 1929, of ten days prior to the date of the affidavit and that it would be dangerous for the said Capone to leave the mild climate of Florida and proceed to the City of Chicago, Illinois; and that his professional opinion was that such a trip would impair the safety of the said Capone and that there would be a grave risk of collapse which might result in his death from resurgent Pneumonia. This affidavit was to be used by the said Capone for the purpose of obtaining a continuance of his response to a Grand Jury subpoena at Chicago, Illinois, and was presented to Judge Wilkerson of the United States District Court at Chicago for that purpose. The time covered by this affidavit namely - from January 15, 1929 to ten days prior to March 8, 1929, the said Alphonse Capone was not sick nor confined to his bed as is sworn to be a fact by the said Kenneth Phillips, M. D., but was well, strong and able to be about in his usual manner, and therefore the affidavit is wholly false and without foundation.

The witnesses for the Government in this investigation, each of whom made an affidavit as to what he would swear to are as follows:

DETAILS:

(1) SIDNEY JOSEPH NEWCOMB, 3346 S. W. 24th Street, Miami, Florida, will testify that he was employed by the Miami Jockey Club at Hialeah, Florida, during the racing season of 1927 and 1929; that on January 17, 1929, Alphonse Capone was

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: Special Agent in Charge

58-180-29

RECORDED AND INDEXED: JUL 18 1929

COPIES OF THIS REPORT FURNISHED TO:

6 Bureau

4 Jacksonville

BUREAU OF INVESTIGATION
JUL 15 1929 A.M.
DEPARTMENT OF JUSTICE

CHECKED OFF: JUL 19 1929

JACKETED:

ROUTED TO: Div. Two

FILE

94

E.P. - F.O.C.

present as a spectator at the race track at Hialeah, Florida; that he personally saw him thirty different times between the 17th day of January, being the day the races opened and the first day of March, 1929.

(4) JOSEPH JENKINS, for the past six years connected with the Miami Police Department will testify that he was [illegible] track, Hialeah, Florida, by [illegible] Secretary Miami Police [illegible] duty at the race [illegible] agent of the [illegible] quite frequently during the [illegible]

(5) W. H. WOOD, Police Officer [illegible] June 13, 1929, to March 15, 1929, he was [illegible] Florida, and that a man was pointed out [illegible] W. H. Foster whom he was told was Alphonse Capone. That thereafter his regular beat carried him in front of the box occupied by the [illegible] known as Al Capone and that he personally observed this man in [illegible] during every Thursday, Friday and Saturday during the continuation of the racing season.

(6) C. E. BEELER, Police Officer, Hialeah, Florida, will testify that he observed a man who had been pointed out to him as Al Capone, Chicago gangster [illegible] spectator at the races at Hialeah, Florida, approximately twenty times during the racing season in 1929, which began January 17th and ended March 13th, 1929.

(5) W. H. FOSTER, Police Officer of Hialeah, Florida, will testify that he was assigned to duty at the Hialeah Race Track on January 17, 1929, and did continuous duty there until February 1, 1929; that he saw Al Capone at least every other day at the Hialeah race track during the time that he was assigned to duty there; that on February 15, 1929 he did continuous duty until the day of the closing of the races, March 13, 1929, and that he saw Al Capone at least every other day between February 15th and March 13th, 1929, as an attendant at the races.

(6) J. M. CORONAS, Police Officer, Hialeah, Florida, will testify that he did continuous duty at the horse races at Hialeah, Florida, from January 17, 1929 to March 13, 1929; that on January 18, 1929, the second day of the races, he observed Al Capone at the race track, and from that date up to and including March 13, 1929, the day the races closed, he observed the said Capone at least twenty-four different times of the most; that between February 1, and February 15, 1929 he observed the said Capone at the races at least thirteen different times; that he knows the said Capone and remembers distinctly his being there [illegible] his parking automobiles in front of the race track and the Capone party [illegible] $10.00 tip and thereafter [illegible] daily during which [illegible] deal of interest; that at first Capone seemed to be in a poorer [illegible] toward the end of the meet, did not look so well.

(7) ROBERT R. TAYLOR, JR., County Solicitor for Dade County, Florida, will testify that on February 14, 1929 at 12:30 P. M., he in company with Louis Goldstein Assistant District Attorney for Kings County, New York, talked to Al Ca[illegible]

95

in the office of County Solicitor in the Court House at Miami, Florida, for two hours and that from all appearances the said Capone was in perfect health.

(8) RUTH GASKIN, Stenographer in the office of County Solicitor, Dade County, will corroborate Mr. Taylor's testimony.

(9) CAPTAIN WILLIAM P. JOHNSON, Master of the [illegible] vessels plies between the Port of Miami [illegible] will testify that on the [illegible] day of February, 1929, the Northland left the Port of Miami [illegible] and among the passengers [illegible] tively identify Al Capone and that [illegible] health and apparently enjoying [illegible] Al Capone and his party returned [illegible] of Nassau, Bahama, to the Port of Miami [illegible] once during the return trip, but that he appeared to be in perfect health.

(10) JOHN WILLIAM COOPER, JR., who resides at 459 Ocean Drive, Miami, Florida, will testify that he is District Traveling Passenger Agent for the Munson Steamship Lines at Miami, Florida, which operates the Steamship New Northland plying between the Port of Miami and the Port of Nassau, Bahama; that on February 5, 1929, he was at the Municipal Pier #3, Miami, Florida, assisting passengers boarding the said steamship; that among the passengers boarding the vessel that date was Al Capone, his brother Alfred Capone, Dan Phillips and Thomas [illegible] that he personally saw the said Capone board the ship that day and saw Capone stand on the deck of the Northland as it left the Port of Miami.

(11) EDWARD WIDMAIER, who resides at 1442 N. Bayshore Drive, Miami, Florida, will testify that he is pilot for the Curtiss Flying Service of Miami, Florida; that on February 2, 1929 he piloted Seaplane NC 6815 from Miami, Florida, to Nassau, Bahama, carrying Al Capone, J. H. Clark, Mr. Cimbella and P. L. DeAndrea, arriving about 2:00 P. M., the same day; that this Al Capone is the same person that owns a residence at Palm Island, Miami Beach, and he appeared to be in perfect health.

(12) W. H. HYSTER, Assistant District Director, Immigration Service, Jacksonville, Florida, can produce the records of the Port of Miami for February, 1929, which will reflect:

Out-bound manifest records show that the American Seaplane NC 6813 departed from Miami, Fla., for Nassau, Bahama February 2, 1929, having on board Al Capone, [illegible] Clark, Cimbella Cimbella and Philip DeAndrea.

In-bound manifest records will disclose that on the same day the same passengers were returned to Miami, Florida, aboard the same ship. Further, that out-bound Steamship New Northland, Voyage 51, departed from the Port of Miami for Nassau, Bahama on

96

February 8, 1929, having as passengers, among others, Al Capone, Albert Capone, Philip DeAndrea, Fred Girton, Wen Phillips, and William McCabe.

In-bound manifest, S.S. "Key Northland" departed from Nassau, Bahama, on February 12, 1929, [illegible] of Miami on February 13, 1929, [illegible] the same party above listed.

Alphonse Capone, Subject of this investigation, [illegible] Capone commonly known as "Scar Face" [illegible] record is such that it is believed [illegible] the United States. To say the least, he is a most [illegible] in this case does not attempt to set forth in detail, nor in fact set forth the criminal record of Subject Capone.

Nothing is shown in the record in regard to a previous criminal record of the Subject Kenneth Phillips, M. D.

[illegible]

[illegible]

[illegible]

69-180

POST OFFICE BOX 1408
CHICAGO, ILLINOIS

July 25, 1929

Chicago, Illinois

Mr. George E. Q. Johnson,
United States Attorney
Federal Building,
Chicago, Illinois.

ALPHONSE CAPONE
MR. KENNETH PHILLIPS, M.D.
Contempt of Court and
Perjury.

Dear Sir:

There is enclosed herewith in full quadruplicate report of Agent Cox, Jacksonville, Fla. dated July 18th, 1929, in the above entitled matter.

In connection with this report our Bureau advises that the Department has requested that the facts in this matter be presented to the United States Attorney for the Southern District of Florida for his consideration, with a view of instituting such criminal proceedings as the facts may warrant, particularly with reference to the allegation indicating Perjury on the part of Doctor Phillips.

As previously indicated subject Alphonse Capone is now serving a one year sentence imposed in the local courts at Philadelphia in connection with his arrest there for carrying concealed weapons.

Very truly yours,

RECORDED

69-180-38

E. J. CONNELLEY,
Special Agent in Charge.

BUREAU OF INVESTIGATION
JUL 25 1929 A. M.
DEPARTMENT OF JUSTICE
Div. Two | FILE

99

EJC:JMS

(2) Director
CC Jacksonville

JUL 27 1929

Department of Justice

Bureau of Investigation
POST OFFICE BOX 1405
CHICAGO, ILLINOIS

69-180
JUL 31 1929
BUREAU OF INVESTIGATION

July 29th, 1929
Chicago File: 89-19

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

RE: ALPHONSE CAPONE
DR. KENNETH PHILLIPS
Contempt of Court and
Perjury.

Dear Sir:

As instructed in your letter of July 18th, 1929, copy of summary report of Agent Cox, Jacksonville, Florida, dated July 12th, 1929, in the above entitled matter, was submitted to the United States Attorney at Chicago, together with the information as directed in your letter, and in acknowledging receipt of same the United States Attorney at Chicago advises as per copy of letter attached hereto.

Very truly yours,

E. J. CONNELLEY,
Special Agent in Charge.

EJC:JMS

CC Jacksonville

RECORDED
AUG 5 - 1929

69-180-31
BUREAU OF INVESTIGATION
JUL 31 1929 A.M.
DEPARTMENT OF JUSTICE
Div. Two

100

(COPY)

UNITED STATES ATTORNEY

Northern District of Illinois

Chicago

July 31, 1931

Re: Al Capone,
Dr. Joseph Phillips
Contempt of Court and Perjury

Mr. E. J. Connelley

Special Agent in Charge,

Chicago, Illinois.

Dear Sir:

In the above matter, I am writing the Attorney General today asking that the United States Attorney at Miami, Florida, be requested not to proceed in the matter.

There is a criminal information for contempt pending here, which I expect to try some time during the fall or as soon as Capone is released from jail, and there is another criminal investigation pending. I shall expect to use Dr. Phillips as a witness and I am asking that the entire matter be deferred until we are ready to proceed here.

Yours very respectfully

(Signed) GEORGE E? Q. JOHNSON
United States Attorney.

GEQJ:MEH

69-180-31

101

P. O. Box 88

Mr. E. J. Connelley
P. O. Box 1625
Chicago, Ill.

RE: ALPHONSE CAPONE; MR. EDWARD PHILLIPS
CONTEMPT OF COURT; PERJURY

Dear Sir:

It will be appreciated if you will advise this office, for the information of the U. S. Attorney in this district, as to the status of the prosecution at Chicago, Ill. involving these subjects.

Very truly yours,

J. P. MacFarland
Special Agent in Charge

JPM:CB

cc: Director

69 - 180

BUREAU OF INVESTIGATION

JAN 24 1930 A. M.

DEPARTMENT

MEO:JB
69-100-83

August 5, 1929.

RECORDED

AUG 5 - 1929

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL IN CHARGE OF PROHIBITION.

Attention: Mr. Mathes.

Further reference is made to the case entitled: - ALPHONSE CAPONE and DR. HERBERT PHILLIPS - Contempt of Court and Perjury.

In this connection, there is transmitted herewith, for your information, a copy of a letter addressed to the Chicago Office of this Bureau by U. S. Attorney Johnson at Chicago, Ill., relative to the action which you requested in referring the facts of this matter to the U. S. Attorney at Miami, Florida for the latter's decision as to further action.

Very truly yours,

Enc.#186656

Director.

BUREAU FILES DIVISION
MAILED
AUG 8 1929
P. M.
DEPT. OF JUSTICE

103

U. S. Department of Justice
Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS

69-180

January 25th, 1930

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

Chicago File: 69-19

RE: ALPHONSE CAPONE;
Dr. KENNETH PHILLIPS
Contempt of Court.
Perjury.

Dear Sir:

On January 24th, 1930, I conferred with Mr. George E. Q. Johnson, United States Attorney at Chicago, Ill. as to the present status of the case against Alphonse Capone, and he advised that upon the release of this party from the jail at Philadelphia, Pa. which is expected about May, 1930, he will be granted such time as necessary to appear at Chicago under the prior bond of $5000.00, and that further action in this matter will be deferred until such time.

Very truly yours,

E. J. CONNELLEY,
Special Agent in Charge.

EJC:JMS

CC Jacksonville

RECORDED 69-180-32

JAN 27

JAN 31 1930

104

377:70
69-180-82

January 30, 1930.

RECORDED

JAN 31 1930

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST.

With further reference to the case entitled: - ALPHONSE CAPONE, MR. KENNETH PHILLIPS,-Contempt of Court, Perjury, there is transmitted herewith, a copy of a letter dated January 25, 1930, which the Bureau has received from the Agent in Charge of the Chicago Office.

Very truly yours,

Director.

Enc. 458338

BUREAU FILES DIVISION
MAILED
JAN 30 1930
P. M.
DEPARTMENT OF JUSTICE

105

FTV:AM
62-100-88

March 27, 1930.

RECORDED
MAR 28 1930

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST

With further reference to the case entitled ALPHONSE CAPONE, DR. KENNETH PHILLIPS, Contempt of Court, Perjury, there is attached hereto for your information a copy of a letter dated March 20, 1930 which the Bureau has received from the Chicago office.

Very truly yours,

Director.

Inc. 462718.

RECEIVED
MAR 1930
A.M.
DEPT. OF JUSTICE

106

U. S. Department of Justice
Bureau of Investigation
POST OFFICE BOX 1405
CHICAGO, ILLINOIS

BUR. OF INVESTIGATION
MAR 22 1930
DEPT. OF JUSTICE

69-180

March 20th, 1930

Chicago File 69-19

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

RE: ALPHONSE CAPONE
Dr.Kenneth Phillips,
CONTEMPT OF COURT
PERJURY.

Dear Sir:

Subject ALPHONSE CAPONE was released from jail at Philadelphia,Pa. March 17th, 1930, after serving ten months sentence there in connection with charge of carrying concealed weapons.

Mr. George E. Q. Johnson, United States Attorney at Chicago advises me that the case as to subject is awaiting disposition at Chicago and that same will have attention in the near future as to possible prosecution of Capone for his activities in this matter.

Very truly yours,

E. J. CONNELLEY,
Special Agent in Charge.

EJC:JMS

CC Jacksonville

69-180-33

MAR 28 1930

107

MM:JC

April 9, 1930.

MEMORANDUM FOR THE DIRECTOR:

R. V. Johnson, messenger applicant.

Mr. Stowell, Special Agent applicant for re-appointment.

Mr. Chase called on the telephone. Stated the Attorney General was inquiring whether we were or had been investigating Stevens. We told of the nature of the Bureau's investigation initiated over a year ago at the request of Mrs. Willebrandt, with regard to a contempt proceedings and that Attorney Johnson possessed all of the facts. Was permitted to read file.

Very truly yours,

E. Nathan

69-180

69-180-34

BUREAU OF INVESTIGATION
APR 12 1930 P. M.
DEPARTMENT OF JUSTICE
Dep. Dir. | FILE

RECORDED & INDEXED
APR 14 1930

46-1-4

69-180-1008 23-44434 62-30018-17

RECORDED

WAM:AMP
66-180-89

April 17, 1930.

APR 19 1930

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST

With further reference to the case entitled ALPHONSE CAPONE, KENNETH PHILLIPS, M. D., CONTEMPT OF COURT, PERJURY, there is attached hereto for your information a copy of a report of Special Agent in Charge J. P. MacFarland, dated April 11, 1930, at Jacksonville, Fla.

Very truly yours,

Director.

Incl. #767113.

109

THIS CASE ORIGINATED AT Jacksonville, Fla.

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	Apr. 11, 1930	Apr. 9, 1930	J. P. MacFarland

TITLE: ALPHONSE CAPONE
KENNETH PHILLIPS, M. W.

CHARACTER OF CASE: CONTEMPT OF COURT
PERJURY

Jax File 69-9

SYNOPSIS OF FACTS: United States Attorney W. P. Hughes advises no action contemplated to be taken in this matter until case pending against Subject Capone at Chicago, Ill., is finally disposed of.

P

69-180

DETAILS:

On April 9, 1930 the writer conferred with United States Attorney W. P. Hughes at Jacksonville, Florida, relative to what prosecutive action he contemplates instituting in this matter. Mr. Hughes stated that no action will be taken in this district until the case pending against Subject Capone at Chicago, Ill., is brought to trial.

PENDING

DETAILS:

DO NOT WRITE IN THESE SPACES 110

APPROVED AND FORWARDED: J. P. MacFarland SPECIAL AGENT IN CHARGE

69-180-35

RECORDED AND INDEXED: APR 15 1930

CHECKED OFF: APR 19 1930

JACKETED:

COPIES OF THIS REPORT FURNISHED TO:
3 Bureau
2 Chicago
3 Jacksonville (1,U. S. Atty. Jax.)
ML

BUREAU OF INVESTIGATION APR 14 1930 A M
DEPARTMENT OF JUSTICE

ROUTED TO: Div. Two

Copy - Jax 4/16/30

JJW:AIP
69-180-

May 2, 1930.

Mr. C. I. Keep,
P. O. Box 987,
Pittsburgh, Pa.

Dear Sir:

Reference is made to your letter of March 20, 1930, relative to the case entitled ALPHONSE CAPONE, ET. AL. KENNETH PHILLIPS, CONTEMPT OF COURT, PERJURY, concerning which it is suggested that you again confer with the U. S. Attorney at Chicago for the purpose of ascertaining if possible what disposition is to be made of this matter.

Very truly yours,

Director

RECORDED

BUREAU FILES DIVISION
MAILED
MAY 1930

69-180-36
BUREAU OF INVESTIGATION
MAY 2 1930
DEPARTMENT OF JUSTICE
FILE

P. O. Box 1980,
Pittsburgh, Penna.

May 5, 1930.

Mr. E. J. Connelley,
P. O. Box 1428,
Chicago, Ill.

Dear Sir:

I am transmitting herewith a letter signed by the Director, which was evidently intended for your office, in it is requested that the matter be taken up with the U. S. Attorney at Chicago. The letter reads:

"May 1, 1930.

Reference is made to your letter of March 20, 1930, relative to the case entitled ALPHONSE CAPONE, ET. AL. KENNETH PHILLIPS, CONTEMPT OF COURT, PERJURY, concerning which it is suggested that you again confer with the U. S. Attorney at Chicago for the purpose of ascertaining if possible what disposition is to be made of this matter."

The Pittsburgh office has no file in this matter.

Very truly yours,

(Signed) C. L. Koop.

C. L. Koop,
Special Agent in Charge.

CC Bureau

69 180
BUREAU OF INVESTIGATION
MAY 6 1930

April 24, 1929.

MEMORANDUM FOR THE DIRECTOR

Re: AL CAPONE

The files of the National Division of Identification and Information reveal that the above named individual was arrested May 17, 1929, at Phila., Penna., as being a suspicious character and was charged with carrying concealed deadly weapons. He was sentenced the same date to serve one year in the Eastern State Penitentiary. At that time his birthplace was given as New York City, his age, 28, and his occupation, leather-cutter. The records contain the notation that he had been arrested at New York and Chicago respectively on suspicion of murder. However, the dates of the above arrests or other data were not given. A letter in the Bureau's files indicates that Al Capone on or about January 19, 1926, under the alias of SCARFACED AL BROWN was arrested and charged with homicide in Brooklyn, New York, at which time he was released on bond.

In April, 1925, an investigation was conducted at the request of the United States Attorney for the Southern District of New York for the purpose of locating one, A. J. CAPONI, whose presence was desired at New York City in the case entitled US. VS. HERSON, ETAL. Capone was located in Chicago and dispositive a witness in the above proceeding. On August 20, 1924, Capone was located by agents of the Chicago office of the Bureau, it being stated at that time he was wanted as a witness in a civil suit which the Government brought for damage to a mail truck. This investigation was instituted at the request of the United States Attorney in that City. It was reported in December, 1925, that Capone, JOHN TORRIO and one ROCCO VANELLA had purchased a tract of land at Clearwater, Florida, for $150,000.

An affidavit was presented to Federal Judge Wilkerson, March 18, 1929, at Chicago, Illinois, sworn to before United States Commissioner Spitler at Miami, Florida, by DR. STANLEY PHILLIPS to the effect that Capone for six weeks subsequent to January 15, 1929, had been confined to his bed at Miami because of illness and, consequently, was unable to respond to a Grand Jury subpoena issued for him from the Federal Court at Chicago. The United States Attorney doubted the truth of the affidavit submitted and referred the matter to the Department. Subsequently, the Bureau was requested by the former Assistant Attorney General in charge of Prohibition to conduct an investigation of the matter, which disclosed that the affidavit submitted over the signature of Dr. Phillips was not true as Capone during the time indicated in the affidavit, had attended several sporting events at Miami and was otherwise actively engaged. A citation for contempt was issued against him in Chicago on March 27, 1929,

113

69-180

at which time he was placed under arrest and his bond fixed at $5,000. Having furnished the bond, he was released.

Under date of March 20, 1930, the United States Attorney at Chicago advised that he contemplated making appropriate disposition of the contempt proceedings in the very near future. The institution of prosecutive action in the Florida District has been suspended, pending the outcome of the contempt proceedings in Chicago.

In January, 1930, a statement was obtained from one WALKER GRIFFITH, an employee of the Burns Detective Agency at Chicago to the effect that in April, 1929, he accompanied Sergeant WALTER CONROY of the Police Department of that City on several evenings when the latter visited various speakeasies and houses of ill-repute for the purpose of collecting money and soliciting votes for one R. P. HALE, a candidate for an office in Chicago. Conroy was very abusive of his victims and according to Griffith, obtained on one evening approximately $3,500. Griffith stated that Conroy informed him that he was a lieutenant of Al Capone who was telling him what to do. The above information appears in a report dated January 18, 1930, at Chicago, in the case entitled R. P. HALE, ET AL, CONSPIRACY TO VIOLATE THE NATIONAL PROHIBITION ACT, a copy of which was furnished the United States Attorney at South Bend, Indiana.

Respectfully,

J. E. Peters.

114

JEH:MCP'B

January 19, 1931.

MEMORANDUM FOR MR. NICHOLS.

Assistant Attorney General Dodds has expressed a desire to confer with Special Agent in Charge Dunn of our Chicago office relative to the investigation of the purchase of Post Offices in Indiana, the prosecution of which has recently been taken over by Mr. Jeffrey, the United States Attorney at Indianapolis. I told Mr. Dodds that I would have arrangements made to bring Mr. Dunn in to Washington as soon as possible but I did not believe it would be desirable to bring him in before the latter part of this week for the reason that I understood that the prosecution of Al Capone for contempt would be instituted in Chicago this morning, provided United States Attorney Johnson does not have some more of the more or less continuous postponements that have been permitted in this case.

I wish that you would keep in touch with this matter and, as soon as Mr. Dunn does come to Washington, order him here for conference with Mr. Dodds.

Very truly yours,

Director.

BUREAU FILES DIVISION
MAIL
JAN 19 1931
P.M.
DEPT. OF JUSTICE

NOT RECORDED

INDEXED

62-2003

69-180

U. S. Department of Justice

Bureau of Investigation

P. O. Box No. 1405,
CHICAGO, ILL.

January 22, 1931.

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

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

Dear Sir:-

As you know the above captioned matter was set for a hearing before Federal Judge James H. Wilkerson on the 19th instant, which date had been previously set as a firm trial date in this matter.

On the 19th instant Federal Judge Wilkerson continued the matter indefinitely because of the crowded condition of his court calendar.

I conferred with Federal Judge Wilkerson on the 19th instant relative this matter and was advised by him that two important and lengthy civil matters have precedence on his calendar and that because of that fact it was not possible to proceed with the instant matter on the 19th instant. In this connection Federal Judge Wilkerson informed me that he has a definite understanding with the attorneys representing Defendant Capone that the instant case is subject to call on forty-eight hours notice at the first opportunity which may afford itself during the pendency of the two civil matters which have priority on the calendar.

I have endeavored to keep in touch with the situation from day to day in order that this office might be on notice as to the probable trial date. My latest advice, obtained this morning, is that Judge Wilkerson is now confined to his home by illness and that it is extremely doubtful if he will be able to visit his office during the present week. The Secretary of Judge Wilkerson tells me, even though the Judge is able to visit his office during the present week it is a certainty that he will not attempt to hear any matters whatsoever.

69-180-49

Send a copy to the A.G.
1/24/31 J.E.K.
cc Atty Gen 1/29/31

It appears certain, therefore, that this case cannot be called this week and it is apparently not possible at this time to ascertain within any degree of accuracy the date upon which it may be called, since it is probable that when Federal Judge Wilkerson is able to resume his duties the civil matters which have been held in abeyance will claim the major portion of his time over a considerable period.

In conference with Assistant to the Attorney General Froelich today, the latter expressed the opinion that there seems to be no possibility of the instant matter coming to trial within the next ten days and possibly not for a longer period.

I have effected arrangements whereby this office will be promptly informed of developments in this matter.

Very truly yours,

J. E. B. DUNN,
Special Agent in Charge.

JEPD-mk
69-19.

cc-Jacksonville.

WFB:MD
60-180-48

RECORDED

1-31-31

January 29, 1931.

MEMORANDUM FOR THE ATTORNEY GENERAL

As of probable interest to you in connection with the case involving ALPHONSE CAPONE - CONTEMPT OF COURT, Chicago, Illinois, I am attaching hereto copy of a letter received by me from the Special Agent in Charge of the Chicago office of the Bureau of Investigation.

It will be noted in this letter that a definite trial date for the hearing in the case against Capone has not been set, the case having been continued indefinitely from January 19, 1931.

I have been subsequently advised by the Special Agent in Charge of the Chicago office that the continuance granted to the defendant Capone was subject to termination on forty-eight hours' notice and that while the definite date for the trial has not been set, it will probably be designated for a date within the next ten or fifteen days.

Respectfully,

Director.

Enc. 456280

BUREAU FILES DIVISION
MAILED
JAN 29 1931

U. S. Department of Justice

Bureau of Investigation

P.O.Box 1405,
Chicago, Ill.

RECEIVED
FEB 20 1931 PM

February 18, 1931.

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

69-

Dear Sir: Re: ALPHONSE CAPONE et al 180
CONTEMPT OF COURT; PERJURY

Inquiries made today in the court of Federal Judge Wilkerson with respect to the probable date upon which the instant matter may be heard develop the following information:

Attorneys for the defendant have filed a motion to quash, alleging a technical defect in the information filed against Subject. District Judge Wilkerson has assigned the 19th instant for hearing of the arguments on the motion to quash.

District Judge Wilkerson has indicated that in the event the motion of the defendant's attorneys is over-ruled, this matter will be heard on the 25th instant and states in this connection that counsel for the defendant have agreed to produce their client in court in the event the matter comes on for hearing on February 25.

This office will continue to keep the Bureau advised as to developments in this case.

Very truly yours,

J. E. P. DUNN,
Special Agent in Charge.

JEPD/EC
69-19

FEB 19 1931

FEB 24 1931

RECORDED

FEB 24 1931

69-180-150
BUREAU OF INVESTIGATION
FEB 18 1931 A.M.
Dir. Nathan
FILE

P. O. Box 28,
Jacksonville, Florida,
February 8, 1944.

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

Dear Sir:

RE: ALPHONSE CAPONE;
KENNETH PHILLIPS, M. D.;
Contempt of Court; Perjury.

Reference is respectfully made to your letter of the 5th ultimo in the above styled matter.

Please be advised that on the occasion of the recent visit of United States Attorney George E. Q. Johnson at Miami and Miami Beach, Florida, he contacted, at Miami, Special Agent B. L. Damron of the Jacksonville office who cooperated with Mr. Johnson in the location and interview of the desired witnesses and also assisted the Marshal in the service of the subpoenas designated by Mr. Johnson.

In the event further investigation or action is desired in this district, you may so advise and the same will receive prompt attention.

Very truly yours,

Harold E. Anderson,
Acting Special Agent in Charge.

HEA:SLM
Jax File #69-8
cc Director

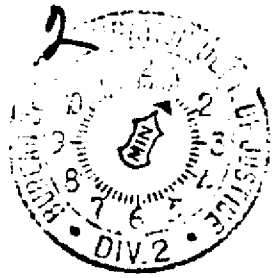
69 180

Dir. Two

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS



February 17th, 1931 1931 PM

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

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

Dear Sir:

There is transmitted herewith for your information, newspaper clipping taken from the February 16th, 1931 issue of the Chicago Evening American, relative to the above named subject.

69-180

Very truly yours,

E. P. DUNN,
Special Agent in Charge.

RGH:JMS

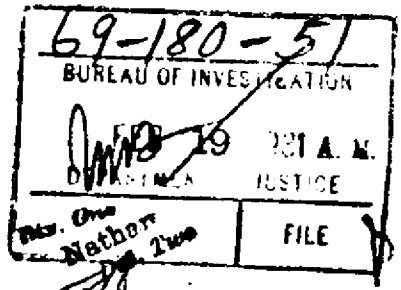
69-19



FEB 19 1931

RECORDED & INDEXED

FEB 24 1931



Chg Evening American

MONDAY, FEBRUARY 16, 1931

CAPONE FACES U. S. TRIAL FEB. 25

Al Capone, czar of Chicago gangland, must face Federal Judge James H. Wilkerson one week from Wednesday in the contempt proceedings brought against him, unless the court sustains the motion of defense attorneys to quash the proceedings.

Arguments on the motion to quash were begun today and will be heard again Thursday morning. If the court overrules the motion, Judge Wilkerson said, the hearing will begin February 25. Attorneys William F. Waugh and Benjamin P. Epstein are pressing the motion, with Assistant District Attorneys Jacob I. Grossman and Daniel Anderson opposing it.

The contempt proceedings grew out of Capone's failure to appear in Federal Court here in answer to a subpoena when he was in Florida about two years ago. He claimed sickness prevented him from appearing on the day specified, but made an appearance six days later. The government charges that, despite his claim of sickness, Capone was seen attending the races in Florida at the time.

A question over the pronunciation of Capone's name arose in court today, with Judge Wilkerson requesting that it be settled before he went further with the case.

Attorney Epstein and Prosecutor Anderson had been referring to him as though the final letter in the name was sounded, to rhyme with Tony, but Attorney Waugh had pronounced his client's name Capone—rhyming with stone. When the judge asked that pronunciation of the name be settled, Attorney Waugh informed him that the way in which he had been pronouncing it was correct.

69-180-51

FORM NO. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLA.

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Chicago, Illinois	Feb. 20, 1931	Feb. 17, 1931	T. F. Sullen
TITLE: ALPHONSE CAPONE; KENNETH PHILLIPS, M. D.			CHARACTER OF CASE: CONTEMPT OF COURT

SYNOPSIS OF FACTS:

On date February 17, 1931, attorneys representing Subject Capone appeared before Federal Judge Jas. H. Wilkerson, Chicago, who set Thursday, February 19, 1931 as the date to hear arguments on motion of the attorneys for Subject Capone to quash the information. Federal Judge Wilkerson also set February 20, 1931 as the date for Subject Capone to show cause in case the motion of Subject's attorneys is overruled. Motion to dismiss information and quash warrant of arrest overruled.

- P -

REFERENCE: Report of Special Agent T. F. Sullen, Chicago, Ill., dated November 8, 1930.

DETAILS:

DETAILS: On February 17, 1931 the above subject matter was called before Federal Judge Jas. H. Wilkerson, Chicago, for the purpose of again setting a date for a hearing of this case. On the motion filed by Epstein and Waugh, attorneys for Subject Capone, to quash the information filed by the United States Attorney against Subject Capone, Judge [illegible] February 19, 1931 as the date for the hearing on the [illegible] February 20, 1931 as the date upon which Subject [illegible] show cause as to why he should not be held [illegible] matter date for the appearance of Subject Capone [illegible] Federal Judge Wilkerson overruled [illegible] Capone's attorneys. Attorneys Epstein and [illegible] Chicago that if necessary

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

69-180-52

RECORDED AND INDEXED: FEB 26 1931

BUREAU OF INVESTIGATION FEB 24 1931 A M DEPARTMENT OF JUSTICE

CHECKED OFF:

JACKETED: 2 1931

COPIES OF THIS REPORT FURNISHED TO:

2- Bureau
2- Jacksonville
1- U. S. Atty. Chicago, Ill.
2- Chicago

ROUTED TO: Dir. Sec

FILE

11

7—1933

for them to show cause on February 25th they should have subject present in the courtroom on that date.

On February 19, 1931 motion to dismiss the information and quash warrant of arrest against Subject Capone was overruled by Federal Judge Wilkerson and the date for hearing of this matter set for February 25, 1931.

Special Agent O. C. Dewey conferred with Assistant U. S. Attorney Grossman who advised that subpoenas for the necessary witnesses have been forwarded to the U. S. Marshal at Jacksonville, Florida and that he is directing a communication to the Jacksonville Bureau Office requesting that an agent aid the U. S. Marshal in serving these subpoenas and seeing that the various witnesses are started on their way to Chicago.

UNDEVELOPED LEAD.

CHICAGO OFFICE will keep in touch with Assistant U. S. Attorney Grossman as to any action he desires taken regarding this matter and to cover hearing of this case on Feb. 25, 1931.

PENDING

169

RECEIVED

P. O. Box No. 1406,
CHICAGO, ILL.

February 25, 1931

Special Agent in Charge,
Bureau of Investigation,
Box 28,
Jacksonville, Fla.

Dear Sir:-

RE: ALPHONSE CAPONE,
ROBERTS PHILLIPS, M.D.,
Contempt of Court-Perjury.

With reference to your communication of the 20th instant concerning the above entitled case, you are advised that the report of Special Agent T. F. Mullen, dated February 20, 1931 records information concerning the present status of this matter. The date for hearing in this case has been set for February 26, 1931 at Chicago, Illinois.

Very truly yours,

R. O. HARVEY,
Acting Special Agent in Charge.

RCH-mk
cc Bureau
20-19

69-180

FEB 28 1931

DEPARTMENT OF JUSTICE

P. O. Box 88,
Jacksonville, Florida,
February 20, 1941.

Special Agent in Charge,
Bureau of Investigation,
P. O. Box 1428,
Chicago, Illinois.

Dear Sir:

Re: ALPHONSE CAPONE;
KENNETH PHILLIPS, M.D.;
Contempt of Court; Perjury.

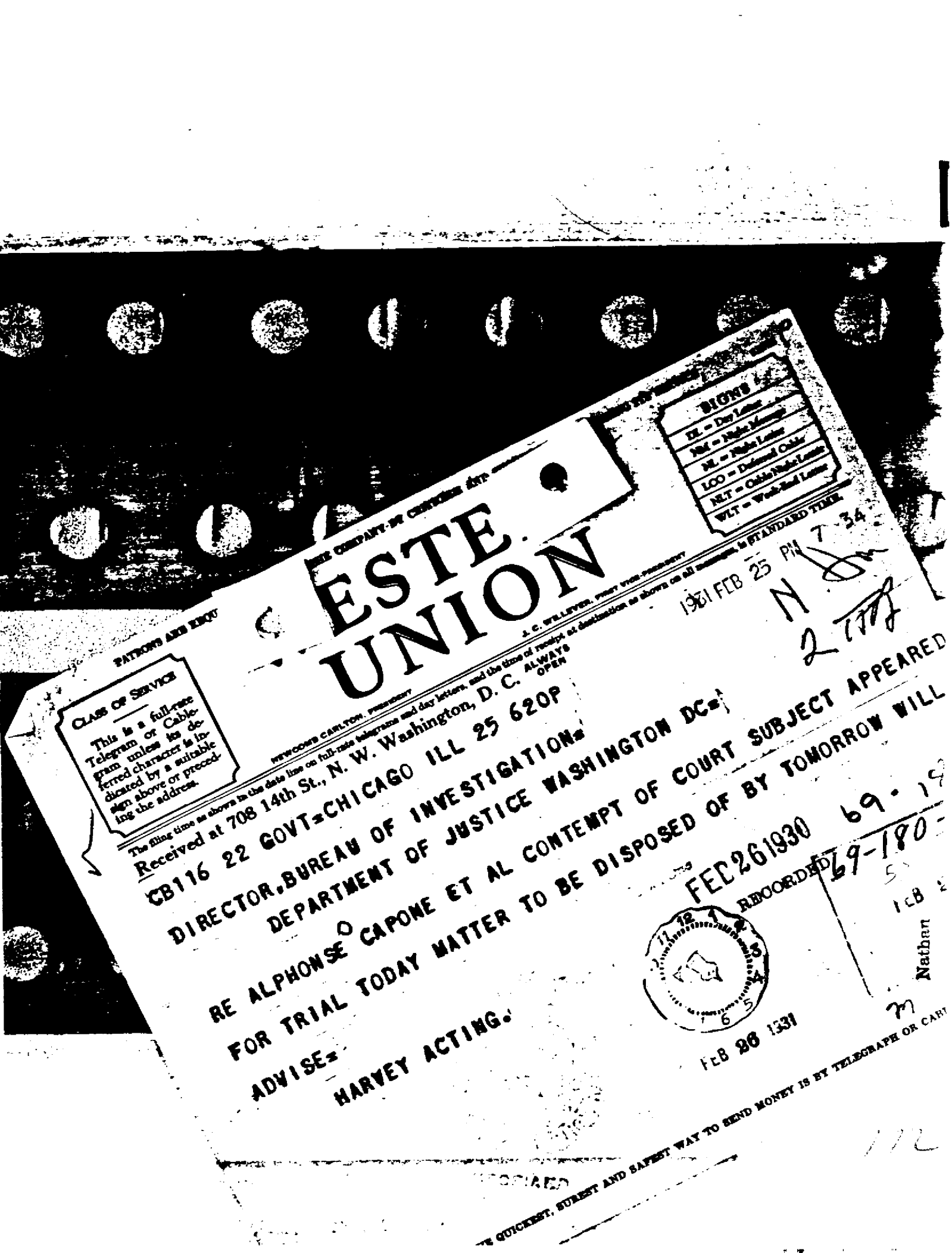
Referring to your letter of January 28, 1941, under above caption, addressed to the Director, I will appreciate advices if any further action has been taken toward disposing of this matter.

Very truly yours,

Louis B. Nutt,
Special Agent in Charge.

DeH:ELH
Jax File 88-0
cc Director

69-180



WESTERN UNION

PATRONS AND EMPLOYEES

CLASS OF SERVICE

This is a full-rate Telegram or Cable-gram unless its deferred character is indicated by a suitable sign above or preceding the address.

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages is STANDARD TIME.

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1931 FEB 25 PM 7 34

Received at 708 14th St., N. W. Washington, D. C. ALWAYS OPEN

CB116 22 GOVT=CHICAGO ILL 25 620P

DIRECTOR, BUREAU OF INVESTIGATION=
DEPARTMENT OF JUSTICE WASHINGTON DC=

RE ALPHONSE CAPONE ET AL CONTEMPT OF COURT SUBJECT APPEARED FOR TRIAL TODAY MATTER TO BE DISPOSED OF BY TOMORROW WILL ADVISE=

HARVEY ACTING.

FEC 26 1930

RECORDED

69-180

FEB 26 1931

Nathan

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

CHICAGO DAILY NEWS
Thurs., Feb. 26, 1931.

N-MM
MA





Capone 'Real Mayor Here, Editor of Vienna Say

BY JOHN GUNTHER.

SPECIAL CABLE to The Chicago Daily News Foreign Service.

Vienna, Austria, Feb. 26.—Al Capone is the real mayor of Chicago today, my Vienna colleague, commenting rigorously on what they call "Chicago's bloody polling" and the presence of the redoubtable Thompson's victory seems to conclusively that people in Mayor Thompson's town.

The Nordtrupein says that Capone was able to return to Chicago openly because it was his influence that caused the Federal courts to annul the recent election. It adds:

"Regular martial law was proclaimed round the Federal courts in favor of the king of Chicago.

The News wherever together, says police were instructed to assist Capone's private detectives in order to guard Capone from possible acts of violence. Although his friends have succeeded in keeping the book of his enemies, Another Vienna newspaper today with big headlines, a serial biography of Capone, which ends with all the chapter and receptions of a spiritual hero. Chicagoans may be further surprised to hear that running the loop streets are what Vienna knows as the Prater, the



MAR 3 1931

NOT RECORDED

INDEXED 69-180

69-180-53X

2CE
CITY and SUBURBS
& ELSEWHERE

DAILY ILLUSTRATED
CHICAGO'S PICTU

Vol. 2. No. 149 Full Associated Press Service CHICAGO, THURSDAY,

Museum Head's Son Seized, Pal SHOT

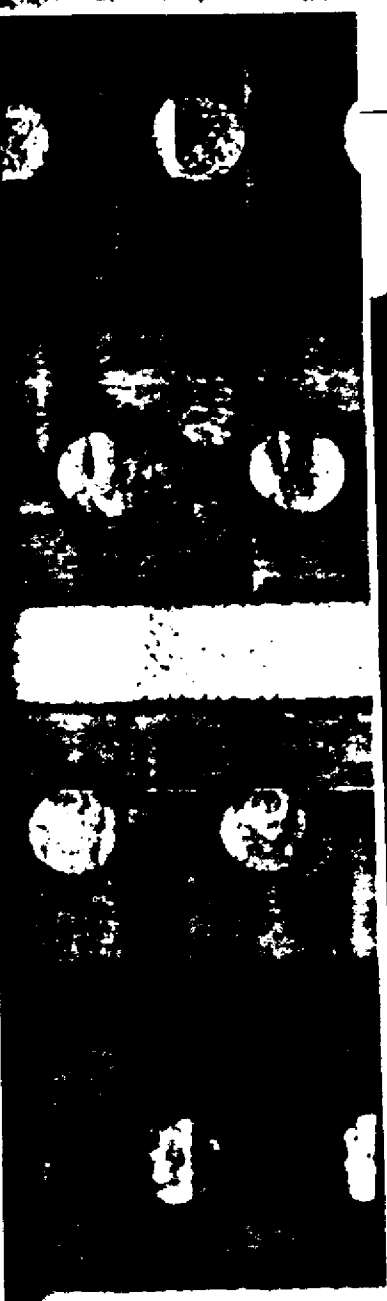


MAYBE IT'S A HANGOVER.— Al Capone seemed a bit depressed when snapped in Judge Wilkerson's federal court [illegible] after all-night whoopee at which ga[illegible] land paid honor to the Big Shots; perhaps it was thoughts of vag h[illegible] after Uncle Sam was through. —See p. [illegible]

TED TIMES
RE NEWSPAPER
LATE NEWS PICTURES
FEBRUARY 26, 1931 Telephone Dearborn 2222 32 Page

IN HOLDUP

(Story on Page 2)





(DAILY TIMES Photo)

BANDITS' SWEETIES? —These girls were questioned by Grand Crossing police today after doctor reported treating wounded bandit in house where they were arrested. The girls (left to right) are: Mae Palombo, sweetie of James Bennett, the wounded bandit; Toots [illegible], Elizabeth Weiss Kitty Tufaro. Ben- and his pal were [illegible]



115

U. S. Department of Justice

Bureau of Investigation

P. O. Box No. 1405,
CHICAGO, ILL.

69-180

MAR-2 1931

February 26, 1931.

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

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

Dear Sir:-

I am transmitting herewith for your information copies of clippings from the local press in connection with the above entitled case.

Very truly yours,

R. G. Harvey

R. G. HARVEY,
Acting Special Agent in Charge.

RGH-mk

69-19

1 Enclosures.

FEB 28 1931

RECORDED & INDEXED

69-180-54

MAR 3 - 1931

1-3 28

Dis. Ono
Tuttle 2nd
T.C.
Nathan

176



(TRIBUNE Photo.)

AS HE APPEARED AT THE DETECTIVE BUREAU.
Al Capone after his arrest on vagrancy warrant. He was taken to the State street station, where his finger prints were taken.



(TRIBUNE Photo.)

ON HIS WAY BACK TO UNITED STATES COURT.
Al Capone dodging camera as he left the detective bureau with Assistant Chief of Detectives Halloran.

CHICAGO DAILY TRIBUNE
February 25, 1931

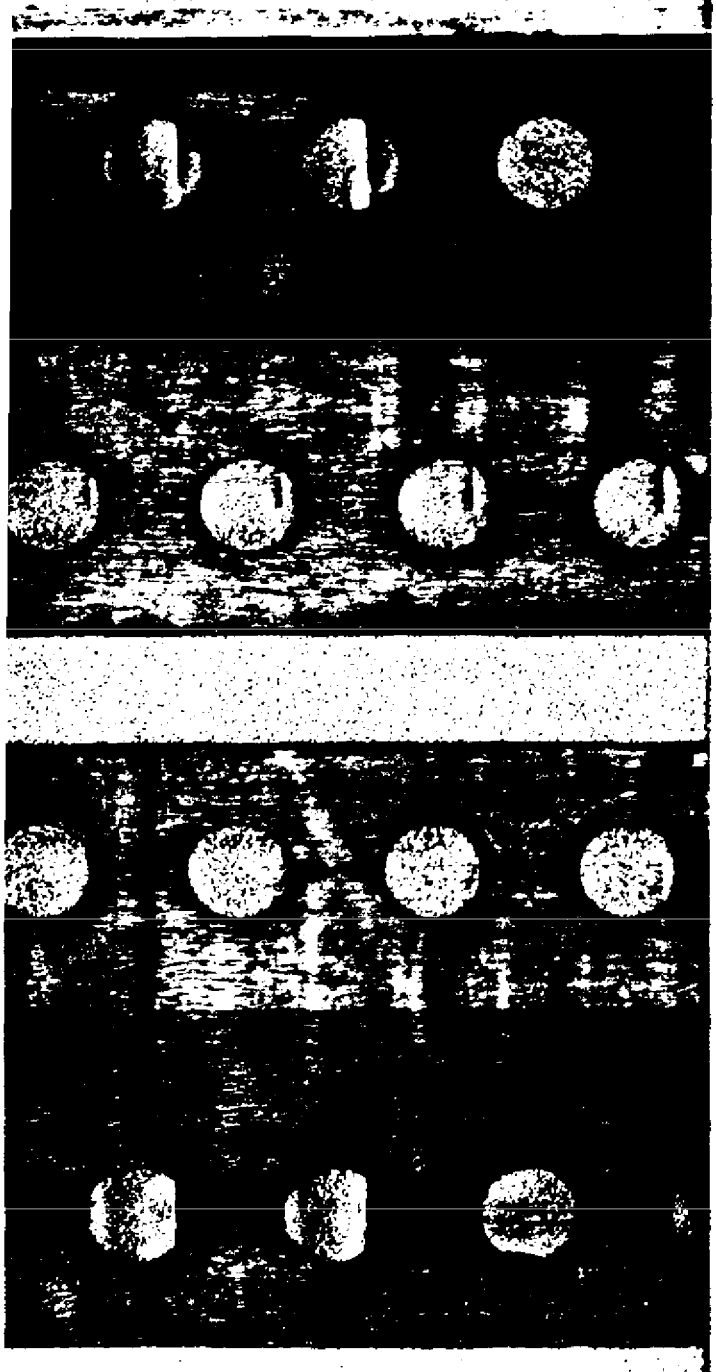
10 100-54



[TRIBUNE Photo]

COURTROOM CROWDED AS GOVERNMENT PRESENTS ITS CASE AGAINST AL CAPONE IN CONTEMPT OF COURT PROCEEDINGS. (1) Al Capone, (2) Benjamin P. Epstein, and (3) William F. Waugh, Capone's attorneys; (4) Jacob Grossman, assistant United States district attorney, questioning (5) W. R. Foster, Hialeah, Fla., government witness; (6) Judge James H. Wilkerson. The room was filled to capacity, spectators occupying the jury box in the background.

69-180-54



prevent [illegible] entering the federal [illegible] only newspaper men, a [illegible] house and federal officials were permitted to attend the contempt hearing.

Talks Freely to Reporters.

To reporters Capone chatted unhesitatingly, declaring he arrived in Chicago last Friday, refusing to state by what route.

He laughed derisively when asked whether he contributed $150,000 to the Thompson campaign fund.

"What do you think of the election?" he was asked.

"Lyle tried to make me an issue and the public has given its answer," was the reply.

"No, I'm not going into the movies," Capone said in reply to another question. "Neither am I going to write my autobiography. It probably would make me a lot of money. I have been offered as high as $2,000,000, including movie, serial, and book rights. But I am not going into the literary business."

Where Capone stayed last night was not learned, but it did not matter to the authorities. The vagrancy warrant has been served.

Florida Policeman Testifies.

John M. Coroneas, a policeman from Hialeah City, was the first government witness to combat Capone's illness plea. An affidavit from Capone's physician, Dr. Kenneth Phillips, which gained a stay for the grand jury appearance from March 12 to March 20, stated that Capone was convalescing from "broncho-pneumonial pleurisy, with fluid effusions in the chest." Dr. Phillips first attended Capone on Jan. 12.

"When did you first see Capone?" Coroneas was asked by Prosecutor Jacob Grossman.

"On the first or the second day of the opening of the Hialeah races. They opened on Jan. 17, 1929," said Coroneas.

Q.—Which was it, the first or the second day? A.—The second. I was patrolling the grounds and I saw a big yellow car pull up in a space reserved for the sheriff. I started towards the driver, but somebody said that was Al Capone, so I gave him service.

Q.—What did you do then? A.—I walked over to the ticket office and waited for him. I said "Hello, Al," and he said, "*Hello*," handing me a $10 bill, which he peeled off a roll he took out, to buy the tickets with.

Seen Frequently at Races.

Q.—Did you see him after that? A.—I saw him frequently until the closing of the races, March 9.

Q.—How many times did you see him. A.—About fifteen or twenty times.

Q.—How did he look? Did he appear in good health? A.—He was the picture of health, always smiling and in good spirits.

Q.—[By the court] Did you talk to him about his health? A.—No, judge, I just saluted, like this, and said "Hello, Al."

Gives Cop a $10 Tip.

James T. Wood and W. R. Foster, [illegible] other policemen from Hialeah, [illegible] Capone's [illegible]

A.—On Feb. 2, when I took him to Bimini and back to Miami.

Q.—How did you go—in an open plane? A.—Yes.

Q.—How long did it take? A.—About 45 minutes each way.

Q.—How long were you in Bimini? A.—About three hours.

Prosecutor Grossman at this point introduced the manifest supplied immigration officials, which gave his passenger list as Alphonse Capone, Nicholas Circella, Tony Clarke, and Philip D'Andrea.

A steamship trip to Nassau was not described, but the records of Capone's arrival and departure from Miami with his young brother, Alfred, were introduced through identification of immigration authorities and J. W. Cooper, agent for the Munson lines, who said he booked Capone for the passage on Feb. 8. The return manifest was dated Feb. 18.

Assistant United States Attorney Daniel Anderson, who represented the government when Capone appeared before the grand jury investigating boose conditions in Chicago Heights, took the stand for the government and a spirited colloquy between counsel as to whether Capone addressed a letter to "Hon. James H. Wilkerson" ensued.

Wanted to Avoid Contempt.

The government contended in the opening statement that Capone sent a letter with the affidavit of Dr. Phillips stating that he did not wish to be in contempt of court, but desired a continuance on the advice of his physicians. A continuance was granted by Judge Wilkerson on the 11th of March and Capone appeared on the 20th.

Attorney Epstein insisted that the letter, which the prosecution claimed it could not find, and which the defense did not produce, was addressed to him and Attorney Waugh, retaining them as counsel.

The controversy over the addressing of the letter resulted in the introduction of a part of Capone's testimony when he finally appeared before the grand jury, wherein the respondent admitted that he wrote Judge Wilkerson a letter and gave contradictory testimony as to his confinement to bed in Florida.

What Is "Sick in Bed."

The question of what is meant by the term "confined to bed" figured prominently in the testimony of Dr. Phillips, who was the only defense witness introduced before court adjourned yesterday.

Q.—When were you called to the home of Capone at Palm Island? A.—On Jan. 12, 1929.

Q.—What was his condition when [illegible]

AS-0.P.-69

Q.—Where was he, in bed? A.—He was sitting out on the porch with several other men.

Q.—How was he dressed? A.—In grey flannel trousers and a camelly hair coat.

Q.—Did he appear ill? A.—He looked just like he does now.

Woman Tells of Interview.

Miss Ruth Gaskin, secretary to Robert R. Taylor, former solicitor of Dade county, Florida, who questioned Capone on Feb. 14, 1929, told of the interview.

Q.—How did he appear then, sick or in good health? A.—He didn't look any different from the way he does now.

Q.—Did he say anything about being sick? A.—Not that I knew of.

The airplane trip to Bimini, on Feb. 5, when Capone was "confined to bed" and convalescing from his "desperate illness" of Jan. 13, was described by Edward Nirmarrer, the pilot.

Q.—Did you ever see Al Capone? A.—Yes.

Q.—Do you see him here in the courtroom? A.—(After searching the crowded room for a full minute)—There he is.

Took Pictures of Estate.

Q.—Tell us about the first time you saw him. A.—It was in January, 1928, at his estate at Palm Island, about two weeks before. I took him on a trip to Bimini. I had taken a photographer on a flight over the J. C. Penney estate, where Mr. Hoover was going to stay, to get pictures. We made some pictures of Capone's estate and the photographer asked me to go there and try to sell some of them.

Q.—Did you go there? A.—Yes, I gave him some of the prints and told him where he could get some more. Incidentally, I took one of his friends for a ride.

Taken on Airplane Ride.

Q.—What was Capone doing? A.—He was sitting around in a dressing gown.

Q.—When did you next see him

Q.—That you give him the treatment for pneumonia? This individual is a heavy man had to have the extreme tre

Judge Wilkerson interposed quire if Capone was "dan ill." "In my opinion, he wa the physician.

Q.—[By the court]—How lo he confined to his bed? A.—I six weeks.

Could Get Out of Bed.

Q.—(By counsel). State wh mean, professionally speaking you said he was confined to five or six weeks. A.—Well, by confined to his bed I don't mea he couldn't get up at times, go bathroom, sit up a while, or e carried to an automobile for a ride.

Q.—You mean that he was res from his activities? A.—Yes.

Q.—Did you examine the resp on March 5, 1929? (This was th of the affidavit.) A.—I examine the night before. He was still ing and had effusions of fluid chest cavity. I advised him t go to Chicago, where the clima considerably colder, would be gerous.

Capone's nurses will testify fo today, and the hearing is expec be concluded during the day. punishment for contempt is with discretion of federal judges, bu courts have usually limited terms for contempt to one year



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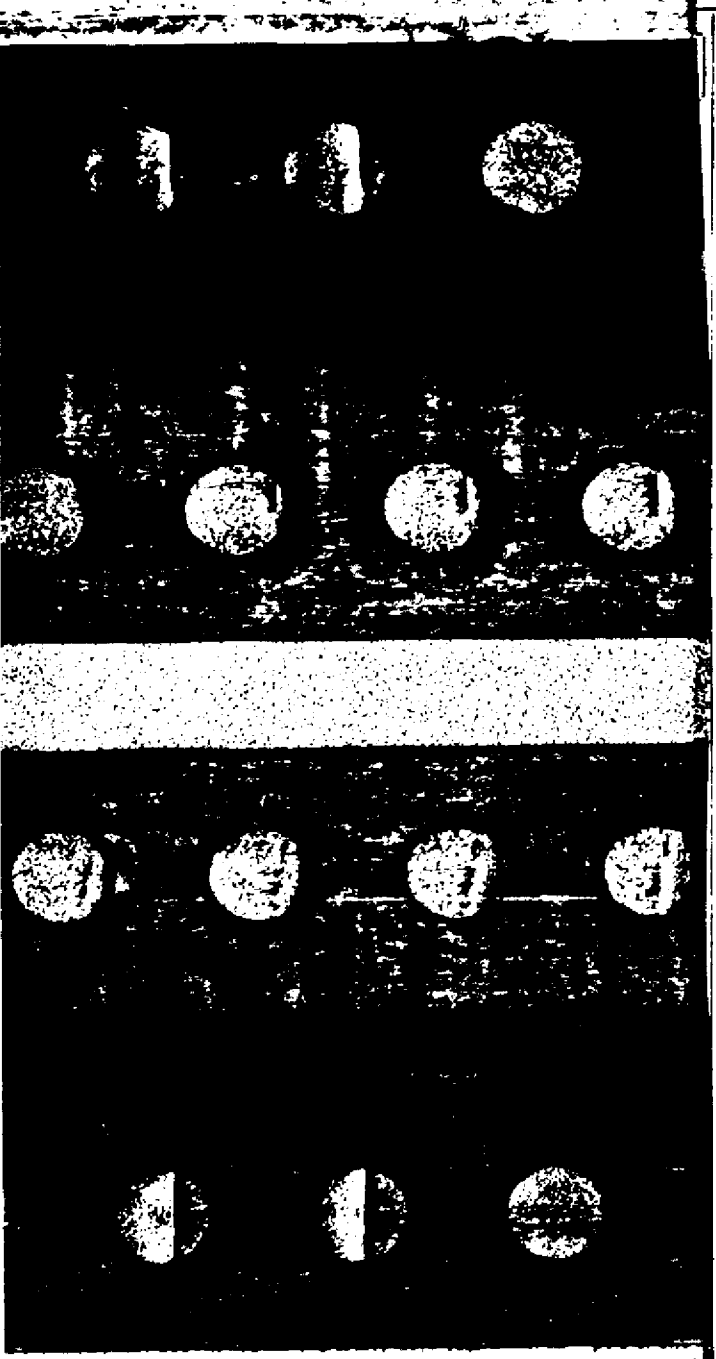
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CHICAGO TRIBUNE 2/26/31

FINAL EDITION

187



OLD

Seize Wealthy Man; Threaten to Kill Him

Harry Kaplan, 1610 South Harding avenue, a wealthy retired cigar manufacturer, was kidnaped on the eve of his scheduled appearance as complaining witness against two men and two women who are charged with robbing him. He was held captive for a time and threatened with cremation in the boilers of an abandoned Terry Druggan brewery at West Roosevelt road and South Campbell avenue unless he paid $10,000 in ransom.

Kaplan escaped from the kidnapers yesterday morning when they took him to the Continental Illinois Bank and Trust company, 231 South La Salle street, where he told a teller he wanted $5,000 in cash from his account to pay for ransom. The bank teller, by the use of a private bank signal, called out the bank's guards and Kaplan's kidnapers fled before they could be arrested.

Witness in Robbery Case.

The cigar manufacturer was scheduled to appear yesterday morning in Judge Peter Schwabe's Criminal court against Hans Bowman, Gilbert Tosch, Jessie Welch, and Mary Andrews on a charge of robbing him of $735 on Jan. 7.

The robbery charge grew out of a visit by Kaplan to the Welch woman's home at 3322 Michigan avenue to see the Andrews woman. He charges that Bowman and Tosch followed him from the flat, dragged him into a barn at 114 East 34th street, and robbed him of $735.

When the case was called for trial Assistant State's Attorney Mat Ruvell asked for a continuance on the ground that the complaining witness did not respond to the subpoena. Attorney W. W. O'Brien, representing the defendants, demanded a trial, saying that he would be busy next week defending William J. (Three Fingered Jack) in a murder case and [illegible]

U. S. WITNESSES SAY GANG CHIEF ATTENDED RACES

Makes Defense in Court Today.

(Pictures on back page.)

The government concluded its contempt of court case yesterday against Alphonse Capone, Chicago's foremost public enemy, with a trial that brought thrills for every clerk and stenographer in the federal building and disappointment to thousands who were turned away at the street entrances. Federal Judge Wilkerson, who sentenced Al's brother, Ralph, to three years in the penitentiary, is hearing the case. The defense began late in the day and will be concluded today.



EDWARD WIRMARRER.
[Aviator who testifies against Capone.]

The government accuses Capone of contempt of court by feigning illness to avoid a federal grand jury summons. Against the contention of the defense that Capone was telling the truth when he asked [illegible]

...O'Malley of the detective bu... was announcing the escape of Kap... lan from his kidnapers.

Kaplan said that on Tuesday night he left a street car at Roosevelt road and Fairfield avenue and that three men were waiting for him. They ordered him into a waiting automobile, he said, and drove him to the abandoned Druggan brewery.

The men demanded $10,000 and when Kaplan said that he could not pay they suggested that they might cremate him in the boilers.

Threaten Him with Death.

"We do not care whether you pay the money or not," said the spokesman of the gang. "We would just as soon burn you up in the boilers anyhow. This place is abandoned since the government closed it up and nobody would ever hear of you again."

Kaplan said that he was frightened and asked for permission to communicate with some of his relatives. They agreed to drive him to the barber shop of Sam Bycher, 2754 West 16th street. The latter is a father-in-law of Kaplan's daughter.

The kidnapers would not allow Kap... to leave the automobile, but they

...black and well groomed, the defendant appeared little perturbed by the proceedings. He settled his portly bulk—225 pounds—in his chair at the government table and presented the appearance of a sunny, fattened cheat following a meal goodie. A platinum watch chain, studded with diamonds, graced his vest coat, and pearl gray spats and a white silk handkerchief in his coat pocket set off his stylish blue suit.

Surrenders to Police.

At the close of the morning session, as he left the courtroom, Capone surrendered on a vagrancy warrant issued by Judge John H. Lyle. The warrant was served by Police Sergeants Edward Tyrrell and Joseph Hackshaw. Capone was hurried to the detective bureau, escorted and guarded by several squads of policemen under Lieut. William McCarthy.

After being finger printed and photographed, he was questioned briefly by Chief of Detectives Norton and given coffee and sandwiches. He told the detective chief that he was in the real estate business.

Before Capone's arrest his lawyers had obtained approval of a $10,000 real estate bond on the vagrancy ...from Judge Thomas Green. ...rty valued at $30,000, at 4633 ...Albany avenue, was scheduled ...chael Schwigel, and Capone was ... within a few minutes. He is ...uled to be arraigned in Felony ... today, but he will be so busy in ...al court that he may ask a con... on the state charge.

Given Police Guard.

...police guard took the gang ...back to the federal building for ...ternoon session, and after the ...nment of court the police es... him to 18th street and Wabash ... This was on instructions of ... Commissioner Alcock, who ... "We don't want Capone killed ...ags."

...Capone's taxicab stopped at ...uren and Dearborn streets for ...ight as he was leaving the fed... ...ilding, a swarthy man ran up ... cab. Lieut. McCarthy jumped ... his squad car, shoved the man ... to the sidewalk, and searched him ... a gun.

"I'm only a bondsman trying to drum up some trade," said the frightened suspect.

"He's all right," said Capone.

U. S. Well Represented.

Not only police but all branches of the government turned out for the Capone trial—the secret service, deputy marshals, special intelligence men from the revenue department, who are interested in Capone's income tax affairs; postal inspectors, prohibition

182

Gang Leader in Chicago for Primary

Al Capone, public enemy No. 1 and reputed contributor of $150,000 to the primary campaign fund of Mayor Thompson, was reported yesterday to have returned to Chicago from his winter estate at Miami. Dispatches from Miami said he had departed from there and last night he was believed to be in seclusion in one of his Chicago suburban headquarters.

Coincident with these reports Judge John H. Lyle, who is attacking the Capone influence in the city hall administration in his campaign for the Republican mayoralty nomination, was provided with a bodyguard of two motorcycle policemen who are to accompany him night and day. Judge Lyle did not ask for the bodyguard, but said he would accept it "in view of the interests which the gang chief has at stake in the primary."

Gang Patrol of 1927 Recalled.

It was recalled that Capone returned to the city for the primary election of 1927 and was seen in the loop accompanied by ten men on Monday, April 4, the day before the primary. For that primary Capone contributed $50,000 to the Thompson campaign chest, according to charges made by Judge Lyle. This year the gang chief's ante to the Thompson campaign was $150,000, the judge charges.

There were divergent reports of the method of Capone's departure from Miami, one that he had left by plane and the other that he had gone by train. The latter was considered the more likely since it had substantiation at Danville, Ill., though it was pointed out that the gang chief might have boarded a train after flying out of Miami.

Seen by Danville Policeman.

Traffic Policeman Wiley Watson of Danville said he recognized as Capone a man who left the Dixie Limited of the Chicago and Eastern Illinois railway at Danville yesterday morning. The policeman identified the gang chief from his pictures and the scar on his face, he said, and called out, "Hello Al." The stranger stopped, admitted he was Capone, chatted for a moment and said he was flying to Chicago, according to Watson.

He was accompanied by two men, and a third man, described as resem-

[illegible] waiting in a sedan which left immediately for the Danville airport, Watson said. At the airport, it was reported, that a cabin plane took off at 11:30 a. m.

Recognized by Passenger.

Policeman Watson said he talked with a woman passenger who also left the Florida train at Danville and asked her whether she recognized the man getting into the waiting sedan.

"Why, sure, that's Al Capone," she replied. "Everybody on the train has been talking about him."

Dispatches from Miami quoted Dr. George H. Day of the United States public health service as saying that Capone and a bodyguard of four men left by plane for Atlanta on Friday. Officials of the Eastern Air Transport at Miami said that five men purchased tickets for the flight but that Capone's name was not on the passenger list.

If Capone arrived in the Chicago area by plane, as the Danville report indicated, he apparently landed at some secluded spot to keep out of the way of the vagrancy warrant which was issued for him several months ago by Judge Lyle.

Loesch Backs Fund Charges.

Judge Lyle's charges of Capone contributions to the Thompson campaign fund have been supported by Frank J. Loesch, president of the Chicago Crime commission and formerly a special prosecutor of fraud and violence at the polls. Loesch declared that Capone had poured a total of $260,000 into the Thompson fund for the primary and election of 1927.

City Sealer Dan Serritella, Capone lieutenant and a member of the city hall cabinet, has been actively identified with the present Thompson campaign, appearing with Thompson at his loop theater meetings and sitting on the stage during his speeches.

Serritella's affiliation with the Capone gang has not been disputed. Mops Volpe, another Capone lieutenant, boasted at a hearing before immigration officials seeking his deportation that Serritella accompanied him on an airplane flight from Havana to Miami.

Faces Federal Hearing.

On Wednesday Capone is scheduled to appear before Federal Judge Wilkerson for trial for contempt of court. This charge grew out of his feigning illness in Florida two years ago to avoid appearing before a federal grand jury investigating booze conditions in Chicago Heights. The government contends that he was well enough to attend dog races and gambling houses.

Capone's attorneys, William F. Waugh and Benjamin P. Epstein, who have assured Judge Wilkerson that Capone would appear in court on Wednesday, said last night they had not heard whether he had arrived.

183

69-180-54

CHICAGO DAILY NEWS

Tues., Feb. 24, 1931.

CAPONE'S HAND REPORTED BUSY IN DAY'S VOTING

Police Hunt Gang Boss in Vain as Rumors Hint at His Activities.

CASE UP TOMORROW

Slain Man Is Identified

The body of a man, nude and garroted, the face and hands acid strewn, found in a secluded culvert eight miles south of Gary on Feb. 12, today was identified as that of Paul Catalina, who served as a chef in the Little Florence restaurant, 2122 South Michigan avenue, long known as a gathering place for "Scarface Al" Capone's men.

Sheriff Roy Holley announced the identification after a conference with Pat Roche, State's Attorney Swanson's chief investigator.

Catalina disappeared from Chicago Feb. 11. He had been strangled and an effort was made to hide his identity by pouring acid on his face and hands. Identification was made through tracing a dry cleaning mark in a bloodstained hat found two miles from the body.

[redacted]

Capone [illegible] today, [illegible] orders on decisions which had been arrived at in week-end conferences in the home of Johnny Patton, the middle-aged "boy mayor" of Burnham.

The police, the sheriff's men and state's attorney's aids were reported out on a hunt for Capone, but in informed circles it was considered highly likely that Capone would be brought in.

Due in U. S. Court Tomorrow.

Meanwhile in the federal building United States District Attorney George E. Q. Johnson was putting the finishing touches to the contempt case against Capone, which will be presented to Federal Judge James H. Wilkerson tomorrow.

Mr. Johnson was in conference with Assistant District Attorneys Daniel Anderson, Jacob I. Grossman and Cassius Foust. Grossman and Foust have won an enviable reputation for their conduct of income-tax cases against gangsters and their addition to the prosecution was regarded as an added proof that determined effort will be made to lodge Capone behind jail bars.

Mr. Johnson said he had six witnesses who would testify that Capone was in good health at the time two year ago that he refused to make prompt answer to a grand jury subpoena on the ground he was ill.

Another report that gained currency in the federal building was that Capone would be the target for income-tax action when he appears tomorrow.

Linked to Lingle Slaying.

An Associated Press dispatch from Asheville, N. C., today said that relatives of L. G. P. Van Ness, who was found dead in a Westminster (S. C.) hotel, his throat slashed, advanced the opinion he may have been slain by gangsters because of his supposed knowledge of the slaying of Jake Lingle. The first belief was that Van Ness had killed himself.

Assistant State's Attorney James McShane, a member of the board of strategy, today scoffed at the idea.

"Van Ness," he said, "was never known to us as a gangster."

184

69-180-54



185

CHICAGO DAILY NEWS
Wed., Feb. 25, 1931

Capone Goes to Trial In U. S. Contempt Case; Seized on 'Vag' Charge

Marshals and Police Greet Gang Chief as He Dodges Crowd.

HE'S 'HOME' FOR WHILE

BY ROBERT J. CASEY.

Chicago today stretched forth its arms to welcome its returning son, Alphonse ("Scarface Al") Capone.

He was greeted by a large crowd, by federal deputy marshals who haled him to court on a charge of contempt, and at his lunch hour by a squad of city police, who haled him to the detective bureau on a vagrancy warrant. Chief of Detectives Norton there greeted him as "public enemy No. 1."

He was returned to the federal building at 1:30.

The visit to the detective bureau was quite an affair. When mention was made of a bond Capone reached into his pocket, and although there was an involuntary motion of ducking by the spectators the hand came out with nothing more lethal than a $10,000 real-estate bond, secured by property scheduled at $80,000. The bond had been approved before the visit by Judge Thomas Green of the Municipal court.

"What about the election?" Chief Norton asked as Capone sat munching a sandwich brought by a bondsman.

"I'm just the goat," Capone said.

Submits to Finger Prints.

For the first time since Dec. 27, 1925, when there was a minor charge against him, the gangster was subjected to the indignity of a trip through the bureau of identification. His age, he says, is 32; his home address, 7244 Prairie avenue; his occupation, real-estate dealer.

CAPONE AT DETECTIVE BUREAU



dismissed him with a wave of his hand:

"No business today," he said.

He glanced appreciatively about the courtroom with its white marble walls, its dull gold ceiling and ornaments and the preamble to the constitution in Roman letters above the door. Mr. Capone, despite his experience in ways beset by the police, has not been in many courtrooms and it was plain that he was interested in the proceedings and setting.

He showed no alarm at the government's charge that he willfully absented himself from a meeting of the grand jury that wanted to interview him in March, 1929.

"It's on the up and up that I was sick," he said. "I came up here when I was able to travel. I don't mind seeing grand juries. I do everything I can to help them. I don't think there'll be anything to this case."

Keeps Route a Mystery.

Mr. Capone declined to tell the route he had followed in his journey from Florida to Chicago and he was equally reticent on the subject of how he might have cast his vote at the primary. But he laughed scornfully at the suggestion that he had contributed $150,000 toward Mayor Thompson's campaign fund.

"I don't waste money that way," he said. "I came home because I live in Chicago. And it doesn't make any difference how I got here. I got here."

He did state, however, that he had

attorney's arraignment with the district attorney and Mr. Capone took his place at the table beside William F. Waugh and Benjamin Epstein, his attorneys, in the federal matter.

A plea of not guilty was entered.

Jacob Grossman, representing the government, made a statement setting forth that Mr. Capone had grossly deceived his Chicago friends, not to mention the grand jury and the court, by pretending to be near death from bronchio-pneumonia-pleurisy, whereas at the time he was actually dashing about to prize fights and horse races in Florida.

The judge wanted to know in what state Mr. Capone was resident and Mr. Grossman settled this question by stating that the grand-jury subpoena which started all the trouble had been served in Florida.

The district attorney outlined the case to the effect that Mr. Capone had replied, through his attorneys, that he was physically unfit to make the long journey to Chicago, submitting with his letter an affidavit signed by Dr. Kenneth Phillips describing the maladies from which the patient sufferer was fortunately recovering.

'Tis False; 'Tis True.

Mr. Grossman stated that the government would prove that the affidavit was false and that Mr. Capone was in the best of health and spirits and fully able to travel 1,800 miles if he had wanted to.

Mr. Epstein in the opening state-

[illegible] proceedings [illegible] George Wendelken, [illegible] taken from the sixth floor in a prisoner elevator to the postal subway, where he was transferred to a squad car.

There he was aided by Lieut. McCarthy if he had any objections to being taken to the detective bureau.

"No objections," said Mr. Capone. "Show me where it is."

How Charge Arose.

The charge on which Capone was hailed into court grew out of Capone's refusal two years ago to give prompt heed to a federal grand jury summons. Government men had staged a raid in Chicago Hideaway, uncovered information about which they desired Capone to speak.

A grand jury summons was sent to Florida. Capone sent his regrets to the grand jury, saying he was too sick a man to make the journey to Chicago.

Aviator Testifies.

The first witness of the afternoon session was Edward Niermaier an air pilot who testified that he had taken Mr. Capone and a party from Miami to Bimini, the bootleggers' island in the Bahamas, on Feb. 2, 1929.

He was followed by J. W. Cooper, agent for the Munson steamship line, who said he had booked Capone for passage aboard the S. S. Northland from Miami to Nassau on Feb. 8. Both witnesses produced manifests to show the passenger's age as 30. His business was set forth as real estate.

CHICAGO DAILY NEWS
Wed., Feb. 25, 1931.

ONE IN COURT U. S. CHARGE OF CONTEMPT

(Continued from First Page.)

covered with cameramen standing ready at their cranks.

Officialdom Represented.

No such display of gold braid has been seen in Chicago since the last annual ball of the old volunteer fire department as was mobilized on the postoffice steps. Captains, lieutenants and lesser officials of police—not to say a generous representation of visiting firemen—milled through the crowds on the sidewalks and mingled with the inquisitive ones who got into the federal building corridors on the pretense of having business there. Squad cars, sirens screeching, made the circuit of the block with the monotony of a political parade. And the agile populace practiced itself in the technique of keeping from being trodden underfoot.

Up on the sixth floor, where Judge Wilkerson was listening to the arguments of those who would tear Mr. Capone away from Chicago's bosom and give him to Leavenworth or Atlanta, barricades had been erected in the cross corridors and a squad of marshals and secret service men examined all applicants for admission. The general public was excluded from the courtroom. And those few were "fanned" at the door for [illegible] sleuths thought the spectators might be carrying in their hip pockets or shoulder holsters.

Makes Sudden Appearance.

Mr. Capone was an early arrival. While the moving-picture men and news photographers were massing about the tunnel where postal trucks drive under the building or unlimbering their auxiliary apparatus at the more obvious entrances his car suddenly appeared in Adams street. The booming hoodlum leaped out and waved his hand to the startled welcome committee as he dashed up the steps.

He laughed at suggestions that he stop to pose, made his way quickly across the rotunda of the building and entered an elevator. His bodyguard, if present, was unobtrusive.

Mr. Capone seemed to be in good spirits and spoke cheerily to reporters on all subjects such as the weather in Florida, the business depression, the prospects of Young Stribling against somebody named Schmeling, the appearance of Chicago, the election and his prospects for ultimate vindication. His normal is cheery greeting to a deputy marshal who never been in Whoosh, Ind., Dantzic, Ill., and Bonesville, Iowa, where he appeared simultaneously just before election.

Finds Our Rainy Weather.

"I'm not going back to Florida, because we are having a better winter up here," he explained. "I've been going down to Miami for six years and never have I seen weather like we've had there in the last few months. There were only about six days when it was warm enough to go swimming.

"I've been asked if I have come home to write my autobiography. I haven't. It probably would make me a lot of money. The last that I had was $3,000,000—that included moving-picture rights, serial rights and book rights. But I'm not going into the literary business. That would be cutting in on the work of the boys who are writing about me.

"I read one of the books on the market now and I don't think much of it. It's well written—as far as I could see from the few pages at the beginning—but it's about somebody else. I don't belong in this book any more than I belong in a book by Horatio Alger. I guess maybe I could write a better one, but that sort of stuff isn't my line.

"And you can say for me that I'm not going into the movies, either. I saw a piece in one of the papers about a month ago telling about how I was going into the pictures." He grinned genially. "Can you fancy that? Well, anyway, I'm not going into the movies. I'm no Mary Pickford."

Capone was quietly dressed in a blue suit, gray spats, dark shoes, white shirt and diamond watch chain and he sat unobtrusively in a corner of the room until called to the table before the judge for his hearing.

Decorum Is Maintained.

Toward 10 o'clock the investigators at the door speeded their process of examination and the benches began to fill up with men and women who had been disappointed in their attempt to shout a welcome and strew the flowers downstairs. Silence was maintained by six deputy marshals, who forced all spectators, including attorneys, to find seats and announced the vigorous measures that would follow any whispering or other indecorous conduct.

There came presently Michael Ahern of counsel for the defense, who talked with his client briefly concerning the charge of vagrancy to which Mr. Capone will be called upon to answer when the government finishes with him.

"I'm going to surrender as soon as I get out of here," Mr. Capone announced languidly. "I'm not going down to Florida any more this winter. The weather is better up here. Anyway, Chicago is my home and I might as well get this business straightened out."

[illegible]

[illegible] that affidavit was entirely true. Mr. Capone had been under the [illegible] not one but several doctors during [illegible] and that he had been [illegible] last week. During that [illegible] Hospital, Mr. Capone [illegible] entirely too ill to attend to [illegible] case.

Mr. Epstein began his argument by stating that the warrant which had brought his client back to the scene of his plentiful activities had been erroneously drawn. Judge Wilkerson declined to be upset about that.

"Whether or not it was a good warrant it has served its purpose," he said. "The respondent is in court."

So then Mr. Epstein went further into the matter of Dr. Phillips' affidavit and declared that it was all wrong except for the knee trouble of which Capone pleaded having suffered for years.

Two Questions Involved.

"As I see it," he said, "there are two questions in this case.

"First, whether or not the defendant was guilty of misbehavior in preparing his allegations, and, second, whether or not he misrepresented the facts in inducing this court to grant a continuance.

"We shall show that he did not intentionally show contempt for this court—that he was willing to come here when his physical condition permitted and that, in fact, he did come here.

"The defendant was summoned to appear on March 12, 1928. We shall bring witnesses to show that he was in poor health as late as March 5. He did come here and appear before the grand jury after that date and who made to cool his heels for days. When, finally, he was heard by the jury he was dismissed."

Witnesses Called.

The first witness called by the government was Charles W. Clarke, a special agent of the intelligence section of the treasury department with headquarters in Florida. Mr. Clarke testified that he had served the grand jury subpoena on Mr. Capone at his Palm Island estate after a doorkeeper had denied knowing anybody named Mr. Capone. Mr. Capone himself had revealed his identity to the ignorant doorkeeper and the visiting special agents by stepping forward and announcing himself at an opportune moment. Mr. Clarke testified that Mr. Capone did not appear to be near death at the time.

Mr. Clarke was followed by Miss Ruth Chaplin, secretary to the county solicitor of Dade county, Florida, in which the city of Miami is situated. She told of a conference in the solicitor's office in March, 1929, at which she had seen Mr. Capone. And she also stated that he seemed to be in the best of health and spirits.

[illegible] Mr. Capone [illegible]

CHICAGO DAILY NEWS 8/a
Page 1

Capone Dodges Crowd And Appears in Court; Heavy Guard on Hand



Walks In with Lawyer to Answer Contempt Charge; Denies Guilt.

PUBLIC IS KEPT OUT

"Scarface Al" Capone, jailbird and ~~ex~~-taxpayer, made his long-delayed public bow in Judge Wilkerson's federal courtroom today to answer a contempt of court charge, but he dodged most of a crowd of several hundred curiots who appeared to get a look at him.

After dallying in the courtroom for an hour, awaiting the start of the hearing, Capone, through his counsel, entered a plea of not guilty. He then sat by listening attentively while the judge and attorneys began a discussion of the legal phases of the case. The government had half a dozen witnesses ready to testify.

The federal building was strongly guarded, a barricade was erected in the corridor leading to Judge Wilkerson's courtroom, and the public was excluded. Two policemen waited to take him in jail as a vagrant when he left the courtroom.

The stage was set to greet the notorious gangster with all the pomp and ceremony of a prima donna making a debut. At the Adams street entrance to the federal building there milled a crowd of several hundred, pushing and mauling and blocking traffic.

Two sound-recording trucks at the curb perched movie cameras, their noses trained on the Clark street door. And then, like a leading prima donna, Mr. Capone literally walked down the back aisle to the stage while the throng was expecting him to enter from the wings.

He Appears Without Courte-

At exactly 9:30 o'clock a big limousine, looking like anybody else's limousine, pulled up to the Adams street entrance, passed the curious, and then, right past the deputies, Capone alone and unattended by any bodyguards whatsoever.

In the front seat were Mr. Capone's chauffeur and one of his attorneys, William F. Waugh.

Out of the door climbed Mr. Capone, followed by Mr. Waugh. Only an astriding reporter or two knew at all that the portly gent in the dark-blue suit, dark-blue overcoat and gray ~~fedora~~ was the notorious gang chief.

Across the sidewalk, up the steps and through the lobby hastened Mr. Capone, followed slowly by the smallish Mr. Waugh, straining to keep up with the pace.

They entered the elevator and Capone called "Sixth floor."

"Well," said somebody who had trailed along, "you made that in a hurry."

Find Corridor Is Jammed.

Arriving at the sixth floor, where Judge Wilkerson's courtroom is located, the hoodlum-in-chief and his lawyer found the corridor more or less jammed by a throng of early-comers.

Through a narrow aisle, flanked along each side by deputy sheriffs, the two passed. Waugh spoke and tipped his hat to several young women—federal employes—who lingered in their office doorway. Capone tipped his fedora.

At the end of the crowd-lined corridor, just outside the doorway to the courtroom, a barricade had been erected. It was made of tables, leaving a lane between so narrow that only one person could pass at a time.

Capone and Waugh went through there unmolested, but the general public did not. A deputy stopped everybody at the barricade [illegible] those who just evidently [illegible] were there [illegible] and [illegible] beside the courtroom.

Courtroom Closely Guarded.

Up and down the corridor and about the courtroom walked representatives of nearly every law-enforcing agency in the city. There were federal deputy marshals, sheriff's men, armed treasury agents, subpoena servers and city policemen. Their business was merely to give John Public a polite but firm bridge in the rib and invite him to keep moving.

There was even a deputy assistant on hand. Somebody called Mr. Capone's attention to that. Capone didn't seem to like the sally very much.

"Oh, I don't suppose he's here looking for business," said the informant. Whereupon Capone laughed with the rest.

He's in Affable Mood.

Capone was in an extremely affable mood. He sat down in the courtroom and swapped quips and sallies and information—very little information—with a pack of reporters and federal men who swarmed about him. His only jewelry adornment was a flashy and expensive one—a platinum and diamond watch chain that stretched clear across the expansive bosom of his blue vest. It had large diamonds set in it about an inch apart.

Occasionally he interrupted his conversation to smile a greeting and shake hands with a reporter or federal officer or policeman acquaintance. He talked about the weather and this and that and touched upon politics, but divulged very little about himself.

"Lyle," he said once, "tried to make a campaign issue out of me, but the public answered him."

"How did you get up here, Al, by plane or train or boat?" he was asked.

"Oh, I just got here," he smiled.

69-180-54

CHICAGO DAILY NEWS 8/25/31
Page 2.



Won't Sell Florida Home.

"I'm not going to sell my home in Florida," he said in reply to a question.

"I'm going back down there when I get through here. I like it there. I'm going to finish up all my business with the police and these fellows this time and get it over.

"I'm going to surrender myself to the first cop I meet outside the courtroom today when this business is over and let him serve that vagrancy warrant Lyle issued. I want to get that thing straightened up. I'm going down to the bureau and do it."

The presentation of a contempt citation grew out of Capone's failure to answer a federal grand jury summons in 1928. He sent word back from his Florida estate that he was too ill to appear, but the government expects to present a number of imported witnesses from Florida who will tell today how Al cavorted quite healthily among the palms.

May Occupy Cell.

Next will come the arrest of Capone by the police on the long-standing vagrancy warrant, with the probability that he may occupy a cell at the detective bureau before the day is over until he furnishes bail.

Detectives William Drury and John Howe, the nemesis of hoodlums, were to be given the honor of arresting Capone on the "vag" warrant, with Lieut. Edward Birmingham assigned to be on hand so that Mr. Capone won't feel slighted at being seized by two mere detectives. Assistant District Attorney George E. Q. Johnson asked that Drury and Howe be allowed to serve the warrant, inasmuch as they are familiar with gamblers and might be able to spot other wanted parties among Mr. Capone's retinue.

The warrant will be served in the hallway outside Judge Wilkerson's courtroom as soon as Mr. Capone has finished his business inside. He will then be taken downstairs, hailed into a squad car and taken to the detective bureau, where Drury and Howe will book him, lock him up in a cell and notify Chief of Detectives John Norton that one Mr. Capone is safely in tow. Then will come up the matter of setting Mr. Capone to jail and posting about his release on bond.

Surprise Action Forecast.

A surprise was promised in the form of possible new action charging Al with conspiracy to evade the federal income tax laws, said to have been prepared for him by United States District Attorney George E. Q. Johnson and his assistants, Cassius Peast, Jacob Grossman and Dwight Green. The latter three successfully prosecuted Capone's brother, Ralph; his first vice-president in charge of vice, Jake Guzik; and several other gangsters on the same counts.

Pat Roche, chief investigator of the state's attorney's office, was also expected to be present.

Receiving reports that Capone had returned over the week-end to hide out with Johnny Patton, the middle-aged "boy mayor" of Burnham, Judge Frank M. Padden of the Felony court asked Roche to find "Scarface" Al, but the prosecutors' men were unsuccessful.



190

69-180-54

POLICE SEIZE AL CAPONE AT HIS U. S. HEARING

CHICAGO EVENING AMERICAN 8/25/31

GANG RULER MAKES BOND AS 'VAG'

Picture on Page 5.

The United States government this afternoon rested its case against Al Capone, chief of Chicago's gangland, who appeared before Federal Judge James H. Wilkerson to show cause why he should not be held in contempt of court.

After a brief recess, taken when the assistant district attorneys announced they had completed their case, the defense was to present its side.

SEIZED AS VAGRANT.

A few hours earlier, at the noon recess, Capone was seized by police bearing a "public enemy" vagrancy warrant for his arrest.

The man whose name is a synonym for gun terrorism throughout the world gave his occupation as "real estate dealer" when he was booked on the vagrancy charge. He gave bond and was rushed back to the Federal Building, guarded by three picked squads of detectives, in time for the afternoon session before Judge Wilkerson.

Capone pleaded not guilty to the charge of contempt, growing out of the government's contention that he filed false affidavits two years ago to avoid testifying before a federal grand jury which was investigating a Chicago Heights bootlegging conspiracy.

The contempt hearing, it was disclosed by the opening statements of prosecutors and defense attorneys, is to be another "gangland invalid" case, paralleling in some respects the recent courtroom [illegible] and Terry Druggan. Capone contends that he was, as set forth in the affidavit, too ill to come to Chicago from his Winter home in Miami, Fla.

The government representatives announced that they had witnesses who would testify that he had not been too ill at that time to attend horse races and other public events at Miami.

Capone had just arisen from the counsel table where he was seated with his attorneys, when Judge Wilkerson adjourned court at noon, when Lieut. Edward Birmingham entered with a squad of detectives. The lieutenant told the gang king:

"Get your hat and coat."

Capone did so. He was rushed out of the courtroom. Charles Nagi, custodian of the Federal Building, was waiting with an operator on the freight elevator which runs to the basement of the building, occupied by the main postoffice.

With a dozen detectives and deputy United States marshals walking all around him, Capone was led to the elevator, taken to the basement and placed in a police squad car which was waiting in the tunnel under the building used by mail trucks.

There was a scene of wild confusion as he was led into the detective bureau a few minutes later. At windows and on fire escapes of a freight house across the street nearly a hundred girl employes screamed with excitement at the sight of him.

AL IS GREATLY AMUSED.

His entrance into the office of Chief of Detectives John Norton threw that place into a turmoil, with scores of policemen, newspapermen and photographers milling about. Capone grinned through the whole proceedings, apparently amused at the hubbub which his appearance created.

At the request of Chief Norton, he posed for the photographers, smiling. Michael Ahern, one of his attorneys, arrived then, and arranged with the detective squad to have the vagrancy warrant served immediately and the $10,000 bond set by Judge John H. Lyle posted.

Capone was sent through the bureau of identification before he was released. It was the first time the Chicago police have had a chance to get a fresh photograph of him and check up his Bertillon measurements and fingerprints since he was released from the Philadelphia jail where he served a sentence for gun-toting.

His Bertillon record discloses that he is 5 feet 10½ inches tall, weighs 205 pounds and is 33. He gave his residence as 7244 Prairie av.

BOND APPROVED.

As soon as Capone was booked, Attorney Ahern went before Judge Thomas Green, sitting in the Small Claims Court in the same building and obtained approval of a $10,000 bond on which one Michael Schwegel had scheduled an apartment building at 4627-41 N. Albany av., represented to be worth $20,000.

Capone waited for his attorney in Chief Norton's inner office. While he was waiting, a policeman went to a nearby restaurant and got him his lunch. When he was released, the detective squads took him back to the Federal Building.

In his conversation with Chief Norton, Capone intimated he might quit his present life soon. He said:

"Every time they have a political campaign in this town somebody attacks me. I'm getting tired of the publicity. I might retire soon."

The chief asked:

"What do you mean, retire?"

Capone did not answer him.

Of the charges made by Judge Lyle in his unsuccessful campaign for mayor, the underworld czar said:

"Well, I have no comment to make on the election, except that the people have spoken. This is the third time that certain individuals have sought to involve me as a campaign issue, and it is the third time that the voters have decided that I was only a campaign issue. I believe the public will wake up one of these days to the bunk and hokum which has been built around me and my family."

CRIMES ON COUNTS.

What he had to say about the charges pending against him, in

Continued on Page 5, Column 1.

69-180-54



...pone stated, would be held in court. He said:

"I'm glad the courts are still functioning. I don't think the judiciary as a body will become hysterical."

Capone had gained weight since his last appearance in a Chicago court, more than a year ago. He wore the conventional garb of a prosperous business man—a blue suit and tie, black oxfords and socks.

CURIOUS JAM BUILDING.

Hundreds of curiosity seekers jammed the lobby and corridors of the Federal Building, but most of them were turned away when they sought admission to Judge Wilkerson's courtroom. A dozen deputy United States marshals and agents of the Department of Justice were on guard in the courtroom and the corridor leading to it, and every one who entered was searched for weapons.

FORM BARRICADE.

Outside the courtroom two desks were lined up in the corridor to form a barricade through which all spectators were compelled to pass in single file under the scrutiny of the federal agents.

The news caused a buzz of excited conversation in every office in the building. Girl clerks, wide-eyed, inquired:

"Has he come? Is he really in the building?"

Those who were unable to obtain admittance to the courtroom hung in a solid line over the railings on various floors, looking down into the lobby for a glimpse of the gang chieftain as he crossed it.

Capone drew up in front of the Adams st. entrance of the building, riding alone in the back seat of a big sedan. Members of his bodyguard were nearby, however, it was reported. He leaped out and dashed in the door, past a crowd of waiting photographers and motion picture camera men.

Waiting in the courtroom, Capone was asked about the judge again. He said:

"The difference between us is that he spent thousands of dollars trying to get into office, while I'm spending thousands to feed people."

The charge, made by Judge Lyle during the primary campaign, that he had contributed $150,000 to the Thompson campaign chest Capone characterized as "foolish." He got into Chicago Friday, he said, refusing to say what means of transportation he used—he "just got here."

He added:

"The weather in Chicago is better than it was down in Florida."

As Capone spoke, he fingered an ornate watch chain strung across his vest. It was of platinum, set at inch-wide intervals with one carat diamonds. A ring set with a larger diamond was his only other jewelry.

He was asked about his sister, Mafalda, whose marriage recently to John Maritote was the occasion of a display of gangland magnificence. He replied:

"Oh, she got back from her honeymoon a long time ago."

Assistant District Attorneys Cassius Poust and Jacob I. Grossman appeared against him for the government.

READS 8-PAGE CHARGE.

Mr. Grossman read the eight-page charge, which in summarized form:

A subpoena was issued for Capone December 5, 1928. He could not be found and the subpoena was returned. In February, 1929, another subpoena was issued and served on Capone at his Palm Island, Fla., home, February 27, ordering him to appear before the federal grand jury here March 12.

On March 9, 1929, an application was presented to the court for a postponement of Capone's appearance before the grand jury. Supporting the application presented by Capone's attorneys, was an affidavit from Dr. Kenneth Phillips containing statements which both he and Capone said were true.

These statements were that Capone's physical condition was weakened and his health in danger if he came to Chicago.

The charge recited that the affidavit from Dr. Phillips said that Capone was convalescing from a serious illness March 9, 1929, and that Dr. Phillips had been attending him continuously since January 25 of that year; that Capone was still under treatment March 5, 1929, suffering from bronchial pneumonia, with fluid flowing from his lungs.

He had been, the affidavit continued, according to the charge, confined to his bed all but [illegible] of the period during which he was under the doctor's care, and that it would be dangerous for Capone to leave the mild climate of Florida and come to Chicago, which might cause collapse of his health, maybe his death.

FALSE AFFIDAVIT.

Mr. Grossman said that on such application the government charges contempt of court, which caused Judge Wilkerson to ask if it was the prosecutor's contention that false affidavit constituted contempt of court. When Mr. Grossman replied affirmatively, Judge Wilkerson asked:

"Is it your position that every false affidavit presented to this court constitutes contempt?"

The prosecutor replied that he would take that up later. He went on to contend that Capone was not confined to his bed from sickness March 9, 1929; that he was in good health and could have come here to testify; that he was attending races and other sports and walking the streets of Miami.

He concluded with the statement:

"Capone's activities in Florida were well known. They were

69-180-54



chronicled in the press. We will show through testimony that he was physically fit to come to Chicago."

MAKES DENIAL.

The opening statement of Attorney Epstein was a direct denial of the prosecutor's closing remark. He said:

"The defense will prove beyond a reasonable doubt that Mr. Capone was, in January, 1929, suffering seriously from bronchial pneumonia; that he was confined to his bed, with a day and night nurse in attendance.

"We will show that a Dr. Light was in attendance upon him, and that Dr. Phillips was later called in consultation; that bronchial pneumonia is serious and that people who have it take a long time to recover; that he was in bed most of January and that it would have been seriously detrimental to his health to go in a climate different from that in which he had been living in Florida."

Attorney Epstein went on to assure the court that Capone had no intention to be in contempt when he filed his affidavit that he was too ill to appear, and that he did so on the advice of physicians. He then related how, when Capone appeared after a 1,600 mile journey from Miami to Chicago, he appeared at the office of the district attorney, was told to return a week later, appeared before the grand jury as a witness and was dismissed by the grand jurors.

CALL FIRST WITNESS.

The first witness, Charles W. Clarke, a special agent of the intelligence unit of the internal revenue bureau, stationed at Miami, was then called to the stand.

He was asked by Prosecutor Grossman if he saw Capone on February 27, 1929, and replied:

"Yes. I accompanied Deputy United States Marshal J. C. Cooper to Al Capone's residence on Palm Island at Miami, Fla., to serve a subpoena calling Capone to testify before the grand jury in Chicago.

"We called at the gate of the Palm Island residence and a man met us at the gate and said, 'What do you want?' Cooper said we desired to serve a subpoena on Capone. The man repeated his question, and then a man whom I later identified as Capone, who was sitting on the steps of the

Continued on Page 14, Column 1.

[illegible] Court on [illegible]

GO INSIDE HOUSE.

"We then walked into the [illegible] and Deputy Clerk [illegible] some papers while we sat on a davenport. We were there five or ten minutes."

The examination then proceeded as follows:

Q—How was Mr. Capone dressed? A—Well, he had on a light pair of breeches, and I think a [illegible] coat, a white silk shirt and light colored shoes.

Q—Did he look sick? A—(laughing)—Well, I didn't think so. He looked to me just as he does now.

Q—Did he look weak, or anemic?

MAKES OBJECTION.

At that point Attorney Epstein jumped up with an objection, saying:

"If there's going to be sarcasm injected into this trial I object. This comedy has gone far enough."

Prosecutor Grossman assured the court that he had no intention of using sarcasm, and Judge Wilkerson overruled the objection and told him to continue questioning the witness.

The next witness was Ruth Gershin, secretary to the county solicitor of Dade County (Miami) Fla. She was questioned as follows by Prosecutor Grossman:

Q—Were you present at a meeting at the solicitor's office? A—I was present and took notes.

193

69-180-54

(4.)

Q—Who was there? A—A Mr. Taylor, a Mr. Goldstein, the sheriff, myself and Capone.

SEEMED IN GOOD HEALTH.

Q—Was the defendant in good or bad health? A—He appeared in good health.

Q—Do you see the defendant in the room? A—Yes, he appears to look the same.

The witness was cross-examined by Attorney Waugh:

Q—Don't you remember that he was told to report to the county solicitor's office the day before the meeting. A—I don't know anything about that.

John N. Cornean, former policeman of Hialeah, Fla., was the next witness. Prosecutor Grossman questioned him as follows:

Q.—Do you know Capone? A—Yes.

Q.—On the second day of your duty at the Hialeah race track, did you see Capone? A—Yes. I was patrolling and I saw a big yellow car drive up. I stepped over to the ticket office and right after that Capone came up. I said, 'Hello, Al,' and he gave me a $10 bill and I walked away.

SAW HIM FREQUENTLY.

Q—What day was that? A—Either January 17 or 18.

Q.—Did you see him after that? A — The next day. I saw him quite frequently except for one period around [illegible].

Q.—What is the longest space during that period that you didn't see him? A. Four or five days.

Q.—What was his appearance? A—He was smiling, he seemed to be in good spirits.

FIXES EXACT DATE.

Can you fix a date in March that you saw Capone at the track? A—Yes.

Q—When was it. A—March 8 or 9.

M. G. Wood, a police officer at the Hialeah race track, was the next witness. Mr. Grossman questioned him as follows:

Q—Were you a police officer at the race track in the Spring of 1929. A—Yes.

Q—What was your duty? A—I patrolled in front of the grandstand three days a week.

Q—Do you recall seeing Mr. Capone at the race track? A—Yes, I used to see him in one of the boxes.

Q—Do you know Mr. Capone? A—Not to speak to him.

POINTED OUT TO HIM.

Q—How did you know it was Mr. Capone? A—He was pointed out to me.

Q—Why was he pointed out to you?

The question was objected to by Attorney Epstein on the ground that it called for deduction on the part of the witness. The objection was sustained by Judge Wilker[illegible]. The questioning continued:

Q—Do you recall about the time that you saw Capone at the race track? A—During the first and second weeks of January.

WITNESS CROSS-EXAMINED.

Cross-examination of the witness then was begun by Attorney Waugh, as follows:

Q—You said you saw Capone the first or second week in [illegible]? Which week did you see him?

A—I'm not sure.

Q—As a matter of fact, it might have been the second, third or fourth week.

A—It might have been the fourth week.

Q—Didn't you have conversation? A—No, sir.

At this juncture Attorney Epstein stood up and said:

"Was he thinner at that time?"

"Well, he wasn't as flashy as now."

Then Wood left the stand.

The next witness called was W. R. Foster, former police officer in

194

69-180-54



Hieleah. He was questioned by Prosecutor Grossman. The questioning proceeded as follows:

Q—Did you ever see the defendant, Alphonse Capone, at the race track during the season of 1929?

A—Yes, sir, nearly every day.

Q—Did you ever have a meeting with Capone when he was parking his car?

A—Yes.

Q—What was his appearance when you saw him? A—He seemed to be healthy.

The first witness at the afternoon court session was Edward Nirmaier, an airplane pilot living in Miami. He was questioned by Prosecutor Grossman as follows:

Q—Did you ever see Al Capone in and about Miami? A—I have.

A—Di dyou ever take him on an airplane trip? A—Yes. One time I was flying with a commercial photographer at Miami who wanted to take pictures of the J. C. Penney estate.

The pilot went on to testify that on this flight, the photographer took pictures of Capone's home also. Several days later, Nirmaier added, the photographer asked him to take the pictures over to Capone and ask him if he wanted to buy them.

Nirmaier then testified that he took the pictures to Capone, about the middle of January, 1930, and found Capone lounging outside his home in a dressing gown. The next time he saw him, he said, was on February 2, when he took him for a plane ride to Bimini and back.

Q—How was Capone's health at that time? A—He looked all right.

Q—Did he cough any? A—Well not that I remember.

On cross examination by Attorney Waugh, Nirmaier said the weather at the time Capone went riding with him was very pleasant.

105

69-180-54

THIS IS AL CAPONE'S BUSY DAY



Apparently unperturbed, Al Capone sits at the detective bureau in the photo at the left. He looks much more like a prosperous, solid business man of the middle class than the iron-handed tyrant of the underworld he is reputed to be. At the right is Capone before his appearance in federal court on charges of contempt of [illegible] Judge Wilkerson sentenced [illegible] to [illegible] hand by a squad of detectives rushed him to [illegible]

CHICAGO EVENING AMERICAN PHOTO

CHICAGO DAILY NEWS
Mon., Mar. 2, 1931.

CAPONE GIVES APPEAL BOND IN U. S. COURT

Appears in New Ensemble, but Is Silent on 6-Month Jail Term.

"Scarface Al" Capone, jailbird and brothelkeeper, appeared today in the courtroom of Federal Judge James H. Wilkerson where on Friday he was sentenced to six months in the county jail for contempt of court.

Capone was in court today for the purpose of making a supersedeas bond of $5,000, to give him his freedom while William F. Waugh and Benjamin F. Epstein are taking his case to the United States Circuit Court of Appeals.

The No. 1 public enemy was escorted to the federal building by Lieut. William McCarthy and Lieut. Edward Birmingham and their squads. His appearance through the Adams street entrance excited no comment.

He Dons New Ensemble.

Capone was philosophical about his sentence, but would not comment on it in view of the appeal planned.

He had a new ensemble for his court appearance today—green suit, green tie, gray spats and tan shoes of a light shade.

Judge Wilkerson entered the formal order of sentence today. The assignment of errors, alleging fourteen errors, was received by the court and permission given defense counsel to file an amended assignment of errors in ten days. The judge also granted a supersedeas, but wrote into the writ that it is to expire June 1 of this year unless extended by the Appellate court.

Assistant District Attorney Jacob I. Grossman, who prosecuted the Capone contempt case, pleaded for an early disposition of the case. The judge pointed out that the bill of exceptions is due within thirty days and said that he did not believe the Appellate court could extend the supersedeas.

One of the errors alleged is that the judge allowed the introduction of Capone's grand jury evidence. The judge said he was of the opinion the defense had agreed to its admittance and Grossman produced a transcript of the record to show that no objection had been made.

Druggan-Lake Case Called.

The income-tax case of Terry Druggan and [illegible]

CAPONE GIVES APPEAL BOND IN U. S. COURT

(Continued from First Page.)

preme court reversed the verdict and —Robert E. Crowe was then state's attorney—a nol prosse was taken by the state. The murder charge was reinstated in the drive against public enemies.

Chief among the witnesses for the state is Sergt. James McBride, who was with Pfiaumer when the two policemen fought a gun battle with White and another hoodlum named Jimmy Johnston. Johnston was also slain in the battle.

Second Trial for White.

White was convicted of the Pfiaumer murder in 1926, served three years of a life sentence and then was released on an appeal when the original charge was found to have been improperly presented. A new indictment recently was voted against White in the campaign against public enemies.

Policeman James McBride, original chief state witness and companion of the slain officer when he was killed, was the subject of an attempted assassination while riding in a Maywood street car last November. Claude Maddox, "circus" gangster, was seized as one of his assailants. McBride has recovered and will again testify.

Gang Armorer Faces Court.

Peter Von Frantzius, long known as gangland's gun runner, went on trial today before Judge Justin F. McCarthy in the jury branch of the Municipal court charged with selling firearms without keeping a record of the sale.

The state will introduce as evidence two machine guns identified by ballistic efforts as the weapons that were used in the St. Valentine's day massacre of [illegible] gangsters. A third [illegible] found in the Bentley [illegible] of Fred Burke, wanted [illegible] evidence. It was [illegible] that Coroner Hoffman linked Burke to [illegible] Harry ("Greasy Thumb") Guzik, once convicted [illegible]

[illegible] the publicity [illegible] the Capone-Jake Guzik [illegible] syndicate, was scheduled to appear before Judge Francis Borrelli at South State street court on a public enemy vagrancy charge. The case was expected to go over because the prosecutors assigned to the vagrancy cases were busy with the White murder trial.

Volpe Deportation Warrant Here.

The deportation warrant for Tony ("Mops") Volpe, Capone gangster and public enemy No. 3, arrived at the local immigration offices today from Washington.

Shirley D. Smith, immigration chief here, explained that the first step in the proceedings to send Volpe back to Italy was to obtain a passport from the Italian consul. If the consul wishes to determine that Volpe is an Italian subject the investigation may take three or four months. If he waives the investigation the proceeding usually takes four or five weeks. Volpe meanwhile will remain at liberty on a bond of $10,000.

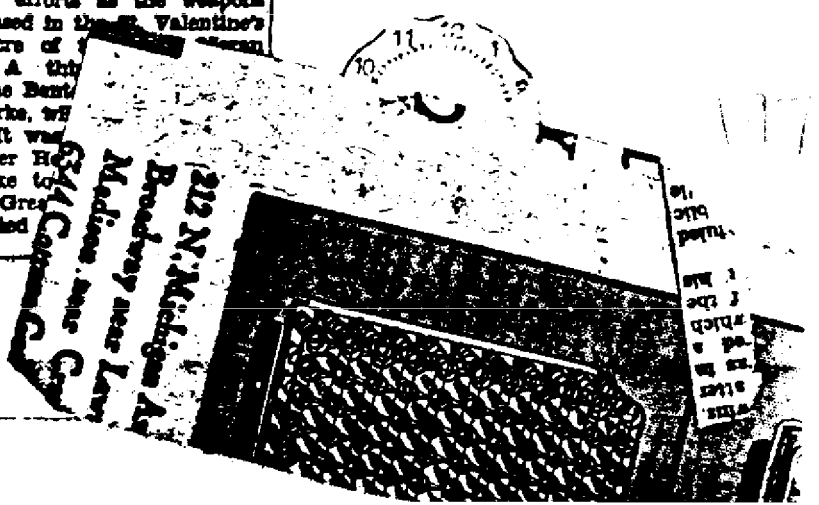
Volpe was born in the Argentine, immigration officials said, but his parents later returned to Italy and resumed their Italian allegiance.

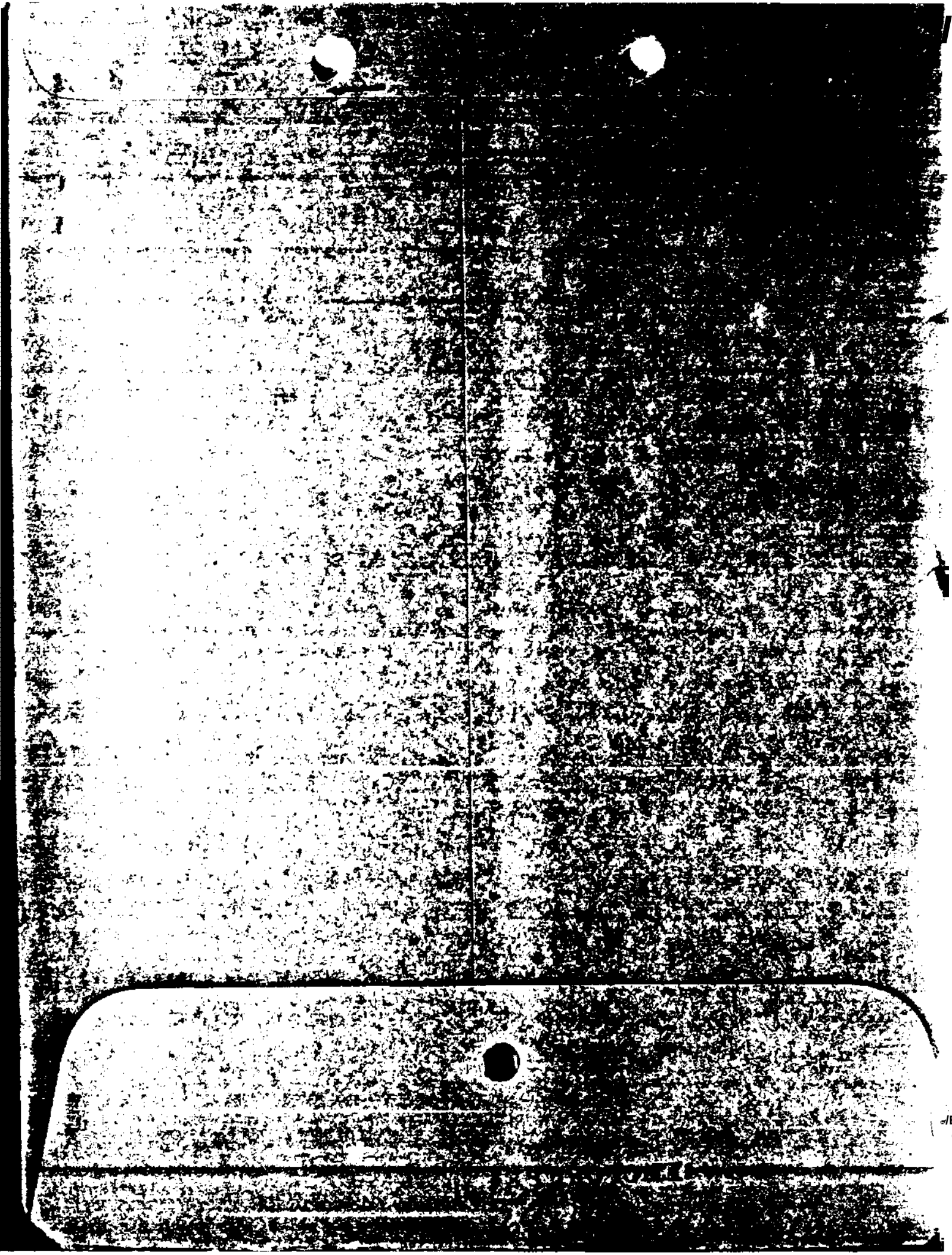
O'Donnell Case Continued.

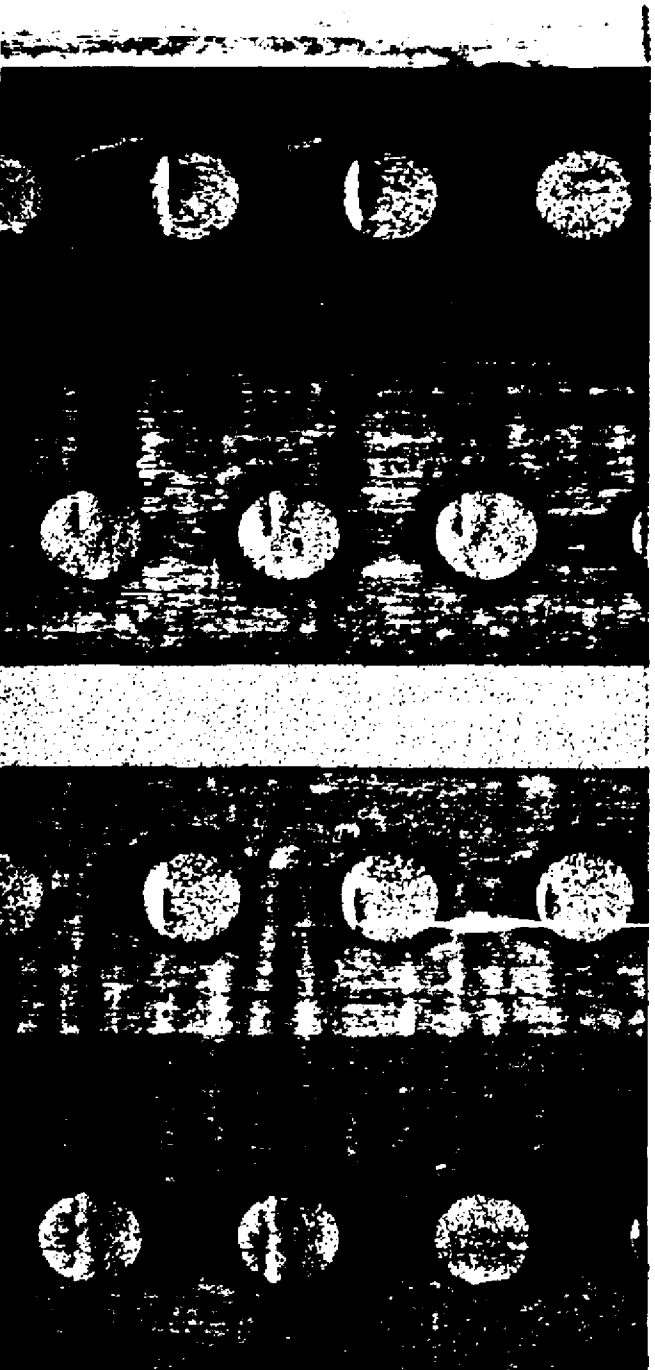
A perjury charge against Bernard O'Donnell, a member of the Klondike O'Donnell clan of beer hustlers and labor racketeers, which has been pending since March 26, 1930, came up today before Judge Peter M. Schwaba and was continued to March 26. When State's Attorney Swanson's attention was called to the fact that the case had been pending for nearly a year he called in his assistants and ordered them to be ready to take the case to trial on March 26.

The perjury charge grew out of a gun-toting case against O'Donnell. When the case came up he presented a petition asking for return of the weapon, saying it was his and that the police had taken it from him unlawfully.

The petition was disallowed and when O'Donnell took the stand he denied the revolver was his.







FOR ATTENTION OR ACTION AS INDICATED

Date

DIRECTOR	
MR. TOLSON	Room 5[illegible]
MR. APPEL	Room 41[illegible]
MR. BAUGHMAN	Room 422
MR. EGAN	Room 420
MR. HUGHES	Room 418
INSPECTOR CLEGG	
INSPECTOR CULLEN	
INSPECTOR KEITH	
MISS GANDY	Room 326
MRS. SKILLMAN	Room 318
BUREAU FILE ROOM	
DIVISION SEVEN	
IDENTIFICATION DIVISION	
PERSONNEL FILE ROOM	
STENOGRAPHIC POOL	

MAR 4 1931

Hmmph!
Well of all the dumbs, this takes the prize. It took us 2 years to get him to try Capone & now he backs in the sunlight of the effort which he did everything to avoid.
J. E. H.

PLEASE SEE ME

HAROLD NATHAN
ROOM 318

199

CHICAGO TRIBUNE

Tues., Mar. 3, 1931.

CAPONE HEARS SENTENCE; POSTS BOND FOR APPEAL

U. S. Begins Tax Case Against Gambler.

(Picture on back page.)

Public enemies and less prominent hoodlums were concerned yesterday with the processes of the law, both state and federal. Those with legal difficulties ranged from Al Capone, public enemy No. 1, to Jerry O'Connor, loop gambler and race horse man, who is in trouble over his income taxes.



ROBERT NEELY.

Acting Collector of Internal Revenue Robert E. Neely filed a lien, claiming income taxes of $270,000 for the years 1925, 1926, 1927, 1928, and 1929, on the property of O'Connor. For years O'Connor has maintained an elaborate gambling establishment in South Wabash avenue. He is under investigation by the intelligence unit of the revenue bureau, which handles criminal cases. Whether his case will result in a criminal prosecution has not been ascertained.

Capone Appears for Sentence.

Al Capone appeared before Federal Judge Wilkerson for his formal sentence to six months in the county jail for contempt of court. His bail posted a supersedeas bond of $5,000 to permit an appeal. His counsel was allowed 30 days to file a bill of exceptions and the court stipulated that if the contempt case is not disposed of by June 1, when the supersedeas expires, he must go to the Circuit Court of Appeals if he wishes a continuance.

Capone again was escorted to and from the federal building by police squads under Lieut. William McCarthy and Lieut. Edward Birmingham, who protected him last week, during his trial, against possible assassins.

Druggan-Lake Cases Delayed.

The income tax evasion cases against Terry Druggan and Frankie Lake, the former beer partners, who have entered conditional pleas of guilty, were up in federal court yesterday for sentence, but each was continued until June 1 pending outcome of the appeals of Ralph Capone and State Representative Lawrence T. O'Brien. The beer dispensers reserved the privilege of changing their pleas as to felony counts if these appeals are successful.

Judge Francis Borrelli continued the vagrancy case against Harry Gusik, Capone vice monger, until March 16, with the understanding that it must be disposed of then. Gusik's attorneys insisted on an immediate trial, but the state's attorney's office was engaged with other matters.

State's Attorney Swanson ordered his assistants to be ready on March 25 to prosecute the perjury case against Bernard O'Donnell, brother of William (Klondike) and Myles O'Donnell, which was continued yesterday by Judge Peter M. Schwaba for the eighth time on the request of the state. O'Donnell claimed ownership of a gun in a motion to quash his indictment for carrying concealed weapons, and disavowed ownership during his trial.

The case against Peter von Frantzius, sporting goods dealer, charged with selling machine guns without keeping records of the sales, was continued until March 18 by Judge Justin F. McCarthy, who ruled that a jury must hear it.

MAR 5 1931

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INDEXED

69-18069-180-54

CHICAGO TRIBUNE 2/27/31 (1)

CONTEMPT CASE DECISION MAY BE GIVEN TODAY

Gang Chief Fails to Take Stand.

A decision by Federal Judge Wilkerson determining whether Al Capone, public enemy No. 1, will go to prison for contempt of court is expected today at the conclusion of the gang leader's trial. The government's closing argument was begun yesterday afternoon by Assistant District Attorney Jacob Grossman and it was believed that the argument of other counsel would be finished this morning.

Capone had indicated that he thought he could assist his own defense by taking the stand, but when his attorneys closed the presentation of their evidence he had not been called as a witness. This was taken by court attaches as an indication that his lawyers sought to save him from the cross-examination that had weakened other defense witnesses.

Doctor Has Bad Day.

One of these was Dr. Kenneth Phillips, Capone's Florida physician, who put in a bad day under questioning by the prosecution about the affidavit on the gang chief's illness out of which the two year old case grew.

Judge Wilkerson assisted Prosecutor Grossman in a withering cross-examination of Dr. Phillips, which ended in the physician's admission that many of the statements in the affidavit were false. Capone, on the plea of illness, gained a stay from March 13 to March 30 on a subpoena to appear before a federal grand jury in Chicago in 1929.

Dr. Phillips admitted that the affidavit had been dictated by Capone's Miami lawyer and that he had only scanned it hastily before signing it.

On the other hand, Capone's nurses who attended him night and day during his attack of pneumonia in January, 1929, could not be swayed by cross-examination from their testimony that he was a sick man, and that he did not leave his Miami residence on the 17th, 18th, or 19th of January, when, according to the testimony of three policemen, he attended the Miami races.

INDEXED

69-180-54X

Police Guard Continued.

novelty of Capone's being in town and on trial had somewhat wanned yesterday, the second day of the hearing, and fewer curiosity seekers flocked in the federal building. But the police motor escort was still in attendance, accompanying the respondent on his trips from the Lexington hotel to the federal building and back. The gangster used a high powered automobile for the first trip. With him rode Philip D'Andrea, well known hoodlum, who accompanied Capone on his airplane trip from Miami to Bimini when Capone was supposedly "confined in bed."

Capone was scheduled to be arraigned in Felony court before Judge Frank M. Padden yesterday on the vagrancy charge pending against him. His counsel, Attorney Michael Ahern, informed Judge Padden that the gangster was on trial in federal court.

"Well, he can't be in two places at once," said Judge Padden, and continued the case until March 4.

Nurse Tells of Illness.

Miss Nora Hawkins, now attached to the Dade county hospital at Miami, was the first nurse called on Capone's behalf by Attorney W. F. Waugh. She said she was a graduate of the Rhode Island hospital at Providence.

Q.—When did you first see Capone? A.—When I was called in to attend him by Dr. Phillips. To the best of my recollection it was in the second week of January.

Q.—How did you find him? A.—I found him very uncomfortable. He had a temperature of 104 and a high pulse rate. He was coughing hard enough to shake your head off. He also complained of pains in his chest.

Attended Him Seven Nights.

Q.—How long were you there? A.—Between seven and ten nights.

Q.—Did Capone at any time leave his bed while you were there? A.—Absolutely not.

Q.—So far as you know, was he out on the 17th, 18th, or 19th of January? A.—So far as I know, he was not. I was only there nights.

Q.—In your opinion, and taking his condition into consideration, would it have been possible for him to attend the horse races on the 17th, 18th, or 19th of January? A.—Absolutely not.

Miss Hawkins explained that she kept daily charts while attending her patient, but that she tore them up shortly afterwards when she went into institution work.

Day Nurse Testifies.

Miss Ann Fagan, a red haired nurse who said she did her graduate work at the Virginia hospital, Richmond, and had six months experience at the Rockefeller institute, New York, attending prolonged soldiers suffering



The Evening Star, Washington, D.C., March 3, 1931

ONE-MAN DRIVE IN CHICAGO HAS GANGS QUAKING WITH FEAR

U. S. Prosecutor's Tax Law Thrusts Thin Ranks of "the Immune" Among 26 Public Enemies.

Special Dispatch to The Star.

CHICAGO, March 3.—One man, rather slight of stature, modest and soft-spoken in manner, suggesting the professor rather than the prosecutor; an earnest churchman, but fearless, determined and intensely thorough, had the powerful potentates of the underworld quaking yesterday.

He is George E. Q. Johnson, Federal district attorney for the northern district of Illinois. Seven times Mr. Johnson has made sallies against the men who sit with immunity on gangland thrones and seven times he has knocked them off. Where 6,000 Chicago police and detectives, a whole phalanx of prohibition agents, vigilante organizations of citizens and local prosecutors have been largely ineffective, this official has scored with results.

Consequently the ranks of the immune among Chicago's 26 public enemies are thinning perceptibly—Ralph Capone, Jake Guzik, "Mops" Volpe, Frank Nitti, Terry Druggan and Frankie Lake tumbling one after another.

Tax Charges Turn Trick.

And then "Scarfaced Al" Capone himself—head of the $100,000,000 booze, vice and gambling syndicate which long has defied the law with immunity—was nicked. The procession of gambling house operators of the Capone organization entering the grand jury chambers suggests that Mr. Johnson is soon to be ready to strike hard at this principal underworld figure with an indictment for conspiracy to violate the Federal income tax laws. His six months' sentence for contempt of court is rumored to be just a nick and nothing more.

Twenty months of thought on the problem of dealing with rich and powerful gangsters provided the Federal district attorney with the weapon which is turning the trick—indictment for conspiracy to violate the United States income tax laws in failing to pay taxes on huge underworld profits.

When he decided to strike, Mr. Johnson and his aids were so sure of their ground that they hit with precision and such sureness that gangs hold him in fear. All their money and all their men have finally proved helpless.

Ralph, brother of Al Capone, was shown to have had $1,871,000 in profits from gambling alone in three years. He was the first convicted and drew three years, with the case now on appeal. Then came Nitti, who pleaded guilty when two politicians bucked the game and lost. He now is serving 18 months.

Jake Guzik, with $1,649,000 profit from gambling in three years, fought the case and drew five years. After that Terry Druggan and Frankie Lake, with a million in beer profits at stake, pleaded guilty.

Volpe, No. 2 among Chicago gangsters, has just been ordered deported for violation of the immigration laws.

What all this means is explained by Mr. Johnson.

Ends Gangs' Immunity.

"Conviction is important," he said, "because when these gangsters come out of prison they will not be able to count on old loyalties. Their immunity—or gangdom's belief in their immunity—is gone. That was their stock in trade. There is no friendship among hoodlums. There is no loyalty except the loyalty born of their common purpose. That purpose is easy money. Take their money away and they dry up like a weed that has been cut down."

The Federal prosecutor finds that the most disheartening thing is the way supposedly respectable citizens have come *forward to front* for the gangs.

"We know that gangs make contributions to factions of political parties," he explained. "The factions pay back in privilege, and privilege is immunity to violate the law sold to organized criminals by public officials."

Mr. Johnson has just been reappointed district attorney with four more years to work on the gang leaders.

(Copyright, 1931.)

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INDEXED 19 180 69-180-54X

Mr. Goodman cross-examined the witness at this point.

Q.—You talked with Mr. Waugh before leaving Florida to come here and testify, did you not? A.—Yes.

Q.—You talked with Mr. Clarke, the government investigator, didn't you? A.—Yes.

Q.—You didn't remember dates and didn't possess any definite recollection when you talked to Mr. Clarke, did you? A.—I don't have any definite recollection now.

Dr. Phillips, who testified for the defense on Wednesday, declared on cross-examination yesterday that he was 32 years old, a graduate of the University of Chicago and of Rush Medical college, receiving his diploma in 1930 and going to Miami shortly thereafter.

Q.—Then the statement in your affidavit that you had been "actively and continuously engaged in the practice of medicine and surgery for four years in Chicago" was not true, was it? A.—No, I only practiced here as an interne.

Q. [by the court]—How long were you an interne in Chicago? A.—One year.

Q. [by the court]—Did you have any other practice here? A.—No.

Q.—Did you know Capone in Chicago? A.—I had seen him several times.

Saw Capone at City Hall

Q.—Professionally? A.—No, I think it was around the city hall that I saw him. I didn't have any personal acquaintance with him.

Q.—Did you treat any other members of Capone's family in Florida, or friends of his? A.—Yes, I treated his wife, his boy, Sonny, his sister-in-law, whose name I don't recall, and a worker at his boathouse.

Q.—Any others? A.—Yes, I treated his brother-in-law, Coughlin, I believe his name was, Dennis Coughlin.

Q.—What was your fee? A.—$2,000, but that took care of several consultants I called in; he was injured in an automobile accident. This fee was disputed and only half of it was paid, when we settled out of court.

Q.—How much was Capone's bill?

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declared that the opinion was based on the affidavit which said that the trip to Chicago would endanger Capone's life.

Capone Fails to Take Stand.

When the defense rested without putting Capone on the stand, the prosecution called Dr. Charles Spencer Williamson, professor of internal medicine at the University of Illinois to rebut Dr. Phillips' testimony.

Q.—How long would it require a man, after suffering conditions such as you have heard here, to recover sufficiently to go out doors? A.—That depends upon what he became ear sick.

Q.—When Capone left, Jan. 11, by their own testimony, A.—The ordinary time would be about fifteen days.

Q.—In your opinion, would coming to Chicago in March have endangered Capone's health? A.—That's a matter of judgment. If he was out and around, he wouldn't have been any worse off in Chicago than down there.

DENIES LARGE SALES

A statement issued yesterday by Robert Isham Randolph, president of the Association of Commerce, was called to the attention of Capone during a court recess. Col. Randolph charged that $5,000,000 pints of beer are sold daily in Chicago and that the profits therefrom to the Capone gang are $2,000,000 a week.

"Well, Col. Randolph ought to know, he's head of the Secret Six," said Capone. "But if he has that information, why doesn't he turn it over to the government?

"Of course that's absurd. Why, I don't believe there is that much beer in the United States."

Capone established himself for the day among young women reporters. A girl reporter tip toed hesitantly up to him as he sat in the jury awaiting the opening of court.

Capone arose when the young woman introduced herself, and bowed low.

Calls Girl Reporter Beautiful.

"I wanted to ask you a question, but I am so flustered I can't remember what it was," she said. Capone smiled indulgently.

"O, I remember, I wanted to ask you what you think of the American girl."

"Why, I think you're beautiful," said Capone.

A secretary from the judge's chambers entered the court room with an announcement that "London is on the wire."

"I'm sorry, lady, but there's nobody in London that would be calling me, not even King George," said Capone.

CHICAGO TRIBUNE 2/27/31

(3.)

69-181-54X

DOCTORS AND NURSES CROWD CAPONE OUT OF LIMELIGHT



Left to right: Miss Ann Fagan, nurse; Dr. Kenneth Phillips, Al Capone's Florida physician, and Miss [illegible] Hawkins, another of Capone's nurses. [TRIBUNE Photo.]



Dr. Charles Spencer Williams, who testified for the state as an expert witness. [TRIBUNE Photo.]



Dr. David Omens, Capone's Chicago physician, who visited Capone at Miami, Fla.

CHICAGO TRIBUNE 2/27/31

INDEXED 69-180-54X



CHICAGO TRIBUNE 3/27/31

U. S. SCORES AS CONTEMPT CASE NEARS FINISH

Nurses Call Gang Chief Sick Man.

The contempt of court case against J. C. Capone, public enemy No. 1, reached the closing argument stage yesterday after a session which was marked by the breaking down of the affidavit made by Dr. Kenneth Phillips, the gang chief's Florida physician, out of which the two year old case grew.

Federal Judge Wilkerson assisted Prosecutor Jacob Grossman in a withering cross examination of Dr. Phillips, which ended in the physician's admission that many of the statements in the affidavit were false. Capone, on the plea of illness, gained a stay from March 13 to March 30 on a subpoena to appear before a federal grand jury in Chicago in 1929.

Fail to Shake Nurses.

On the other hand, Capone's nurses who attended him night and day during his attack of pneumonia in January, 1929, could not be swayed by cross examination from their testimony that he was a sick man, and that he did not leave his Miami residence on the 17th, 18th, or 19th of January, when, according to the testimony of three policemen, he attended the Hialeah races.

The novelty of Capone's being on trial and on trial had somewhat waned yesterday, the second day of

MAR 3 1931

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n attendants, accompanying the [illegible]
pondent on his trips from the Lex-
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and back. The gangster used a high-
powered automobile for the first trip.
With him rode Philip D'Andrea, well
known hoodlum, who accompanied Ca-
pone on his airplane trip from Miami
to Bimini when Capone was supposed-
ly "confined to bed."

Delany on Vagrancy Charge.

Capone was scheduled to be ar-
raigned in Felony court before Judge
Frank M. Padden yesterday on the
vagrancy charge pending against him.
His counsel, Attorney Michael Ahern,
informed the court that the gangster
was on trial in federal court.

"Well, he can't be in two places at
once," said Judge Padden, and con-
tinued the case until March 4.

Miss Nora Hawkins, now attached
to the Dade county hospital at Miami,
was the first nurse called on Capone's
behalf by Attorney W. H. Waugh.
She said she was a graduate of the
Rhode Island hospital at Providence.

Q.—When did you first see Capone?
A.—When I was called in to attend
him by Dr. Phillips. To the best of
my recollection it was in the second
week of January.

Q.—How did you find him? A.—I
found him very uncomfortable. He
had a temperature of 104 and a high
pulse rate. He was coughing hard
enough to shake your head off. He
also complained of pains in his chest.

Attended Him Seven Nights.

Q.—How long were you there? A.—
Between seven and ten nights.

Q.—*Did Capone at any time leave*
his bed while you were there? A.—
Absolutely not.

Q.—So far as you know, was he out
on the 17th, 18th, or 19th of January?
A.—So far as I know, he was not. I
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Q.—In your opinion, and taking his
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the horse races on the 17th, 18th, or
19th of January? A.—Absolutely not.

Miss Hawkins explained that she
kept daily charts while attending her
patient, but that she tore them up
shortly afterwards when she went
into institution work.

His Day Nurse Testifies.

Miss Anne Fagan, a red haired
nurse who said she did her graduate
work at the Virginia hospital, Rich-
mond, and had six months experience
at the Rockefeller institute, New York,
attending returned soldiers suffering
with respiratory diseases in 1918, was
then called by Defense Attorney Ben-
jamin P. Epstein.

Miss Fagan stated that she was
called to attend Capone in the day
time, on Jan. 6, to the best of her
recollection.

Q.—Where did you first see Capone?
A.—I saw him then. He was in bed
and had been for two days. He was
complaining with pains in the chest,
coughing incessantly, and had a tem-
perature of about 104.

Q.—How long did you remain there
as day nurse? A.—About two weeks
or longer.

Q.—During that time, did Capone
ever leave the house? A.—No.

Q.—Did he get out of his bed?
A.—No.

Q.—Was his condition such that it

would have been possible for him to attend the races on the 17th, 18th, or 19th of January? A.—No, he had a high fever.

Q.—You never left the house without reporting to Miss Hawkins, and he never left without reporting to you, is that right? A.—That's correct.

U. S. Cross Examines Her.

Mr. Grossman cross examined the witness at this point.

Q.—You talked with Mr. Waugh before leaving Florida to come here and testify, did you not? A.—Yes.

Q.—You talked with Mr. Clarke, the government investigator, didn't you? A.—Yes.

Q.—You didn't remember dates and didn't possess any definite recollection when you talked to Mr. Clarke, did you? A.—I don't have any definite recollection now.

Dr. Phillips on Stand.

Dr. Phillips, who testified for the defense on Wednesday, declared on cross examination that he was 31 years old, a graduate of the University of Chicago and of Rush Medical college, receiving his diploma in 1926 and going to Miami shortly thereafter.

Q.—Then the statement in your affidavit that you had been "actively and continuously engaged in the practice of medicine and surgery for four years in Chicago" was not true, was it? A.—No. I only practiced here as an interne.

Q. [by the court]—How long were you an interne in Chicago? A.—One year.

Q. [by the court]—Did you have any other practice here? A.—No.

Q.—Did you know Capone in Chicago? A.—I had seen him several times.

Saw Capone at City Hall.

Q.—Professionally? A.—No, I think I was around the city hall that I saw him. I didn't have any personal acquaintance with him.

Q.—Did you treat any other members of Capone's family in Florida, or friends of his? A.—Yes. I treated his wife, his boy, Sonny, his sister-in-law, whose name I don't recall, and a worker at his boathouse.

Q.—Any others? A.—Yes, I treated his brother-in-law, Coughlin. I believe his name was, Dennis Coughlin.

Q.—What was your fee? A.—$2,000, but that took care of several consultants I called in; he was injured in an automobile accident. This fee was disputed and only half of it was paid, when we settled out of court.

Capone's Bill Is $900.

Q.—How much was Capone's bill? A.—I don't recall; somewhere around $800 or $400.

Q.—You testified you were called to Capone's house on the 12th of January. How often did you visit him after that? A.—Three times a day the first week, twice a day the second week, and after that he began to improve, so I didn't see him every day.

Q.—Now, how long was he confined to bed, and by that I mean in bed, not going to the horse races? A.—Close on to three weeks or a little over.

Q.—That is after you came there? A.—No, that is from the time he was taken ill.

[illegible] you got on the 13th, after ? A.—Yes.

Judge Wilkerson took up the questioning at this point.

Q.—Let me be sure I understand you. You went there on the 13th. You say the man is bed three weeks? A.—Yes, or a little longer.

Airplane Ride Possible.

Q.—Three weeks or more. That would be up to Feb. 4. What is your professional opinion as to whether or not this man was in such physical condition that he could have taken an airplane trip, going 60 miles each day, on Feb. 2? [This testimony had been given by Capone's pilot.] A.—I think it was possible for him to do it, but it was very inadvisable.

Q.—How could he do that if he was in bed all the time? A.—He was not in bed, I don't suppose, up until that time.

Q.—Well, three weeks; I want to be fair about this. Now three weeks from Jan. 13 would be Feb. 4. Now you're obliged to correct your statement, aren't you, that he was sick in bed for three weeks if he took that trip on the 2d of February? A.—I have to make it approximately, because I really cannot remember exactly, but I think it was about that length of time.

Ride's Effect on Health.

Q.—All right, how about a man who has been threatened with pneumonia taking an airplane trip going 60 miles an hour, 60 miles in each direction? A.—Your honor, I think it all depends on *two big factors, maybe more.* In the first place, where he was sitting in the plane [an open craft] and whether he was exposed to the draft and wind. In the second place, it depends on the kind of day it was, whether it was stormy and damp, or warm and sunshinny like the days we have.

Q.—Are you sure that you did not exaggerate the serious of this man's condition? A.—Your honor, as sure as I am sitting here.

Attacks "In Bed" Statement.

Mr. Groesman resumed at this point, attacking the statement in Dr. [illegible] affidavit that Capone had been confined to his home for ten weeks and had only been out of bed ten days when the affidavit was sent to Chicago, under date of March 5.

Q.—Now by confined to bed, as you used that expression in this affidavit, you do not mean in bed do you? A.—No, I cannot say that I do.

Q.—And by confined to bed you might mean taking airplane trips? A.—I would hardly say that.

Q.—Steamer trips? A.—No, not that.

Q.—You might mean going to the races? A.—It could mean that.

SHERIFF SEIZES SLOT MACHINES IN ROADHOUSES

Dixon, Ill., Feb. 28.—[Special.]—In a county-wide raid, F. A. Richardson, sheriff of Lee county, seized several auto loads of jack pot and money slot machines last night and this morning. All roadhouses and amusement places about Dixon and in Amboy and sub-ette business houses were visited by the officers.

State's Attorney Mark C. Keller ordered the raids when complaints were received that charged that minors and children were allowed to play the machines. Money found in the gambling machines will be turned over to the Dixon welfare committee to use for

CHICAGO DAILY NEWS
Fri., Feb. 27,1931

69-180-54X

Clippings

NOT RECORDED
69-180-212
INDEXED
69-180-54X

Capone Defense Rests In Contempt Trial; Al Avoids Testifying

Gangster's Doctor Admits Error in Affidavit for Evidence.

POLICE ON GUARD

"Scarface Al" Capone's trial on contempt charges before Federal Judge James H. Wilkerson neared its close when the defense rested its case abruptly this afternoon.

Earlier in the day Capone had told newspaper men that he planned to take the stand. During the noon recess, his attorneys, William F. Wamsh and Benjamin P. Epstein, were said to have discussed the possibility that the prosecution, with Capone on the stand, might have wandered far afield in its questioning and that Capone might have done himself generally more harm than he could set good in today's specific case.

Assistant District Attorneys Jacob I. Grossman and Chester Point called Dr. Charles H. Williamson, a member of the faculty of the college of medicine of the University of Illinois, to testify as to the ordinary course of disease in pneumonia and bronchial cases.

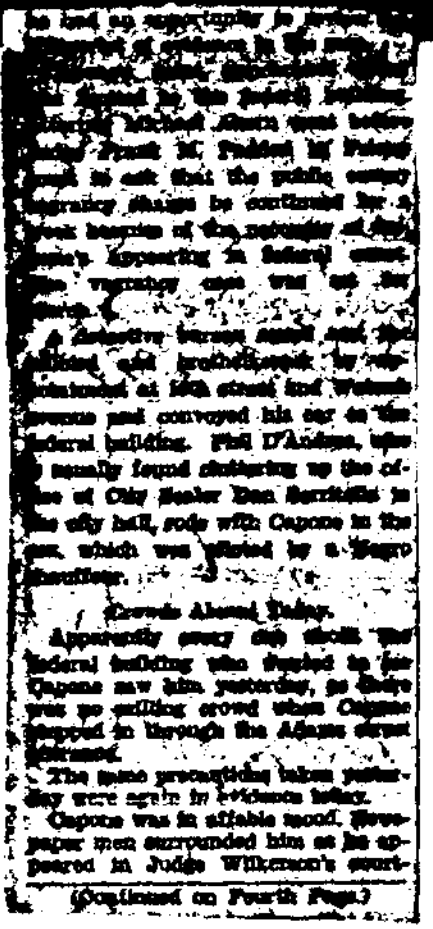
Nurse Is Witness.

Miss Ann Fagan, a nurse who attended Capone during his illness, testified that on Jan. 17, 18 and 19—days in 1929 on which government witnesses testified they saw Capone at a race track—Capone was ill in bed with a temperature that hovered about 104 degrees.

Mr. Grossman, in cross-examination, forced an admission that she was uncertain of the dates between which she had been in attendance on the gang boss.

Closing arguments were expected following the completion of Dr. Williamson's testimony.

Indications were that Judge Wilkerson would reserve his decision [illegible] to review the [illegible]



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CHICAGO DAILY
Thurs., Feb. 26, 1931.

CROWDS GATHER







Above, crowd outside the federal building on growth weight to catch glimpse of Alphonse ("Scarface") Capone. A cordon of mounted police was necessary to keep order and to clear a lane in the street for traffic. Below, Kenneth Phillips, who shouted "Scarface" and "Al" when Capone was arraigned before Judge [illegible]. Judge James H. [illegible] warrants charging [illegible]

CAPONE CASE; WITNE

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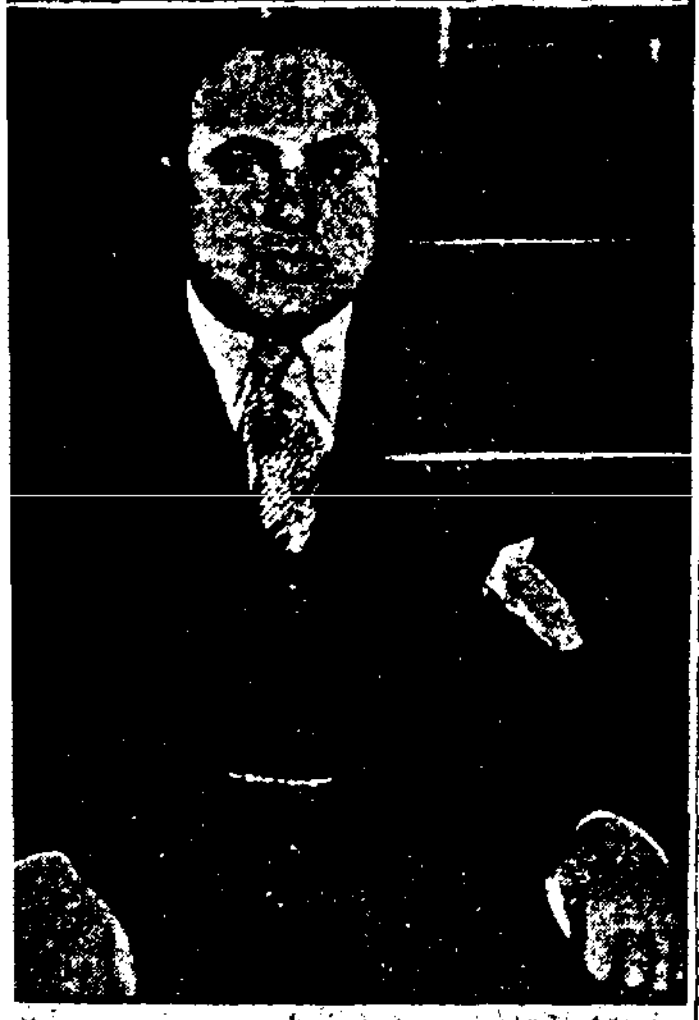
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CHICAGO DAILY NEWS
Thurs., Feb. 26, 1931.

GLIMPSE OF PUBLIC ENEMY NO. 1





—Scene outside the federal building as crowds sought to catch Alphonse ("Scarface") Capone. A cordon of mounted police was thrown around the building to keep order and to open a lane in the street for traffic. Below, Capone, who attended Al Capone (no relation), who is charged with contempt before Federal Judge James H. Wilkerson, and was also booked for an appearance before Federal Judge Frank H. Padden in the Felony court. Below, Dr. Phillips, for a short time a witness. (Photos by Times Wide World.)

CAPONE [illegible] CASE TAXED [illegible] WITNESS STAND

[illegible]

[illegible] week. The gangster, who [illegible] and yesterday, was [illegible] This gave rise to a gib[illegible]

"Capone," said [illegible] court by a reporter, a [illegible] today, a gray one today."

Capone grinned. "I'm buying this one on [illegible] said.

Easy with Interviewers.

A girl reporter approached Capone in timid fashion, and, after [illegible] once or twice, stuttered out her query. Capone arose and bowed in gallant fashion.

"I was supposed to ask you a question," said she, "but I don't think it was."

Capone stood smiling.

"Oh, I know," said the girl reporter. "What do you think of the [illegible] girl?"

"I think you're beautiful," was the reply. The girl retired in confusion.

Capone told newspapermen he expected to take the stand.

"I'll probably go on as the first witness," he said.

Doctor Recalled to Stand.

Dr. Kenneth Phillips, Miami physician who made affidavit [illegible] age that Capone was too ill to come to Chicago in response to a grand jury summons, was the first witness to be questioned today. He was called yesterday to tell of Capone's illness in January and February, 1929, the same period in which half a dozen government prisoners told of seeing Capone at the races, on airplane trips and steamer trips.

Capone's plea of illness as an excuse for postponing a visit to the federal grand jury here [illegible] brought on the present contempt of court proceedings.

Assistant District Attorney Grossman subjected Dr. Phillips to a scathing cross-examination [illegible] an admission early that there was an inaccuracy in the affidavit which the physician sent the federal grand jury.

Cross-Examines Doctor.

Mr. Grossman picked up the affidavit and proceeded:

"I call your attention to this statement in the affidavit: 'I have been actively engaged in the practice of medicine in Miami [illegible] months and for four years before that in Chicago.' That is not accurate, is it?" "I intended it to be approximate," the doctor [illegible]

[illegible]

"How long did you [illegible]

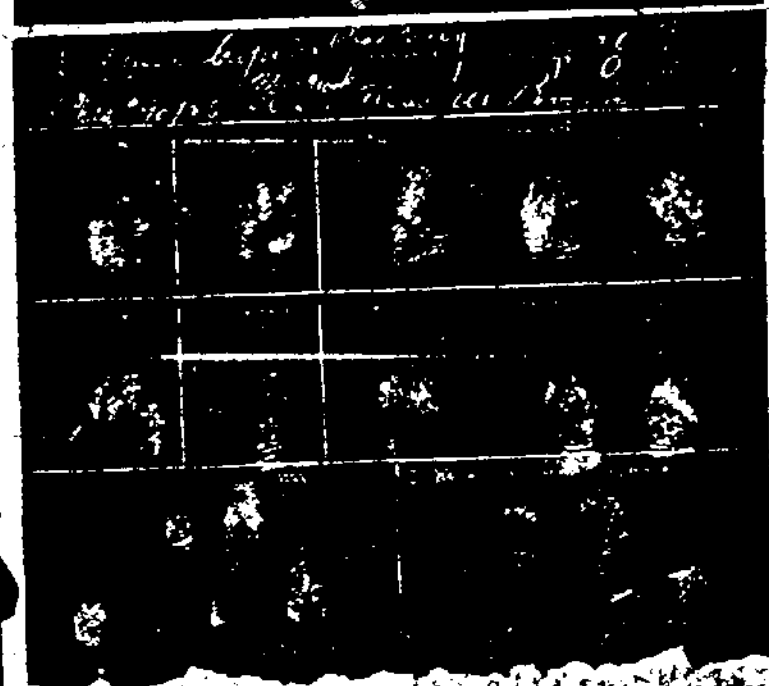
"[illegible]

[illegible] reply.

[illegible]

...TLE AT ROGUES' GALLERY





Pictures of Alphonse ("Scarface Al") Capone made at the height of his career as Chicago gangster and after his arrest recently on vagrancy charges. Federal officials say the jailbird and brothelkeeper and head of a racketeering syndicate until 1931 that Capone suffered the indignity of being fingerprinted and photographed like any criminal and placed in the rogues' gallery. Capone drops a big smile for the camera as he is escorted from federal court today.

...GANGSTER'S
...GUN AT HOME
...OF U. S. JUDGE

...Plans Appeal of 5-Year Term to Call Crowd Mills Aroused.

AFFIDAVIT IS ASSAILED

...Capone [illegible] brothelkeeper and public enemy was [illegible] today by Federal Judge [illegible] to serve [illegible] in the county jail.

Judge Wilkerson [illegible] a motion for a new trial and in arrest of judgment. He argued the [illegible] ability to dispose of [illegible] still announced that a ruling [illegible] Monday.

Capone [illegible], however, [illegible] granted leave to appeal the [illegible] the United States Court of Appeals. The judge granted [illegible] of the 5 bill of exceptions [illegible] avoid the $7,500 bond which [illegible] will depend [illegible] contempt case to stand [illegible] point. Capone will be at liberty [illegible] the case is pending [illegible] courts.

Capone [illegible] [illegible] making statement [illegible] affidavits [illegible] jury of the [illegible] with [illegible] which [illegible] provided by [illegible] [illegible] [illegible]

U. S. CONTEMPT

(Continued from First Page)

the testimony of Dr. Phillips will decide the facts on the testimony of Dr. Owens and the two nurses who cared for Capone.

Calls Statement False.

"The respondent was out of bed only ten days past, according to the affidavit. That statement is glaringly false. The result was that short extension was granted.

"But I think we miss the point when we lay stress on the inconvenience, if any, to which the United States was subjected or that Capone was willing to come any time after, as pointed out in his letter in which he said he did not wish to be in contempt.

"The point in this case is that there has been a system established for the administration of justice. The court is part of that machine. It deals with litigants, jurors and others in only one way, through the processes of the court and they are not to be flouted. It is the duty of all to deal honestly and fairly with the court. When an attorney wishes the court to take action the court is entitled to full disclosure of the facts.

"Here we have an affidavit which says the defendant has been out of bed but ten days. It must have been known by those about him that he was out much longer than that. The situation would be the same if a continuance was granted for some other reason. The point is: From the record in this case there is nothing the court can do but find the defendant guilty."

Grossman Asks Conviction.

Assistant District Attorney Grossman was finishing the first of the government's closing arguments, contending that Capone should be found guilty of contempt of court for taking refuge behind a false plea of illness when he was summoned to appear two years ago before a federal grand jury here.

"It seems to me," said Mr. Grossman, at one point, "that I don't need to review all this testimony, that the court has listened carefully and——"

[illegible] spoke the judge:

"...degree of punishment," he [illegible] be determined by whether [illegible] just wanted to hamper [illegible] jury or whether he [illegible] the truth he got good and [illegible]

[illegible] also had been chewing [illegible] a great rate, stopped his jaw [illegible] here and glanced nervously about the courtroom.

Mr. Grossman continued his argument.

"I wanted to bring that matter [illegible]

He cited the famous Harry Sinclair case, in which the millionaire oil man was sent to a Washington (D. C.) workhouse for setting detectives to trail jurors in a criminal case growing out of the Teapot Dome scandal.

Has Court Ridiculed.

"That sort of thing," he said, endangers the dignity of the courts before the people. That tendency should be considered. If a person can fail to appear and can submit false affidavits to postpone a hearing that comes when he gets ready, it endangers the power and dignity of the court."

He referred to the testimony of Dr. Kenneth Phillips, Miami physician, who treated Capone during his illness and who admitted in court that there were errors in the affidavit which he sent to Chicago to support Capone's plea that he was too ill to appear before the jury.

"Capone himself," said the prosecutor, "didn't consider himself seriously ill or the instant of self-preservation would have been strong enough in him to prevent him from following an physician like the [illegible] that time he found it necessary to consult a doctor than he was [illegible]

[illegible] Dr. Phillips had [illegible] that he had [illegible] that Mr. Capone was ill. [illegible] Capone [illegible] David Owens, Chicago physician who went to Miami, Fla., in response to a call from the family of the then Capone was ill would have stayed down there."

Mr. Grossman cited several contempt cases which he said had element similar to those in the Capone case.

The judge again interrupted.

"The situation is the same," he said, referring to Grossman's argument, "as if a man said he was too sick to serve on a grand jury and it then developed there was no reason why he could not serve. There's no doubt but that such a person could be held in contempt."

Grossman took up the same line of argument.

"It doesn't matter," the judge observed, "whether such a person was excused temporarily or permanently. It is the act that counts."

Grossman's final sentence was: "The court's action then and now will determine if such acts are to be condoned or encouraged."

Capone, still in good spirits, arrived this morning at the federal building attended by his customary police guard. A letter, addressed to him at the federal building, was given him by Deputy Marshal Joseph O'Neill.

A reporter remarked about Capone's "fan mail."

JUDGE WILKERSON'S OPINION RENDERED IN CAPONE CASE

The text of Judge Wilkerson's opinion in the Capone case follows:

"This respondent was served with a subpoena from this court requiring him to appear before the grand jury on March 12, 1930, at 10 a. m. On the 11th of March he entered his appearance in this court, submitted himself to the jurisdiction of this court, and made an application for the court to postpone his appearance in response to the subpoena until such time as might be directed by the order of the court. In connection with this petition made by express reference there was submitted to the court an affidavit executed in Florida and sent by the respondent to Chicago.

"The affidavit was that of a doctor named Phillips. The affidavit stated that he was acquainted with the respondent, that he had been attending him professionally since the 12th of January; that the respondent was then under professional treatment, and from January 13, 1930, respondent had been suffering from bronchio-pneumonia pleurisy with effusion of fluid into the chest cavity, and for six weeks had been confined to his bed at his home on Palm Island, Fla., and had been out of bed only for ten days last past; that he had not fully recovered from the disease, and that in the professional opinion of the affiant, his physical condition was such that it would be dangerous for him to leave the mild climate of southern Florida and go to Chicago, and that to do so would imperil the safety of the respondent, and there would be a very grave risk of relapse which might result in the death from recurrent pneumonia; that the doctor advised against the respondent to go from Florida to Chicago; and that it would be inconsistent with the personal safety of the respondent to go to Chicago. That the opinion expressed by affiant was concurred in by three professional specialists of the city of Miami, Dr. Hawley, Dr. Maxwell and Dr. Fleming, all of whom may be reached by addressing them at 20 [illegible] Avenue in the city of Miami.

"Executed in Lawyers Title [illegible]

"After an ex parte hearing, the [illegible] to [illegible] a writ directed to the sheriff of Cook county, Illinois, commanding him to bring the body of the respondent before this court at a time and place therein named, to show cause why he should not be punished for contempt of court for failure to appear before the grand jury in response to the subpoena duly served upon him. Pursuant to this writ the respondent [illegible] appeared [illegible]

...AL TERM FOR U. S. CONTEMPT

...he testimony of Dr. Phillips but ...ill decide the fate on the testi...ony of Dr. Owens and the two ...urses who cared for Capone.

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See Court Dignity Imperiled.

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"...apone himself," said the prosecutor, "didn't consider himself too ill for the instinct of self-preservation would have kept him away if he were ill. He prevented him from ...ing anything like that. He ...what time he found it necessary ...sult a doctor when he was ...to Chicago.

"Phillips says he was called in ...

...I frankly believe that Capone was ...ick, that he had pneumonia or ...omething, but that all those who ...ked, if he was dangerously ill, ...Chicago (Dr. David Owens, Chicago ...hysician who went to Miami, Fla., in ...esponse to a call from the family at ...the time Capone was ill) would have ...stayed down there."

Mr. Crossman cited several contempt cases which he said had elements similar to those in the Capone case.

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JUDGE WILKERSON'S OPINION RENDERED IN CAPONE CASE

The text of Judge Wilkerson's opinion in the Capone case follows:

"This respondent was served with a subpoena from this court requiring him to appear before the grand jury on March 13, 1929, at 10 a. m. On the 11th of March he entered his appearance in this court, submitted himself to the jurisdiction of the court, and made an application to the court to postpone his appearance in response to the subpoena until such time as might be directed by the order of the court. In connection with this petition made by express reference there was submitted to the court an affidavit executed in Florida and sent by the respondent to Chicago.

"The affidavit was that of a doctor named Phill... The affidavit stated that he was acquainted with the respondent, that he had been attending him professionally since the 13th of January; that the respondent [illegible] under professional treatment, and from January 13, 1929, respondent had been suffering from broncho-pneumonia pleurisy with effusion of fluid into the chest cavity, and for six weeks had been confined to his bed at his home on Palm Island, Fla., and had been out of his bed only for ten days last past; that he had not fully recovered from his disease, and that in the professional opinion of the affiant, his physical condition was such that it would be dangerous for him to leave the mild climate of southern Florida and go to Chicago, and that to do so would imperil the safety of the respondent, and there would be a very grave risk of relapse which might result in his death from recurrent pneumonia; that the doctor advised against requiring respondent to go from Florida to Chicago; and that it would be inconsistent with the personal safety of the respondent to go to Chicago; that the opinion expressed by affiant was concurred in by three professional consultants of the city of Miami, Dr. Clewis, Dr. Maxwell and Dr. Pearson, all of whom may be reached by addressing them at 126 Shoreland Arcade in the city of Miami.

Executed in Lawyer's Office.

"How as to this affidavit. It appears to be that it was executed in the office of a lawyer [illegible]

[illegible] ...ecedly was written by the ...



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

PART 8 OF 11

BUFILE: 69-180

SUBJECT Capone, Alphonse

FILE NUMBER 69-180

SECTION NUMBER 2

SERIALS 55 - 71

TOTAL PAGES 241

PAGES RELEASED 237

PAGES WITHHELD 4

EXEMPTION(S) USED b7C, b7D

MJ

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS

69
180

February 27th, 1931

AIR MAIL

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, which went to trial at 10 A.M. on February 25th, 1931, you are advised that on this date testimony was completed, and arguments closed by both the prosecution and defense, after which Federal Judge James H. Wilkerson sentenced subject Capone to serve a term of six months in the Cook County, Illinois jail, final order of sentence to be entered by the Court under date of March 2nd, 1931, at 10 A.M. Judge Wilkerson intimated that on March 2nd, 1931, he would allow subject Capone thirty days in which to file an appeal. Said subject was released under his present bond of $5000.00.

For your additional information in connection with this matter I am transmitting herewith copies of the official transcript of Judge Wilkerson's announcement of finding in the Alphonse Capone case, dated February 27th, 1931, as made by the Court Reporter.

For your further information I desire to advise that subject Capone was arrested at the noon recess when he was leaving the Federal Court under date of February 25th, 1931, by City Detectives of the Chicago Police Department, in connection with the Vagrancy charge pending against him at Chicago. He was arraigned before Municipal Judge Thomas Green, who released subject Capone on a $10,000.00 bond.

Shortly after Federal Judge Wilkerson announced the verdict in the Capone case, Special Agent T. F. Mullen talked with United States Attorney George E. Q. Johnson, who stated that he

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was very much elated with the outcome of this case, and desired to congratulate this Bureau in connection with the obtaining of evidence and the work performed during the trial of this case. United States Attorney Johnson also informed Special Agent Mullen that so far as his office is concerned with respect to subject Phillips, no prosecutive action is to be taken in this district regarding that subject.

Very truly yours,

R. G. Harvey

R. G. HARVEY,
Acting Special Agent in Charge.

RGH:JJS

69-19

2 FF

RECEIVED

POST OFFICE BOX 1405

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The U. S. Attorney's enthusiasm now breathes amazing, & indicates necessity two years to formulate plans filing this matter to issue.
67-180-5-J 3/1/31 J. E. H.

5

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Very truly yours,

R. C. HANEY,
Acting Special Agent in Charge.

RCH:JS

69-19

6

UNITED STATES)
)
vs.) Before Wilkerson, J.
)
C A P O N E)

Friday, February 27, 1931

10 o'clock A. M.

O P I N I O N.

THE COURT: This respondent was served on the 27th of February, 1929, with a subpoena from this Court requiring him to appear before the grand jury on the 12th day of March, 1929, at 10 o'clock A. M.

On the 11th of March he entered his appearance in this court, submitted himself to the jurisdiction of the court, and made an application to the court to postpone his appearance in response to the subpoena until the April Term of the court, or until such other time as his appearance might be directed by the order of the court.

In connection with the petition and made a part of the petition by express reference there was submitted to the court an affidavit executed in Florida and sent by the respondent to Chicago. The affidavit was that of a doctor named Phillips.

The affidavit stated that he was acquainted with the respondent, that he had been attending him ever since the 13th of January; that the respondent was then under his professional treatment. That since January 13, 1929, the respondent had been suffering from bronchopneumonia pleurisy with effusions of fluid into the chest cavity, and for six

1

weeks was confined to his bed at his home on said Palm Island, and had been out of his bed only for ten days last past; that he had not fully recovered from the disease and that in the professional opinion of affiant his physical condition was such that it would be dangerous for him to leave the mild climate of Southern Florida and go to Chicago, and that to do so would imperil the safety of the respondent; that there would be a very grave risk of relapse which might result in his death from the recurrence of pneumonia; that the doctor advised against requiring the respondent to go from Florida to Chicago, and that it would be inconsistent with the personal safety of the respondent to go to Chicago; that the opinion expressed by him was concurred in by three professional consultants of the City of Miami, Dr. Goudy, Dr. Maxwell, and Dr. Pierson, all of whom may be reached by addressing them at 120 Shoreland Arcade in the City of Miami.

Now as to this affidavit the fact is that it was executed in the office of a lawyer; that it was taken from the lawyer's office and sworn to before the United States Commissioner and turned over to the respondent. It appeared first in court accompanied by a letter which concededly was written by the respondent and in which there was a reference to his desire to obtain a stay of time for his appearance before the Grand Jury. The doctor

said he did not pay very close attention to the affidavit when it was dictated by the lawyer. There is no contention, however, by the respondent here that he did not understand the allegations of the affidavit. He has not undertaken to assert any lack of familiarity with the statements in the affidavit. On the contrary, he adopted it and sent it to Chicago to the attorneys to be used for the purpose indicated.

Aside from the opinion of the doctor as to what was the matter with the respondent, there were certain averments of facts in the affidavit which could not have not escaped the attention of any one who had given even a slight consideration to the language of the affidavit.

There is the positive statement of fact that the respondent had been confined to his bed at his home for a period of six weeks after the 13th of January, and there is the positive and direct statement that he had been out of bed only for ten days last past.

Now the testimony offered by the respondent consisted of the evidence of Drs. Phillips and Omens and of the two nurses.

Dr. Phillips' testimony, of course, must be considered in the light of the telegram which he sent to Dr. Omens in which he characterized the sickness of the respondent as not serious in its character. He has given an explanation for that, but without saying anything further concerning the testimony of Dr. Phillips, I think clearly that we must decide

the question of fact as to the respondent's illness in January upon the testimony of Dr. Omens and the two nurses.

Dr. Omens reached Miami sometime between the 15th and the 20th of January and found him, he says, seriously ill from the disease mentioned. He remained there a few days, and when he left, shortly after the 20th of January, so far as temperature and pulse are concerned, the condition of the patient was about normal.

One of the nurses went to the home on the 6th of January and remained a little less than three weeks. The night nurse who was called in by Dr. Phillips went there on the 13th or about the 13th and remained seven or eight days - I think she said seven to ten days. At any rate, the nurses had gone by the last week in January, and the evidence establishes beyond all possibility of doubt in this case that during the month of February the respondent was not confined to his bed.

The evidence shows during that period frequent attendance at the race tracks; it shows a trip in an airplane; it shows a boat trip, and taking all of the evidence, it is perfectly clear that at least after the 2nd of February it could not be truthfully stated that the respondent was confined to his bed, and that the statement on the date when the affidavit was made, namely, the 5th of March, 1929, the respondent had been out of

bed for only ten days last past was glaringly false.

Now the result of the whole thing was that there was a short extension of time within which the respondent was to appear before the Grand Jury.

But I think we miss the point in this case when we lay stress upon what happened when counsel for the defendant and Mr. Anderson appeared before this branch of the Court, or when we lay stress upon the inconvenience, if any, to which the United States was subjected by the failure of the respondent to come here on the 12th, or if we lay stress upon the statement of the respondent in his application for a continuance that he was willing to come here whenever the Court directed him to come, or the statement which it is said was in the letter that he did not wish to be in contempt of court, - I say we miss the point in this case when we lay stress upon that.

The point in this case as I see it, is this: There has been a system established for the administration of justice. The Court is a part of that machinery which is erected for the administration of justice.

Now the Court deals with litigants, with witnesses, with jurors in only one way, and that is through the process of Court, and when the process of Court issues it is to be respected, it is to be obeyed, it is not to be trifled with, it is not to be flaunted; and with respect to the process of the Court the duty rests upon litigants and upon witnesses and upon jurors to deal honestly and fairly and frankly

with the Court; and when an attempt is made to interfere with the execution of the process of the Court, when an appeal is made to the Court to relieve a party from obedience to the process of the Court, the Court is entitled to the fullest, fairest and most complete disclosure of all the facts. In no other way may the Courts operate.

Now here we have an application addressed to this Court with respect to the execution of the process of the Court in which it is represented to the Court that the respondent has just been out of bed for ten days, when it must have been a matter of general knowledge in the community in which he was then staying that he was not sick in bed at all.

Now the point in this case is the effect of conduct of that kind upon the administration of justice, and the situation is not changed by the action which the Court took with reference to this document. The situation would be the same if the Court had acted in granting the continuance for some reason entirely different from the one stated in the affidavit.

The point to the case is that instead of obeying the process of the Court, the respondent, to be relieved from obedience to the process of the Court, sent this affidavit which contained these false statements.

Upon the record as it stands here there is nothing for the Court to do except to adjudge the respondent guilty

12

of contempt of Court as charged in the information, and as punishment for the contempt the respondent will be committed to the County Jail of Cook County for the period of six months. The United States Attorney may prepare the order.

MR. EPSTEIN: If your Honor please, I wish to enter a motion in arrest of judgment.

THE COURT: Yes.

MR. EPSTEIN: And in support of my motion for arrest of judgment I wish to assign the argument that there is no proof in this case that the defendant had any knowledge of the false representations that were made, as I made before in my argument, and I wish to urge in support of the motion in arrest of judgment that there has never been any service personally of the rule to show cause in this case; and I might say all the other points that were heretofore argued and presented and contained in the motions heretofore made.

THE COURT: The motion will be overruled.

MR. EPSTEIN: May I have an exception to the overruling of the motion in arrest?

THE COURT: Yes.

MR. EPSTEIN: Now if your Honor please, will your Honor make any findings of fact in connection with the --

THE COURT: Well I have directed the United States Attorney to prepare an order.

MR. EPSTEIN: Your Honor, the verdict was that --

THE COURT: He will put in this order the facts found. I have found now that the charge of the information --

MR. EPSTEIN: That he was guilty of the charges contained in the information.

THE COURT: Oh, that may be embodied in the formal offer which the United States Attorney submits.

MR. EPSTEIN: Will your Honor -- until the presentation of that order I suppose there is no real final order in the case.

THE COURT: What is the bond of the respondent?

MR. EPSTEIN: $5,000, and he has voluntarily appeared, as your Honor knows.

THE COURT: I think that is a sufficient bond.

MR. EPSTEIN: As the matter stands on the --

THE COURT: You may present the formal order for entry next Monday morning at 10.00 o'clock.

MR. EPSTEIN: At that time will your Honor allow us an order --

THE COURT: There will be no order this morning. I have announced my decision in the case and formal order will be presented here Monday morning at 10.00 o'clock by the United States Attorney for entry. In the meantime the respondent may be at liberty on the bond which he has already given in this case, if that is satisfactory to the respondent.

MR. EPSTEIN: And at that time, if your Honor please, or shall we make the motion now, praying an appeal? Will your Honor allow an appeal?

THE COURT: I will allow an appeal. You can present your petition when you have it ready, petition and assignment

of errors and bond on the appeal will be the same as the bond here, $5,000.

MR. EPSTEIN: And supersedeas?

THE COURT: I think that bond is sufficient on appeal.

MR. GROSSMAN: Yes.

THE COURT: Yes, supersedeas, bond $5,000.

MR. EPSTEIN: Will your Honor allow supersedeas?

THE COURT: On $5,000 bond.

MR. EPSTEIN: On $5,000 bail.

THE COURT: I may, however, limit the operation of the supersedeas. I think you should prepare on this hearing a bill of exceptions within twenty days. I think that would be ample time for you to do that, so that you can get the record up and get it docketed before the Court of Appeals. I should like to limit the time of operation of the supersedeas so that the case may be considered before the Court adjourns in July. I do not think that is any hardship upon counsel.

MR. EPSTEIN: Well, it will be a hardship —

THE COURT: Sometimes in matters of this kind a great deal of the force of the Court's acts, if they are correct, is lost by delay, and I think it is important that the questions which are involved should be finally disposed of at as early a date as possible. I am disposed to do everything to facilitate your getting your appeal and your bill of exceptions.

15

MR. EPSTEIN: Well, as to that I don't know. For twenty days right now to me happens to be --

THE COURT: Thirty days.

MR. EPSTEIN: -- a time when I am going to be very busily engaged, but I have able assistants and counsel and colleagues and cogitators with me.

THE COURT: Did you both have reporters in this case?

MR. MAUGH: Yes, your Honor.

THE COURT: The record in this case is short and somebody can take it and abstract it and make a statement of the evidence in a day, I should think.

MR. MAUGH: Of course it has to be written up first. We have not had it written up yet.

MR. EPSTEIN: We have not had it written up as we went along.

THE COURT: Those questions may be disposed of on Monday.

MR. MAUGH: All right

(Whereupon an adjournment was taken to Monday, March 2, 1931, at 10.00 o'clock A. M.)

RECEIVED

Honorable [redacted]
United States Attorney
Chicago, Illinois

Dear Sir:

RE: ALPHONSE CAPONE;
[redacted] PHILLIPS, AKA.;
Conspiracy [redacted] Cooper; Kidnaping;
Our File [redacted]

Reference is made to your communication of February 19, 1931, under above caption, to Special Agent [redacted] of this office, requesting cooperation in locating certain witnesses who were under subpoena to appear at Chicago on February 25, 1931.

In accordance with your request, Agent [redacted] contacted all the witnesses except U. S. Cooper, former Deputy Marshal, and advised they were served with subpoenas and advanced funds for travel to Chicago. Former Deputy Marshal Cooper is dead.

Very truly yours,

[redacted]
Special Agent in Charge.

HLA:SLH
cc Director
cc Chicago

69-180

MAR 2 1931 P. M.

17

Dec. Two

69-180-56

18

ENCLOSURE

CHICAGO TRIBUNE
Monday, Mar. 2,1931.

N-Miss

CAPONE TO JAIL.

Al Capone's [illegible] months in jail for Federal Judge Wilkerson for contempt of court, had taken a casual but characteristic attitude toward judicial process. He did not want to obey a summons, being in Florida. He was well advised legally that he could not ignore it and he was advised that it could be fixed by a false affidavit. Capone's experience and his ideas of government gave him justification for believing that it could be fixed, but he was dealing with the wrong court.

He had learned from his operations in Chicago that he was a part of government under reciprocating arrangements in which for value received he conducted certain enterprises requiring political protection and occasional murder. His experience in Philadelphia, where he went to jail for a year for carrying a gun, would not destroy his confidence in the general dependability of the system. That was a jam in which he was careless in unorganized territory. It was an exceptional event.

The sentence which has been imposed is not relevant to any of the major facts of his career, but it is to the credit of government in which he has participated. The [illegible] has broken down in [illegible] as it has of late broken down in the [illegible] other gangsters. Fulton [illegible] in prison for [illegible] months. Druggan and Lake are to be sentenced on pleas of guilty, and of the three Gusiks, a protected family of gangsters, and [illegible] one has been sentenced to [illegible] one is indicted and one is to be indicted. Furthermore, under the direction of Secretary of Labor Davis, the immigration officials are combing out the deportables. More than a score of the Capone gang will thus leave the country.

[illegible] and to the gangsters and politicians associated with them startling developments of the last six months. If the law's approach has not been a direct attack upon the gravest evils of the outlaw [illegible] and still dying in them, it is nevertheless the first real break which has been made in their protections.

69-180

69-180-55 X

JUL 19 1972

XEROXED ORIGINAL-RETAIN

CHICAGO DAILY NEWS
Sat., Feb.28,1931.

CAPONE FACING

TRAILS ALONG

U. S. Plans Gang Chief's Income-Tax Prosecution; Speed Volpe Exile.

WHITE TRIAL MONDAY

With "Scarface Al" Capone, boss booze, vice and gambling racketeer, under sentence of six months for contempt of court, Chicago's cleanup drive whirled along today with the authorities pressing the fight on several new fronts.

While Capone was at Lorry today [illegible] from Federal [illegible], Assistant District Attorney George E. Q. Johnson and his aids busied themselves completing evidence on which an indictment will be sought against the [illegible] similar to those which have already brought prison sentences to some of his principal cohorts.

Immigration authorities in Chicago meanwhile were making preparations [illegible] the deportation of Nicholas ("Chippy") Volpe, long a reputed member of the so-called murder division of the Capone syndicate.

125 Other Aliens Deported.

Six coaches, barred and carrying armed guards, will take 125 undesirable aliens out of Chicago tonight from the LaSalle street station. Although Volpe will not be among the men being deported, the train will have on it three brotherkillers—Nick Bernardini and Antonio Maroda of Chicago and Angel Kiriakos of Gary and three [illegible] finally released from Joliet—Christie Klous, a burglar; Emil Wyit, a burglar, and Frank Cowlin, [illegible] men adjudged insane will also be taken to New York for the [illegible] there.

A special train, including cars for sixty aliens from the west coast, will carry the undesirables east.

White Plea Is Denied.

Judge Joseph Sabath in the Criminal court overruling the motion to quash the indictment against William J. ("Three Fingered Jack") White, also listed as a public enemy ordered him to trial Monday morning for the killing of a policeman several years ago.

In refusing the plea of White's attorneys Judge Sabath also announced that the trial of Leo V. Brothers, St. Louis hoodlum indicted for the murder of Alfred Tingle, which had been set for March 3, would follow immediately upon the conclusion of White's case.

The Popes Are Questioned.

That the government officials were already pressing their efforts to land Capone in a prison cell for income-tax law violations became known today through the reported appearance in the federal building of Willie and Benny Pope, who at various times are reputed to have been prominent in the operation of some of the Capone-controlled gambling joints.

They were reported to have been questioned by Assistant District Attorney Dwight H. Green and from other sources it was learned that subpoenas are to be issued for others who, it is hoped, may be compelled to give information before the federal grand jury regarding the profits Capone is said to have taken from some of these enterprises.

Mr. Johnson's assistants, it was said, plan to follow the same procedure in their efforts to obtain an indictment against Capone as used in the prosecution of Ralph Capone, his brother; Jack Guzik and Frank ("The Enforcer") Nitti, who is already serving an eighteen-month sentence in Leavenworth penitentiary for income-tax frauds.

Vagrancy Trial Wednesday.

Capone also faces trial next Wednesday before Judge Frank M. Padden in the Felony court on a charge of vagrancy as public enemy No. 1. He is scheduled to appear before Judge Wilkerson Monday morning, when the formal order on the six months' sentence meted out to him yesterday is to be entered. At that time formalities connected with the filing of his appeal will be completed.

MAR 4 1931

69-180-[illegible]
69-180-55X
32-15941-5X

69-180-56

RECORDED & INDEXED

MAR 6 1930

March 4, 1930.

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

I am in receipt of your memorandum, dated February 28th, addressed to Mr. Nathan, having attached a newspaper clipping concerning Al Capone.

As requested by you, I am returning the newspaper clipping herewith.

Very truly yours,

Director.

Incl. #450822.

62-23190-1654

69-180

21

MAILED MAR 4 1930 P.M.

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

RECEIVED
INVESTIGATION
DIV. 2
MAR - 3 1931 PM

February 28, 1931.

MEMORANDUM FOR MR. NATHAN:

Referring to your previous memorandum I thought you might like to see the attached clipping with reference to the alleged activities of Al Capone. I can't make out whether this is intended as a joke or whether it is really being taken seriously by this little local paper. Please return it when you are through with it.

Sanford Bates
Director.

Ack 3/4/31

69-180-56

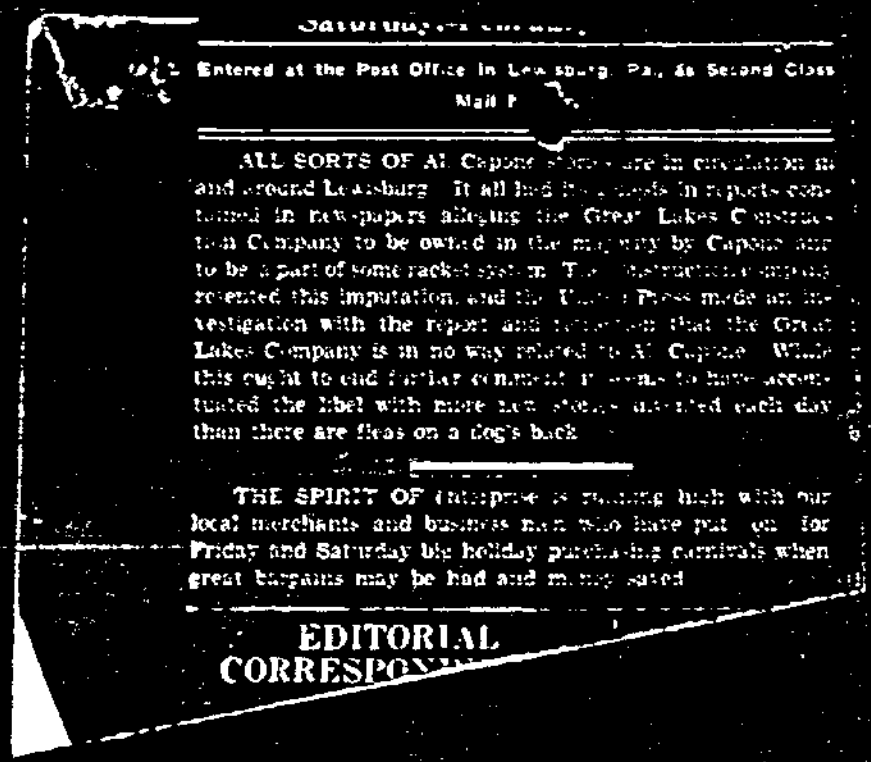
RECORDED
INDEXED

MAR 6 1930

MAR 6 1931

FILE

22



Saturday, [illegible]

Entered at the Post Office in Leesburg, Pa., as Second Class Mail [illegible]

ALL SORTS OF Al Capone stories are in circulation in and around Leesburg. It all had its origin in reports contained in newspapers alleging the Great Lakes Construction Company to be owned in the usual way by Capone and to be a part of some racket system. The construction company resented this imputation, and the Union Press made an investigation with the report and returned that the Great Lakes Company is in no way related to Al Capone. While this ought to end further comment it seems to have accentuated the libel with more new stories started each day than there are fleas on a dog's back.

THE SPIRIT OF [illegible] is running high with our local merchants and business men who have put on for Friday and Saturday big holiday purchasing carnivals when great bargains may be had and money saved.

EDITORIAL CORRESPON[illegible]

THE FIELD OF CIRCULATION THE [illegible]

Saturday News

[illegible] AL ADVERTISING MEDIUM. ESTABLISHED IN 1882

[illegible] AY, FEBRUARY 28, 1931. $2.00 PER YEAR IN ADVANCE

E DOLLAR DAY

CHICAGO GANGDOM OPENS OPERATIONS IN LEWISBURG

Private Investigator Discovers that Romanelli, "The Roman," and "Jo Jo" Jackson Have Been at Site of Penitentiary --- Both Representatives of Chicago Underworld

(By Special Staff Writer, and Exclusively for THE SATURDAY NEWS)

That the underworld of Chicago has launched out from its operations along the shores of Lake Michigan, is attested by several startling developments in this section during the past two weeks. The first intimation of gangdom's entrance into Union county came last week when Ben Comiskey, of Shamokin, was arrested at Sunbury for trespassing on Reading Railroad property. Taken before Mayor Heckart of Sunbury, the Shamokinite stated that he had been sent to these parts by Al "Scarface" Capone, supreme pontiff of the Chicago underworld, to stop work on the new penitentiary.

Although police officials discounted his story, attributing his remarks to fabulous dreams caused by "canned heat", the future developments have cast a different aspect on the whole affair.

Strange Tracks Near Penitentiary Site

Early Monday morning a private investigator discovered near the site of the new penitentiary strange tracks.

MIFFLINBURG GIRL WINS CONTEST

Hummel Again First

[illegible]wisburg High Wins [illegible] Northumberland

[illegible] against Dan- [illegible] High came back [illegible] Foulds to [illegible] early. 28- [illegible] Sequens three fouls.

[illegible]	Field	Foul	Total
[illegible]	4	0x1	8
[illegible]	0	0x0	0
[illegible]	4	3x5	11
[illegible]	2	0x0	4
[illegible]	2	0x0	4
[illegible]	0	0x0	0
[illegible]	0	1x3	1
[illegible]	12	4x9	28

[illegible] and [illegible] Field Foul Total

	183	7
	021	2
	182	1
	021	2
	180	0
	206	14

4 8 9—28
2 2 5—14
VanHorn
of Quarters

Games

Opponents
12
21
41
17
23
21
14
32
14
189

Opponents
23
25
10
13
26
97

mes

Opponents
37
39
24
15
31

Opponents
5
15
20

Boys

Fl.	G.	Points
9		20
12		66
13		84
8		54
12		105
3		3
2		6
0		0
0		2
1		1
0		0
5		13
66		418

Girls

Fl.	G.	Points
6		34
6		86
11		69
2		8
1		3
26		

Points of a Great Dane

[illegible] of the slain marks with his records it was discovered that they tallied exactly with those of Ramon "The Roman" Romanelli a well known Chicago gangster. It is stated that Romanelli owns a Great Dane.

Going over his records it was found that Romanelli is a [illegible] of James "Pink Eye" Kelly who for many years as "The Terror of Taylorville." Kelly is known to have been closely associated with Capone before he came to be King of the Underworld. Kelly also was a close friend of James "Big Jim" Colosimo whose body Lord Capone was until "Big Jim" was assassinated on May 12 1920.

The Chain Tightens

But this was not enough to convince the investigator that the fugitives at the site of the new penitentiary had anything to do with the Chicago underworld. He again returned to the penitentiary site, where he easily traced the tracks across the fields to a point near Taylorville. They ended at the side of the road where an automobile had been parked. From the condition of the ground where the car was parked it appeared that there had been a flat tire. The tire marks leading up to the place of parking and those leading away gave no indication that a tire was flat. Consequently, it was deducted that the tire went flat while the car was parked there. But the shoe tracks, said to be those of [illegible] there was someone else in the car who fixed the tires.

The investigator found a tire wrench almost covered with mud. It was unlike most tire wrenches in that it was made by a firm in Chicago who manufactures such wrenches only on a small scale. They are not supplied with any automobile equipment, and can be purchased at only a few of the accessories stores in Chicago.

This was another clue still another was the two initials, "J. J.", which had been cut into the metal of the wrench.

Traces Wrench to Owner

Few gangsters are so reckless as to show their vanity by carving their initials on property that might be lost, but the investigator remembered that a Chicago gangster by the name of Joe "Jo Jo" Jackson once before got into the hands of the law because of an [illegible] pocket knife which he had left in a distillery. Jackson is known to be a trusted lieutenant of Capone.

There seems to be little doubt that Chicago racketeers has been at the site of the penitentiary. Just why they should desire to hold up construction is not known, unless the underworld feels that prosecutions will be more frequent when the government has more room to take care of federal lawbreakers.

As yet the representatives of the Chicago underworld have done nothing to warrant turning the [illegible] over to the [illegible]. But the [illegible] at work.

80-56

Form No. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLA.

RECEIVED INVESTIGATION

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE
Chicago, Illinois	Mar. 5, 1931	

TITLE:

ALPHONSE CAPONE;
KENNETH PHILLIPS, et al

SYNOPSIS OF FACTS:

Trial of Subject Capone commenced 2/25/31 before Federal Judge Jas. H. Wilkerson, Chicago on contempt charges. Subject Capone found guilty on 2/27/31, sentenced on 2/28/31 to serve six months in Cook County Jail. U. S. Attorney, Chicago, advising as action to be taken in this district against Subject Kenneth Phillips. Subject Capone appealing decision of Judge Wilkerson.

R. U. C.

REFERENCE: Report of Special Agent T. J. Mullen, Chicago, Illinois, February 20, 1931.

DETAILS:

On February 25, 1931 the trial of Subject Capone was commenced before Federal Judge Jas. H. Wilkerson on a contempt of court charge. On February 27, 1931 Subject Capone was found guilty by Federal Judge Wilkerson and he stated that on March 2, 1931 he would formally enter a sentence of six months which was on this date passed upon Subject Capone, this sentence to be served in the Cook County jail. On March 2, 1931 Messrs. Waugh and Epstein, attorneys for Subject Capone were granted a motion to file a bill of exception to the decision of Judge Wilkerson, this bill is to be filed within thirty days. Subject Capone then made $5,000 supersedeas bond to formally his appeal. Federal Judge Wilkerson then stipulated that if the contempt of court case is not disposed of by June 1, 1931, the date set by the judge for the supersedeas to expire, Subject Capone must then go to the U. S. Circuit Court of Appeals.

APPROVED AND FORWARDED: J. E. Hoover SPECIAL AGENT IN CHARGE

COPIES OF THIS REPORT FURNISHED TO:

3- Bureau
3- Jacksonville
1- U. S. Atty. Chicago, Ill.
2- Chicago

69-180-57

BUREAU OF INVESTIGATION
MAR 7 1931 A.M.
DEPARTMENT OF JUSTICE

ROUTED TO: FILE
Div. Nathan
Div. Five

RECORDED AND INDEXED: MAR 7 1931
CHECKED BY:

JACKETED: MAR 11 1931

7—1222

26

to make application for further continuance.

[redacted] stated that [redacted] Phillips, M. D. [redacted]

DESCRIPTION:

The following [redacted]

Name:	Alphonse Capone [redacted]
Age:	32
Nativity:	New York
Weight:	245 lbs.
Occupation:	garage [redacted]
Chin:	regular
Beard:	no
Hair:	dark chestnut, bald [redacted]
Complexion:	sallow
Marital status:	married
Teeth:	2 upper right and 2 upper left out.
Build:	stout
Scars:	left hand, nil; right hand, round scar ic back of hand; head, hor. scar 10c left side of face from left eye to 4c from left corner of mouth; cut scar 3c below left ear. Operation scar 3½ left side of neck.
F.P.C:	1 [redacted]
Phila.Police No:	90725
Chicago " "	[redacted]
Criminal record:	1/23/25, arrested as suspect in shooting of John Torrio. Discharged. 12/31/25, arrested at E.Rutherford, Hoboken, discharged 12/[redacted]. 5/16/29, arrested at Philadelphia Pa. C.C.W. weapons. 5/17/29, sentenced to 1 year county jail and $5 and [redacted] costs. [redacted] transferred to Eastern Pa. State Penitentiary.
Photograph:	on file with National Division of Identification and Information.

The above information, together with fingerprints and photograph of Subject Capone have been forwarded to the National Division of Identification and Information at Washington, D. C.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN.

27

U. S. Department of Justice

Bureau of Investigation

P. O. Box No. 1405,
CHICAGO, ILL.

RECEIVED

69-180-71231

March 5, 1931.

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

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

Dear Sir:-

There are enclosed herewith for transmission to the National Division of Identification and Information, fingerprints, photograph, description and criminal record of Subject ALPHONSE CAPONE, one of the Subjects in the above entitled case.

Very truly yours,

J. E. D. DUNN,
Special Agent in Charge.

TFM-mk
69-19
Enc.

RECORDED
MAR 9 1931
DIV. of IDEN

RECORDED & INDEXED
MAR 10 1931

69-180-58

U. S. Department of Justice

Bureau of Investigation

P.O.Box 1405,
Chicago, Ill.

March 5, 1931.

69-180

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

Dear Sir: RE: ALPHONSE CAPONE
alias SCARFACE AL

I am transmitting herewith for your information and the Bureau file a series of articles appearing in the Chicago Daily Times during the period February 10 to March 2, 1931, inclusive, and having reference to the above entitled subject.

Very truly yours,

J. E. P. DUNN,
Special Agent in Charge.

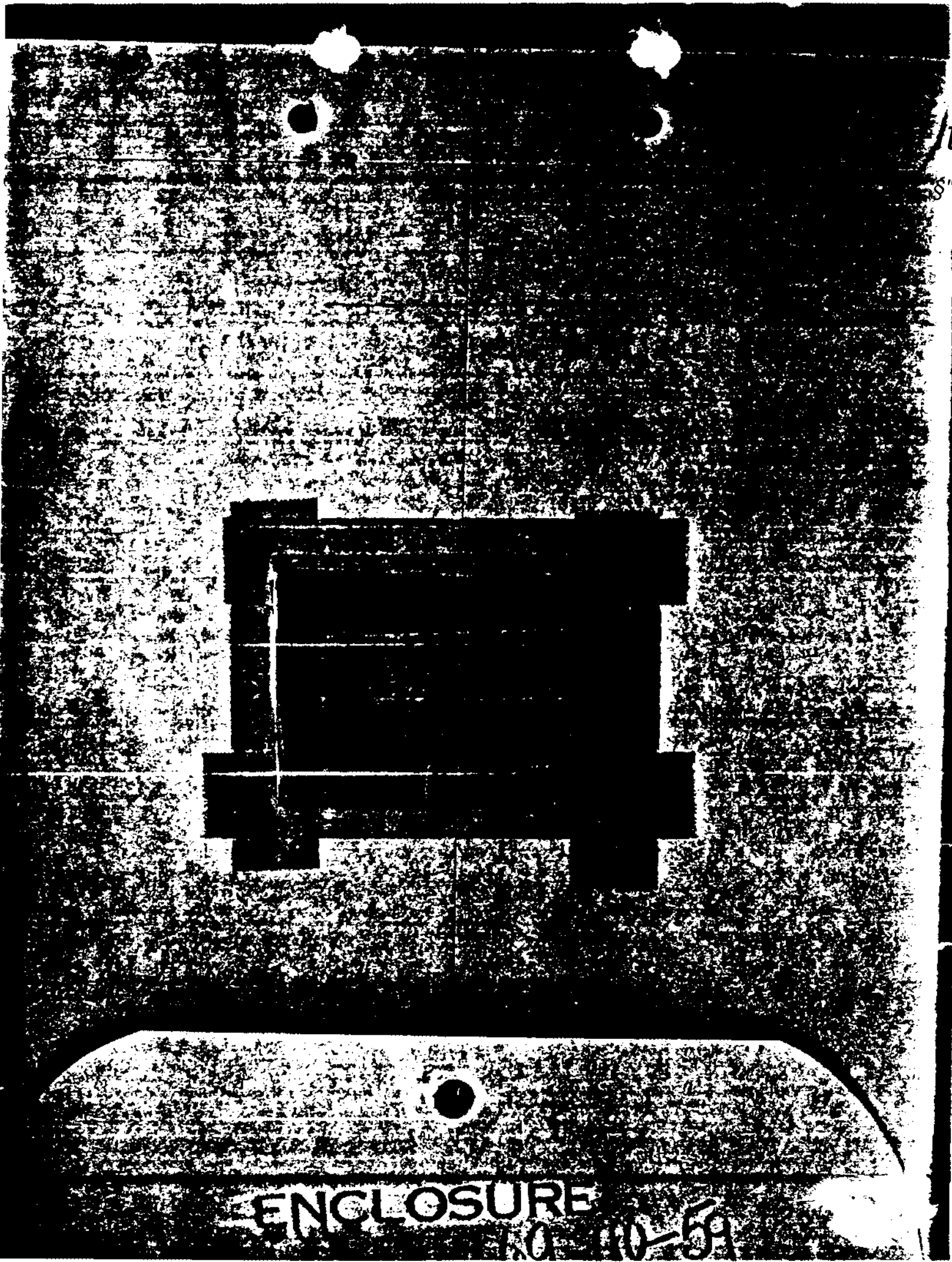
JEPD/EC

RECORDED & INDEXED

69-180-59

MAR 11 1931

Nathan


ENCLOSURE
NO. 10-59



DAILY ILLUSTRATED TIMES

CHICAGO'S PICTURE NEWSPAPER

LATE LOOP EDITION

CHICAGO, TUESDAY, FEBRUARY 18, 1936

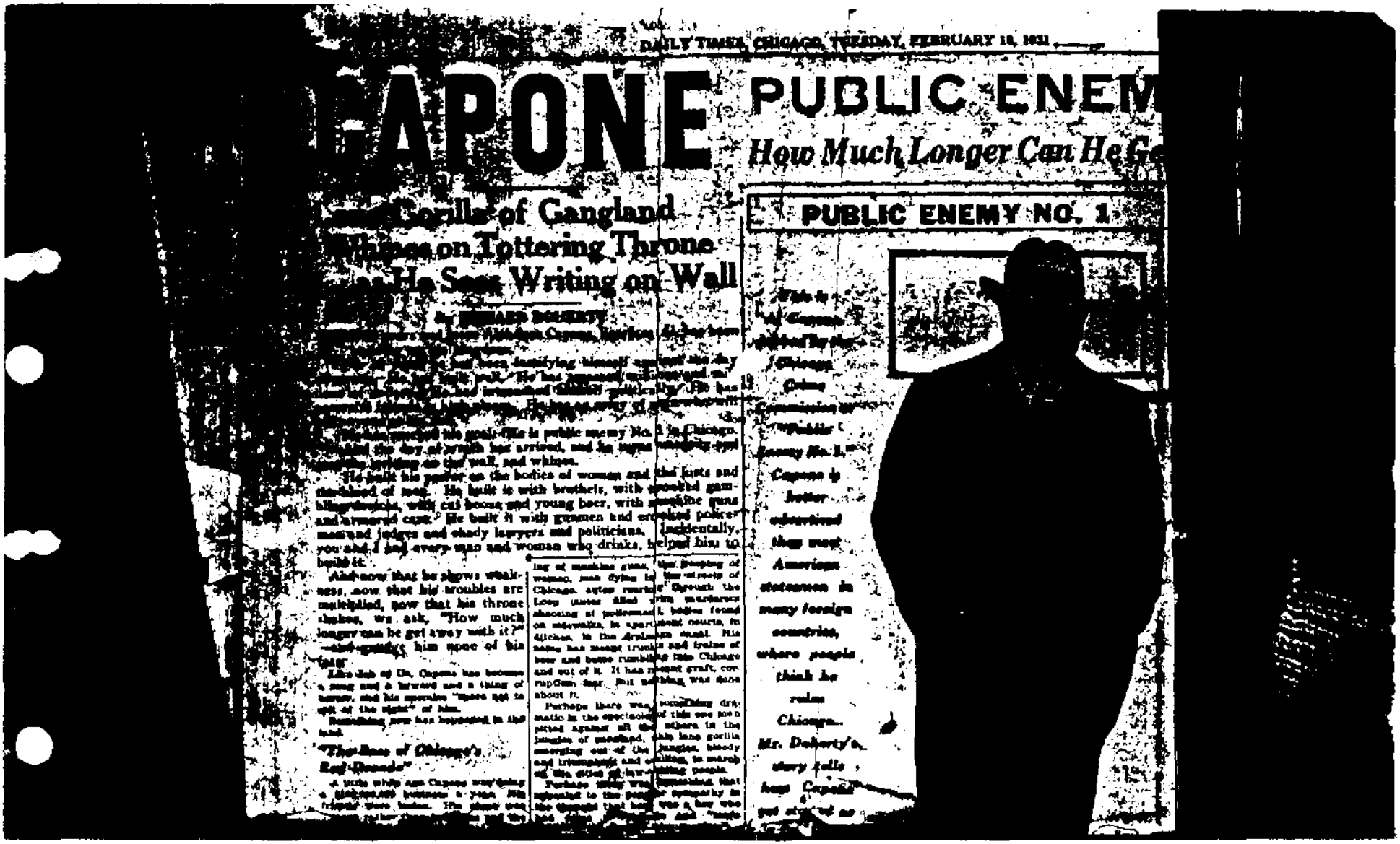
30 Pages

ROB YERKES HEIR

(Story on Page 2)

[61]


DAILY TIMES CHRONICLE
PUBLIC EN
How Much Longer
PUBLIC ENEMY NO.



DAILY TIMES, CHICAGO, TUESDAY, FEBRUARY 14, 1931

CAPONE PUBLIC ENEM

How Much Longer Can He G

Gorilla of Gangland Throne on Tottering Throne He Sees Writing on Wall

PUBLIC ENEMY NO. 1

Capone is better advertised than most American statesmen in many foreign countries, where people think he rules Chicago.

Mr. Doherty's story tells how Capone

31

DAILY
NEWS
CHICAGO'S PICTURE
CHICAGO, TUESDAY, FEBRUARY 11,
ROBBER
THE WEATHER
YERKES
BY K

3 1/4"

CAPONE PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?

(Continued from page 1)

Mayor: More power to him, some said, just let's have another little drink!

Yet, a little while ago, Capone could get away with anything.

But the story of his rise is nearing its end; and the vision of Capone as a good-natured tyrant who killed merely to hold his own is fading fast.

It is not strange.

Nor is it strange that a power founded on murder should begin to disintegrate because of a murder. The bullet-shattered bodies of enemy gangsters built Capone's throne. The body of Jake Lingle, a newspaper reporter, made it totter.

From King to "Public Enemy No. 1"

It makes no difference whether Lingle was murdered at straight, whether he was Capone's friend or not. His death shook the imagination of the world. It made the world wonder about Chicago, and Capone. It led to concerted action against Capone and others of his kind.

Over night men began to ask themselves how long this man would get away with it? Over night men began to say that Capone must be put away somewhere, that the "rod decade" must end at once.

A new decade is in the making.

Capone is due to appear in Chicago soon to answer to a charge of vagrancy and a charge of contempt of the federal court. It is the beginning of his ruin.

It is possible that his staff of lawyers may free him from the pitfalls of the courts and preserve him for awhile to amass more money and kill more men. He pays his lawyers plenty for their work. He is a fool with money.

But, even so, Chicago has turned against him at last, and if some gun guy doesn't kill him Chicago will find a way of ending his career.

Capone is still rich, still powerful, still deadly venomous. But Chicago has wakened from its long apathy, and no longer sees in Capone a figure of romance and might.

Bloodthirsty Ruffian Must

[illegible]

them on the spot, took them for rides, found them when they were helpless and put them quickly to death.

Capone Denies Killing Jake Lingle

Capone swears he did not kill Lingle nor order his death. The Chicago police believe that Lingle was killed because he was Capone's friend. It isn't important that Capone be thought guilty or innocent of the murder. Directly or indirectly, he made life cheap in Chicago—and Detroit and New York, for that matter.

When Lingle died Capone's power began to wane. Al was proclaimed No. 1 of a list of 28 public enemies, and ordered arrested on a charge of vagrancy. The Chicago police made no attempt to serve the warrant, though they had ample opportunity. They'll serve it soon if Capone appears in court.

Capone's popularity began to wane after he returned to Chicago following his release from the Pennsylvania jail. He had served a year for carrying a gun. But though the warden did everything but kiss him good-by and weep when the year was over, Al's home town would have none of him. Al went to Miami. Gov. Doyle E. Carlton ordered every sheriff in the state to arrest him on sight. He was arrested. He was released. State's Atty. Vernon Hawthorne of Miami called him a rattlesnake and tried to padlock the palatial home he had bought. The place was not padlocked. Capone spent money freely and aped the rich.

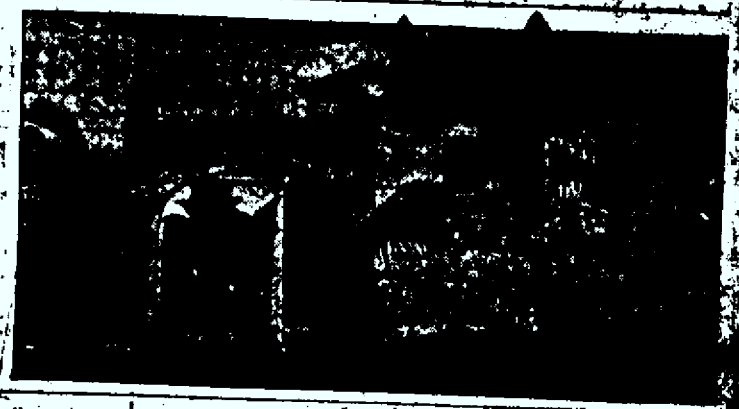
He was unpopular but powerful, until the Lingle shooting.

Chicago, awakened from its apathy, saw Capone as he was, and vowed to get rid of him and all he stood for.

Stockade Brothel Burns To the Ground

Capone places were kicked over. Capone stills were smashed. Capone gambling joints were closed. Capone's pet brothel, the Stockade, was burned to the ground after its inmates had been scattered. Capone's [illegible] were hunted and jailed. Capone's policemen friends were transferred [illegible]

Here's Al Capone's winter palace in Miami, Fla. After Al was released from a Pennsylvania prison, he retired to this place in Florida where Chicago would have none of him. Officials there made many attempts to oust the king of the speakeasies.



dence that will give the authorities another weapon against Capone.

Who are these authorities? U. S. Atty. George E. Q. Johnson is one. Others are State's Atty. John A. Swanson of Cook county, Pat Roche, his chief investigator; Charles F. Rathbun, appointed special assistant to Swanson; Chief Justice John P. McGoorty of the Criminal court, Municipal Judge John H. Lyle, who has become a candidate for mayor because of his vagrancy warrants; Frank J. Loesch, president of the Chicago crime commission, and Acting Comr. of Police John H. Alcock. There is also against Capone Col. Robert Isham Randolph, chairman of the Chicago Association of Commerce, and his organization, the "secret six committee."

In addition to these troubles stands the news from Los Angeles that an effort of Capone's to buy 200,000 acres on the Pacific was shot as a basis for the importing and peddling of beers, drugs, women and Chinese has been checkmated by the police. They confiscated some machine gun parts and a number of bombs. They declared that Frankie Foster and Ralph Sheldon had tried to purchase the land for Capone.

"Seven are awaiting trial, and one at large on bail.

"Right, Scheibla, Capone, Two Finger Gives."

Al Capone is 38 or 39. His pronunciation has come to rhyme with bone, though in Italy the final letter is sounded, making the third syllable. The name in Italian means capon.

He was born in Brooklyn. His father, a Neapolitan, was a barber. Al grew up with the Five Points gang in New York and was submitting of a protege of Frankie Uale or Yale. He once wanted dishes in Uale's restaurant. It is stated as fact by the police of Chicago and New York that Chicago had Uale killed in a fight over control of the Chicago branch of the Unione Siciliane, which is not a patriotic organization, but a band of silk, cookers and murderers.

Gets Job Killing "Wrong" Guys

He came to Chicago because he thought he had killed a man. He took the name of Al Brown and got a job killing wrong guys for Johnny Torrio, the chief killer for Jim Colosimo.

Colosimo owned a restaurant in the [illegible]

on their own hook—[illegible] Sicilians, Germans, Irishmen, [illegible] hired-out shotguns.

Torrio rose to leader [illegible] Polish gangs. Colosimo [illegible] for help. Torrio came [illegible] killed off some of the Black [illegible] Capone joined Torrio and [illegible] with the work.

Marely a Matter Of Elimination

Torrio opened houses of [illegible] in Burnham, a little [illegible] suburb across from Chicago [illegible] to put girls, he put [illegible] to groups like [illegible] officials, [illegible] supply.

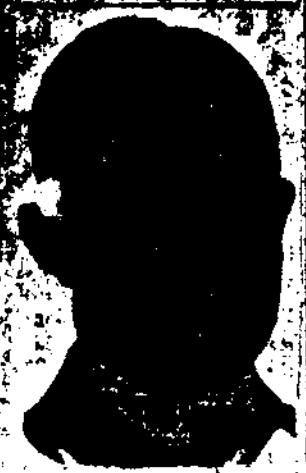
Repeatedly [illegible] In Chicago and [illegible] him. Probably Colosimo, [illegible] Capone work in the Torrio [illegible] business as well as in the [illegible] pandering.

Presently Big Jim [illegible] Al was eliminated.

Torrio and Capone were [illegible] Torrio and Capone and Dion O'Banion ruled all the rackets in Chicago [illegible]

of Naples, the razor cut inflicted on [illegible] guilty of some slight [illegible] gashed high [illegible]

CAPONE'S FIGURE



"Slicker" [illegible] was murdered at [illegible] year and thereafter the [illegible]

[illegible] sentenced to be hanged, but this sentence was commuted to life imprisonment, and he was released after 24 years.

Frank Nitti, Capone's "enforcer," was convicted of income tax evasion and was found in a vat of [illegible] cyanide.

Brother Ralph Gets Federal Sentence

Capone's blockbusting brain was underscored in three months the same offense as Nitti. He is out on parole, though, now—like Frankie Nitti, who was released for the Lingle murder.

Jack Guzik, another prominent member of the Capone organization, was also convicted of income tax evasion. Guzik operated some brothels and gambling houses of his own, with the other thugs's permission. He paid heavy tribute, to all, not to the income tax bureau.

Tracking the government case for Guzik vs. Capone himself, was the argument that his income was spread about among many.

A few weeks ago Capone's headquarters in Chicago, the Lexington hotel, owned by Ralph Capone, another prison inmate—the manager of Al's holdings—was raided by government and municipal agents. The papers found connect him to the mob that may implicate politicians and politicians as well as Capone and his underlings. They found, [illegible] in cash and made 15 prisoners.

Authorities Knock Over Vice Headquarters

The Capone resort had long been [illegible] though even the boys and girls in Chicago knew it was a den of vice. It is located at 22d and State sts., just a block from the Four Deuces at 2222 Wabash ave., which was Capone's old hangout.

The reports were given to the grand jury and, though the prisoners were all released by a judge and the bail bar opened up again, the grand jury [illegible] that in those records gave evidence [illegible]

Capone's business suffered, even as many legitimate businesses, in the depression. A stop doesn't buy so much booze when he isn't working as when he had a job.

The depression shut down Capone's revenues. But there was no shortage in applicants, the mind still put out millions of dollars to policemen, to judges, to lawyers, to spies, to lawyers.

Here stands Johnny Capone still has to be explaining a question as "How much longer will he get away with it?"

He will probably spend much money to keep out of jail. But money can not secure a conviction of court charges. That charge is now years old, but U. S. Atty. Johnson is still waiting to prosecute it. Four years ago Capone must stand there. When that he was not ill to appear before a federal grand jury in Chicago. Federal Judge Wilkerson sent physicians to examine him. They pronounced him well enough to stand jail terms—and the election day postponed was issued.

"A Crime Wave All By Himself"

When he appears in court he will find the police waiting to arrest him on the vagrancy warrant issued by Judge Lyle, who regards the case as "a crime-wave all by himself."

And it won't stay there pending in the "public calendar 365."

Frank Loesch, who last September launched 30 meetings on public occasions, then told what had happened to them.

"Two were killed by gangsters of their own kind," he says.

"Three are serving penitentiary sentences.

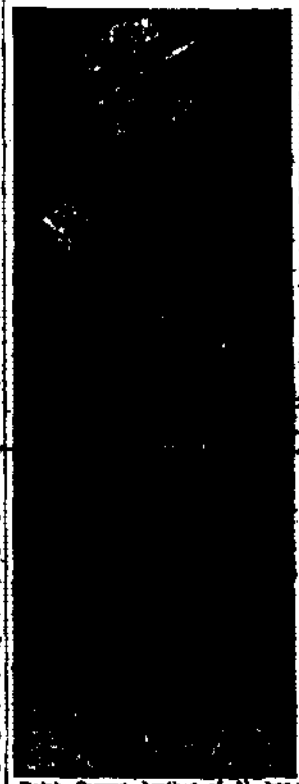
"Five have been sentenced to a federal prison.

"Three are in jail, two of them charged with murder.

"One is in a prison hospital, the victim of a fellow gangster.

"One has disappeared and is believed to have been murdered.

"One is about to be deported.



Ralph Capone, brother of Al, has been convicted of evading the United States government on his income tax

mie Weiss, Schemer Drucci and [illegible] Aiello.

O'Banion and his friends were ha[illegible] men and pillows. They murdered as quickly and as brutally as the Capone mob. But they took [illegible] on both sides.

Capone was subtle, treacherous. He never gave warning. He smiled. He said, "I don't want any trouble," and some days died with the kiss he gave him still.

Capone's enemies were buried. [illegible]

That left Capone.

"Handsome Italian [illegible] gentleman, [illegible] gent.

Take one dapper-[illegible] three-gat, Hart-pocket Italian [illegible] smoke, you get [illegible]

Did Capone Betray Umpire Rigler?

It is said by [illegible] that Rigler died [illegible] with the [illegible] Capone [illegible]

"Rigler [illegible] [illegible] [illegible]

Dream of Health Restores Hope to Breather-Girl in Fight for Life

Alone, Broke, Girl, 20, Kills Self

'NORA' TURNS ON GAS WHEN LOVERS PASS

THE Big City with its allurring [illegible] and gaudy pleasures, for [illegible] which it is the world, had claimed another victim today—this time a pretty girl about 20.

She lay on a slab in the county morgue. Last Saturday night the girl, known only as Nora, saw other girls tripping in dances with escorts. They were pretty clothes and had good food and money. Nora had nothing. She turned on the gas in her room at 1404 W. Jackson blvd.

When the landlady, Mrs. Ruth Haines, smelled gas, she called the police and the girl was rushed to the county hospital, where she died. Her purse contained only a lipstick. There were no letters or papers. Last Wednesday when Nora rented the room and paid $4 for a week's rent she told Mrs. Haines only her first name.

"She had not a friend in the world, so far as I know," Mrs. Haines told the DAILY TIMES. "No one came to see her. She would not talk to me, and she kept to herself. I suppose there had been tragedy in her life."

Mrs. Haines said the girl had no clothing or baggage other than the black cloth coat and hat to match, black skirt, blue sweater, black shoes and flesh-colored hose which she wore. She had black hair and brown eyes and was [illegible] feet 1 inches and weighed

"NOTHING TO IT"—DEMPSEY

According to hearsay upon Ben Palmer, Chicago's own swimming instructor, of the chimney dancer, since she was in his act 10 years ago, Jack Dempsey, the big EX man, denied reports that he's been Broadwaying with her. "My wife will be sore," says Jack, "but she won't believe I've been playing around with another woman."



Vision Starts Paralysis Victim on Road to Recovery

By LOUISE LEUNG

FRANCES M'GAAN, the nurse who lived for four months in the Drinker respirator at St. Luke's hospital, had a dream the other night.

And since she had the dream she has been gaining amazingly. She can feed and wash herself now, where before her hands and arms were helplessly paralyzed.

Propped up in bed in a nest of lacy pillows, looking like a child with her dark hair in two braids tied with gay pink ribbons, Frances described it today.

"I dreamed that I was all well and the doctors told me I could leave the hospital. I was so delighted — and then so disappointed the next morning when I awoke and found it was only a dream.

"Since then I've been feeling wonderful, though. My appetite has picked up and I am able to use my hands and arms much more than before. At this rate, perhaps my dream will come true in a little while. I weigh 91 pounds now."

Breathing Still Rapid

The added weight has greatly improved Miss McGaan's appearance. She weighed only 78 pounds when she left the breather in December. Her face has rounded out, her hands and cheeks are taking on the tint of health and her eyes are brighter.

Her breathing is still rapid and difficult, though it has improved since the time she left the machine. A special metal tank has been constructed in which Miss McGaan bathes and takes exercises to strengthen her body. Her limbs are more buoyant in water, and, with a back rest and her nurse to support her, she [illegible]

VEIL DANCE? NO



...stormy contest between Duncan Renaldo, film actor, and Mrs. Suzette Renaldo, author, over custody of their 4-year-old son, Renaldo Duncan, was ended today with the child in possession of his mother.

Mrs. Renaldo, whom the actor charged with mental incompetency, was given custody of the boy by Judge Charles Burnell after the child stirred the courtroom by striking his father.

NEWSIE, HEIRESS CONSIDER NAMING BABY "CARLOTTA"

Logansport, Ind., Feb. 16 (AP).—Carlotta is being considered as the name of a 7¼ pound baby girl born to Mr. and Mrs. Alfred Cecil Durbin, the mother being the former Vivienne Huntington, New York heiress. The father has been working in the circulation department of a newspaper here.



Mr. and Mrs. Alfred C. Durbin

Durbin is a former London newsboy. Mr. and Mrs. Durbin came here last July from Toronto, Canada. They left the Canadian city because of annoyance at publicity given following their marriage in London.

Mr. and Mrs. Durbin were secretly married in London, March 12, 1930. Before his marriage Durbin earned a living selling newspapers outside Folkestone station in London. Mrs. Durbin is the daughter of Charles Prest Huntington, New York architect.

At the time of the marriage Durbin gave his age as 21, while his wife said she was 22.

Parent at 12, Tells of Being Widowed Twice

Married when 11. A mother at 12. Twice widowed before she was 20.

A tragic tale was told today at the detective bureau by Mrs. Emma Christine, 21, when mother love directed her steps to the police in an effort to obtain from the Juvenile Detention home her two children, abandoned a week ago.

Emma is a little redheaded girl from the mountains of Georgia, unable to read or write. Her experiences in life have been many—and tragic.

Lured to City by "Friend"

"Up to a few months ago I'd never heard of Chicago," she said. "Then I heard what a great place it was and packed up the kids and came here. Then I was lured into wickedness by a man who promised to take care of my children while I worked for him."

Tears flowed freely down her freckled cheeks as she pleaded for her children, taken to the Juvenile home after they had wandered alone into a poolroom at 9 E. 18th st. Then she told her life story.

Married When Only 11

"I was born on Sand mountain, in Georgia," she said. "When I was 11 I married Ditt Watts. He was killed three years later by a train. I had Mary Magdalene" by him—she's 10 now.

"A year after he died I married Gilbert Christine. He was killed by revenuers agents on Lookout mountain two years ago. He was the father of Orville Beecher, my little boy. He's 4.

"I want to send the kids back to my mother—I don't care what happens to me. I should never have come up here."

She said a man named Steve took the children away in a taxi, then took her to a disorderly house in South Chicago, but she fled two days ago.

No charge was lodged against the girl mother. Her children will be sent to her mother, the police said.

Jail for Daisy or Freedom? She's to Hear

(Special to the DAILY TIMES)

Los Angeles, Feb. 16.—Daisy DeVoe today was to know whether it was jail for her or freedom on probation.

Convicted of stealing money from her former employer, Clara Bow, the blonde defendant was to appear before Judge William C. Doran for sentencing and to hear him rule on her motion for probation.

In denying her plea for a new trial some time ago Judge Doran showed no inclination to be lenient. He said the evidence showed she had played fast and loose with Clara's money. However, the judge has before him Clara's written request that he show Daisy "all the leniency possible."

(Picture on page 1)

HONEYMOONERS



(A. P. Photo)

Mr. and Mrs. Edward F. Jones sailed from San Francisco for Honolulu on their honeymoon. He's a brother-in-law of Marshall Field III.; she was Tilly Losch, Viennese dancer.

she awoke, choking and gasping for breath. Mucous had spread over her lungs and she was unable to breathe. She had to be placed in the respirator again and remained there for a week.

Comforting, She Says

"It's comforting to have it right by me," she said, her eyes resting gratefully on the grim-looking machine



(DAILY TIMES Photo)

A candy box valentine brought a smile to Frances McGann's face.

that served as her lungs for so long. "Of course, I don't expect ever to need it again, but just the same I'm glad it's here. It seems like an old friend, and I'm so thankful to it."

Hospital authorities are not so sanguine about her condition, one expressing the opinion she may be a cripple for life. While a student nurse at St. Luke's last September she was stricken with infantile paralysis.

HOOVER GIVES TENTH OF PAY TO RED CROSS ON 33D. ANNIVERSARY

Washington, Feb. 19 (AP).—President Hoover today gave 10 per cent of his $75,000 annual salary to the Red Cross for the Drought sufferers.

This is the 33d wedding anniversary of President and Mrs. Hoover.

There apparently was no celebration at the White House. The president came to his office at his usual early hour and during the morning held the regular Tuesday cabinet meeting.



(A. P. Photos)

Meredith Davis (upper photo) and Anna Hudson led brain coeds at Southwestern college, Memphis, in demanding an apology from a young minister. He accused the pair of dancing in pajamas, short and rolls. They denied the rolls defended the shorts, and described the pajamas as of the beach variety.

GIRL UNCONSCIOUS 6 MONTHS, RECOVERS

St. Louis, Feb. 19 (AP).—Miss Dorothy Sawyer, 16, today apparently was recovering from an illness which had held her in a coma, unable to speak or move, since last August.

The Marriage Measure?

What happens when two typists in the same office fall in love with their boss, who is happily married and devoted to his family?

Find out in this fascinating story that begins Friday in the

DAILY TIMES

Marian Morgan, 36, 3017 Kildare ave., mother of two children, was found lying unconscious on the sidewalk at 48 N. 124th st. She was taken to the Presbyterian hospital, where she regained

FREE X-RAY

APONE PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?

Vice Throne Totters as "Big Shot" Fights with Back to Wall

By EDWARD DOHERTY

The forces of law and order, so dilatory during the Red months, when gangsters fought it out with automatics and machine guns in the public streets of Chicago, have awakened at last. As told in yesterday's DAILY TIMES, they are looking at Alphonse Capone, "Scarface Al," with malignant eyes. It is the beginning of the end for Al.

Capone is to be tried for contempt, and for contempt of court. He is afraid he will be "framed." He still is powerful. He still has millions of dollars. He still has his army. He still has many friends in politics. But the end of his reign is coming. Everything points to that. And everybody says "they cannot longer run his get away with it!"

CAPONE, with his receding forehead, his prognathous jaw, his dead eyes and his chill gray eyes, is the type criminologists have labeled "the killer."

Mrs. Eleanor Patterson, editor of the Washington Herald, in a story published a few weeks ago tells of the chill she felt in those eyes. They made her feel a trifle sick, but only for a moment, she said.

Mrs. Patterson happened to be passing Capone's house in Miami, saw the czar standing on the sidewalk and couldn't resist the temptation of talking to him. Al took her into the house, showed her all around, gave her a glass of lemonade and told her some of his troubles. He had wanted to turn square several times, he said, but people wouldn't let him. He wasn't getting a fair deal. Not at all. He had to go to Chicago and if the authorities there didn't get him for one thing they would frame him for another.

Moved to Sympathy For Whining Al

Did anyone imagine Capone would cry for sympathy, would say that anyway?

woman — especially the woman who has met many business men.

Perhaps to many women Capone is the essence of romance.

Perhaps not. Who am I to say?

Certainly if there is no romance in him, from the male viewpoint, there is at least drama in his rise, and in his coming fall; in his moan for sympathy; in his wish to turn square after so many murders; in his wish to get into the good graces of those who seek to prosecute him—the drama that lies in the collapse of the mighty.

Many an author has grown rich—and fat and soft—writing the story of the poor boy who by soul and industry, and a little luck, has become a millionaire. It always has been a good story, no matter whether the young hero had to marry the boss' daughter to get his million.

The story of Al Capone—and the years ago. That's all that's known about the event. Why bother about writing down scrupulously the hour, the day, the month and the year when the son of a poor Italian immigrant uttered his first cry? If anyone had believed this child would grow up to be worth millions, to be in all the newspapers, to order judges and police captains around like servants, and to maintain his own army, some note would have been taken at the time.

But Al Capone was just another baby in a neighborhood crowded with babies, and became important to no way for many years. He went to public school No. 17, at 14 st. and 6th ave., Brooklyn, until he managed to get half-way through fourth grade.

Left Schoolroom Early For the Poolroom

Schoolroom and poolroom may rhyme, but not in Capone's mind. He loved poolrooms. He hated school. Even when he was in short pants he could be found loafing around some poolroom watching the boys shoot pool, and listening to them talk of stick-ups, and getting [illegible] and snatches of the [illegible] stories.

[illegible] helped his father. He [illegible] her barbering



The end of the road for Capone's chauffeur—Frankie Yale's body beside the car in which he was taken for a ride in Brooklyn, N. Y., Al's stamping ground.

nothing about this incident except that Capone "got into a little trouble" at Union st. and 4th ave., and that the czar was bailed or rammed in his check as a memento of that trouble. They still add that Capone never referred to that particular section of Brooklyn.

Now this marking with knife or razor is an old Italian custom. It comes to us in its history with the formation of the Camorra, an organization of criminals. The Camorra was born in the jails of Naples, and for hundreds of years was confined to the Neapolitan district, as the Mafia, a Sicilian organization, was confined to the island of Sicily.

One of the punishments of the Camorra was the knife or the razor mark, "the stregia." It was the punishment for some slight bit of treachery. There was one other punishment—death.

A man was marked in a place where it would show. It was usually on the cheek, where a man would see it every time he looked into a mirror. Sometimes, however, the mark was made on the palm of his hand, where the victim could see it 1,000 times a day and remember. The cheek mark was for other men, other Camorrists, especially, to see. Capone's father was [illegible] servant from Naples, but appar-

the boy comes to New York from his father's farm, from his mother's grave, home in a village, from an orphan asylum out in the sticks. He comes to New York to seek his fortune—and New York, in time, rewards him.

Al Capone went to Chicago from New York.

Near Killing Drives Him from New York

He might not have left Brooklyn—and you might never have heard of him—had it not been for a fight in a poolroom in which Al nearly killed a man.

Al was more than a boy then. He was about 18, almost 6 feet tall, strong as a bull, and wiry and quick despite the thickness of his chest and shoulders. He hit the man with his fist, it appears—though this never seems to have happened again—and the man fell and lay as though he were dead.

For the first time in his life Capone was afraid that he had killed some one. For the first time he had—[illegible]—without giving himself out calculating, without giving himself a chance for an alibi. It was a slovenly job. It must be embarrassing for the master murderer to remember it.

He fled to Torrio in Chicago, under

LUPE SPEEDS UP

JUMPS TO 9TH

ON VOTE CONTEST

DAILY TIMES

Companionate Wife to Gilbert, No Sox Darner, Says Ina Claire

GIRLS' STORY JAILS 2 YOUTHS

VICTIMS TELL OF ATTACKS AFTER RIDES

COMPLAINTS of two 17-year-old girls who said they had been lured to lonely prairie, beaten, and then attacked, today held two youths in the Evanston lockup.

The young men, Charles Simpson, 20, 919 Grove st., Evanston, and Warren Thompson, 21, 1605 Ridge ave., Evanston, face charges of assault and criminal attack.

They were arrested after Miss Angeline Bellinski, 17, 5506 Logan blvd., clerk in a drug store at Lawrence and Kedzie aves., told police Thompson "made a date" to take her home and that he and Simpson drove her instead to a Niles Center prairie.

"Simpson struck me on the head and both of them attacked me," she told police.

An examination at Hogans Park hospital showed she had been attacked.

When her complaint was made the Evanston police were already investigating the charges of Miss Ruth Stantz, 17, 1240 Chicago ave. Miss Stantz said the youths had driven her to Church st. and High Ridge rd., Niles Center. There they had beaten and attacked her, according to her story.

JUST PASSING THROUGH



Scorns Idea of Living in Home with Film Star Hubby

By LOUISE LEUNG

INA CLAIRE, who has forsaken the stage for the screen, isn't going to live with John Gilbert or mend his sox even though he is her husband.

Between mouthfuls of breakfast at the La Salle st. station, where she arrived today from New York on the Century, she gave her version of how two movie stars can be happy despite marriage.

"Two nervous, temperamental people like John and I simply can't live together in the same house," said she, biting into a doughnut. "That's why we have separate homes and see each other occasionally when nerves and work don't get in the way. Then we're both in the right frame of mind and I have my makeup in place. It's the ideal way.

Criticizes Her Work

"Of course, we love each other, but I'd rather be his companionate wife, or mistress, if you prefer, than his housewife.

"When we were first married," she confided, "we had a lot on our minds. A wife has to watch her step, and goodness knows I'm not the easiest person in the world to get along with. In fact, I'm the most imperfect wife I know.

"John and I both believe that individuality should be respected, and a woman needs privacy nearly as much as she needs love."

"Of Course, We're In Love"

The blonde star even criticized herself as a screen actress.

"I haven't satisfied myself with my

WAKES FROM COMA



(A. P. Photo)

In a coma since August, Dorothy Sawyer, 24-year-old St. Louis school teacher, has returned to consciousness and is recovering. She was fed by force for months.

LOCK GIRLS IN CAGE TO PROTECT VIRTUE

...e Divorce Court

...quantities in each of which police claim they seized quantities of whisky and beer. They were freed without bond until Friday.

Joseph Lowery, 30, giving a local hotel as his addre s, was arrested for investigation. Shirley O'Toole, an Ann Arbor youth riding with him, supplied informa ion, police said, which indicated Lowery was a bootlegger who supplied the fraternities with liquor. The raids were based on the story told by O'Toole.

The raided fraternities are the Phi Delta Theta, Delta Kappa Epsilon, Kappa Sigma, Theta Delta Chi and Sigma Alpha Epsilon.

PLAN A...TAR JAUNT



...Betty Jane Gray, daughter of the ...ecretary, and Robert W. Carney, ...Pathe' movie cameraman, filed ...ed in Los Angeles of attention ... Monday will be the day.

When he equipped a cozy little bedroom, just built for two, in his advertising offices, Mrs. Harriet Clermont, attractive brunette wife of a wealthy advertising expert, revised her views of love and went prancing off to court for a legal cure.

And Horace J. Clermont, owner of an advertising agency bearing his name at 1620 Belmont ave., used the business boudoir to entertain girl friends, who, the wife says, were prodigal with love.

But Horace, as she called him pooh poohed the suggestion that the bedroom indicated anything other than his innate kindness toward his employes.

"They work so hard," he was reported as telling her, "that a bed is absolutely necessary for them. You see, m' dear," he was quoted as saying, "often they become exhausted they can retire to the bedroom and rest."

But on Feb. 4, 5 and 7 she sighted strange bits of femininity floating into the bedroom, so she charges in her divorce bill.

The formal charges against the ad expert are based on the bedroom scenes and an act of cruelty while she and Clermont were driving west. He threatened to kill her when he lost the road, she says.

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Doctor's Love Operations Win Separation for Wife

Mrs. Nellie Amberson, 25, 6185 N. Keystone ave., battling wife of Dr. Henry Amberson, today was granted a decree of separate maintenance by Judge Desort. The physician's divorce bill, in which he charged her with cruelty, was dismissed.



Dr. Henry A. Amberson

Little Nell had been charged by the doctor with having treated him cruelly, to wit: smashing mirrors, furniture and valuable X ray machines in his office at 4834 Marion ave. and walloping him hard enough on the face to draw blood.

But it was her charges that thrilled crowded courtrooms during a five-day session. She alleged that he, after removing the splendid of a pretty Hebrew high school student, Florence Wandell, became too chummy with Florence, once taking her to a football game at Urbana and remaining away until 4 a. m.



Mrs. Nellie Amberson

A month before her daughter Joan was born, she said. They have one other child, Patricia, 2. Judge Desort ordered the husband alimony of $40 weekly and $100 counsel fee.

Virginia Valli Mum on Date of Wedding

Virginia Valli, to whom Charles Farrell has been a big moment for a year, came across the country a week behind him, arriving on the Olympian from Seattle for a hair-dressing appointment between trains.

The hotly cold cinema actress of the liquid blue eyes and eternal charm could give no date for her forthcoming marriage.

"Greta Garbo is my favorite actress," Miss Valli added. "She has everything. And you may use Mr. Farrell for my favorite actor. Goodness, no, I'm not jealous of Janet Gaynor. She's my best friend."

Belvidere Midas Faces Angry Mob as Ponzi Bubble Bursts

(Special to The DAILY TIMES)

Belvidere, Ill., Feb. 11.—With the golden rainbow found his morning turned to a BANKruptcy halter, King Midas of Belvidere, otherwise Albert W. Benham, today faced a mob of angry creditors, who demanded the money they gave him to "invest."



Albert W. Benham

But Benham, who promised his credulous clients from 18 to 30 per cent returns, was broke, even destitute.

His obligations, today were said to approximate $400,000, his assets only $90,000 and coupled to this was the statement of State's Atty. A. J. Strom that the grand jury would reconvene Monday to hear the tales of Benham's dupes.

U. S. FIGHTS APPEAL BY RALPH CAPONE

Ralph Capone's appeal from a $10,000 fine and three year prison term for income tax frauds, is opposed in a brief filed by government in the Circuit Court of Appeals. Capone was given seven days to answer the government's brief, which was prepared by Special Asst. U. S. Atty. Gen. Alfred Page, a brief expert.

FALL OFF LADDER FATAL

Siebert Holleaco, 51, of 6346 N. Hermitage ave., wealthy real estate dealer, died of injuries suffered on Jan. 31 when he fell from a stepladder while he was inspecting a building at N. Clark st. and Devon ave.

In today's DAILY TIMES appears the ...ture Rotogravure Advertising Section ever published in this newspaper.

Be sure your paper contains this unusual 12-page section. Read its offering as well as the advertising of other merchants in this issue of the DAILY TIMES, for the remarkable savings offered.

DAILY TIMES

CAPONE—PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?

Yesterday's installment: Mr. Doherty described [illegible] after the war, the coming of prohibition [illegible] in crime. He described Big Jim Colosimo [illegible] Chicago vice at the time, and told of [illegible] with Dale Winter.

Colosimo had a formula for cutting booze and [illegible] millions of dollars on it. But he was [illegible] Capone cooked in an Colosimo's dream.

By EDWARD DOHERTY

I do not mean to imply that Alphonse Capone murdered his friend and benefactor, Big Jim Colosimo—though I would not be surprised to learn that he did. I have always believed that Johnny Torrio was the man who shoved Big Jim out of his golden seat.

It was a man Colosimo trusted who killed him. And Colosimo trusted no man as he trusted Torrio.

Colosimo married Dale Winter in April, and they went honeymooning for a few weeks—all the time he could spare from his business. He was murdered a few days after he returned.

Someone phoned him in the morning, telling a truckload of very fine booze would be delivered to him that day. The price of the stuff was given, and Colosimo was told he must pay cash. The booze would not be unloaded until the money had been paid — and the sum mentioned was something like $150,000.

Jim Killed and Robbed by Friend

The booze truck came at the appointed time. Colosimo had the sum in his pocket. He went to the front of his restaurant to meet the friend who came with the truck. And the friend [illegible] behind him. As the shot [illegible] ...ment is living with her husband in a Pacific coast city, admired and respected. Few know her as the songbird of Colosimo's cabaret.

They gave Colosimo a grand funeral and, though he had in his day been connected with a dozen murders and though he had been known as the owner of opium joints, gambling dens and other dives, many city and county officials publicly mourned him.

Torrio and Capone Profited by Death

Johnny Torrio and Al Capone took over Colosimo's interests and his political friendships. They perhaps are the only ones who profited by Colosimo's death.



Peg Leg Lonergan



Al (Scarface) Capone



Frankie Yale

Johnny Torrio and Al Capone [illegible] by this time had become known universally as Yale.

Ralph, the son of a New York garage owner, was caught hijacking and was roughly treated by a Brooklyn gang. Capone, in Chicago, called up Yale and demanded that he, as president of the Unione Siciliane, put De Amato's foes on the spot.

Yale Wouldn't Help, Then He Died

Yale didn't say no. He didn't say yes. He temporized, as he did when Capone wanted a pal made head of the Chicago branch of the Unione Siciliane. Why Capone should wish that job on any friend is a bit thick— [illegible] head of the Chicago [illegible] lives [illegible] the eve-

When the police arrived they found Needles Farry lying dead in the gutter outside the club. He had been carried out. Lonergan was found dead, sprawled near the piano, a loaded gun beside him. Aaron Harms was lying near by—and Jim Hart was going down the street on hands and knees, leaving a trail of blood behind him. Hart was taken to a hospital, suffering from wounds in thigh and ear.

Capone had many a belated Christmas gift for his friends.

If he had sought an opportunity to impress these friends he could not have found a better one.

(Copyright, 1931)

Read in Monday's installment Mr. Doherty's story of the killing of the three White Hand gangsters and [illegible]

CASH for OLD GOLD
We Buy Old Crowns—Bridges—Gold Teeth—Broken Jewelry — Watches and Diamonds.
ZOLOT JEWELRY CO.
3 E. Congress St. Webster 2913
Near State St.



The interior of the Adonis social club in Brooklyn, where Fay Leg Lonergan and Hamilton White Handsome were shot down. Police pic

Part of the floral offering at the funeral of Frankie Yale

A Little Lamp
In Simple Murder

And it came to pass that his friends got a little lamp on the simpler elements of murder.

The Sicilians in the 20th st. district of Brooklyn had been preyed by some eighteen-eighty-hooting persons who called themselves White Hands and who terrorized the Brooklyn bridge and Red Hook regions of the borough. These gorillas were so ludicrous that they called themselves White Hands to show they were Sicilians, in the Italian, commonly known as Black Hands.

The White Hands were doing a good business in kidnaping and raw booze and they were in the history of the Sicilians like Tammany whether they were Italians or Capone or not. They used to go around to the Adonis Social club of 123 20th st. every now and then, and their talk of Sicilians wasn't Greek. Usually they were armed and usually they got away with their talk.

Capone was apprised of all these things, so he took to frequent in the Adonis club. When the White Hands, led, by one Fay Leg Lonergan, entered the club on the night of [illegible] 24, 1926, all was there, with Capone, De Amato, Piana and Lonergan, the master of ceremonies. Lonergan drew guns in accordance to a hunch signal or at least it spelled like that, a drape hung over it.

Shot in Ambush
While They Reconned

The White Hands [illegible] selves and began to talk [illegible] and boast about what they were to do to those yellow boys. At this juncture the wall [illegible] opened—it was really a curtain, not a wall. The gangsters [illegible] behind and from each side. [illegible] bush had been skillfully prepared. [illegible] execution was perfectly carried [illegible] No, not quite perfectly, [illegible] four White Handers were [illegible]

[illegible] the social leader, with [illegible] diamonds rising and falling [illegible] as she panted in her frost [illegible]. There was Chico Ott, the [illegible]'s daughter. There was Be [illegible] and Ike Cowen, glittering and [illegible] scatterers of celebrating, [illegible] and suddenly a laugh fell over the [illegible] and all eyes looked toward the [illegible].

There was Capone! [illegible]

There was Capone, accompanied by his armed cohorts. And all the night [illegible] were [illegible] and [illegible] in his presence.

(Copyright, 1931)

Mr. Dabney introduces you to some very tough Chicago guys tomorrow—or rather to their memory, for most of them are dead. They were brave enough, but they lacked the guile to cope with Capone.

HALF-WORLD JARGON

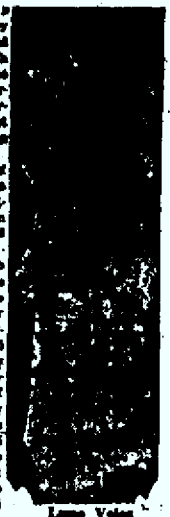
The world of subjugated beauty and men and [illegible] [illegible] [illegible]

BUDDY SPEEDS AHEAD AGAIN

LEW AYRES DROPS BACK AFTER SPURT IN MOVIE CONTEST

By [illegible]

[illegible] spurt toward the top of the [illegible] column in the DAILY TIMES [illegible] Contest, Lewis suddenly [illegible] the Daily Register [illegible] for they [illegible] rolled [illegible] with enough votes to put their favorite in first place by [illegible] Chicago at [illegible] and Los Angeles are standing in these in first and second positions, respectively, with their votes [illegible] mounting. Little Janet Gaynor and Nancy Carroll are still running fairly close, but Janet's margin of [illegible] is pretty good. Nancy's backers will have to perk up if they want their favorite to finish in third place.



Lupe Velez

Say! Look what I've discovered today! A little actress is making a strong bid to break into the list of 10 leaders! And guess who it is!

None other than Lupe Velez! Yes, right. And today she is only 16 [illegible] Chatterton!

FUNNY PICTURE GAME

Make a Comic Face and Win a Cash Prize

Each day the DAILY TIMES publishes a drawing in the FUNNY PICTURE game. Readers who play the game are invited to finish the drawing with black pencil, crayon or ink (no colors). The object is to see who can make the funniest picture.

Send your drawing with your full name and address to the FUNNY PICTURE Editor, DAILY TIMES, 211 W. Market st., Chicago.

For the funniest picture received each day the DAILY TIMES will pay $10. The second prize of $5 and five prizes of $1 each.

It is not necessary to use the drawing on this page. You may copy or trace it on another sheet of paper. Neatness and ingenuity will count in making the awards. In case of a tie, duplicate prizes will be awarded.

All drawings must reach the DAILY TIMES not later than midnight three days after the publication of the drawing. Prize winners on today's drawing will be announced one week from today.

The game is open to everyone anywhere except employes of the DAILY TIMES and their families. No draw-



Here is a champion tennis player. Make this drawing as funny as you can with pencil, crayon or ink (no colors) and then mail it as directed in the rules.

Docked by His Boss While Sitting on Jury, Wins $93 Wage Suit

During the two weeks he served on a Cook county jury, Edward A. Brychsy, 4648 W. Quincy st., returned each evening to the office of his employer, L. J. Mensch, 166 N. La Salle st., a real estate operator, and brought his books up to date, he told Judge Green of the Municipal court.

When pay day came, however, he found that Mensch didn't give him an envelope with two weeks' wages, at $40 a week.

"Why should I pay you? You got $55 from the county for the two weeks, didn't you?" Mensch demanded, according to evidence.

"Well, if he was your bookkeeper and he kept your books, I think he should be paid," the court declared, allowing Brychsy's claim for $93 and costs.

The additional $13 represented an entry in the book for postage stamps.

"He never used that many stamps; I'm sure of that," the employer declared. "If it was a dollar or two I wouldn't mind."

"A man who serves on a jury should be complimented, not penalized," ruled the court. "He'll get his salary and the money for the stamps as well. You authorized him to buy them, and for all I know, he did."

BURR SCHOOL HOLDS REUNION NEXT FRIDAY

All alumni of the Burr school at 1361 Wabansia ave. have been invited to attend a reunion and a dance to be given next Friday, Feb. 20, at the school auditorium. Entertainment has been arranged by John Martin of 1745 N. Wood st., chairman of the reunion committee.



"YANK Is Choice, Too . . ."

"YANK" TAYLOR, the lad who keeps the DAILY TIMES reader bloc of 200,000 informed on where they may tune in the best radio entertainment, twirls the knob for this little broadcast of his own:

"Since the radio business is a mark of the modern age, it's natural that radio-loving newspaper readers smile a little sweeter on a paper that nets

Seventy University of Michigan students were arrested on charges of disorderly conduct following raids early today on five fraternities, in each of which police claim they seized quantities of whisky and beer. They were freed without bond until Friday.

Joseph Looney, 20, giving a local hotel as his address, was arrested for investigation. Shirley O'Toole, an Ann Arbor youth riding with him, supplied information, police said, which indicated Looney was a bootlegger who supplied the fraternities with liquor. The raids were based on the story told by O'Toole.

The raided fraternities are the Phi Delta Theta, Delta Kappa Epsilon, Kappa Sigma, Theta Delta Chi and Sigma Alpha Epsilon.

PLAN ALTAR JAUNT



(A. P. Photo)

Betty Zane Grey, daughter of the novelist, and Robert W. Carney, student movie cameraman, filed notice in Los Angeles of intention to wed. Monday will be the day.

Lead to Divo

When he equipped a cozy little bedroom, just built for two, in his advertising offices, Mrs. Harriet Clermont, attractive brunette wife of a wealthy advertising expert, revised her views of love and went prancing off to court for a legal cure.

And Horace J. Clermont, owner of an advertising agency bearing his name at 1520 Belmont ave., used the business boudoir to entertain girl friends, who, the wife says, were prodigal with love.

But Horace, as she called him pooh poohed the suggestion that the bedroom indicated anything other than his innate kindness toward his employes.

"They ported a absolute see, m' ing. "W they can rest."

But op strange h the bedr divorce b

"The fo expert a scenes ar and Cler threatene the road.

Doctor's Love Op Win Separation



Dr. Henry Amberson



Mrs. Nell

Mrs. Nellie Amberson, 28, 6153 N. Keystone ave., battling wife of Dr. Henry Amberson, today was granted a decree of separate maintenance by Judge Desort. The physician's divorce bill, in which he charged her with cruelty, was dismissed.

Little Nell had been charged by the doctor with having treated him cruelly, to wit: smashing mirrors, furniture and valuable X-ray machines in his office at 4184 Elston ave. and walloping him hard enough on the face to draw blood.

But it was her charges that thrilled crowded courtrooms during a five-day session. She alleged that he, after removing the appendix of a pretty Schurz high school student, Florence Wandell, became too chummy with Florence, once taking her to a football game at Urbana and remaining away until 4 a. m. Mrs. Amberson [illegible] tor's car in front [illegible] pital and beat [illegible] Mrs. Amberson [illegible] Florence a $100 [illegible]

Dr. Amberson [illegible] 6, 1930, a "month [illegible] Joan, was born [illegible] one other [illegible] Dolores [illegible] of 314 Wesley [illegible]

The "heaviest" protest against prices in the milligrams' slide bread war is an eight-pound loaf of bread baked today by Mrs. Rose Ehrenberg, 1531 Campbell ave., one of the housewives who is kneading her own rather than pay 10 cents for a pound loaf.

At a mass meeting held at the Labor Lyceum, 2733 Hirsch blvd., this afternoon by the indignant housewives Mrs. Ehrenberg displayed her champion loaf and urged others to follow her example until their demand for a 6-cent loaf is met.

"It cost me just 30 cents to bake this loaf," Mrs. Ehrenberg declared. "That includes the price of gas for the oven. At the baker's rate, it would cost 80 cents.

"I use eggs in my bread, besides, and the bakers don't. It isn't so much trouble and it's the most effective way to make our campaign successful. If we all bake our own bread the bakers will have to cut their prices."

Although the large loaf with its golden brown crust was the heaviest argument against the bakers, Mrs. Ehrenberg's family of six units in declaring "the bread that mother makes" the highest they have ever eaten.

Since Mrs. Ehrenberg began doing her own baking a month ago, she has been able to buy some much-needed clothing for her children with the money saved, she says.



Mrs. Rose Ehrenberg with two loaves of bread. She baked the large one at a cost of 30 cents; the smaller one is a 10-cent bakery loaf. They differ 800 per cent in weight.

GIRL, 10, KIDNAPED ON WAY TO SCHOOL

San Diego, Cal., Feb. 14 (AP).—Police and students joined in the search for Virginia Brooks, 10, believed kidnaped while on her way to school three days ago. Officers sought an unseen enemy. They refused to name their reasons for believing the girl had been kidnaped by the man.

PARKLAND HOTEL
Facing Jackson Park
for $7 a week
YOU can find it at the PARKLAND
A Large Front Room Adjoining Bath in a 300-Room Hotel Efficiently Organized for Complete 24-Hour Service
PERFECT TRANSPORTATION
L. C. "L." Burlington Lines, Illinois Central, All Within One Block
CHICAGO—MEMPHIS
1568 E. 53rd St.

Monday Only!
$1.45
No waiting
NE BEAUTY SHOP
Cor. Adams
Webster 4794
to 8 P. M.

to choose the [illegible] you wish for a certain [illegible]

"It takes up-to-the-minute handling of news and features to appeal to the 'choosy' reader of 1931. The DAILY TIMES radio page is an example of how this newspaper tosses blind precedent to the winds when a new and better way of presenting news and features is called for. And readers have been quick to show their appreciation of this forward-looking newspaper!"

DAILY TIMES



Chicago's Picture Newspaper

4/6

APONE "PUBLIC ENEMY NO. 1"

How Much Longer Can He Get Away With It?



Al Capone (above) taking his leisure at his fashionable Miami Beach, Fla., home, which is shown on the upper right. On the right deputies are pictured removing sacks of liquor seized in a raid on the prohibition estab-

lishment in March, 1930.

"The chorus men's musical instruments," Capone explained, "and now those boys can play 'real.'"

Capone hired 150 so-called chorus men when he came to power. He paid them $100 a week, dressed them quietly and neatly. And incomprehensibly, trained them, drilled them, made them call him "sir," and used them to sightseer guides.

It costs a lot to take his chorus men with him wherever he goes. Of course, he doesn't take all of them on his trips—but even carrying a troupe of eight or twelve is expensive. But what's money to Capone? He laughs at losing millions on the races. He's a sucker with his dough.

Most of the gentlemen of the shorts say New York Hamilton,

[illegible] Johnny on short

[illegible] social event. Millionaires flew from Palm Beach to attend. Film favorites came from Hollywood and New York to get in the chorus. Social leaders of Philadelphia and Boston and New [illegible]

[illegible] Baltimore sat into the

"We raided the joint and found 300 hot helmets."

[illegible] in all.

"If we had had that night [illegible]



Here Al Capone travels abroad. He is shown (arrow) a moment after he left his bullet-proof car. He is surrounded by a bodyguard of silent intimidators. The picture was made in 1926 when he attended [illegible] of Tony Lombardo, another who grew the way of all gangsters.

HALF-WORLD JARGON

THE NEW IMPERIAL "PUSH UP" PERMANENT WAVE $1.45

IMPERIAL BEAUTY SHOP

New Fresh Spring Dresses $7.95

F.N. Matthews & Co.
35 E. Madison St.
Near Wabash

GIRL SLOWING UP IN RACE

Movie King and Queen—Who Are Chicago's Favorites?

Movie Popularity Ballot No. 18



Pola Chatterton



Nancy Carroll

Published down to 11th place, this morning makes the seventh ballot of Classic Photoplay to hold on to third place, and in the standing there we spoke quite.

There are two explanations, and the right thing is to look at the "figures" for today:

FOR QUEEN

Clara Bow	10,734
Greta Garbo	10,202
Janet Gaynor	8,370
Nancy Carroll	8,197
Joan Crawford	6,726
Mary Brian	6,472
Norma Shearer	4,216
Marlene Dietrich	3,555
Constance Bennett	3,178
Lupe Velez	3,000

FOR KING

Buddy Rogers	11,261
Lew Ayres	10,555
Robert Montgomery	9,764
Charles Farrell	8,184
Ramon Novarro	8,614
Gary Cooper	8,111
Conrad Nagel	6,886
Maurice Chevalier	4,884
John Boles	3,571
Ronald Colman	3,510

And as it is. But what will happen when we get all the mail-and-mail opened and the votes tabulated? You never can tell.

FUNNY PICTURE GAME

Make a Comic Face and Win a Cash Prize

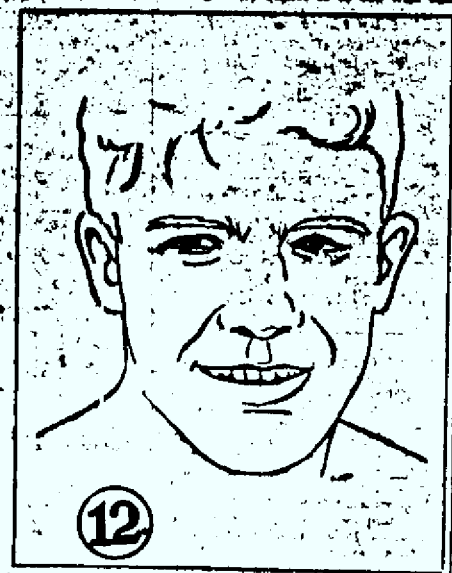
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Send your drawing with your full name and address to the FUNNY PICTURE Editor, DAILY TIMES, 15 S. Market st., Chicago.

For the funniest picture received each day the DAILY TIMES will pay $15 in cash. There will be a second prize of $5 and five prizes of $1 each.

It is not necessary to use the drawing on this page. You may copy or trace it on another sheet of paper. Neatness and ingenuity will count in making the awards. In case of a tie, duplicate prizes will be awarded.

All drawings must reach the DAILY TIMES not later than midnight three days after the publication of the drawing. Prize winners on today's drawing will be announced one week from today.



Here is a classy prize fighter. Make this drawing as funny as you can with pencil, crayon or ink (no colors) and then mail it as directed in the rules.



The game is open to everyone anywhere except employes of the DAILY TIMES and their families. No drawings will be returned.

In the Motion Picture Directors' Ball the first prize of $15 for the best



"Express Train Speed"

"You've got to move fast in this man's town," says BILL MAJOR, city editor of the DAILY TIMES. He ought to know, for he has been doing editing for ten years.

He was talking the other day about his experiences. "Remember that Rankin robbery recently?" he inquired. "Well, it made an exceptional news story—swift with good pictures. Know why? The fellows working for the DAILY TIMES like a big story like that. Reporters and cameramen go fast, the rewrite men perk up.

"We had a reporter and

race for the queen's crown today, the king column reigning calm, with no [illegible] or rillusion of changes.—Buddy Rogers inscribed his last evdr Love Affair and other notes to be safe in top position. Ronald Colman is quite successful in keeping young Doug [illegible] them over, wouldn't it? Vote early and often!

DIES AT SOCCER GAME

James F. MacLaren, 65, fell dead while watching the Stats-ahs soccer team play the Bricklayers at W. 31st st. and S. Kostner ave. Heart disease was given as cause of death.

Starck

NO MONEY DOWN

Start Payments in April!

RADIO SALE!

STARCK
SPARTON
Atwater Kent
ZENITH
MAJESTIC
PHILCO
STARCK



SPECIAL
Made to Sell for More
Than $110 Less Tubes
NOW ONLY
$49
And your old radio or phonograph in trade.

THINK OF IT!
9 TUBES

$5 Per Month

P. A. Starck Piano Co.

Manufacturers of Starck Grand, Upright and Player-Pianos
Main Office and Factory Salesrooms 226 S. Wabash Ave. Four Stores

UPTOWN FACTORY SALESROOMS—4744 BROADWAY
WEST SIDE FACTORY SALESROOMS—4108 W. MADISON ST.
SOUTH SIDE FACTORY SALESROOMS—630 E. 63RD ST.
EVANSTON FACTORY SALESROOMS—630 DAVIS ST.
FACTORY SALESROOMS—39TH ST. AND S. ASHLAND AVE.

ALL SALESROOMS OPEN EVENINGS



This FUNNY PICTURE won $15 for J. T. Bailey—Send a picture on drawing No. 6.

Rock Island

Washington Birthday Excursions

Des Moines
Omaha
Lincoln
Kansas City
St. Joseph

A Quick Clearance

FUR COATS

AT LESS THAN COST OF SKINS



Every Fur COAT in Lot

$25

F. Mandel Co.

[illegible] ave., Valeria M. Lewis, 1000 Hamilton ave., and Frank Pawelek, 4007 S. Artesian ave.

[illegible] been shot. He and his pal[illegible] dashed up there in a car.

"Another reporter and a photog rushed over to the Iroquois hospital. Still another pair went to the Central police station near her office. The police reporter at headquarters was busy. In all, we had seven or eight men working on the story within five minutes.

"The result? Two days' circulation beat a Friday final day!

"Those pictures were taken, cuts made and the story written and set in caption, photo spread and the papers all out less than an hour after the holdup occurred."

DAILY TIMES

NOTICE

AL CAPONE PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?

Frankie Lake

Frank McErlane

Terry Druggan

Some of Chicago's gang chieftains who succeed Al Capone's hold on his rackets.

By EDWARD DOHERTY

AL CAPONE, when he was sleeping on pool tables in Brooklyn, picking up a few cents here by knocking some guy out in the head, making a few dollars there by busting up some crap game,

Yesterday's installment of Mr. Doherty's story was devoted to an account of the killing of three men in Brooklyn and the wounding of a fourth, and to an account of Capone's gunmen lieutenants, their privileges, their methods of carrying machine guns in overnight bags, and their reaction.

Mr. Doherty also described the fashionable fight crowd at the Stribling-Sharkey mill in Miami, and the sensations of spectators experienced when Capone walked in his seat, surrounded by his guard.

tough guys? There isn't room. Call the roll of the ghosts of the Red Deuces and all of the names of the abruptly killed in the last 10 years. They were all tough guys. They were all very tough. They were all together that night at Johnny Torrio's—the last function Al or Johnny Torrio—the last time, incidentally, one of the few tough guys who never had a nickname in the gangs.

They were tough. They did incredible things to serve it. But the Boys had subtlety and guile. They planned like snakes and let them strike. They never blundered and let their enemies blunder to the end that their enemies, guns in their hands, fell with the blame for the blunder. Then the boys were behind their own guns with the

in the killings that grew out of the war over beer.

No, rather Torrio par Capone knew much about booze or beer. They were considered chiefly with the business operation and protection of gambling dens, hop joints and other sin dens. But when the call to arms came they were ready—like all the rest of Chicago's criminals.

Chicago must have been a boom town. Chicago would stumble its way for boom, good boom and bad boom, new boom. Chicago would pay any price for any kind of boom. Throw away your birthright. Throw away your morals. Put your mitts in a safe place and join the army of boom-runners. Join the boom army and watch your step. Get a Gat, a Truck

HALF-WORLD JARGON

The patience of the underworld in language all its own. Here are a few words down by which you may grow at the meanings of the gangland speech—almost a code—of the lawbreakers encountered in Chicago gangland.

Gat: most early a Tommy bullet. You'll be in the next mess you get if you play around with Capone's Beer: Mountain mist.

"You got the heater and its pretty nifty."

Dropper: Paid killer.

"That dropper put three wrong guys away for me last year."

Rod: Pocket pistol.

"He they send him up for pulling a

...URE SREEDS UP QUEEN RACE

...UPS TO 9TH
...VOTE CONTEST
FOR FILM THRONE



Lupe Velez	4,222
Constance Bennett	3,289
FOR KING	
Buddy Rogers	11,884
Lew Ayres	11,461
Robert Montgomery	10,643
Charles Farrell	5,348
Ramon Novarro	4,697
Gary Cooper	3,133
Conrad Nagel	3,077
Maurice Chevalier	3,133
John Boles	2,867
Ronald Colman	2,561

There are the cold figures. But, you know, the battle is never over until the last shot is fired, and you still have plenty of time to get up a flood of votes for your favorites.

Clip today's ballot and rush it in. And ask your friends to help you put your favorite stars over the top with a barrage of ballots. That's the way. Now let's go with a big fleck of votes!

GIRL, 18, ASKS $100,000 FOR WHITENED HAIR

COLOR-THE-INDIAN GAME
$150 in Cash and 100 Movie Tickets for Prizes





"For just 2c a day, . . ."

JOHN BOYLAN, first lieutenant of the promotion department:

"DAILY TIMES customers seem to be as satisfied with the DAILY TIMES for 2c as they would be with dollar bills for a nickel! They know that they're getting their money's worth, and then some!

"At 2c a day, the DAILY TIMES' readers get in NEWS!

EUROPEAN QUILTS
Made by
EUROPEAN EXPERT
Exclusive Art Design
Worked by Machine or by Hand
YOUR FEATHERS OR WOOL CAN BE USED—WE CLEAN FEATHERS
Shipments Called for and Delivered
M. OPLUSTIL

Popularity Ballot No. 19

NOW! OBLE

PHILCO

NO DOWN PAYMENT

$118.00

National PIANO STORES

A Great $3.95 Spring Dress Sale

Lane Bryant Basement

101 N. WABASH Ave.

DRESSES

3.95

DAILY HERALD

Chi

Newspa

54

CAPONE PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?

In the course of the life of Al Capone, Mr. Doherty has [illegible] with the advent of prohibition and on it has come with the advent of prohibition and the killing of Big Jim Colosimo, gangsters, Untermyer and politicians of the [illegible]. Dapper Dan Mc, in Brooklyn, when he slept on pool [illegible] and big party life in Chicago have been related; also, [illegible] the performances after the beer began to flow.

By EDWARD DOHERTY

SURE, Egan's Lake had breweries and trucks and mobs. Torrio and Capone had breweries and trucks and mobs and guns. O'Banion had breweries and trucks and guns and friends. Thousands of speakeasies sprang up out of the wraiths of saloons, low dives in dingy neighborhoods, out of offices in high class buildings, out of restaurants, stores, tea shops and public baths. Chicago was beer mad, but not yet whisky mad. Whisky was the big get, though the boys were doing their best.

Caravans of beer trucks went roaring through Chicago's streets, some of them protected by gunmen, some only by police. Beer was selling for two bits a glass, though retailers got it for $40 a barrel. Right, cops got as much a month for being right. You couldn't have speakeasies without paying cops. Say connection. Protect your beer trade. Protect your speakeasies.



Beers were found by those they least expected to see.

The hijackers were hijacked. They were requested to get into an auto. They obeyed, because the request was backed up with a display of guns. They sat in the front seat and the hijackers sat behind them. The car went fast down a lonely highway, and suddenly the victims knew they were being taken for a ride.

Keane was dead before he was thrown out of the car. His body was found near Beer cemetery. Egan, though wounded half a dozen times, crawled for miles. Just before dawn he got to the Palos Park Golf club, where he collapsed.

The police arrested Frank McErlane, and held him in a hotel for a few days. Then they let him go. The grand jury indicted Joe Saltis, Johnny Mahan, Ralph Sheldon, Willie Niemoth and Willie Channel, besides McErlane. But nothing ever came of the indictments.

Keane and Egan were not the first to be taken for a ride, nor the last. Nor did their experience enrich the language. It was Dion O'Banion who first gave the phrase color, meaning



The "Spike" O'Donnell mob caused the Torrio-Capone crowd much annoyance. Here's O'Donnell (right) with Lawrence (Dago) Mangano (arrow) being arraigned as public enemies. At left is Roland Libonati, their attorney.

vent his leaving her she threatened to squeal.

The same night O'Banion found Duffy in the Four Deuces joint. Duffy had done nothing but yelp about how tough he was. He hadn't gone near the Millers.

"Come on, Duffy," O'Banion said to him this night, "let's take a ride."

The next morning (this was in February, 1924) the police found the body of Duffy the Goat on a snow bank way out in the prairies. He hadn't been frozen either. He was quite dead.

Torrio, Wife, Baby Beat It

You can go by bus, street car or L train from the Loop to Cicero in less than an hour. You can take a truckload of booze out of Cicero to any part of Chicago in an hour or two.

Then Arose Caponeville, With All Evil Trimmings

In Cicero Torrio saw peace, protection and accessibility. Once he owned the town officials, and had the sympathy of most of the inhabitants, he could make Cicero into a little kingdom.

Stickney, south of Cicero, became known as Caponeville, and was chiefly noted for Capone's and place. The

it ever. Here was one of his enemies in the hospital and the other one in jail. Oh, yes, the cops suspected both Doherty and O'Donnell. And what's more, they were tried, too. But Capone soldiers lost enemies on account of the law.

William MacSwiggen, who has been mentioned before in this story—the prosecutor who had hanged five gunmen—tried Doherty and O'Donnell—and they were both acquitted.

Is it queer that when Doherty was killed in Cicero, sometime after his acquittal, William MacSwiggen, "the hanging prosecutor," was killed with him? And who killed MacSwiggen? Al Capone might know!



Edward "Spike" O'Donnell

...cheat to do it himself or have some obliging Chicago pal do it for him. Besides it wasn't so easy to trace a stranger.

Duffy moved into the big burg; and he proved to be left handed on both sides, and a talker besides. He picked himself a little dancing girl who didn't know any better, one Mabel Exley who had come from Louisville to Chicago because she thought her career important. The girl was broke, and Duffy had a little money, and he talked big, and perhaps she was impressed. They went to live in a north side flat—and Duffy forgot murder for love. He also forgot caution. He talked.

When he started to leave the girl to her own devices, telling her frankly that he was tired of her, and that he must kill a couple of guys and hop back to Philadelphia, she grew alarmed. She loved him. She couldn't bear his desertion. In order to pre-

...Slowly, slowly the organized liquor racket grew. Slowly, slowly the ranks of tough guys dwindled. Slowly, slowly the Torrio-Capone-O'Banion alliance grew in power.

And then William H. Dever was elected mayor, and threatened to clean up the town—and every rat scurried to his own hold and squeaked, "Everybody else is out! I am for me and me alone from now on. Amen."

Torrio the strong guy, Torrio the wise baby, Torrio the politically immune, beat it to Italy and built a castle for his son and stayed around in the warm sunshine as long as he could.

Spike O'Donnell took heart and began to build up friends in the new gang at the city hall—now that the Torrio-Capone organization was on the fritz.

Dion O'Banion found himself a bigger gun than ever with the new cops in power.

And Capone?

Capone politely tried mar-made overtures to the Democrats. He didn't have to do either. Doubting in no ego, asking no one's advice, he had perfected an organization that could—and did—take care of him no matter who was the elected boss of Chicago.

And Now Begins Torrio's Role of Cicero's Santa

The beer running had a wicked time getting their wares to the great wide open spaces in the prairie town—but they did it. It was a laugh to think that any one should think they couldn't.

Mayor Dever threw a scare into the weaker hoodlums, and gave the stronger orgs a painful few months. But everybody recovered in a little while, and Torrio came home to dip his hands in the gravy bowl again, but no more to wield the snapper. That belonged now to Capone.

Before he had gone abroad Torrio had taken possession of Cicero, no hard task, as a base for the handling of supplies. He moved his hoodlums in, and they were legion. He did nice little things for everybody—patched up this goof's leaky roof, cemented that poor boob's cracked sidewalk, and promised to pay off that other fool's mortgage. The people of Cicero began to believe there was a Santa Claus.

Lauterback's, a combination saloon and gambling house, and the Hawthorne hotel, which was Capone's headquarters. The hotel was equipped with bullet-proof walls, and was known as Capone's Castle.

Besides all this, there were over 160 bars that had no key to the front door and no hours to observe, and the Capone dog tracks, which were better than Alaskan gold mines while they lasted. Capone also had an interest in the Hawthorne race track.

Torrio and Capone had done much to make Cicero theirs before Torrio went to Italy. Capone had done much more while Torrio was gone. When Torrio came back the two of them proceeded to put the finishing touches on the town by electing their own officials.

There were obstacles, naturally. The other tough guys in Chicago, especially the west side O'Donnells—who were not kin to the south side or Spike O'Donnell roughnecks—and the Valley Gang and the Druggan-Lake interests had to be suppressed and put in their places.

And there was Eddie Tancl.

Eddie was a Cicero boy who had a speakeasy of his own. It was a good speakeasy and a popular one. It was popular because Eddie was popular. Eddie had been a prize fighter in his day, and a fairly good one. He bought his supplies from the Torrio-Capone bunch, but he didn't like Torrio, and he hated Capone. He would have bought his beer from the William Klondike west side O'Donnells, but it was impossible. Eddie did everything he could to oppose Capone and Torrio. He wasn't in league with O'Donnell—but——

William was a harder guy to work for than Capone.

Fatal Great Break for Ambitious Al

Klondike disposed of five of his mob in drastic fashion, and he threatened to treat Eddie Tancl in the same way unless he bought O'Donnell booze. Nothing happened for a long while. Then Klondike is said to have sent this James Doherty and his brother, Myles O'Donnell, into Tancl's place.

Eddie was filled full of lead—but he didn't drop until he had chased them from his place and emptied his gun into Klondike's brother.

It was just Capone's luck. Here Tancl's place was vacant—as he took

...ice, Torrio's flight and flight, and the emergence of Al Capone as king.

HALF-WORLD JARGON

If you meet a wiper, slobber or Tommy-gun in a *jimmy* and he's sure you're *Patsy* and there's no hot grease in sight, he might open up. Here's a key to what he's talking about. You'll get *the cross* and clean off, however, if he thinks you're *shamus*.

Wiper: A paid killer.

"Two wipers from Detroit made paid meat out of the mob."

Tommy-gun: Machine gun man.

"So in walks a Tommy-gun and lets go."

Jimmy: A speakeasy.

"Harry's Jimmy is makin' real dough."

Hot grease: Trouble.

"I got plenty hot grease. Shamus Policeman or detective.

"On the Erie—one 'the shamus!'"

Patsy: All right; fit for consumption.

"Mom's a Tommy-gun while Pa's the grease. Death mark.

"He's got the count on him inside."

Slam off: To die.

"What you think he slams off with?—measles!"

Light artillery: Machine-gun; drug addict.

"Leave him alone; he's light artillery."

Slobber: Experienced gunman.

"We got three slobbers on the job."

ADVERTISEMENT

Has Had No Asthma For Two Years Now

Feels Like New Man in 3 Weeks, and Asthma Soon Disappeared.

Relieved of asthma and free from it ever since, is the experience of Frank Coleman, 300 Clayton Ave., N. E., Roanoke, Va. He says: "I wish every asthma sufferer could know what I know now. I had it in severe form, until I started taking Nacor in August, 1931. In 2 weeks I felt like a new man. My cough and pains disappeared, and within 4 months, every symptom of asthma had left me. That was two years ago, and I have had no sign of asthma."

Hundreds of people who suffered for years from asthma and bronchial coughs, state that their trouble left and has not returned. Their letters and a booklet of vital information will be sent free by Nacor Medicine Co., 770 State Life Bldg., Indianapolis, Ind. Write for this free information, and find out how thousands have found lasting relief.

DAILY TIMES, CHICAGO, WEDNESDAY, FEBRUARY 14, 1923

STARR BUDD YIN LEAD

Posthumous Murder Trial

Adele Ritchie Quits

Vote on Movie King and Queen—Who Are Chicago's Favorites?

Movie Popularity Ballot No. 20

Big Values in Instruments at Lyon & Healy's Loop Store

SAXOPHONES Reduced from $80 to $40

PIANO ACCORDION price reduced to $89.50

CORNET or TRUMPET

m=gL

American films. Marlene certainly has found a place in the heart of the American public, as this contest indicates very clearly.

Doug Fairbanks Jr. can't quite make it back into the list of 10 leaders in the king column, even though his wife, the lovely Joan Crawford, continues to sit tight in her place as No. 5 in the queen voting.

Keep your eye on little Lupe Velez. She's done some remarkable climbing lately, coming from obscurity, down below the list of 10 leaders, into ninth place, showing Ruth Chatterton out of the running and Connie Bennett into 10th place.

Now let's take a rest on the gossip and fasten our eyes on the "what's what" for today:

FOR QUEEN

Clara Bow	15,186
Greta Garbo	12,687
Janet Gaynor	9,706
Nancy Carroll	9,590
Joan Crawford	5,032
Mary Brian	5,330

QUEEN .....

Your Name .....

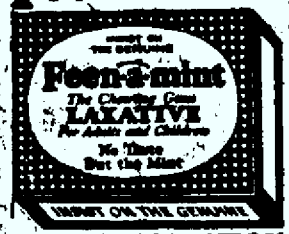
Address .....

After voting, sign your name and address and mail to MOVIE POPULARITY CONTEST, the DAILY TIMES, 15 S. Market st., Chicago.

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This beautiful koawood concert - size Washburn Hawaiian Guitar regularly sells for $50. Included in this remarkable offer is a strong keratol guitar case and an instruction book. Other Guitar values at attractive prices.... $37.50

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Spike in Court Again Speeds Up Vag Trial



Spike O'Donnell

Edward (Spike) O'Donnell, notorious south side beer gangster, showed up again today before Judge Justin McCarthy in the U. S. district court for trial on a vagrancy charge.

His assistant counsel, Atty. W. W. O'Brien, was not in court, but Asst. State's Atty. Brown told the judge that he and Atty. O'Brien had agreed to postpone Spike's case for a while, as both were working on another case. An attorney from O'Brien's office sending word said March 4 would be O. K. Then up spoke Spike:

"Wait a minute, wait a minute. I've been trying to get a trial on this rap since September. Let's get going. The election's over; let's go to bat."

After another hurried consultation between attorneys and the judge, the trial was set for Friday, and Spike walked out, muttering to himself.

(Column on page 2)

Film Stars	
Bobby Rogers	39,413
Lew Ayres	38,882
Robert Montgomery	37,269
Charles Farrell	33,947
Ramon Novarro	19,008
Gary Cooper	8,450
Conrad Nagel	8,438
Maurice Chevalier	6,994

Vote on Movie King and Queen—Who Are Chicago's Favorites?

Movie Popularity Ballot No. 26—Final

Write the names of your favorites on the lines below. Only one vote for KING and one for QUEEN will be accepted from each voter in any one day.

KING .....

QUEEN .....

Your Name .....

Address .....

After voting, sign your name and address and mail to MOVIE POPULARITY CONTEST, the DAILY TIMES, 11 S. Market st., Chicago.

The fan did not vote. If you can not return the ballot, you can have it by writing or calling and identifying himself. Otherwise it will be turned into the DAILY TIMES charity fund.

Now come on with your ballots and let's make this last vote the heaviest one of the entire contest!

WILDCAT BAKERY UNION CHIEFTAIN FREED IN BOMBING

Joseph Aleksa, 37, of 3135 S. Morgan st., the secretary of an outlaw neighborhood baker's union, who was arrested after bombing of the bakery of Joseph Wuklan, 3247 Auburn ave., was released when, after questioning, it was determined Aleksa knew nothing about the explosion.

ANY DRESS
CLEANED & PRESSED
(ANY EXCEPTION)
59c
Ladies' Fall Hats .35c
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Men's Hats Blocked and Shaped 35c
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THE FAIR
$5 White Cross Heating Pads
$3.95
Three heat control. With Elderdown cover and six-foot extension cord.
The Fair—Seventh Floor—Surgical Dept.—Also Oak Park and Milwaukee Ave. Stores.



This FUNNY PICTURE won $15 for Lola Ramey, 1811 N. Dearborn st.—first prize on drawing No. 14.

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CAPONE PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?

Yesterday's installment of Mr. Doherty's story had [illegible] among the Genna brothers, and the sudden [illegible] on three of them. Hymie Weiss, in his [illegible] "Some organize, fellas," got him. He considered [illegible] he found that by eliminating Gennas he was building [illegible] Capone reached out and took over [illegible] the defeated gangsters. Hymie decided to [illegible] Capone.

By EDWARD DOHERTY.

HYMIE WEISS had the idea that he could best fortify himself and wreck Capone by first adding a lot of guns to his pay roll, and then by taking away some of Capone's men.

Therefore, he signed up the Genna brothers, Sam and Vincenzo, Frankie Foster and a few more who had learned to use bullets. After which he went to the south side to make an alliance with Big Joe Saltis and the O'Donnell-Saltis mob. But the O'Donnell-Saltis head was set-and the [illegible] wouldn't play.



Ralph Sheldon

Sitting around and moaning that he wasn't getting a square deal? Sure, but he was also building up his career.

He had purchased a lot of Italians to deliver his beer and his booze. He had started to open and operate a chain of miniature breweries. He had recruited some more tough guys from the Little Angie gang in New York.

And he had filled up all the loose holes in his political honeycomb. He was paying out heavy dough to everybody. His truck drivers got $75 a week—and that was an enormous sum to these men, some of whom couldn't speak English. Many of them had been glad to get $1.25 a day working 12 hours a day in Sicily. All they had to do was to put the barrels on the truck, and ride with the outfit to its destination, roll off the barrels and go home. Every week they were given a keg of free beer. And they were always protected. Every time they went out on an errand for Capone, a car full of hoods with machine guns followed them, ready to fight it out with any cop or hijacker who interfered.

It was great, working for Capone. Those babies would kill any one who talked about him disrespectfully. Capone was wonderful to them. He even talked to them with smiles, when he noticed them.

From Capone's standpoint these men were ideal. They were nearly all members of the Medas or the Camorra. They had been in jail over since they killed two detectives. Something must be done for them.

The three Gennas who had escaped Hymie Weiss and his merry outlaws were naturally helping Capone in the effort to do something for these imprisoned killers. They were taking up a collection.

Perhaps you've been to church and noticed the ushers taking up a collection. The Genna brothers didn't collect in quite that way. Being up-to-date business men, they used a little terror—and may I say that many Italians saw the terror of their ways?

Those approached paid or died. Manny Spingola, a brother-in-law of one of the Gennas, had been kicking in to every Italian racketeer in Chicago for years. He refused to come through for the defense fund for Anselmi and Scalice. He died with his boots on. Augustino and Antonio Morici, wealthy and respected, died with their boots on.

The money came rolling in.

Strange Deaths Follow Jack McGurn's Return

And some of the collectors went rolling into the gutter. Machine Gun Jack McGurn had come back to Chicago. Orazzio Tropea, known all over the Italian districts of Chicago as The Scourge, died exactly where McGurn's father had died. Strangely enough, it was The Scourge who had caused McGurn's father's death. The Ramonos was put on the spot two days later, and the next day Eddie Baldelli, called The Eagle, took wings into the great beyond. Two weeks later Tony Fiselli dropped dead, his death assisted by a quantity of slugs.

(Copyright, 1931)

In tomorrow's story, if you read it, you will find something more about Machine Gun Jack McGurn and Anselmi and Scalice. Mr. Doherty regrets making this yarn read like an obituary column. But he had no choice. And he knocks off three more many [illegible] row.



Big Joe Saltis (center), with gun-nds, when he was grabbed in May, 1928, on liquor charge.

FOUR MEN JAILED, LIQUOR SEIZED IN THREE DRY RAIDS

Four men were arrested and a large quantity of liquor seized in three raids made by prohibition agents. Those arrested and their places of business were:

Paul Engelhart and Fred Kuehne, 8816 Bronx ave., Niles Center, saloon; Joseph Fury, 3548 Hamore st., saloon; Joseph Marchetti, 946 Milwaukee ave., restaurant.

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For health drink Florida grapefruit and oranges

FLORIDA CITRUS GROWERS CLEARING HOUSE ASSOCIATION

NAME KING, QUEEN SATURDAY

FLOOD OF VOTES MAKES SHIFT IN RANKS POSSIBLE

By DORIS ARDEN

Two more days no many ballots in the [illegible] election, judge [illegible] in hopeless obscurity, [illegible] position in some of a job than counting the ballots in the DAILY TIMES Movie Popularity contest, then I don't want it! I almost am swamped, and I have a corp of helpers, too.

But never you fear, by tomorrow we will be able to tell you who Chicago movie fans have picked, to be crowned king and queen of movieland. The ballot boxes were locked promptly at midnight last night and now the counting and checking is in full swing.

I thought I would be able to give you some idea today as to who will be elected, but it's impossible.

Anything's Possible

We haven't counted near enough of the ballots to be able to tell who will finish up in the lead. Most any outcome is possible from this pile of ballots I see here in front of me as I write this story. Thousands, thousands and thousands of them!

If Clara Bow's fans have remained loyal to her to the end, then she is fairly safe to win the queen's crown. But Buddy Rogers . . . his fans will have to have been on their toes every minute if they keep Buddy ahead of Lew Ayres. It's going to be nip and tuck with Buddy and Lew, and it probably will be the last hundred votes that decide it.

Garbo Well Entrenched

Greta Garbo should come out in second place, if she has received the same percentage of support from the last ballot she has from the others. And [illegible] voted for Robert

FUNNY PICTURE GAME

Make a Comic Face and Win a Cash Prize

Starting the DAILY TIMES publishes a drawing in the FUNNY PICTURE page. Readers who play the game are invited to mark the drawing with black pencil, crayon or ink (no colors). The object is to see who can make the funniest picture.

Send your drawing with your full name and address to the FUNNY PICTURE Editor, DAILY TIMES, 211 S. Market st., Chicago.

For the funniest picture received each day the DAILY TIMES will pay $10 in cash. There will be a second prize of $5 and five prizes of $1 each.

It is not necessary to use the drawing on this page. You may copy or trace it on another sheet of paper. Neatness and ingenuity will count in making the awards. In case of a tie, duplicate prizes will be awarded.



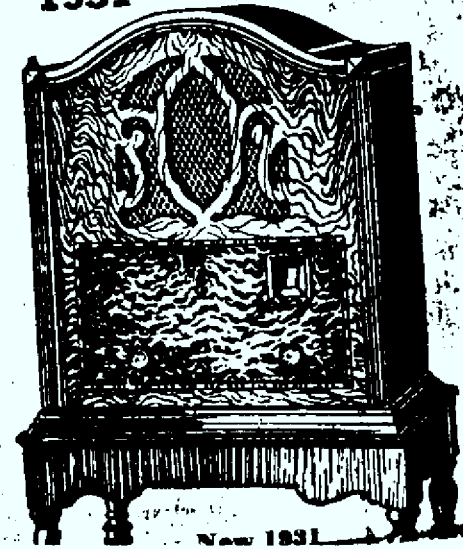
Again we present a movie star. Make this drawing as funny as you can with pencil, crayon or ink (no colors) and then mail it as directed in the rules.

All drawings must reach the DAILY TIMES not later than midnight three days after the publication of the drawing. Prize winners on today's drawing will be announced one week from today.

The game is open to every one anywhere except employes of the DAILY TIMES and their families. No draw-

Aero Delegates Request Standard

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...the very newest pictures of the first ... in each of the two divisions. ... don't miss your copy of the DAILY ... tomorrow. It will be a copy ... you will want to keep, proof ... proud of, above the ordinary!

AL SMITH TO VISIT CAPITAL SESSION OF DEMOCRATIC CHIEFS



... Democratic ... will be ... Washington ... next week ... the first ... Democratic nation-al committee meets ... appointed chairman ... Principle of his ... position ... Albert E. Gorman ... however.

One of the principal purposes of the national committee meeting will be to arrange for payment of the [illegible] debt incurred in Smith's 1928 campaign.

Chairman Raskob is expected to return here by Monday. Raskob is expected here Tuesday.

Raskob and Smith will be urged by an almost united front of democrats in congress to make no attempt to seek a commitment of the national committee on the prohibition issue at the party meeting.

Name Indian Game Winners Monday

Time for receiving entries in the Color-the-Indian Game, a recent feature in the DAILY TIMES, expired at noon yesterday, after thousands of sets of beautifully colored Indian pictures had been received. Judges are now at work selecting the most attractive and neatest entries and winners of the $4 prizes offered will be announced in the DAILY TIMES on Monday.

... Dillon, 841 Maple ave., Brookfield, Ill.; George Geever, 1631 S. Austin blvd., and Jennie Jean Jepsen Lake Shore Drive hotel.

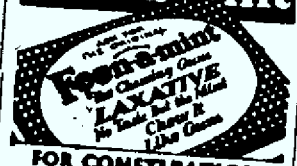


Miss SUNNY PICTURE won $15 for ... Elmer of La Grange, Ill.— ... prize in Drawing No. 16.

... designed to facilitate orderly development in interstate air travel, have been adopted at the traffic conference of the Aeronautical Chamber of Commerce.

The recommendations which will affect 95 per cent of the air travel are expected to accomplish a co-ordination of schedules between connecting lines, consolidation of ticket offices, a code of publicity and advertising ethics, and a uniform agency policy on reduced fares and passes.

Feen-a-mint

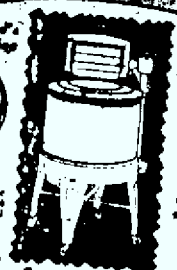


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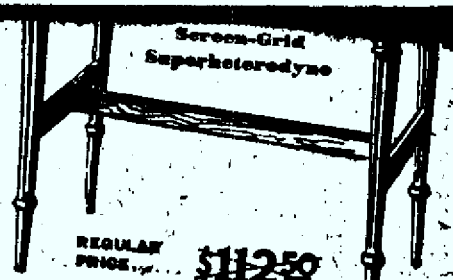
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I have a ... Radio (or Phonograph)—which you allow me on a TRADE-IN for a new 1931 Radio!

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CAPONE *PUBLIC ENEMY NO. 1*

How Much Longer Can He Get Away With It?

"Machine Gun Jack" McGurn entered Mr. Doherty's copy yesterday—and four men died in a very great hurry, one of the thirsty collecting a defense fund for the Sicilian suspects, Scalice and Anselmi.

Only the thirsty who died was the murderer of McGurn's father, and he died in the same way and on the same spot as his victim had when McGurn was a little boy. But don't get excited about the machine gunner just yet.

By EDWARD DOHERTY

The machine gunner called Jack McGurn is an American born of Italian parents on Chicago's west side and his name is [illegible] Doherty.

[illegible] one [illegible] got his dukes [illegible] as an amateur [illegible] boxing [illegible] when his father was murdered the cops tried to get out of town. He went. He took the Irish name. He became a professional prize fighter. He learned who had killed his father, and he came back to Chicago and sought him out.

The [illegible] followed.

Jack McGurn Becomes Part of Al Capone

In due course of time McGurn became Capone's pet.

Let me stop the chronological nature of this series long enough to tell you a story of his loyalty to Capone.

McGurn, Scalice, Anselmi and Joe Giunta—were all thrown into jail after the St. Valentine's day murder. It was suspected that McGurn had operated the machine gun that mowed down the seven Bugs Moran gangsters. It was believed the others had something to do with it also.

They all got safely out, naturally, seeing that nobody in Chicago troubles the Capone mob much. But while they were in the jail Scalice, Anselmi and Giunta expressed dissatisfaction.

"Why go on working for that guy?" they asked McGurn. "Why don't we break away from Capone and go into business for ourselves? Let's ditch him and make a go of it, the four of us. Giunta is president of the Unions Sicilians. He's as big a shot as Capone. You're a swell gunner. Scalice and Anselmi—well Chicago has heard of them. Let's do it."

McGurn thought it over. He decided to stick with Capone. He told the others so.

Scalice, Anselmi and Giunta were peeved. They decided to get rid of McGurn. They invited him to a banquet in a suburban roadhouse. They planned to kill him there.

McGurn got wise to the plot. He decided to beat them to the punch. He went to the banquet armed to the teeth. He was the only one present who hadn't checked his arsenal with the cloak room bandit, or so the story goes, hold a gun in each hand and menaced the three on their knees.

Capone, it is said, went about the matter leisurely, paying no head to tears and screams and wild, garbled prayers for mercy. He went to work with the baseball bat.

When he was through, some one is said to have opened up with both guns.

The banquet then was officially over, and the bodies of Scalice, Anselmi and Giunta were taken in fast automobiles and dumped onto the soil of Indiana—just over the Illinois line. At any rate, they were found there.

You always hear, when gentlemen are taken for rides, that their bodies have been found just outside Cook county. There's a reason for that.

Some one stumbles over a pile of bodies somewhere outside the county. The local sheriff is annoyed. "These Chicago," say the Chicago authorities. "Why should we investigate?"



So, usually, nobody makes any real investigation, and the murderers live on until some other murderers make the right connection.

And if, and perchance, and whereas, and however, and providing that some investigation is or should be made, there is always the question of venue to be decided—nice legal squabbles as to where the alleged murderers shall be tried, and when, and by whom, and for what reason.

There wasn't then, you may gather, much of an investigation into the



John Scalice (left) and Albert Anselmi, two of the three men whom Al Capone honored at Hawthorne. Later they were lined up against the wall for torture deaths.

Machine Gun Jack McGurn

KIRKLAND GRID RIVAL FACES TRIAL FOR ATTACK ON GIRL

While Virgil Kirkland was fighting for freedom at Valparaiso today, a friend and former football opponent was awaiting action by the county grand jury on charges he and another chap attacked two Evanston girls.

He is Charles Simpson, 20, 811 Grove st., Evanston, who boasts of intimate friendship with Virgil and declares he played against the fiery high school star many times. Held with Simpson is Warren Thompson, 20, 1649 Ridge ave., Evanston.

The pair, both members of well to do Evanston families, were bound over to the grand jury under bonds of $10,000 after two young girls told Police Magistrate Porter of being taken for auto rides which ended with severe beatings and attacks.

Kredzie and Lawrence ayes., said that on Feb. 2 the pair were in the store when it closed and asked if they could drive her home.

"Yes, if you take me straight home," she said she told them. They went north through Niles Center, however.

Simpson got out of the car, she said, and Thompson beat and choked her. When Simpson returned both ravished her, she said. They then drove her back to the city, took away all of her money except 15 cents and put her out of their car.

The other girl was Ruth Stamps, 17, a maid at 1310 Chicago ave., Evanston.

On Feb. 3, she said, she went with the pair for a ride. They told her they were bound for a roadhouse to drink

a golden harvest on their timetrack.

Al Capone Then

Gives Xmas Banquet

Capone greeted the four partially [illegible] and invited them in to the opulent banquet they had prepared. The dinner was held [illegible]

Immediately upon the finish of the meal, they [illegible] Capone [illegible] Then [illegible] Capone [illegible] Then [illegible] Capone [illegible]

For Consolation

[illegible] Capone [illegible] Then [illegible] Capone [illegible] Then [illegible] Capone [illegible]

"We have with us tonight," he said, [illegible] "four great men. Will you stand up, Sheldon, Amonsol, Gloria? Stand up in all you are you. That's it. [illegible] Then [illegible] Capone [illegible] Then [illegible] Capone [illegible]

"Three great men. Three [illegible] financiers. I'm going to show you how [illegible] in this night are put [illegible]."

The three men found themselves on their knees, spilling the wine they had held in their hands, and they cried for mercy.

Someone Finishes

The Job with Two Guns?

Capone laughed at them, reached for a baseball bat some one had brought for the occasion and walked toward the [illegible]

Frankie Rio, who seems to have been



Frankie Rio

birds were killed in Chicago," he allows. "Why should I investigate?" "Those eggs were not scrambled in

can't say I'm very sorry myself.

(Copyright, 1931)

On Monday Mr. Doherty will go on with his chronological story. But one never knows just what will pop into this author's mind. He may go off on another tangent.

SPECIAL! SHORT TIME ONLY

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"Push-up"

Permanent Wave

$2.50

We Employ Only Skilled and Licensed Operators

ALL WORK GUARANTEED With or Without Basket Ends On All Waves Given



"FAMOUS" PERMANENT $3.50

"FAMOUS" REALISTIC $4.50

FREE HAIRCUT HAIR SET and No Extra Charge for Long Hair

HAIR DYEING.....$3.50 UP FACIALS.....$1.00 UP

Outlying Shops, Mon., Tues., Wed. Only. Long Shop All Week. Hair Trim, 50c; Shampoo, 50c; Arch, 50c; Finger Wave, 50c; Manos Rinse, 50c. ANY THREE FOR $1

FAMOUS PERMANENT WAVE SHOPS, INC.

LOOP SHOP—202 S. State, 13th Fl. Phone Harrison 6733-6733

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3801 W. North Ave. Albany 7188
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4580 N. Western Ave. Ardmore 1680
1824 Devon Ave. Sheridan 4632
11106 S. Michigan Commodore 3197
721 W. 63rd St. Normal 0600
7740 S. Halsted St. Stewart 2800

[illegible] for MARCH

Dine & Dance in the

TERRACE GARDEN

CHICAGO'S WONDER RESTAURANT

MORRISON HOTEL

HARRY C. MOIR, President & General Manager

An Especially Tempting Menu Will Be Served from 5:30 to 9 P.M. Tomorrow and Every Day

Dance to the Music of

CLYDE McCOY and his Orchestra

Starting To-morrow TUNE IN

CLYDE McCOY and his Orchestra Daily Over

RADIO STATION KYW

294 meters 1020 kilocycles

18 hole Golf Course on the Balcony

NO COVER CHARGE

"Jake [illegible] murdered at Michigan ave. and Randolph st.

The records were given to the grand jury and, though the prisoners were all released by a judge and the bar opened up again, the grand jury may find in these records some evi-

[illegible] with arsenic.

"One is in a prison hospital, the victim of a fellow inmate.

"One has disappeared and is believed to have been murdered.

"One is about to be deported.

Ralph Capone, brother of Al, has been convicted of gypping the United States government on his income tax.

69-180-1359

PAROCHIAL SCHOOL PUPILS WIN BEE

28 Students Spell for More Than Hour in DAILY TIMES Contest

PAROCHIAL schools walked away with the honors in the 21st preliminary contest of the second annual DAILY TIMES Radio Spelling Bee. The contest was held last night, with 80 minutes of the event broadcast from the WBBM Air Theater and DAILY TIMES station, from 8 to 9:30 o'clock.

Eugenia Kiliunaski, 12, of 5540 Berteau ave., from Our Lady of Victory school, and Vincent Jurulenas, 14, of 3005 String st., Providence of God school, were the two winners. They next will compete in the semi-final contest, scheduled for March 28.

Deadlock Looms

The contest was another that almost reached a deadlock, when it seemed for a time that Bobby Brown, the "radio schoolmaster," would not be able to eliminate 24 of the 28 contestants. After 1 hour and 10 minutes, the two winners stood alone. This group of spellers who faced the microphone was one of the best heard thus far.

The next preliminary event, No. 23, will be held tonight, and listeners-in will be treated to 44 minutes of it, the broadcast beginning at 8:30 o'clock.

Eight schools will be represented tonight by the 30 pupils scheduled to



CONTEST IN 28TH BEE



Here are contestants in latest DAILY TIMES Spelling Bee broadcast over WBBM. There are 28; count 'em. (DAILY TIMES Photo)

FUNNY PICTURE GAME

Make a Comic Face and Win a Cash Prize

Each day the DAILY TIMES publishes a drawing in the FUNNY PICTURE game. Readers who play the game are invited to mark the drawing with black pencil, crayon or ink (no colors). The object is to see who can make the funniest picture.

Send your drawing with your full name and address to the FUNNY PICTURE Editor, DAILY TIMES,

DIME FARE FIGHT IN HIGHEST COURT STIRS RIDERS' HOPES

Chicago straphangers were afforded fresh hope of recovering on Chicago Rapid Transit Co. fare coupons today when the Supreme court at Washington, D. C., was asked to review the decision of the United States District court at Chicago upholding a 10-cent fare on the elevated lines.

The action of the District court was the issuance of a permanent injunction restraining the city and the Illinois public utilities commission from interfering with the imposition of the 10-cent fare. Previously, for many months under a temporary injunction the lines were required to give a 6-cent refund coupon with each purchase of three tickets for 20 cents to be repaid in the event the litigation ended adversely to the company.

The company before that had sold three tickets for 25 cents. It demanded an increase on the ground that it was entitled to a return of 7½ per cent on its $155,000,000 investment.

The federal court claimed jurisdiction under the 14th amendment to the United States constitution, which prevents states from confiscating property without due process of law. The city, which has appealed to the Supreme court, charges the valuation placed on the properties by the lines is excessive and that the increase in fares was in direct violation of a contract between the lines and the city.

C. C. BROSIUS, LAWYER, SUED FOR DIVORCE; UNTRUE, SAYS WIFE

Cline C. Brosius, an attorney with offices at 111 W. Monroe st., was sued for divorce in the Circuit court by his wife, Irene, 23, of 10170 S. Seeley ave. Mrs. Brosius charged cruelty



"Growing by leaps and bounds, Ain't it?"

Says MRS. ELEANOR FRIKL, head of the DAILY TIMES' mail department:

"A newspaper judges its popularity quite a bit by the mail response to its features and departments.

"The popularity of this newspaper is certainly growing by leaps and bounds.

"Each month sees an increase over the month before in incoming mail receipts. That increase isn't caused by any one feature. It is a general pick-up for all departments.

"More people are answering our contests. More letters are

[illegible] Hopkins shows spelling bee champion to Vincent Jacobsen (center) and Kenneth Hedgecock, winners of [illegible] preliminary.

[illegible] Hopkins shows spelling bee champion to Vincent Jacobsen (center) and Kenneth Hedgecock, winners of latest preliminary.

[illegible] Hopkins shows spelling bee champion to Vincent Jacobsen (center) and Kenneth Hedgecock, winners of [illegible] preliminary.

[illegible] Hopkins shows spelling bee champion to Vincent Jacobsen (center) and Kenneth Hedgecock, winners of latest

[illegible] SEEKING VETERANS SWAMP BUREAU

[illegible] BONUS LOAN ENDS LONG DEBATE PERIOD FOR VETS

GIVE J. O. WALLACE HERO MEDAL AT DINNER [illegible]



Charges Hubby Hacked Clothes to Foil Trip

Los Angeles, March 2 (AP).—Mrs. Ethel L. Shuey thought it would be nice to go to the beach. Her husband, Donald, did not want his wife to go to the beach.

Mrs. Shuey learned upon going to trial, she asserted, Donald took his razor and ripped her new coat to pieces. Then he tore up her dress. Then he pulled her brassiere apart.

If there is another side to the story Shuey will tell it when his case

Tires of Hubby's Suicide Notes; Wins Divorce

Tired of a husband who detailed his scorning her with notable clutch Mrs. Mary Hopkins, 31, had a broad-new divorce decree today. She obtained it when she appeared with her attorney, Irving Bluestone, before Superior Judge Desert and told him about the way Husband Frank tried to heal her.

"When I'd leave the house everything would be all right," she said.





BOYS' CLUBS GROW

WOMAN VAMP CAR VICTIM NEAR DEATH FROM HURTS

Jubilant Chorine Shield's Friends ...as She Ends Life

SUES FOR BOY'S LEG

40 WEEKS TO PAY

Two Dollars!

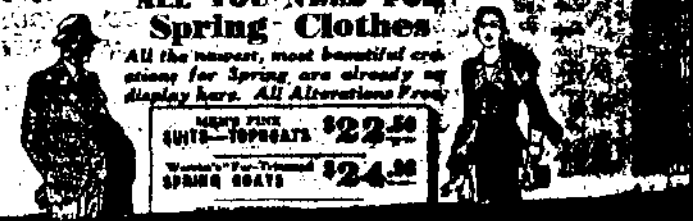
ALL YOU NEED FOR

Spring Clothes

All the newest, most beautiful creations for Spring, are already on display here. All Alterations Free

MEN'S FINE SUITS—TOPCOATS $22.50

Women's Fur-Trimmed SPRING COATS $24.50



MODERNE

CAPONE PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?



What do you see in those eyes and what have those eyes seen? They are the eyes of Al Capone.

thrown his own: a short rhapsody in red and purple and orange and green and blue.

Samoots was one of the Genna crowd, a collector for the defense fund for Anselmi and Scalise, and a hijacker of other people's booze.

He had hijacked a load of some varnish from the Klondike O'Donnell mob. If he had left it alone for 15 minutes or so it was rehijacked by the Quinlan and Bummis [illegible]

[illegible] your full name

mud packs or face lifting, or even permanent waves.

An O'Donnell Gangster, Capone Didn't Like Him

He was one of the Klondike O'Donnell gang, and his presence was unwelcome to the Capones in Cicero. Every time he went to the beauty shop he risked his life. Exactly as no Sicilian ventured into the Loop when Hymie Weiss was running things—unless said Sicilian was dependent.

Fur had just come out of the beauty shop one April day in 1926 when an

FUNNY PICTURE GAME

Make a Comic Face and Win a Cash Prize

[illegible] DAILY TIMES publishes a drawing in the FUNNY PICTURE GAME [illegible] who alter the picture are entitled to [illegible] The object is to [illegible]

[illegible] drawing of [illegible] with black pencil under the [illegible] PICTURE Editor, DAILY TIMES, 211 S. Market st., Chicago, [illegible]

For the funniest and prettiest [illegible] mailed each day the DAILY TIMES will pay $10 in cash. There will be a second prize of $5 and five prizes of $1 each.

It is not necessary to use the drawing on this page. You may copy or trace it on another sheet of paper. Neatness and ingenuity will count in making the awards. In case of a tie, duplicate prizes will be awarded.

All drawings must reach the DAILY TIMES not later than midnight three days after the publication of the drawing. Prize winners on today's drawing will be announced one week from today.

The game is open in every one anywhere except employes of the DAILY



Again we present a movie star. Make this drawing as funny as you can with pencil, crayon or ink (no colors) and then mail it as directed in the rules.

ave.; Harvey R. Manthei, 4324 N. Sawyer ave.

Cline C. Brosius, an attorney with offices at 111 W. Monroe st., was sued

EXCUSES HIMSELF FROM CLIENT AND COMMITS SUICIDE

[illegible]



CHILDREN'S BOWELS . . . need watching!

Let Dr. Caldwell help whenever your child is feverish or upset; or has caught cold.

His simple prescription will relief that bilious, headachy, cross baby or girl comfortable, happy, well in a few hours. It soon restores the bowels to healthy regularity. It helps "break up" a cold by keeping the bowels free from sickening poison waste.

Dr. Caldwell's Syrup Pepsin is ideal one feature. It is a general pick-up for all [illegible]

FIND MOTHER OF TWO
LYING UNCONSCIOUS
IN SOUTH SIDE STREET
PEOPLES
DENTIST
National
PIANO
STORES

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

MAY 6 1931

WIC:AM

May 6, 1931. MAY-6 1931 FBI

MEMORANDUM FOR THE DIRECTOR.

Reference is made to the article appearing in the June, 1931, issue of the "Real Detective" magazine entitled "Al Capone is Dead!" written by Bruce Pope, a Chicago newspaper man.

The writer reviewed files #69-180, 32-15941, 41-84, 62-20619, 62-20034, 26-18103, and 62-23346 (Interesting Case #154) relative to subject AL CAPONE, and did not find any information in these files which would in any way substantiate the statements made in the "Real Detective" magazine that the real Al Capone is now dead.

Respectfully,

W. I. Conroy.

69-180

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69-180-62

MAY 14 1931

JUL 13 1972

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94

...public ...
...Chicago ...
...Capone ...
...Capone ...
...in gross receipts of $300,000,000 ...
...said by government investigators ...
...be the greatest prohibition ...
...ever ship to be seized on the ...
...high ...
...appeal. The evidence will ...
...charge the alleged evasion of $215,000 ...
...Capone on a total income of $1,038,654 ...
...the years 1924 to 1929, inclusive. ...
...The possible maximum sentences on ...
...indictments to which Capone ...
...pleaded guilty is 31 years in the penitentiary for the income tax charges and a fine of $40,000, and five years in the penitentiary and a fine of $10,000 on the beer conspiracy charges.

Hope for Concurrent Sentences.

However, the highest income tax sentence of record is that received by Jack Guzik, Capone business manager, and that was five years and a day. Guzik was convicted by a jury. Hence, it was reported, is hopeful that the sentences on his income tax and beer pleas will be made to run concurrently.

At any rate, Capone will be sent away, an objective of more than two years standing on the part of Mr. Johnson, agents of the intelligence unit under A. P. Madden, the special prohibition agents, and Washington officialdom of the treasury and justice departments.

President Hoover, who acclaimed the government's income tax drive here, is reported to have been insistent on wiping out Capone and his gang.

Reasons for Guilty Pleas.

Capone would not discuss his decision to plead guilty with newspaper men, nor would his attorneys, Mr. Ahern and Leopold R. Michaels, but several reasons were ascribed for the move by federal officials. One of these is that Capone, though not broke, has experienced such financial reverses in the last year that he did not wish to stand the expense of a jury trial.

High bonds and high attorney's fees have already been paid by Capone and his leading lieutenants in the federal courts, it was pointed out, and the prohibition agents have been wrecking his finest breweries and stills.

Aside from the expense of a trial and probable appeal, the federal officials declared that Capone availed himself of the plea of guilty in an effort to obtain mitigation of sentence, because he feared to face a jury. The government has not lost a major prosecution since United States Attorney Johnson assumed office, his motto having been: "Every indictment a conviction."

Hoped for Planning Comeback.

There is a third reputed motive for the plea of guilty. This was that Capone, feeling himself going at 32, believes he can still come back [illegible] and emerge [illegible] after he has served a [illegible] year term. The depression [illegible] will be over, the gangster is reported to have reasoned, and things will be a-leap in the present crumble of law enforcement. If he went to trial and then carried his case to the Supreme court, he might be sent away just when times begin to pick up, is the way his reasoning is reported to have run.

When Capone goes away to Leavenworth, which is expected to be soon after he is sentenced on June 16, it will be his second sojourn in imprisonment. Two years ago he served nine months with his bodyguard, Frank Rio, in a Philadelphia jail for gun toting.

Capone will find in Leavenworth the former chancellor of his exchequer, Frank Nitti, who went there in January to serve an eighteen month term for tax evasion. He will also find Sam [illegible] three year sentence [illegible] with the United



TONY (MOSS) VOLPE.

Federal Judge James H. Wilkerson yesterday issued his formal order denying the writ of habeas corpus asked by Tessy [Mops] Volpe, Capone gangster, who has been ordered deported by the department of labor for entering the country without inspection by making false and misleading statements. In making the order the judge reduced Volpe's bond from $6,000 to $3,000 and granted him a stay of 60 days to appeal to the United States Circuit court of Appeals. The judge denied the writ last Friday.

LADY ASTOR GLAD THERE'S NO OTHER WOMAN LIKE HER

LONDON, June 16.—(AP)—In opening a club for small children in East London tonight, Lady Astor declared that people differ too much individually ever to be equal, and added that she was often thankful that there was not another woman like her.

"I know that when I first got into parliament most people hoped that I would be the first and last woman to get there, but my getting there was simply a sign of progress," she said. When she first mentioned drink in the house of commons, one would have thought she was committing a sin, Lady Astor asserted. However, no one in his right senses want his children to drink, she added.

In closing, she told how during the war she used to say to soldiers:

"Now get well or die, but hurry up and choose."

"Men are so stubborn that if you told them to die they will [illegible]"

U. S. MAYORS SAIL FOR HOME AFTER TOUR OF FRANCE

HAVRE, France, June 16.—(AP)—America's touring mayors [illegible] New York in the Ile de France today, ending a tour of France which began May 21.

Mrs. Frank N. Padden, wife of Judge Padden, who is representing the mayor of Chicago, said the women of the party had done lots of shopping and were taking home souvenirs, such as lace bordered handkarchiefs, little white china bears, glasses, and all sorts of knicknacks.

Mayor Daniel W. Hoan of Milwaukee in a farewell statement, declared: "Frenchmen like Americans and we like them—only I wish they could talk English."

FREE BOOK TO HELP PLAN YOUR CALIFORNIA TRIP

"Forty Ways and More to California." Write for this book today. It's free; up to date; complete. Shows best routes from [illegible]

GANG [illegible]

Prison for Gun Feared as Knell of Super Crime

[illegible] Capone [illegible] Government finally found a way of [illegible] him toward prison, the personification of the gangland era that arose with the attempt to enforce the prohibition laws. His approaching departure from the scene of his triumphs to "stay behind the bars is regarded by some observers of American life as the passing of that era of the super-gangster.

Capone was born in Brooklyn about 34 years ago, of Neapolitan stock. His formal education included the passing of the fourth grade in grammar school. Thereafter his learning was of a practical nature. Before the war he ran with the notorious Five Points gang in Brooklyn. He served during the war as a soldier of the United States and was honorably discharged.

Capone Comes to Chicago.

In 1919 Capone, a youth of 21, came to Chicago to serve as bodyguard for Big Jim Colosimo, a one-time street sweeper who came to power and wealth through political alliances and prohibition law violations. Colosimo died by a murderer's bullet and John Torrio, who succeeded him as the first gangster of Chicago, took over the young bodyguard. Capone was then a minor figure, one of a group of bad men subject to orders from superiors.

As late as 1921 Capone was only a satellite of Joseph Fusco, to whom Torrio, interested in the lucrative business of operating vice resorts, turned over the beer concessions in the city. In this capacity Capone was sent out to buy the trucks that Fusco needed.

The Fusco organization at one time had fifty trucks and was merchandising a thousand barrels of beer daily—at least their breweries turned out that much. Capone, somehow, grew up with the business.

He Takes Torrio's Throne.

Torrio, shot after the killing of the picturesque Dean O'Banion among his roses in the floral shop opposite the Holy Name cathedral, gave up his empire and moved back to Brooklyn at Twenty-seventh street—to stay this time. Capone, [illegible] and [illegible] Fusco, [illegible] and [illegible] Torrio and organized [illegible] and businesses. All Capone [illegible] cated it. He was a business man. He transformed [illegible] prairie villages into vice and booze centers. His slogan was: "We don't want any trouble." There are stories that in the little towns where he placed his resorts he paid off mortgages, bought new furnaces or repaired leaky roofs for those whom he wanted to be "good neighbors." He persuaded some of the villagers to permit barrios and booze dens in the guise of roadhouses before the [illegible] [illegible] what he was about.

Murders Follow His Rise.

He prohibited himself that he was only a business man, that he was giving the people what they wanted for their money. Murders occurred. His enemies died by the machine gun and the pistol.

It has been only a coincidence, but Angelo Genna and Samuzzo Amatuna, who aspired to leadership in Sicilian [illegible] [illegible]

1930, Joseph Guinta in the same [illegible] Joe Aiello and Jack Zuta in 1930.

They [illegible] when they became big. There was a saying in the underworld that a man who had [illegible] crowned king and mentioned a rival for booze and vice profits [illegible] but a few days. Only Capone endured in success. He branched [illegible] in the years from 1925 to 1930. [illegible] ging, in suburban roadhouses, in [illegible] cago and on dog tracks went [illegible] his control. There were rumors [illegible] be purchased protection with contributions to campaign funds.

The Valentine Day Massacre

No evidence was ever gathered [illegible] dent to pin a murder indictment [illegible] Capone. But seven men, members [illegible] the north side gang and adherents [illegible] Bugs Moran, who took over a [illegible] tory after O'Banion and then [illegible] Weiss had been slain, were killed [illegible] ence by machine guns on Valentine [illegible] day of 1929 and Moran cried out [illegible]

"Only Capone kills like that."

Capone, however, was in jail [illegible] Philadelphia then, sentenced for carrying a pistol. He got out and returned to Chicago again to take up the [illegible]

As to his wealth, it really [illegible] Capone could go to California [illegible] be liked. He could go to Florida [illegible] purchase a splendid seaside estate [illegible] those either in other states [illegible] him. They rejected him in the [illegible] of his career. He was [illegible] strictly "big" woman. And then [illegible] depression struck his business [illegible] Capone still [illegible] quoted [illegible] to get [illegible] the streets, [illegible] The [illegible] [illegible] [illegible] keep [illegible] he [illegible] [illegible] [illegible]

CHICAGO DAILY TRIBUNE
JUNE 15, 1931.

Chicago, Ill. Tribune
6-15-31

Capone, in Trap, Ponders Guilty Plea

TWICE INDICTED GANG CHIEF MAY GIVE UP BATTLE

Calls on Lawyers to Advise Him.

(Picture on back page.)

Al Capone's fate was in the hands of his lawyers yesterday. It was reported that he was considering payment of his debt to society without a fight—that pleas of guilty were being pondered by the gang leader and his attorneys on both the federal indictments that have been returned against him in the last few days.



JOHN EDGAR HOOVER
DIRECTOR

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

LCS:JGM

MAY 11 1931 AM

May 8, 1931.

MEMORANDUM FOR THE DIRECTOR:

With reference to recent magazine articles regarding the fact that the present Al Capone is a half-brother of the true Al Capone, I beg to inform you that there is nothing in the files of this Division which would either substantiate or disprove these articles. The articles in question indicate that the true Al Capone was killed in the early part of May, 1929. The first fingerprints on the individual whom we know as Al Capone was received in this Division on May 18, 1929, regarding his arrest by the Police Department at Philadelphia, May 17, 1929. Later prints, of course, check with the one indicated.

Respectfully,

Chief,
Division of Identification
and Information.

69-180

RECORDED & INDEXED
MAY 14 1931

69-180-63

MAY 12 1931

FILE

U. S. Department of Justice
Bureau of Investigation
POST OFFICE BOX 1405
CHICAGO, ILLINOIS

RECEIVED
MAY 18 1931 PM

May 14th, 1931.

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

69-180

Dear Sir:

There is enclosed herewith as of possible interest a clipping taken from the Chicago Tribune of May 12th, 1931, concerning an attempt on the part of ALPHONSE CAPONE to seize control of the cleaning and dyeing industry in the city of Chicago.

Very truly yours,

W. A. McSWAIN
Special Agent in Charge.

WAM:JMS

RECORDED & INDEXED 69-180-64

JUL 13 1972

REMOVED ORIGINAL-RETAIN

Cleaners Defy Capone Offer; War on Gangs

An attempt by Al Capone to seize control of the [illegible] and dyeing [illegible] and prove [illegible] was defeated last night by [illegible] and [illegible] at a meeting of [illegible] of the 56 members of the Institute, held at the Knickerbocker hotel, at which the master cleaners voted unanimously to defy Capone.

"I am pleased to learn that this organization has the backbone to tell Capone his gang will not be allowed to muscle into the private business," said State's Attorney Swanson.

"The cleaners and dyers asked me whether I would take a stand up in defying the gangster and I told them I certainly would to the limit."

Boss Reverses for Gang.

Capone's efforts to take over the cleaning and dyeing industry were regarded by Assistant State's Attorney Charles J. Stuckler, in charge of racketeer prosecutions, as an indication of the reverses suffered by the gang in recent months.

"There is no question that Capone's mob has been hard hit, and that he needs money," said Prosecutor Stuckler. "His gambling racket has felt the force of raids by the police and the state's attorney's office. In connection with the special grand jury, and some of the largest breweries have been raided by the federal agents. The prosecution of the big guns in the gang by the federal government, and by the [illegible] have no doubt caused Capone to look around for new ways of raising [illegible]

Capone "Put on Spot."

[illegible] Capone's invitation to [illegible] was [illegible] Lexington hotel, where [illegible] Capone's representative [illegible] having raised [illegible] at the Lexington hotel, according to [illegible] M. Squires, president of the [illegible]

"Acting in behalf and [illegible] industry, who intends to [illegible] Capone approached members of our [illegible] and Mr. Squires [illegible]. They said he would [illegible] 10 per cent of our annual receipts [illegible] members. In return, Capone [illegible] would be given protection [illegible] industry and save each of any [illegible] recent cleaners were needed to be whipped into line.

Committee Sees Capone.

"Then at Capone's invitation, a committee was sent to him at the Lexington hotel, where he repeated his offer. Capone said that if we didn't accept his offer he would take over the industry anyway. He had come down in the past to 50 per cent of our annual income. The committee told him that we were running a legitimate business and that no gangster associations would be tolerated."

Mr. Squires, who became arbiter for the Master Cleaners and Dyers and [illegible] and [illegible] [illegible] [illegible]

THIS CASE ORIGINATED AT Jacksonville, Fla. Jax File #69-9

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	May 20, 1931	May 18, 1931	Louis De Netto

TITLE: AL CAPONE; KENNETH PHILLIPS, M. D.

CHARACTER: CONTEMPT OF COURT

SYNOPSIS OF FACTS: United States Attorney Hughes, Jacksonville, wrote the Attorney General May 18, 1931 desiring instructions with regard to further procedure in captioned matter.

DEPARTMENT OF JUSTICE FILED MAY 21 1931

DETAILS: AT JACKSONVILLE, FLORIDA.

With reference to the captioned case, in which subject Capone was found guilty of contempt at Chicago and sentenced to six months in jail, United States Attorney W. P. Hughes advised Agent that on May 18, 1931 he addressed a letter to the Attorney General requesting instructions as to what, if any, further action should be taken in the Jacksonville district. He stated he will advise the Jacksonville Bureau office upon receipt of a reply.

PENDING

---oOOOo---

DETAILS:

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: Louis De Netto SPECIAL AGENT IN CHARGE

69-180-65

RECORDED AND INDEXED: MAY 22 1931

CHECKED OFF: MAY 25 1931

JACKETED:

COPIES OF THIS REPORT FURNISHED TO:

3 Bureau
2 Chicago
1 U. S. Atty. Jacksonville, Fla.
2 Jacksonville
ML

BUREAU OF INVESTIGATION MAY 22 1931 A M DEPARTMENT OF JUSTICE

ROUTED TO: Div. Two FILE

100

7—1223

JOHN EDGAR HOOVER
DIRECTOR

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

HH:DSS

June 11, 1931.

RECEIVED
INVESTIGATION-DEPT OF JUSTICE
DIV. ONE
JUN 12 1931 AM

MEMORANDUM FOR THE DIRECTOR.

Mr. Sullivan, of the Scripp Howard newspapers - desired information as to the Bureau's activities relative to Capone. Referred him to Mr. Dodge.

Very truly yours,

H. Nathan

69-180

69-180-66
BUREAU OF INVESTIGATION
JUN 13 1931 P. M.
FILE

RECORDED & INDEXED

JUN 13 1931

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405,
CHICAGO, ILLINOIS.

BUREAU OF INVESTIGATION DIV. ONE
JUN 18 1931 PM

June 16, 1931.

69-180

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

Dear Sir:

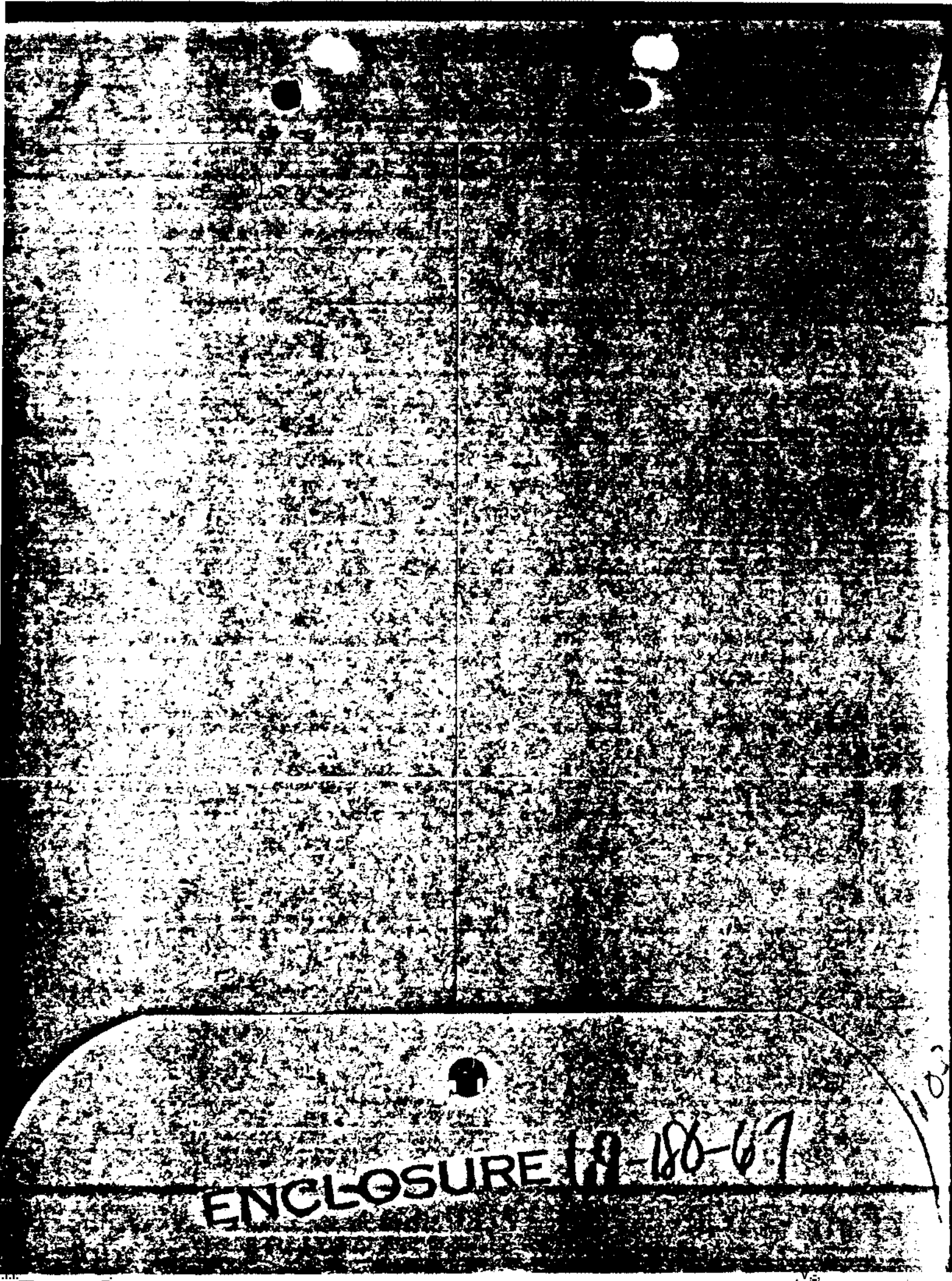
There is attached hereto a clipping taken from the Chicago Daily Tribune under date of June 15, 1931, relative to Al Capone.

Very truly yours,

W. A. McSWAIN
Special Agent in Charge

WAM:CH

JUN 19 1931 AM
RECORDED & INDEXED
69-180-67
BUREAU OF INVESTIGATION
JUN 18 1931 A. M.
DEPT. OF JUSTICE
Div. One
Div. Two
Div. Three
FILE


ENCLOSURE 1A-180-01

CHICAGO DAILY TRIBUNE
JUNE 15, 1931.

10

Chicago, Ill. Tribune
6-15-31

Capone in Trap, Ponders Guilty Plea

TWICE INDICTED GANG CHIEF MAY GIVE UP BATTLE

Calls on Lawyers to Advise Him.

(Nineteen back page.)

Al Capone's fate was in the hands of his lawyers yesterday. It was reported that he was considering payment of his debt to society without a fight—that pleas of guilty were being pondered by the gang leader and his attorneys on both the federal indictments that have been returned against him in the last few days.

One indictment charges Capone with the evasion of $215,000 in income taxes and the other charges him and 69 of his men with a ten year beer conspiracy in which they are alleged to have taken in gross receipts of $300,000,000.

The reports were that Capone was giving his lawyers some good reasons for entering pleas of guilty, and that, on the other hand, the lawyers and some of Capone's allies were pointing out certain dangers attendant on such



LCS:HEW
Bureau File
~~69-180-60~~

March 11, 1931

09014

Special Agent in Charge,
Bureau of Investigation,
Box 1428,
Chicago, Illinois.

Dear Sir:

Referring to fingerprint on Alphonse Capone, received March 9, 1931, please be advised that an examination of the records of the National Division of Identification and Information fails to disclose any data concerning this individual in addition to that already supplied in Bureau letter dated March 20, 1926, copy attached for your information.

Your print mentioned shows the following:

Subject as Alphonse Capone, inquiry made by Bureau Office, Chicago, Ill., March 9, 1931.

RECORDED

Very truly yours,

69-180-60
BUREAU OF INVESTIGATION
MAR 12 A.M.

Director.

BUREAU FILES DIVISION
MAILED
MAR 11 1931
P.M.
DEPT. OF JUSTICE

722

Encl. No. 616284

105

WASHINGTON HERALD—*An American Paper for the American People*—SATURDAY, MAY 2, 1931

CAPONE KILLED TWO YEARS AGO, SAYS MAGAZINE

Gang Leader Willing to Let Story Stand, But Terms It Just Plain "Applesauce"

By FREDERICK C. OTHMAN

CHICAGO, May 1 (U.P.).—"I ain't dead, but it's all right for 'em to think so if they want to."

So said "Scarface Al" Capone today.

ORIGINAL DEAD

But J. M. Lansinger, publisher of the Ral Detective Magazine, insisted:

"The original 'Scarface Al' Capone is dead. It gives me great pleasure to explode the halo surrounding the bogus Capone."

Which indicates that there is a certain difference of opinion concerning the status of America's most notorious gangster, the fat, pudgy ruler of Chicago's vice, liquor and gambling syndicates, the scarred-face criminal who became a multimillionaire through his nefarious operations.

Strange stories have seeped up from the underworld of late about Capone. Speculation has become rife over his affliction, over whether he is the supreme boss of the underworld, or whether he takes his orders from a ring of higher-ups.

BROTHER IN SHOES

Mr. Lansinger climaxes the rumors and a stool pigeon whispers with an article that Capone was killed two years ago, that his half brother, Giacomo Calabrese, submitted to a plastic operation to obtain a synthetic scar on his left cheek and that the latter now rules the criminal syndicates under the almost mythical name —"Capone."

Mr. Lansinger said his facts were authenticated and documented and that he would prove to an incredulous police department soon that his story is correct.

The scowling Capone, or maybe it was Calabrese, when reached by the United Press, said:

"Do I look like Calabrese? Huh, that's a lot of applesauce."

Veteran police reporters said that the Capone of today, as far as they could tell, was the same Capone of a decade ago. Pat Roche, chief investigator for the State's attorney, said:

"If you think Al Capone's dead, you're crazy."

INFLUENCE ON WANE

And that leads up to the fact that Capone's influence apparently is beginning to die, now that Chicago's new mayor, Anton J. Cermak, has started his campaign to "run the gangsters out of Chicago."

The Capone gangsters are laying low. Capone speakeasies are closing with increasing frequency and Capone breweries are running with less brew in the vats than at any time since the advent of prohibition.

23 Indicted After Raid On 2 Capone Breweries

CHICAGO, May 1 (I.N.S.). Bert Delaney, alleged chief of the Al Capone brewery division; Steve Svoboda, his first assistant, and 21 other reputed employees of Capone breweries, were named in indictments returned today by the Federal Grand Jury. The indictments charge violation of the Federal prohibition act, following raids on two breweries, one of them among the largest beer manufacturing plant ever to operate in Chicago.

INDEXED

69-180-60X

JUL 13 1972

XEROXED ORIGINAL RETAIN

2 CENTS
PAY NO MORE!

Chicago D
THE WORLD'S

VOLUME LXXXX.—NO. 241 C (REG. U.S. PAT. OFFICE) COPYRIGHT 1931 BY THE CHICAGO TRIBUNE THURSDAY, OCTOBER

PASTOR ACCUS

FIVE WITNESSES LINK GANGSTER TO RICH PROFITS

Gaming House Clerk Testifies for U. S.

BY PHILIP KINSLEY.

(Pictures on back page.)

Five witnesses, one of them a Congregational minister and another a gambler of the Capone syndicate, took the witness stand in Federal Judge Wilkerson's courtroom yesterday as the curtain was lifted upon the income tax case against Al Capone which the United States government has been three years in building.

Through the Rev. Henry C. Hoover, an earnest young suburban pastor, and two other members of a ministerial and civic association which had been organized to drive Capone out of the western suburbs, the government attempted to substantiate Capone's [illegible] with the [illegible]

Gambler Tells of Profits.

And through L. A. Shumway, a former employe of the underground gambling houses of Cicero, which were driven from one place to open in another, the prosecution showed profits to the house which Capone owned of $300,250 in 1924, $117,600 in 1925, and $170,011 during four months of 1926. The books of the gambling house were introduced as evidence.

The Rev. Mr. Hoover is ruddy of complexion, with a thin face and a long, sharp nose, surmounted by glasses. He testified slowly and deliberately, apparently weighing each answer before delivering it.

Capone and the young minister came face to face during a raid on the place at 4833 West 22d street on the afternoon of the third Saturday in May, 1925, the day of the Kentucky Derby. The association of church members and property owners had collected a posse of police and had entered the place with the purpose of wrecking it.

Place Reopened on Same Day.

They did so partially, but it was shown through another witness that it was only for a few hours, as the gamblers were doing business at the same stand later that afternoon. In the meantime several doors had been broken, including that of one witness who took the stand yesterday.

Capone's presence in the gambling house and his conversation were [illegible] against objection by the government, as his license must be [illegible] [illegible]

The minister identified Capone in court, pointing him out as he sat behind his lawyers, Michael Ahern and Albert Fink. Capone smiled and enjoyed the evidence, frequently poking his lawyers in the back in amusement.

On the afternoon of the raid Capone evidently was roused from his slumbers at an unusual hour for him. His appearance was made in a pajama coat, trousers hastily pulled on. He had no shave. Two witnesses described his entry and swore that he said:

"I'm the owner of this place."

Describes Gang Chief's Plea.

The Rev. Mr. Hoover said that when Capone came in he followed the gangster to the office part of the gambling house and Capone said to him:

"Why don't you fellows lay off me?"

After the minister had explained that he had no personal feelings against Capone, but was merely acting in the interests of civic righteousness, Capone said to him:

"This is the last raid you'll ever pull on me."

MARSHA & CON

CHICAGO DAILY NEWS
10-8-31

U. S. Jury Hears Of Capone's 'Take' Told by Himself

Gang Chief Loses Fight to Bar Admissions to Tax Expert.

BARES FAILURE TO FILE

Alphonse Capone, on trial before Federal Judge James H. Wilkerson for evasion of the income tax, today received his first serious reverse when the judge admitted in evidence the record of his early negotiations for a compromise with the treasury department.

In this statement, which contains a biography of Capone compiled by Lawrence B. Mattingly, income-tax expert, then representing the gangster, Capone outlines the founding of his alcohol syndicate late in 1925—an organization to which he contributed no capital and from which he derived an [illegible] income of "not more than $[illegible] in 1927 not more than $40,000 and in 1928 and 1929 not more than $[illegible] a year."

Always in Debt, Claim.

It represents that during this period Capone was always less than $75,000 in debt to the three associates with whom he had organized the syndicate.

It admits freely that Capone never filed an income-tax return and in general concedes many of the points upon which the government based its present case. The crime is based upon it—and so states in arguments attempting vainly to keep it from the jury—as a virtual plea of guilty. The document supports evidence given yesterday by L. A. Shumway, for three years a bookkeeper in gambling houses in Cicero, who testified that the Hawthorne Smoke Shop and other gambling dives in 1924 showed a net profit of $[illegible] in 1925, $115,[illegible] and in 1926, $[illegible].

Defense Makes Long Fight.

The wrangle over the Mattingly document came soon after the opening of court this morning when George C. Slentz, attache of the internal revenue department in Washington, D. C., was called as first witness. The paper was presented to him by Assistant United States District Attorney Samuel G. Clawson as government's exhibit A—a maneuver which brought Attorneys Michael Ahern and Albert Fink to the rostrum with objections. The jury was excluded, the letter and notes read to the court and an argument began which lasted until well into the afternoon session.

The defense attorneys in their losing fight sought to have the letter treated as privileged matter, which as a presentation of fact in one particular negotiation was not admissible as evidence in another case.

Judge Wilkerson, after stressing the point that "a citizen guilty of violating a federal statute cannot escape indictment by presenting the facts in the case to a minor official of the treasury department," suddenly broke in on the wrangle and declared that the documents were admissible. The jury was recalled.

Miss Helen Alexander, 1912 South 49th avenue, Cicero, a draft teller in the Pinkert State Bank, was the next witness. She testified that Capone had had a deposit box in the vaults of this bank from April, 1926, to April, 1927. Under the contract through which this box was allotted to Capone it could be opened only in the presence of Louis Le Cava and A. Capone after both of them had signed the entrance slip. She said that she had seen the defendant many times during that year.

Identifies Mattingly Letter.

At this point Louis H. Wilson, internal revenue agent in charge of special fraud investigation in Chicago, was called to the stand. He identified the Mattingly letter as one

(Continued on Third Page.)

69-180-86

CAPONE STORY OF TAXES TOLD TO JURORS

(Continued from First Page.)

received in his office on March 27, 1930. He said that he recognized the signature as Mattingly's, because Mattingly had subsequently shown him other papers bearing his signature. He said that Mattingly had visited him first in his office on April 16, 1930, to talk over the matter of Capone's tax delinquency and on the next day came in with Capone himself.

"What did Mattingly say to you about Capone's income tax?" inquired Mr. Clawson. The defense attorneys raised an objection which was sustained.

Mr. Clawson then turned from Mr. Wilson, picked up the Mattingly letter and began to read it to the jury, which leaned forward intensely open-mouthed.

Admits Failure to File.

"[illegible] Mattingly [illegible] but [illegible] could be [illegible] against his client came as a climax [illegible] and [illegible] against him. It contains a frank admission that Capone never filed an income tax return and after reciting the rise of Capone's income from $60,000 in 1925 to [illegible] Mattingly said that his client was willing to have these figures used as a basis for the computation of his net taxable income.

Accompanying the letter were stenographic notes of conferences between Mattingly, Capone and income agents, in which Capone described the founding of his "syndicate" which was to become one of the largest illegal corporations in the world. Capone stated that he had contributed no capital to the organization and that he had been aided by three associates. The profits of the organization he stated were to be split so that one-third would go to the employer and one-third to each of his associates and himself.

He said that he was carrying a $20,000 mortgage on his home in Florida and that at no time was he less than $75,000 in debt to his associates.

Arrived with Bodyguards.

Mr. Wilson testified that on April 17 Mattingly, who had been in his office on Sept. 19, 1930, Mattingly [illegible] all figures to get exact figures on Capone's income and had found it a very difficult task. He had been unable to find complete records for each year.

"The next day Mattingly came in and gave me a typewritten sheet," Wilson testified. "He said to me, 'These income figures are the best we can do. Capone is willing to pay taxes on these.'"

At this point court recessed to permit a discussion of facts contained in Mattingly's audit.

His Big Ideas.

According to the story told this morning Mr. Capone was not satisfied with merely [illegible] whose exact ownership could not be pinned with precision. He began to have ideas for a big corporation—something like the General Electric or the Ford Motor corporation—a corporation that would be the chopping block of the alcohol business. And so he formed what might be called a little directorate consisting of himself and three associates. He outlined his proposition to the other directors admitting that he was bringing to this stupendous organization neither but his brains and a pleasing personality and so was formed the shadowy entity since known as "the Syndicate."

[illegible] in 1925. The workings were simple. One-third of the earnings were to go to the employees—making this the greatest profit-sharing venture ever seen on the American continent. The remaining profits were [illegible] each between Mr. Capone and his three unnamed associates.

Despite what economists might have had to say about the practicability of such an organization it prospered. In 1925 Mr. Capone's share was not more than $200,000; in 1927 not more than $4,000,000 and in 1928 and 1929 not more than $100,000 a year. There were some deductible expenses of course. Mr. Capone represented through his attorney that at no time during this period was he less than $75,000 in debt to his associates.

The purchase of his Florida home cost him something like $20,000, he said, and in addition to that he was bravely [illegible] to pay off a $30,000 mortgage on the house itself. During all of this he apparently was able to preserve his smiling countenance, secure in the knowledge that the depression couldn't last forever and prosperity would be somewhere just around the corner.

He was [illegible] a large bodyguard at the time—just as other business men [illegible] [illegible] [illegible]

PER FOR PEOPLE WHO THINK

uge Sums for Gang Lord in Miami

ENDOR'



when he came there
thers are expected to
allegations of lavish

Realty Office
udge Decides

correct; it all came from
, and if you ever watched
flow in the Paddock Grill
this that you would agree
, as these joints clean up
Kentucky Trots in the Metro-
people he clears out and
the Lexington Hotel,
, a better citizen

Manager of Famous Miami Hotel Tells How He Signed for Al's Money

Telegraph Orders for Thousands Sent Under 'Costa'

Parker Henderson, manager of the Ponce de Leon Hotel in Miami, was called to the stand in the afternoon session of the trial of a government witness against Al Capone. He was questioned by Dwight Green, assistant district attorney. He related Capone out in the questioning and testified as follows:

Q—When did you first meet the defendant? A—[illegible] part of January of 1929, in the Ponce de Leon Hotel in Miami, I was in the defendant's [illegible]

Q—Who was present there at that time? A—I was called to the defendant's room by a Miami man named Charles Costa and Costa introduced to a fellow named Nick Circillo, a fellow named Al Capone and Mr. Capone. I was introduced to him as Al Brown.

Q—Under what name was the defendant registered at the hotel? A—Under the name of A. Costa.

TAKEN TO DINNER.

Q—Did you later go to dinner at the defendant's home? A—Yes, I drove over in Mr. Capone's car with Circillo.

Q—Who was present at the home for dinner that evening? A—Circillo's wife, Mr. Capone's wife, Circillo, Mr. Capone, myself and I am not sure, but I think Tommy Dudley and his wife were there.

Q—Did you see the defendant frequently thereafter? A—Practically every day throughout the entire Winter.

Q—Were you during that time ever in the defendant's room at the Ponce de Leon Hotel when he transacted any business? A—Yes.

MONEY BY WIRE.

Q—Did you [illegible] any business transactions with the defendant in the latter's room about the middle of January, 1929? A—I handled some Western Union money transfers for Mr. Capone.

Mr. Capone called [illegible] one afternoon

Big Shots Fill Testimony on Capone Wealth

Testimony in Al Capone's income tax trial yesterday brought forth the names of numerous "big shots" in the gang and of the [illegible] underworld's intimate friends. Here is the "who's who":

DENNIS ("THE DUDE") O'BRIEN, owner of the notorious Rex Hotel at Tenney avenue and [illegible] avenue, in the north side area in Chicago.

CHARLES FISCHETTI, brother of Capone, the two [illegible] Chicago.

[illegible] Fischetti, who [illegible] in the [illegible] Capone shooting.

TONY ("BOOTS") MOLEN, secretary of the late "Diamond Joe" Esposito until the latter's [illegible], recently a bodyguard and "heavy man" for Capone, and now [illegible] deported by the government.

JACK McGURN, former gunfighter, machine gunner for the [illegible] a principal suspect in the Kenna gang massacre on St. Valentine's Day, 1929.

JOHNNY TORRIO, manager to "Big Jim" Colosimo as boss of the underworld. Torrio taught Capone the "ropes" and surrendered the throne to him in 1925.

DANIEL KERRITHLE, [illegible] operator city dealer under Mayor Thompson.

JAKE GUZIK, business [illegible] for the gang; now under [illegible] for income tax [illegible].

ROCCO DE GRAZIO, bodyguard and "heavy man" from Kokomo, Ind.

NICK CIRCILLO, bodyguard and former secretary to Capone.

[illegible] question of [illegible] the last [illegible] the money said that [illegible] or to Capone.

[illegible] Mr. Capone [illegible] Mr. Capone [illegible] Mr. Capone [



IAL RECALLS IALE SLAYING

Sentence Two Capone Aids in Grant Park Shooting

Kingsford-Smith Too Ill for Flight Home

LONDON, Oct. 2.—(U.P.)—Flight Lieut. Charles Kingsford-Smith, famous Australian flier, was ordered by his doctor today to abandon his attempt to break the England-Australia record flight.

17

Girl Identifies Capone and Money Order Receipts

Price of Alcohol Boosted for 'Big Fellow's' Defense

179

SATURDAY, OCTOBER 26, 1929

State's Attorney's Office Opens Gun

15 INSPECTORS QUESTIONED ON FAULTY WORK

Declare Concrete Inspection Service Is Undermanned; Contractors Held to Bond

First steps to investigate charges that the city was defrauded of nearly $800,000 on a million dollar street lighting contract were taken yesterday by the state's attorney's office. The charges were made public last September 24 by the Citizens' Association, which demanded indictments.

The contract called for installing 4,905 light posts and was awarded to the Electrical Contracting Company for $1,062,365. This was the "low bid"—only one other bid having been submitted. This bid, the association charges, was made merely for appearance sake.

INSPECTORS SUMMONED.

In launching the inquiry, Assistant State's Attorney Homer A. Dodge summoned fifteen city electrical inspectors. They were questioned as to why the city permitted the type of installations revealed by examination of hundreds of posts selected at random. The examination revealed many of the posts were smaller than the specifications called for and that inferior concrete was used. In some cases city material was used—for which the city was charged.

The testimony of the inspectors revealed the "strange" situation of there not being enough inspectors on the job at one time and too many at another. The shortage lasted until the concrete was placed, Mr. Dodge was informed. When this part of the work was completed and relatively unimportant work remained, inspectors "flocked" to the construction scene.

REFUSED MORE MEN.

Each of the witnesses related that during the concrete work he had so much to do that he could not inspect everything carefully. Chief Inspector Francis O'Donnell testified that he asked for more men, but his request was refused.

Commissioner of Electricity Jacobson pointed out that the terms of the contract, which [illegible]

OPERA STARS WED



UNDAUNTED BY LAW—Dolce Dolores and [illegible], the former Hilda Hopkins Bache, [illegible] on Dolores's arrival on the Ile de France. [illegible] groom are [illegible] of [illegible] society. They [illegible]

LYLE BOOM AS PROSECUT AT C.D.P.M

Entry Into Race Precipitates Record Primary Vote; Emmerson Silent on Candidacy

By John [illegible]

Municipal Judge John H. Lyle's entry in the race for the Democratic nomination for state's attorney was forecast last night at meetings adopting [illegible] Republican organizations. A group aided John last night in carrying the record [illegible] with Thompson for the Republican nomination for mayor.

RECORD PRIMARY.

As announced by Secretary H. Hough, the resolutions of the group known "of no Republican in this county as will support Judge Lyle "to perform the duties of such an exacting office." Explaining his request it urged to become a candidate.

The action of the ward groups interpreted as the forerunner formal announcement of his candidacy later.

"BOOING" STIRS COMMENT.

Two incidents in the Republican gubernatorial contest caused comment in political circles yesterday. Politicians made much of the fact that Governor Emmerson was booed at the Hawthorne race track Thursday when his presence was announced through the voice-amplifying apparatus.

The other "hit" was that [illegible] Attorney General Carlstrom was the [illegible] a rousing demonstration at a Decatur meeting of the Illinois Republican Service Men's League. Delegates from thirty-two of the 102 counties in the state were present.

Insurance Ru Traps Raid Susp

[illegible] pursuing [illegible] and [illegible] in three months' [illegible] headed William Hazel [illegible] Seventy-seven [illegible] arrested partners [illegible]

180

A PAPER FOR PEOPLE WHO THINK

),000 City Light Fraud Investigation

ue to Halt Sale of $12,264 Back Tax Properties

A PETITION FOR an injunction to stop County Treasurer Joseph B. McDonough from proceeding with the sale of property in default of taxes was filed in Circuit Court yesterday in behalf of nine taxpayers.

The bill alleges seven points of illegality, among them charges that the properties were not offered for sale on the day specified; that there was no authority for the reassessment; that the board of assessors and reviewers failed to make public the assessment list, and that the reassessment was directed by politicians. The value of the property involved is $12,264.

LUE SPEEDS M'ERLANE HUNT

Speeding the hunt for Frank McErlane as the murderer of his wife was the discovery last night that Chicago's cruelest gangster was the only known hoodlum who was in the death car that carried his victim's body.

So certain are police that it was McErlane who killed the woman and left her body in his bullet-riddled and blood-stained car Wednesday night, that they expect to find him intoxicated, still on the spree which started before the murder.

TRACE FINGERPRINTS.

Development of fingerprint photos, made from marks on the car was completed last night at the bureau of identification. Five different prints were found, but only one could be identified. That was McErlane's.

With this police abandoned the theory that Mrs. McErlane had been slain by gangsters in an attempt to kill her husband. All shots were fired from within the car, and only one who entered would have fingerprints.

HER SECRET MARRIAGE.

The secret marriage of the girl [illegible] and Freda (also known as [illegible]) Miller was revealed yes-

TOADSTOOLS TAKE 3 LIVES; 18 POISONED

Ten Members of Two Families Ill Here; Fatalities in Milwaukee and Toledo

(Picture on Back Page)

Ten persons, members of two families, were ill yesterday after eating poison mushrooms which they gathered on a hike in the forest preserves.

Those ill are Louis Ciardi, 38, of 824 S. Damen av.; his wife, Anna, 45, and their five children, Mrs. Grazia, 20; Christina, 17; Rocco, 12; Amildo, 7; Mrs. [illegible] sak, 38, of 2060 W. [illegible] place; Albert, 18, her husband, and Lora, 20, their daughter.

The Ciardi boys gathered the mushrooms, which one member fried for dinner, after giving some to the other family. Physicians at the County Hospital treated them.

TWO DEAD IN TOLEDO.

TOLEDO, Oct. 4.—(AP)—Two persons are dead and seven others are in hospitals critically poisoned from eating toadstools they believed to be mushrooms.

Mrs. Cora Chandler, who ate toadstools last Sunday, died tonight. Frank J. Martin, 52, died last Tuesday, but the cause of his death was not known until today. Mrs. Martin also became ill after eating toadstools, but recovered.

At East Side Hospital was a family of five, all seriously ill from eating toadstools Wednesday night. Matt Lockard, 38, his wife, Carrie, 33, and their children, Neyrell, 10; Phillip, 8, and Vaughan, 4, were found in their home today in a stupor which medical treatment has failed to alleviate. Vaughan is expected to die.

CONFISCATE TOADSTOOLS.

MILWAUKEE, Oct. 4.—Three men are dead here and his wife seriously ill after eating wild mushrooms purchased at a [illegible] market.

To avert further tragedies Dr. J. P. Koehler, city health commissioner, has placed a ban on the sale of such [illegible] in city stores here today. The [illegible]

COSTLY RIDE!



Juno Marlowe

LOS ANGELES, Oct. 4.—An auto accident today cost Juno Marlowe, film actress, $250 when a jury awarded the damages to Monty M. Oviatt, who was injured by a machine in which Miss Marlowe and her brother, Armand, were riding.

Sergeant and Nine Policemen Shifted

[illegible]

NOTED SURGEON WARNS AGAINST CANCER QUACKS

Ruby an Surgery, Radium of X-Ray, Says Dr. George Early Cause Cured

[illegible] for cancer, although [illegible] surgery, radium or X-ray [illegible] agents when employed [illegible] by Dr. George [illegible], added [illegible] [illegible] [illegible]

Grape Dealer Kidnaped by Pair

South Chicago and Whiting police early today were seeking Anthony Ialongo, 3600 Aymont pl., a Gallup, N. M., grape dealer, who was kidnaped by three men after they had robbed the company of a truck load of grapes.

Posing as customers, the two induced Henry Camino, 3604 Irving av., son of Ialongo's partner, Michael, to deliver the grapes to Whiting. Taking the truck from the youth, the two instructed Henry to return to his home.

As Henry was en route, Ialongo and Camino sr., were lured to Whiting by a telephone call that the boy had been hurt in an accident. There Camino was beaten by the two and Ialongo kidnaped.

'Countess' Refuses to See U. S. Agent

His mission a mystery—Henry Tetlow, a federal operative, last night attempted to question Mrs. Lottie Bremner von Buelow, 5439 Sheridan road, at her home, but was denied admittance. Tetlow is understood to be investigating an alien smuggling ring here. Mrs. von Buelow has filed several divorce actions against Enrique Dechow, who posed as "Count von Buelow."

Rob Street Car in Flying Holdups

A new technique in robbing street car conductors was employed by two bandits last night.

They used a roadster, one of them driving alongside the street car, the other hopping to the pavement, then onto the street car, confronting the conductor with a pistol, taking the money changers, then hopping back to the roadster—all without stopping either vehicle.

Victor Carlson, conductor on a Lake st. car, lost $18 in that way, and Jerry Stinks, conductor on a Grand av. car, lost $10. Passengers were not aware of either robbery.

Lawyer Exonerated in Slapping Charge

Theodore Miller, former assistant state's attorney, was freed yesterday by Judge Hartigan when arraigned for disorderly conduct. The lawyer was charged with slapping Homer Ingalls, 10 N. Wells st., and throwing him down stairs when he tried to serve a five-day notice on him.

Week-End Specials

In the Candy Shop

Luscious fudge, creamy and chock full of nuts.

60c lb.

Crisp toffee made with almonds and filberts, rolled in chopped nuts.

85c lb.

Chocolates and bonbons as delicious as they look, caramels that melt in your mouth, nougats soft and toothsome.

2 lb. box $1

In the Candy Shop First Floor

CARSON PIRIE SCOTT & Co

Much Smarter With a Brim!



Much more youthful . . . much more becoming and very sporting on you. If you have never worn a brim, if you hope to wear a brim, if you want to look your best come to the Young Moderns' Room at Field's.

Sketched: Soft felt with a darling ribbon. Sizes 21 to 22, only $7.50

JUNIOR MILLINERY, FOURTH FLOOR
Also all three Suburban Stores

MARSHALL FIELD & COMPANY

182

was charged [illegible] quantity of [illegible] ing. The Citizens' Association re- port was that $800,000 would have been a good price for the job if excellent work had been [illegible]

COMPANY UNDER BOND

As for the work, Commissioner Jackson said that the company will be held to its $800,000 bond and a due payment of $150,000 held up unless faulty construction is remedied.

Mr. Jackson estimated that it will cost $150,000 to correct the faulty work. After the association made its charges his men dug into 102 ports and found that the bases were set only about twenty-eight to thirty inches deep, whereas the blueprints called for depth of forty-two inches. It was also found that the concrete in many cases is disintegrating.

Beat Dry Posing as Whisky Buyer

Charles O. Kral, a prohibition agent, was severely beaten yesterday when he posed as a wholesale liquor buyer at a whisky plant in the rear of 9854 Cottage Grove av.

He was rescued by three other agents who had been waiting outside to raid the place. They arrested Fred Morris, Harold Nixon, Fred Morvese and Angelita De Mari, 22. The men, charged with possession and manufacture of liquor, will be arraigned before United States Commissioner [illegible] today.

Drops Extortion Charge, Finds Family Gone

Charges of attempted extortion against Michael Gibbs, 6720 S. Marshfield av., were dismissed in Felony Court yesterday when the complainant, Stewart M. Joyce, 32 of the Sovereign Hotel, failed to appear. Later Joyce reported his wife and son were missing. Police who investigated his story said they believed the wife and son were visiting relatives in Michigan.

Finds Bremen Pilot's Body; Monocle in Hand

[illegible]

ACCORD NEAR IN MOVIE WAR

Progress toward settlement of difficulties between the Moving Picture Operators' Union and owners of independent theaters was reported yesterday at the conclusion of the third conference in the offices of William H. Sexton, corporation counsel.

The meeting was closed. Mr. Sexton said the conference had been adjourned until Tuesday morning.

In the meantime representatives of the operators' union will study data furnished them by the exhibitors' association.

Witnesses failed to identify Albert Lasar, 35, and Solomon Grossman, 32, as men implicated in the recent bombings of terrifying theaters engaged in the wrangle with the operators. Both admitted having been hired to "save" New York [illegible]

[illegible]

[illegible] today re-elected J. Hampton Moore, former mayor of Philadelphia, who has been president of the organization since its inception.

BEATS GUNMAN FOR THREATS

John Gill and John Connors, labor racketeers, seized Thursday evening after they kidnaped two members of the tile setters' union, were being shown up at the detective bureau last night.

Walter Hostetter, 627 Ramona st., a union tile setter, stepped up to the [illegible]

"You," he said to Connors, "put a gun to me the other day and ordered me to quit my job. And you"—pointing to Gill—"hit me over the head with a hammer when I said I'd go on working. I ought to [illegible] you on the nose."

"Well, why don't you try it?" Gill sneered.

Bang! Gill hit the floor recumbent.

"Now that isn't all your yellow [illegible] from me," Mr. Hostetter [illegible] as he strolled out of the [illegible] room. "I'm going to see that you go to the pen and go there for keeps."

Hostetter signed complaints against both men.

Scenarist Plots Jocelyn Into Court; It's a Riot!

LOS ANGELES, Oct. 6.—(U.P.)—There's nothing like reading a good complaint drawn up by a scenarist to find out all about one's [illegible]

"You [illegible] have to be an accident to [illegible] things Tu-Anne[illegible]"

[illegible] Lee, [illegible] [illegible] [illegible]

RECEIVED
BUREAU OF INVESTIGATION-DEPT. OF JUSTICE
DIV. ONE

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS

OCT 7 1931 PM

October 6th, 1931.

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

PERSONAL AND CONFIDENTIAL.

AIR MAIL

Dear Sir:

Inspector H.H.Clegg has informed me that in one of his conferences with United States Attorney George E. Q. Johnson, Chicago, Illinois recently, the latter recited that he had interviewed certain persons in Florida regarding the case entitled ALPHONSE CAPONE, Contempt of Court, who were never contacted by Special Agents of the Bureau of Investigation.

Please be advised that I have obtained through Special Assistant to the Attorney General William Froelich, a complete list of the witnesses who were subpoenaed in the above entitled case and checked same with the file in this office, with the result that all the witnesses who were subpoenaed had previously been interviewed by Special Agents of the Bureau of Investigation.

It appears however, that two witnesses, namely Charles Clarke, Special Agent, Bureau of Internal Revenue, Jacksonville, Florida, and Raymond Brown, attorney for the Bureau of Internal Revenue, Jacksonville, Florida, appeared voluntarily and testified. The names of these two individuals do not appear in the Bureau file.

Mr.Froelich informs me that Mr.Brown testified that he had seen subject in Florida on one occasion, and that Charles Clarke likewise testified that he is acquainted with subject Capone, and saw him in Florida on one occasion. Mr.Froelich recites that the testimony of both of these individuals was immaterial and irrelevant.

I have been endeavoring to obtain a transcript of the testimony of these two witnesses, but due to the present trial of subject Capone, on a charge of failure to make proper income tax returns, Mr.Froelich has been unable to obtain the desired data.

69-180

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RECORDED
INDEXED
NATHAN
Dist. Three
Tenn. Ten

184

I will continue my efforts to obtain a complete transcript of the testimony of the two witnesses mentioned above, and forward same to the Bureau.

Very truly yours,

W. A. McSWAIN
Special Agent in Charge.

WAM:JMS

185

Precipitation in twelve hours ended 7 a. m. .11 inch.
Government forecast for greater area

STERN HAND ON CAPONE

JUDGE REFUSES TO DELAY CASE OF GANGSTER'S BODYGUARD.

D'Andrea Issues the Carrying of a Weapon to Court Is Serious Matter and Must Go to Trial.

(By the Associated Press.)

Chicago, Oct. 12.—Philip D'Andrea the Capone bodyguard who carried a pistol into federal court in the income tax trial of "Scarface Al" Capone, was told in no uncertain terms today he was in serious difficulties. He was given until tomorrow to defend himself and meanwhile ordered held without bond.

"The federal court is not obliged to exercise its duties confronted by an armed man sitting next to a defendant," Judge James H. Wilkerson said sternly as D'Andrea was taken before him.

DEFENSE IN OLD PERMIT.

D'Andrea first asked for a few days [illegible] to prepare a defense but after the court warned it would [illegible] for hours he appeared satisfied to have his case decided tomorrow.

The bodyguard's defense was expected to be that he was once given a star and permission to carry a firearm as a deputy municipal court bailiff, and that he believed the permit still was valid, although the present chief bailiff said the star had been revoked.

[illegible] was [illegible] of [illegible] welfare of his chief that he carried his pistol with him Saturday as he sat at the counsel table behind the scar-faced gang leader and only a few feet from Judge Wilkerson. Only Judge Wilkerson orders he was stopped as he left the room, found to be carrying the weapon and taken to the county jail for the week-end.

BEGIN TAX CAPONE TRIAL.

Capone, his income tax case delayed by the D'Andrea concerns of court case and several others, was not in the court room. The gang leader's attorneys, however, did what they could for D'Andrea.

Albert Fink, defense attorney, suggested the matter be delayed until after the Capone trial had ended. He also said the jury should hear "all the facts." Judge Wilkerson said the [illegible] permitted to read newspaper accounts of the Capone case and knew no more of the D'Andrea case. The judge held the bodyguard's case was an independent proceeding and he could see no reason why it should be delayed.

Michael Ahern, chief defense counsel, suggested there might be several questions of law to be argued, such as the possible illegality of the D'Andrea arrest.

Judge Wilkerson overruled the attorney's suggestion and said: "There appears to be no dispute of the fact that this man sat through the proceedings Saturday armed."

MOODY CAPONE IN COURT.

Capone appeared after his bodyguard had been returned to jail and sat glumly at a counsel table while his private affairs were discussed before the jury. Today there was nobody behind the gangster except a group of reporters and a few dozen spectators. His two attorneys were busy making light of the government's testimony in his income tax trial. It was all old stuff to Capone—how he paid $12,500 for a motor car, $27.50 for a shirt, $4.85 for a necktie—and the gang leader paid it no heed. He leaned heavily on the table, toyed with a brief case and at times stared vacantly ahead of him.

For a man who was said an income tax the government attempted to show that Capone was considerable of a spendthrift. When he desired a motor car he ordered one especially made to suit his purposes and paid $21,000 for it. When he ran short of shirts, he stopped in at a large Loop department store, ordered a dozen custom made, at from $18 to $27.50 each.

FURNITURE FOR FLORIDA HOME.

Furniture purchased in 1928 for the Palm Island, Florida, estate of the gangster cost $7,289.15, and was promptly paid for, Jean Rieves, a bookkeeper, testified.

Guy C. Barton, the salesman who ordered Capone's custom built car in 1924, said the $21,500 car was traded in and $3,500 added for a new one two years later.

Two department store employees who sold the gangster his haberdashery said that when Capone bought himself some finery he usually purchased some for the men who accompanied him.

Capone did not attempt, through his personal appearance, to refute his reputation for sartorial display. He wears a different suit almost every day. Today it was a dark violet shade with the sleeve cuffs turned up an inch or two.

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JUL 13 1972
ALMORED ORIGINAL-RETAIN

Capone Defense May Be Concluded Today; Race Losses Related

Gangster's Bookmakers Testify That Al Dropped $262,000 on Horses; Torrio Present

By United Press

CHICAGO—Al Capone counted today on the weakness for gambling on horse races that cost him at least $262,000 in six years to save him from the penitentiary.

His defense was a paradox. His attorneys had called witnesses to describe the gang leader as a colossal dupe of race track bookmakers as his trial on charges of income tax evasion in U. S. District Court swept toward conclusion.

Case May End Tomorrow

There was prospect that the defense would rest its case before noon. With four hours allotted to each side for argument, the case could reach the jury tomorrow.

Al Capone, owner of the gambling house "gold mines" in Cicero with a yearly net of $150,000 each, had been depicted in prosecution testimony.

Court Becomes Race Stand

Al Capone, sucker, who was hail fellow to the bookmakers, who placed four or five bets a day on each day of the racing seasons, bet as much as $6000 on a single horse to win, and almost always lost, was pictured yesterday by the defense.

Federal District Court room took on the color of race stand and betting booth as a procession of bookmakers went to and from the witness stand. Their testimony was intended by the defense to show that while Capone was a plunging gambler and bet large sums, he lost consistently and had no wealth on which to pay income tax.

Good Credit Risk

None of the bookmakers could recall any of the "al- runs" on which Capone wagered from $100 to $6000 "on the nose." All agreed Capone was a good credit risk.

"I knew he was fair and honest in all his business transactions," said Gutter. "If he won, I usually took the money to him at the Metropole Hotel."

Besides the bookmakers, Pete Penovich, manager of Cicero gambling houses that the prosecution contended belonged to Capone, took the stand. He pictured Ralph (Bottles) Capone, Al's brother, as the overseer. The prosecution, comparing his testimony with that he gave before the grand jury, attempted to impeach the witness.

Federal District Judge James H. Wilkerson reserved decision.

Whether Johnny Torrio, the man who brought Capone to Chicago in 1920 and started him on the road to gang dominance, would be placed on the stand by the defense could not be ascertained. Torrio sat with other prospective witnesses yesterday.

The Washington News
Oct. 15, 1931

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JUL 13 1972
XEROXED ORIGINAL-RETAIN

"NEWS WHILE IT'S NEWS"

78th Year, No. 139

KANSAN

CAPONE BARES RACE LOSSES, THEN RESTS

Last Minute Moves to Strike Out Damaging Testimony Fail.

By United Press.

FEDERAL BUILDING, CHICAGO, Oct. 18.—Al Capone's attorneys rested his income tax fraud case at noon today, after portraying him as a race horse gambler who lost $276,000 or more.

A last minute motion of the defense to strike from the record testimony regarding Capone's alleged gambling house revenues was overruled by Judge Wilkerson.

Another motion to exclude the testimony of internal revenue bureau officials that Capone admitted he had filed no returns and paid no income tax also was overruled.

A third motion, also overruled, would have struck out testimony that Capone shouted, "I'm the power

CAPONE-BURKE LINK IS SOUGHT IN MICHIGAN

MARQUETTE, MICH., Oct. 18. —(U.P.)—Michigan prison officials sought to link Al Capone and Fred (Killer) Burke in underworld confederacy today after identifying photographs of Philip D'Andrea, Capone's bodyguard, as those of a man who visited Burke in his cell several months ago.

Warden James P. Cowan said [illegible] identified D'Andrea's photograph after the bodyguard was arrested on a concealed weapons charge at Capone's hotel.

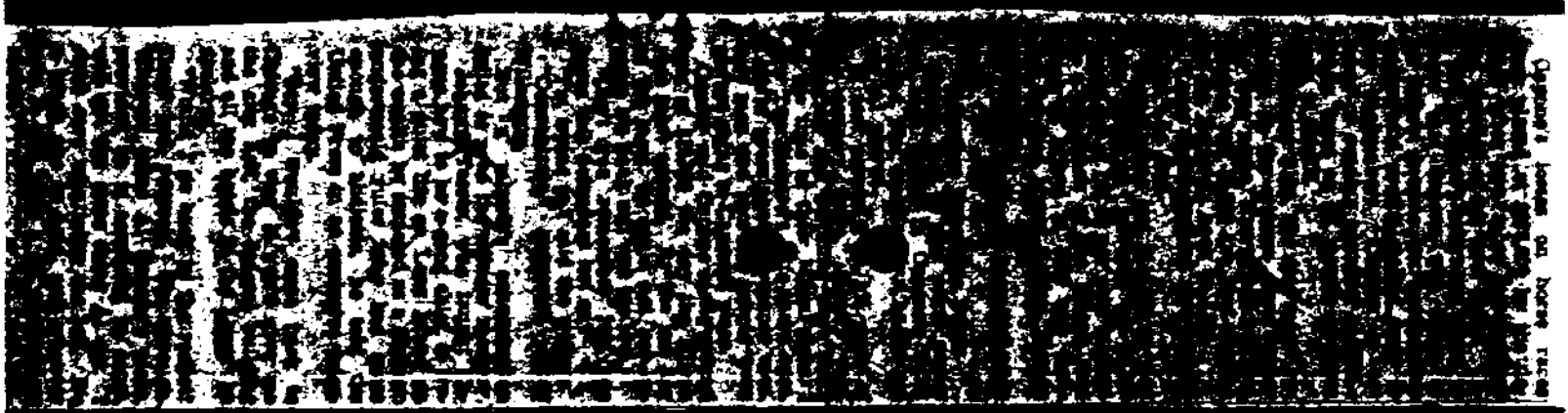
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Capone's Zero Hour

Begin Final Pleas

Jury Told They Have 'Privilege of Putting Stamp of Disapproval on the Capone Gang'

By United Press

CHICAGO—The zero hour for Al Capone ticked nearer on the clock in Federal District court room today.

His attorneys wound up their defense yesterday and Asst. Prosecutor Jacob I. Grossman launched the appeal to the jury that opened the final attack of the government on the man it has sought for three years to imprison. Capone is charged with income tax fraud.

Grossman told the small town tradesmen on the jury:

Jury May Get Case Tomorrow

"You have the privilege of putting the stamp of disapproval on the whole Capone organization and the conduct of this defendant. Under the evidence, you can do nothing but find him guilty."

The jury may receive the case before noon tomorrow. Under the four-hour argument allotment to each side, the government should conclude and the defense get well started today.

Capone, hailed as gang despot and Florida playboy with wealth to throw away by the prosecution and by the defense as an "organization" hanger-on who got his hands on a lot of money and wasted it betting on second-rate horses to the tune of $875,000 in one year, is specifically charged with evading $215,000 income tax.

D. C. Attorney Not Called

The case came to conclusion rapidly yesterday. Eight former bookmaker pals of Capone testified that he lost a total of $875,000 "playing the ponies." The defense tried futilely to obtain records of the grand jury testimony of Capone's Washington attorney, who admitted in a letter that the gang chief had a four-year income of $266,000.

Attempt to have Federal Judge James H. Wilkerson subpoena the attorney, Lawrence Mattingly, also failed.

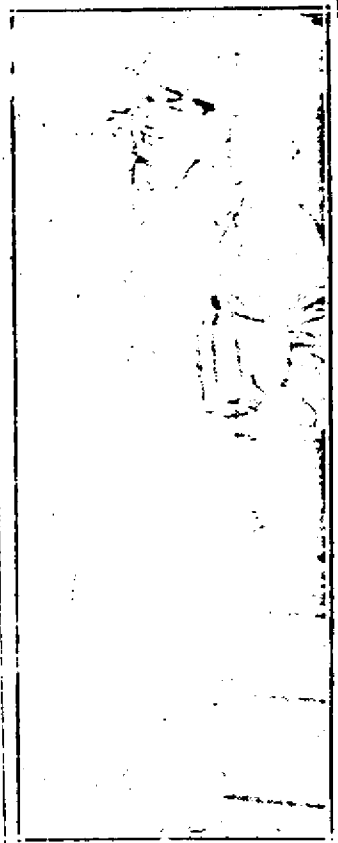
At noon exactly, Defense Atty. Michael Ahern interrupted a complicated legal argument and announced that the defense had rested its case. Few in the court room comprehended that Al Capone's unique defense, that he lost all his money betting on horses that never won, was completed.

Capone Yawns

Philip D'Andrea, Capone bodyguard arrested for carrying a revolver into the court room, was scheduled to appear today before Judge Wilkerson on a contempt of court charge.

Capone yawned as his attorneys argued the complicated legal issues that may decide whether he goes to the penitentiary for a maximum of 32 years and pays $50,000 fine.

Capone Winks



Al Capone, Chicago gang lord, winked at the photographer who snapped his picture, shown above, which was taken after the defense had begun its effort to tear down the government's charges that Capone evaded income tax payments.

Wash. DC. Daily News 10/16/31

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69-180

JUL 28 1972

XEROXED ORIGINAL-RETAIN

190

Two Attorneys for And Against Capone Waged Court Battle

FOR and AGAINST

Albert Fink, associate counsel in Capone's defense, spoke 2 hours and 38 minutes by way of opening for Al. Fink is a man of perhaps 60 of florid countenance and booming voice. He is rather a big man, who wears a belt and no vest and keeps hitching up his trousers.

Fink said Capone is a victim of a movement to punish him so that "public clamor" may be appeased. He said this trial is a matter that interests not only this generation, but will be of the greatest significance to generations to come. He said:

"The questions involved, gentlemen of the jury, are, first, whether or not there is any evidence—whether, in fact, there is any evidence at all that even rises to the dignity of hearsay evidence.

"The second question is the big question which you are interested in and I am interested in, and other generations are interested in, namely, if there be no evidence of guilt, can a jury be persuaded or 'coaxed' into returning a verdict of guilty so that public clamor may be appeased."

Calls For Proofs

Fink asserted that to prove "willful evasion" of the tax law, the Government must necessarily prove that Capone had a gross income in excess of $5,000, and that there was "evil intent" to evade the tax and that the Government must establish that "willful" failure must be accompanied by intent to defraud.

Fink referred to the sentence of one year that Capone got in Philadelphia for carrying a concealed weapon. He said:

"I don't think if the man's name had been other than Alphonse Capone he would have got a day.

"He was released two months early because of good behavior. He was released on March 17, 1930, two days after his tax was due."

Fink said he classified the evidence into two parts, the testi-

Samuel G. Clawson, a small, quiet looking man, who spoke in an even, dispassionate tone of voice, made the first argument for the United States of America when court opened this morning. Clawson is an Assistant Attorney General from Washington.

Capone, who was dressed in a light green suit, with socks to match and tan shoes and who seemed particularly dapper this morning, hitched his chair over closer toward the jury box as if he wanted to get a complete earful of the lawyer's remarks.

Rarely Raises Voice

Clawson rarely raised his voice. He attempted no forensics as he outlined the Government's case against Capone. He pointed out that the defendant knew he was guilty because in 1930 he gave Lawrence P. Mattingly, income tax expert of Washington, power of attorney to settle the Capone income tax difficulties with the Government.

Clawson went over the conference between Capone, Mattingly and representatives of the income tax department in Chicago at which Capone admitted he kept no books, had no property, maintained no checking account, and couldn't tell the Government what his income was. Clawson said:

"I think it most significant that at that interview, Mattingly said:

'I doubt if Mr. Capone can give you any detailed information as to his income.'"

Wash. D.C. Herald
10/17/31
INDEXED

69-180

Evidence Attacked

He attacked the evidence of Lester Shumway, former Cicero gambling house employe, one of the witnesses by whom the Government attempted to connect Capone with gambling profits.

"What are these men trying to do? Are they really trying to find this man guilty of tax evasion or are they trying to use this case as an instrument to put Al Capone away? And what are you, the jury, going to do about it?

"You, the jury, are the only bulwark that can resist oppression in times of public clamor. Judges cannot do it. The power hasn't been intrusted to them.

"Don't let yourselves be drawn away from the truth by the claim that Al Capone is a bad man. He may be the worst man that ever lived, but there is not a scintilla of evidence that he willfully attempted to defraud the Government of the income tax as charged in the indictment. Capone may be all the newspapers charge him to be, but if he is, why have not these charges been proven against him?"

Betrayal Is Seen

Fink said that Mattingly betrayed Capone in the famous letter of September 20, 1930. The Washington tax expert was before the grand jury that returned the indictments against Al. Fink said:

"Is not that the most terrible thing you ever heard of, to take a man's lawyer before a Grand Jury about matters transpiring between the lawyer and a client?

"There isn't a man on the jury, not a man in this courtroom, that can truthfully say that Al Capone willfully defrauded his Government because he was wenurious or [illegible] kind

Admitted He Owed

Clawson insisted that during the conference at that time Capone admitted that he owed the Government income tax for 1926, 1927, 1928, and 1929. He said Capone always carried a roll of $100 and $500 bills—"a roll big enough to choke an ox, as one witness testified."

Al grinned slightly at that statement. Clawson added:

"Yes, when we tried to get from him an idea of his income, we had no help whatever from him. Why, when we asked him if he went under any other name than Capone, he said, 'Oh, no,' yet it has been shown here that he went under the names of Ross, Costa and Phillips."

Clawson scoffed at the contention that Capone lost his income playing the races.

"Even if he did lose heavily on the races, and spent money in other ways, he still had plenty left. Does anybody think that this man did not have a large income? Why the idea is ridiculous. Even a child would know better. If he had an income that called for paying to the Government substantial income tax."

Letter Transcript

Clawson read to the jury transcript of the Mattingly letter of September 20, 1930, in which Al's tax income expert admitted that Capone had a taxable income of $266,000 for the years 1926, 1927, 1928 and 1929. He quoted with emphasis from the letter as follows:

"I (Mattingly) am of the opinion that his (Capone's) taxable income for the years 1926 and 1927 might be fairly fixed at not to exceed $26,000 and $40,000 respectively, and for the years 1928 and 1929, not to exceed $100,000 per year."

Clawson said that if a man falls to keep records of his income, as Capone failed, he does so at his own peril. He said the only tangible evidence concerning Capone's income was contained in the Mattingly letter. He added that if the Mattingly letter be ignored, there would be no way of getting at the income of Capone, "who doesn't want to talk."

"Money, money everywhere—that's all we've been hearing for the past week. Yet Capone had not a dollar for his Government."

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'PRISON? BAH! ME TO FLORIDA,' SCOFFS CAPONE

Convicted Gang Chief Orders Clothes for "Nice Rest" as His Counsel Plans Appeal

By FREDERICK C. OTHMAN

CHICAGO, Oct. 17 (U.P.) Instead of preparing for prison tonight, (Al Scarface) Capone packed up to go to Florida for a "nice, long vacation."

Although he was found guilty of enough income tax fraud charges to assure him a maximum imprisonment of 17 years and a top fine of $50,000; that apparently worried him not at all.

IN COURT TUESDAY

Capone will appear in court Tuesday, when his attorneys will plead with Federal Judge Wilkerson for an arrested judgment. Whether the judge grants it, or whether Capone is sentenced immediately, he plans to leave next week-end for his estate on Palm Island, near Miami Beach.

Should he be sentenced, his lawyers merely will appeal his case and he automatically will be freed on the same $50,000 bond which has kept him out of prison these many months on a contempt charge.

It was learned meanwhile that, while his case was being argued last week, while witnesses were telling about his gambling operations and his almost absurd expenditures for jewels and luxurious motor-cars, Capone even then was exhibiting his contempt for prison threats.

He called in a tailor to make two lightweight suits for use on Florida beaches. When the tailor appeared at gangster headquarters in the notorious Lexington Hotel, Frankie Rio, cohort of Capone, said:

"You don't need to be ordering fancy duds. You're going to prison; why don't you have a suit made with stripes on it?"

Capone replied:

"The hell I am. I'm going to Florida for a nice, long rest and I need some new clothes before I go."

RETURN ASSURED

"Scarface" will leave Chicago, the scene of his rise to illegal millions, via the beer, gambling and vice route, consequently, but eventually he will have to come back, and finally he must go to prison, prosecutors believe.

In addition to the income tax charges, which were settled in compromise fashion by a jury late last night, Capone faces 5,000 seperate beer charges, preferred by Federal authorities.

WASHINGTON HERALD
10/19/31.

RECORDED

69-180 69-180-87X5

JUL 18 1972

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MASK OFF CAPONE

Former Cashier of Gambling House Links Gangster to Underworld Operations.

$150,000 "TAKE" IN YEAR

Government Presents "Key" Witness Who Helped Send Guzik to Prison.

Kc Star

CASE OF BODYGUARD WAITS

10-13-31

Testimony Tightens Government's Net Around Racketeer for Tax Evasion.

Bulletin.

(By the Associated Press.)

CHICAGO, Oct. 13.—The government completed its testimony late today in the income tax case against Alphonse Capone.

(By the Associated Press.)

CHICAGO, Oct. 13.—The profits of an alleged Capone-owned gambling house were $150,000 in 1927, a former cashier testified in Al Capone's income tax evasion trial today.

Fred Ries said the gangster was a frequent visitor at the gambling house and always went to the private office. The profits were turned over to Jack Guzik, whom Capone had described as his "financial secretary."

Ries is the witness who was sent on a trip to South America to "hide" before the trial started. He was the principal witness in a similar trial which resulted in a 4-year sentence for Jack Guzik.

A Dive Without Competition.

The gambling house of which Ries was cashier was the same one which figured in earlier testimony. Several witnesses who once conducted a raid on the house said Capone met them at the door and announced, "I own the place."

Although it moved frequently, the gambling house was in almost continuous operation in Cicero under various names, such as the "Smoke Shop," the "Subway," the "Ship" and the "Radio."

Ries said it had no competition in the western suburb.

The management was changed in 1927, Ries said. Ralph Capone, brother of the scarfaced gang leader, told the employes "Pete" Penovich had taken charge. Ries testified that the next day Jack Guzik told him (Ries) "not to turn over money to anyone but himself or somebody he sent—not even to Al."

[illegible] he saw Capone and Guzik talking in

PONE

ANG CHIEF'S LEGAL STAFF IS SURPRISED

Additional Time Asked to Prepare Defense at Tax Trial

[illegible] gambling

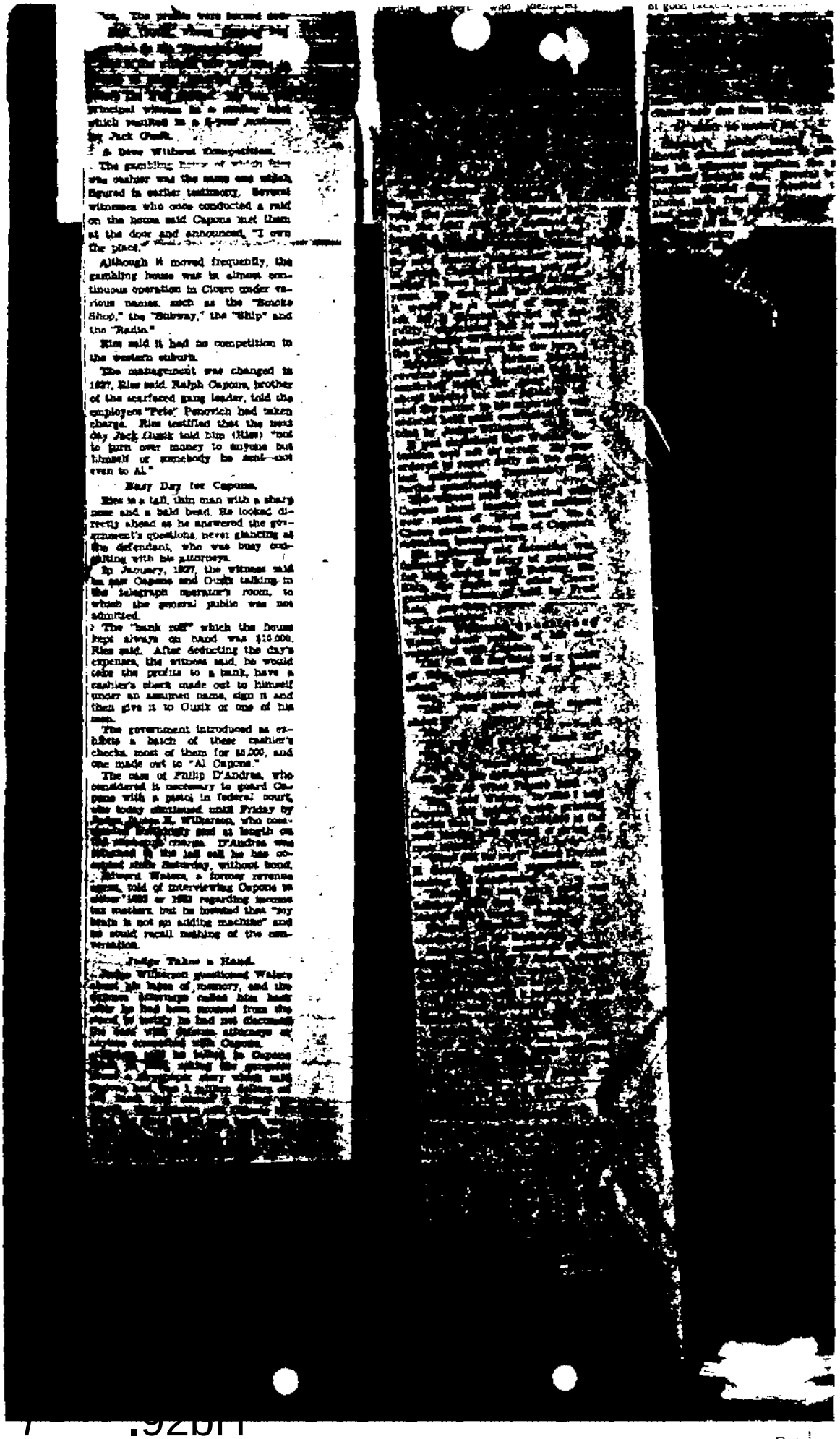
[illegible] Capone's counsel [illegible] Capone gave evidence of [illegible] it was noticed that his former chauffeur, Turrio, joined him for a luncheon engagement.

The day's evidence produced by the chief bookkeeper certainly developed one thing—that is a letter on horses. Capone was a flop. No 25 investor in horse flesh ever had worse luck than Capone. He might be a super judge of good rackets, but as for horse flesh he was either a poor gambler or a sucker. Something like $100,000 slipped from his fingers between 1926 and 1927.

Also was the testimony of several bookmakers called by Capone in an effort to show the police had robbed him of whatever the government claims now due from him.

[illegible] Chicago's public enemy No. 1 showed criminal adaptation to politics by his victorious hegira. The government brought out several books, [illegible] phone calls from [illegible] and cash [illegible] quarters of the [illegible] there [illegible]

193



principal witness in a matter which resulted in a [illegible] by Jack Guzik.

A Boss Without Competition.

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Busy Day for Capone.

Rice is a tall, thin man with a sharp nose and a bald head. He looked directly ahead as he answered the government's questions, never glancing at the defendant, who was busy conferring with his attorneys.

In January, 1927, the witness said he saw Capone and Guzik talking in the telegraph operator's room, to which the general public was not admitted.

The "bank roll" which the house kept always on hand was $10,000, Rice said. After deducting the day's expenses, the witness said, he would take the profits to a bank, have a cashier's check made out to himself under an assumed name, sign it and then give it to Guzik or one of his men.

The government introduced as exhibits a batch of these cashier's checks, most of them for $5,000, and one made out to "Al Capone."

The case of Philip D'Andrea, who considered it necessary to guard Capone with a pistol in federal court, was today continued until Friday by Judge [illegible] H. Wilkerson, who conducted [illegible] and at length on the [illegible] charge. D'Andrea was [illegible] he said he has conducted [illegible] Saturday, without bond.

Edward Waters, a former revenue agent, told of interviewing Capone in either 1925 or 1926 regarding income tax matters, but he insisted that "my brain is not an adding machine" and he could recall nothing of the conversation.

Judge Takes a Hand.

Judge Wilkerson questioned Waters about his lapse of memory, and the witness' attorneys called him back after he had been excused from the stand to testify he had not discussed the case with Johnson, attorneys or anyone connected with Capone.

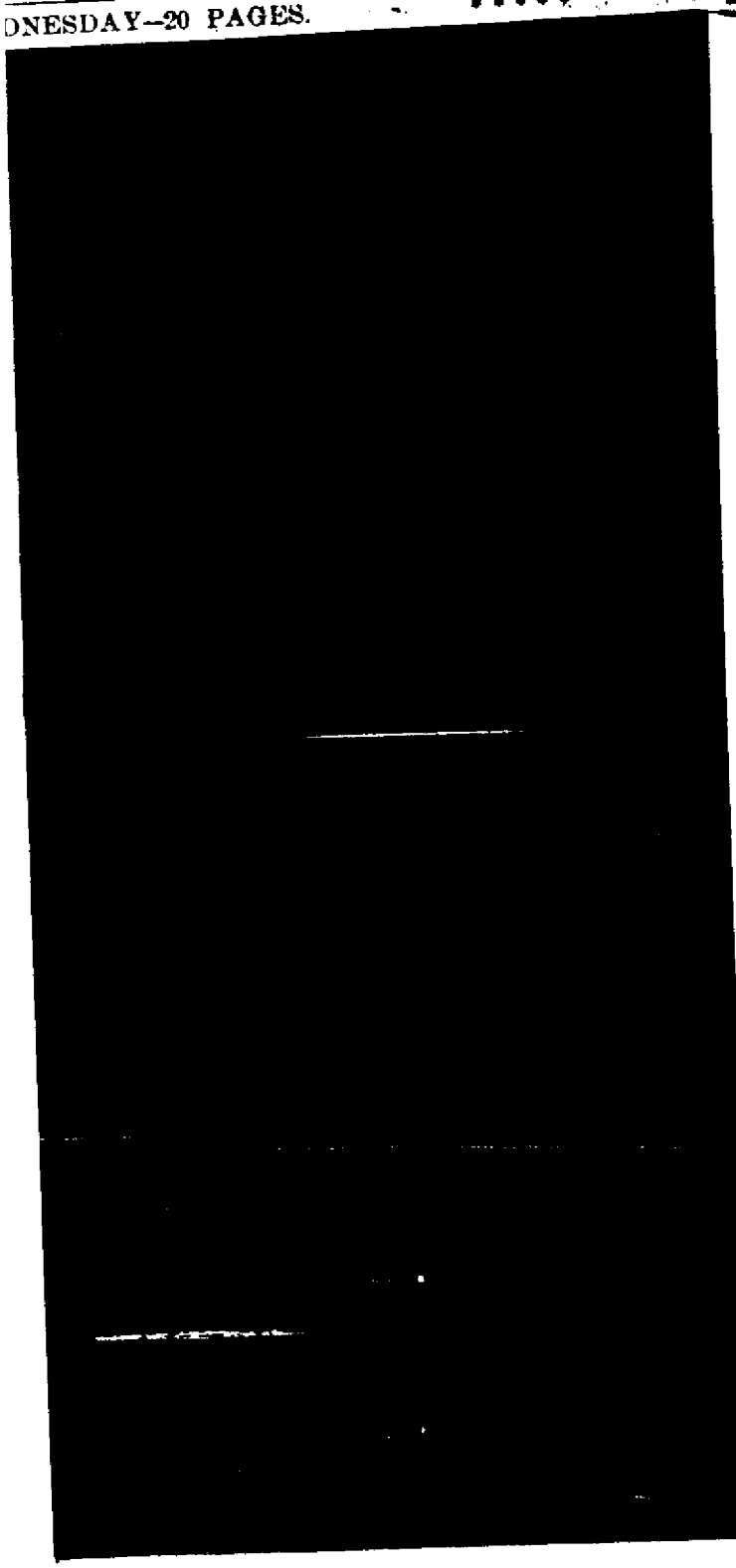
[illegible] to testify in Capone [illegible] asking the grand jury [illegible] story which said [illegible] a million dollars of [illegible]

S CITY STAR)

ity Times.

Kansas City Times 10-14-31

DNESDAY—20 PAGES. ★★★★★ PRICE: In Kansas City...1 Cent Elsewhere.....1 Cent



APONE, SIDE NOW

Government Gives the Gangster a Jolt by Suddenly Completing Its Case.

DEFENSE DELAY DENIED

The Court Tells Al's Counsel to Be Ready at 10 o'Clock This Morning.

MAY OFFER NO WITNESSES

However, It Is Hinted That Several Gangsters Will Be Put on Stand.

(By The Star's Leased Wire Service.)

CHICAGO, Oct. 13.—Al Capone's income tax evasion trial moved swiftly and dramatically toward its conclusion today.

After five government witnesses had been heard before the jury in Judge James H. Wilkerson's courtroom, the prosecution suddenly closed at 2:30 o'clock in the afternoon.

The defense, caught by surprise and unprepared to put on a case, pleaded for delay, which was granted until 10 o'clock tomorrow morning. A motion for a directed verdict for the defendant was overruled by the court, and was considered so hopeless by the Capone attorneys that they did not even argue it.

May Be No Witnesses.

Whether witnesses would be presented tomorrow in Capone's behalf was uncertain tonight. In his plea for several days' delay to permit the defense to get witnesses from Washington, New York and elsewhere, Albert Fink said that if this was denied there might be no evidence offered in the case. The long delay was denied, but Michael Ahern, associate defense counsel, said several gambler witnesses from Chicago probably would be put on the stand.

The only indication of the nature of the defense was given in the disclosure by Capone's attorneys that the witnesses in mind were gamblers. It has been their contention throughout the trial that while Capone was a gambler, that it has not been shown that he was in the gam[illegible]

was uncertain tonight. In his plea for several days' delay to permit the defense to get witnesses from Washington, New York and elsewhere, Albert Fink said that if this was denied there might be no evidence offered in the case. The long delay was denied, but Michael Ahern, associate defense counsel, said several gambler witnesses from Chicago probably would be put on the stand.

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It has been their contention throughout the trial that while Capone was a gambler, that it has not been shown that he was in the gambling business, in the sense that he owned an institution which made profits upon which the government had a right to share in the way of taxable income.

Jury May Get It Thursday.

Long arguments are in store for the jury. Fink said it was such an important case in his estimation that he wanted to talk ten hours about it. Ahern also intends to talk. And there are four government attorneys ready to talk. The prospect is that the time will be limited to about four hours on each side, thus ending the case sometime on Thursday.

The government closed its case without putting Johnny Torrio or any other notorious gangsters on the stand. They fixed this policy at a Monday conference and it was George E. Q. Johnson, United States district attorney in person who announced the decision of the prosecution in the first words he has spoken in court since the trial began.

There was a surprised huddle of attorneys in front of the judge's bench, and Capone leaned forward, drinking in every word, while the jury was absent from the room.

Fink complained he had never had the proper time to prepare a defense as the government had never given him a bill of particulars or disclosed the nature of the evidence against the defendant until the trial had developed it. He wanted a "few days" to prepare.

Ten A. M. Is the Limit.

The judge said that 10 o'clock tomorrow morning would be all he could grant. Ahern asserted there had been no proof of income shown by the government.

"Of course, if you feel that way there is very little to the case against that defendant," said the court, smiling.

Ahern then said the defense might [illegible] put in proof on income. Fink said he had an important witness in New York "on the question of income explained by the defendant in the operation of the only business which has been claimed in this case." Another witness was in Philadelphia, another in Washington, maybe.

"Now," said Fink in some heat, "if [illegible] thinks it fair to put this [illegible] at 10 o. m. tomorrow, [illegible] said for the last 7 mos."

[illegible] protest, "now the rule [illegible] and the court finally [illegible] that [illegible] shown [illegible] that case should [illegible] go on [illegible] 10 o'clock [illegible]

Judge Merrill E. Otis's decisi finding the Ukiah Grape Produ Company guilty of violating the prohibition laws "goes for the wine bricks, too," according to Thomas J. Layson, an assistant United States district attorney.

The "wine brick" product, which is offered as potential nucleus for wine with a "real kick" after certain processes have been carried on by the purchaser, is backed by interests that have retained Mabel Walker Willebrandt, formerly an assistant United States attorney general in charge of prohibition enforcement.

"If Ukiah is guilty, then the wine bricks also are illegal and contraband," Mr. Layson, who handled the government's case in the Ukiah prosecution, asserted.

RANTS TO SAVE CAPONE

SNEERS AND ORATORY MAKE UP DEFENSE ANSWER TO EVIDENCE.

Counsel Paints Hoodlum as Citizen Persecuted for Public and Calls on Jury to Uphold "Constitution."

(By the Associated Press.)

CHICAGO, Oct. 16.—The government was charged by Al Capone's attorneys today with attempting to convict the gangster on charges of violating income tax laws "only to appease and respond to public clamor."

Albert Fink, pleading the gang chief's case in final arguments before a federal jury, said the "big question" to be decided was whether a jury could be "persuaded and conned" into returning a verdict of guilty, without sufficient evidence, but to satisfy the "supposed public excitement."

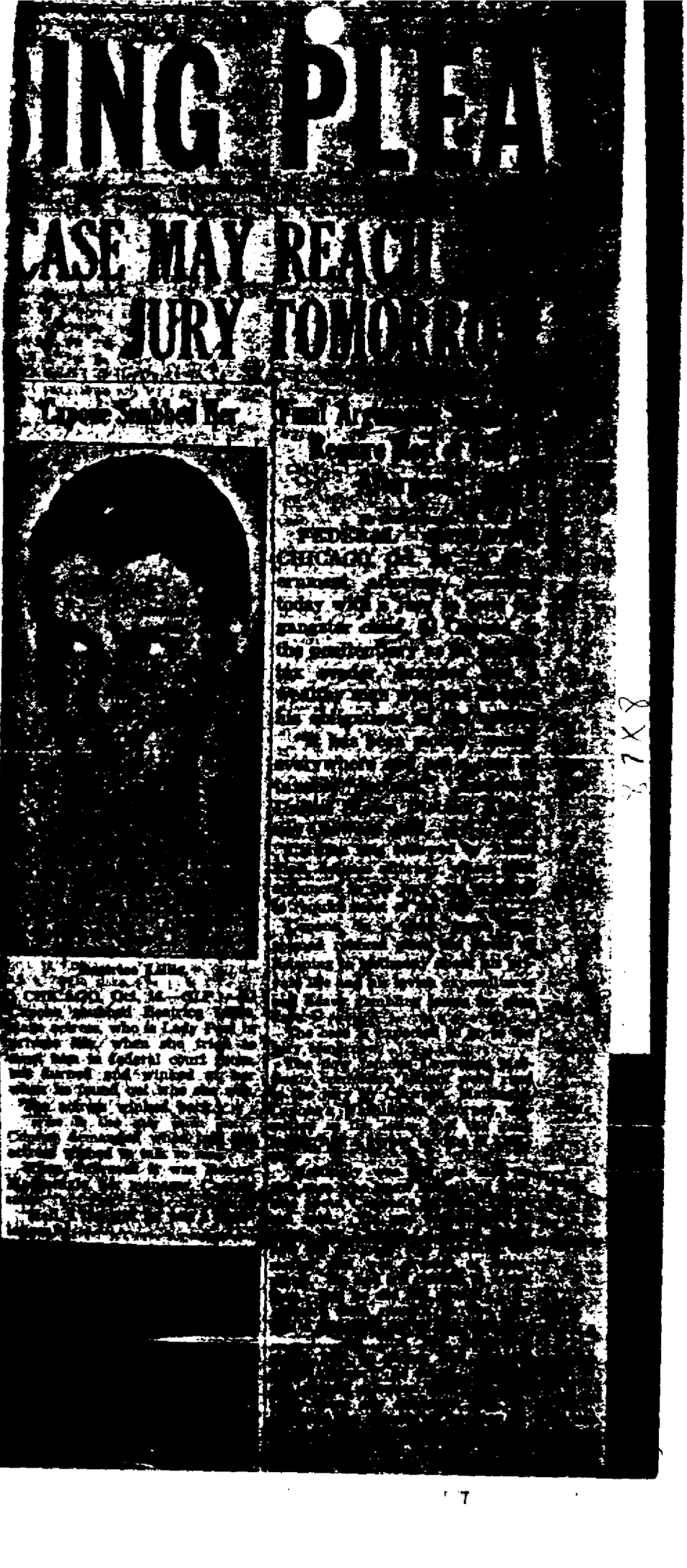
[illegible] was "for abstractions."

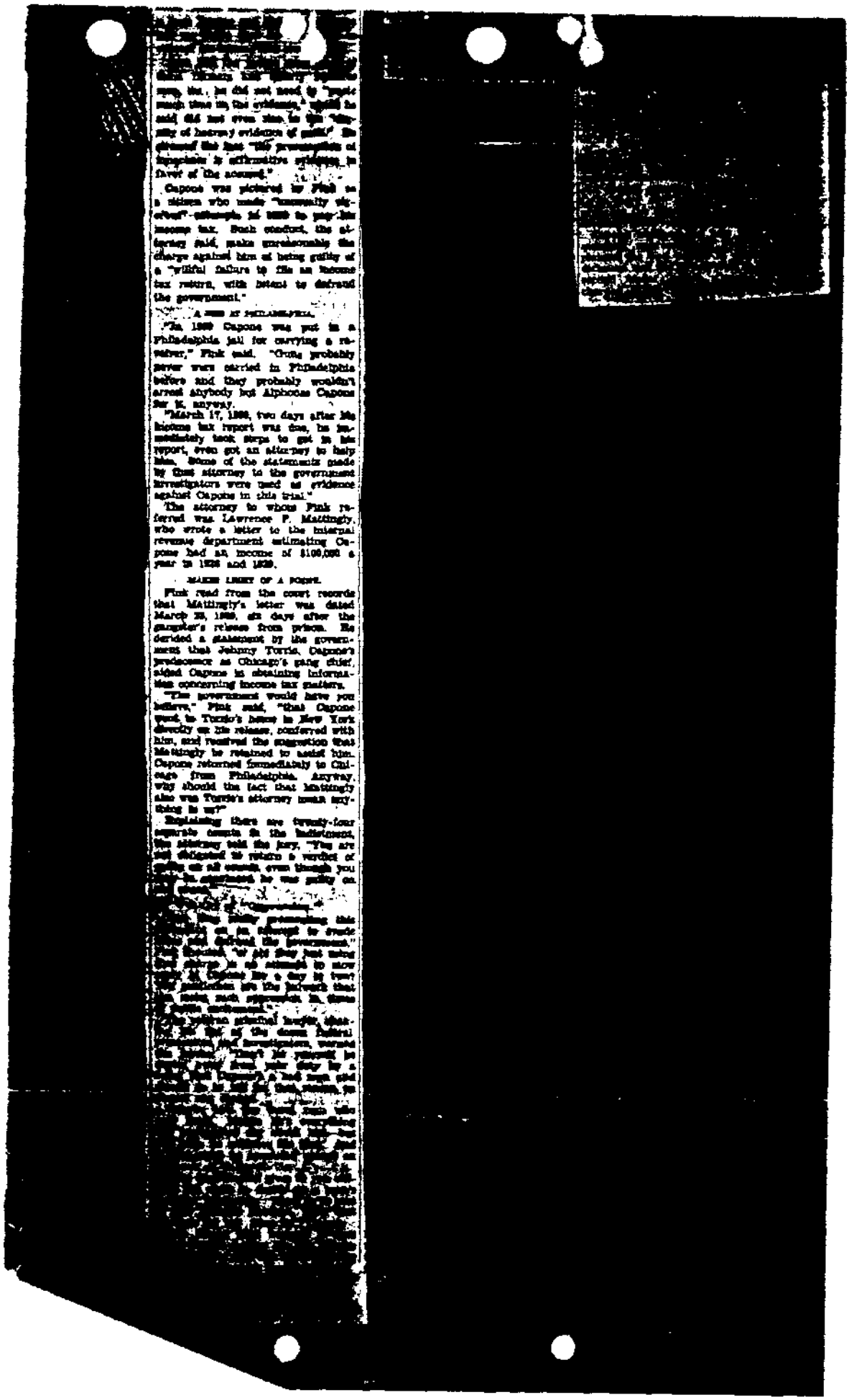
"This is the question which interests not only this community and this generation, but future generations as well," Fink said.

The jury had just listened to government prosecutors say "not even a child" could doubt that Capone had a huge income and that the evidence left no doubt that he had tried to conceal his income and evade taxes.

Fink told the twelve men, most of them farmers and elderly business men, that he did not need to "waste much time on the evidence," which he said did not even rise to the "dignity of hearsay evidence of guilt." He stressed the fact "the presumption of innocence is affirmative evidence in favor of the accused."

Capone was pictured by Fink as a citizen who made "unusually vigorous" attempts in 1929 to pay his income tax. Such conduct, the at-





[illegible] ing the... he did not need to [illegible] much time on the evidence," agreed he said, did not even rise to the "shadow of hearsay evidence of guilt." He stressed the fact "the presumption of innocence is affirmative evidence in favor of the accused."

Capone was pictured by Fink as a citizen who made "unusually elaborate" attempts to pay his income tax. Such conduct, the attorney said, makes unreasonable the charge against him of being guilty of a "willful failure to file an income tax return, with intent to defraud the government."

A TIME IN PHILADELPHIA.

"In 1929 Capone was put in a Philadelphia jail for carrying a revolver," Fink said. "Guns probably never were carried in Philadelphia before and they probably wouldn't arrest anybody but Alphonse Capone for it, anyway.

"March 17, 1930, two days after his income tax report was due, he immediately took steps to get it his report, even got an attorney to help him. Some of the statements made by that attorney to the government investigators were used as evidence against Capone in this trial."

The attorney to whom Fink referred was Lawrence P. Mattingly, who wrote a letter to the internal revenue department estimating Capone had an income of $100,000 a year in 1926 and 1928.

MAKING LIGHT OF A POINT.

Fink read from the court records that Mattingly's letter was dated March 20, 1930, six days after the gangster's release from prison. He derided a statement by the government that Johnny Torrio, Capone's predecessor as Chicago's gang chief, aided Capone in obtaining information concerning income tax matters.

"The government would have you believe," Fink said, "that Capone went to Torrio's home in New York directly on his release, conferred with him, and received the suggestion that Mattingly be retained to assist him. Capone returned immediately to Chicago from Philadelphia. Anyway, why should the fact that Mattingly also was Torrio's attorney mean anything to us?"

Explaining there are twenty-four separate counts in the indictment, the attorney told the jury, "You are not obligated to return a verdict of guilty on all counts, even though you find the government has proved Capone guilty on [illegible]

[illegible] of "Capone"

[illegible] this story proceeding this [illegible] all, although to create [illegible] against the government," Fink shouted. "If did they just make the charge in an attempt to move [illegible] Capone for a day in front [illegible] publication [illegible] the jurors that [illegible] such opportunity [illegible] these [illegible] sentiments."

[illegible] prosecuting lawyer, [illegible] that all of the dozen federal [illegible] investigators, records [illegible] agents, "don't [illegible] prosecute [illegible] from [illegible] duty to a [illegible] Capone's [illegible] had [illegible] gang [illegible] and [illegible] [illegible] [illegible]

CRIME

"Who Wouldn't Be Worried?"

Flashlamps fazed in Chicago's crowded Federal Court last week. Guards banged shut the doors. Beginning was the decisive battle in the Federal Government's long campaign to put Alphonse "Scarface" to strangers "Snorkey" to friends Capone in prison. For three years the Government had waged its campaign, spent over $495,000 on it. For almost as long Gangster Capone had been trying to sidestep charges that he failed to pay a Federal tax on $1,038,654 income during the years 1924–29. Now Scarface Snorkey was on trial.

The Judge was bushy-browed James Herbert Wilkerson, no friend of Capone. It was he who, two months ago, exposed and repudiated a "deal" between prosecuting and defense attorneys whereby Capone was to plead guilty to tax evasion in return for a recommendation that he be given a light sentence. In court Capone's attorney had asserted that the agreement was approved by Attorney General Mitchell and "an Assistant Secretary of the Treasury." In Washington the Department of Justice had admitted approving this deal, insisted the procedure was customary. Undersecretary of the Treasury Ogden Livingston Mills had denied knowing anything about it. Judge Wilkerson had upset the plans by declaring: "The court will listen to recommendations, but it is utterly impossible to bargain with a Federal court." Then he had allowed frightened Capone to change his plea to not guilty, had sought—and failed—to have a grand jury indict him under the Jones ("5 & 10") Law for violation of the Volstead Act (TIME, Sept. 21 *et ante*). Leaving off his judicial robes, Judge Wilkerson leaned over his desk in a business suit, showed that he took more than a passing interest in the case.

The Defendant was sweating, uncomfortable. For the second time in his life he was uncertain of "beating the rap" (staying out of jail).* If convicted he might be sentenced to 32 years in the penitentiary, fined $50,000. Before him he had the example of his brother Ralph ("Bottles") Capone, who had been sentenced to three years in Leavenworth on a similar charge (but had obtained a stay of mandate until Oct. 20 to file an appeal).

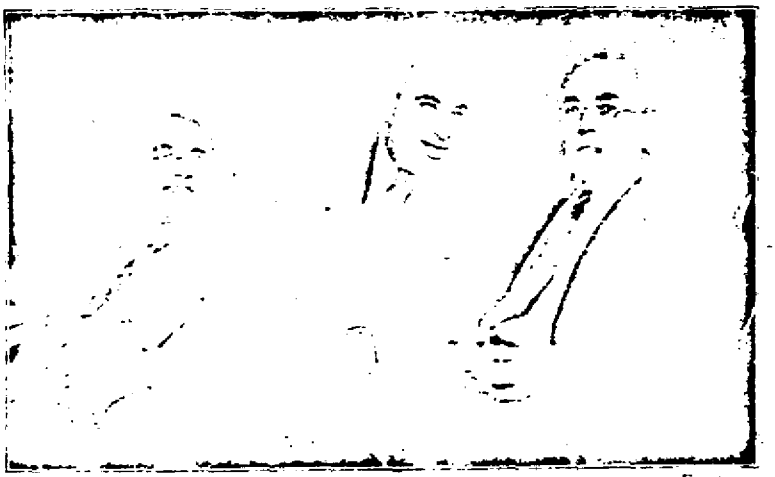
*First time was in 1929 when Capone was tried and convicted in Philadelphia for carrying a pistol. He spent ten months in jail, his only prison term to date. But underworld legend says he went to jail that time on purpose, to avoid being assassinated in Chicago.

Jack Gusick, a Capone lieutenant, had been given five years in prison; other important gangsters were behind the bars. Sighed Scarface Snorkey:

"Who wouldn't be worried?"

The Prosecution was headed by soft-spoken, wild-haired U. S. District Attorney George Emmerson Q (for nothing) Johnson. Field marshal of the Government's forces seeking to break up gang rule by the left-handed method of jailing gangsters for tax evasion, his success would be measured by his ability to dispose of Capone. Frankly disappointed when the "deal" fell through, he was now excited, eager, mysterious. So far he had kept secret the list of his "surprise" witnesses.

The Defense had wanted that list. Long had adroit Lawyer Michael Ahern protected Capone's legal interests, kept him out of serious trouble (TIME, Sept. 21). He, too, had been disappointed when his client had to stand trial. Well he realized that this was his hardest case. To assist him he had owlish Albert Fink, whose jovial voice was frequently heard exclaiming: "Oh, my conscience!" Mr. Ahern was irascible, objected to crowding by



Keystone

COUNSEL AHERN, CLIENT CAPONE, COUNSEL FINK

Mr. Fink: "Oh, my conscience! Nailed to the cross!"

The Press, which was having a field day. Local papers covered the trial from all angles; out-of-town papers sent special writers. Hearstpapers, evidently considering it a better spectacle than the World Series (see p. 22), sent Columnist Damon Runyon, who began by interviewing Capone in the grandest manner: "I found Al Capone at Colosimo's restaurant. . . ." Other newshawks reported the details of Capone's attire from tie (blue-striped) to fedora (white), noted the fact when he changed his suit (blue to grey). Gaudiest phrase of the trial was coined by the New York *Evening Post's* correspondent, Michael W. Straus, who referred to Cicero's gambling houses as "gold-belching pits of evil." The Press soon became interested in

The Jury: one farmer, two retired mer-

TIME Magazine
10/19/31
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chants, a country grocer, two painters, a real estate dealer, an insurance salesman, a clerk, a lubricating engineer, an abstractor, a wood *patternmaker* out of a job. All were more than 45; all but one were rustic. Mr. Ahern did not like the jury. Judge Wilkerson stated: "Nothing is to be decided except whether this man evaded and attempted to defeat these taxes." He overruled most of Capone's objections, quickly filled the box. Most of the jury immediately began to show signs of sleepiness. The grocer, A. E. Maether of Prairie View, alone was all attention.

For the Prosecution, first star witness was Rev. Henry P. Hoover, Congregationalist minister of Berwyn, Chicago suburb. He knew a good deal about the "gold-belching pits of evil." As a member of the Western Suburban Ministers' Association he took part in a raid *in 1925* on a Cicero gambling house. Telling about it, Minister Hoover's eyes flashed, his tight lips bit off his words: "I looked behind the partition and I saw this man [Capone] taking money from the till. He was stuffing it in his pockets. Someone . . . said, 'Who is this man?' and he said: 'Al Brown. Is that good enough for you?' Then Mr. Capone said: 'Why are *you fellows always* picking on me? . . . Reverend,' he said, 'why can't you and I get together?' I said: 'What do you mean?' He answered, 'If you'll let up on me here in Cicero I will withdraw from Stickney.'"

Scarface Snorkey snorted, as though everybody must know he had never used a two-syllable word where a one-syllable word would do.

Chester Bragg, another raider, said Capone had broken *into a place* while it was being raided. "I asked him: 'What the *hell* do you think this is, a party?' and he said, 'I'm the owner of the place.'" Immediately after the raid Raider Bragg's nose was broken with a blackjack.

The Government, considering Capone's ownership of gambling houses proved, set out to show how he had spent the returns, holding that large *expenditures would* prove the existence of a taxable income. *While Snorkey* dug a stubby forefinger into his right ear, letters were read from Lawrence P. Mattingly, Washington income tax attorney retained by Capone in 1930, to show that Capone offered to compromise with the Government and pay a delinquent tax on $215,000 for the years 1926–29. Capone, the letters showed, got one-sixth of the income from his syndicate's *operations*. As the letters were read over the strenuous objections of Snorkey's attorneys, who maintained a lawyer could not "confess" for his client, Attorney Fink heaved a sigh. "Oh, my conscience!" he sighed. "They've got him nailed to the cross now!"

Witnesses from Florida said Capone had spent $40,000 for his Palm Island home, $100,000 to improve it, swore to a $6,500 meat bill, a $2,085 hotel bill, a $1,000 *telephone* bill, asserted he distributed $5 tips and spent thousands of dollars on cakes and macaroni. Prize Miami witness was one H. F. Ryder, a garrulous carpenter whose $1,011 bill had been paid by "Mr. Al—Mr. Capone—the gentleman there." Witness Ryder said Capone's friends "gave me a sandwich sometimes," thought "Mr. Al was a mighty fine man," even though he still owed him $125. He told of being paid $250 from "a roll that would choke an ox"—as big as Judge Wilkerson's fist. "There were money wrappers by the handful around the place. All marked $1,000."

Scarface Snorkey had grown glummer & glummer, angrier & angrier. He scowled at Carpenter Ryder, whispered with his lawyers, mopped his brow. The jury had waked up, was following *the testimony* with wide eyed interest. Leaving the *courtroom one day* Snorkey and his bodyguard, Philip D'Andrea, brushed aside Federal Judge Walter C. Lindley to get into an elevator. Two days later D'Andrea was arrested, searched in the corridor by Secret Service men before gaping policemen, charged with carrying a concealed weapon (.38 calibre revolver). D'Andrea showed a badge reading "Deputy Bailiff of *the Municipal Court*," was told it was no good. Capone rivals began a war of succession, killed one James L. Quigley, minor gangster.

TIME
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page 2.

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OCT 21 1931 PM

CAPONE JUDGMENT UNTIL JUDGMENT HEARING DELAYED

Motion Scheduled to Come Up Tomorrow Is Continued Until Friday.

By the Associated Press.

CHICAGO, October 19.—Federal Judge James H. Wilkerson today granted counsel for "Scarface Al" Capone a continuance until Friday on the hearing of their motion for an arrest of judgment in his recent conviction for income tax violations. It was to have been heard tomorrow.

The next move in Capone's fight to keep out of the penitentiary as an income tax violator is up to the gang chief himself, and his attorneys have indicated it will be a motion for a new trial.

The maximum sentence for the scar-faced gangster, who has bossed Chicago's underworld for 12 years, is 17 years' imprisonment and fines totaling $50,000. The high sentence of seven-out in the specified gangster-income tax cases, however, is five years against Jack Guzik, Capone's brother-in-law.

The jury found Capone guilty on five of the 23 counts in two indictments charging him with income tax evasion. Defense attorneys said that in the jury's rejection of the other counts are "unusually good grounds for appeal."

Calls Verdict Conflicting.

Attorney Albert Fink for the defense said he believed the verdict to be "conflicting" and that Capone should have been acquitted on all the counts. He was denied a motion for an arrested verdict immediately after the verdict was announced, but indicated he will renew the motion today.

The jurors found Capone guilty of evasion of taxes during 1925, 1926 and 1927, and also convicted him of failure to file tax returns in 1926 and 1929. The charges in the first three years constitute felonies and in the later years misdemeanors.

Legal authorities said that if Capone's attorneys decide to take the case into the higher courts two years' delay has entrance into prison for two years, even if in the end the verdict is sustained. Such delay has occurred in income tax cases against other gangsters, including Capone's older brother, Ralph, they pointed out.

Capone appeared to be not displeased with the verdict. He rushed from the headquarters at the Lexington Hotel to the court room when informed the jury had reached a verdict and appeared to find enjoyment in the attorneys' statements immediately after it was returned.

He smiled broadly when Assistant

(Continued on Page 2 Column 1)

CAPONE'S ARREST OF JUDGMENT MOTION TO COME UP FRIDAY

(Continued From First Page.)

United States Attorney Jacob I. Grossman said he believed the verdict might be "inconsistent." After Grossman had conferred with his colleagues and announced the verdict acceptable to the Government, he immediately started out of the court room.

The "inconsistency" apparently referred to the fact that Capone was being convicted of failure to file a tax return in 1928 and 1929, but not of income tax evasion for that year. It was recalled, however, that he was in a Philadelphia jail for carrying a concealed weapon during most of 1929.

Even should the gang chief escape prison on the income charges, however, he still is in serious trouble with the Federal Government. Another indictment charges him with liquor conspiracy and cites 5,000 separate violations.

Judge Wilkerson already has sentenced him to six months in jail for contempt of court, resulting from the gangster's failure to answer promptly a summons to appear before a grand jury. Capone claims he was ill at the time and has appealed the sentence, but the Government charges he was attending horse races and prize fights daily.

If Capone remains out of prison for two years, it was pointed out today, Chicago gangdom will not lack for a capable leader. Even though Capone does enter a cell in 1933, Frank Nitti, his business manager, would have completed serving an income tax sentence at that time and would be ready to assume Capone's dictatorship.

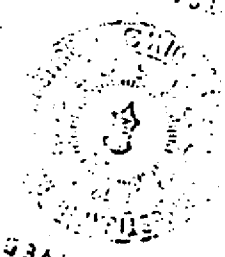
Capone is the seventh Chicago gangster to be charged by the Government with income tax violations. All the other cases have resulted in either convictions or guilty pleas.

Phillip D'Andrea, Capone's bodyguard during the trial, went back to a cell for three more days after his counsel asked Judge Wilkerson for extended time to prepare a motion for dismissal of the contempt action against him.

D'Andrea has been in Federal custody since the Capone trial session of October in which he was found carrying a pistol as he left the court room. He was fined by Judge Wilkerson to grow rance why he was not in contempt of court.

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Washington D.C.
Star
10/19/31



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Capone has so often been an easy victor that he may have been a little careless about getting into a new kind of a fight.

Capone's Conviction.

Conviction in Chicago of Alphonse Capone of violation of the Federal income tax law may perhaps be viewed as a "triumph of justice," in that it is a step toward the imprisonment of a man who has defied the laws brazenly and brutally, and has lived by crime and grown rich by murderous banditry. But it is none the less a sad reflection upon the State and the city in which he has practiced his thieving, murderous profession. It is a travesty upon the law that apparently the only way in which this marauder, gang leader, assassin by proxy, racketeer and blackmailer can be reached for punishment is through the technicality of trifling with the statute which requires a statement of income for purposes of taxation.

Capone's guilt of the charge brought against him in this case was virtually confessed in his unsuccessful efforts to "adjust" his taxes. The fact that he enjoyed an enormous revenue from his various wrecked and criminal enterprises was patent, and there was no dispute as to his failure to make return to the Government. Yet even in this trial, which seemed to be merely a formality, effort was impudently made to deny that the revenue was "illegitimate," on the ground that it was from gambling and furthermore that a great part of it was squandered in losing bets on the horses. Now Capone's attorneys are making a motion to set aside the verdict on the ground of inconsistency—based upon the fact that he was acquitted of some of the charges but convicted of others of a similar nature—and when this motion is denied, as it presumably will be, they will take an appeal and so endeavor to prolong the case, leaving the hideous creature at liberty for an indefinite period, leering and grinning at the law in contemptuous defiance.

The shame is that Chicago has not caught this brigand in its own legal net and long since sent him to his deserved punishment. The shame is that the State of Illinois has not handled the case of a common felon. The shame is that the law has failed utterly to cope with the creature whose hirelings have slain and robbed and mutilated offenders against his own band's rule. No matter how satisfactory will be the eventual incarceration of Capone in a Federal prison for the failure to make an income tax return, as a technical means to the end of getting him in jail, there will remain the sense that the law has failed.

Washington DC. Star 10-19-31

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JUDGE DELAYS CAPONE'S TRIP TO MIAMI HOME

Wilkerson Defers Gang Chief's Next Appearance in Court; Bodyguard Returns to Jail

By FREDERICK C. OTHMAN

CHICAGO Oct 19 (U.P.) Federal Judge James H Wilkerson ruined Alphonse Capone's Florida vacation plans today by deferring until Friday the gang chief's next appearance in the court where he was convicted of evading income tax.

Judge Wilkerson also sent back to jail Capone's chief bodyguard [illegible] who had been released in the Federal court a week ago with an automatic revolver under his left armpit.

HUNT STILL ON

[illegible] and Gil Evans warned Capone yesterday that the Government still is pressing its hunt for his taxable assets to satisfy the $215,000 tax bill the Department of Internal Revenue holds against him.

[illegible] have to go to prison (Atlanta) for a maximum of 11 years [illegible] to pay a possible fine of $10,000, said prosecutors, but he also will have to settle the tax bill that Uncle Sam so far hasn't been able to collect.

The Government would like to get the $215,000 in cash, but if that's not in shaping this Capone's property will do just as well.

His property includes, according to evidence last week at his trial, some extra fine suits of silk underwear, a Chinese rug, two score vivid neckties, some jade elephants, three custom-built automobiles, with bullet-proof windows, and about a dozen overcoats, all equipped with "extra large right pockets."

MAY GRAB MANSION

If the Government agents impound all that property and find that it's not worth enough to pay Capone's tax bill they hope to confiscate his $40,000 mansion at Palm Island, near Miami Beach, Fla. If that's still not enough, then they plan to investigate further his investment in breweries, distilleries and gambling houses. A fair to middling roulette wheel, it develops, is worth $2,500 itself.

Capone was worrying about all that while he went ahead with his packing in anticipation of leaving immediately for his Florida estate.

He had believed the judge would sentence him to prison tomorrow, whereupon he would have appealed, obtained his release on bond, and left at once for the South. But the judge deferred the sentencing until Friday, upon request of defense Attorney Michael Ahern.

The Washington D.C. Herald

10/20/31

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Another Shattered Idol

The recent "unveiling" of Al Capone in the Federal Court in Chicago must have been a shock to those who pictured "Public Enemy No. 1" as a bold, bad man, rough and tough to the core.

The city and State governments of Chicago and Illinois had never been able to penetrate the outer layer of the famous sportsman, but the Federal Government authorities went right down to Capone's skin—and next to it they found dainty garments of pink silk.

Imagine the consternation and amazement of the vice lord's tough followers when the Federal authorities removed—figuratively, of course—Capone's $150 suit, his expensively monogrammed shirt, unhooked his $275 belt buckle and left the mighty czar of Cicero standing in a court room arrayed in his costly pink fripperies.

For this had his cohorts struggled, for this had they faced the machine guns and shot gun fire; for this had they run whiskey and beer.

Another idol tottered and fell when those intimacies were revealed.

Washington Times
Oct 19, 1931

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69-180

204

PATRONS ARE REQUESTED TO FAVOR THE COMPANY BY CRITICISM AND SUGGESTIONS CONCERNING ITS SERVICE

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.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT — A. C. WILLEVER, FIRST VICE-PRESIDENT

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CC698 32 GOVT COLLECT=WB CHICAGO ILL 15 514P

DIRECTOR OF INVESTIGATION DEPT OF JUSTICE=

WASHINGTON DC=

AGENT BRENNAN PROCEEDING SPRINGFIELD ILLINOIS TONIGHT RESPONSE SUBPOENA STOP AS EVIDENCE CAPONE CASE CONCLUDED BELIEVE FURTHER PRESENCE BRENNAN HERE UNNECESSARY STOP UNLESS ADVISED CONTRARY WILL INSTRUCT BRENNAN PROCEED STLOUIS FROM SPRINGFIELD=

MCSWAIN.

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OCT 17 1931

WESTERN UNION MESSENGERS ARE AVAILABLE FOR THE DELIVERY OF NOTES AND PACKAGES

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U. S. Department of Justice

Bureau of Investigation

P.O. Box 1405,
Chicago, Illinois

October 19, 1931.

69-180-89

PERSONAL AND CONFIDENTIAL

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

Dear Sir:

Supplementing my communication of October 6, 1931, relative to two witnesses, namely Charles Clarke and Raymond Brown, who voluntarily appeared and testified in connection with the case entitled "Alphonse Capone, Contempt of Court", but who were never contacted by Special Agents of the Bureau of Investigation, please be advised that a transcript of the record reveals the following data:

Charles W. Clarke testified that he is a Special Agent of the Intelligence Unit, U.S. Treasury Department, and that on February 27, 1929, he accompanied Deputy U.S. Marshal Cooper when the latter served upon subject Capone a Grand Jury subpoena, calling for Capone's appearance at Chicago, Illinois, on March 12, 1931.

Raymond F. Brown testified that he is a Special Attorney in the Bureau of Internal Revenue at Miami, Florida, and that on February 27, 1929, he saw subject Alphonse Capone at the Sharkey-Stribling prize fight at Miami Beach, Florida.

The above confirms the original statement of Special Assistant to the Attorney General William Froelich, who stated as set forth in my letter of October 6, 1931, that the testimony of the above two witnesses was rather immaterial, and at best only cumulative.

Very truly yours,

[redacted]
Special Agent in Charge.

WAH/cec

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69-180-2110

JUL 18 1972

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Postal Telegraph

THE SPEEDWAY OF TELEGRAPH

ALL AMERICA CABLES — TELEGRAMS — CONSOLIDATED CABLES

62

CB385 139 NL COLLECT

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BQ CHICAGO ILL 3

DIRECTOR

BUREAU OF INVESTIGATION DEPT OF JUSTICE WASHINGTON DC

FEDERAL JUDGE WILKERSON HANDED ME FOR APPROPRIATE ATTENTION TELEGRAM DATED DECEMBER SECOND CHICAGO ADDRESSED TO WILKERSON READING QUOTE 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

RECORDED

69-180-90

BUREAU OF INVESTIGATION

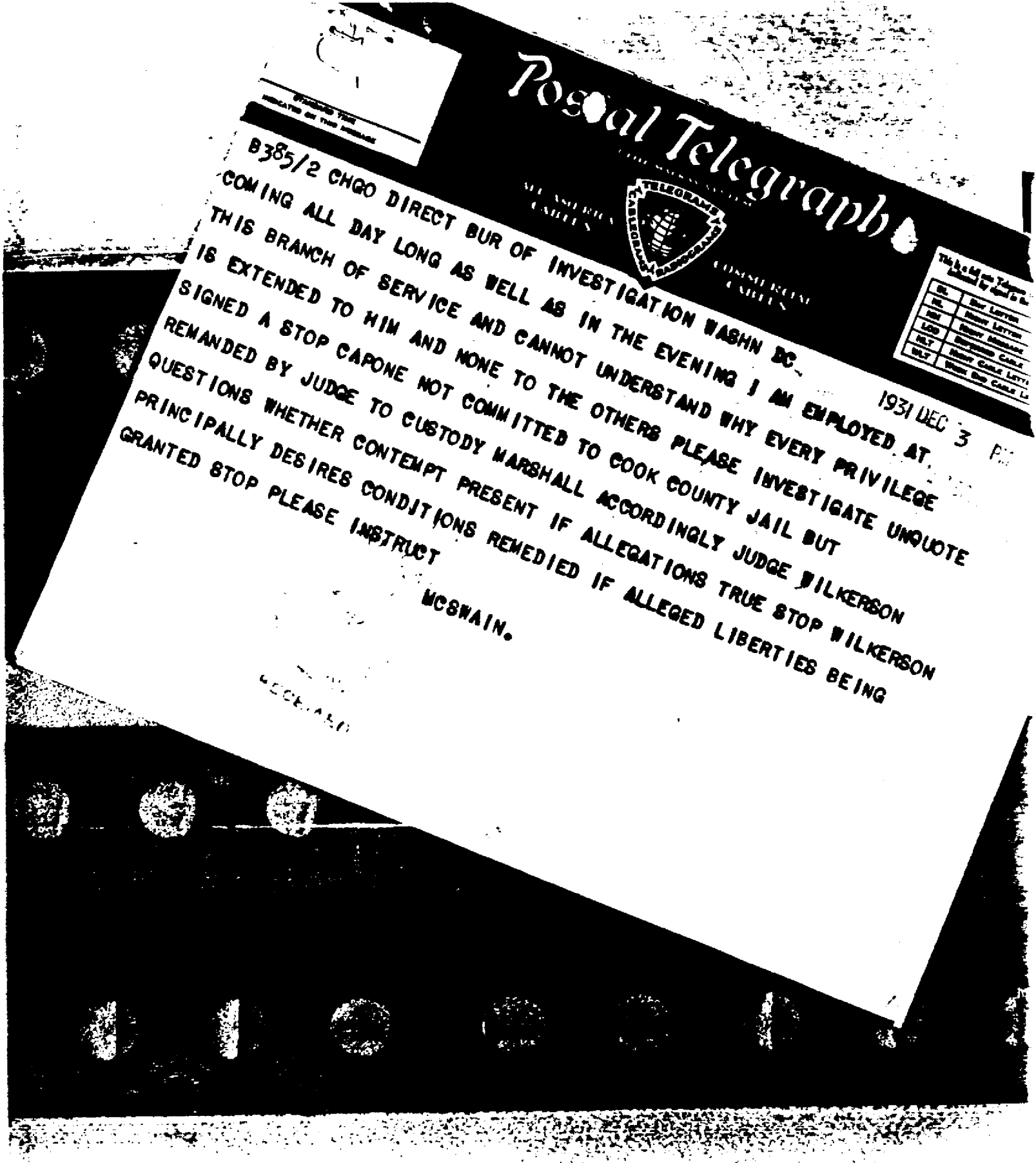
DEC 5 A.M.

DEPT OF JUSTICE

FILE

Mr Youngquist

12/4/31 HG



Postal Telegraph

1931 DEC 3 P

B385/2 CHGO DIRECT BUR OF INVESTIGATION WASHN DC

COMING ALL DAY LONG AS WELL AS IN THE EVENING I AM EMPLOYED AT

THIS BRANCH OF SERVICE AND CANNOT UNDERSTAND WHY EVERY PRIVILEGE

IS EXTENDED TO HIM AND NONE TO THE OTHERS PLEASE INVESTIGATE UNQUOTE

SIGNED A STOP CAPONE NOT COMMITTED TO COOK COUNTY JAIL BUT

REMANDED BY JUDGE TO CUSTODY MARSHALL ACCORDINGLY JUDGE WILKERSON

QUESTIONS WHETHER CONTEMPT PRESENT IF ALLEGATIONS TRUE STOP WILKERSON

PRINCIPALLY DESIRES CONDITIONS REMEDIED IF ALLEGED LIBERTIES BEING

GRANTED STOP PLEASE INSTRUCT

MCSWAIN.

8

[redacted]

December 4, 1931.

69-780-90

RECORDED

[redacted] DEMONSTRATION FOR ASSISTANT ATTORNEY [redacted]

[redacted]

I am transmitting, attached hereto, a copy of a [redacted] received from this Bureau's Special Agent in Charge at [redacted] Illinois. It will be noted that this refers to alleged improper activities on the part of [redacted]

Your attention is invited to Judge Wilkerson's expression of views reflecting the possibility that [redacted]'s alleged actions may not constitute contempt of court.

Will you please advise me promptly if you believe this Bureau should act in this matter and, if so, the extent of the action to be taken.

Very truly yours,

[redacted]

Encl. 74286.

[redacted]

BUREAU OF INVESTIGATION DIVISION
MAILED
DEC 4 1931
A.M.
DEPT OF JUSTICE

09

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[redacted] RECORDED

[redacted]

DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
JOHN EDGAR HOOVER BUILDING
CHICAGO [redacted] ILLINOIS

[redacted] WILL BE AUTHORIZED MAKE INVESTIGATION REQUESTED MATTER REFERRED TO IN

[redacted] MUST NOT SHOULD CONFER WITH UNITED STATES ATTORNEY [redacted]

JOHN EDGAR HOOVER, DIRECTOR

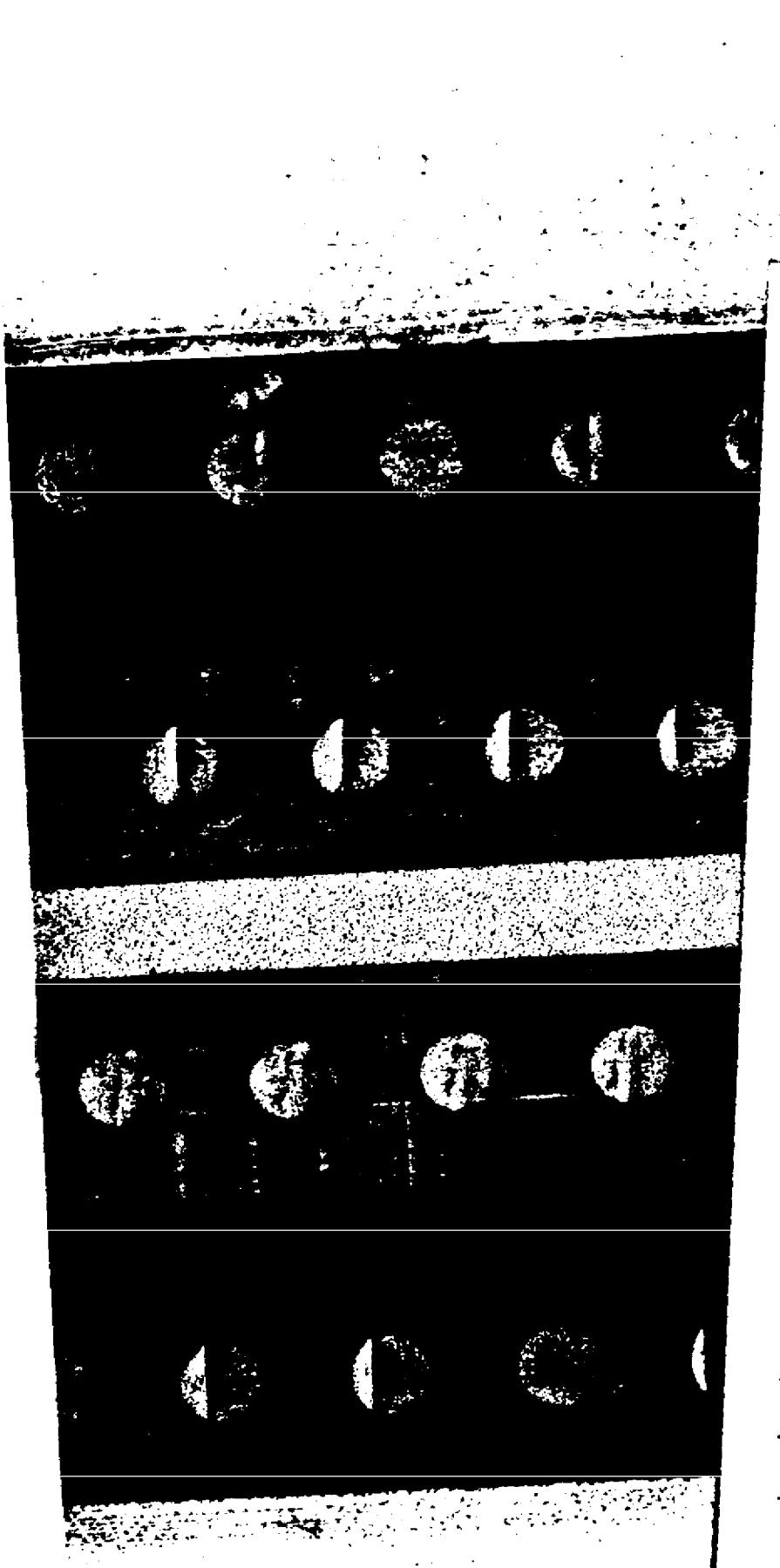
DEC 7 1936

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DEC 7 1936
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

BUREAU OF INVESTIGATION
DEC 5 A.M.
DEPARTMENT OF JUSTICE

FILE



Bureau of Investigation

From: Division Two Room 422

Oct. 26 1931

To: ___Director.
___Mr. Nathan.
___Mr. Tolson.
___Chief, Div. 3.
___Chief, Div. 4.
___Chief, Div. 5.
___Chief, Div. 6.
___Chief, Div. 7.
✓ Chief, Div. 8.
___Miss Gandy.
___Personnel Files.
___Bureau Files.
___Mr.

Time Magazine
Oct. 26, 1931

T. F. Baughman.

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BUREAU OF INVESTIGATION-DEPT OF JUSTICE
OCT 26 1931 P.M.

Time 10/26/31

CRIME

Capone & Caponies

Alphonse Capone cocked one blue-clad leg over another blue-clad leg in Chicago's Federal Court last week, and every newshawk in the courtroom* gasped in amazement. Snorkey wore no garters.

As acutely sensitive to Snorkey Capone's sartorial condition as the newshawks were: the jury that was trying him for attempting to evade payment of a $215,000 Federal Tax on $1,038,000 income from 1924 to 1929; Judge James Herbert Wilkerson; Prosecutor George Emmerson Q. Johnson; Defense Attorneys Michael Ahern and Albert Fink. After hearing Snorkey linked to Cicero gambling houses ("gold-belching pits of evil" to eloquent Michael Straus of the New York *Evening Post*) and hearing accounts of lavish personal and household expenditures in Florida (TIME, Oct. 19) the judge, the jury and the reporters had been treated to a detailed description of the rich raiment in which Gangster Capone clothed himself. Eleven rustic jurors and one from the city had listened, gaping, to witnesses who told about the $135 suits he bought by the half-dozen, the $27.50 shirts ordered by the dozen, the $20 hats & shoes, $150 overcoats, the 30 diamond belt buckles for which he had paid $275 each.

The newshawks looked temporarily baffled, then went out and began writing stories about who would succeed Snorkey as gang chief. Consensus was that it would be cocky, sleek-haired Hymie Levin, not his quieter lieutenant, Murray Humphries. Editor Jack Leach of *The Daily Northwestern*, student paper at Northwestern University, published an editorial entitled "Get This, Capone," warning Snorkey not to attend any more football games.

Next move for the prosecution was to call bald, be-spectacled Fred Ries, who testified he handled the finances of four Cicero gambling houses, gave the checks to wizened little Bobby Barton, chauffeur for Jack Gusick, Capone's "financial secretary." Barton, known as "The Little Man," did not testify, but kept popping in & out of court to be identified. Snorkey seemed interested in Ries's testimony, caused spectators to recall gossip that gangsters were looking for him since he helped to get Gusick a five-year sentence. A handwriting expert identified Capone's signature on one of the checks Ries said were gambling profits. Up jumped Prosecutor Johnson, spoke his first words of the trial:*

"The Government rests."

The Defense was not ready. Sadly, indignantly Lawyer Fink protested that it was unfair to give him no warning. Judge Wilkerson was unimpressed, said the defense would have to be ready by 10 a. m. next day.

By 10 a. m. Lawyers Ahern & Fink had assembled eight bookmakers with shiny shoes. To them Snorkey was no smart gambler. One William Yario said Snorkey had lost some $50,000 in two years to him. Bookie Sam Gitelson thought his profits were $25,000. Bookie George Lederman took another $25,000. Bookie Milton Held, got $35,000. A sharp-eyed hunchback named Oscar Gutter swore he had won $40,000 from Capone; Harry Belford, better known as "Hickory Slim, the Dice Guy," $25,000. Other bookmakers got smaller amounts. Altogether Snorkey's fondness for playing the Caponies seemed to have cost him some $200,000. Snorkey smirked, did not seem ashamed. One Bud Gentry breezed up on the stand, recalled that Prizefighters Sharkey & Stribling and Mrs. Tex Rickard had been Capone's guests in Florida, said that at the end of the 1929 racing season he had won $110,000 from Snorkey. He could not remember any of the horses Snorkey had bet on. The defense rested.

During much of one day's testimony Snorkey had his eyes on slim Beatrice Lillie, who sat with the reporters. He wanted to meet her, but his lawyers objected. Chirruped Actress Lillie: "Well, I wasn't billed, but if pressed I'll sing a song for you."

*Among them: a representative of the *Christian Science Monitor*, which seldom prints crime news.

*Not in five years has Prosecutor Johnson argued a case in court, except to sum up.

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Pg. 1

CAPONE MAY FACE GUN-TOTING TRIAL

Wilkerson Hints of Contempt Charge if Gangster Knew D'Andrea Had Pistol.

By the Associated Press.

CHICAGO, October 22.—The Federal Government, which already has convicted Alphonse Capone, the gang leader, on two charges, had another avenue of possible prosecution opened to it today.

Federal Judge James H. Wilkerson asked whether the gangster knew his bodyguard, Philip D'Andrea, carried a loaded pistol into the courtroom during the Capone income tax trial, and pointed out Capone could be cited for contempt of court if he had such knowledge.

The point was raised as D'Andrea's counsel obtained another continuance on his contempt of court hearing. Without issuing any definite orders, Judge Wilkerson made it plain that he thought Capone's connection with his gun-toting friend should be investigated.

"If the defendant Capone needs guards to accompany him to the court room, he should be in custody of the United States marshal," said the court. "Is there evidence that the defendant Capone had knowledge of D'Andrea's being armed?"

Assistant United States District Attorney Jacob I. Grossman said that in his answer to the contempt of court citation, D'Andrea stated he acted as guard for Capone "at the latter's solicitation."

D'Andrea's attorney, Joseph R. Roach, said his client accompanied the gang chief "not officially, but in a friendly manner."

"He claimed he had been a bailiff in a municipal court," Roach said, "and the defendant Capone had received many threatening letters from cranks and, therefore, asked D'Andrea to accompany him."

With Capone's possible culpability still in the air, D'Andrea was taken back to jail where he has been since October 10, the day he was found carrying a loaded pistol while sitting behind Capone in the income tax trial. His case is to come up again next Tuesday.

Capone has already been sentenced to six months by Judge Wilkerson on one contempt of court charge for not answering a grand jury summons. He is expected to be sentenced tomorrow on his conviction for violating income tax laws. He has been indicted and probably will be tried soon on a charge of conspiring to violate prohibition laws.

Authorization from Washington, D. C., expected today, alone was needed to set the Government tax collectors busy seizing Capone's property.

Robert E. Neely, acting collector of internal revenue, announced the gang chief's property, from what real estate he may possess to his $135 suits, may be seized after tax liens are obtained for overdue income taxes.

A maximum sentence of 17 years' imprisonment and $50,000 in fines is possible under tomorrow's court decision. The tax liability charged in the criminal action was only $215,000, but the Government is expected to seek collection of about $500,000.

The prosecutors have announced they will begin a legal battle tomorrow to have Capone sent immediately to Leavenworth Penitentiary. His attorneys have said they would appeal the conviction.

The Washington Star
10/22/31.

69-180

AL CAPONE NOT TO SEE CELL FOR 2 YEARS

It Will Take That Long for Action on Appeal; Gangster to Be Sentenced Tomorrow

CHICAGO, Oct. 22 (I.N.S.). Citizens of crime-ridden Chicago were speculating today on two questions:

How long a prison sentence will Federal James H. Wilkerson mete out to Al Capone in court tomorrow?

When will the super-gangster begin serving his sentence?

Judge Wilkerson can virtually efface America's "big shot" racketeer from the gangland picture by giving Capone the maximum penalty—17 years in prison and a fine of $50,000.

Guzik Got 5 Years

The longest term ever given a gangster for income tax violations, however, was five years and a day—the sentence in the case of Jack Guzik, Capone's "financial secretary."

Legal obstacles may block immediate incarceration of Capone. In Chicago the belief prevails that fully two years may elapse before the Government finally gets Capone behind prison walls. There is a good deal of speculation whether Capone will be at liberty during the world's fair in Chicago in 1933. The concensus is that he will, and that he will be doing business at the same old stand.

Await Action On Appeals

The belief that it will require two years to imprison Capone is predicated on the snail-pace progress of the appeals in the cases of Guzik and Ralph Capone. In April, 1930, Ralph Capone, Al Capone's brother, was convicted by a jury in Judge Wilkerson's court of tax evasion, and sentenced to imprisonment for three years. Guzik was convicted of a similar offense in May, 1930 and given a five-year sentence.

Both Guzik and Ralph Capone appealed to the appellate court and final rulings in their cases are not expected until next spring.

Washington D.C. Times 10/22/31

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OCT 28 1931 FBI

CAPONE WINS AND LOSES, BUT STAYS IN JAIL

Trip to Leavenworth Delayed; Bail Denied, and Al Lingers Behind County Prison Bars

By FREDERICK C. OTHMAN

CHICAGO, Oct. 27 (U.P.). Alphonse Capone settled down for an indefinite stay in Cook county's none-too-comfortable jail tonight.

The Circuit Court of Appeals ruined his Florida vacation plans by denying him freedom on bond while he appeals his 11 year prison sentence for income tax fraud.

GRANTS SUPERSEDEAS

The court did, however, grant him a supersedeas, which keeps him from going to Leavenworth penitentiary immediately, and allows his attorneys to appeal even to the Supreme Court of the United States.

The appeal may take two years. If it does, the "Scarface" may stay in jail all that time and still have 11 years more of imprisonment before him.

When Justices Samuel Alschuler, Will M. Sparks and Evan A. Evans announced their decision, Defense Attorney Michael Ahern exclaimed:

"Capone might as well be in Leavenworth as in the county jail."

Ahern indicated he would appeal immediately to Justice George Vandeventer of the Supreme Court for freedom of his client. As for the $50,000 fine which the Circuit Court ruled must stand, Ahern said he "guessed" Capone would have to pay.

CHASTENED CAPONE

The swaggering Capone, who sneered at courts for the decade he ruled Chicago's underworld with machine gun and bomb, meanwhile, was a chastened gangster. He mused:

"I'm glad to stay here."

He had dreaded his prospective trip, in leg-irons, to the Kansas prison; had dreaded even more his prospect of doing hard physical labor when he got there.

In the celebrated "crack-proof" jail, from which more than one prisoner has escaped despite all its ultra-modern gadgets, Capone's life won't at all be quite so difficult.

He may wear any clothes he pleases, even to the silk underwear which figured so prominently in his trial before Federal Judge Wilkerson. And he may have all his food especially prepared and brought to him. For that Capone is thankful; he fears that his enemies otherwise might attempt to poison him.

USUAL AMUSEMENTS

Otherwise, his lot is the same as that of the lowliest panhandler in the jail. His cell is furnished with one hard bench and cold running water. For amusement, there is the latest radio system which blares jazz from a loud speaker at the end of a concrete corridor.

In the next cell from Capone is his bespectacled bodyguard, Phil D'Andrea, who made the mistake of carrying a pistol into Judge Wilkerson's court on October 10.

Washington Herald
10/28/31.

69-180

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OCT 28 1931 FBI

RULING ON CAPONE ROLLED ON UNTIL ... PLEA DUE TODAY

Court of Appeals May Order Him Sent to Prison or Held in Jail.

By the Associated Press.

CHICAGO, October 27.—Al Capone has settled down for what may be a long stay in the county jail, and apparently much more content to remain there than to leave for a Federal penitentiary.

A ruling on the gang chief's request to be free on bond while his income tax conviction is appealed to the higher courts is due at 2 p.m. today from the Circuit Court of Appeals. The court may either order him freed, sent to Leavenworth or held in his present quarters.

United States marshals were ready to leave with Capone tonight for Leavenworth, but they have been ready twice before, only to have their plans frustrated by court orders to hold him in Chicago. The first occasion was immediately after his sentence Saturday to 11 years imprisonment and $50,000 in fines; the second when the appeals court granted a 24-hour delay yesterday.

Defense attorneys argued before the appeals body that the indictment on which the gangster was convicted was faulty. On that ground, they have filed a notice of appeal to the higher courts.

D'Andrea Asks Mercy.

Philip D'Andrea, pistol-carrying bodyguard of Capone, interrupted his contempt hearing before Judge James B. Wilkerson and threw himself on the mercy of the court.

Judge Wilkerson adjourned the hearing, saying he would give his decision at 10 o'clock tomorrow morning.

The court called the gang czar's bodyguard to the stand after Defense Attorney Michael Ahern said D'Andrea would ask the court's mercy for carrying a pistol in his pocket during Capone's income tax trial.

Judge Wilkerson, questioning D'Andrea, asked:

"What are your connections with Capone?"

"I'm just a friend."

Ignorant of His Business.

"What is Capone's business?"

"I don't know. It's too delicate a question for me to ask."

The questioning brought out that D'Andrea went to Lincoln, Nebr., recently to aid Gus Winkler, East St. Louis, Ill., gambler, in preparing his defense on charges of participating in the $2,500,000 robbery of the Lincoln National Bank & Trust Co.

Ahern brought out Judge Wilkerson had objected to the police guards assigned to conduct Capone between hotel and court room during his trial, believing United States marshals should safeguard the gangster's passage instead.

"I am merely trying to show," said Ahern, "that we did all we could to stop the police guards, and would have stopped D'Andrea from carrying a pistol if we had known he carried one."

United States Marshall Henry C. W. Laubenheimer testified he had informed the defense on the second day of the Capone trial that the gangster's bonds would be revoked if armed guards accompanied him to court. The defense said they understood the marshal to mean the police guards.

Gives Gun Demonstration.

Frank J. Wilson, an agent of the Treasury Department, testified he had been in charge of the investigation of D'Andrea's activities and seized a number of guns and a weapon. The pistol, Wilson said, was "not quickly concealed."

Yesterday Wilson said he found the pistol loaded with six more bullets in a vest pocket. He had first observed the bulge when D'Andrea sat behind Capone in court.

Ahern borrowed the pistol. He asked the indulgence of the court, loosened his trousers and stuck the pistol out of sight. Then he buttoned his coat, turned to Wilson and said: "Can you see any bulge?" Wilson could not. He opened his coat, let the witness have a good look, and still Wilson said he could see no bulge of the pistol. In explanation Wilson said D'Andrea's trousers must have been tighter than the attorney's.

The liquor conspiracy charges against Ralph Capone, Al Capone's elder brother, and others associated in the operation of the Cotton Club and Club Madrid in suburban Cicero were continued by Federal Judge Walter C. Lindley today.

Assistant United States District Attorney Victor La Rue asked for a five-day continuance because he was unable to round up all his witnesses.

Ralph is under a three-year prison sentence for income tax evasion, the same crime for which his brother was convicted.

OPPOSES CAPONE REVIEW.

Government Brief Filed Against Plea by Ralph.

By the Associated Press.

Through with Al Capone for the moment, the Government turned its attention today to his brother Ralph.

[illegible] from a conviction for [illegible] income tax [illegible]—Al's nemesis also—should not be reviewed by the court.

The court is expected to announce next Monday whether it will grant a review. Gangland has a good deal of interest in the result.

If Ralph Capone is successful in getting a review, Frankie Lake and Terry Druggan, ex-beer barons of Chicago, are expected to follow in his legal footsteps in an effort to reverse their convictions.

The case also may establish a precedent which will show Al, the recently convicted underworld czar, what is in store for him in his pending appeals.

Solicitor General Thacher in the brief replied to Ralph Capone that he had been duly convicted and sentenced to four years in the penitentiary.

He said that within the five years and four months preceding April 2, 1929, Ralph Capone's bank accounts showed deposits of $1,851,840.

Washington D.C. Star 10/27/31

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OCT 28 1931 PM

Capone Conviction Declared Only Beginning of Big Task

Conviction of Alphonse Capone by the Federal Court is found to offer some cause for public congratulation, but it is feared that the case is still far from its final stages. Regret is expressed that local authorities have failed to press more serious charges than the income-tax offenses, and it is felt that the present case offers little prospect of crushing Chicago's gangland.

Referring to the murder of a rival "czar" by gunmen on the day following the conviction of Capone, the Springfield (Mass.) Union declares: "The object lesson of his conviction appears to have failed, at least so far as it applies to activities which fall outside the scope of the Federal income tax law. Coming so soon after the verdict against Capone, it seems to carry a message of defiance to the State and city authorities, if not to the Federal Government."

Discussing the same incident, the Port Huron Times-Herald remarks: "Is this perhaps a warning to the Chicago underworld—and the Chicago police—that whatever the United States Government does to Capone in that income tax business is not going to interfere with his control and operation of the city's vice and racketeering? It looks like a defi[illegible] And the important question is, will Chicago continue to stand for it?"

As to the record punishment of the Chicago defendant, the Sioux City Journal declares: "This rabbit may have been caught, but he is not going into rabbit stew for some time to come." The Savannah Morning News adds: "Crime does not have a failure now and then to halt it; justice must not allow a victory to stop its steady work. There are more Capones in the making. There may be reason for some more convictions shortly." The Toronto Daily Star concludes: "One cannot go so far as to say that the case of Al Capone will be pushed to its conclusion. The most one could say as yet is that it could be."

* * * *

"The jury has vindicated itself in principle," according to the Pittsburgh Post-Gazette, "convicting the defendant on five counts. While it is criticized somewhat from the technical standpoint for its acquittal of him on a number of others, the responsibility for passing upon the testimony belonged to it, and it created the impression of devoting itself sincerely to its duty. While, within limitations, the authorities are to be congratulated on a victory, no one more than they should realize that they have but made a beginning."

"When criminals are regularly caught, convicted, promptly sentenced and taken to prison, [illegible] might return some of the [illegible] American quality, respect for law," thinks the Columbia (S. C.) State, and the Minneapolis Star hearty supports the Government in its efforts hereafter to "keep its grip on him."

The Providence Star feels that now that Capone has been put away, it is plain [illegible] to keep him there. "If other cities are really desirous of ridding themselves of gangsters," it says, "and if Chicago is desirous of prosecuting to a conclusion the work which the Federal Government has begun in the Capone case the task will be easier because of the success which has so far attended this particular legal offensive. The procedure at Chicago has proved that legal weapons are available for use against gangsters as against other criminals. The next year ought to show whether the cities have the will to use them."

"Even in this indirect manner, the authorities have accomplished much," asserts the Asbury Park Evening Press, while the Manchester Leader points out that "the trouble in the past has been that the police appeared to be helpless in the matter of dealing with the organized gangs. It looked as if gangdom had set up its own code and that rival gunmen constituted the principal menace to gangsters. That made it a precarious life, but the mentality of the recruits would incline them to the belief they were picking the dominant gang, hence it would be comparatively safe. If it finally seeps into the minds of the weaklings that the police are on the job and doing good work in cleaning them up, the gaps in the organizations will not be so easily filled up because fighting on anything approaching even terms is not to the liking of the class from which gangsters are recruited."

* * * *

"Perhaps it means the beginning of the end of gang rule in America," states the Meridian Star. The Davenport Democrat says: "Conviction at this time is a triumph for the law and the Federal prosecutors and undoubtedly ends for all time his career as an all-powerful gangster chieftain." The Altoona Mirror makes the appraisal: "This is the first time that the Chicago gangster has ever been convicted of an offense that is punishable with a penitentiary sentence. The verdict was quite what the public expected." Considering the evidence in the case, the Cleveland Tribune contends: "The court was asked to believe that, in the end, Al Capone profited nothing from his business because he was simple enough to drop his fortune in regular installments into the laps of the race track bookmakers. It is not likely a court would believe anything of the kind."

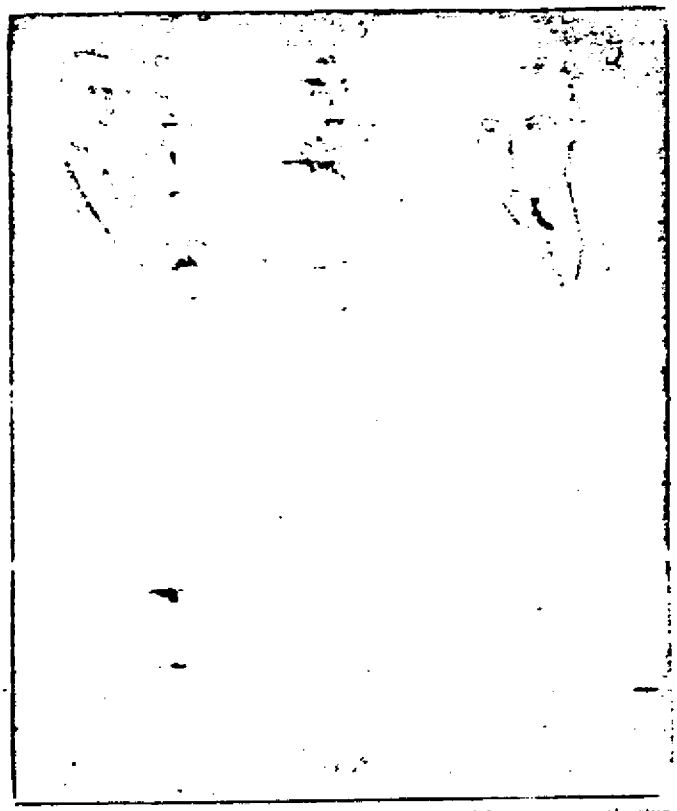
The Des Moines Tribune-Capital finds in this case an argument "for more policing by central authority," while the Milwaukee Sentinel feels that the result should be "humiliating to Chicago and Cook County authorities," and the Chicago Daily News avers: "Capone's arraignment, trial and conviction in a Federal court make the impudent attitude of local law-enforcing authorities the more discreditable."

The Washington Star
10/27/31.

NOT RECORDED
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Capone Stunned by Sentence

CHICAGO GANG LEADER SHOWN LEAVING COURT.



Alphonse Capone, Chicago gangster, as he appeared in an apparently stunned and dazed condition on leaving court room of Federal Judge James H. Wilkerson who sentenced him to 11 years in Leavenworth Penitentiary for income tax violation. Capone was also fined $50,000 and ordered to pay the costs of his prosecution, estimated at about $100,000. The burly gangster was escorted by United States marshals from the Federal court room to the Cook County Jail, Chicago, where he will be held prior to departure for prison. —A. P. Photo.

Wash. D.C. Star 10/24/31

18

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OCT 27 1931 PM

B - MAG

CAPONE DEPARTURE TO PRISON DELAYED

U. S. Court of Appeals to Give Bond Plea Ruling Tomorrow.

Star 10/26/31

By the Associated Press.

CHICAGO, October 26.—Alphonse Capone's departure for prison was deferred another day by the United States Circuit Court of Appeals today.

Three appellate judges, sitting en banc, heard the convicted gang lord's attorneys move for a supersedeas bond to allow him liberty while his income tax case was reviewed. The court then ordered "Scarface Al" held another night in the county jail and promised a ruling at 2 p.m. Tuesday.

Capone, settled down comfortably in the county jail appears not badly disturbed with the way the matter stands. He has found his cell comfortable and the food good.

Court Is Usually Upheld.

Judge James H. Wilkerson, who gave Capone Saturday the most severe sentence ever given for an income tax conviction, indicated a wish that he leave immediately for Leavenworth. Government attorneys said that the appeals court usually upholds the lower court in such matters.

The attorneys had prepared two requests, one for a stay of sentence and the other for bail pending appeal. If only the stay were granted Capone would remain in the county jail while the case is appealed. In case both motions were granted he could return to his liquor, gambling and vice enterprises while the litigation continues.

D'Andrea Note Taken.

A pencilled memorandum concerning a Chicago policeman's transfer, found in the pocket of Philip d'Andrea bodyguard and cellmate of Capone, was handed to the Government today by Warden David Moneypenny of the Cook County Jail.

The note, which Warden Moneypenny said was taken from D'Andrea before he had a chance to dispose of it, gave the name of a policeman and then read, "Nineteenth district to Detective Bureau or first, second or third district."

D'Andrea was arrested October 10 for carrying a loaded pistol with him while attending the income tax trial of his chief, Capone. He has been in the County Jail ever since.

Saturday Capone himself went to jail under sentence of 11 years for evading income taxes, and the two have been cellmates.

A supposed "leak" through which police information reached the hands of the Capone gang was suggested because of several other incidents, notably the finding in a Capone hangout several months ago of a police list of "public enemies" for whom warrants were to be sworn. The list, apparently revised by the gangsters, was later found in police files.

Washington D.C.
Star - 10/26/31

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19

TIME

October 26, 1931

Indicted Bishop

"Is that authentic? Oh, isn't it just grand! Mr. Tinkham will be so pleased!" The female secretary of black-bearded Representative George Holden Tinkham of Massachusetts longtime political enemy of Bishop James Cannon Jr. of the Methodist Episcopal Church, South, almost jumped for joy. For Bishop Cannon had just been indicted, with Miss Ada L. Burroughs, bespectacled treasurer of the Virginia Anti-Smith Committee in 1928, both charged with violations of the Federal Corrupt Practices Act. It was the same charge that Representative Tinkham had made last year; but Bishop Cannon had defied the Caraway Lobby Investigating Committee and walked out (TIME, June 16, 1930). Miss Burroughs had obdurately refused to testify before the Nye Senate Campaign Funds Committee which then threatened to cite her for contempt. Last week's charges, the ten counts of which could provide an aggregate of ten years in jail and $21,000 in fines, were made by the District of Columbia Grand Jury, which under District Attorney Leo Rover took over the evidence collected by the Nye Committee.

Counts. The allegations in the indictment are based upon the receipt by Bishop Cannon, for his campaign in Virginia against Alfred Emanuel Smith, of $65,300 from Edwin Cornell Jameson, Manhattan insurance man (TIME, May 7, *et ante*). Federal statute requires that inter-State political contributions be filed with the Clerk of the House of Representatives. Bishop Cannon revealed disposal of only $17,000 of Fat Cat Jameson's money. The remainder, he has insisted, is his own business.

Four counts in the indictment charge Miss Burroughs with *willful* failure to report the full amount, and Bishop Cannon with "aiding and abetting" her, which if proved makes him equally guilty. Four counts charge mere technical, unwitting violations, implicating the Bishop in the same manner. The remaining two counts charge conspiracy "with divers other persons" to commit the (willful) felony and the (unwitting) misdemeanor.

Persecution. Bishop Cannon was in Atlanta at a church conference (see p. 22) when he heard of the indictment. No one was surprised to hear him say: "This is merely a plot to discredit me, a persecution by a Roman Catholic district attorney *acting under orders of his priest*." (The case had been turned over by Catholic District Attorney Rover to Protestant Assistant District Attorney John J. Wilson, who presented the evidence to the Grand Jury last month.) With bond set at $1,000 and the trial slated for some time before Jan. 1, Bishop Cannon said he did not fear. He has previously defended his action on the ground that the Corrupt Practices Act deals only with Federal officers. Presidential electors, for whom the money was spent, are State officers, says he. It was indicated that his lawyer, Robert H. McNeill, might file a demurrer to the indictment upon this ground.

220

Time 10/26/31

Argument. Assistant U. S. Attorney Jacob I. Grossman estimated the Capone income at $120,000 in 1924; $250,000 in 1925; $195,000 in 1926; $220,000 in 1927; $140,000 in 1928; $104,000 in 1929—total $1,029,000. Declared he: "When they [the defense] put those gamblers on as witnesses they admitted that we had proved our case. Why prove deductions if we have not proved income?"

Mr. Fink, still feeling hurt, thought the language of the indictment was "vague, indefinite, uncertain," felt that a great injustice had been done to Snorkey in charging him with "attempting" to evade tax payments. Snorkey, he said, had only "omitted" to do his duty. In Washington, Treasury officials punched a hole in Snorkey's only defense by pointing out that race track losses could not be deducted from his income. If he lost consistently, they explained, the money he lost must have come from other sources than the track, and therefore he must pay income on it. Lawyer Ahern deplored the "great public clamor" against Snorkey, called him a "mythical Robin Hood." Prosecutor Johnson indignantly insisted the Government was presenting the case with "high purpose."

Charge. Judge Wilkerson hitched his chair toward the jury box and leveled his bushy brows at the jurymen, to deliver his charge. Excerpt:

"Mere failure to file an income tax does not constitute 'attempt' to evade or defeat the tax. . . . To convict you must find beyond reasonable doubt that there was intent to defraud and also some act done in furtherance of that intent. . . ."

Snorkey looked blissfully contented as the jury filed out. In a bright green suit ($135) and green-spotted tie he stood in the corridor and smiled. Also pleased with Judge Wilkerson's dispassionate charge were Counsel Ahern & Fink. A moment later Snorkey disappeared. It was 2.40 p. m.

Verdict. At 10:50 p. m. the jury was ready, but Snorkey was nowhere to be seen. Lawyer Ahern rushed to a telephone. Fifteen minutes later in popped Snorkey, panting, sweating. He tossed a green coat & hat on the counsel table, mopped his fat head with a green handkerchief. In came the jury.

"We, the jury, find the defendant guilty on counts 1, 5, 9, 13 & 18 in the second indictment, and not guilty on counts 2, 3, 4, 6, 7, 8, 10, 11, 12, 14, 16, 17, 19, 20, 21 & 22."

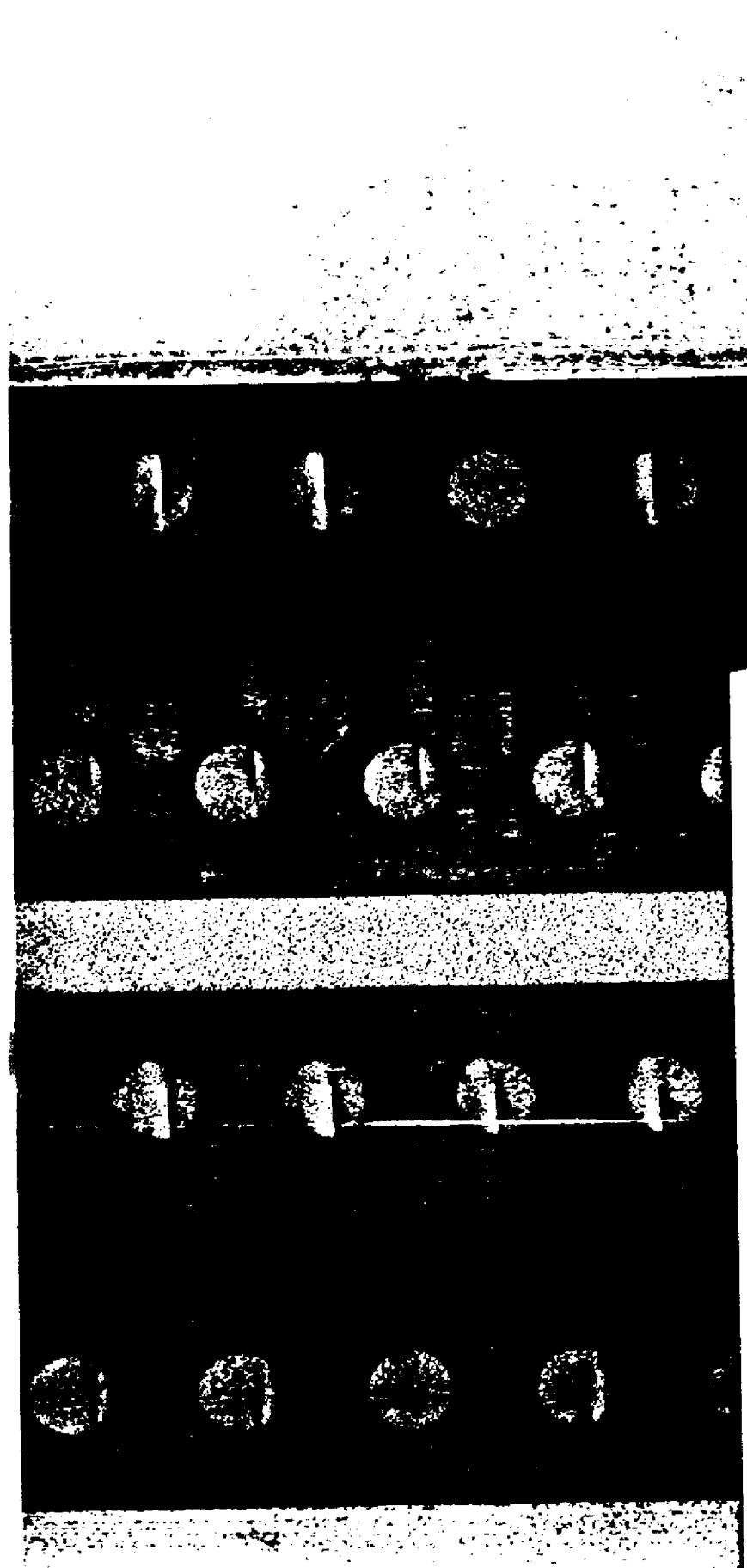
Judge Wilkerson looked puzzled. So did Messrs. Ahern & Fink. "Inconsistent," mumbled the prosecution. Snorkey grinned broadly.

Soon the meaning of the verdict became apparent. The jury had decided Snorkey feloniously "attempted to evade & defeat" the income tax in 1925, 1926, 1927, but in 1924 & 1928 he only "failed" to pay up. The jury apparently thought he had tried his best in 1929.

The prosecution huddled and counted up. For each of the two years Capone had merely neglected to pay his tax, he might be sentenced to a year in the penitentiary; for each of the other three years he could be given a five-year sentence; on every count he could be fined $10,000; total, 17 years, $50,000. Inconsistent or not, the Government was satisfied with the verdict, moved to attach his worldly possessions in lieu of the $215,000 he owed.

Snorkey did not think Judge Wilkerson would give him the maximum penalty. He grinned in all directions around the courtroom, then got to his feet, hurried to an elevator, descended to the street, jumped into a waiting automobile and disappeared into the sprawling city whose thousands of illicit night haunts were his Empire.

Pg 2 221



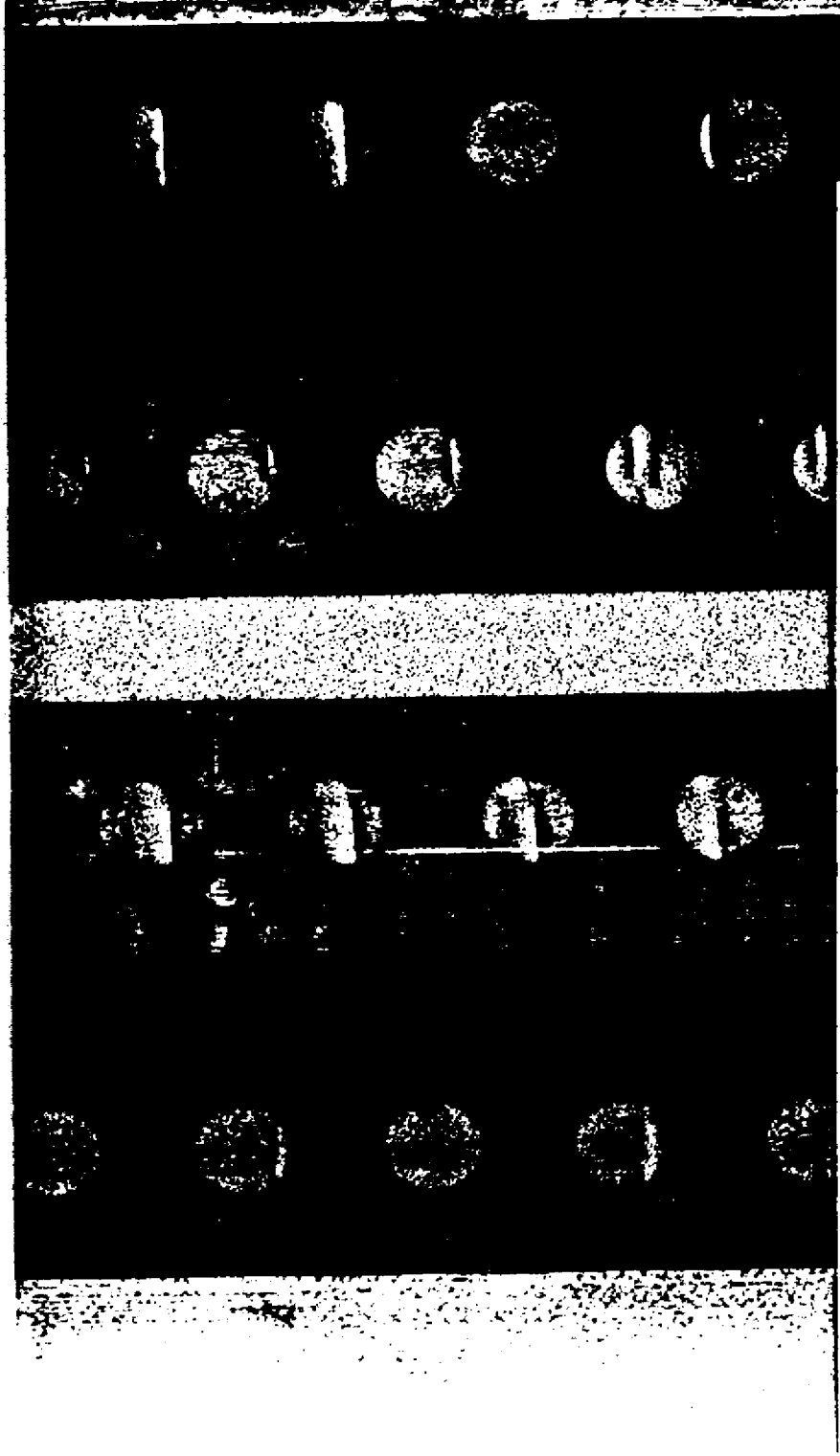
Bureau of Investigation

Room 318. 11-7 1931.

To:
- X Director.
- ___ Ass't. Director Nathan.
- ___ Miss Gandy.
- ___ Miss O'Brien.
- ___ Chief, Div. 2.
- ___ Chief, Div. 3.
- ___ Chief, Div. 4.
- ___ Chief, Div. 5.
- ___ Chief, Div. 6.
- ___ Chief, Div. 7.
- ___ Chief, Div. 8.
- ___ Chief, Div. 9.
- ___ Chief, Div.10.
- ___ Supervisor, Steno. Pool.
- ___ Inspector_____
- ___ Miss Sheaffer.

222

Clyde A. Tolson.



Bureau of Investigation

From: Division Six.

10/30 1931.

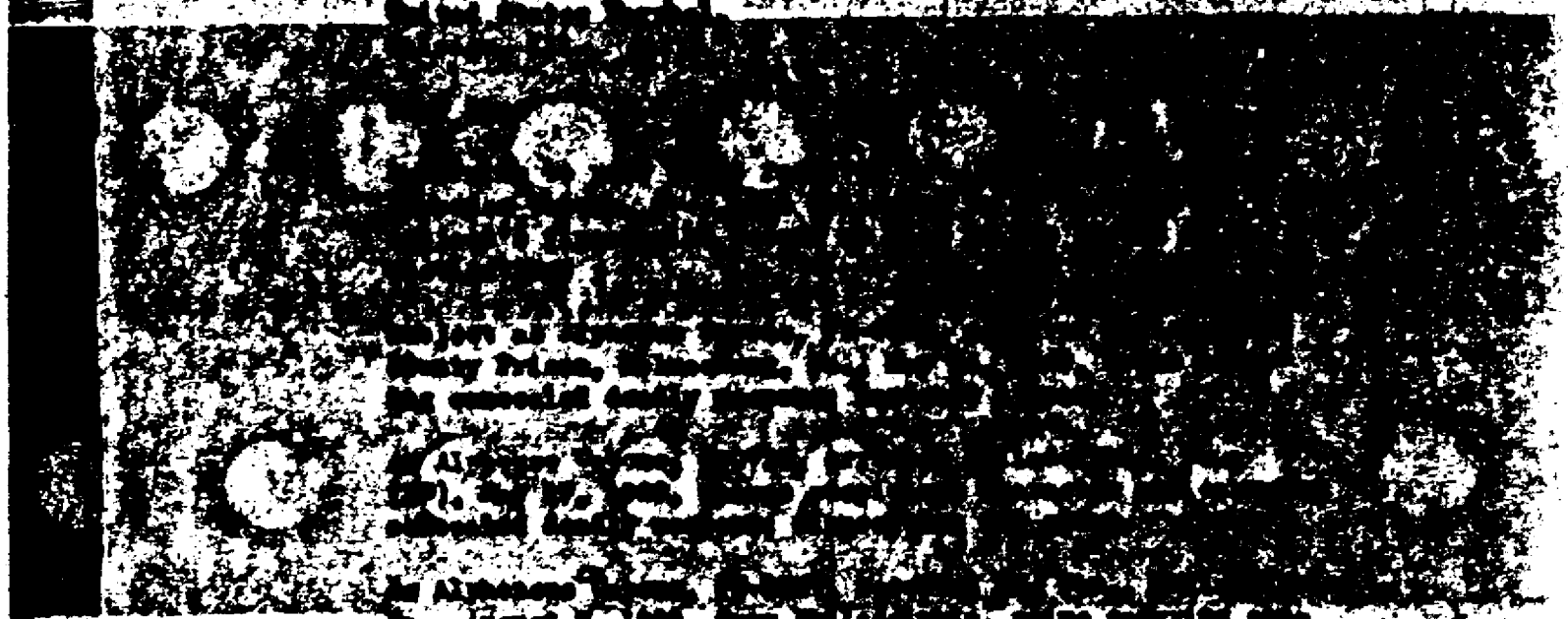
To: ___Director.
___Mr. Nathan.
___Mr. Tolson.
_X_Miss Gandy.
___Mr. Egan.
___Chief, Div. 2.
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___Mr.

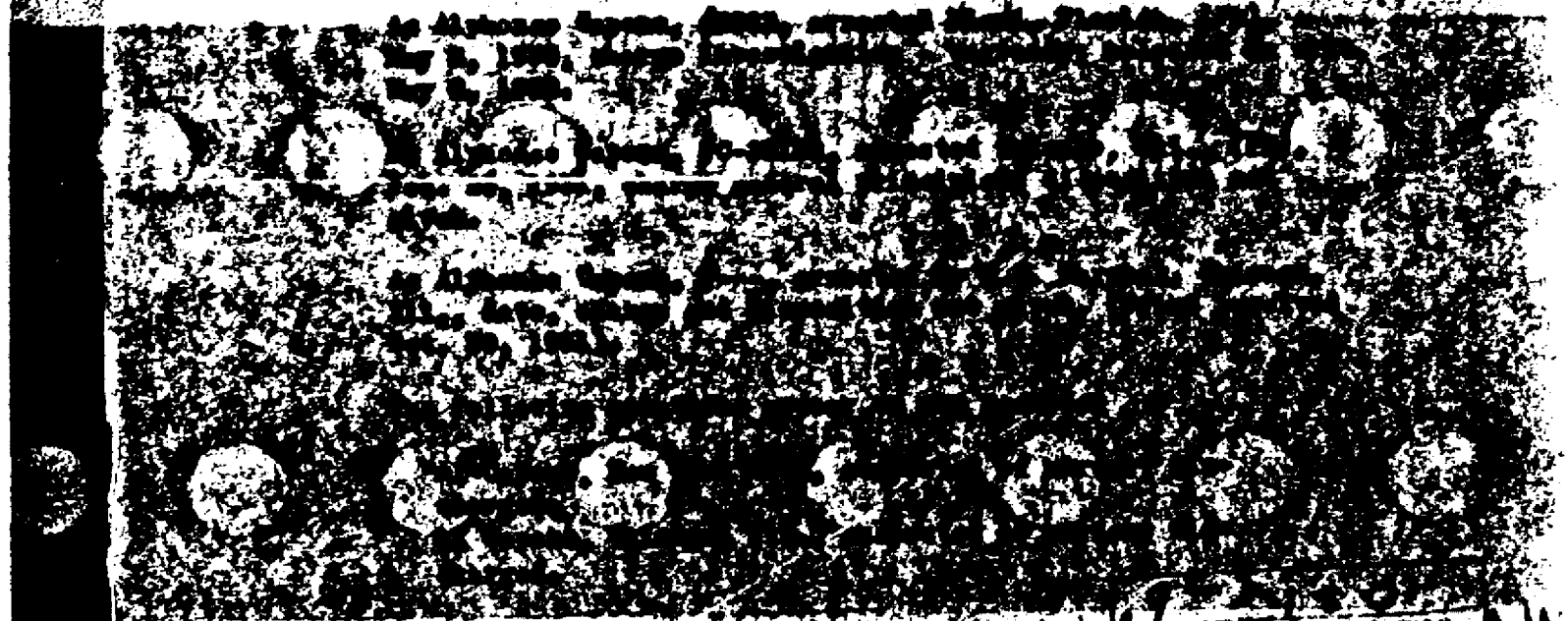
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Department of Justice

Bureau of Investigation

Washington, D. C.



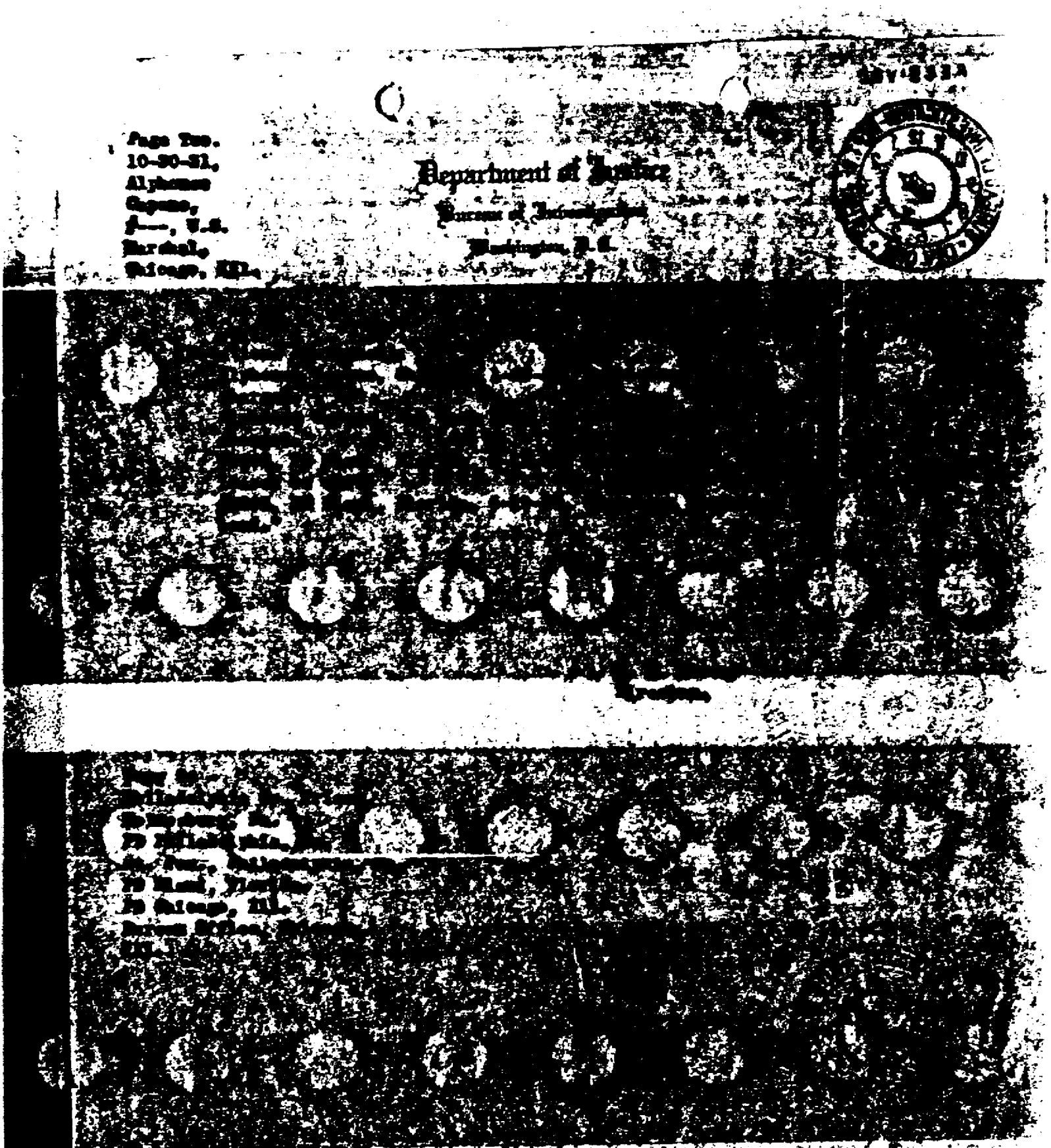


BUREAU OF INVESTIGATION
NOV 8 A.M.
DEPARTMENT OF JUSTICE

224

Page Two.
10-30-51,
Alphonse
Spano,
[illegible], U.S.
Marshal,
Chicago, Ill.

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



115

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NOV 3 1931 PM

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CAPONE'S BROTHER MUST SERVE TERM

Gangster Is Refused Review of Conviction on Income Tax Charge.

11/2/31

By the Associated Press.

Ralph Capone, brother of Al Capone, today was refused a review by the Supreme Court of his conviction of having made false statements in an attempt to compromise his income taxes.

The action ends the gangster's hope of a legal escape from his three-year sentence and a fine of $10,000.

Other gangsters have been watching the case.

Two Plead Guilty.

Terry Druggan and Frankie Lake, former Chicago beer barons, have pleaded guilty to income tax violations with the understanding that they might change their pleas if Ralph Capone won a review.

Obscured somewhat by the notoriety of his brother Al, Ralph nevertheless found underworld operations very profitable. At his trial the Government introduced evidence to prove that in a period of five years preceding April, 1929, he banked more than $1,800,000.

He failed to file a return or pay any tax during 1922, 1923, 1924 and 1925.

After the Government began investigating, Capone admitted to the internal revenue agent at Chicago that he owed the Government $4,082.

Offered $1,000 Compromise.

Asserting that he received an income of approximately $20,000 yearly from gambling, he offered to compromise by paying $1,000.

He claimed he had lost so much money on his race horses and in defending himself and his associates from criminal prosecutions that he was broke.

The Government made that admission the basis of prosecution against him. They said he had an extensive income from handling liquor.

After his conviction, Ralph Capone took his appeal to the Seventh Circuit Court, where he lost.

Washington D.C. Star 11/2/31

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Kansas City St
10-29-31

NSAS CITY STAR, T

CAPONE GANG HIDES OUT

[illegible] AT LEXINGTON HOTEL FIND HEADQUARTERS EMPTY.

Search in Hangout of Racket Chief Reveals Precautions He Took Against Being Poisoned.

(By the Associated Press.)

CHICAGO, Oct. 29.—The Lexington hotel, "outlaw camp" of Alphonse Capone and his gang lieutenants, was raided by detective squads today and found deserted except for servants.

The raid was described by the Chief of Detectives, William Schoemaker, as part of his campaign to harass gangsters at every turn and arrest them on sight.

Detectives discovered Capone's often expressed fear of being poisoned extended even to his own hangout. On the fourth floor of the hotel, which apparently had been reserved entirely for Capone and his "boys," officers found a completely equipped kitchen with a chief, a second chief and a waiter who served only the gangster and members of his party. These three servants were the only ones found in the spacious quarters.

The hotel was described yesterday by Federal Judge James H. Wilkerson as an "outlaw camp" where the Capone gang "exercised a coercive interest over those with whom it came in contact."

As his headquarters was raided and his gang apparently scattered, Capone took on the aspects of a "model prisoner" at the Cook County jail. He is there pending an appeal on the conviction which brought him an 11-year sentence as an income tax dodger.

Kansas City Star 10-29-31

A C[illegible]geous Judge.

In his entire conduct of the Capone case Judge James H. Wilkerson of the federal court in Chicago has displayed a type of courage and a sense of strict justice that are heartening to the great body of American people who stand for the maintenance and supremacy of law. From the very outset, when the gangster appeared before him on a plea of guilty, there was evidence of a firmness and determination on the part of Judge Wilkerson that was most disconcerting to the man who had been brazen in his defiance of constituted authority. Capone was warned then that there could be no bargaining with the court, a point that the gangster was to grasp fully in later days.

Judge Wilkerson's denunciation of the whole band of lawless followers that Capone had gathered about him comes as another indication of the stern quality of this defender of law and justice. The jail sentence given the gangster's bodyguard who had appeared armed in court, together with the outright declaration that there had been "a shocking array of perjury" by Capone witnesses at the trial, is still further evidence of a rigid adherence to the demands of order and of a fixed purpose to deal out punishment where it is due. Gangdom in Chicago and elsewhere well may take heed to such procedure in a court of law. Justice is having its turn. The example of Judge Wilkerson ought to mark the opening of a new era in enforced respect for authority in this country.

NOT RECORDED
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A NEW TONE TO CHICAGO

Kansas City Star 10-28-31

CAPONE'S CONVICTION PUTS SPIRIT IN FIGHT ON CRIME.

City Prepares to Follow Elimination of Gang Leader With Final Thrust at Grip of Racketeers.

CHICAGO, Oct. 28.—The conviction of Al Capone here by the federal government has given Chicago a moral stimulus which has aroused its civic consciousness to a greater degree than anything since the famous O'Leary cow started the historic fire that almost destroyed the entire city.

This, in effect, is the opinion of leading citizens and government officials who have fought the reign of crime here.

Foremost in combating the racketeers, gunmen and hoodlums who have considered Chicago their prey for the last ten years is the Chicago Employers' Association. Today, President Earle H. Macoy said the effects of "Capone's conviction, if they finally succeed in sending him to Leavenworth, will be wonderful. His incarceration will demoralize all his cohorts. Others who may seek to succeed him will fear to make the attempt.

NEW UNITY IN FIGHT.

"This conviction has done more to [illegible] than anything that ever happened here, and it provides the hope of us who seek to eliminate crime into a closer organization better fitted to continue our fight. We now have encouragement against what has sometimes seemed a redoubtable foe.

"The gangsters fight together, with their fists closed and are highly organized. We are like the 'Cubs and the Lodges' willing to fight, but we have our fingers spread and hands open. Now we shall work together with closed fists."

The Chicago Employers' Association has been breaking up gangster methods here for the last few years when thugs sought to "muscle in" on legitimate business men.

One government official, closely associated with the Capone conviction, who asked that his name be withheld, made this assertion:

"[illegible] to succeed Capone. The minute anyone sticks his head up above the crowd of minor thugs and hoodlums and seeks to emulate Capone he will be advertising for 'bed and board' in Leavenworth, and those in authority will see that he gets it. The gangs will now begin to disintegrate and they will not be as formidable without their leader."

WIDE REACTION TO VERDICT.

Bankers, merchants and industrial leaders expressed pleasure on Capone's conviction.

Charles P. Megan, president of the Chicago Bar Association, said:

"The public will feel satisfaction in knowing the laws of the United States cannot be broken with impunity and that no offender is powerful enough to escape punishment."

William V. Brothers, chief justice of the circuit court, said the conviction is a "triumph for Chicago. It will do much to overcome the false reputation of Chicago in the nation and the world."

FEAR HOLDS GANG RIVALS.

Police Find No Pretenders to Leadership of Capone.

(By the Associated Press.)

CHICAGO, Oct. 28.—The Chicago police are going to go into the question as to who will attempt to take up the reins of gang leadership in Chicago now that Al Capone is locked in jail as an income tax dodger.

"Dago Lawrence" Mangano, listed by the Chicago crime commission as a "public enemy," was questioned on the subject following reports his followers had been planning to form a new syndicate to take the place of Capone's, but Mangano was prompt with a denial.

"I don't want to be king for a day," he told William Schoemaker, chief of detectives, implying he would expect to be killed if he assumed Capone's place as a gang leader.

KANSAS CITY JOURNAL-POST, WEDNESDAY, OCTOBER 28, 193[illegible]

'FREE' IN JAIL CELL

Capone Gets Special Food and Has Visitors.

CHICAGO, Oct. 28.—(U.P.)—Al Capone, convicted of defrauding the government of income tax, will continue for a time at least to enjoy the comparative luxury of a stay in Cook county jail rather than immediately [illegible] 10-year sentence at the federal penitentiary at Leavenworth.

[illegible] on bond [illegible] the jail, with a stay of execution of his sentence by the United States circuit court pending appeal of the case. Meanwhile, Capone's attorneys planned to carry their fight for bail to the United States supreme court.

The time spent in jail will not count on either the penitentiary sentence or the 1-year jail term imposed on Capone by Judge James H. Wilkerson. Because of this, the gang leader's attorneys obtained permission for their client to begin his term at Leavenworth if the supreme court denies a bail plea.

[illegible] the Cook county jail, Capone is able to receive visitors, have food sent in from outside and spend his time as he pleases in the special cell to which he was assigned.

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Washington Herald
10-30-81

CAPONE 'FORT' RAIDED; YIELDS TRIO OF CHEFS

Hoodlums Gone, But Police Learn Gang Chief Had Five Radios and Period Furniture

CHICAGO, Oct. 29. (U.P.) While Alphonse (Scarface Al) Capone fretted in the city jail today, detectives raided his headquarters at the Lexington Hotel, known as "The Fort."

No hoodlums were present, no shotguns and no bombs, announced the officers, but they did discover just how luxuriously a gangster chieftain likes his living.

RENTED ENTIRE FLOOR

Capone, they learned, rented the entire fourth floor of the South Michigan Boulevard hostery and a large part of the third. He had a private kitchen which sparkled with stainless steel; a living room cluttered with period furniture, five radio sets, a bedroom, said the awed police, with the biggest and softest bed this side of Utopia.

In Capone's super-kitchen the officers obtained their only captives. Head Chef Jimmy Arcadi, self-admitted expert in preparing spaghetti; Second Chef Joe Abruzzi, whose specialty was spumoni, and Joe Jones, colored busboy, whose duty it was to serve the "Scarface."

SAW CAPONE OFTEN

Arcadi, Abruzzi and Jones insisted they didn't know for whom they worked, although they admitted seeing Capone frequently.

Chief of Detectives William (Shoes) Shoemaker said the Lexington raid was his first in a renewed attempt to "put all the gangsters in with Capone, where they belong."

Meanwhile Capone lounged as best he could on a hard-wood bench in his cell, awaiting final disposition of his 11-year prison sentence for income tax fraud. He played solitaire, read a detective story, and turned down Warden David Moneypenny's offer of "congenial work pushing a mop."

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B Mr Page 2

Portrait of a man talking to Capone

OCT 29 1931 P.M.

"WHAT I can't figure out with a guy like you," I said to him, "is you are in a big business. The biggest business men cheat a little, but they rarely give the Government a chance to catch them clowning with their income returns. You should have used your nut and paid it!"..."Why?" he snapped. "I have no business!"..."Then," I countered, "how are you going to explain all this—and your wealth?"..."Presents," he said. "My friends and cousins gave me it all"...I realized then that Capone wasn't so shrewd, and the beer in me gave me the courage to so tell him...A newspaper was brought in..."Hah!" I hah'd, "this is good. Look! It says people in New York saw you today on a train. And here's a report that you just passed through Albany!"...It was amusing to read those statements sitting with him in Miami Beach"...Then he tossed the paper as a couch...The paper's front page carried another tale about him being wanted in Chicago for the Colosimo murder..."That's another thing about you I can't figure," I said. "You're nuts over that boy of yours. Still you leave newspapers around the house like that where he can see such stories about you. That's not nice"..."Don't mean a thing," Capone replied indifferently. "He knows that anything they put in the papers about me is lie"...God bless Mr. Volstead—if it weren't for him there'd be no marvelous Capone beer...I think I know the recipe...It must be flavored with lightning!"



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Page-2

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The Washington Herald 10/29/31.

[illegible] Winchell on Broadway

Portrait of a Man Talking to Capone

SOMETHING told me at the time I wouldn't see Capone for a long spell...I mean the last time I met him in his Florida mansion... He seemed pretty glum after he got that call from Chicago—and they told him that local politicians, aspiring for the heights, were reopening the Colosimo thing again...He never dreamed that they would finally trap him via the income tax gag...The size of Alphonse was what impressed me more than anything about him...A mutual friend asked me if I would like to meet Capone, and I said I would... Might have made a lot of coin from all those magazines that asked for an article on the visit titled "The Capones at Home"...But I told Capone I wouldn't go commercial on the call—and I didn't...He said he didn't care whether I did or not—that he never met a newspaper man yet who didn't cross him...Wonder if it is true what I heard about him?...That before retiring each night he cried like a baby.

I HAD always pictured him as a small and fat person...He's over six feet!...When I was entering his place, he saw me coming up the three steps leading to the parlor...He was playing cards with three hushes...Their backs were to the door—Capone faced it!...."Oh, come in!" he called as he saw me, and in the same breath he must have said to the others, "Scram!" because they disappeared quicker than the bird runs that lay the eggs...He was sweeping the table clean of cards and chips...I sat down on a settee near his side of the table..."Sit over here," he said..."No, this is all right," I countered..."No, sit over here, please...I prefer it!" but I did not move...My eye had caught sight of the largest automatic I ever saw...It was resting in one of the table nooks, where they keep chips, I guess, and he didn't want me to be startled...He covered the gun with one of his immense paws and hid it on the other side of the table..."I don't understand this!" I said, for want of something to say. "Here you are playing a game of cards with your friends, but you keep a gun handy" ..."I have no friends," he said as he handed me a glass of grand beer.

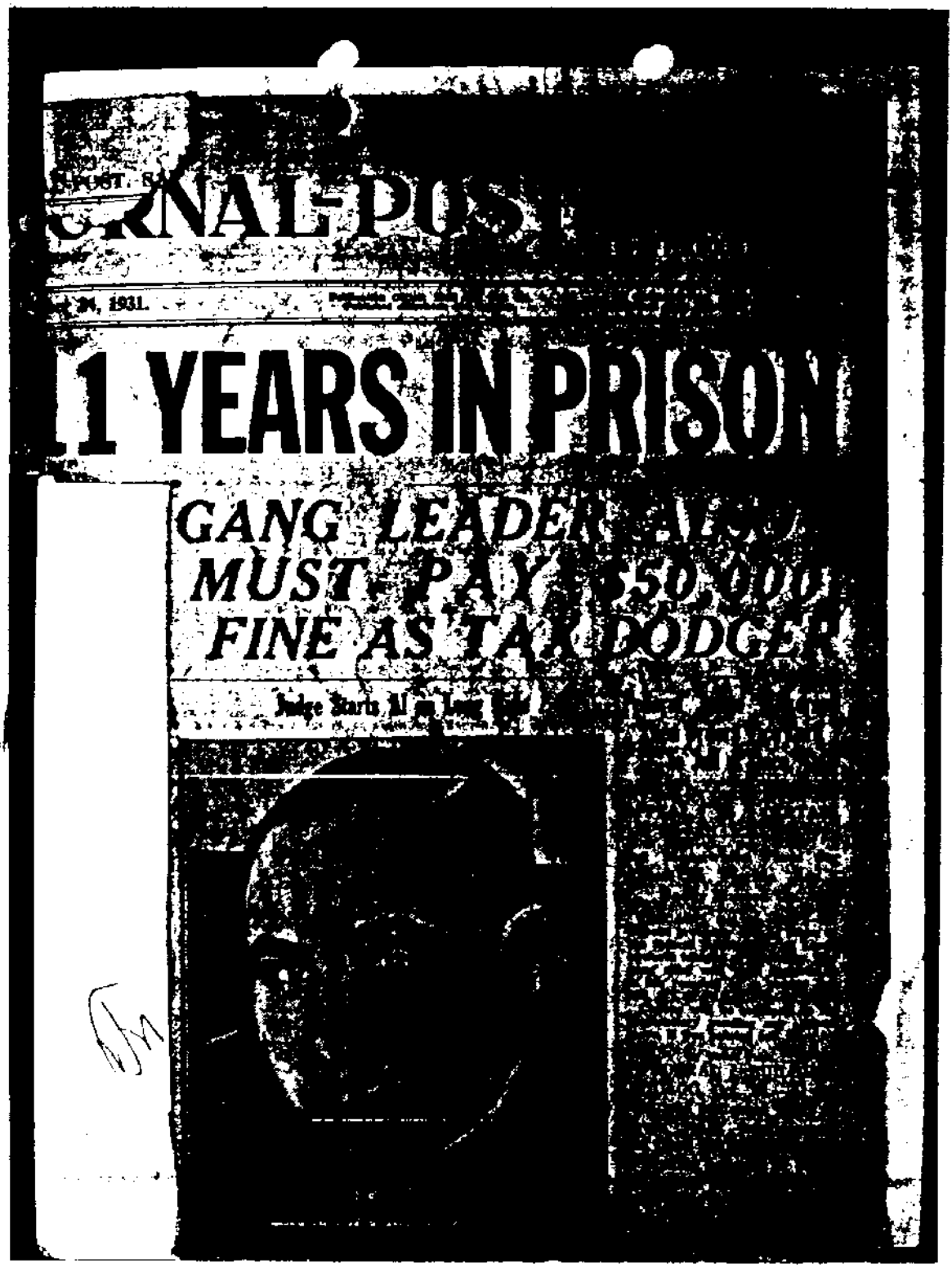
AMONG other things I learned during that call was that every time you referred to it as his gang, he corrected you with "my organization"..."Why don't you guys never put in the paper about my breakfasts and soup lines?" he asked me...Then he told with great pride how his Chicago philanthropies so congested traffic that the police urged him to change the hours...He argued long and loud about being blamed for everything—most of which he never did...."All I ask is that they leave me alone," he said once...I didn't tell him so, but I thought of a lot of people who wished he would leave them alone...His beautiful mansion was really a prison for him...He couldn't leave it without a heavy guard...When he moved it was done secretly—by plane or boat—both of which were anchored in the waters adjacent to his home...He told me of a recent court in Miami that opened him for the Government—who told the officials he wasn't sick at all when all the while he thought he'd die from pneumonia..."Once," he was saying, "I was so sick I fell down a whole flight of stairs!"...The doctor's fee, he thought, was too stiff, and he paid him only half..."So he told the Government," said Capone, "that I was never sick"...He sighed heavily, and, with a prop smile, added: "That's the funniest thing. Anybody I have wined and dined right in my own house has crossed me"...He handed me the third beer...Swelegent!

THE call from Chicago came...Before it arrived Capone was in a gay mood...He likes to talk, it seems—and he was defending his reputation against a first impression...After the phone call he came back into the parlor and seemed away off..."What's the matter?" I asked, "nothing good?"..."Aw," he said, "that bunch in Chicago is trying to pin the Colosimo murder on me. That was years ago! All of us had a hearing! The hell with them!"...He told me about the time they nailed him in Philly, where he did time..."I was buying tickets back to Chicago," Capone said, "and I told the ticket guy in the cage at the station to keep the change. It was a $50 bill. So that's what I got for being helpful. He must have recognized me. So he phoned the police, I guess, and lent me fifty dollars"...The detectives, it appears, traced him and his companions to a movie house and buzzed him when they came out...They had gone to kill time between trains..."What crazy cops they were," Capone barked. "They might have started a panic in that lobby with all those people. That's no time or place to get excited—and maybe a lot of people could get hurt!"

I WAS looking at him through one eye—his beer was too good..."Yeah," I said, "that's pretty dangerous, with all those people around" ...One of the cops said, "Hello, Al," and Al returned the salutation..."Got a gun on you?" the officer queried..."Sure," said Al, "go and get it"...Capone explained to me that it was a good thing he didn't remove the gun himself, for that is what the cops wanted..."They'd have shot me down, claiming self-defense, get it?"...They took him before a magistrate there ..."Oh, boy," said Capone, "you should have heard the call-down he gave me. He called me everything in the world. I was a bum, a rat, a this and that. He missed nothing. All the time I thought he was putting on a show for the benefit of reporters and others in the courtroom. So I took it all...But he wouldn't stop...He told me he was sorry that he couldn't put me in the electric chair right then, himself!...Finally I promoted a lawyer and figured the bail would be low...But the judge, who once was my pal, was trying to crash the spotlight with me. He continued giving me a piece of his mind. So when he said $35,000 bail and I started to peel it off my bankroll, he changed his mind and said the bail would be higher...In the time I spent in that jail it cost me $110,000...All over the $50 tip!"

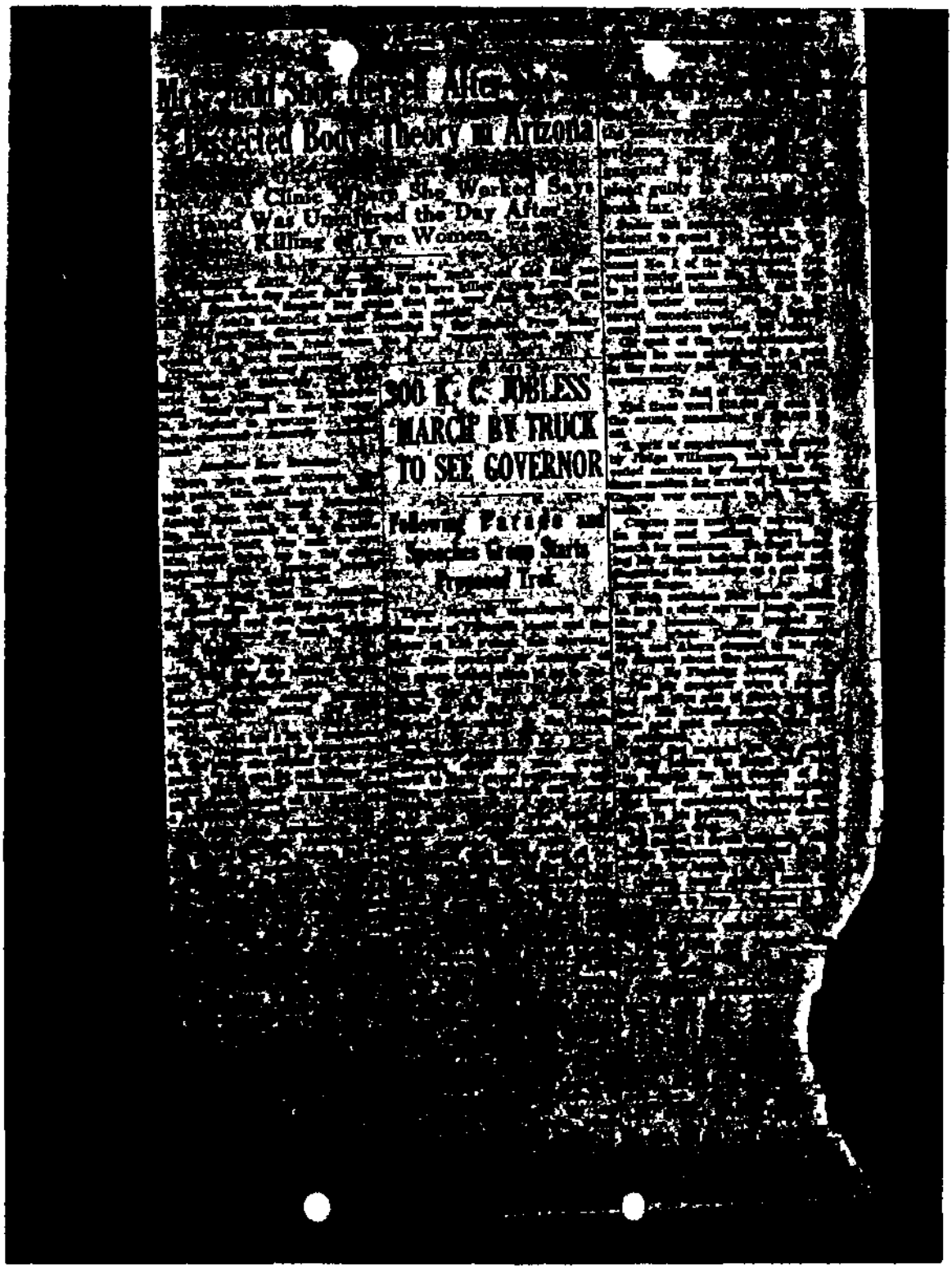
69-180 Page 1.

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1 YEARS IN PRISON
GANG LEADER
MUST PAY
FINE AS TAX DODGER

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Mrs. [illegible] Accused
Directed Bomb Outrage in Arizona

Clinic Where She Worked Says
Was Unaware the Day After
Killing of Two Women

300 R. C. JOBLESS
MARCH BY TRUCK
TO SEE GOVERNOR

Following Parade and
Speeches Group Starts
Hayward Trek

234

PAGES. 10-24-31

CAPONE, 11 YEARS

Federal Court Brushes Aside Technicalities to Sentence Chicago Gangster.

A $50,000 FINE WITH TERM

Judge Wilkerson Places Penalty Close to Maximum for Income Tax Violation.

Appeal to Delay Entry In Prison Now Offers Only Refuge to Racket Chief.

LAW PASSES VITAL TEST

Hoodlum, Stunned by Outcome, Curses as He Faces Time in Penitentiary.

(By the Associated Press.)

Federal Building, Chicago, Oct. 24.—"Scarface Al" Capone, underworld leader of Chicago, was sentenced today to eleven years' imprisonment for violating income tax laws and ordered to the Leavenworth penitentiary.

In addition to the sentences, [illegible] years in the Leavenworth prison and one year in the county jail, Capone was ordered to pay a $50,000 fine and the costs of prosecution, estimated at about $10,000.

Denial to Every Motion.

Federal Judge James H. Wilkerson not only passed a sentence more than twice as severe as had ever been given an income tax evader before, but at first denied every motion which would have given the big gangster his freedom while the case was appealed.

Later Judge Wilkerson ordered that Capone be held at the county jail until Monday to permit his attorneys to seek bond in the United States circuit court of appeals. The judge previously had ordered the gangster taken to Leavenworth penitentiary immediately.

The court employed the maximum possible penalties on the five counts on which Capone was convicted, but cut the penalty from the possible maximum of seventeen years by ruling that several terms should run concurrently.

As the gangster, downcast and apparently [illegible] the sentence was led from the courtroom he was handed a demand for taxes and immediately afterward a lien on his $40,000 Florida estate and on three safe deposit boxes in the Equitable Trust Company, a bank on the South Side of Chicago.

Curse at an Officer.

Capone appeared to lunge at E. P. Henthorn, a deputy collector of internal revenue, as he was served with the legal papers. His face grew livid and he cursed. Two deputy marshals held him.

Last Saturday night, when the jury returned its verdict convicting the gang leader on five counts and not guilty on eighteen, there was some doubt as to which side seemed most elated. But there was no doubt today. Capone, his huge shoulders hunched forward, was glum. His attorneys were almost frantic in their efforts to obtain his freedom pending appeal.

District Attorney George E. Q. Johnson, who directed the prosecution and asked the jury in his final plea to convict "this man who tried to set himself above the law," smiled broadly, but refused comment. It was the high point of his 3-year campaign against Chicago gangsters.

"Firm Stand" Against Delay.

The defense filed notice of an appeal and Michael Ahern, chief of defense counsel, asked that perfection of appeal should automatically serve as a supersedeas, asking Judge Wilkerson to instruct the marshal to delay taking Capone to Leavenworth penitentiary. The court refused.

The penalty assessed by Judge Wilkerson was five years and $10,000 on each of three felony counts and one year and $10,000 on each of two misdemeanor counts. Sentence on two of the felony counts is to run concurrently, however, as are the two misdemeanor sentences.

Judge Wilkerson, in ordering the defend[illegible] to prison immediately, said that if [illegible] higher courts should reverse the verdict on the felony counts, which charge evasion of income taxes for the years 1925, 1926 and 1927, Capone could be given credit for whatever time he had served, the credit to apply on the misdemeanor counts as well as his 6-month contempt of court sentence.

Capone was charged in the indictments with evading $215,000 taxes on a 6-year income of $1,038,634. The jury convicted him of evasion for only three years, however, on a $357,385 income in 1925, $195,877 income in 1926 and $218,056 income in 1927.

The two additional counts on which he was convicted were misdemeanors charging failure to file returns in 1928 and 1929. When Capone has served six months in Leavenworth he will be given credit for a contempt of court sentence of six months, passed by Judge Wilkerson last February.

This bulky, swarthy man, a notorious gangster for twelve years, internationally infamous head of his own syndicate for six, has spent less than one year in jail. The only previous term was in Philadelphia, where he served a little more than nine months of a 1-year sentence for carrying concealed weapons.

His notoriety as a ruthless gang leader figured only in the closing arguments of his income tax trial, and then briefly. Capone's attorneys said he was being persecuted to satisfy public clamor, that the government would have tried no other man on similar evidence and was merely trying to "get Capone." District Attorney Johnson told the jury he did not deny the "great public interest" in the trial, but he was not asking that body to consider it.

235

Kansas City Star K.
10-25-31

BLOW TO GANGLAND RULE

GOVERNMENT SCORES HEAVILY IN SENTENCE TO CAPONE.

Crime Leaders in Other Cities Are Expected to Feel the Lash of Federal Laws as Drive Continues.

(By the Associated Press.)

WASHINGTON, Oct. 24.—The government accepted Al Capone's sentence today as another milestone in its drive against gangland's flaunting of federal laws.

To agents who pit adding machines against more deadly gangster weapons, the successful prosecution of Capone was a new stimulus.

Elmer E. Irey, chief of the internal revenue bureau's special intelligence unit, said he was "pleased and satisfied" with the sentence, and added: "There will be no let-up in Chicago."

MAY GO TO SUPREME COURT.

Attorney General Mitchell refused to break the silence he has promised to maintain as long as the Capone case is in the courts. More legal fencing is expected with an eventual appeal to the supreme court, to which Ralph Capone, the racketeer's brother, has taken a sentence of four years for income tax evasion.

Irey, who conducted the investigation of Capone's case, said that with the criminal prosecution completed special efforts would be directed toward building up the civil case against the gangster.

Since the Capone investigation started on October 18, 1928, seven Chicago gang leaders have been convicted. Beside Al and his brother, Ralph, they include Jack Guzik, Frank Nitti, Sam Guzik, Terry Druggan and Frankie Lake.

SOME POLITICIANS INVOLVED.

Meanwhile, investigations of income tax frauds are progressing in New York City and Pittsburgh. Officials have declined to disclose the identity of those under investigation beyond saying gangsters, racketeers and some politicians are involved.

While gratified over their success against tax dodgers, officials were quick to reiterate today that federal law violations are relatively minor in comparison with the flagrant disregard of state laws involving capital offenses and that state and municipal officials must co-operate to wipe out gang crime.

A LIEN ON HIS "PALACE."

Feral Government Seeks to Collect Unpaid Income Taxes.

(By the Associated Press.)

MIAMI BEACH, FLA., Oct. 24.—The federal government today blanketed Al Capone's lavish winter place here with a lien of $51,498.08 in its fight to collect $215,000 unpaid income taxes [illegible].

[illegible] after Capone was sentenced in Chicago to serve eleven years in federal penitentiary and fined $50,000 for income tax payment evasion.

The barricaded white mansion of the gang chief entered court litigation for the third time as officials of the United States internal revenue department filed liens in both federal and circuit courts in Miami, naming Capone and his wife, Mae Capone, as transferees.

Eighteen months ago it was the subject of padlock proceedings, brought in criminal court in Miami after a raid by county officers netted a quantity of fine liquors.

Vincent C. Giblin and J. F. Gordon, at that time Capone's Miami attorneys, placed the gangster and other witnesses on the stand and defeated the padlock suit.

Later Giblin and Capone disagreed over attorney's fees and the lawyer attached furnishings, variously valued from $50,000 to $100,000, in the mansion. A reported settlement out of court halted the proceedings after some of the furnishings were removed to a storage warehouse.

Kansas City Star PR
10-24-31

Ill-Gotten Wealth Begins to Vanish, Too.

CHICAGO, Oct. 24.—Some of the wealth Al Capone has flaunted in the face of the law from Chicago to Florida today was being stripped from the gangster who now is on the way to prison.

While liens were filed against Capone's Chicago property, advices from Jacksonville, Fla., said similar action had been taken against the palatial winter home of Capone at Palm Island, near Miami Beach. The government is seizing the property to pay the $215,000 delinquent income tax which figured in the gangster's trial. But that is not all the gangster owes the government, the total figure being estimated in excess of a million dollars. Penalties would add half again as much to the bill, it is said.

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OCT 29 1931 PM

AL CAPONE'S GUARD GETS SIX MONTHS

D'Andrea Sentenced to Jail for Carrying Loaded Gun Into Federal Court.

Star 10/31/31

By the Associated Press.

CHICAGO, October 30.—Phil D'Andrea, gun-toting bodyguard of "Scarface Al" Capone, was sentenced to six months in the county jail by Judge James H. Wilkerson today for carrying his loaded pistol into Federal Court.

D'Andrea had been in the county jail since October 16, when he was found carrying a loaded pistol in the court room. He had been sitting directly behind Capone every day of the trial until his arrest and yesterday, throwing himself on the mercy of the court, the bodyguard admitted he had carried the weapon daily.

Paroled for Two Weeks.

Judge Wilkerson said the presence of an armed man during the trial of Capone's income tax evasion case was a direct menace to the court itself and adjudged D'Andrea guilty of contempt of court.

A two weeks' stay of execution was granted and D'Andrea was paroled to Michael Ahern, his and Capone's lawyer.

Before sentencing D'Andrea, Judge Wilkerson said it was clear he was a [illegible] gang" which had conspired to intimidate Government witnesses in the Capone trial, but had only caused defense witnesses to perjure themselves.

"This gang," the court said, "exercised a control over people with whom it came in contact that resembled nothing less than insurrection against the laws of the United States.

"I would have been totally blind had I not noticed the intimidation of witnesses. Time and again I noticed witnesses faltering on the stand."

Judge Charges Perjury.

Judge Wilkerson said the closing days of the trial, when the defense brought on a series of bookmakers to testify concerning Capone's losses on horse races, disclosed a "shocking array of perjury," which was of itself much worse than D'Andrea's offense. He said the witnesses were summoned to the Lexington Hotel, "the camp of this outlaw band," and instructed to perjure themselves.

D'Andrea was given a stay of execution after Attorney Ahern told the court his mother was ill. Ahern said she had not been informed of her son's troubles with the Federal Government and asked that D'Andrea be paroled so that he could go to his mother without being accompanied by a marshal.

In the meantime Capone remained in the county jail while his attorneys decided what to do next.

Is Kept in Jail.

Granted a supersedeas that allowed him to stay out of the penitentiary during appeal to the Supreme Court, but denied bail, the gangster was ordered kept in custody with no credit toward his 11-year sentence in Leavenworth for tax evasion. No deduction will be allowed for the time he spends in jail.

Attorney Ahern said he might go to Washington to apply for bail to Justice Van Devanter, the Supreme Court member assigned to the seventh judicial circuit. If he were refused bail, Ahern indicated that he might ask to have the writ of supersedeas vacated, so Capone could be taken to Leavenworth to start serving his sentence, pending further legal action.

While Capone's lawyers were working for him, the gang leader remained in a hospital ward cell on the fifth floor of the jail. He eats the jail's cornmeal mush or oatmeal with his morning coffee and stewed fruit, but has his luncheon sent in by his family.

Washington D.C. Star 10/28/31

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257

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CAPONE GUNMAN GIVEN 6 MONTHS

OCT 28 1931 FBI

GETS RESPITE FOR TWO WEEKS

Mother's Illness Responsible For Stay: Occasion Used By Court to Flay Scar-Face

CHICAGO, Oct. 28 (I.N.S.).—Six months in jail was the penalty levied today on Phil D'Andrea, Capone bodyguard, for carrying a revolver while attending the gang leader's [illegible].

In sentencing D'Andrea, Federal Judge James H. Wickerson took occasion to assail Capone as the leader of an insurrection against the United States, and attacked the gang leader for forcing defense witnesses to commit perjury at his trial.

The jurist referred to Capone's call for witnesses to attend a meeting at the Lexington Hotel where their testimony was discussed.

D'Andrea virtually had thrown himself on the mercy of the court.

At the behest of defense attorneys, the court granted D'Andrea a two weeks' stay of execution because of the serious illness of his mother.

"Washington Times".
10-28-31.

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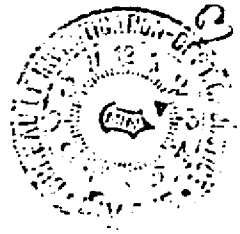
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Washington Times
10/28/31

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OCT 29 1931 FBI

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CAPONE LIKELY TO GO TO PEN AT ONCE

Wants to Get Credit for Time He Must Serve While His Appeal Is Being Decided On

CHICAGO, Oct. 28 (I.N.S.). Al Capone may capitulate to his adversary, the United States Government, and willingly go to Leavenworth penitentiary, his lawyers indicated today.

But this capitulation would be made only to avoid "wasting time" while his attorneys strive in the higher courts to win a reversal of the jury verdict finding him guilty of defrauding the Government out of his income tax.

Bail Plea Denied

The possibility that Capone may shortly ask to be taken to Leavenworth, where he is under sentence to serve a 10-year term, arose as a consequence of a ruling by the Circuit Court of Appeals, denying the gangster his liberty on bail.

The ruling, handed down yesterday, was that Capone must remain in the county jail while his appeal is disposed of, a matter of nearly two years if customary procedure is followed.

Thus, the appellate court's action in granting Capone's petition for a stay of sentence, while at the same time denying bail, is of no value to the convicted gangster's cause. Unless a court higher than the appellate orders Capone released on bail, he may voluntarily request to be sent to Leavenworth without further delay in order to receive credit on his sentence should his appeal be denied.

Case May Shift Here

Michael Ahearn, the gangster's attorney, intimated he may go to Washington and ask Supreme Court Justice Van Devanter for an order admitting his client to bond and vacating the appellate court's writ.

If customary procedure prevails, Capone's appeal may be argued before the appellate court in about two months and a decision rendered probably next February. If the appellate court rejects the appeal, another year will probably be consumed in filing and arguing the appeal before the United States Supreme Court.

Meanwhile, Capone spends most of his time in his tiny jail cell, amusing himself with solitaire.

NOT RECORDED
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239

Chicago, Illinois

November 3, 1931

Hon. George E. Q. Johnson
United States Attorney
Federal Building
Chicago, Illinois

Dear Sir:

On November 3, 1931, a party giving his name as [redacted] Chicago, called by telephone and stated that he was an old resident of St. Joseph, Michigan, and that information had come to him indicating that Philip D'Andrie, alleged body guard of Capone, was the owner of some property in St. Joseph, Michigan, and was known to own a farm or a resort immediately adjoining [redacted] owned or rented by Fred Burke, notorious outlaw. [redacted] further said that Al Capone was the owner of a hotel in Benton Harbor, Michigan. [redacted] stated that Sheriff Fred Cutler of St. Joseph, Michigan, could give considerable information relative to the holdings of the above parties in St. Joseph and Benton Harbor, and that Sheriff Cutler was entirely dependable and could be relied upon to give correct information to the proper parties.

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The above is submitted for your information and any disposition you see fit.

Very truly yours,

W. A. MCCAIN,
Special Agent in Charge.

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cc-Bureau

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

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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

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TFB:OCM
69-180-92

December 11, 1931.

DEC 15 1931

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST

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.

DEC 11 1931
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DIV. ONE
DEC 9 1931 AM

C O N F

U. S. Department of Justice

Bureau of Investigation

P.O. Box 1405,
Chicago, Illinois

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 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

A"

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.

69-180-92
DEC 9 1931
DEPARTMENT OF JUSTICE

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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. Kuletta, 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,

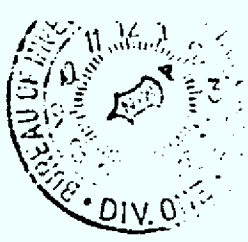
W. A. McSwain,
Special Agent in Charge.

WAM/cec

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DEC 9 1931

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 knew 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

6

JOHN EDGAR HOOVER
DIRECTOR

VWH:DSS

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

December 16, 1931.

RECEIVED
BUREAU OF INVESTIGATION
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.

RECORDED
DEC 17 1931

69-180-94
BUREAU OF INVESTIGATION
DEC 17 A M
DEPARTMENT OF JUSTICE
Nolan | FILE

U. S. Department of Justice

Bureau of Investigation

RECEIVED

P. O. Box 1405,
Chicago, Ill.

DEC 10 1931 AM

December 7, 1931.

69-180

C

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

RECORDED

DEC 1 1931

69-180-93

DEC 10 1931 AM

Form No. 1

THIS CASE ORIGINATED AT Chicago, Illinois

FILE NO. 62-[illegible]

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	Dec.17,1931	Dec.14-17,1931	[illegible]

TITLE: DAVID T. MONEYPENNY, Superintendent;
GEORG GIBSON, Assistant Superintendent;
COOK COUNTY JAIL

CHARACTER OF CASE: Contempt of Court

RECEIVED

SYNOPSIS OF FACTS:

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.

DEC 21 1931

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69-180

DETAILS: AT CHICAGO, ILLINOIS.

This investigation is predicated upon a request 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 P. 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: [signature] SPECIAL AGENT IN CHARGE

69-180-95

RECORDED AND INDEXED: DEC 19 1931

BUREAU OF INVESTIGATION
DEC 19 1931 A.M.
DEPARTMENT OF JUSTICE

CHECKED BY:

JACKETED:

ROUTED TO: DIV. NATHAN

COPIES OF THIS REPORT FURNISHED TO:

3 - Bureau
1 - U.S.Attorney,Chicago
1 - U.S.District Judge Wilkerson
2 - Chicago

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. Moneypenny, 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 [illegible], 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), San Hare, 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.

16

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 Bon-Bon Allegretti on occasions has escorted a number of women to Capone's quarters in the jail and that on at least one occasions, 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.

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 Moneypenny 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 has distributed large amounts of money to jail employees, particularly to Superintendent Moneypenny and a man named Gibson, who is said to be one of Moneypenny's assistants.

It is stated that some time within the past two or three weeks, Superintendent Moneypenny, 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 Moneypenny 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

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 Moneypenny:

"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 Moneypenny and the other officials of the institution be openly approached before following the matter further.

Accordingly, Mr. David T. Moneypenny, 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. Moneypenny 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. Moneypenny's attention, at which time he stated that he had no knowledge of any such privileges being granted Capone or any undue libertles 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. Moneypenny 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. Moneypenny, and he stated that if such conditions were existing, that it was without his knowledge, and certainly without his consent. Mr. Moneypenny 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. Moneypenny 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

14

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.

15

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 5:45 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

16

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

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

18

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 C 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 Trusties, 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, Baxter, is charged with the duty of keeping the hospital clean; that it is Baxter'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. Kavicski, 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 th t 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

20

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.

21

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.

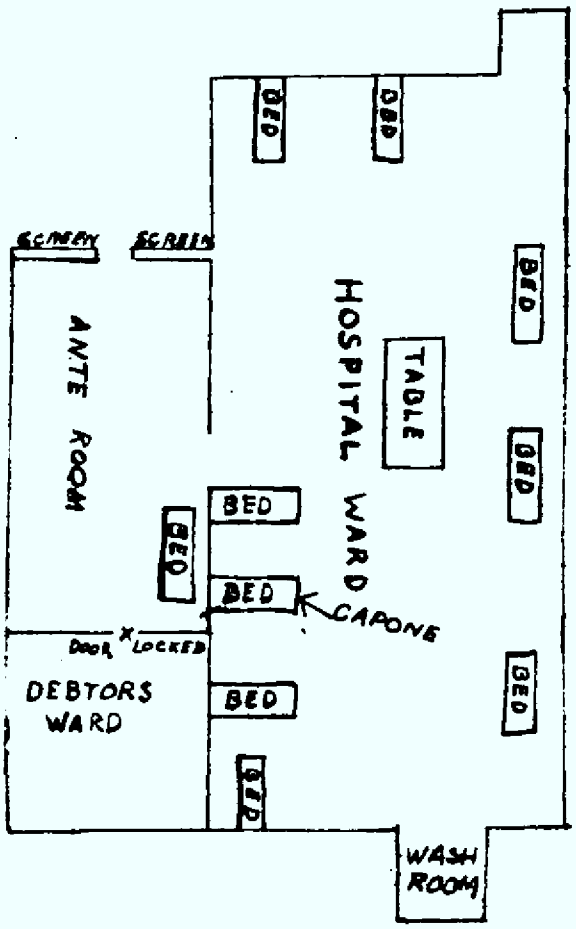
The above facts were discussed with United States Attorney Johnson and likewise there was discussed the advisability of subpoenaing before a Federal Grand Jury the persons mentioned in this report, as well as those individuals who are not inmates of the institution but who are alleged to have visited 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. Moneypenny 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.

- Pending -

22

U.S. Department of Justice

Bureau of Investigation



HOSPITAL WARD
5TH FLOOR

Exhibit I

Copy of Exhibit I filed in VA 3-71 case for Youngquist

23

69-180-95

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 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
Special Agent in Charge

WAM:AB
3 Enclosures

RECORDED & INDEXED

DEC 21 1931

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

CHICAGO DAILY
K 12-19-31

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

Racket World Operating on Schedule Under Mysterious System

MARSHAL CLAMPS LID

A searching inquiry [illegible] ment [illegible] ing accorded "Scarface Al" Capone in the county jail has been ordered from Washington, it was learned today, as reports pointing there that Capone still [illegible] ing telephone, telegraph and [illegible] terial service to gamble him [illegible] on his rackets by [illegible]

Agents of the [illegible] the federal revenue department, men who built the [illegible] which brought [illegible] Capone, have been [illegible] at work for several days [illegible] determine whether Capone has been receiving the "just like home" [illegible] ment once given Tony Dragotto and Frankie Lake while in the [illegible] jail.

Marshal Ulrich Visited

United States Marshal H. C. Laubenheimer, on learning that [illegible] inquiry was on foot, sent a special messenger to Sheriff William D. Hennessy and Warden David Montgomery ordering that no visitors be allowed to see Capone except his wife, sister, mother and attorneys, unless the [illegible] first received a [illegible] from [illegible]

[illegible]

69-180-96

25

2 CENTS CITY and SUBURBS

DAILY ILLUSTRATED TIMES

CHICAGO'S PICTURE NEWSPAPER

Vol. 1. No. 99 Full Associated Press Service CHICAGO, THURSDAY, DECEMBER 22, 1927

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 permitted 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, Rocco De Grazio and Jack Guzik.

Sheriff John Peracca 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.

27

69-180-96

CHICAGO HERALD & EXAMINER
12-18-30

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 Moneypenny 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.

EVASIVE ON PHONE CALLS.

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 2, 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 Moneypenny, 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. Laubenheimer 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.

Laubenheimer 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!"

28

12-104-94

NEWSPAPER CLIPPINGS

Kansas City Journal-Post

December 18, 1931

BUREAU OF INVESTIGATION-DEPT. OF JUSTICE
DIV. ONE

DEC 23 1931 PM

OFFICIALS DENY AL CAPONE IS DIRECTING GANG

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

By United Press.

CHICAGO, Dec. 18. The federal investigation of Al Capone's sojourn in Cook county jail was ended Friday with announcement that reports the gang chieftian 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. Laubenheimer, 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 Moneypenny, 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," Moneypenny 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 Laubenheimer, 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.

NOT RECORDED
INDEXED
69-180
69-180-96X
29

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:

69

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.

NAM:RMB

RECORDED
&
INDEXED

DEC 21 1931

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

PAPER CLIPPINGS

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. Laubenheimer 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 Laubenheimer and that the latter told him it would be "O. K."

When asked when and where he talked to Laubenheimer, 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

69-180-97

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.

69-180

Dear Sir:

The Bureau's attention is invited to my report dated December 17, 1931, in connection with the case entitled DAVID T. ...ONNAMEENY, 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,
Special Agent in Charge.

WAM:RLP

RECORDED
INDEXED

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

FILED

EMB:HCB
69-180-99

December 23, 1931.

69-180-99 RECORDED

DEC 28 1931

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNQUIST

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

Agent	Office	Date
W. A. McSwain	Chicago, Illinois	12-17-31

together with a copy of Exhibit I.

Very truly yours,

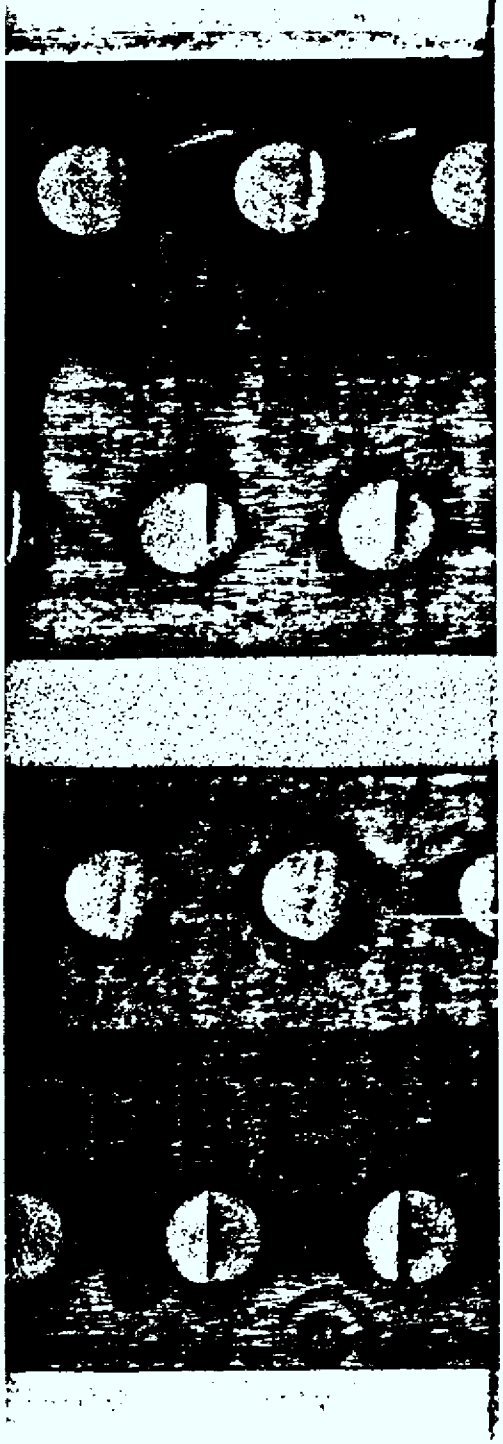
T.O.B.
B.O.B.

Director.

Incl. # 72902

BUREAU FILES DIVISION MAILED
DEC 23 1931

33



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

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?

[redacted]

BUREAU OF INVESTIGATION DEPT. OF JUSTICE DIV. ONE

DEC 22 1931 AM

Referred to report rec'd in Div 2 on 12-21-31 dictated on 12-22-31 JMB

RECORDED
DEC 28 1931

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

NATHAN Inv. Two | FILE

34

COPY

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.

GEQJ:P

35

69-180-99

RECEIVED
BUREAU OF INVESTIGATION DEPT. OF JUSTICE
DIV. 2
DEC 30 1931

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS.

DEC 29 1931

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. P. GUINANE, Acting
Special Agent in Charge.

EPG:MG

69-41

RDED
&
INDEXED
JAN 2 1932

69-180-106

36

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

"Only Guest"—Moneypenny; "I Didn't Know Owner"

Warden Moneypenny of the county jail last week made a [redacted] Springfield in a big Cadillac car belonging to Al Capone, [redacted] prisoner at the jail.

[redacted] journeyed today with relatives of [redacted] from Lincoln, Ill., where the car was put up for repairs. A [redacted] admitted to the DAILY TIMES he was [redacted] in the car, as a guest, though,

In Lincoln Garage

Here's what the Evening Courier of Lincoln printed on Dec. 18:

"One of Al Capone's 16-cylinder Cadillac automobiles spent several hours in a Lincoln garage last night.

"At about 5:30 p. m. the Cadillac, containing nine passengers, seven men and two women, was towed to the Rhoads-Pemberton garage, disabled by valve trouble.

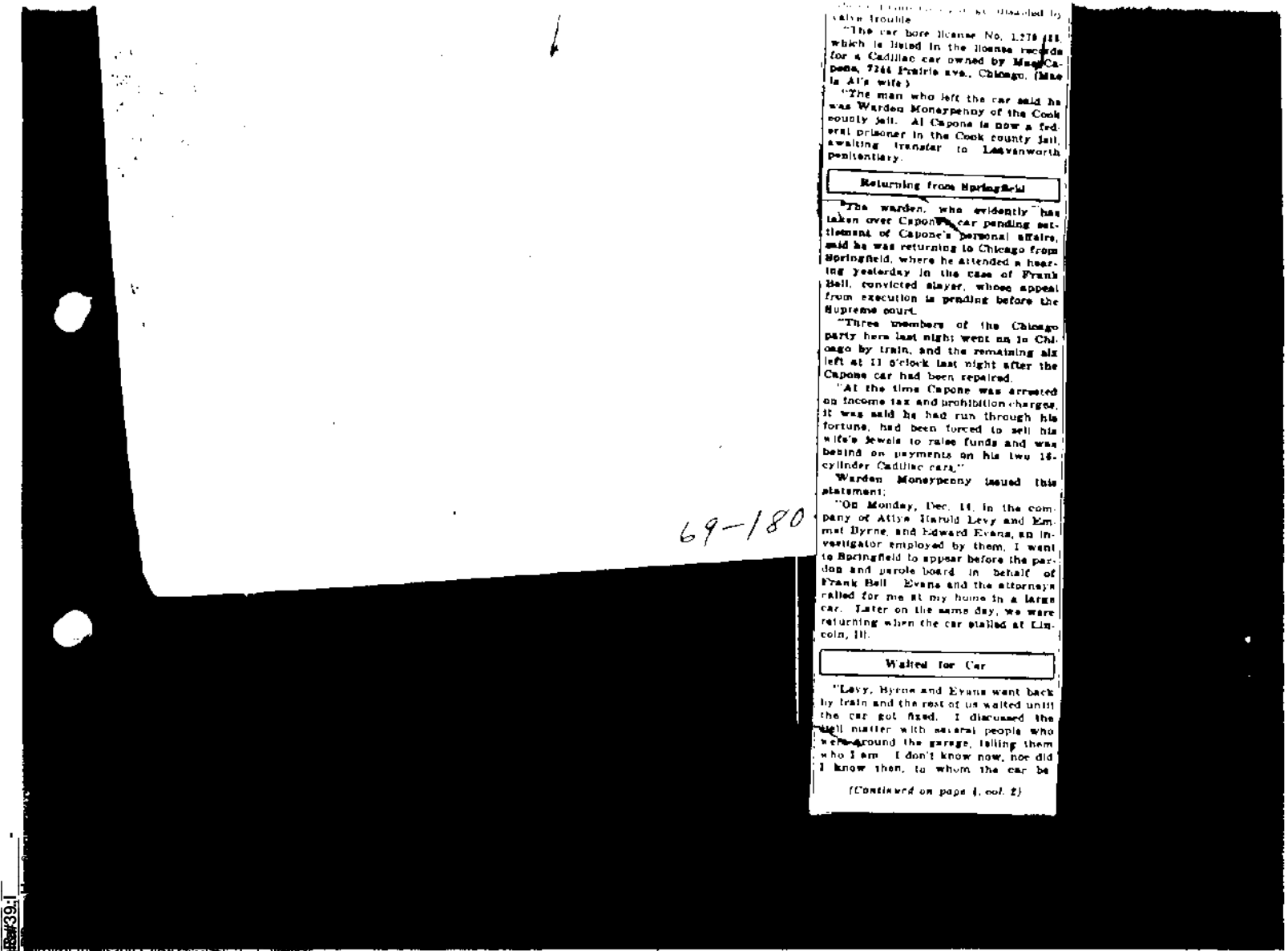
"The car bore license No. 1,219,122, which is listed in the license records for a Cadillac car owned by Mae Capone, 7244 Prairie ave., Chicago. (Mae is Al's wife.)

"The man who left the car said he was Warden Moneypenny of the Cook county jail. Al Capone is now a federal prisoner in the Cook county jail, awaiting transfer to Leavenworth 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 from execution is pending before the Supreme court.

"Three members of the Chicago party here last night went on to Chicago by train."



69-180

...caused by valve trouble.

"The car bore license No. 1-278 [illegible], which is listed in the license records for a Cadillac car owned by Mrs. Capone, 7244 Prairie ave., Chicago. (Mrs. is Al's wife.)

"The man who left the car said he was Warden Moneypenny of the Cook county jail. Al Capone is now a federal prisoner in the Cook county jail, awaiting transfer to Leavenworth 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 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 Capone car had been repaired.

"At the time Capone 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 16-cylinder Cadillac cars."

Warden Moneypenny issued this statement:

"On Monday, Dec. 14, in the company of Attys. Harold Levy and Emmet 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 Lincoln, Ill.

Waited for Car

"Levy, Byrne and Evans went back by train and the rest of us waited 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 4, col. 2)

U. S. Department of Justice

Bureau of Investigation

P.O. Box 1405,
Chicago, Illinois.

RECEIVED
DEPT. OF JUSTICE
DIVISION ONE
JAN 14 1932 AM

January 11, 1932.

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.

WAM/cec

NEWSPAPER CLIPPINGS

RECORDED & INDEXED
JAN 16 1932

69-180-107

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.

RECORDED

1-1932

RFT:MCB
69-180-102

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNQUIST

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. McSwain, 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.

Encl. 87/1899

BOG

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

41

Form No. 1

THIS CASE ORIGINATED AT Chicago, Illinois JAN 29 1932 FILE NO. 69-41

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Illinois	Jan. 22, 1932	Jan. 22, 1932	W. A. McSwain RMB

TITLE:	CHARACTER OF CASE:
DAVID T. MONEYPENNY, Superintendent; GEORGE GIBSON, Assistant Superintendent; COOK COUNTY JAIL	Contempt of Court

69-180

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: SPECIAL AGENT IN CHARGE

69-180-102

RECORDED AND INDEXED JAN 2 6 1932

BUREAU OF INVESTIGATION JAN 28 1932 A.M. DEPARTMENT OF JUSTICE

CHECKED OFF:

JACKETED:

ROUTED TO: BTG FILE

COPIES OF THIS REPORT FURNISHED TO:

3 - Bureau
1 - U.S.Atty.Chicago
2 - Chicago

1-29-32

42

7—1323

RECORDED 29-180-103

FEB 5 1932

February 1, 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 AL 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 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 Sisson.

Very truly yours,

Director.

Enclosure #716726.

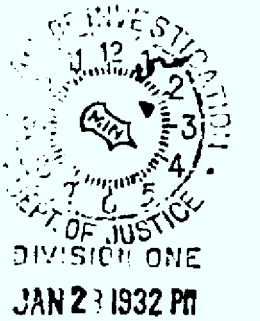
BUREAU FILES DIVISION MAILED FEB 2 1932 P.M. DEPT. OF JUSTICE

43

JOHN EDGAR HOOVER
DIRECTOR

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

P. O. Box 1405,
Chicago, Ill.



January 26, 1932.

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

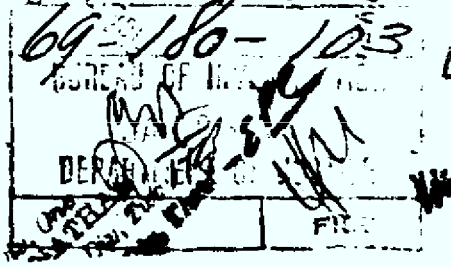
69 - 180

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. LONERGAN, SUPERINTENDENT, GEORGE [illegible], ASSISTANT SUPERINTENDENT, COOK COUNTY JAIL; CONTEMPT 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.



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

45

MHP:RLB
#C9-41

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

8

CHICAGO DAILY TRIBUNE 1-26-32

Chicago file #69-41

DAVID T. MONEYPENNY, SUPERINTENDENT;
GEORGE GIBSON, ASSISTANT SUPERINTENDENT;
COOK COUNTY JAIL; CONTEMPT OF COURT.

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. Laubenheimer.

When Capone was given into the keeping of Warden Moneypenny 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 Moneypenny 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 Moneypenny 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 Laubenheimer 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

62-18-10?

JOHN EDGAR HOOVER
DIRECTOR

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

P. O. Box 1405,
Chicago, Ill.

January 27, 1932.

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

Re: David T. Moneypenny,
Superintendent;
George Gibson,
Assistantant Superintendent;
Cook County Jail;
Contempt of Court.

Dear Sir:

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,

M. H. Purvis, Acting
Special Agent in Charge

MHP:RMB
#69-41

NEWSPAPER CLIPPINGS

69-180-166
BUREAU OF INVESTIGATION
JAN 29 P.M.
DEPARTMENT OF JUSTICE
FILE

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. Laubenheimer and Warden David Moneypenny 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
BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
DIVISION ONE
FEB 2 1932 PM

January 30, 1932.

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

69-180

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.

RECEIVED
FEB-3 1932 AM

Very truly yours,

M. H. Purvis

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

MHP:RMB

69-180-105
BUREAU OF INVESTIGATION
FEB 1 A.M.
DEPARTMENT OF JUSTICE
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. No 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 and 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.

Rinella was sentenced Monday to [illegible]worth penitentiary at

50

69-180-105

[redacted]
[redacted]

February 2, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL KIRKHAM.

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 ALPHONSE 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 Clarson 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,

[redacted]

Encl. #126927.

RECORDED

69-180-106

BUREAU OF INVESTIGATION
FEB 2 1932 P.M.
DEPARTMENT OF JUSTICE
FILE

BUREAU FILES DIVISION
MAILED
FEB 1 1932
DEPT. OF JUSTICE

51

RECEIVED



RECORDED
FEB 10 1932

[illegible]
[illegible]

February 6, 1932

FEB - 8 1932

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 #731970.

B.O.O.

BUREAU FILES DIVISION
MAILED
FEB 6 1932
P M
DEPARTMENT OF JUSTICE

52

U. S. Department of Justice

Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

RECEIVED
BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
DIVISION ONE
FEB 3 1932

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. Moneypenny, 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. Moneypenny 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
69-180-107
BUREAU OF INVESTIGATION

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. Laubenheimer 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. Laubenheimer 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. Laubenheimer 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. Laubenheimer 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. Laubenheimer 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.

54

Very truly yours,

M. H. Purvis

MHP:mfs
#62-41

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

MFT:EMK
69-180-

February 6, 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 #73197.

69.

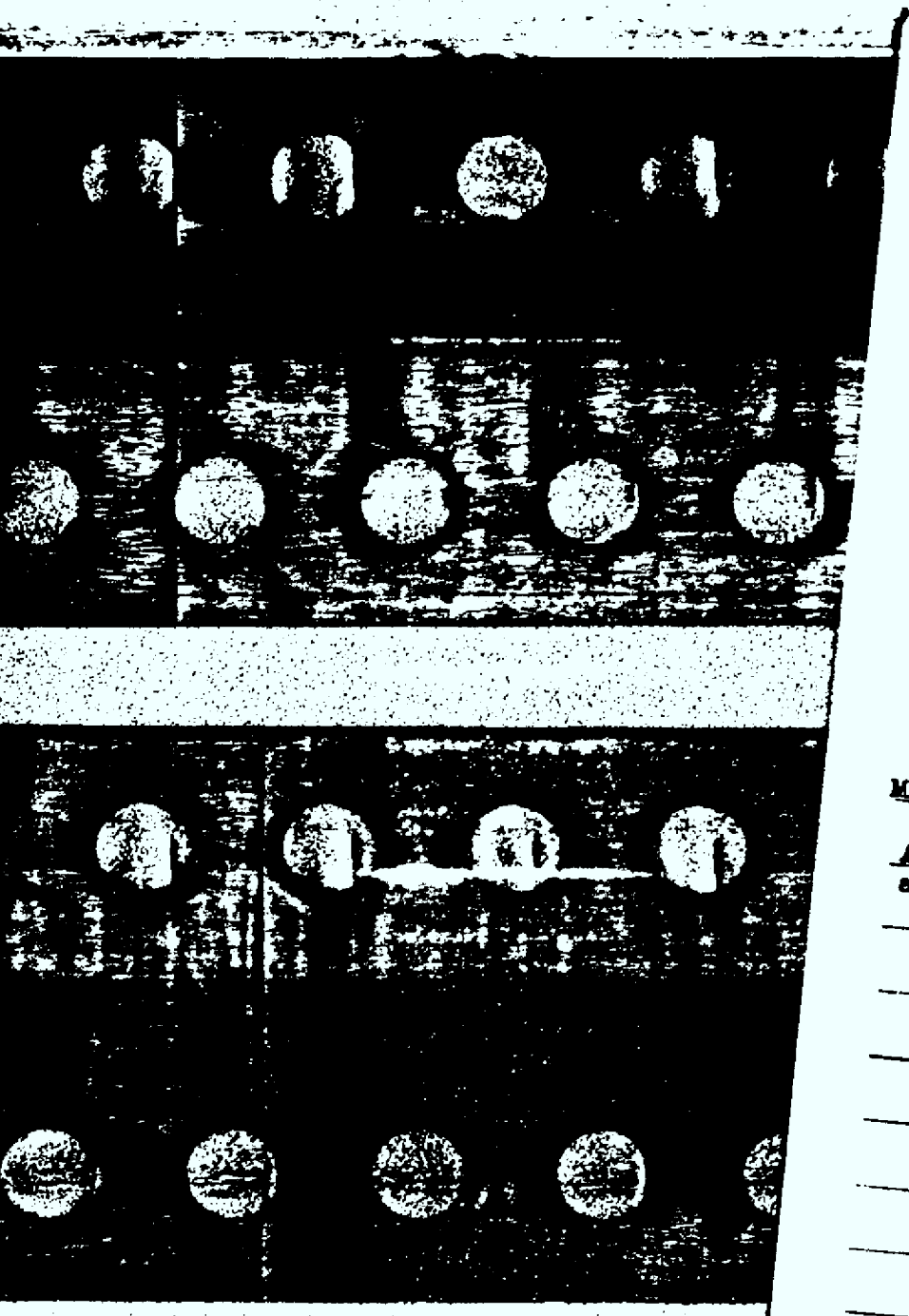
RECORDED

69-180-108
BUREAU OF INVESTIGATION
FEB 8 1932 P.M.
DEPARTMENT OF JUSTICE
FILE

B.O.O.

BUREAU FILES DIVISION
MAILED
FEB 6 1932
P.M.

55



Bureau of Investigation

From: Division Six.

February 12th 1932.

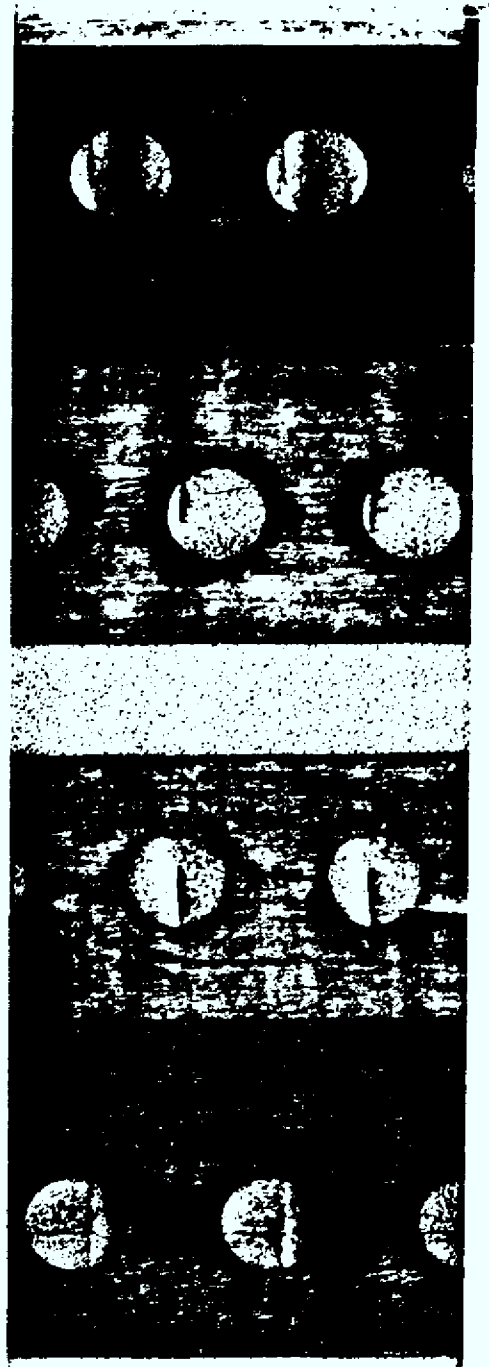
To: ___Director.
___Mr. Nathan.
___Mr. Tolson.
___Miss Gandy.
___Mr. Egan.
___Chief, Div. 2.
XX Chief, Div. 3.
___Chief, Div. 4.
___Chief, Div. 5.
___Chief, Div. 7.
___Chief, Div. 8.
___Chief, Div. 9.
___Chief, Div. 10.
___Mr.

MR. COFFEY:

Attached is the record of Al Capone, as requested.

JGM

56



RECEIVED

FROM

ASSISTANT ATTORNEY GENERAL YOUNGQUIST

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

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

Memorandum

DIVISION ONE

FEB 11 1932 PM

Have you information called for in marked par?

Y 2/11

News Youngquist 2-13-32 EOC

69-180-109

BUREAU OF INVESTIGATION

FEB 15 1932 P.M.

DEPARTMENT OF JUSTICE

FILE

Dir. Thr. Div. Thr.

57

C
O
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 convicting 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
Div. Three
Div. Two
FILE

58

COPY

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 Alphonus Capone, #B-5496, 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 Alphonsus 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, 1-23-25, suspicion; discharged.
Alphonse Capone, New York City, 12-27-25, homicide; discharged.
#3563, PD Miami, Florida, 5-13-30, investigation; released 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.

60

69-180-109

RECORDED & INDEXED

FEB 17 1932

EPC:BCH February 13, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST

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 criminal record of Al Capone, as reflected in the files of this Bureau.

Very truly yours,

Director.

Encl. #730698

69-180

EPC

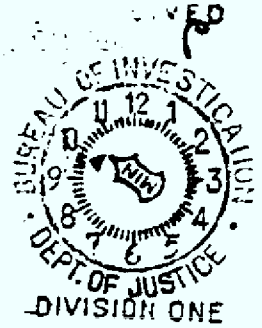
BUREAU FILES DIVISION MAILED FEB 13 1932 DEPT. OF JUSTICE P.M.

61

U. S. Department of Justice

Bureau of Investigation

P. O. BOX 1405,
CHICAGO, ILL.



February 27, 1932.

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

RECORDED
MAR 7 - 1932

69-180-110
BUREAU OF INVESTIGATION
FEB 29 A.M
DEPARTMENT OF JUSTICE
FILE

NATHAN

U. S. Department of Justice

Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

February 29, 1932.

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

Dear Sir:

69-180

There are attached hereto newspaper items appearing in the Chicago newspapers concerning the appeal of Alphonse Capone. It will be further noted that the item appearing in the Chicago Herald and Examiner dated February 25, 1932, states that Deputy United States Marshals have been placed in the County Jail for the purpose of guarding Capone, to prevent his carrying on his gang activities from his cell.

NEWSPAPER CLIPPINGS

Very truly yours,

M. H. Purvis

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

mhp-rmb

RECORDED & INDEXED

MAR 4 - 1932

69-180-111
BUREAU OF INVESTIGATION
MAR - 2 A.M.
DEPARTMENT OF JUSTICE
FILE

CHICAGO HERALD & EXAMINER

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 prize chief's cell, each working an eight-hour shift.

FIRST TAKES POST.

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. Meyering and Warden David Moneypenny 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 80-year-old mother, his son and his attorneys, Michael Ahern 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.

64

69-180-111

Chicago, Illinois

February 27, 1932.

AL CAPONE CONVICTION

AL CAPONE'S CONVICTION IS UPHELD

11-Year Term and Fine of $50,000 Stands, Illinois Court Rules.

The United States Circuit Court of Appeals, in a 5,000-word opinion, today affirmed Federal Judge James H. Wilkerson's conviction and sentence of Alphonse Capone [illegible] sentenced to eleven years in prison and fined $50,000.

While at Leavenworth penitentiary today what Terry Druggan [illegible] world in which he has moved [illegible] a helper of beer.

[illegible] his face pale and drawn, Druggan made the trip with sixteen other federal prisoners on a Burlington road train under heavy guard.

DENIED 4TH DELAY.

Druggan's removal followed denial by Federal Judge John P. Barnes of a plea for a fourth continuance, filed by Attorney Jacob Goskin. The judge sent a physician to examine Druggan. The doctor reported Terry was not too ill to travel, so the judge ordered him to Leavenworth, exclaiming:

"The people of this community are tired of hearing about Druggan's illness."

Terry already had been permitted to remain in the hospital three weeks. Awaiting him in the penitentiary was his former beer partner, Frankie Lake, who is serving eighteen months for his income tax troubles.

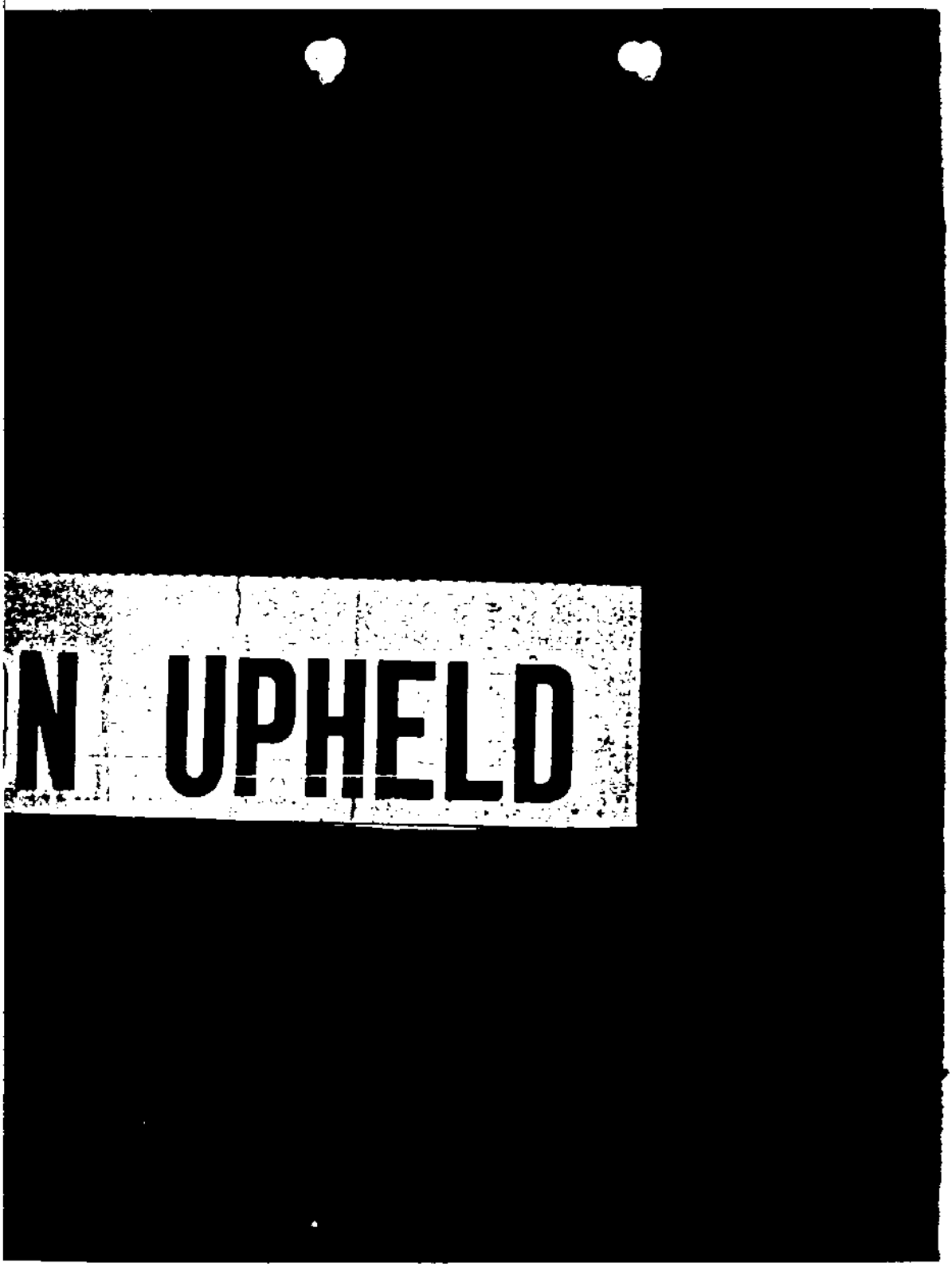
LEAVES COMPLAINING.

Druggan left Chicago complaining he was a "very sick man," but admitting he was willing enough to "get this over." As the train pulled out a blond young woman ran through the station in a vain effort to bid him good-by. Asked her name, the supposed sweetheart of Druggan played safe and answered:

"Mary Doe."

The beer man's parting statement to reporters was a reiteration that "this is a bum rap." He tried to play fair, he insisted, but the government wouldn't let him.

64-180-111



yh

1 H

U. S. Department of Justice

Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

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.

69-180

RECEIVED
DIRECTOR
MAR - 7 1932 PM

Dear Sir:

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

Very truly yours,

M. H. Purvis

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

MHP:RMB

Head

RECORDED
&
INDEXED
MAR 9 1932

69-180-112
BUREAU OF INVESTIGATION
MAR - 3 A.M.
DEPARTMENT OF JUSTICE
Div. One
NATHAN
Div. Two
Div. Three
FILE

CHICAGO DAILY TRIBUNE 3-1-32

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 affirm[illegible] 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.

68

69-180-11

CHICAGO DAILY TRIBUNE Feb. 28, 1932.

METROPOLITAN EDITION

PRICE TEN CENTS

ELD

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 [illegible] Q. 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 Circuit Judge [illegible] denied bail,



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

69-180-117

69

[illegible] the question in the appeal is still 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 Lindsay, 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 1924 and 1928.

Judges Samuel Alschuler, 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-

$123,591.34.

The sentence imposed by Judge Wilkerson, besides a $50,000 fine and costs 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 could 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 profits of these Cicero gambling establishments were shown to have run into thousands of dollars a month. Telegraphic records showing the transmission of some $100,984 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 $185,000 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. 17.—(U. P.)—Gen. Ma Chan-shan, recently reported assassinated, has begun his duties as governor of Heilungkiang province at Tsitsihar. He will attend the proclamation of the new Manchurian state at Changchun March 1, the Nippon Dempo News agency reported today.

[Gen. Ma, who became a hero in Chinese eyes as a result of his famed prior battle in defense of Tsitsihar against the Japanese that fall, was reportedly murdered in Chinese dispatches Thursday from Harbin, Manchuria. He has fallen low in Chinese public opinion since he apologized to Gen. Hiro Tamon, Japanese commander, for causing him "inconvenience" on the Nonni river.]

71

pending on the particular facts before the courts.

"In the instant case," the opinion went on, "the indictment is not defiant 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 such respects with the contentions of Assistant United States Attorney Jacob J. Grossman, who argued on the appeal and who, with Assistant District Attorneys Dwight H. Green and Samuel G. Clawson, prosecuted Capone.

News that his appeal had been lost was carried to Capone in his cell at the county jail by Assistant Warden Edward Nettler. Capone left a card game with his companions in his "emergency hospital" cell and met Warden Nettler 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 and sat out. 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 [illegible] income [illegible] 1924 to 1929, inclusive [illegible]

Appeals Court Upholds Prison Term for Al Capone



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

13

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CHICAGO DAILY TRIBUNE Feb. 29, 1932.

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. Those are the alternatives which today confront the United States senate.

14

69-180-114

RECEIVED

U. S. Department of Justice

Bureau of Investigation

P. O. BOX 1405,
CHICAGO, ILL.

MAR 26 1932 P.M. DIV. 3

MAR 23 1932 DEPT. OF JUSTICE DIVISION ONE

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.

MHP:HJ

1 Encl.

NEWSPAPER CLIPPING

69-180

RECORDED & INDEXED

MAR 28 1932

69-180-113

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

Dir. Ond. NATHAN Div. Three

FILE

Chicago Herald & Examiner, 3/23/32.

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. Johntry, 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

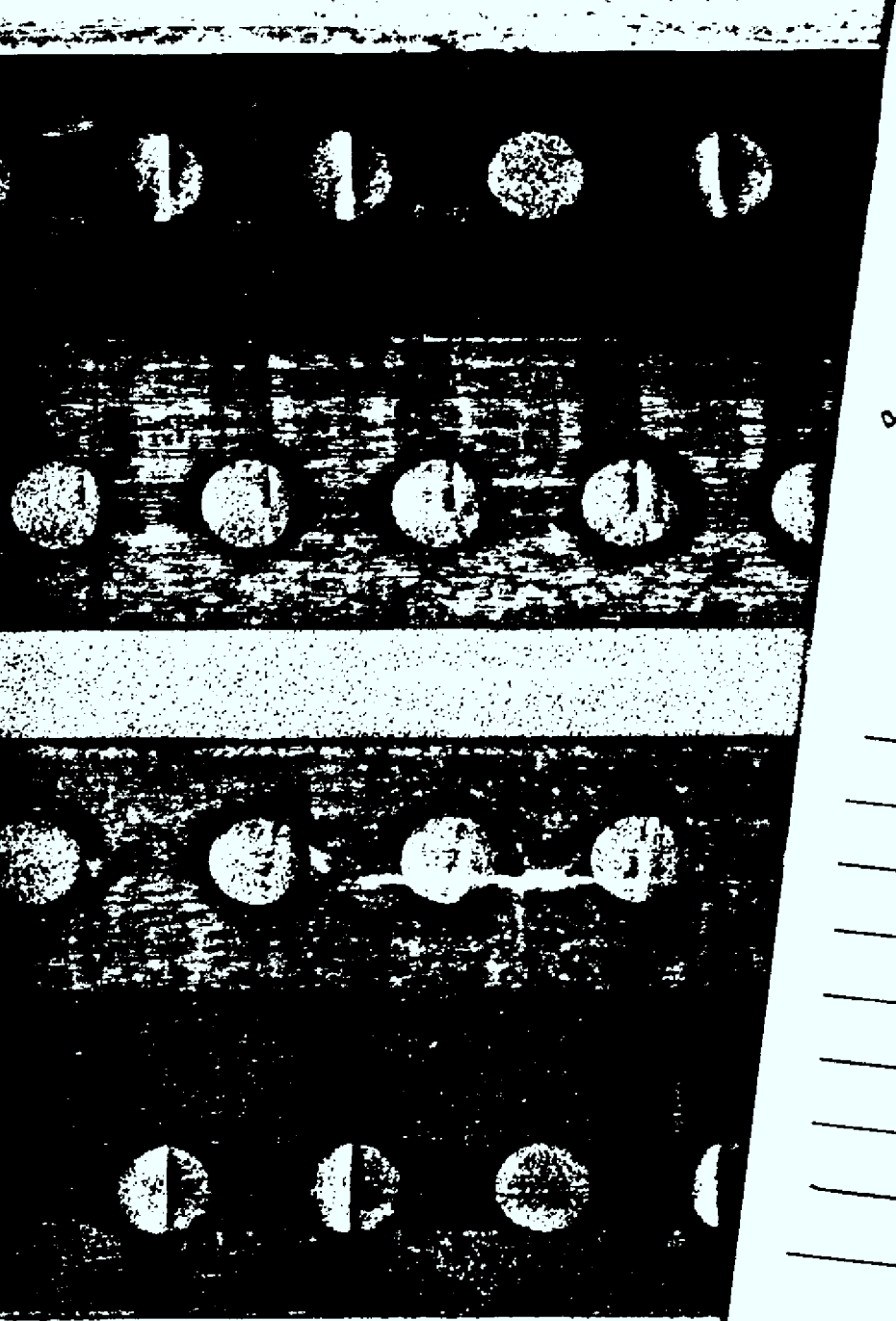
Prospect for an early disposition of Al Capone's income tax fraud case by the United States Circuit Court of Appeals took in prospect yesterday when the government filed its answer to Capone's petition for a rehearing of his case by the Circuit Court.

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.

16

69-180-113



193

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

17

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 P.M.



THE NEMESIS OF AL CAPONE

X Baltimore Sun
March 20 1932

INDEXED

69-180-113X

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 jack 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 Alphonse 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 Burnet, 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 Burnet 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 Burnet, but also the Department of Justice, the Postoffice 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 1925, had been making incalculable thousands a year.

Baltimore Sun March 20 1932

19

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

Baltimore Sun March 20 1932

80

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 [illegible] a patronage of high-class [illegible] 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 bookkeeping 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."

Baltimore Sun March 20 1932

81

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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

put their checks on maps 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 extensive 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.

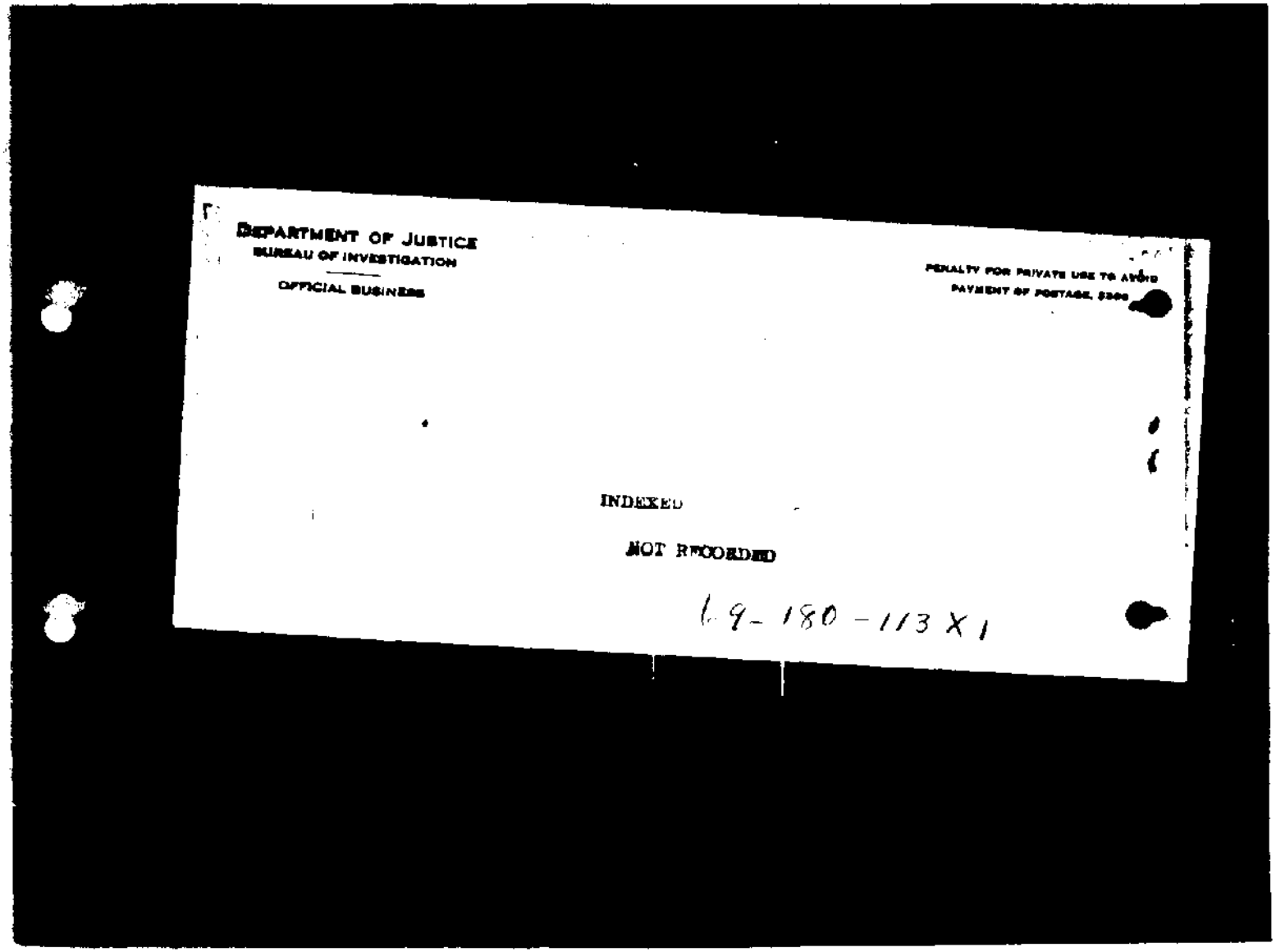
At the other extreme was the man who stated he was going to issue five or six checks, but that he wanted payment stopped on all of them as soon as they were presented.

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-

Baltimore Sun March 20 1932



DEPARTMENT OF JUSTICE
BUREAU OF INVESTIGATION

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

INDEXED

NOT RECORDED

62-180-113X1

Kansas City Times
4-4-32

ICE: In Kansas City.... Cents
Elsewhere..... Cents

A BRAGGING CAPONE

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

69-180

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

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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 at any time.

Mr. Johnson—No, sir, he did not. Senator, I would not help the [illegible]

NEWSPAPER CLIPPINGS

67-180-1131

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[192
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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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"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.

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"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.

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"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 McGurn,

...this is the last raid you will ever make,' and 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 certain 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 $8,000. 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 get in a Ford with all doors locked.

Legalize racing in every state, and, people will bet. But they got 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.

Yours, WILL ROGERS.

* * * *

PRICE: In Kansas City—3 Cents
Elsewhere.....5 Cents

Capone Case Testimony Stirs Congress.

(By the Associated Press.)

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—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.

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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.

NOT RECORDED
69-180 INDEXED
69-180-113X2

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APR - 9 1932 PM
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DEPARTMENT OF JUSTICE
DIV. 9

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 McGurn 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 1928.)

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 [illegible] he could buy a car for $4,500.

"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 Englishman 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. These men were very courageous, but after [illegible] the saloonkeeper, was threatened, and month after month passed [illegible] Hoover was assaulted [illegible] and

U. S. Department of Justice

Bureau of Investigation

POST OFFICE BOX 1405
CHICAGO, ILLINOIS.

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, concerning ALPHONSE CAPONE.

Very truly yours,

M. H. Purvis

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

MHP:MG

X NEWSPAPER CLIPPING

INDEXED
RECORDED

MAR 30 1932

69-180-114
BUREAU OF INVESTIGATION
MAR 28 1932 A.M.
DEPARTMENT OF JUSTICE
FILE

30-DAY STA

GIVEN CAPONE

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 sentence [illegible] at least six weeks. The United States Circuit Court of Appeals yesterday denied the [illegible] rehearing of his appeal, but extended him a stay of mandate for [illegible] pending appeal to the Supreme court.

There was [illegible] air in the federal building during the afternoon. Marshal Henry C. W. Lauber was prepared to start Capone on his way to Leavenworth immediately [illegible] mandate was issued. But [illegible] and Michael Ahern applied to [illegible]

AL CAPONE.

[illegible] obtain. [illegible] opinion. [illegible] by and explaining [illegible] postponement with his counsel, [illegible] layed his arrival for [illegible] said.

"Well, I expect [illegible] motion here for a stay of [illegible] date," said Judge Alschuler.

Extra Guards Employed.

"There is this situation," said United States Attorney George E. Q. 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 government would naturally like to be relieved 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 Ahern.

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. Ahern then assured 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 motion 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 in all likelihood will remain in jail for six weeks.

No Reason Given for Guards.

Although Judge Alschuler mentioned no names in his reference to the trustworthiness of jail officials, the responsibility for Capone while he is in jail rests with Sheriff William D. Meyering.

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 communications 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.

91

WASHINGTON POST Sunday Apr 10, 1932.

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BUREAU OF INVESTIGATION
DEPT. OF JUSTICE
DIVISION ONE
APR 11 1932 PM

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. Q. 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 [illegible] to plead guilty and receive a comparatively short sentence of 2½ years.

"That has taken the curse off 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

NOT RECORDED
69-180

INDEXED

69-180-114X

U. S. Department of Justice

Bureau of Investigation

P. O. Box 1405
Chicago, Illinois

April 8, 1932.

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 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

LPO:AB

69- 180

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APR 12 1932

69-180-115
BUREAU OF INVESTIGATION
APR 11 1932 A.M.
DEPT. OF JUSTICE
FILE

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DEPT. OF JUSTICE
DIVISION ONE
APR 11 1932 PM

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DIV. 3
APR 11 1932 PM

RECORDED
APR 27 1932

THS:MCB
69-180-116

April 26, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST

In the case entitled ALPHONSE CAPONE, et al, CONTEMPT OF COURT - PERJURY there are transmitted herewith copies of the following reports:

Agent	Office	Date
L. P. Oliver	Chicago, Illinois	4-20-32

Very truly yours,

Director.

THS

BUREAU FILES DIVISION
MAILED
APR 26 1932
P.M. OFFICE

Encl. # 176445

94

Form No. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLORIDA CHICAGO FILE NO. 69-19

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Chicago, Ill.	4/20/32	4/8,12,14/32	J. B. OLIVER - AJ

TITLE: ALPHONSE CAPONE;
KENNETH PHILLIPS, ET AL

CHARACTER OF CASE: CONTEMPT OF COURT
BOOTLEGGING

69-180

SYNOPSIS OF FACTS:

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

REFERENCE: Report of Special Agent in Charge W. A. McGuire, 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 D. 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.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: PENDING SPECIAL AGENT IN CHARGE

69-180-116

RECORDED AND INDEXED: APR 23 1932

BUREAU OF INVESTIGATION
APR 23 1932 A.M.
DEPARTMENT OF JUSTICE

CHECKED OFF: APR 27 1932

JACKETED: 95

COPIES OF THIS REPORT FURNISHED TO:

3-Bureau
3-Jacksonville
2-Chicago

ROUTED TO: Div. Two

ITS:DAT
69-180-117

May 25, 1932.

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

Dear Sirs

Receipt is acknowledged of your communication dated May 19, 1932, in re ALPHONSE CAPONE; KENNETH PHILLIPS, E. 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.

RECORDED
MAY 27 1932

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

96

U. S. Department of Justice

Bureau of Investigation

P. O. Box 52,
Jacksonville, Fla.

RAA:SLH

May 19, 1932.

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,
Special Agent in Charge.

Jax File #69-9

MAY 27 1932

69-180-117

MAY 23 1932

Doc. Orig.
NATHAN
Doc. Two

FILE

97

ITB:EMF
69-180-117

RECORDED
MAY 27 1932

May 25, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST.

With reference to the case involving ALPHONSE CAPONE; KENNETH PHILLIPS, M. D. — Contempt of Court; Perjury, which, as you may recall, was in connection with the giving of an affidavit by Dr. 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 the case pending further, and accordingly the Jacksonville office is being authorized to mark the case closed.

Very truly yours,

Director.

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

Encl. 6118006.

MAY 27 1932 A.M.

98

Form No. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLORIDA FILE NO. 99-19

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILL.	May 27, 1932	May 27, 1932	

TITLE: ALPHONSE CAPONE
KENNETH PHILLIPS, ET AL.

CHARACTER OF CASE: CONTEMPT, CIRCUIT COURT OF APPEALS

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.

RECEIVED
DEPT. OF JUSTICE
INVESTIGATION
JUN 2 1932
BUREAU

JUN 1 1932 AM

REFERENCE: Report of Special Agent L. P. Oliver, Chicago, Illinois April 30th, 1932.

DETAILS: AT CHICAGO, ILLINOIS

On May 31st, 1932, agent interviewed Mr. E. 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.

PENDING

DO NOT WRITE IN SPACES BELOW

APPROVED AND FORWARDED: M. H. Gunnie Acting SPECIAL AGENT IN CHARGE

69-180-178

RECORDED AND INDEXED: MAY 31 1932

CHECKED OFF: JUN 3 - 1932

JACKETED:

COPIES OF THIS REPORT FURNISHED TO:
Bureau - 3
Jacksonville
Chicago- 2

BUREAU OF INVESTIGATION
MAY 31 1932 A.M.
DEPARTMENT OF JUSTICE

ROUTED TO: Div. Two FILE:

99

7-1933

MAY 31 1932 P.M.
DEPT. OF JUSTICE
RECEIVED

Form No. 1

THIS CASE ORIGINATED AT Jacksonville, Florida, FILE NO. 99-0

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	CHARACTER OF CASE
Jacksonville, Florida	May 28, 1932	May 28, 1932	

TITLE: ALPHONSE CAPONE;
KENNETH PHILLIPS, M. E.

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 case.

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.

CLOSED.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE

COPIES OF THIS REPORT FURNISHED TO:

3-Bureau
2-Chicago
1-United States Attorney, Jacksonville
2-Jacksonville

PHS

69-184-119

BUREAU OF INVESTIGATION
MAY 31 1932 A.M.
DEPARTMENT OF JUSTICE

ROUTED TO: Div. Two

RECORDED AND INDEXED: MAY 31 1932

CHECKED OFF: JUN 4 - 1932

JACKETED:

10

7—12

RECEIVED
BUREAU OF INVESTIGATION DEPT. OF JUSTICE DIV. 2
JUN 2 1932 AM

BUREAU OF INVESTIGATION DEPT. OF JUSTICE
JUN 1 E 1932 PM

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, Acting
Special Agent in Charge.

MHP:PM

1 Encl.

69-180

NEWSPAPER CLIPPINGS

RECORDED & INDEXED
JUN 7 - 1932
69-180-120

101

Chicago Herald & Examiner
5/27/32.

CAPONE OPENS NEW FIGHT FOR FREEDOM

Refusing to abandon the legal battle for freedom, "Barcface 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 [illegible] 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.

Chicago Daily Tribune
5/27/32.

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.

102

69-180-120

69-180-121

June 11, 1932.

RECORDED & INDEXED

JUN 17 1932

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

69-180

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 Alphonso Deckard by one R. E. Walden, connected, apparently, with the Atlanta Woman's Weekly, Incorporated, 301 William Oliver Building, Atlanta, Georgia.

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

Very truly yours,

Director.

Encl. 100121.

BUREAU FILES DIVISION
MAILED
JUN 11 1932
P.M.
DEPT. OF JUSTICE

103

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:

I enclose herewith letter from [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) AG Aderhold,

A. G. Aderhold,
Warden.

AGA-T.

RECEIVED JUN 17 1932 DEPT. OF JUSTICE

JUN 17 1932

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

104

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

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:

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXX

XXXXXX
XXXXXX
XXXXXX

105

FBI/DOJ

U. S. Department of Justice

Bureau of Investigation

P. O. Box 1405
Chicago, Illinois

June 13, 1932.

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

EPG:AB
1 Enclosure

69-180

RECORDED & INDEXED
JUN 23 1932

69-180-122
BUREAU OF INVESTIGATION
JUN 15 1932 A.M.
DEPT. OF JUSTICE
FILE

SAA:MMK
62-180-122

RECORDED
JUN 23 1932

June 20, 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 "Capone'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 Sabas 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 publication 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.

BUREAU FILES DIVISION
MAILED
JUN 20 1932
P.M.
DEPT. OF JUSTICE

BUREAU FILES DIVISION
MAILED
JUN 20 1932
P.M.
DEPT. OF JUSTICE

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,

Acting Special Agent in Charge.

RECEIVED JUN 22 1932

CGS:JMS

CC Jacksonville

69-19

RECORDED

JUN 28 1932

69-180-123
BUREAU OF INVESTIGATION
JUN 22 1932 A.M.
DEPARTMENT OF JUSTICE
FILE

108 JM

CN:EB
69-180-123

RECORDED
JUN 28 1932

June 24, 1932.

Special Agent in Charge,
United States Bureau of Investigation,
Post Office Box 1425,
Chicago, Illinois.

Re: ALPHONSE CAPONE,
Contempt of Court - Perjury

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
P.M.
DEPT. OF JUSTICE

Form No. 1
THIS CASE ORIGINATED AT BIRMINGHAM, ALA. FILE NO. 62-745 MLP

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Birmingham, Ala.	6-23-32	[illegible]	[illegible]

TITLE: S.M. BALDEN

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 501 Silver Building, Atlanta, Georgia. A copy of the Atlanta Woman's Weekly is furnished herewith to the Bureau.

62-180

69

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. b7C b7D

[redacted]

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

69-180-124

RECORDED AND INDEXED JUN 24 1932

COPIES OF THIS REPORT FURNISHED TO:

3 Bureau (ENCLOSURE)

2 Birmingham

BUREAU OF INVESTIGATION JUN 24 1932 A.M.

DEPARTMENT OF JUSTICE

FILED JUN 30 1932

FILED

b7C
b7D

[redacted]

With respect to the personal history of subject, [redacted]

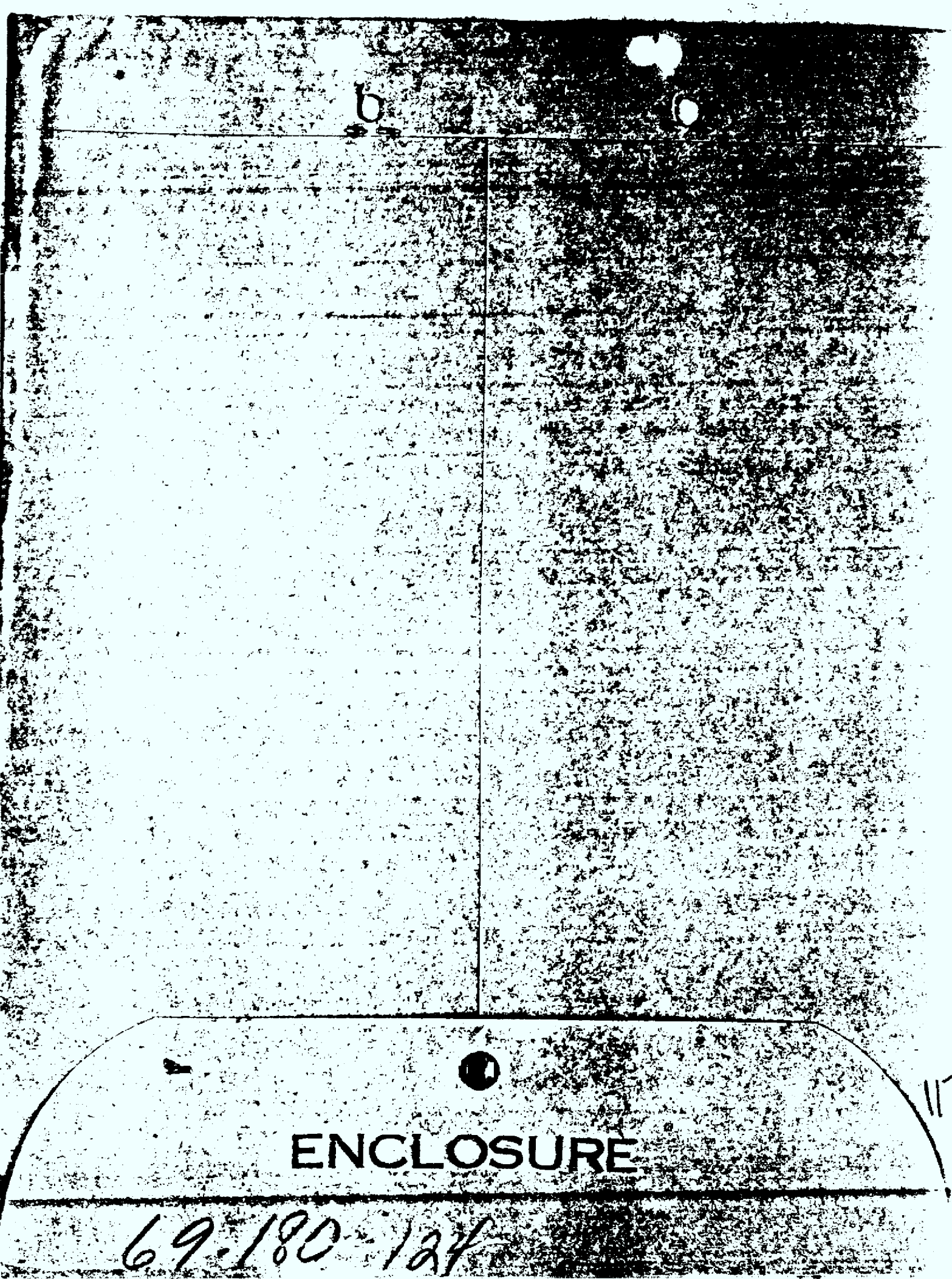
Agent called at 501 Silvey Bldg., and obtained the last copy of The Atlanta Weekly which is forwarded herewith to the Bureau. This copy is [redacted] dated April 30, 1932 and the young man who was in the office in the absence of subject stated that publication would probably resume in the near future.

A.C. Aderhold, Warden, U.S. Penitentiary, was interviewed by Agent [redacted] 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.


b
c
ENCLOSURE
69.180-124

FAMOUS ACTRESS'S HAND TELLS SECRETS

Story on page 4

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 Denton 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

The Atlanta Weekly

PUBLISHED EVERY WEEK
at Atlanta, Georgia
By
The Atlanta Woman's Weekly, Inc.

Subscription Rates:

3 Months	$ .75
6 Months	1.25
12 Months	2.00
Single Copies	.05

E. M. WALDEN
Editor

Editorial and advertising offices
501 Silvey Building, Atlanta, Ga
Advertising rates on application

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 editorials 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.

TABLE OF CONTENTS
April 30, 1932

	Page
Photograph of Ruth Roland	1
Photograph of Ruth Roland's Hand	6
Jap-Russian Armys Clash	1
Editorial	2
Our Policy	2
Stories Wanted	2
Five Little Fire Crackers	2
Laugh Your Troubles Away	2
O'Neill Tragedy	3
Japs Seek War With U. S.	3
Kidnap Ring Defies U. S.	3
Senate Rejects Beer	3
Helen Duels Men	3
Ruth Roland's Hand	6
Numerology	6
Horoscope	6
Mental Telepathy	4
Music	4
Theatres	7
Famous Affinities of History	8
Broken Soul— Serial Story	5

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, 501 Silvey Building, Atlanta, Ga.

EDITORIAL

[illegible] weaken and a weak life if you don't stiffen.

Spells of indignation—pacing the [illegible] month's work done in a week. Bricks and bequets, knights, ghosts 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 "extra" 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 rages. 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 use—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 does the managing for you."

BOXER: "Nerts—and I ain't gonna kayo this bum in the second round, get me?"

MANAGER: "If you don't, I'll brain yuh."

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 seek this tramp in the second round, I'll let you marry Mable."

BOXER: "You ain't my keeper."

MANAGER: "You need a keeper."

BOXER: "Nertz."

MANAGER: "You are."

BOXER: "Why should I kayo 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 baloney?"

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?"

BOXER: "I ain't gonna hurt this guy, I tell you. He's a nice feller."

MANAGER: "What's the idea, ape?"

BOXER: "If I kayo him, Mable won't marry me."

MANAGER: "Mable won't marry you! Why?"

BOXER: "He's Mable's pet brother."

We'll Hatch Our Own

CUSTOM HATCHING
Bring Us Your Eggs
Careful Work, Modern Equipment
Order Baby Chicks and Ducks
Now
ROSEBUSH HATCHERY
Roswell Road

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 plots also. Now, there is something I would like to get them to hatch for me. If I could get a nice, carefully hatched plot, I would give them an order.

But think of sending them your eggs to hatch. Suppose they got them mixed with somebody else's eggs! You would never know. All your life you would wonder whether they was your eggs or another persons, and you would certainly regret that you hadn't hatched your own eggs properly, like you should.

(Continued on page 7)

Five Little Firecrackers

Five little firecrackers
Put on their pants,
Five breakfast sausages
And demanded their beans.

Said one little firecracker,
"I feel so funny;
Something is happening
Inside my tummy."

Second little firecracker,
"My head still hurts."
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 hung! wasn't the thirst-quenchers
Until they were all shot.

Laugh Your Troubles Away

Practical Jokes

Prevent Kissing

"How can I prevent Geor, kissing me at night when comes to see me?"

"See him only in the daytim dear."

Form of Greeting

Tommy—What name please

Caller—Edward, why?

Tommy—Sis wants to kno whether to be prepared to gre you with a kiss or just shak your hand.

Pedestrian Defined

Maggie—Whatsa pedestrian Sadie?

Sadie — Aw, a girl wot won' neck, Mag.

Certainly Was Good

"Lot's wife was certainly good woman."

"How so?"

"Wasn't she the salt of th 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.

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

Jap Fascisti Seek War With U. S. On Pacific

Japanese Troops Are Ready

Japanese Troops Urged on by the Newly Organized Facist 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 Fascisti 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 wil 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 kidnapings 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 Hopewell, 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 dashing, 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 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, and Phil Neer and Ed Chandler, both former national intercollegiate champions.

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 gloomy, 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 *premiere* and, they say, will be packed for the next three weeks. The O'Neill lure, 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 $3.

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 manufactures committee, 7 to 4.

Meanwhile, at the resumption of prohibition hearings before a senate judiciary subcommittee Rice Hooe 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.

Hooe 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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115

ENTAL TELEPATHY

Science of Silent ental Communica- ion Between Persons

By Ivan Kerloff

day, Science is devoting and more time to the art ental Telepathy; for the tist has come to appreciate alue of thought transfer- and the fact that it can be on a practical scientific s. Until recent years, the age scientist ridiculed or ig- d this great mystery, being h to admit that it existed as ould not explain it. However, the constantly recurring mples of its existence for- before him, he was finally ed to recognize it; and n this happened, he natur- sought a scientific expla- ion. Thus, today, we have ntists throughout the world dying and experimenting h this newest and most re- rkable of human powers. This most fascinating of all ences will be discussed in a ies of ten articles in simple nguage anyone can under- nd in order to present the th and amazing possibilities this great natural power in manner all can grasp and e.

Marvelous Feats of Ancient India and Egypt

What greater medium can ortal man visualize for perfect mmunion and understanding etween two souls than *Mental elepathy* that is, the art of roadcasting one's thoughts to thers, wherever they may be? n the following articles, an ef- ort will be made to describe n some small measure this won- derful science as it is under- tood at present.

Miracles of *Mental Telepathy* ave been a cause for amaze- ment and perplexity among scientists as well as laymen al- most since the inception of time.

This extraordinary science has formed a basis for innumer- able modes of magic and sorcery, both ancient and modern, most of which had their origination 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 cape 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 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 mediaeval 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. "In the vast territory surrounding the earth, there are many varieties of atomical actions to which man is competely 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 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 an 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.

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By Ralph Hamm...

...An thing ...th whi... value.
...As ...as mo...
...or ...
But m... in the home ...
...ship in the heart,—
In happiness its wort... told."

New York City, ... 1932.—Lillian Bennett ... Town Hall on Tuesday, ... a splendid recital. Bl... rich, velvet-smooth C... and in the years she ... studying and working ... a beautiful thing of it.

Miss Bennett is ... from Marietta and is ... Georgia girl who "ha... good" in New York. S... pupil of de-Reszkis and ... led here under Arthur ... and several other well ... teachers.

Now she works wit... companist every day, ... ing her in her home, ... thing upon request, rev... versatile she has beco...

Miss Bennett sings ... group of musicians: E... rison, Soprano; Eugene ... der, Tenor; Leo D. ... Basso, and these four a... stant demand.

Miss Bennett sings ... known Church every ... and is keeping her jo... own amazement. She ... tiful woman, full of ... kindliness, and her s... her audience from the ... It is a treat to hear he... cert Opera, or any o... And music is her w... though she has anoth... side that is a joy w... watched her grow ... pretty girl into a glo... beautiful woman of r... cal and artistic talen...

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"And she really coul...

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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 matron, Helen Wills Moody is the same imperturbable, self-reliant person she was when, at 15, with pigtails down her back, she astounded 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.

"BROKEN SOUL"

Delphe 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, 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

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The Character of a Famous Actress

As Revealed by Her Hand

Ruth Roland Hand Talks Interesting Story

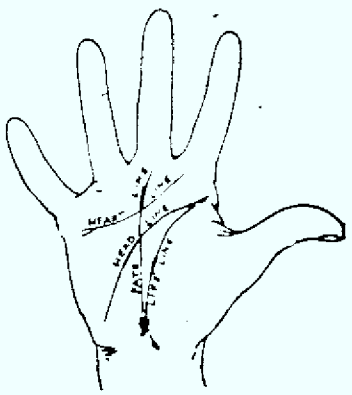
—by—

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).

Astrological Horoscope

If you have a girl friend or a boy friend born between April 19th to April 26th, the nature is what is known as the Aries-Taurus type, as this is the time known as the "cusp" when the sign Aries 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 enojyment. 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 tempers 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 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.

NUMEROLOGY

If you were born on the 3rd, 12th, 21st, 30th of any month, you would be 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, 57th, 66th 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.

"BROKEN SOUL"

(Continued from page 6)

mittee 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.

re 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," Paramounts' 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 incomfully 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



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PLAY

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—name 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 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, to 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 behest a leader of armies allowed his cohorts to go down to defeat.

Why?

Unless you know—unless [illegible] 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 finger-tips 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 vilest 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 dreams—beauty, riches, jewels were hers. She had two husbands and many, many lovers. Canova modelled his exquisite Venus Victrix 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—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.

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Queen Elisabeth and the Earl of Leicester.
The King of Bavaria and Outrageous Lola Montez.
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Lord Byron's Inspiration, Countess Guiccioli.
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Buy this book now and read more about the famous men and lovely women whose love lives molded 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 .....

FAMOUS ACTRESS'S HAND TELLS SECRETS

Story on page 4

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 Deaton 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

The Atlanta Weekly

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E. M. WALDEN
Editor

Editorial and advertising offices 601 Silvey Building, Atlanta, Ga. Advertising rates on application.

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 editorials 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.

TABLE OF CONTENTS
April 30, 1932

	Page
Photograph of Ruth Roland	1
Photograph of Ruth Roland's Hand	6
Jap-Russian Armys Clash	1
Editorial	2
Our Policy	2
Stories Wanted	2
Five Little Fire Crackers	2
Laugh Your Troubles Away	2
O'Neill Tragedy	3
Japs Seek War With U. S.	3
Kidnap Ring Defies U. S.	3
Senate Rejects Beer	3
Helen Duels Men	3
Ruth Roland's Hand	6
Numerology	6
Horoscope	6
Mental Telepathy	4
Music	4
Theatres	7
Famous Affinities of History	8
Broken Soul—Serial Story	5

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

A Sad Life

weaken and a weak life if you don't stiffen.

Bowls of indignation—pans of profane—a month's work done in a week. Bricks and beguets, kindred plants 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 "extra" 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 rages. 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 use—a brick?"

MANAGER: "Your right, ape; your right."

BOXER: "I gotta date with Mabie 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 does the managing for you."

BOXER: "Nerts—and I ain't gonna knyo this bum in the second round, get me?"

MANAGER: "If you don't, I'll brain yuh."

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: "Nertz."

MANAGER: "You are."

BOXER: "Why should I knyo 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?"

BOXER: "I ain't gonna hurt this guy, I tell you. He's a nice feller."

MANAGER: "What's the idea, ape?"

BOXER: "If I knyo him, Mabie won't marry me."

MANAGER: "Mable won't marry you! Why?"

BOXER: "He's Mabie's pet brother."

We'll Hatch Our Own

CUSTOM HATCHING
Bring In Your Eggs
Careful Work. Modern Equipment
Order Baby Chicks and Ducks
Now
ROSEBUSH HATCHERY
Russell Road

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 plots also. Now, there is something I would like to get them to hatch for me. If I could get a nice, carefully hatched plot, 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 were your eggs or another persons, and you would certainly regret that you hadn't hatched your own eggs properly, like you should.

(Continued on page 7)

The Five Firecracker

Five little firecrackers
Put their guns,
Up from behind their mommies
And demanded their buns.

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 hungry went the firecrackers
Until they were all shot.

Laugh Your Troubles Away

Practical Jokes

Prevent Kissing

"How can I prevent Geor kissing me at night when I comes to see me?"

"See him only in the daytim dear."

Form of Greeting

Tommy—What name please Caller—Edward, why?

Tommy—Sis wants to kno whether to be prepared to gree you with a kiss or just shak your hand.

Pedestrian Refused

Maggie — Whatsa pedestria Sadie?

Sadie — Aw, a girl wot won' neck, Mag.

Certainly Was Good

"Let's wife was certainly good woman."

"How so?"

"Wasn't she the salt of th 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.

122

Neill's Six-Hour Tragedy Season's Sensat

ıp Fascisti Seek War /ith U. S. On Pacific

Japanese Troops Are Ready

ese Troops Urged on by the nly Organized Facist Party re Busy Preparing for War with U. S. Which They Believe inevitable.

cret Men Are Active

pril 29. — That Japanese ists are bent on forcing a - between America and Jap- for control of the Pacific is oming more and more appar- . The Fascisti groups, made of young militarists, are re- ded as the Prussians of the r East. Their power is grow- steadily.

Overthrow of the Diet and a ilitary dictatorship is the Fas- objective, according to those ely in touch with the move- ent. So definite has this reat become that even high vernment officials are frankly mitting that if the present po- ical parties in Japan are to ntinue, they wil have to model heir policies more closely to nform 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 kidnapings 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 cooperating 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 Hopewell, 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 Ducls Men On Court; Game Gains New Power

San Francisco, April 19. — Backed by a more dashing, 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 with "pigtails" seven ago.

Five times a week fall and winter mon Moody has been on th courts. The leading ers in this section pr opposition. The nati holder has been teste net stars as Howard one-time internation 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 manufactures committee, 7 to 4.

Meanwhile, at the resumption of prohibition hearings before a senate judiciary subcommittee Rice Hooe 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.

Hooe 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.

ALICE BRADY POWERFUL LEADING

Eugene O'Neill's trilogy, "Mourning Be ...hetra," broke all ... when it opened at the ... running from 5:30 to ... with an hour out for di... is gloomy, grisly divers... its two murders and ... cides, its love-crazed wo... chooses her husband's ... mate first cousin for ... mate, its modern Elect... ing 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 ... sented by the Theater ... apparently among the ... show-going people was ... Colonial was packed at ... mieres and, they say, ... packed for the next thr... The O'Neill lure, the ... ally strong cast, with ... day, Alla Nazimova, E... more, Lee Baker and ... Chalmers in the princi... and the bargain prices ... bine to spell box offic... In New York they got ... this same production ... months ago. Here the ... for the three plays is ...

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MENTAL TELEPATHY

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 modes of magic and sorcery, both ancient and modern, most of which had their origination 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 cape 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 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 mediaeval 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. In the vast territory surrounding the earth, there are many varieties of atomical actions to which man is competely 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 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 imposible. It is only through vibrations created by a picture or photograph in a New York broadcasting station that a duplicate picture an 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.

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MUSIC COLUMN

By Temple Hammond

"All things with which we have a value,
As memories—
Or gifts—
But music in 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-Reskis 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, sing 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. Hierapois, Basso, 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 kindliness, 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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Creme de La Creme, Chez Jeanne
Chez Jeanne Vanity
Fair Tea Room
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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, for a matron Helen Wills Moody is the same imperturbable, self-reliant person she was when, at 15, with pigtails down her back, she astounded 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.

"Poker Face" Wins Fame for Helen

Aside from her astounding skill with a tennis racket, her eye-shade, pigtails and cocinass 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 Mallory as national champion. No woman except Susanne Lenglen has ever been able to stand against her. Holder of over fifty titles, Queen Helen has taken all her triumphs with seeming indifference. "Little Poker Face" they dubbed her when she first took the spotlight on Eastern courts. Her friends say it wrong.

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

Luck favored me a week or 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 old friend, Mrs. Gaines, sitting there 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 me, smiled and motioned for me to join her. "I am fine, won't 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. Co

(Continued on page 6)

PETS

Canaries, Love Birds, Parrots

Puppies, Kittens, Goldfish, Bantams, Doves, Pigeons, Rabbits, Guineapigs, Squirrels, Monkeys, Foods, Remedies and Supplies.

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"PETLAND"
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(Where the Peachtrees Meet)

The Character of a Famous Actress

As Revealed By Her Hand

Ruth Roland Hand Tells Interesting Story

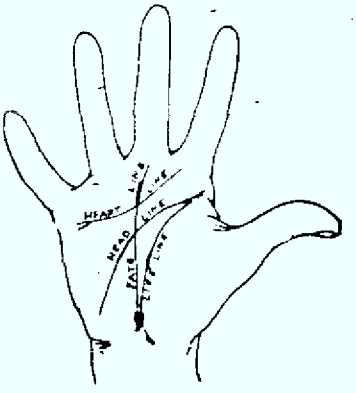
—by—

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).

Astrological Horoscope

If you have a girl friend or a boy friend born between April 19th to April 26th, the nature is what is known as the Aries-Taurus type, as this is the time known as the "cusp" when the sign Aries 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 tempers 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 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.

NUMEROLOGY

If your birthday be the 3rd, 12th, 21st, 30th of any month, you would be 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, 57th, 66th 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.

"BROKEN SOUL"

(Continued from page 5)

mittee 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.

126

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," Paramounts' much discussed production of the famous screen classic starting today at the Paramount Theatre.

Sylvia Sidney, as the underwold 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 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 Voiced Crooner
Bert Parks
In Person
Balcony 15c
Main Floor 25c
Till 6 P. M. All Day

Loew's Grand
25c
Starting Monday
Which Is The Greatest
LIONEL —— JOHN
BARRYMORE
Arsene Lupin
with
KAREN MORLEY
Free Cartoon "The Milkman"
Fox Movietone News
M. G. M. Picture
STARTING THURSDAY
It Might Happen To Your Boy!
Don't Fail To See
YOUNG AMERICA
With
Spencer Tracy—Dorris Kenyon
Tommy Conlon
Selected Junior Feature Types
Fox Movietone News

A Mighty Love ... Lifted Them From The Depths
Frauds, cheats, liars moved by a power they couldn't resist!
THE MIRACLE MAN
SYLVIA SIDNEY
CHESTER MORRIS
HOBART BOSWORTH
IRVING PICHEL
ROBERT COOGAN
Paramount Theatre
Now Playing

The kind of hit that makes the
GEORGIA
the most popular theatre in town!

BARBARA STANWYCK
SO 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—name 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 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.

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 behest a leader of armies allowed his cohorts to go down to defeat.

Why?

Unless you know—unless [illegible] 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 finger-tips 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 vilest 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 dreams—beauty, riches, jewels were hers. She had two husbands and many, many lovers. Canova modelled his exquisite Venus Victrix 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 [illegible] 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.

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.
Mme. 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 not a line omitted—in this single handsome volume. Send for it today. See how many hours of intensest 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 molded 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

CR:EK
69-180-125

July 15, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL YOUNGQUIST.

Transmitted herewith is a copy of the report of Special Agent L. P. Oliver, dated at Chicago, Illinois, July 7, 1932, entitled ALPHONSE CAPONE; KENNITH 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

JUL 15 1932

Form No. 1

THIS CASE ORIGINATED AT Chicago, Illinois. Chicago FILE NO. 69-19

JUL 11 1932 FBI

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH REPORT MADE:	REPORT MADE BY:
Chicago, Illinois.	7/7/32	7/1, 5 & 6/32	L. P. OLIVER

TITLE: ALPHONSE CAPONE; KENNETH PHILLIPS, M. D.

CHARACTER OF CASE: CONSPIRACY (OBSTRUCTION OF JUSTICE); PERJURY

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.

-C-

REFERENCE: Bureau letter dated June 24th, 1932, and report of Special Agent L. P. Oliver, Chicago, Illinois, dated May 28th, 1932.

DETAILS:

At Chicago, Illinois.

The writer interviewed Mr. E. 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 mandate was filed with the Clerk, United States District Court, dismissing the appeal in connection with this case.

DO NOT WRITE IN THESE SPACES

69-180-125

RECORDED: JUL 11 1932

INDEXED:

JACKETED: JUL 19 1932

FILED:

Acting Special Agent in Charge

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1-U.S.Atty.Chicago
8-Chicago

1c Youngquist 7-15-32

DO NOT REMOVE DOCUMENT FROM FILE

1—1921

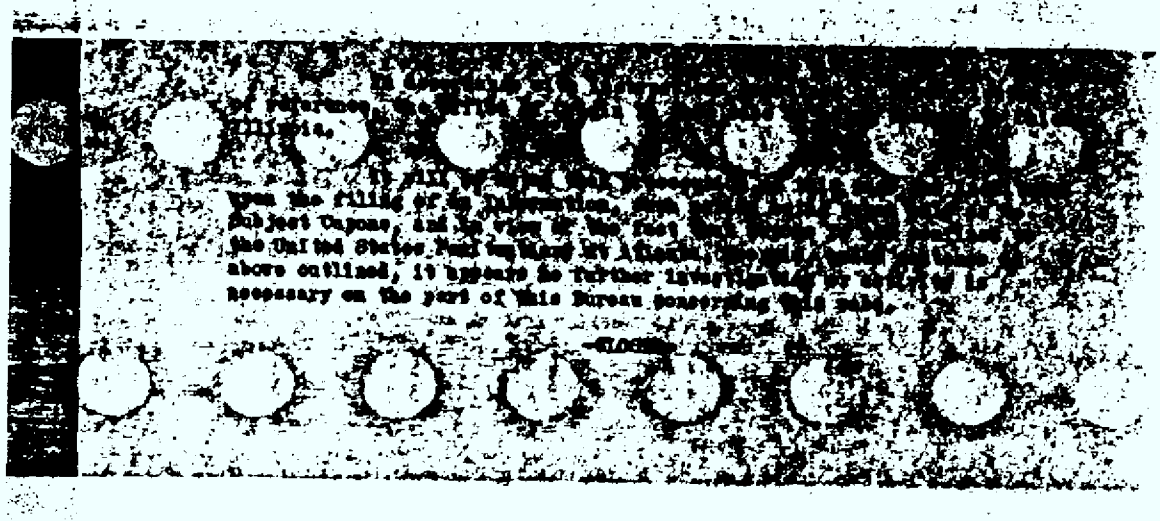
In order to determine the status of [illegible] the sentence of six months imposed in this case, [illegible] in the office of the Clerk, United States District Court, and [illegible] that on October 24th, 1951, United States District Judge John P. Barnes, when imposing sentence upon Capone after his conviction on charges of evasion of Income Tax Laws, stated as follows:

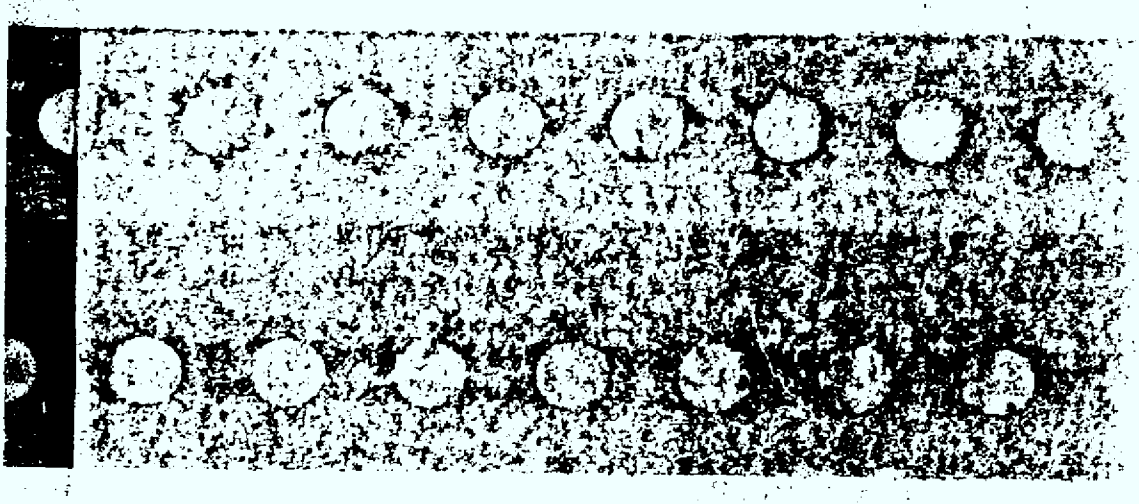
"The sentence hereinabove imposed shall be in addition to the sentence of six months imprisonment in the County Jail of Cook County Illinois imposed on April the 9th 1951 by this Court against said Defendant for Contempt of Court in Case No. G. 19179, the judgment in which said case is now pending on appeal in the Circuit Court of Appeals of the U. S. for the 7th Circuit in Case #6855 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 on 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.





RECORDED
AUG. 3 1932

August 10, 1932.

19-180-326

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 described certain individuals, mentioned in said requests.

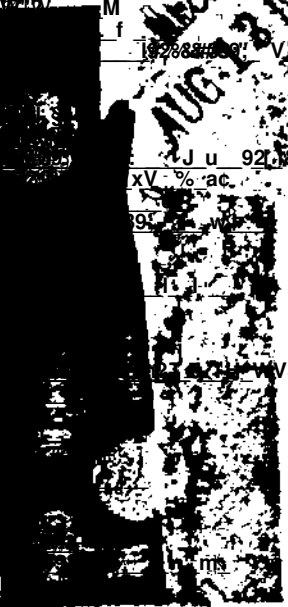
When possible so to do, without jeopardizing the current work of this Bureau in criminal investigations, I will arrange that inquiries be made along the lines indicated, confining such inquiries, of course, to such as will not involve any embarrassment because of the official status of the persons from whom letters have been received.

I am returning the original communications in question for your files.

Very truly yours,

Director.

Enclosure #270299





BUREAU FILES DIVISION
MAILED
AUG 10 1932

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

August 1, 1932

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] In each instance the permission has been refused in a letter similar to one of those in the attached file.

Bureau of Prisons

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,

Sanford Bates.

Director.

I don't see how we can do this. We are short handed in handling the criminal work & I do not see the wisdom of paying into reasons for correspondence from members of Congress.

J. E. H.

RECORDED
69-180-126
BUREAU OF INVESTIGATION
AUG 2 1932 A.M.
DEPARTMENT OF JUSTICE
FILE

AUG 13 1932

Reply

XXXXXX
XXXXXX
XXXXXX

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):

_____

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☐ For your information: _____

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXX

XXXXXX
XXXXXX
XXXXXX

136

FBI/DOJ

JOHN EDGAR HOOVER
DIRECTOR

EM:DSS

U. S. Bureau of Investigation

Department of Justice
Washington, D. C.

October 5, 1932.

RECEIVED
BUREAU OF INVESTIGATION - DEPT. OF JUSTICE
DIRECTOR
OCT - 5 1932 PM

MEMORANDUM FOR THE DIRECTOR.

[redacted]

IRS
26 U.S.C.
6103

Very truly yours,

H. Nathan.

69-180

RECORDED
&
INDEXED

OCT 7 1932

69-180-127
BUREAU OF INVESTIGATION
OCT 6 1932 P.M.
DEPARTMENT OF JUSTICE
Div. One | FILE

LCB:MAM

September 30, 1952.

MEMORANDUM FOR THE DIRECTOR

Colonel Peake, at the District Jail, phoned me 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 Glennford also desires 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. Romeberger's section. I have asked him to expedite them.

Respectfully,

L. C. Schilder.

ORIGINAL FILED IN 66-3020

NOT RECORDED

69-180

EE:DSS

October 6, 1932.

RECORDED 69-180-129

OCT 10 1932

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL KARCH.

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.

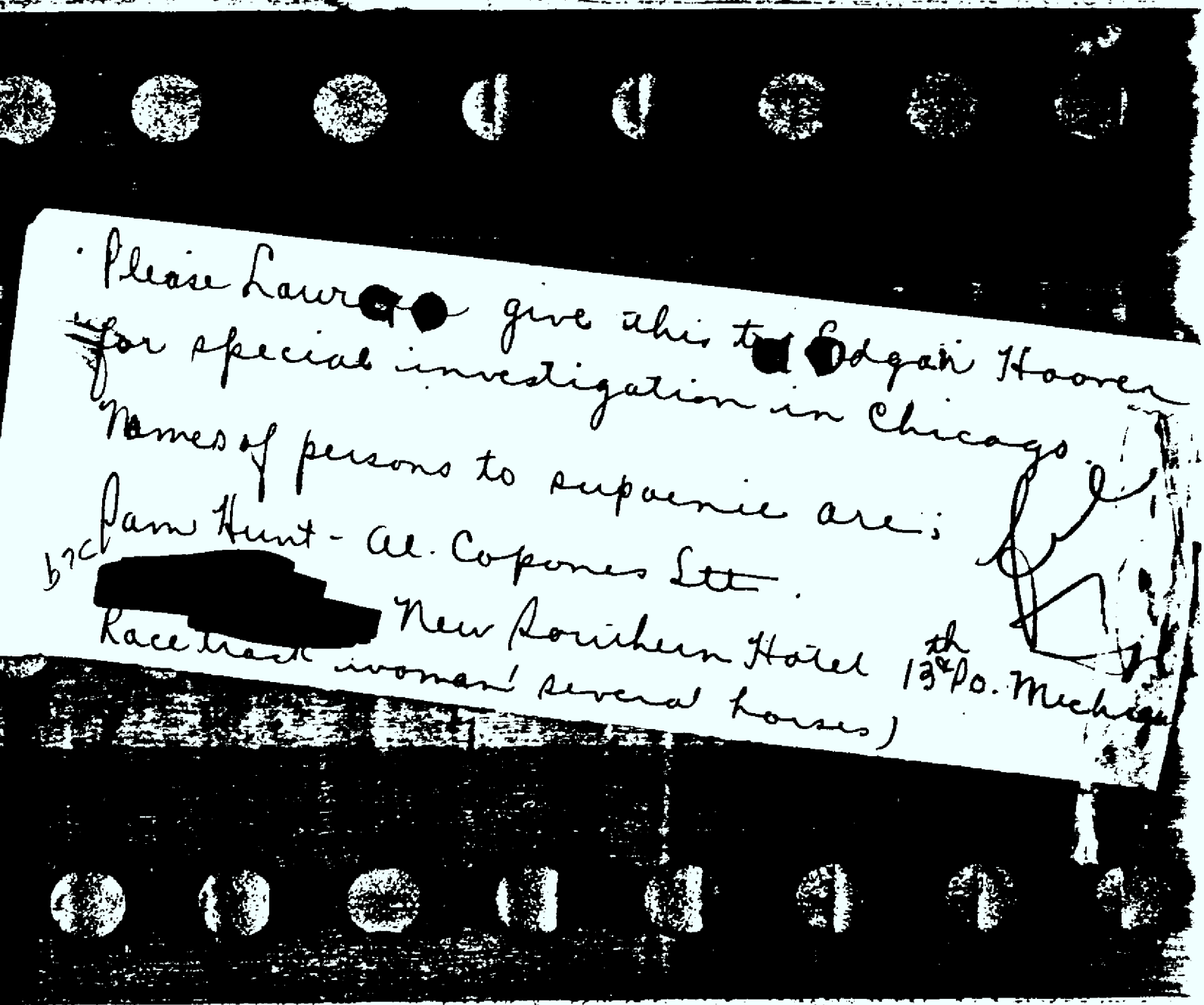
Very truly yours,

Director.

Encl. 270946.

BUREAU FILES DIVISION
MAILED
OCT 6 1932
P.M.
DEPT. OF JUSTICE

129



Please Lawrence give this to Edgar Hoover
for special investigation in Chicago.
Names of persons to subpoenie are;
b7C Sam Hunt - Al. Capones Lt.
[redacted] New Southern Hotel 13th & Mich. Ave.
Racetrack woman' several horses)

14D

67c

141

September 2[redacted]2

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 birds and they divided up in groups when they left, busy at the phones, different times. It struct 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 oberve 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.

67C

69-180

142

b7C

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 thats the car that was seen driving that had the heavyset man on the starboard. [redacted] is gobetween for police department and Capone. Lives at [redacted] also a partner of [redacted] and [redacted] Residenc New Southern. Not Southmore as the press had it.

So. Park Police

South Park.

143

C.C 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 lieutenants syndicate. The strength of the syndicate is even reaching into the criminal court beginning 1929-30-31. This was operated by his [redacted] protected by him and two blocks away from his station, Al. Capones den. Part of State Attorney Swanson now running on the Republican ticket for re-election. He is loosing heavily by his own foolishness by getting himself into the clutches of the de

b7C

CC CO

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] b7C and Elliott Ness, particular friends of Dwigh 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

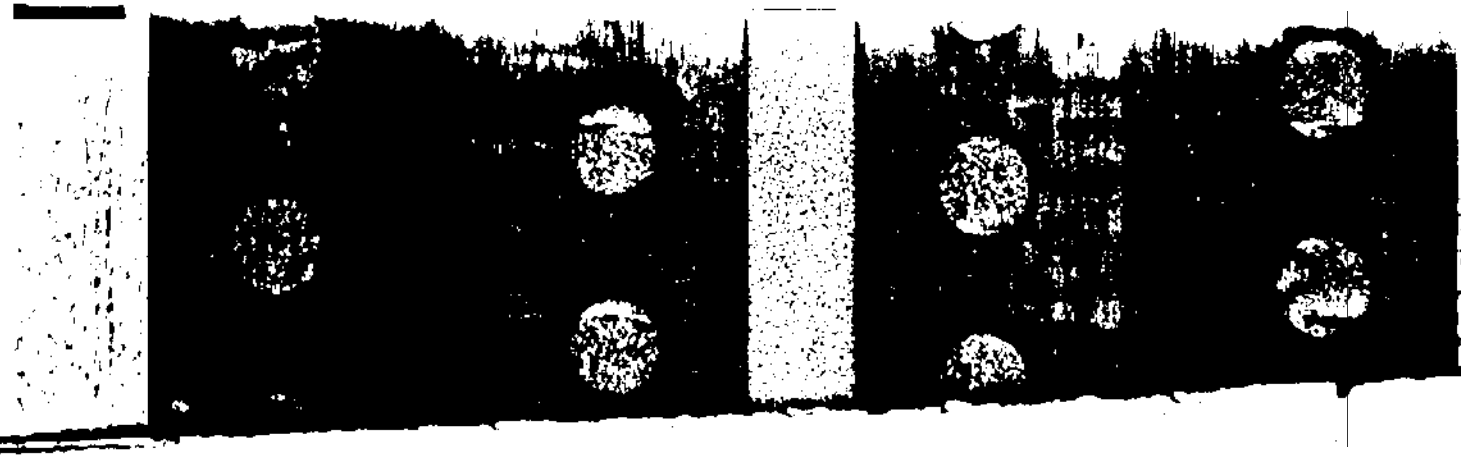
145

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 Dorsett 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 propaganda and making harm out of it.

146

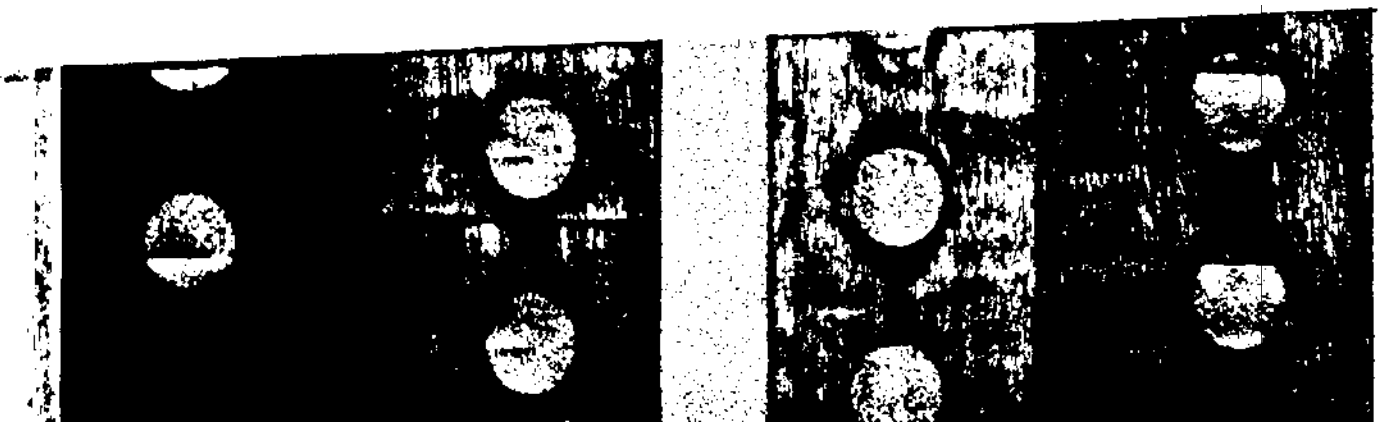


THE WHITE HOUSE

Mr. J. E. Hoover,

Bureau of Investigation,

Department of Justice.



JOHN EDGAR HOOVER
DIRECTOR

U. S. Bureau of Investigation

Department of Justice
Washington, D. C.

OCT - 8 1932 AM

TFB:CGM

October 7, 1932.

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.
DEPARTMENT OF JUSTICE
NATHAN | FILE

148

TFB:CGM
69-180

October 10, 1932.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL [illegible]

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 herewith 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.

69-180

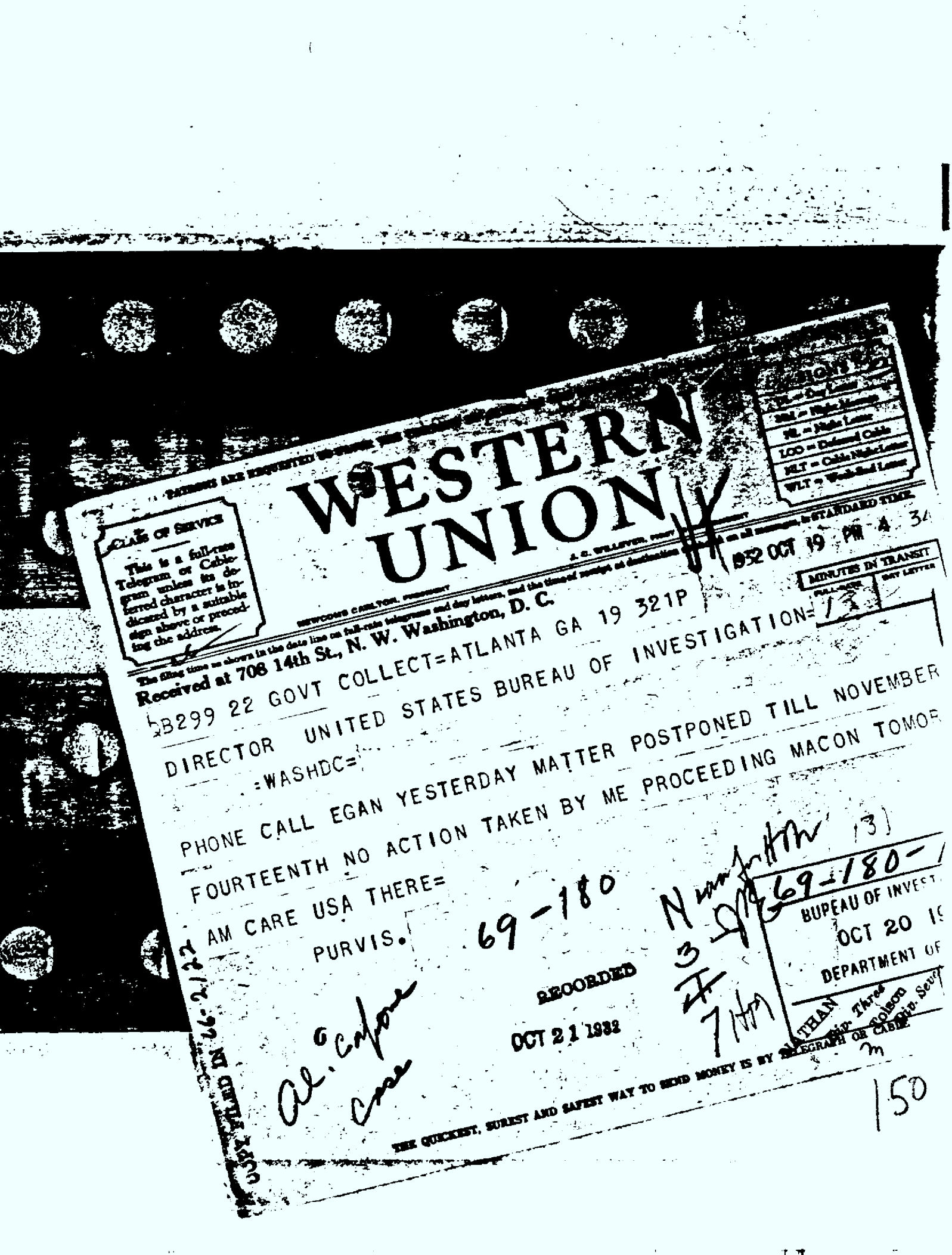
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69-180-130

BUREAU OF INVESTIGATION
OCT 11 1932 P.M.
DEPARTMENT OF JUSTICE
FILED

BUREAU FILES DIVISION
MAILED
OCT 10 1932
P.M.
DEPT. OF JUSTICE

149



WESTERN UNION

Received at 706 14th St., N. W. Washington, D. C.

1932 OCT 19 PM 4 34

DIRECTOR UNITED STATES BUREAU OF INVESTIGATION=

=WASHDC=

PHONE CALL EGAN YESTERDAY MATTER POSTPONED TILL NOVEMBER FOURTEENTH NO ACTION TAKEN BY ME PROCEEDING MACON TOMOR AM CARE USA THERE=

PURVIS.

69-180

RECORDED

OCT 21 1932

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BUREAU OF INVEST

OCT 20 19

DEPARTMENT OF

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

150

RECEIVED



OCT 25 1932 A.M.

U. S. Bureau of Investigation

Department of Justice

201 Liberty National Life Bldg.,
Birmingham, Alabama,
October 21, 1932.

RECEIVED



OCT 24 1932 A.M.

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,
Special Agent in Charge.

MHP:T
2 Encl.



OCT 25 1932 A.M.

OCT 26 1932

69-180-132
BUREAU OF INVESTIGATION
OCT 26 1932 A.M.
DEPARTMENT OF JUSTICE
FILE

ATLANTA GEORGIAN
Atlanta, Ga.
Oct. 29, 1932.

CAPONE FREEDOM PLEA DEL

AYED BY BUSY COURT

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 Hazer 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.

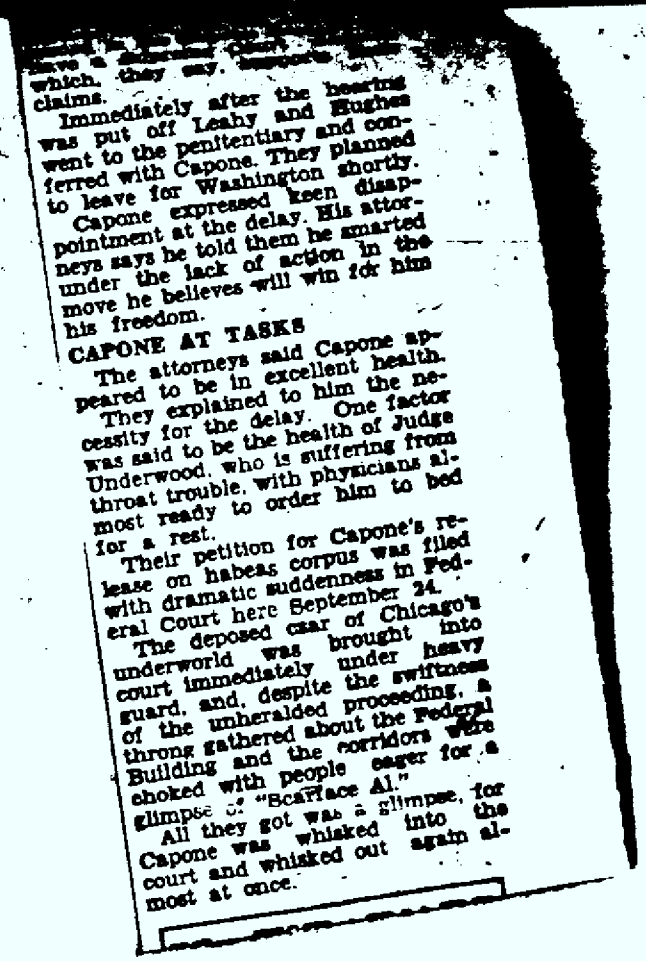
Capone expressed keen disappointment at the delay. His attorneys says he told them he smarted under the lack of action in the move he believes will win for him his freedom.

CAPONE AT TASKS

The attorneys said Capone appeared to be in excellent health

69-180-132

152



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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.

153

ATLANTA CONSTITUTION
Atlanta, Ga.
Oct. 19, 1932.

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 next 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 Baltimore 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.

154

69-180-132

U. S. Bureau of Investigation

Department of Justice

Post Office Box 1405,
Chicago, Illinois
December 30, 1932

Mr. Nathan .....
Mr. Tolson .....
Mr. Edwards .....
Mr. [illegible] .....

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,
Special Agent inCharge

MHP/dr
Att.

RECORDED & INDEXED

JAN 7 - 1933

69-180-133

BUREAU OF INVESTIGATION
JAN 3 1933 A.M.
DEPARTMENT OF JUSTICE

DIRECTOR
NATHAN
CLEGG
EDWARDS
Tolson

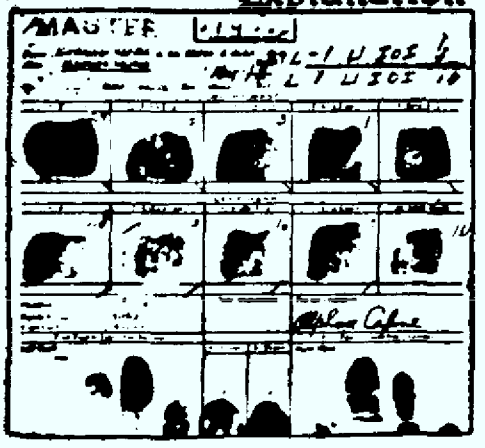
FILE

Herald & Examiner
12-30-32

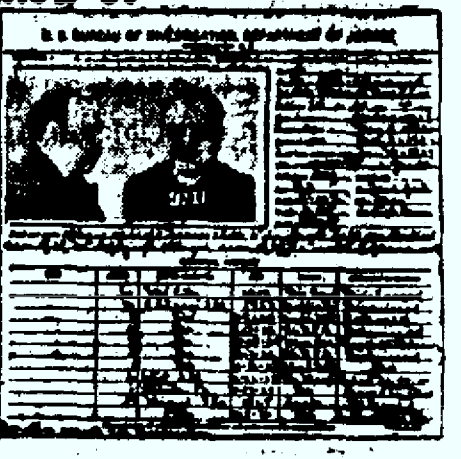
United States Bureau of Investigation

Washington, D. C. — J. Edgar Hoover, Director

Explanation of Fingerprint Classification of Alphonse Capone



29 L 1 U 101 9
L 1 U 101 10





MERELY "NO. 40886"—At top are first and exclusive rogues' gallery photographs obtained of Al Capone, made when he entered the federal penitentiary at Atlanta last May 4. The pictures reveal his number, 40886, by which he is known behind the bars. At bottom is the first picture to be obtained of Capone's fingerprint record, on file in the bureau of investigation at Washington. It gives the classification of fingerprints, his full criminal record; real name which (at upper left of card) appears to be Alphonsus Capone; his several aliases, and prison pictures.—Photos copyright by International News.



156

69-180-133

Mr. Nathan
Mr. Tolson
Mr. Edwards
Mr. Clegg

U. S. Department of Justice

Bureau of Investigation

905 Federal Reserve Bank Building,

Kansas City, Missouri.

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
Special Agent in Charge.

REV-ebc
Encl.

RECORDED

69-180-134
BUREAU OF INVESTIGATION
JAN 5 1933 A.M.
DEPARTMENT OF JUSTICE
DIRECTOR NATHAN Dir. One FILE



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 complete 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, 1-3-31.

18

69-180-134

LCS:AM

69-180-135

January 5, 1933

FILED & INDEXED

JAN 2 8 1933

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS.

I beg to submit the following comments with reference to Mr. Aderhold'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. Aderhold'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 8, 1929. The photograph of Capone with the criminal 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, 1930. 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 fingerprints 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. Aderhold'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. Aderhold's letter, I beg to state that the difference in ridge counting represents the difference which is sometimes observed in the work of any two fingerprint operatives. 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.

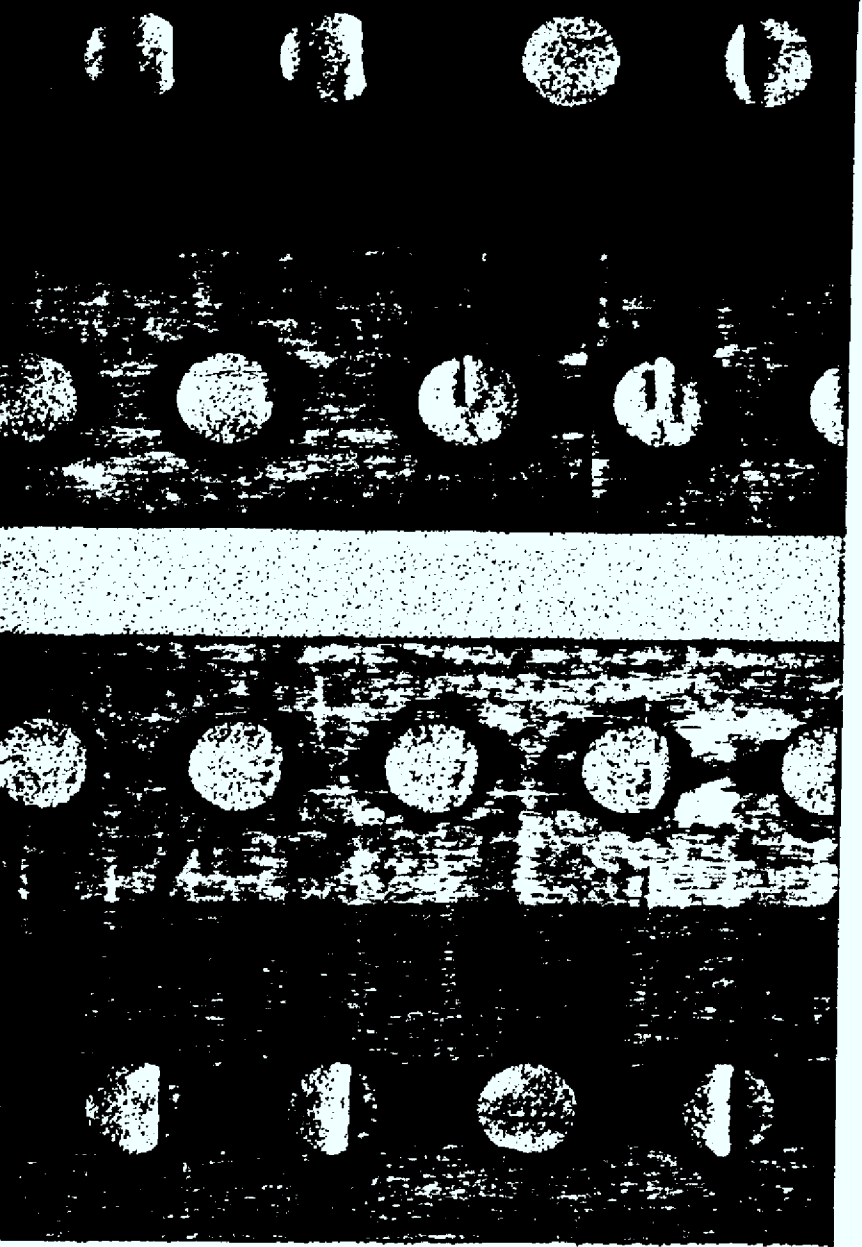
Mr. Aderhold's letter and the inclosures which accompanied it are returned herewith. 139

MAIL SECTION JAN 6 1933

Very truly yours,

Director.

Inc. 914831.



United States Bureau of Investigation

File

1/20 1933

To:
- Director
- X Mr. Nathan
- Mr. Tolson
- Mr. Clegg
- Miss Gandy
- Chief, Div. _____
- Inspector _____
- Secretary

The classification of Capone's prints has indicated on the card has been checked by the technical men and found to be correct.

JOHN J. EDWARDS.

160

Department of Justice
UNITED STATES PENITENTIARY
Atlanta, Georgia

Office of the Warden

January 6, 1933

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

Dear Sir:

Enclosed please find newspaper clipping taken from the Thursday, December 29, 1932, edition of the New York Journal, reproducing copy of photographs and fingerprints of Alphonse Capone, register no. 40886, 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 herewith, 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 classification. 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 representing 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 protection 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. ADERHOLD,
Warden.

69-180-135

BUREAU OF INVESTIGATION
JAN 7 1933 P.M.
DEPARTMENT OF JUSTICE

AQA-T.

RECORDED & INDEXED
JAN 2 8 1933

JEH:MO'B

January 3, 1933.

MEMORANDUM FOR MR. NELSON.

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

RECORDED

BUREAU OF [illegible]
JAN 9 [illegible]
DEPARTMENT OF JUSTICE
FILE

[illegible] FILES DIVISION
MAILED
JAN 7 1933

163

JOHN EDGAR HOOVER
DIRECTOR

C O

Mr. Nathan .....
Mr. Tolson .....
Mr. Edwards ✓
Mr. Clegg .....
.....

U. S. Bureau of Investigation

Department of Justice
Washington, D. C.

WHDL:HCB

January 6, 1933.

MEMORANDUM FOR THE DIRECTOR.

In preparing an Interesting Case on Alphonse 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
JAN 12 1933

Respectfully,

W. H. D. Lester.

69-180-137
BUREAU OF INVESTIGATION
JAN 10 1933 A.M.
EDWARDS Div Six

JOHN EDGAR HOOVER
DIRECTOR

U. S. Bureau of Investigation

Department of Justice
Washington, D. C.

CT:ACS

January 24, 1933.

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.

RECORDED & INDEXED

JAN 30 1933

69-180-138
BUREAU OF INVESTIGATION
JAN 27 1933 P.M.
DEPARTMENT OF JUSTICE
NATHAN OLEGG

COPY FILED IN 62-1

UNITED STATES BUREAU OF INVESTIGATION

January 2, 1931.

L.C. 69-180

[redacted]

[redacted]

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 bronchio-pneumonia for six weeks and was even out of bed only two 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 ill 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.

69-180-138

Special Agents of the United States Bureau of Investigation obtained affidavits from five police officials and an employee at the Miami docks 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 3, 1929, he had piloted a certain sea plane from Miami, Florida, to Nassau, 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 dock 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

161

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 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 16, 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, #5545, arrested Miami, Florida, Police Department, May 8, 1930; charge investigation - vagrancy; released on writ, May 8, 1930.

As Alphonse Capone, #C-26269, arrested Chicago, Illinois, Police Department, February 25, 1931; charge general principles.

As Alphonse Capone, arrested by United States Marshal, Chicago, Illinois, October 30, 1931.

18

CT:AGS

January 18, 1933.

MEMORANDUM FOR THE DIRECTOR.

Mr. McCarthy of the King Features 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. Ivey. You will recall that Mr. McCarthy tried to see Mr. Ivey when he was in the city but was unable to do so because of Mr. Ivey's absence.

Respectfully,

C. A. Tolson.

COPY FILED IN

COPY FILED IN

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69-180

69

RECEIVED

735 Philadelphia Saving Fund Bldg.,
Philadelphia, Pa.
January [illegible], 1933.



Special Agent in Charge,
United States Bureau of Investigation,
801 Liberty National Life Bldg.,
Birmingham, Ala.

FEB 2 1933

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:AG.

cc:Bureau

RECORDED
&
INDEXED

FEB 9 1933

Letter Phila. 2-8-33 TFB

69-180-134
BUREAU OF INVESTIGATION
FEB 2 1933 1.M.
Div. Two TFB

TFB:EB
69-180-139

RECORDED

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 ex-convict #35503.

Atlanta Penitentiary number 35503 was the number given to Lee E. Molnar alias Hunsicker.

Very truly yours,

Director.

OC-Birmingham.

MAILED
FEB 8 1933
DEPT OF JUSTICE

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

NOT RECORDED

69-180

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.

173

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

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 principles.

As Alphonse Capone, arrested by United States Marshal, Chicago, Illinois, October 30, 1931.

176

U. S. Department of Justice

Bureau of Investigation

San Francisco, California
P. O. Box 507

February 3, 1933.

HRP:BM

Director
United States Bureau of Investigation
Washington, D. C.

Dear Sir:

It is my understanding that the Bureau has prepared small sized photographic copies of the fingerprint cards of Alphonse Capone and the DeAutremont Twins.

It is respectfully requested that six copies of each of the above named charts be furnished this office for appropriate distribution to various peace officers in this district.

Very truly yours,

W. A. RORER
Special Agent in Charge.

FEB 14 1933

69-180-140
BUREAU OF INVESTIGATION
FEB 3 1933 A.M.
DEPARTMENT OF JUSTICE
CLEGG
EDWARDS
FILE

FILE: [illegible]
89-180-148

RECORDED
FEB 14 1933

February 13, 1933.

Special Agent in Charge,
United States Bureau of Investigation,
Post Office Box 307,
San Francisco, California.

Dear Sir:

Reference is made to your letter of February 3, 1933, requesting small size photographic copies of the fingerprint cards of Alphonse Capone and the Deinstrumont 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. H. D. S.

BUREAU FILES DIVISION
MAILED
FEB 11 1933
P.M.
DEPT. OF JUSTICE

FEB 14 1933 PM

RECEIVED
DEPARTMENT OF JUSTICE

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,
Special Agent in Charge.

RGH:EPL

69-180-141

MAR 1 1933

CLEGG

FILE

MAR 9 - 1933

Director,
United States Bureau of Investigation,
Washington, D. C.

RHC:RCB

69-180-141

March 7, 1933.

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 Identification Division, I am pleased to transmit to you, under separate cover, this chart for this purpose.

Sincerely yours,

Director,

BUREAU FILES DIVISION
MAILED
MAR 7 1933
DEPT. P.M. ATTIC

180

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
OLEGG

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 Short

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.

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69-180-143
DEPT OF INVESTIGATION
MAY 10 1933 A.M.

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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

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183

subpoena in person as required.

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54

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.

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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.

As Alphonse Capone, #C-28169, arrested Chicago, Illinois, Police Department, February 25, 1931; charge general principles.

As Alphonse Capone, arrested by United States Marshal, Chicago, Illinois, October 30, 1931.



United States Bureau of Investigation

Washington, D. C. — J. Edgar Hoover, Director

Explanation of Fingerprint Classification of Alphonse Capone



The fingerprint classification set out below is the theory system formula assigned to the United States Bureau of Investigation by the card of Alphonse Capone and is obtained as follows:

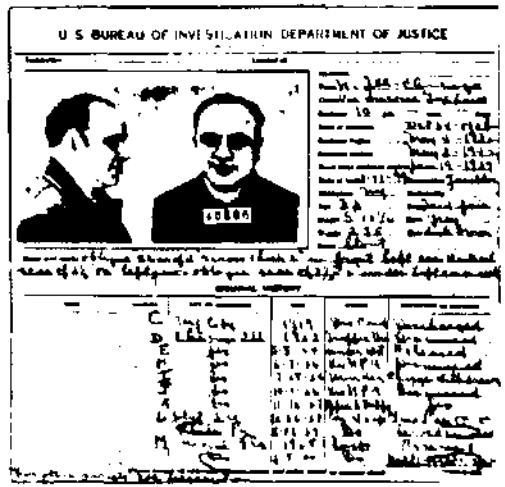
The primary classification takes no fingerprint patterns having a whorl value (Plain Whorls, Central Pocket Loops, Double Loops, and Accidentals) appear in one of the ten fingers. The secondary division of the classification represents the pattern appearing in the index fingers of the two hands and is also some double and other than one or other Loops. In addition the recommendary classification is also particular mark, the ridges intervening between the delta and the core of each of the loops, which, and ring fingers of the hands are counted. Thus the 8 ridges counts in the right hands finger records in "I", 11 counts in the right middle finger "M", 21 counts in the right ring finger "R", 9 counts in the left hands finger "I", 15 counts in the left middle finger "M", and 11 counts in the left ring finger "R", in having the fingerprint card take the numerator a division 29. The final numerator the ridge counts of the Loop ridges appear in the right middle finger impressions with the count of the ridges of the Loop in the left middle finger, resulting in this case in 6. The key is obtained by counting the ridges in this case in the inner Loop of the right hand, making 10.

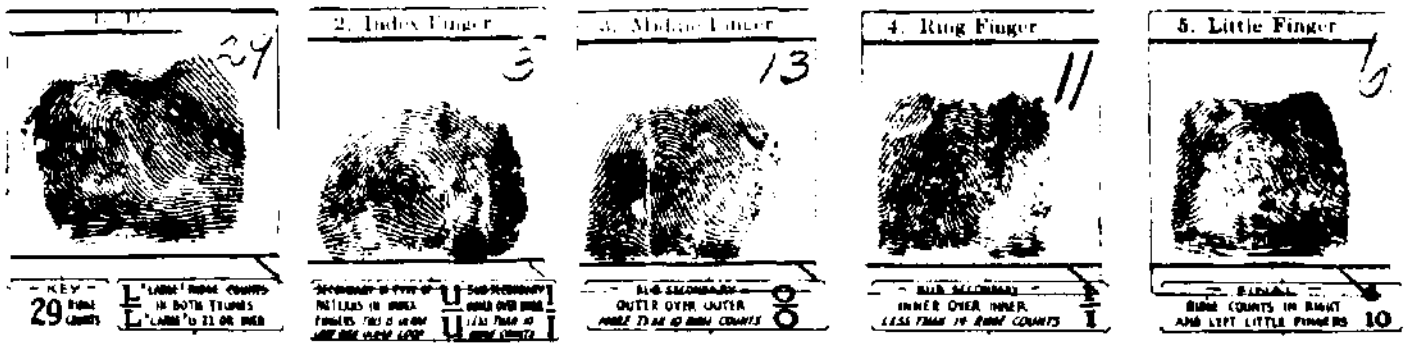
In order to further advantage the extensive files of the United States Bureau of Investigation, the major division was introduced into the above classification. Five subdivisions of the Tents, small, medium, and large thumbs, are possible by the use of this part of the classification and the 1 is obtained by counting ridges in the right and left thumbs and mention Large over Large.

By application of this system of fingerprint classification it is possible to so subdivide files containing millions of fingerprint cards that any particular card may be located in a few minutes without regard to name, photograph, or any data other than the print of the fingers themselves.

29 L 1 U 101 6

L 1 U 101 10







C O P Y-der

JSE:GAJ 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 62-29359, 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 couldhave 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. E. Hoover

62-29359

RECORDED & INDEXED

69-180-144

SEP 7 1933

SEP 7 - 1933

Unit One | FILE

MMC:MCB

May 19, 1938.

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 Abner Siegal and ex-congressman bribery cases 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 Landon 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 stunt 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,

M. M. Clegg.

NOT RECORDED
69-180

190

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. Lodge

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.

RECORDED & INDEXED

SEP 21 1933

69-180-145

SEP 20 1933

U.S. DEPARTMENT OF JUSTICE

Unit One TOLSON | FILE

Wire to Capone 9-14-33 JAH

K for memo 9-15-33 JAH

91

RITTENHOUSE 8287
Mal. 3736
CLINTON BUTLER
FIELD AGENT
DEPT. OF JUSTICE
BOARD OF PARDONS
PAROLE SUPERVISION
DISTRICT NO. 1
ROOM 309 KEYSTONE BUILDING
BROAD & VINE STS., PHILA., PA
ROOM 1203
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

CB:w

Clinton Butler

Ack 12-4-33 LCS

1 Enc

RECORDED 69-180-146
DIVISION OF INVESTIGATION
DEC 5 1933
U. S. DEPARTMENT OF JUSTICE
DEC 6 1933

102

LCS:TAM

December 4, 1933

69-180-146

RECORDED & INDEXED

DEC 6 1933

Mr. Clinton Butler,
Field Agent,
Board of Pardons,
Department of Justice,
Room 309 Keystone Building,
Broad and Vine Streets,
Philadelphia, Pennsylvania.

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. 1978811

FILE SECTION
MAILED
★ DEC 4 1933 ★
DIVISION OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

193

WASHINGTON D.C. TIMES OCTOBER 17 1933.

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 "Scarfaced One's" ertwhile "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, but was entirely too heavy—too slow on bases.



AL ("SCARFACE") CAPONE

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.

All his tennis playing occurs during the regular prison recreational 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.

Al Gets "Sore" When He Loses, Breaks His Racket

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hurt
Mr. Quinn
Mr. Lester
Mr. Locke

This kind get more recreation than we do. No wonder prison walls fail to instill fear.

The newspaper boys will make a hero out of Al.

NOT RECORDED
69-180

WKD 9. 4

JOHN EDGAR HOOVER
DIRECTOR

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

HN:DSS

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.

RECORDED & INDEXED 62-180-147

DEC 27 1933

File

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, "Johnnie", last name unknown, is about 5'2" tall, has a flat nose, looks like an ex-pugilist; the other two, names unknown, are both approximately [illegible]. Witnesses here may be able to identify photographs of the latter two.

Very truly yours,

[illegible], Acting
Special Agent in Charge.

RJG:F
62-0-434
cc Division

INDEXED

62-180
DIVISION OF INVESTIGATION
MAY 28 1934 A.M.
U. S. DEPARTMENT OF JUSTICE

JEH:HCB

May 28, 1934.

Mr. J. A. Reed,
Division of Investigation,
U. S. Department of Justice,
503-A U. 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,

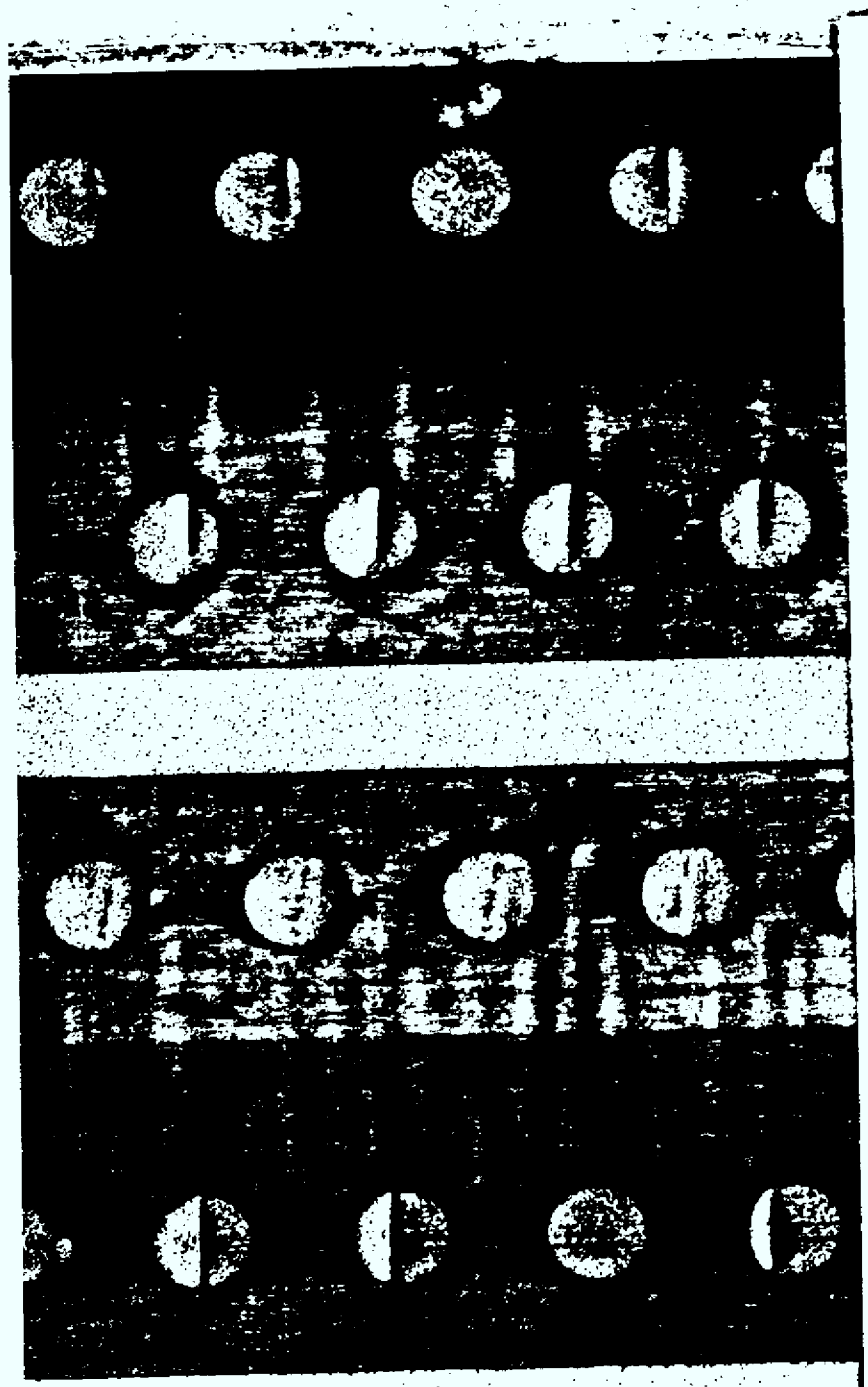
Director.

FILES SECTION
MAILED
★ MAY 28 1934 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECORDED
&
INDEXED

29-180-748

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 Files Section
  - ____Equipment Section
  - ____Chief Clerk's Office
- ____Unit Five
  - ____Identification Unit
  - ____Statistical Section
  - ____Technical Laboratory
  - ____
- ____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.

Mr. Nathan	
Mr. Tolson	
Mr. Clegg	
Mr. Baughman	
Chief Clerk	
Mr. Coffey	
Mr. Keith	
Mr. Quinn	
Mr. Turner	

E. A. TAMM

118

DIVISION

U. S. Bureau of Investigation

Department of Justice

503A U.S. Court House & P.O. Bldg.,
Salt Lake City, Utah.
July 12, 1934.

JUL 17 1934 FBI

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

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,
Special Agent in Charge.

JAD:J

69-180-149

JUL 16 1934

FILE

JOHN EDGAR HOOVER
DIRECTOR

LCS:EP

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

MR. TOLSON
MR. NATHAN
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
MR. GUINN
MR. BAUGHMAN
MR. GLAVIN
MR. LAMM
MR. NEBEKER
TELE. ROOM

July 16, 1934.

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,

R C Schilder

L. C. Schilder.

memo Schilder 7-19-34

RECORDED & INDEXED

JUL 21 1934

61-180-150
DIVISION
JUL 20 1934
U. S.
TOLSON
FILE

CT:LC July 19, 1934.

RECORDED

69-180-150

MEMORANDUM FOR MR. SCHILDER

With respect to your memorandum dated July 16, 1934, concerning information given Colonel Oates 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.

FILES SECTION
MAILED
★ JUL 19 1934 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

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

RECORDED

69-180-150

201

JEH: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.

ORIGINAL FILED IN 7-2-3

RECORDED 69-140-151

AUG 23 1934

AUG 23 1934

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

March 12, 1935.

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. Schlider .....
Mr. Smith .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....
.....
.....

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.

BOP

Sanford Bates,
Director.

RECORDED & INDEXED

MAR 23 1935

Have 3/27/35 p67

Cc 31-4530-1-2

+

9-180-152

DIVISION OF INVESTIGATION
MAR 21 1935
TAMM
GNL

PEF:CSH
31-4590

March 20, 1935

RECORDED & INDEXED

MEMORANDUM FOR THE DIRECTOR, BUREAU OF PRISONS

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 Lunden was charged with having transported a woman by the name of Margaret Leiboldt from Milwaukee, Wisconsin to Chicago, Illinois. The victim in this case stated that upon arrival in Chicago, Lunden 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.

FILE SECTION
MAILED
42 copies
MAR 20 1935
P. M.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT

Post Office Box 615,
Chicago, Illinois.

April 12, 1935

Special Agent in Charge,
Pittsburgh, Pennsylvania

Dear Sir,

On May 27, 1934, a letter from Mr. E. 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 Coscoini, and same is being forwarded to you for whatever purpose it may serve.

Very truly yours,

M. H. PURVIS,
Special Agent in Charge

TPM:mmc
Enc.
CC-Bureau
2-6

69-180-159

DIVISION OF INVESTIGATION

RECORDED
&
INDEXED

APR 20 1935

205

TWO

ONE

LWB:EBG

April 17, 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.

FILES SECTION
MAILED
★ APR 18 1935 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

April 17, 1935

LMB:EBC

RECORDED 62-180-154

Special Agent in Charge,
New York, New York.

Dear Sir:

The Bureau has been advised that the following is a copy of a telegram addressed to "Al" Capone at the Federal Prison, Alcatraz Island, California, but same was not delivered to him:

[redacted]

Bureau of Prisons

The Bureau desires that the information contained in the above telegram be checked to determine by whom the telegram was sent and what significance may be attached thereto.

Very truly yours,

John Edgar Hoover,
Director.

FILES SECTION
MAILED
★ APR 17 1935 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

U. S. [illegible]

Forwarded

LHB:EBC

RECORDED 62-180954

MEMORANDUM FOR THE DIRECTOR, BUREAU OF INVESTIGATION

Receipt is acknowledged of your memorandum dated April 13, 1935, including a letter dated April 8, 1935 from [redacted] Bureau of Prisons

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 16 1935 ★
P. M.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

Post Office Box 618
Chicago Illinois

May 9, 1935

AIR MAIL
SPECIAL DELIVERY

Special Agent in Charge
Dallas, Texas

Dear Sir:

Please be advised that [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 pretext.

RECORDED & INDEXED

Very truly yours

62-180-150

DIVISION OF INVESTIGATION
MAY 9 1935

M. H. PURVIS,
Special Agent in Charge

MAY 13 1935

VCL:RT
Enc.
cc Bureau - Enc.

ENC-1

29

Chicago, Ill.
1347 N. Dearborn
Shaw's Pool

PLEASANTON, TEXAS
MAY 1
3 PM

62 210

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, Texas. 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 Bug & later 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.

FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT NEW YORK CITY N.Y. FILE NO. 69-180

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
NEW YORK CITY	5/10/35	4/8-9/35	[illegible]

TITLE: HEINRICH KARL LOGEMANN, alias; Henry Logemann, Henry Lagemann, John Logeman, A. Logeman, Alex Logeman, Harry Lagemann, Harry Lachmann.

SYNOPSIS OF FACTS:

Western Union telegram to "Al" Capone, Federal Prison, Alcatraz Island, Calif., on 4/6/35 requesting $1,000, was sent by an unknown party from a Western Union office in Bronx, N.Y. Investigation at Ellis Island disclosed that Subject Logemann, Northeastern Penitentiary #1278, was deported to Germany on 3/8/35. Apparently he caused the telegram to be sent to Capone in order to obtain money to be used as attorney fees in arguing his case on a writ in the Southern District of New York sometime during April, 1935.

REFERENCE: [illegible] dated April 27, 1935.

DETAILS: In the reference letter the Bureau advised that on April 8, 1935, a Western Union telegram addressed to "Al" Capone was received at the Federal Prison, Alcatraz Island, California, requesting $1,000.00. The said telegram was signed "Henry Logeman". The telegram further advised that the sender was being kept at Ellis Island for deportation and that the money should be sent to Henry Logeman, Ellis Island, Deportation Division, Room 210. Logeman advised Capone he would sail April 10, 1935

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: R. Whitley, Special Agent in Charge

69-180-156

RECORDED AND INDEXED MAY 18 1935

COPIES OF THIS REPORT FURNISHED TO:

(3) - Bureau
2 - San Francisco (Information only)
2 - New York

BUREAU OF INVESTIGATION MAY 11 A.M. DEPARTMENT OF JUSTICE

CHECKED OFF MAY 23 1935

JACKETED:

ROUTED TO: FILE

DATE

SPEC. SECT.

212

and he would see him in the month of July. He [illegible] Bessie Gordon, Jack Quasck, Morris Kleinman, [illegible] rest of the boys."

Herbert R. Stapp, Attorney [illegible] Telegraph Company, 60 West Street, New York City, was interviewed and checked the telegraph records which disclosed that the [illegible] mentioned telegram was hand printed and sent from the Western Union telegraph office at 480 East 149th Street, Bronx, New York, on April 8, 1935 at 8:54 P.M. Mr. Goodbody and Miss Keating, clerk and operator of the aforementioned office, advised Mr. Stapp 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 RICHARD HAUPTMANN, 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 Penitentiary at Lewisburg, Pa. The file in general reflects that this man Logeman is very unreliable. His number at the United States Northeastern 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 14, 1934. It is that Logemann was sentenced subsequent to the act of May 1, 1917 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 Magdeburg. During his incarceration at Ellis Island Logemann had only one visitor and that was his wife, Tessie Logermann, who resides

213

at 27 Geneva Street, Elizabeth, New Jersey. She visited him on April 1, 27 & and 30, 1935. Mr. Foreman further advised that Logemann sailed on the Deutschland of the North German Lloyd Line for Germany on May 8, 1935.

With reference to the telegram [redacted] Mr. Foreman stated that while Logemann was interned at Ellis Island awaiting deportation he, Foreman, received confidential information that while Logemann was an inmate of the Northumberland 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.

Enc'd

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 ~~over~~ off Al Capone's left over and unfinished at 22nd + Lexington Hotel.

Here is something that is a nine days wonder to me. Was Al Capone out of prison this year? Parties in the know seen him, his chaffeur, 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 $40,00 estimate. Is there any truth in this?

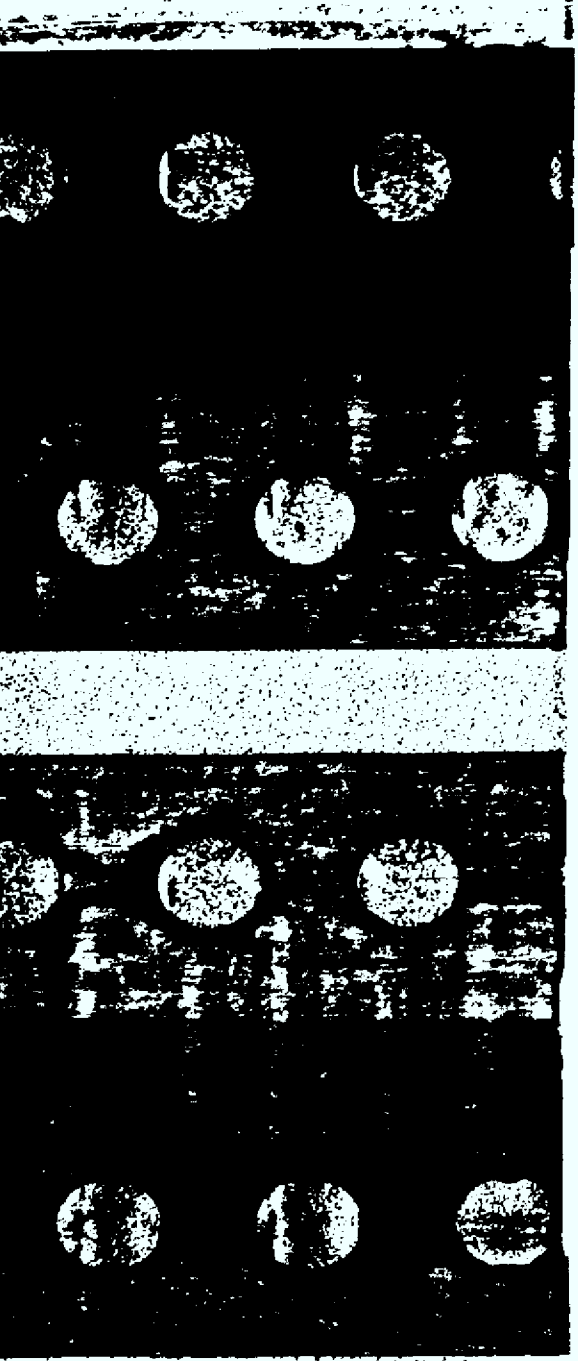
69-180-197

RECORDED & INDEXED

I will let you know later how things stand among them.

JUL 29 1935

215



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?

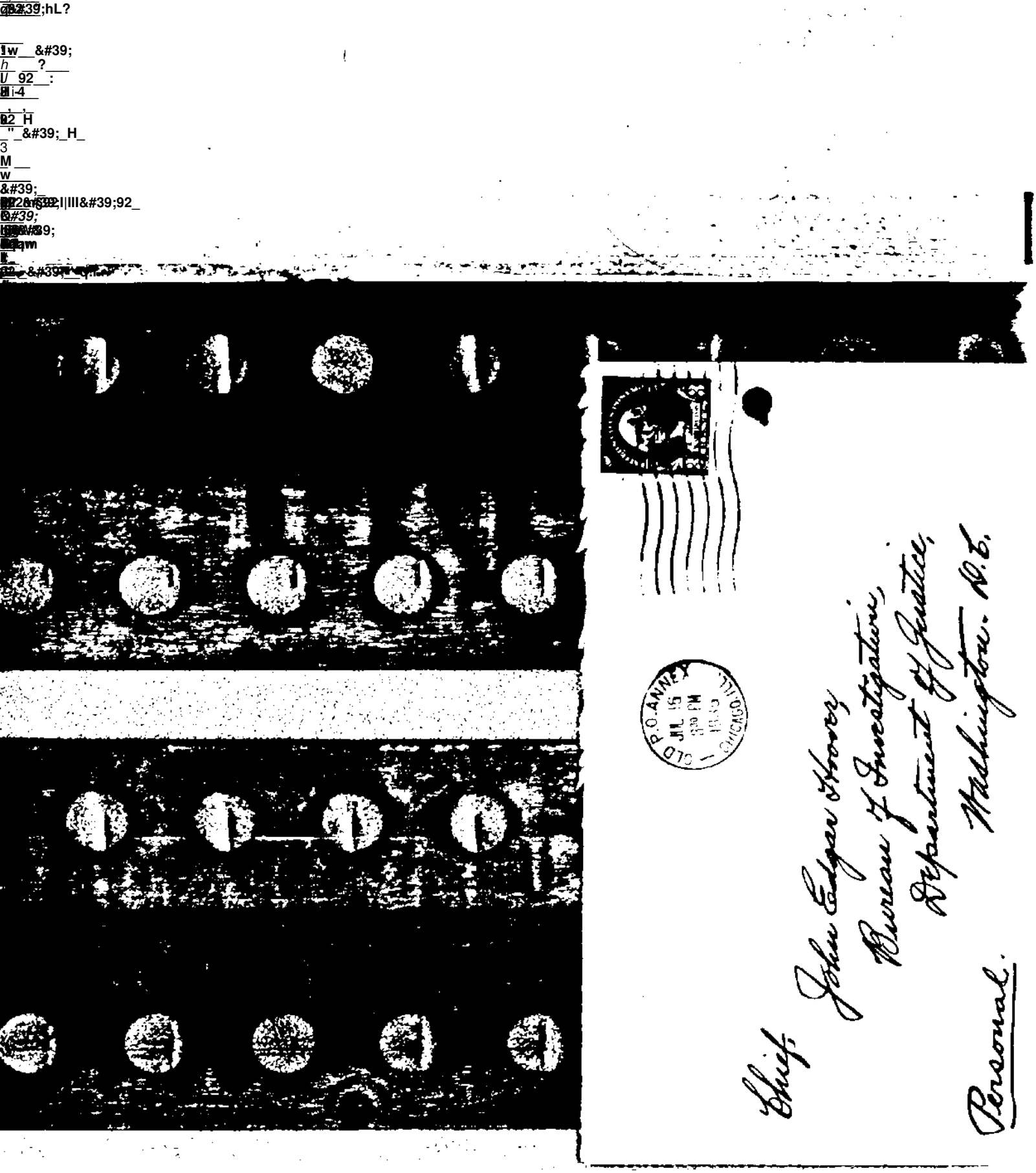
And what is it the government wants so bad as all that?

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 his kind of integrity.

He is associated with undesirable women and foes as race horse followers.

B.A.

216


P.O. ANNEX
JUL 15
CHICAGO, ILL.
Chief,
John Edgar Hoover,
Bureau of Investigation,
Department of Justice,
Washington. D.C.
Personal.

217

[redacted]

b7C

OFFICE-NEW PHONE [redacted]
OLD PHONE
RESIDENCE-OLD PHONE

[redacted]
SECOND FLOOR
NEAR POST OFFICE

Sept. 28th, 1935.

Mr. J. Edgar Hoover,
Washington, D. C.,

Dear Sir;-

Referring to the attached cartoon, will say that some people here, have an idea that the person referred to as "Cut" Ramon pubic enemy #1, is Al Capone, and that he may be staging a prison break, from Alcatraz.

However fantastic this may appear to you, would it not be well to inform the authorities there of a possible attempt at an escape by Capone?

Parties here, have an idea that he is assisted by friends BOTH WITHIN the prison, and outside.

Yours very truly,

[redacted]

While there may not be anything in this street rumor, and the chances for an escape from that escape proof prison, be remote, it might not be amiss to warn the authorities out there.

218

RECORDED & INDEXED
OCT 10 1935

69-180-158

OCT 1 1935
U.S. DEPARTMENT OF JUSTICE

FILE

K TRACY

A Full Page of This Comic Appears in The Sunday Journal Each Week

By CHESTER GOULD



THE GUMPS

A Full Page of This Comic Appears in The Sunday Journal Each Week

By SIDNEY SMITH

FAG:EH

October 4, 1935.

RECORDED

69-180-158

[redacted]
Knoxville, Tennessee.

Dear Sir:

Reference is made to your communication of September 28, 1935, in which you inclosed a cartoon entitled "Dick Tracy" appearing in a daily newspaper.

I wish to thank you for your interest in bringing this matter to my attention.

Very truly yours,

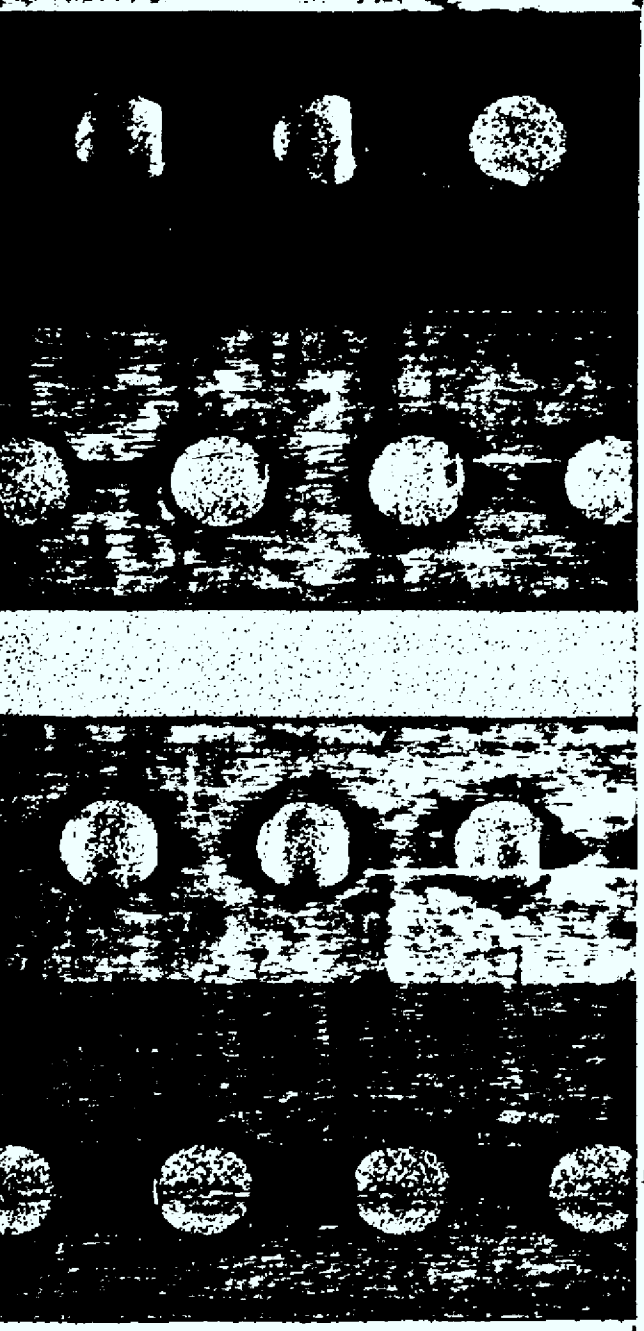
John Edgar Hoover,
Director.

cc-Nashville

Mr. Nathan
Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Quinn
Mr. Schilder
Mr. Tamm

COMMUNICATIONS SECTION
MAILED
OCT - 4 1935
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

220



Delavan

— Delavan, Wis —

MAY 1 1936
RECORDED
&
INDEXED

april-22-36.

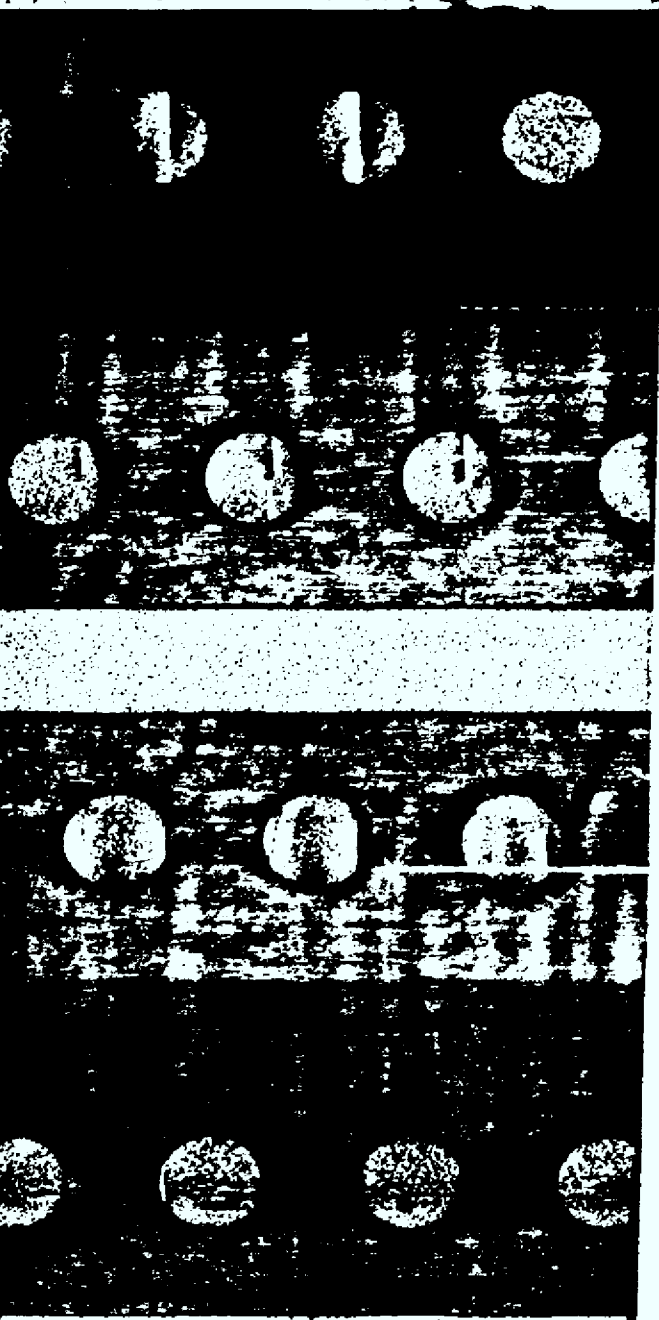
69-180-159

APR 27 1936

Mr. Edgar J. Hoover —

If you want information on the Capone gang 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] b7C on the Janesville - Whitewater road - a short distance from here and also an Italian

221



FBI - CHICAGO
APR 25 1936 AM
APR 27 1936 PM
BUREAU OF INVESTIGATION DEPT. OF JUSTICE
REC'D VIA

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
Is there don't happen to
be any Italian families
on Allens Grove - and
the fact that I have been
followed by Italians from
the Under world - Chicago -
who have threatened me -
Take my advice and watch
this locality -

Miss [redacted]

— Delavan - Wisconsin —

2-2

EFL:TD
69-180-150

April 30, 1936

RECORDED

Miss [redacted]
Delavan, Wisconsin.

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 Delavan, 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.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

cc-Milwaukee

223

TDeA January 16, 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 doing 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,

E. A. TAMM

62-180

224

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

FROM : M. A. Jones

DATE: November 28, 1956

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

1 ENCLOSURE

69-180

NOT RECORDED

MAR 22 1957

CRIME REC.

215

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-✓

[redacted]

27

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

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: January 25, 1947

FROM : Mr. Edw. A. Tamm

SUBJECT:

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carroll
Mr. Egan
Mr. Gurnea
Mr. Mendon
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
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

RECORDED & INDEXED 215

69-160-160

FEB 7 1947

50 FEB 18 1947

228

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

229

69-150 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.

230

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

231

As Alphonse Capone, #C-28169, arrested Chicago, Illinois, Police Department, February 25, 1931; charge general principles.

As Alphonse Capone, arrested by United States Marshal, Chicago, Illinois, October 30, 1931.

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.

253

XXXXXX
XXXXXX
XXXXXX

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

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

XXXXXX
XXXXXX
XXXXXX

FBI/DOJ

TREASURY DEPARTMENT

BUREAU OF PROHIBITION

WASHINGTON

OFFICE OF
COMMISSIONER OF PROHIBITION

Pro:S[illegible]CW

October 24, 1928

BUREAU OF INVESTIGATION
OCT 26 1928
DIVISION

Mr. J. Edgar Hoover,
Director, Bureau of Investigation,
Department of Justice,
Washington, D. C.

62

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. Doran,
Commissioner.

Encl. #308.
MR

62-20619
BUREAU OF INVESTIGATION
OCT 26 1928
DEPARTMENT

RECORDED & INDEXED
OCT 30 1928

October 2

E. C. Wilson,
Special Inspection Division,
Bureau of Prohibition,
Washington, D. C.

Dear Sir:

In reference to my report of October 2 [illegible] regarding Charles and Hugh Jones, I have received the following information from the Police Department of Washington, D. C.

That Hugh Jones is known to be one of Cleveland's most dangerous gangsters. He is a member of the Cleveland, Ohio, gang of which Moe Dalitz is the leader. Hugh Jones is known in this gang as "Hughie Rat", and is believed to be the one used by Dalitz [illegible] Dalitz is known by his gang.

[illegible] to present [illegible] gangsters the operation of "racketeers" in New York City, I believe it possible that some of the gangsters having fled might by locating in Washington. It is quite evident that Hugh Jones' gang who might be in this locality are here for no good reason.

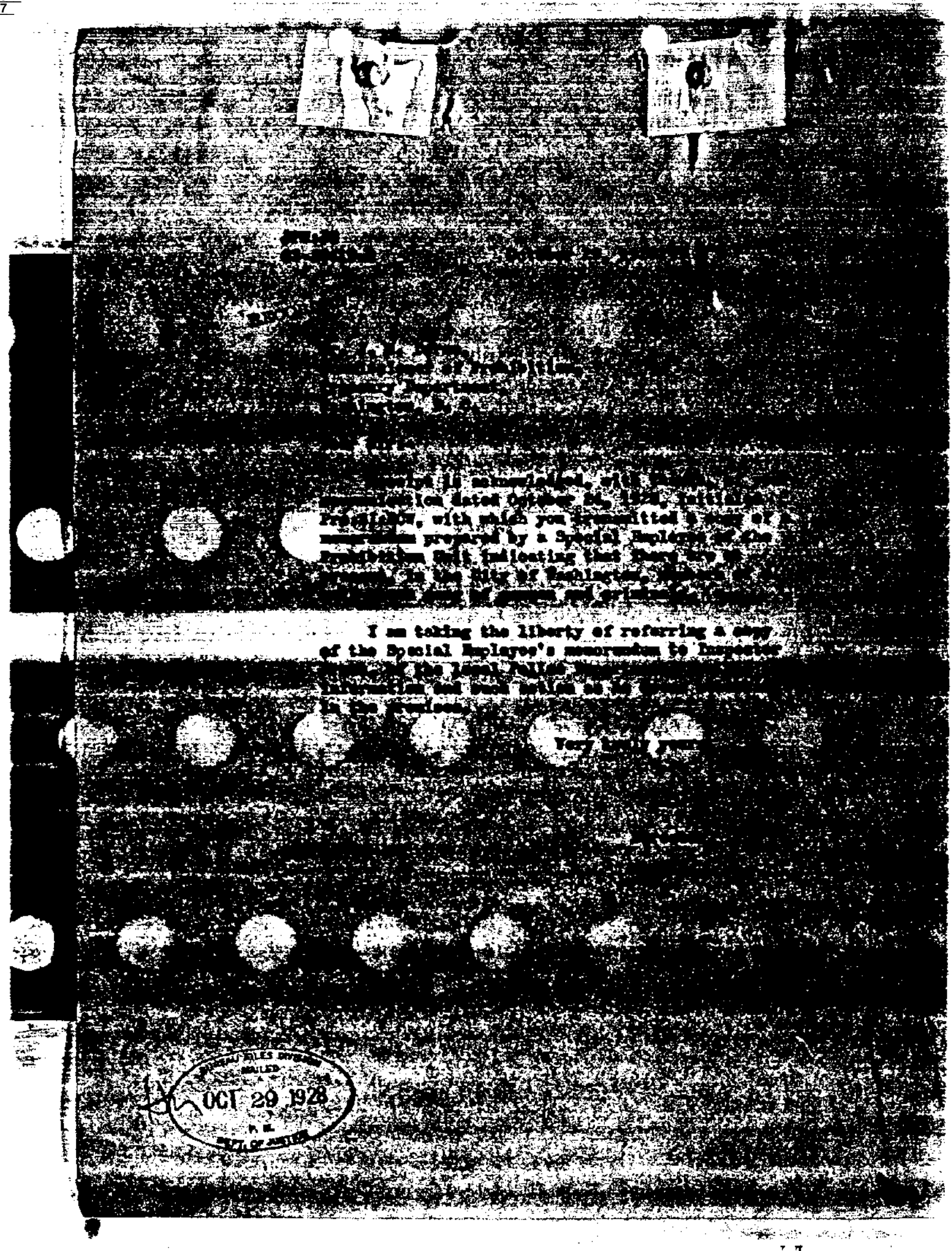
My informer claims [illegible] to have been friendly with some of the Jones, while a resident of New York City, but having had a misunderstanding with some of that gang, Pittsburgh. It is not possible, therefore, to have direct contact with any of the gang, but it is possible for him to learn any movements who might be in this vicinity, which he claims he possibly [illegible] further asserts that he is personally willing to assist the Federal Department of Service.

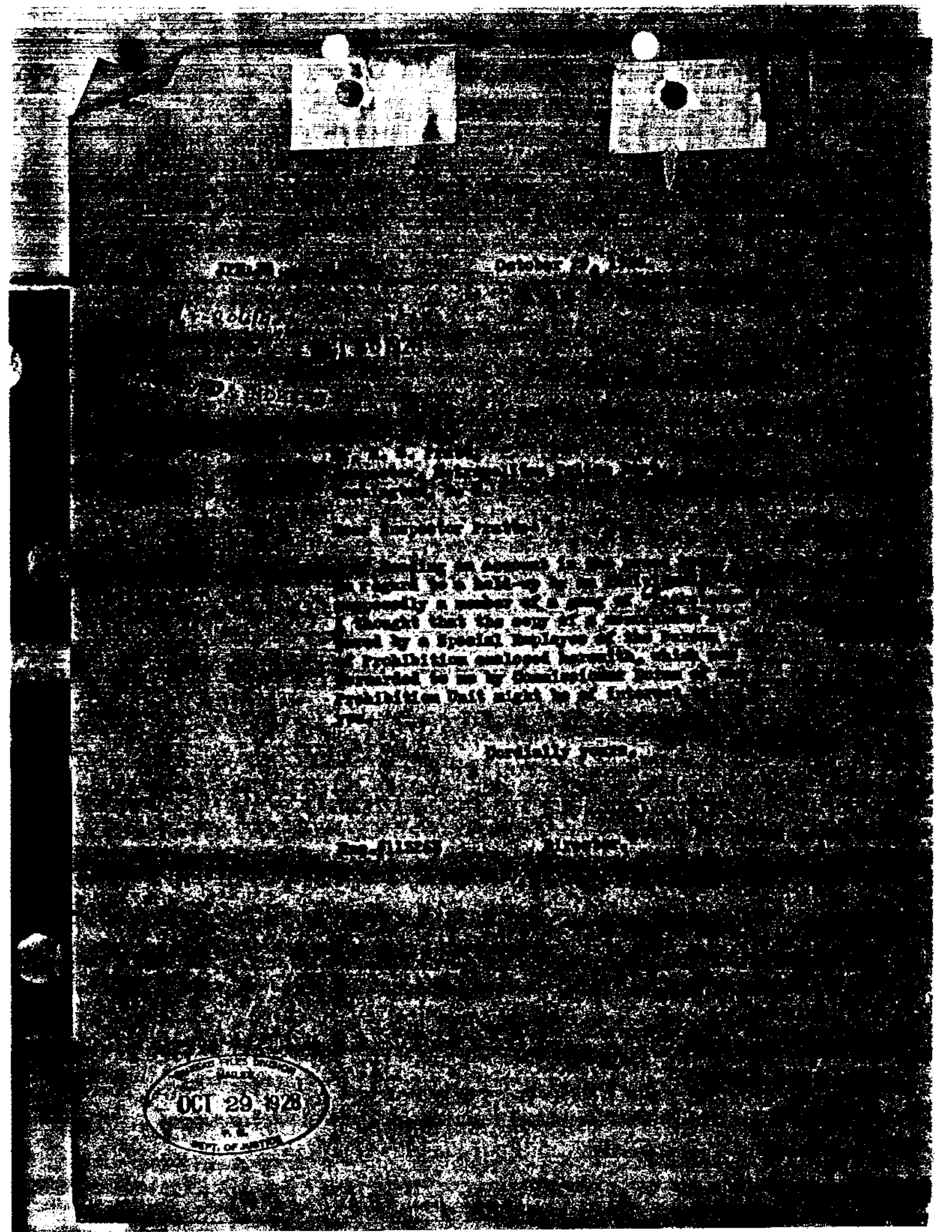
In reporting in this instance for the [illegible] and in the hope that if gangsters are present in [illegible] they may be prevented from committing any crime.

Respectfully submitted,

David D. Hayes.

62-20619-1





OCT 29 1928
DEPT. OF JUSTICE

Government of the District of Columbia

METROPOLITAN POLICE DEPARTMENT

DETECTIVE BUREAU

WASHINGTON, D. C.

REPLY TO
MAJOR AND SUPERINTENDENT

October 30, 1926

J. E. Hoover, Director
Bureau of Investigation
Department of Justice
Washington, D. C.

62-20679-2

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

RECORDED
NOV 1 1926

62-20679-2
BUREAU OF INVESTIGATION
51



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE
(NEWS ARTICLES)

PART 10 OF 11

SUB A

CAPONE, Alphonse

Sub A - News Articles

part 1 of 2 parts

The best copy obtainable is included in the reproduction of these documents. Pages included that are blurred, light, or otherwise difficult to read are the result of the condition of the original document. No better copy can be reproduced.

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

$120,000 TAX SNIPES CAPONE

WASHINGTON, Oct. 19.—Relentless in its drive against Al Capone, once mighty overlord of Chicago's gangland, the Federal Government today had assessed him $120,000 for unpaid beer taxes.

"Scarface" is now doing time in Alcatraz Prison, California, for evading various income taxes during the palmy alky and beer-running days.

The Treasury Department also began service of identical assessments against 14 Capone henchmen.

The assessment covers 19,000 barrels of beer at $6 each, and comes as an aftermath to the biggest raid on the illicit beer business in prohibition history.

Though several members of the band have been slain since the Capone reign in Chicago, this will not affect the Government's action. Search is being made for property left by these men against which Federal liens can be placed.

NEW YORK EVENING JOURNAL
Forerunner of New York Evening

OCT 19 1935

69-180-A

5

Mr. Tolson
Mr. Boughton
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Leath
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

CAPONE GANG IN TAX FIGHT

International News Service

Federal action to collect $120,000 in back liquor revenue taxes from "Scarface Al" Capone and 14 of his associates proceeded another step today when the Treasury formally accepted assessments certified by the unit of taxes and penalties.

Capone, now in Alcatraz prison, California, is being assessed for the nonpayment of taxes on 19,000 barrels of beer at $6 per barrel.

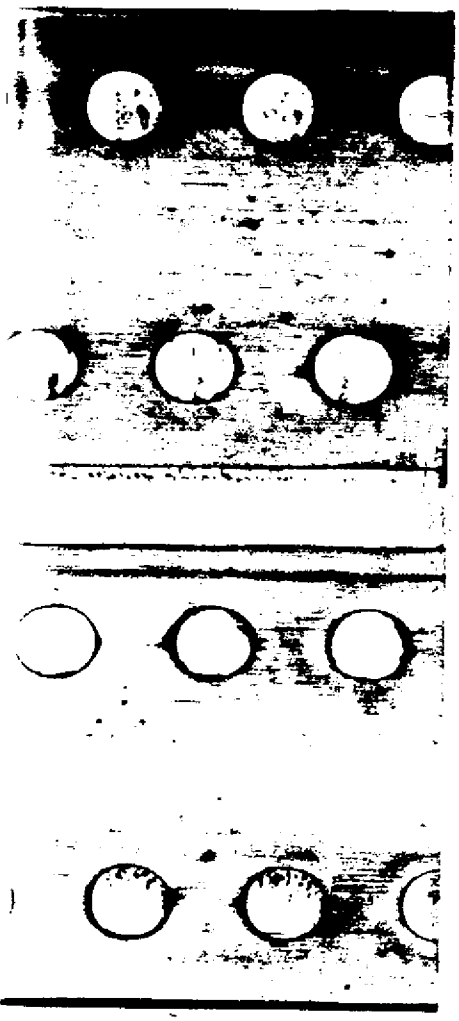
If Capone or his lawyer, Mike O'Hearn, does not pay, the Government will try to collect from the living members of the old Cicero colony.

Among those liable for the taxation are: John J. Nolan, the man with 31 aliases and "bookkeeper" for the outfit; Ralph Capone, Al's brother; August Dodd, Charles Fiehrmeyer, George A. Howlett, Mike Lopristi, Joseph Fusco, Jack Guzik, Hyman Levine, Steve Swoboda, Albert Johnson and Nicholas and Frank Juffra.

OCT 19 1935

69-180-A

6



[illegible] Wiping Records Of Big Booze Thefts.

RAIDED 17 BREWERIES

[illegible] of Gangster's Lieutenants Had Thirty-one Aliases.

WASHINGTON, Oct. 19—[illegible] tion of the "big business" methods used by Al Capone in building his amazing beer organization in Chicago was given here today by Treasury Department officials in certifying a $130,000 tax assessment against the former gangster and his henchmen.

Capone was in the beer racket for ten years. For the first five he shared control of the business with several other well known gangsters, but slowly consolidated his position and finally became the virtual czar of the racket. From behind the steel plated walls of his rooms in a South Side hotel in Chicago or from his mansion at Miami Capone directed an organization that employed hundreds of persons and operated seventeen or more breweries and great fleets of trucks that supplied beer to the entire Middle West.

Eight Miles of Beer.

In the manner of legitimate business, his associates had titles such as general manager, financial secretary, &c. Capone and right hand men also used many names. One man, John J. Nolan, was said to have had thirty-one aliases. In discussing the present tax assessment Joseph Lawrence, Administrator of the Tax Unit of the Department of Justice, said that the barrels of beer they were assessing, if laid end to end, would make a line over twelve miles long and would "supply a full glass to almost 2,000,000 people."

"These alleged conspirators," Mr. Lawrence said, "had regular titles similar to those held by men in legitimate business. Reports show that Joseph Fusco was the general manager and purchasing agent for the syndicate, Isaak Gusik was financial secretary, Hyman Levine [illegible] and Sam Bro[illegible] was the [illegible]. [illegible] and [illegible] were also painted on many buildings where the syndicate operated breweries night and day. Government agents also found that fake license numbers of cars operated by prohibition officers had been printed and distributed to employees in the beer ring.

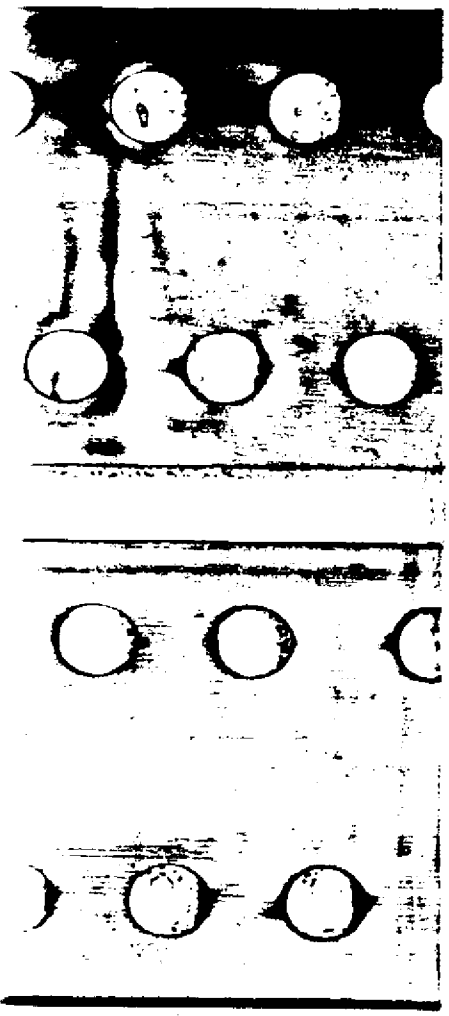
Mr. Nathan
Mr. Tolson
Mr. Baughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr.
Miss

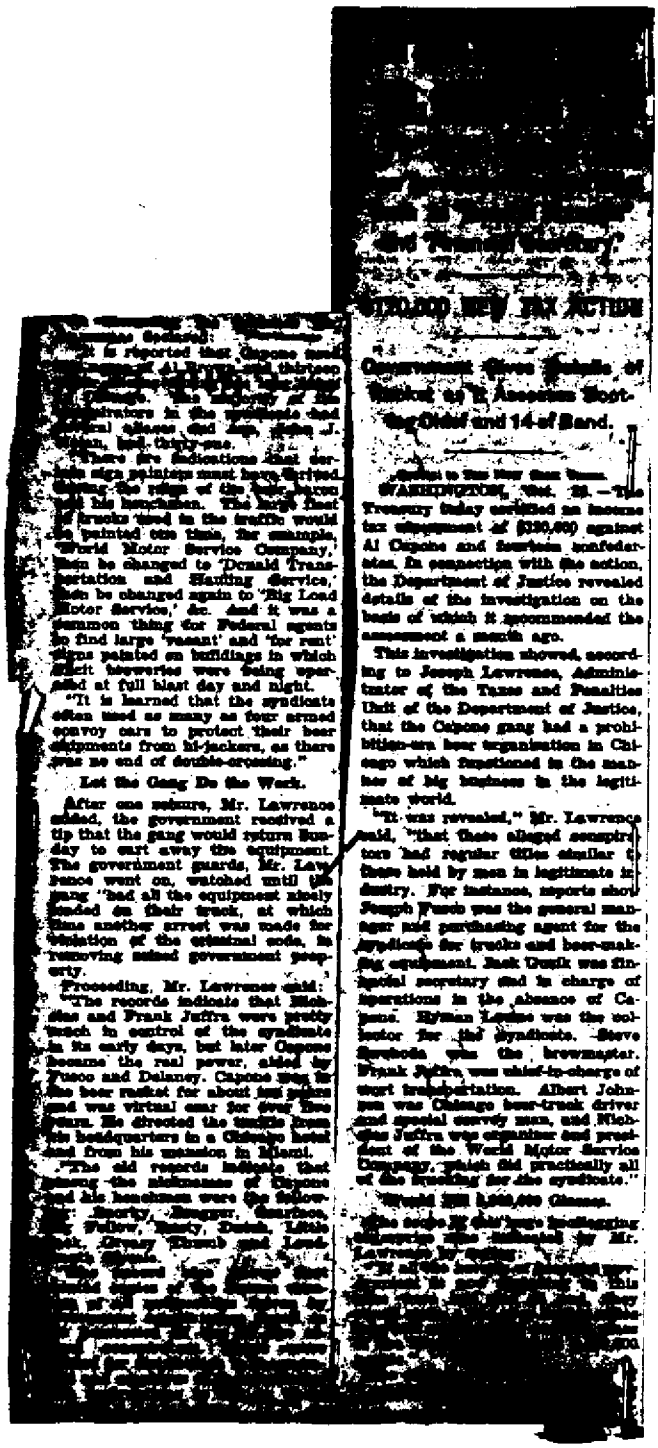
NEW YORK SUN
Forwarded by New York Office

OCT 19 1935

69-180-A

7





$130,000 IRS TAX ACTION

Government Gives Details of Racket as It Assesses Scott-Capone and 14 of Band.

Special to THE NEW YORK TIMES.

WASHINGTON, Wed. 16. — The Treasury today certified an income tax assessment of $130,000 against Al Capone and fourteen confederates. In connection with the action, the Department of Justice revealed details of the investigation on the basis of which it recommended the assessment a month ago.

This investigation showed, according to Joseph Lawrence, Administrator of the Taxes and Penalties Unit of the Department of Justice, that the Capone gang had a prohibition-era beer organization in Chicago which functioned in the manner of big business in the legitimate world.

"It was revealed," Mr. Lawrence said, "that these alleged conspirators had regular titles similar to those held by men in legitimate industry. For instance, reports show Joseph Fusco was the general manager and purchasing agent for the syndicate for trucks and beer-making equipment. Jack Dunik was financial secretary and in charge of operations in the absence of Capone. Hyman Levine was the collector for the syndicate. Steve Svoboda was the brewmaster. Frank Juffra was chief-in-charge of beer transportation. Albert Johnson was Chicago beer-truck driver and special convoy man, and Nicholas Juffra was organizer and president of the World Motor Service Company, which did practically all of the trucking for the syndicate."

[illegible] $1,000,000 Gleaner.

The [illegible] of this [illegible] Lawrence by saying:

"If all the income of [illegible]

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

THE NEW YORK TIMES
Forwarded by New York Office

OCT 19 1935

69-180-A

8

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

Capone Taxed

$120,000 Sought for Beer Assessment

WASHINGTON, Oct. 18 (UB) — Relentless in its drive against Al Capone, once overlord of gangland, the Federal Government tonight assessed him $120,000 for unpaid beer taxes.

Capone is now in Alcatraz Prison, for evading various income taxes during the prohibition beer-running days.

The Treasury Department also began service of identical assessments against 14 Capone henchmen. The certification of the penalties was made to Treasury officials a month ago by the Taxes and Penalties Division of the Department of Justice.

OCT 19 1935

69-180-A

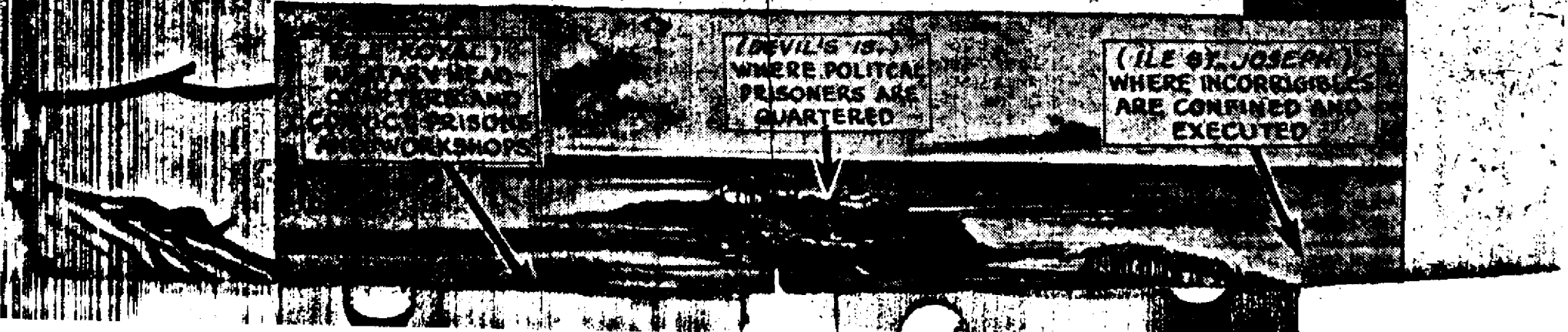
9

The Horror of SILENCE

Uncle Sam's worst punishment



Hard labor for the convicts at France's famous Devil's Island—means hard labor.





The legendary punishments and hardships of Devil's Island pale into insignificance when compared with the dreaded "silence" treatment at Alcatraz. (Above) The famous French Penal Colony.

failed signally. Too many men too often wound up in "The Hole."

No sustained communication is out. The single weekly period of recreation — between one o'clock and three-thirty on Saturday — is a boon, but it's a long time between syllables—former engendering upon silence.

The place is practically impregnable from within and without. Full well may it be called the Devil's Island of America.

Escape? It is to laugh. One might as well try to gimlet his way out of a metal coffin. It is no more than two miles to land, possibly less. But the rip-tide is sure death.

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The Colonel viewed the situation with objective interest. He even professed to be sporting about it when he called the plotters before him.

"Go ahead," said he, encouragingly. "Pick your time when you think the tides are favorable. Practice a while. I won't notify the police in San Francisco." Nobody tried.

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For one thing, there is the renowned "Electric Eye." It is a device that is trained on everyone entering and leaving the island and, like that of the fabled basilisk, its eye penetrates everything. The slightest bit of metal on any person—convict, visitor or guard—is revealed by the ringing of a bell. Files, jimmies, etc., therefore, might as well be left with the rest of the trinkets back on the bureau at home.

A screen of barbed wire entanglements extends to the shore.

Over the cells and the dining room hang clusters of gas bombs that can be released at the slightest outcry.

Is this enough? Frankly, it doesn't seem to be, for the few visitors an inmate is permitted must talk to him through a bullet-proof, perous glass partition.

It is the very hopelessness of their position at Alcatraz that leaves the prisoners so vulnerable in the matter of being held to stern account. Their cells, it is said, are strictly one-man boxes, four feet by eight, and as bare as a slab of marble. No radios at Alcatraz; no pictures, even, or ornaments.

Everything is solid steel—a steel basin, steel berth, three steel hooks for clothes. Nothing can be hidden.

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An intolerable wind almost always blows across the arid face of the island. The wind often causes sand and dust storms, capable of making the exercise yard something of a horror in its own right. It's possible that fog will close in.

Not a pretty picture? Neither was Poe's buried-alive motif in the Cask of Amontillado, but, at that, there was always an antidote for Poe. It was strictly nightmare stuff from which the reader could wake to welcome relief. At Alcatraz, they wake only to terrible reality.

One report has it that Mrs. Capone is living on top of Telegraph Hill from which she is nightly trying to signal the ex-emperor of the underworld by means of flash lights. This time, the officials are not so reticent.

They characterize the story as "preposterous" and, beyond all doubt, their statement is well taken.

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Torture that Broke Capone:



The machine gun is but one of the modern barriers which make escape from Alcatraz hopeless.

Grim, sinister, silent the glowering walls of Alcatraz Prison rise in San Francisco Bay.

the lash than the robot-like life of the almost eternally m[illegible] variations n a t u r a l l y vary. The government, contributing to the disquieting air of mystery, won't talk about Alcatraz. Its warden, James A. Johnston, [illegible] not permitted to. Paroles seldom happen and pardons never. So the convict version is not too generally available and, besides, they are said to have an understanding by which they are not to talk about "the boys inside."

[illegible] to his imprisonment, was recently taken out and deported as an undesirable alien. The man seemed dazed by his great fortune and, at first, babbled almost incoherently. So might one talk who had lived too long without the solace of words.

"Free. . .free. . .free," muttered William [illegible], English peddler, as he stood at the rail of his [illegible]

of recreation each Saturday, there is silence.

[illegible] off, there may be a blast from the [illegible] steamer [illegible] up the bay. Perhaps in the ensuing quiet a gull gives up its eerie, wailing cry. Otherwise—nothing.

As Thomas Hood, the bard, so aptly put it, "like silence [illegible] silence," but in this case only in moments of extremity when the human ear can stand no more. The effect may be a sudden shriek, a doltish, aimless laugh. The result, a measured tread of feet coming down the corridor.

They [illegible] at the offender's door. Another man —or his caricature— has gone to "The Hole."

"The Hole," naturally is known as "solitary," where th[illegible]

by

(Continued on [illegible])

...onture that Broke Capone:



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"Free, . . free. . . free," muttered William Ambrose ... English dope ... stood at the ... of his ship and gazed out over the Atlantic ...

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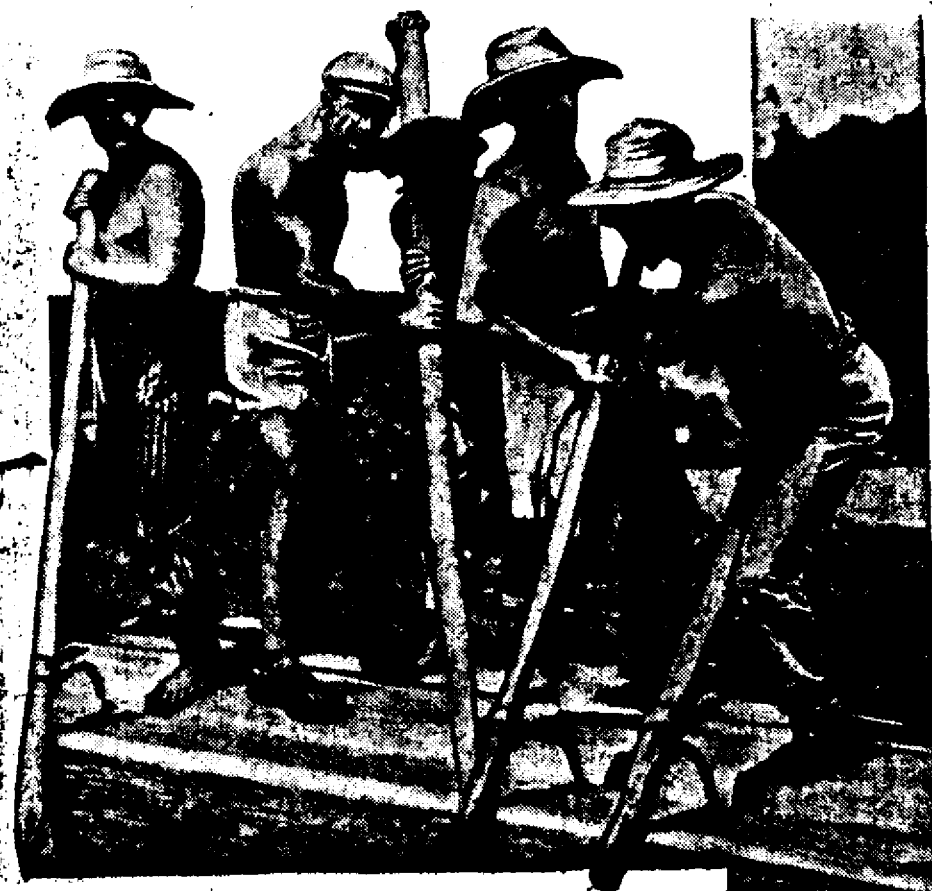
(Continued from Preceding Page)

food is meagre and the opportunity for prolonged meditation unexcelled. Capone, they say, has cooled his arrogant heels in "The Hole" from time to time. He, according to reports, is "burning up" over the no-talking rule. But the story was denied that he was going stir-crazy.

"He's as sane as you or me," said the dope peddler in one breath. "If they keep it up out there, they won't have a prison. They'll have an insane asylum."

The officials have neither denied or affirmed the story that Capone was a trouble-maker and had to be disciplined. In the same way, another report went undenied that Alphonse had decided to be a good boy and worked his way up through the dry cleaning shop to the post of librarian. Unofficially, there were denials from members of the staff of a number of Alcatraz stories, notably those having to do with the rigidity of the no talking and eat-or-go-hungry rules.

The usual "grapevine" is ineffective. Various codes



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By DAVIS J. WALSH

THERE it lies, out in the middle of San Francisco Bay, like an ugly bone bleaching in the sun. Sinister, too, in the grim set of its jagged, forbidding rocks; the low, lifeless buildings, white as a shroud.

Even the name isn't reassuring. The word Alcatraz somehow suggests the weird and the unseemly and, indeed, this cannot be wholly an illusion. Mention Alcatraz in any second-class dive below the equator of respectable society and hardened killers, indifferent to death, will instinctively flinch. The name Ile de Diable (Devil's Island) would produce the same effect in a Parisian cellar, though for a different reason. There, because of the tropic heat, the body may wither, but it is the soul.

It is here that the suddenly not-so-tolerant-and-paternal Uncle Sam now deals with the real bad men of the criminal dodge, or those who fancy themselves to be bad. He doesn't use the hose or the knout. No need for the Oregon boot. All he does is apply his pressure with just a dose of the modern Freudian touch and the most fretful among the guests presently acquire an air of resignation.

Al Capone, brooding darkly upon his wrongs in the cell blocks, evidently found this out after an interval of trial and error. At last, he couldn't endure that awful, unnatural stillness—harsh with exultant noisings—and so there were times when he cried out against it, to his ultimate regret.

It was the same with Machine Gun Kelly and his business associate, Harvey Bailey; likewise the gentleman who thought up the bright idea of smuggling the guns for the jail break at Leavenworth in 1931, Gerald Fontaine.

The G-men got Dillinger and the fellows Gerald Chapman, but, if the legend of Alcatraz is not too distorted, they were lucky at that. Between some ways, the scourge and

ship and gazed out over the Atlantic toward home. "I'm really free. God, why doesn't this boat sail?"

He was pathetically frightened that it would turn out to be all a mistake; that they'd come and take him back to the twelve acres of sand and rock and glowering walls where words have no place and men live only to remember that once they walked among their kind. Off there, for instance, the towers of San Francisco and its bustle and bustle and roar. Two miles away, Alcatraz—and what?

By way of inspection, approach the forbidden land closer than 600 feet, if you can. As a matter of fact, you can't. Guards, eyeing all craft narrowly from the towers, wave everybody off as though from a colony of lepers.

[illegible] distance, there is a sense of something unreal, fantastic. The stillness is that of a vacuum, for here is the Port of Silent Men, 241 of them and not a sound from a single throat.

For days on end, the silence endures. It is like a hideous incantation that gives back echo for echo and, in time, it can take on a quality so tangible as to give the impression that one can reach out and touch it, as one might touch something heavy and sodden like a horse blanket. Meantime, the grim routine goes on. [illegible] into the cells at 4:30 in the afternoon. Up again at seven and forthwith to work all through the day in the laundry, shoe shop and mat-making plant. No talking, no whispering. Three meals a day—and be sure to eat all your food at each meal. If not, you go hungry for the next. Three times weekly, you shave with a razor glumly handed you by a guard. It is a standard type of safety razor, but the guard stands by and watches every move—just in case. They haven't been feeding and bedding you all this time just to watch you breathe your last through a severed jugular vein.

And always, except for 2½ hours

(Next Page.)



"Capone, too, has cooled his arrogant heels in the dreaded 'hole' at Alcatraz."

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9/28/35

Mayor Vows New War on Capones

CHICAGO, Sept. 20—(AP)—Mayor Joseph Cerny of Suburban Cicero, through his new police chief, today announced a campaign to drive the rejuvenated Capone gang out of town.

The new chief was Lieut. Frank Machacek, nominated by Mayor Cerny to succeed Theodore L. Svoboda.

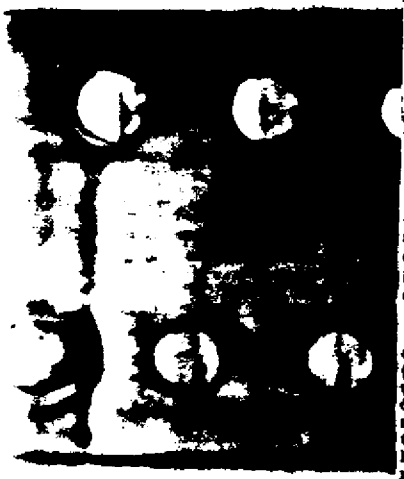
Svoboda, claiming support of five out of the seven town board members, denied the mayor's right to oust him, and said he would stay on the job at least until Machacek's appointment goes before the board next Friday.

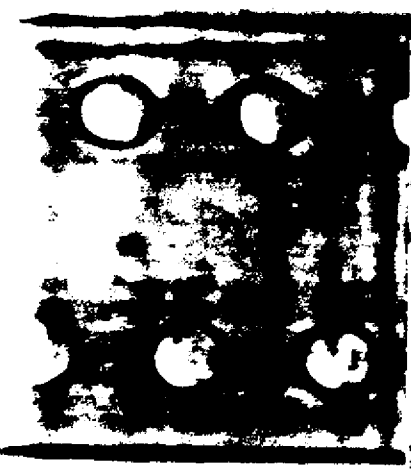
MILWAUKEE SENTINEL
SEPTEMBER 21, 1935

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Mr. Egan .....
Mr. Foxworth .....
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Mr. Lester .....
Mr. Quinn .....
Mr. Scheidt .....
Mr. Schilder .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....

Ford

17





Capone Syndicate Again in Full Swing

The old Capone syndicate is back in full flower again, with garlic on its breath, lavender on its underwear, and blood in its eye.

The same group of charming introverts who once had the entire city of Chicago by the neck are now holding sway in the county, catering in the finest Capone tradition to man's appetite for the pleasant vices. (Alphonse Capone accepted.)

The same system of economics, in which competition is outlawed, still exists. Gambling and vice are conducted not by rugged individualists, but by regimented agents of the outfit, headed by Ralph Capone.

Can Sign Big Checks.

The keeper of a bagnio in the southwest part of the county gave an angle of the system. He observed that the gentleman obviously didn't believe in making love, and so engaged the visitor in conversation in his own modest way. The keeper was a thick-necked European who can sign an X to checks for large amount.

"Isn't there some sort of legal restraint on such places as this?" the visitor asked.

After figuring this out, the keeper said no. He is outside the corporate limits of any town, he went on, and was subject to the jurisdiction of only the county highway police.

Another roadhouse keeper in Stickney gave still another angle.

"This really ain't my business," he said, pointing to the racing sheets, the gambling paraphernalia and the banjo-eyed women and men who were laying out their supper money. "I get $250 a month from the outfit just to let them run here."

As in the dear dead days of prohibition, the center of the syndicate is in Cicero, at the old Ship, 2131 South Cicero avenue, where the bull-necked Ralph Capone hangs out. There were some 500 people in the place when a reporter visited it.

Use No Safeguards.

The gambling is so placidly accepted that no attempts at conventional safeguards against detection are employed. Customers are not even given the customary "frisk" at the front door. The slugger who stands there merely wages.

Down the street, in close proximity to their overlord, Johnny Moore, alias Claude Maddox, and "Tough Tony" Capezio hold forth in the Hi-Ho Club, 2242-44 South Cicero avenue.

For the last few years the club has been a hi-de-ho joint, famed for entertainment and spareribs. Now the restaurant and cafe equipment has been stored and gambling equipment set up in its stead. There were about 300 men and women in this joint when a reporter visited it.

John ("Bottles") Capone, brother of Ralph and Al, was working behind the betting counter. A brother of Tony Capezio moved about the crowd as a shill.

Attendants in Uniforms.

Until Tuesday night the Hi-Ho Club had elaborate crap games going, with attendants in checkered uniforms. For the present the heavy games have been discontinued, presumably at the suggestion of some

(Continued on Third Page.)

Old Syndicate Is Again In Full Swing

(Continued from First Page.)

new enforcement office with a free hand of restraint.

Around the corner, at 4837 West 22d street, "Knockout" Brown holds forth in a modest saloon and handbook, at which about 250 people were toying with the horses on the afternoon of the visit.

Still another powerful member of the old syndicate has a place in Cicero—"Klondike" O'Donnell is operating a gambling spot on the southeast corner of 49th court and Roosevelt road and was doing pretty well when he was visited.

A remarkable thing about handbook shops and gambling joints is that there is only one cashier's window an dtwo, three or four ticket-selling windows. This obvious indication of the odds does not deter great numbers of Cicero and Chicago working stiffs and housewives from trying their luck, however.

Plan New Places.

That Cicero gambling is in the first period of expansion was indicated in the preparation of new joints. Four spots within a short distance of 22d street and Cicero avenue were being refurbished for dining, dancing and blowing the works on a good one in the fifth.

Other business feels the beneficent influence of the syndicate also. Said a woman in the vicinity of 4838 South Oak Park avenue, Stickney, where, in an old roadhouse that had been dark for years, the syndicate operates a handbook with a Jess Rutherford as manager:

"You can say what you want about the syndicate, but they sure bring business in a neighborhood. We were starving to death in this roadhouse until they opened up. Now we get all kinds of supper and drink trade."

That great national figure, "Machine Gun Jack" McGurn, also has his spot, and rents it from no one less than the state of Illinois, keeper of defunct banks.

Despite previous exposure, after which Sheriff John Toman "closed" the place, McGurn's gambling house in the quarters of the closed Citizens' State Bank in Melrose Park was doing more business Saturday afternoon than the bank ever did.

[illegible] McGurn was [illegible] even [illegible]

CHICAGO DAILY NEWS

9-16-35

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18

HEALY SCORES RECORD OF LEIBOWITZ

Geoghan's Opponent Capone's Mouthpiece, Says Ex-Judge

Former Magistrate Leo Healy linked the names of Sam Leibowitz and Al Capone in a series of addresses delivered to audiences at Democratic rallies throughout the borough last night.

Assailing Leibowitz for aspiring to the Democratic nomination for District Attorney after having served as the attorney and "mouthpiece" for Al Capone, Healy appealed for the election of Prosecutor Geoghan, who "is a foe of the racketeers and our protector and friend."

DATA FROM BOOK.

Healy, bosom friend and at one time the attorney for Leibowitz, dipped into the pages of a book, "Not Guilty," purporting to be the life of Leibowitz, for the information he hurled at Leibowitz.

"He tricked the police for Capone's filthy money," charged Healy. "He was wined and dined by Capone. He entertained Capone at his own home. The book says so.

"And today Leibowitz wishes that book never had been written. Its shocking revelations of his association with the underworld haunt him in this campaign. It was Leibowitz that Al Capone sent for when Capone and his blood vampires invaded New York."

Healy is a friend of Leibowitz. At the time of Leibowitz's indictment on a charge of subornation of perjury, Healy acted as his attorney. The indictment was dismissed.

Quoting from the book, Healy told of the slaying of three members of the White Hand gang in Brooklyn, which caused the police to hunt for Al Capone.

"I am still quoting from the book," declared Healy. "Page 211 says: 'And hardly had the message hit the teletype when Leibowitz received a telephone invitation to attend a dinner the same evening in Brooklyn's

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NEW YORK EVENING JOURNAL
New York, N. Y.

SEP 12 1935

19

69-1P0-A

San Francisco EXAMINER
September 6, 1935.

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MUSIC—BY CAPONE

Ex 9/6/35

Al Buys Alcatraz Band's Horns

HUNTSVILLE (Texas), Sept. 5.—(AP)—Al Capone has turned philanthropist in Alcatraz Prison, W. D. May, doomed murderer, said tonight as he prepared to meet death in the electric chair.

May, who served 10 months in Alcatraz with Capone, said Capone had purchased $1,200 worth of band instruments, and presented them to the Alcatraz Prison orchestra. Capone also offered to pay $400 for a tennis court for the inmates.

May was electrocuted late tonight for his part in a triple slaying near Fort Worth.

20

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U. S. GIVES CAPONE $120,000 TAX BILL

By FREDERICK C. OTHMAN.

WASHINGTON (UP).—To the incredible Alphonse (Scarface Al) Capone yesterday went a $120,000 bill for unpaid taxes on 20,000 barrels of a nauseous fluid which he sold for 50 cents a bottle as beer during prohibition.

The one-time overlord of Chicago rum running, vice and gambling was puttering sullenly in the library of Alcatraz prison, serving an 11-year sentence on previous tax charges, when the Bureau of Internal Revenue discovered the new debt on his back-alley brew.

The Government also charged scores of Capone's brewmasters, finger men and collectors with having a hand in the sale of the 20,000 barrels. These included Al's brother Ralph, Bert Delaney, August Dold, Charles Feuehrmeyer, Joseph Fusco, Jack Guzik, George Howlett, Albert Johnson, Frank Juffra, Nicholas Juffra, Hymen Levine, Michael Lopristi, John J. Nolan and Steve Swaboda. They'll all pay up too—or else.

G-men renewed their search for the untold millions Capone was supposed to have hidden so he could walk from prison some eight years hence, a fat and wealthy citizen and once again wear green silk union suits under his well-tailored broadcloth.

The Treasury will try to collect from the triple-chinned Capone in civil courts. If Federal sleuths can unearth the golden cache they think exists, the Government may be able to mark its bill paid. Otherwise there may be new criminal charges awaiting Capone when he is ferried away from the island prison in San Francisco Bay.

U. S. Asks $120,000 From Al Capone

Gangster and Friends Assessed for Unpaid Taxes on Beer

WASHINGTON, Aug. 30 (AP).—Al Capone, Chicago beer baron now serving an 11-year sentence in Alcatraz Penitentiary for income tax evasion, today was assessed almost $120,000 by the Treasury for liquor taxes not paid.

The assessment also was levied against other members of the Chicago syndicate with which Capone was connected in the prohibition era.

Capone is charged with the illegal manufacture, distribution and sale of beer.

The Treasury will take steps immediately to collect the assessment in a civil court proceeding.

The Justice Department said:

"This will no doubt mean a renewed search for the funds and other assets still believed to have been secreted by Capone during the long years of his unlawful operations."

The charges against the Capone syndicate involve 19,984½ barrels of beer seized between 1921 and 1932. The beer was assessed at $6 a barrel.

NEW YORK AMERICAN
Forwarded by New York Office
AUG 31 1934

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$120,000 TAX LEVIED ON CAPONE AND GANG

Government Files Charge on 20,000 Barrels of Seized Beer Against Old Chicago Syndicate

WILL HUNT FUND CACHES

Treasury Will Act in Civil Suit —Bootleg Chief Has No Property Left, Says Lawyer.

Special to THE NEW YORK TIMES.

WASHINGTON, Aug. 30.—The government will attempt to collect about $120,000 in beer taxes from Al Capone, former Chicago underworld king, and fourteen members of the bootleg syndicate which he directed until jailed for income tax evasion in 1933, the Department of Justice announced today.

After assembling voluminous evidence, the department believes it can prove that the Capone syndicate manufactured and sold 19,984½ half-barrels of "high-powered beer" in prohibition days. Admitting that this is only a small fraction of the syndicate's actual output, the department, nevertheless, has asked the Treasury to start action for collection of liquor taxes on the beer, which has been traced to the Capone gang.

Joseph Lawrence, administrator for the Attorney General in charge of taxes and penalties, today certified to Commissioner of Internal Revenue Helvering the foot-high stack of evidence purporting to show that Capone's syndicate manufactured the 19,984½ half-barrels of beer.

Experts of the Liquor Tax Division announced that the case had not been turned over to them yet, but explained that the usual procedure is to assess the tax due against each member of the syndicate, collecting it where they can.

Tax Is Put at $6 a Barrel.

The tax on 19,984½ half-barrels of

ADVERTISIN

$120,000 TAX LEVIED ON CAPONE AND GANG

Continued From Page One.

who is now serving his sentence on the income tax conviction in Alcatraz Island, will be started by the Treasury Department in an effort to collect the $119,907 in beer taxes, according to the Justice Department.

The fourteen others named with Capone, many of them prominent in the Chicago underworld of prohibition days, are:

Ralph Capone, brother of the gang leader; Jack Gusik, Bert Delaney, August Dold, Charles Fuehsmeyer, James Fusco, George Howlett, Albert Johnson, Frank Juffra, Nicholas Juffra, Hyman Levine, Mike Lopriati, John J. Nolan and Steve Swoboda.

Doubt Over Capone's Finances.

Special to THE NEW YORK TIMES.

CHICAGO, Aug. 30.—Two conflicting views were presented here today concerning the government's chances of collecting the tax assessment against Al Capone and his old syndicate. Government officials hinted at the chance that large sums had been secreted by the gang leaders and that these could be realized to cover the judgment.

It was considered likely that a majority of Capone's tangible assets in the form of real estate was already under lien to cover his income tax deficiency. His income tax liability was compromised at $157,416 last May. Capone's attorney, Michael Ahern, appealed from original claims of $622,642 and the stipulation was the result. Mr. Ahern said that there had been no negotiations toward settling.

Mr. Ahern said he doubted that any appreciable sum of money had been cached by Capone. He also said that he knew of no property held by the gang leader which had not already been confiscated by the government.

Captain William F. Waugh, attorney representing the syndicate during the liquor indictment troubles, also expressed doubt that Capone still held property from which the new assessment might be realized.

The new tax represents a levy on beer seized in raids during the years 1921 to 1932. Information gained by the raids was incorporated in an indictment naming Capone, Bert Delaney and some thirty-five others, and charging conspiracy to manufacture and sell illicit brew. After being amended several times the indictment was dissolved after the repeal of the Eighteenth Amendment.

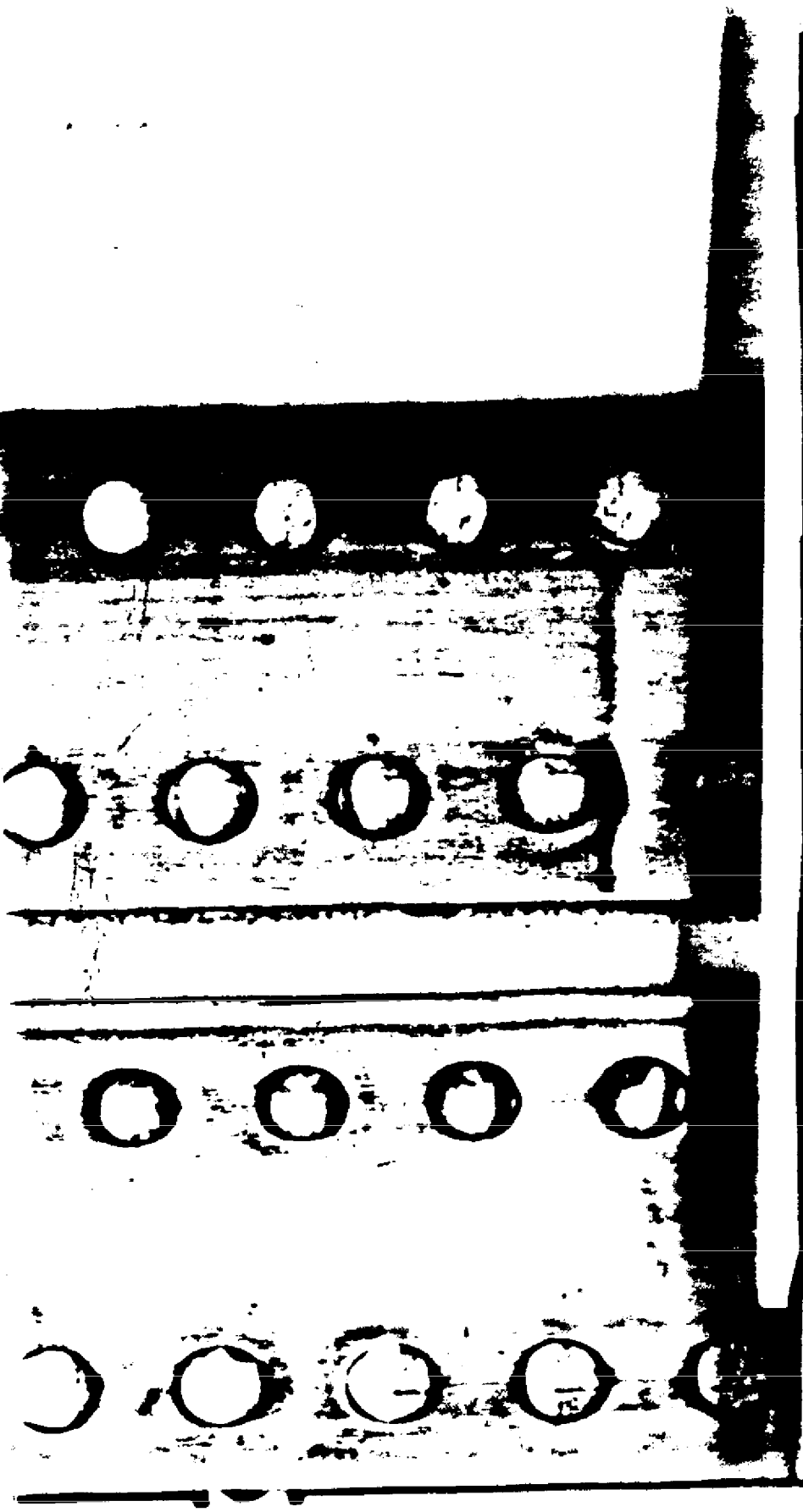
One angle of the case by which the new assessment can be used as a threat over the gang leaders is the fact that the judgment will be in effect for six years from yesterday. Capone went to prison May 6, 1932, and if released for good behavior in seven and a half years will have to turn all earnings for two years over to the government.

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Mr. Tracy .....
Miss Gandy .....

THE NEW YORK TIMES
Forwarded by [illegible]

AUG 31 1935

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Mike Lopriati, John ...
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Doubt Over Capone

Special to THE NEW ...

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...but explained that the usual pro...
...edure is to assess the tax due ...
...against each member of the syndi...
...ate, collecting it where they can.

Tax Is Put at $6 a Barrel.

The tax on 19,964½ half-barrels of ...
...beer at $6 a barrel amounts to $119,...
...787. If this sum were assessed ...
...against Capone and each of his ...
...alleged associates who are named, ...
...the assessment would total $1,798,...
...787. The Government will proceed ...
...against each of the fifteen persons ...
...until a total of $120,000 has been ...
...collected, when it will abate the rest ...
...of the assessment.

...Capone is re...
...ported to have ...
...large funds and ...
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...been protected by Federal ruling ...
...during the early years of his unlawful ...
...operations," the Justice Depart...
...ment's formal announcement of the ...
...tax levies said.

A civil proceeding against Capone, ...

Continued on Page Six.



24

Capone and 14 Get $120,000 Liquor Tax Bill

U. S. Will Seek to Collect on 19,984½ Gallons Seized in Chicago Raids

Many Others Assessed

$228,747 Is Sought From Gordon and Associates

By The Associated Press

WASHINGTON, Aug. 30.—Al Capone, Chicago's scar-faced beer baron, and fourteen of his gangster cronies today were billed for $120,000 in unpaid tax assessments on illegal liquor.

The assessment was another step in the Justice Department's fund-collecting drive against men charged with reaping large profits in the days before repeal. Others assessed previously included Irving (Waxey Gordon) Wexler, Max Hessler and Morris Greenberg, and Heine Wainer, of Wisconsin, who is reputed to have battled Capone's "muscling in" along the North Shore and in the Wisconsin resort district.

The assessment today against Capone—now in Alcatraz prison in California—and other alleged members of his Chicago-Cicero, Ill., syndicate, was sent to the Treasury for collection by Joseph Lawrence, administrator of the Justice Department's unit of taxes and penalties.

Assessments $5,000,000

Lawrence's unit, which has assessed about $5,000,000 in taxes on illegal liquor in the last year, devotes a major portion of its time to unsettled accounts of prohibition violators.

Al Capone's lawyer, Michael J. Ahearn, said in Chicago that Capone, now serving a sentence for income tax evasion, was "supposed to be broke." But Lawrence retorted that the government is free to collect the entire tax from any one of the syndicate who has money. Tax authorities have the right to seize the property of those who refuse to pay.

Wexler, Hessler and Greenberg, leaders of a New York-New Jersey syndicate, were assessed $228,947 on 129,970 proof-gallons of illegal alcohol about two months ago, Lawrence said.

Tax of $6 a Barrel Sought

The Capone assessment was based on 19,984½ barrels of liquor known to have been handled by the gang between 1921 and 1932. All the barrels counted were reported in raids or seizures during the prohibition era, Lawrence said. The tax was assessed at $6 a barrel.

Lawrence's men still have 60,000 prohibition cases remaining to be studied. Nearly 1,000,000 such cases have passed through the Justice Department unit since prohibition started.

Those named with Capone include his brother, Ralph Capone; Bert Delaney, August Dodd, Charles Fuehrmeyer, Joseph Fusco, Jack Gusik, George A. Howlett, Albert Johnson, Frank Juffra, Nicholas Juffra, Hyman Levine, Mike Lopristi, John J. Nolan and Steve Swoboda.

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25

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Miss Gandy

TAX CAPONE $120,000

WASHINGTON, Aug. 30—(AP)—Al Capone, Chicago beer baron now serving an 11 year sentence in Alcatraz penitentiary for income tax evasion, today was assessed $120,000—for liquor taxes not paid.

The assessment, ordered by the treasury, also was levied against other members of the Chicago syndicate with which Capone was connected during the prohibition era.

Capone is charged with the illegal manufacture, distribution and sale of some 20,000 barrels of beer.

The justice department said:

"This will no doubt mean a renewed search for the funds and other assets still believed to have been secreted by Capone during the long years of his unlawful operations."

WISCONSIN NEWS
AUGUST 30, 1935

26

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Miss Gandy

NEW YORK EVENING [illegible]
Forwarded by New York Office

U. S. Levies $120,000 Tax Against Capone

WASHINGTON, Aug. 30 By International News Service).—Assessments of $120,000 were levied against Al Capone today by the taxes and penalties unit of the Justice Department. Assessment was made on charges that "Scarface Al" had manufactured, distributed, and sold some 20,000 barrels of "illegal and high-powered spirits."

AUG 30 1931

27

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Mr. Tracy .....
Miss Gandy .....
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U.S. DUNS CAPONE FOR $120,000 TAX

Will Renew Hunt for Hidden Assets of Beer Baron Now In Alcatraz

WASHINGTON, Aug. 30 (AP).—Al Capone, Chicago beer baron now serving an eleven-year sentence in Alcatraz Penitentiary for income tax evasion, today was assessed almost $120,000 for liquor taxes not paid.

The assessment, ordered by the Treasury, also was levied against other members of the Chicago syndicate with which Capone was connected during the prohibition era.

Capone is charged with the illegal manufacture, distribution and sale of some 20,000 barrels of beer. The Treasury will take steps immediately to collect the assessment in a civil court proceeding.

The Justice Department, in announcing this move, said:

"This will no doubt mean a renewed search for the funds and other assets still believed to have been secreted by Capone during the long years of his unlawful operations."

NEW YORK POST

AUG 30 1935

28

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Mr. Quinn
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Mr. Scalder
Mr. Tamm
Mr. Tracy
Miss Gandy

NEW $120,000 TAX LEVIED ON CAPONE

Others of Chicago Clique Assessed by Treasury.

WASHINGTON, Aug. 30 (A. P.).—Al Capone, Chicago beer baron, now serving an eleven-year sentence in Alcatraz Penitentiary for income tax evasion, was assessed almost $120,000 today for liquor taxes not paid.

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Capone is charged with the illegal manufacture, distribution and sale of some 20,000 barrels of beer.

The Treasury will take steps immediately to collect the assessment in a civil court proceeding.

The Department of Justice in announcing this move said:

"This will no doubt mean a renewed search for the funds and other assets still believed to have been secreted by Capone during the long years of his unlawful operations."

The Justice Department said the assessment has been certified to the Commissioner of Internal Revenue by Joseph Lawrence, administrator for the attorney-general in charge of the taxes and penalties unit of the Department of Justice.

NEW YORK SUN

Furnished by New York Office

AUG 30 1935

29

CAPONE FACES TAX SUIT

International News Service

Assessments of $120,000 were levied against Al Capone today by the taxes and penalties unit of the Justice Department. Assessment was made on charges that "Scarface Al" had manufactured, distributed, and sold some 20,000 barrels of "illegal and high-powered spirits."



Al Capone

Capone, now a Federal prisoner in Alcatrez fortress, was included in a list of the alleged members of the Chicago syndicate ruled by him.

In making the announcement the Justice Department said it would endeavor to collect this amount "due in this civil proceedings." This, no doubt, will mean a renewed search for the funds and other assets believed to have been secreted by Capone during the long years of his unlawful operations.

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Mr. Harbo
Mr. Joseph
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AUG 30 1933

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30

PITTSBURGH PRESS August 30, 1935

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Mr. Tracy .....
Miss Gandy .....

G-MEN HUNTING HIDDEN FORTUNE OF AL CAPONE

U.S. Charges Gangster Failed To Pay Tax on 20,000 Barrels of Beer

By The United Press

WASHINGTON, Aug. 30—The Government set out today to find and seize some of the fabulous fortune Al Capone was reputed to have hidden away before he was shuffled off to Alcatraz Prison to serve 11 years.

The scar-faced gangster who ruled a rich underworld domain in prohibition days but who escaped all severe penalties of the law until he was convicted of evading income tax payments was assessed $120,000 today by the Commissioner of Internal Revenue.

The Commissioner ruled that Capone, back in the days when his gangsters' guns protected a monopoly on bootleg beer sales in Chicago, had failed to pay taxes to the Government on 20,000 barrels of beer.

The fact that it was illegal beer, given a high-powered kick by doubtful methods, apparently didn't interfere with the necessity of paying taxes.

U. S. to Fight

Although Capone is in a desolate prison in San Francisco Bay, the Government intends to go into court to try to collect the $120,000 by civil suit.

The one-time gang leader's income presumably has been cut off since his conviction, but the Government indicated belief that the money might be available if it wins the civil action.

Capone's organization, despite the loss of his iron hand, supposedly continued to function after his incarceration.

There have been frequent reports that the beer czar provided for himself during the days when both money and lives of beer runners were cheap.

As a result, the Department of Justice will renew a search for funds which Capone is believed to have hidden away before he gave himself up for trial—expecting at least a light sentence if not freedom instead of the 11 years to which he was sentenced.

Serves Three Years

The government's action today

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PITTSBURGH, PA.

31

...r AL CAPONE

U.S. Charges Gangster Failed To Pay Tax on 20,000 Barrels of Beer

By The United Press

WASHINGTON, Aug. 20—The Government set out today to find and seize some of the fabulous fortune Al Capone was reputed to have hidden away before he was shuffled off to Alcatraz Prison to serve 11 years.

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Serves Three Years

The government's action today placed the first actual penalty on Capone for his alleged illegal liquor profit. Capone has served three years, three months and 26 days of the sentence for evading taxes on his gambling income.

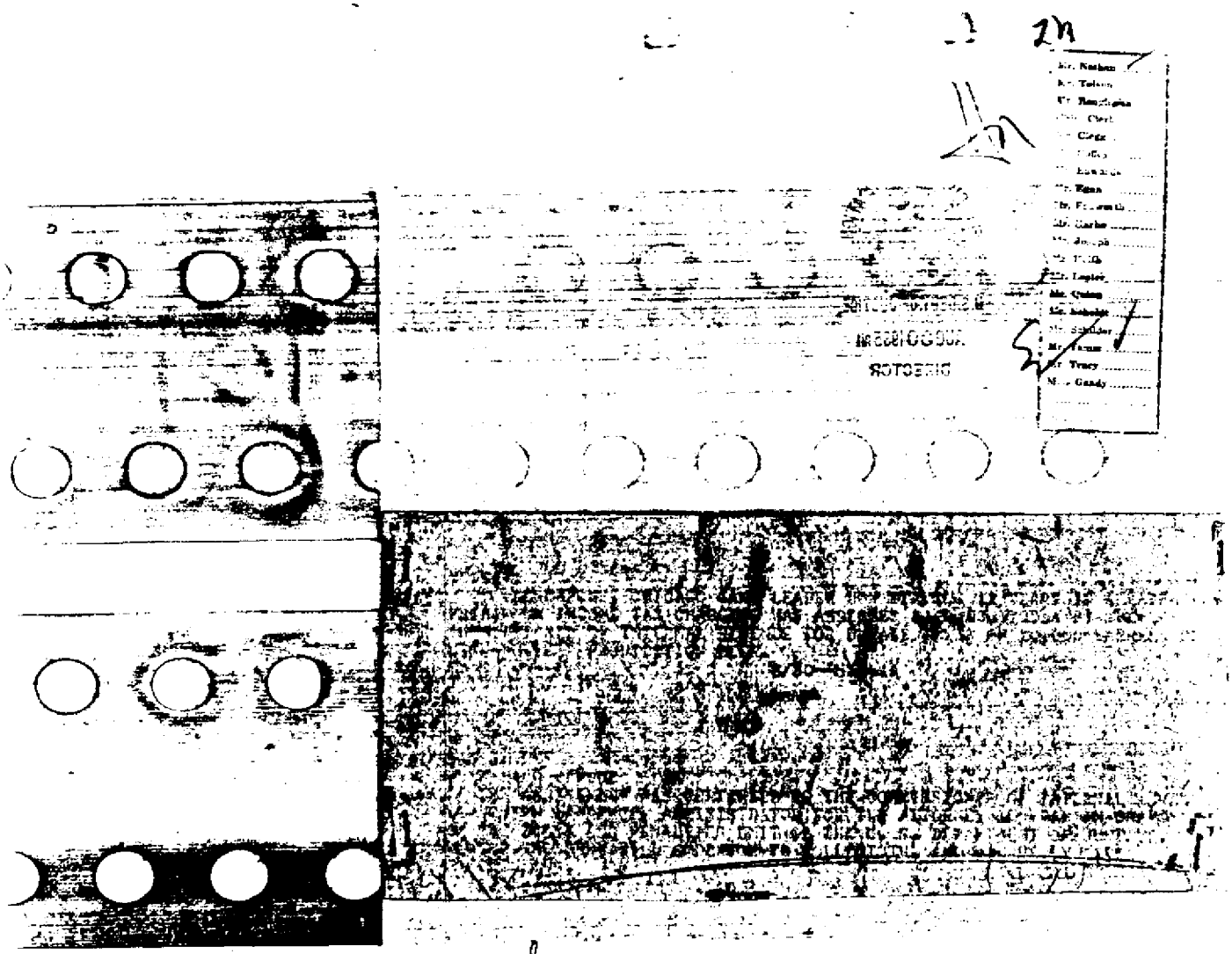
He was sentenced in Chicago, Oct. 17, 1931. He began his sentence in Atlanta, May 4, 1932, and was transferred to Alcatraz Sept. 22, 1934.

Included in the illegal liquor tax assessment were numerous unnamed members of a well organized Chicago crime syndicate which Capone was alleged to have directed during the prohibition era.

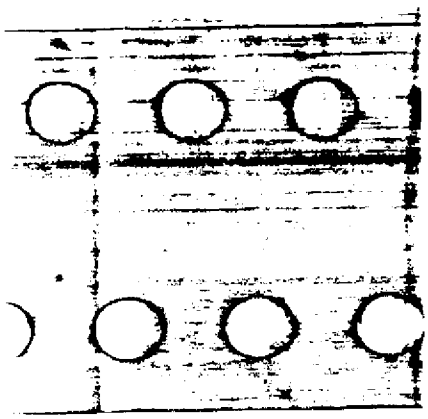
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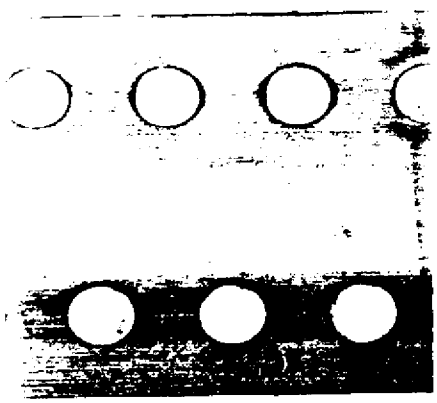
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PITTSBURGH, PA.

32



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Fair Enough

By Westbrook Pegler

Mr. Capone's Raw Deal

A RECENT alumnus of Alcatraz Island, that bleak and often icebound outpost where Al Capone abides, brings word to the outside world that this noted American is ill at ease under close restraint, his soul nibbled by resentment and his sense of fairness outraged. Mr. Capone is serving 11 years for neglect to yield the Government's rightful share of the wages of industry.

To be quite honest about it all, Mr. Capone is indeed the victim of a raw, though expedient, deal.

In the first place, 11 years is too harsh a sentence for so common and amiable a fault as the one of which he was convicted. If the same fierce justice were imposed on all offenders against the exacting and highly complicated schedules and customs which apply to affairs as prosperous and involved as his were the late leader of the prohibition revolt would have for company in his exile many of his former clients. The fact that he has not the spirit of compromise which has marked the adjustment of similar oversights on the part of citizens in the respectable brackets suggests that in Capone's case the United States Government, unable to convict him of his major errors, determined to get him anyway. In fact, there is no doubt about that.

* * * *

THE country owed Capone a debt of gratitude for his efficient opposition to the rule of Scott McBride and Bishop Cannon, but because he had found it necessary to use firm methods there was also a great popular impatience. He had become rich, and with wealth came arrogance, and it seriously annoyed honest toilers, including editorial writers, to observe their partner in crimes against the eighteenth amendment and the gambling laws so comfortably fixed. He was guilty of many incidental fractures of the peace, including, according to the gossip of his day, some routine homicides which removed unimportant and very undesirable citizens.

But he was tried at last on the charge of evading his income tax, and the prosecution was conducted in the waning days of a national Administration which was in a sullen mood toward him. Mr. Hoover's reign had elected to stand or fall on the issue of prohibition, and Capone had contributed much to the final repudiation of the eighteenth amendment and Hoover. Mr. Hoover's Administration saw this repudiation coming and took it all out on Capone, even though it was necessary to put the United States Government in the position of silent partner in all his vices.

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Mr. Nathan .....
Mr. Tolson .....
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WASH. POST

AUG 21 1935

34

FROM THE BIRMINGHAM (ALA.) POST
Aug. 20, 1935

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Mr. Tracy
Miss Gandy

Conviction Of Al Capone Was Really A Confession

Pegler Opines That Government Should Be Ashamed Of Itself To Pick Out Such A 'Common' Error On Which To Send Public Enemy To Alcatraz

By Westbrook Pegler



Wardens chairman of Alcatraz Island, that bleak and often fogbound retreat where Al Capone resides, brings word to the outside world that this noted American is fit at other quarter since treatment, his soul nibbled by resentment and his sense of fairness outraged. Mr. Capone is serving 11 years for neglect to yield the government [illegible] which "writes it [illegible]" [illegible]

He [illegible] honest chord [illegible] all, Mr. Capone is indeed the victim of a most [illegible] deal.

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CIRCUMSTANCES ALTER SUCH CRIMINAL CASES

But he was tried at last on the charges of evading his income tax, and the prosecution was conducted in the waning days of a national Administration which was in a sullen mood toward him. Mr. Hoover's reign had elected to stand or fall on the issue of prohibition, and Capone had contributed much to the final repudiation of the 18th amendment and Hoover. Mr. Hoover's Administration saw this repudiation coming and took it all out on Capone, even though it was necessary to put the United States Government in the position of silent partner in all his vices.

If he had been convicted of bootlegging, murder or extortion and the judge had thrown the book at him, as the slogan goes, on each count of the indictment he would have had no legitimate complaint and the Government would have had a much more respectable status in the case.

It is contended that his particular method of violating the income tax law was so defiant as to call for extreme punishment. On the contrary, Capone's violation was covered by extenuating circumstances. He didn't report his income at all. Ordinarily this is a serious offense which should be rebuked more vigorously than mere technical violations of the kind which noted financiers resort to. But had Capone reported his income he would have had to incriminate himself in the returns, giving full details as to the source of every dollar.

VICTORY OVER CAPONE IS A 'CONFESSION'

The law generally holds that a man may not be compelled to testify against himself, but the income tax is a great gossip with an insatiable curiosity, and the records are available as evidence against the subject should he pay his honest dues. It is poor sportsmanship to accept a share of a criminal's earnings and then send him to prison in return for his honest citizenship. And the department which sent Capone to prison for refusing to give up is the same which recently sent to prison a kidnaper's attorney for accepting a share of the ransom money for his fee.

Personal sympathy with Mr. Capone your correspondent has none, deeming it a great convenience that he is now removed, but a matter of regret that of all the crimes which could have been laid against him the whole United States was unable to prove so much as a drunk and disorderly charge. This excepts, of course, the year which he spent in a Pennsylvania jail house for carrying a pistol, which is commonly understood to have been a cooling-out period at a time when he was "hot."

Like the gold clause decision, the victory over Al Capone is more a confession than a boast.

ed by H. J. Cronin

The Washington News
August 14, 1935.

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Convict Says 'Silly Rules' At Alcatraz Irk Al Capone

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SAN FRANCISCO—A sordid version of life in Alcatraz Island prison in San Francisco Bay was told yesterday by William Henry Ambrose, former narcotics dealer who was removed for deportation to England.

Ambrose told a story of a prison of almost continual silence, where even hard characters like Al Capone, one-time Chicago vice lord, are "burning up over the rules and regulations."

He revealed that Capone, first of America's "No. 1 Public Enemies," has been promoted to prison librarian.

"Capone has been thrown in the hole three or four times for talking," Ambrose said. "Not a word can be spoken by the convicts in line, at the table, at work or in their cells. We got to talk once a week—on Saturday afternoon, from 1 to 3:30, when we were allowed out in the yard."

"The guards try kindergarten stuff on prisoners who are supposed to be the worst in America. Silly rules like this:

"If you leave bits of food on your place, you lose one meal. So if you take a frankfurter and leave the skins because they're too tough, you lose one meal the next day.

"No radios, not a single newspaper. You can buy magazines, but they come to you with pages and articles torn out. Your letters come to you censored and retyped. Out of a three-page letter you may get six or seven lines.

"It's the silly, agravating things—such as grabbing the safety razor back from you just as soon as you've finished shaving in cold water—that gets on your nerves."

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TORRIO ACCUSED IN 1ST A.D. AGAIN

Mahoney Spokesmen Repeat Charge Old Capone Ally Is Seeking Power.

Spokesmen for David A. Mahoney, Alderman and Tammany leader of the First Assembly District, eastern half, repeated today charges made in an organization meeting last night that Johnny Torrio, old-time New York and Chicago racketeer and associate of Al Capone, is interesting himself in the leadership fight on behalf of the forces led by Albert Marinelli, County Clerk and leader of the Second Assembly District.

Torrio and Marinelli, it was alleged by Lewis F. X. Santangelo, have formed an alliance to extend Marinelli's sway farther down on the east side.

"Torrio," said Mr. Santangelo, "ordered Marinelli to put a certain man on the ticket in his own district if he knew what was good for him."

Mr. Santangelo is a candidate for Alderman.

Several days ago Mr. Santangelo's brother, Robert V. Santangelo, Assistant District Attorney, warned the Marinelli forces in a speech to withdraw their ticket in the First District by August 16—last day for declining nominations—or take the consequences. He did not specify the consequences. Last night, Alderman Mahoney, addressing a rally at the Downtown Club, 59 Madison St., put the warning into more concrete form.

"The men opposing me are led by hoodlums," he said, "and before long the Dewey investigation may be digging into something besides vice."

Morris J. Solomon, Assembly candidate, attacked Clerk Marinelli for attempting to dictate to districts other than his own.

NEW YORK [illegible]
Forwarded by New York Office
AUG 14 1935

37

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POLITICIANS ACCUSED OF USING GANGSTERS

Former Capone Men Alleged to Be Active in First A. D. Leadership Fight.

Charges that former Capone gangsters were invading the eastern part of the First Assembly District in an attempt to wrest the leadership of the area from David Mahoney, present Democratic leader, and place it in the hands of Alfred Marinelli, Democratic leader of the Second Assembly District, were made last night at a rally at at Downtown Club, 50 Madison Street.

The meeting, attended by more than 1,500, was addressed by Lewis F. X. Santangello and Morris J. Solomon, Aldermanic and Assembly candidates, respectively, from the district, and Mr. Mahoney, president of the club.

Mr. Santangello contended that "Capone gangsters, led by John Torrio, who brought Capone to Chicago," had allied themselves with Mr. Marinelli in the fight over the leadership of the district. He asserted that Torrio had ordered Mr. Marinelli to "put a certain man on the ticket in his own district if you know what's good for you."

Mr. Mahoney declared he would oppose any attempt by Mr. Marinelli to assume control of his district. He said that "the men opposing me are led by hoodlums and before long the Dewey investigation may be digging into something besides vice."

The contention that Mr. Marinelli was "dictating policies outside of his own district" was made by Mr. Solomon. The clubhouse was filled to capacity and many heard the addresses through loud-speakers in the street.

THE NEW YORK TIMES
Forwarded by New York Office

AUG 14 1935

38

THE WASHINGTON NEWS
AUG? 14, 1935

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Convict Says 'Silly Rules' At Alcatraz Irk Al Capone

Copyright, 1935, by United Press

SAN FRANCISCO—A sordid version of life in Alcatraz Island prison in San Francisco Bay was told yesterday by William Henry Ambrose, former narcotics dealer who was removed for deportation to England.

Ambrose told a story of a prison of almost continual silence, where even hard characters like Al Capone, one-time Chicago vice lord, are "burning up over the rules and regulations."

He revealed that Capone, first of America's "No. 1 Public Enemies," has been promoted to prison librarian.

"Capone has been thrown in the hole three or four times for talking," Ambrose said. "Not a word can be spoken by the convicts in line, at the table, at work or in their cells. We got to talk once a week—on Saturday afternoon, from 1 to 3:30, when we were allowed out in the yard."

"The guards try kindergarten stuff on prisoners who are supposed to be the worst in America. Silly rules like this:

"If you leave bits of food on your place, you lose one meal. So if you take a frankfurter and leave the skins because they're too tough, you lose one meal the next day.

"No radios, not a single newspaper. You can buy magazines, but they come to you with pages and articles torn out. Your letters come to you censored and retyped. Out of a three-page letter you may get six or seven lines.

"It's the silly, agravating things—such as grabbing the safety razor back from you just as soon as you've finished shaving in cold water—that gets on your nerves."

39

THE WASHINGTON HERALD; AUGUST 31, 1935

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$120,000 TAXES LEVIED AGAINST CAPONE'S GANG

Government Seeks to Collect on Pre-Repeal Chicago Beer; 14 Henchmen on U. S. Lists

The first Federal move to collect revenue taxes on the huge stream of illicit beer which flowed through Chicago in the heyday of "Scarface" Al Capone came today with an assessment of $120,000 against the Capone gang.

Certification of the assessment against Capone, who is now serving an 11-year term in Alcatraz Prison, and 14 members of his band, was made by Joseph Lawrence, administrator for the Attorney General in charge of taxes and penalties.

That this will be followed by additional assessments until the Government is satisfied it has collected on every drop of Capone beer was indicated by Lawrence. He said:

STILL STUDY EVIDENCE

"We are still studying additional evidence. The assessment is being made against 19,984½ barrels of beer which, we have established, was handled by the Capone gang."

If each of the 15 members of the gang pays his proportionate share of the $120,000, which is at the rate of $6 per barrel, he will pay $8,571.42. Lawrence added:

"Of course, not every one of these men may now be in a position to pay. If each cannot meet his share, the one who has the largest assets must bear the brunt of the penalty."

FILE ON PALACE

Search of the Treasury Department for funds and other assets has been carried on since Capone's conviction. Though the Government has filed a tax lien against the Florida winter home of Capone, so far as can be learned, few other assets have been found.

The others assessed with Capone are the gang leader's brother, Ralph; Bert Delaney, August Dold, Charles Fuehrmeyer, Joseph Fusco, Jack Guzik, George A. Howlett, Albert Johnson, Frank and Nicholas Juffra, Human Levine, Mike Ioppiti, John J. Nolan, and Steve Swoboda.

40

U. S. to Sue Al Capone for Tax; $120,000 Sought on Beer Sales

Gangster Broke, Lawyer Tells U. S. Agents; Others Face Levy.

Alphonse Capone, whose current residence, Alcatraz Prison, precludes any possibility of his dodging a process server, is to be sued by the Government for $120,000, the Department of Justice announced yesterday.

"Scarface" Al, who is serving time because he failed to report in full his income from the sale of booze and other rackets during his prohibition regime in Chicago, is now to be requested, through the law, to pay internal revenue taxes on some of the liquor he handled in that era.

The assessment which the Government will attempt to collect from Capone and associates by civil action is based upon internal revenue taxes on some 20,000 barrels of high-powered beer known to have been manufactured and sold by his syndicate between 1921 and 1932. All of the barrels counted were reported in raids or seizures in that period.

Capone's lawyer, Michael J. Ahearn, said in Chicago that his client is "supposed to be broke." However, Joseph Lawrence, administrator of the Department of Justice's tax unit, said that the Government might collect the entire tax from any member of the mob who has money.

Similar actions against other kingpin bootleggers have been taken previously. Among those assessed were Irving "Waxey" Gordon, Max Hessler, Mossir Greenberg and Heine Wainer. The first three, leaders of a New Jersey-New York syndicate, were assessed $228,942 on 180,000 proof gallons of illegal alcohol about two months ago.

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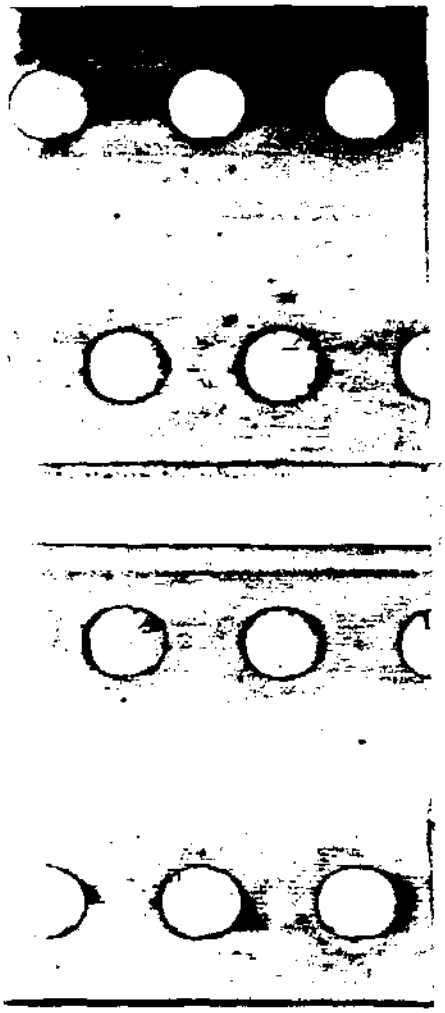
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41

PITTSBURGH PRESS August 15, 1955



PRISON RULES 'BURN' CAPONE

Copyright, 1955, by United Press

SAN FRANCISCO, Aug. 15—A garbled version of life in Alcatraz Island Prison in San Francisco Bay was told today by William Henry Ambrose, former narcotics dealer, who was taken from Alcatraz for deportation to England.

Ambrose told a story of a prison with almost continual silence, where seven hard characters like Al Capone, one-time Chicago vice lord, are "going up over the rules and regulations."

Ambrose, heavily guarded, was aboard a prison car with 28 other prisoners after spending a year in Alcatraz.

The prison-imposed silence rules, permitting the convicts to talk only once a week, and "kindergarten jacks" of Alcatraz guards are the hardest to bear of all prison regulations, Ambrose said.

He revealed that Capone, former Chicago gang overlord, is "going up at the recesses of that Alcatraz madhouse," he said.

Whoever the convict was who said that Al is losing his mind over it was absolutely wrong, though," he added. "Al is not cracking up."

Capone has been thrown in the hole three or four times for talking," Ambrose said. "The non-talking rule is the hardest thing in

(Continued On Page 6, Column 4)

Capone Made Librarian At Alcatraz Pen

(Continued From Page One)

Alcatraz life for him, and for every prisoner there.

"But Capone is going up . . . . He worked first in the dry cleaning shop and, I think, in the shoe shop. Now he has been promoted to the library.

One Talk Period a Week

"But a word can be spoken by the convicts in line, at the table, at work or in their cells. We get to talk once a week—on Saturday afternoon from 1 to 3:30 when we were allowed out in the yard. Neither more. Of course, we'd try whispering out of the corner of our mouths and we'd use a signal system, but everyone who's caught is punished.

"The guards say kindergarten stuff on prisoners who are supposed to be the worst in America. Silly rules like this:

"If you leave bits of food on your plate, you lose one meal. You've got to eat everything you take at the cafeteria style tables. So if you take a frankfurter and leave the skins because they're too tough, you lose one meal the next day.

No Radios, No Papers

"No radios, not a single newspaper. You can buy magazines, but they come to you with pages and articles torn out. You can't pass a magazine to a buddy in another cell, have to turn it over to a guard with a prisoner's number stamped on it.

"Your letters come all you censored and retyped, 'Don't get the originals. Out of a three-page letter you may get six or seven lines.

"The homesickness gets you. Everyone feels it. Everybody does. At Alcatraz you're marked as a desperado. You know you'll never get a parole . . . not a chance for anybody.

It's a Hell's Island

Ambrose, alias Frank Chapman, tunneled out of Leavenworth Penitentiary once, and escaped a prison train another time.

A seasoned escape artist, he believes possibility of escaping the granite prison would be remote.

"It's a devil's island all right," he continued.

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Capone Is Prison Librarian Amid Week-Long Silences

Narcotics Dealer, Just Released To Be Deported, Denies Racketeer Is Breaking Under Harsh Regulations— But He Is "Burning Up."

Copyright, 1935, by the United Press.

SAN FRANCISCO, Aug. 13.— A sordid version of life in Alcatraz Island prison in San Francisco Bay was told today by William Henry Ambrose, former narcotics dealer, who was taken from Alcatraz for deportation to England. He served a year in the prison.

Ambrose told a story of a prison of almost continual silence, where even hard characters like Al Capone, one-time Chicago vice lord, are "burning up over the rules and regulations."

The prison-imposed silence rules, permitting the convicts to talk only once a week, and "kindergarten tricks" of Alcatraz guards are the hardest to bear of all the prison regulations, Ambrose said.

He revealed that Capone, first of America's "No. 1 public enemies," had been promoted to prison librarian.

The former Chicago gangster, however, "is burning up at the restrictions of that Alcatraz madhouse," he said.

"Whoever the convict was who said that Al is losing his mind over it was absolutely wrong, though, he added. "Al is not cracking up under the treatment."

43

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Good From Evil

It has been said that some good is in all evil and some evil in all good. No American can be particularly proud of the picture on the right, showing Uncle Sam squeezing out profits from bootleggers, racketeers and other criminals.

That this Government should interest itself in criminals and hunt them down with "G-men" ONLY when those criminals have failed to pay income tax, dividing their criminal earnings with Uncle Sam, seems unbelievable.

You see the good is mixed with evil, when told that law forbids Uncle Sam to interfere with criminals within State limits unless such criminals owe him money. When they do owe him money it is possible for the Government's long arm to reach out and gather in delinquent taxpayers wherever they are found. Such reaching out put the arch-criminal, Capone, in a cell, deep down in the rock of Alcatraz Prison. This makes it possible for the Government to hunt racketeers in any city where they fail to "divide." A strange, but a useful source of income.

Sharing the Loot



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44

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THE MISSION OF THE MIDGET.

"Link Fernekes to Robbery." That headline was not among those listed in these columns last January as certain to appear in this glorious year of New Deals and new everything that we have every year. Our system went wrong. The tea leaves did not reveal that Mr. "Midget" Fernekes would so soon become weary of his retreat at Joliet and resume active business.

From now on until Mr. Fernekes resumes closer relations with the law-enforcing authorities his name may be expected to appear in the reports of every crime presenting difficulties of solution. Out of Joliet, Mr. Fernekes will take up the burden laid down by Mr. Capone when that illustrious hoodlum left for the south and later took up residence in California. It is a necessary job and Mr. Fernekes is just the man for it. Lack of a dramatic and mysterious goat to assume responsibility for unsolved crimes has been severely felt ever since Mr. Capone went away from here.

When Al was among us his name was magic gilt to enliven many a dull police incident. In addition to building the pyramids, striking Billy Patterson and kidnaping Charley Ross, Mr. Capone or some of his sinister gangland henchmen stole the baby's pacifier, chased the family cat and, according to theory, committed every crime that stumped the police.

Later John Dillinger qualified for a brief period as the omnipresent omnibus of banditry, raiding banks, grocery stores and roadhouses at all points of the compass and at all points on the dial of the clock, simultaneously and serially. "Baby Face" Nelson pinch-hit for a while after the "G" men rubbed out John, but soon there was no "Baby Face" either.

Now comes the "Midget," tripping out of the long house at Joliet as blithesome as Sadie Thompson in "Rain." And aren't the coppers and the head-hunters glad!

CHICAGO DAILY NEWS

August 9, 1935

69-180 A

45

AL CAPONE 'TOO HARD' FOR PRISON BALL TEAM

San Francisco, Cal., July 2.—(AP)—Al Capone was described here today as too hard for the soft ball team organized from prisoners in Alcatraz prison.

Prison officials declined to comment on reports published in the Chronicle saying Capone had incurred the wrath of fellow prisoners because he tried to order them about as though they were members of his notorious Chicago gang of the prohibition era.

Capone, serving a sentence for income tax evasion, was reported also to have been visited by his wife and their son, who were forced to converse with him through a voice tube.

Official announcements from the prison for "incorrigibles," a mile out in San Francisco bay, have been limited strictly to routine matters.

CHICAGO DAILY NEWS
JUL 2 - 1935

46

Capone Too 'Hard,' Ruled Off Prison Softball Team

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THE CHICAGO AMERICAN
JUL 2 - 1935

47

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Jobleman's Art a Jolt to Gangs

Hastings's Original Hangs in Glencoe Home

"Who's that big blonde? How did SHE get on the lap?"

Indignant survivors of the old Al Capone "syndicate" muttered questions like that yesterday when copies of Viscount Hastings' mural painting, "The History of Bootlegging," completed the journey from London to Chicago.

For there in the middle of the picture sits "Scarface Al" himself—white spats, yellow tie, pearl fedora, black cigar—with a mountainous bleached darling draped on his left knee.

"She ain't no syndicate moll . . . Al never gave a tumble to a skirt like that . . . He wouldn't give her a job washin' glasses in a speak . . ."

Such were the bitter comments of the underworld. The boys admitted, however, that the rest of the picture wasn't so bad. It shows speakeasies, hi-jacking, rum running and some pretty neat handling of six-guns and "tommies."

As the copies arrived it was learned last night that the original painting has been here all the time and forms a mural in the basement bar of the Glencoe home of James M. R. Glaser, grain broker, whose guest Viscount Hastings was during the 1933 World's Fair, at which time he painted it.

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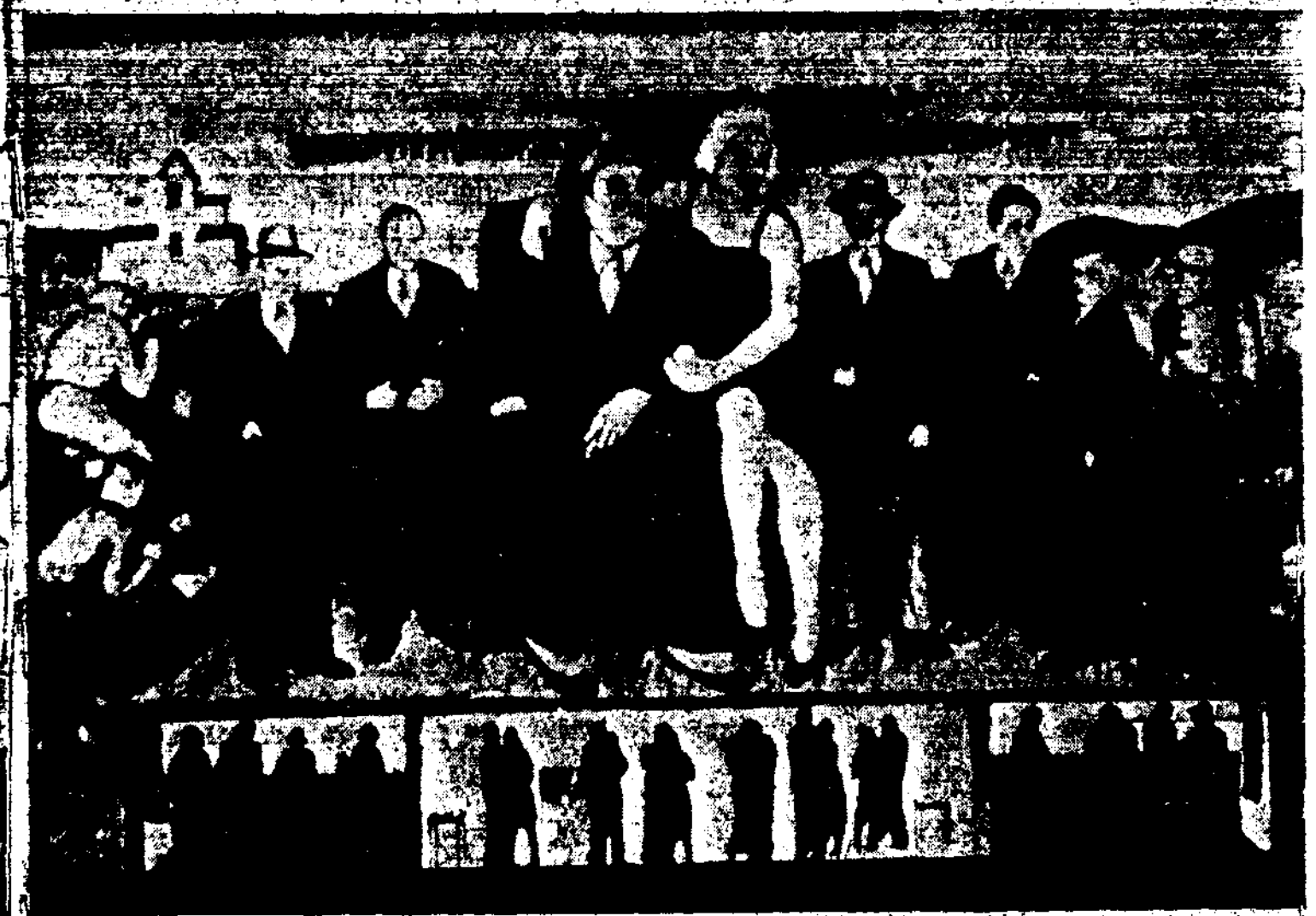
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CAPONE MUSCLES IN ON ART

King of the Underworld Put on Canvas by British Peer

Viscount Hastings' 'The History of Bootlegging.'



PAINTED IN LONDON—A section of Viscount Hastings' mural painting, "The History of Bootlegging," which has reached Chicago from London, causing favorable and unfavorable comment.

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CAPONE DONE IN MURAL—Mural in home of James M. R. Glaser, Glencoe, painted by Viscount Hastings of Eng[illegible]. Viscount Hastings' reproduction created wide interest in London a few days ago. At the left, a murky waterfront liquo[illegible] smuggling scene, with police boat approaching; then a speakeasy interior, with blonde woman on Al Capone's knee, surrounded [illegible] and at right, rural [illegible] with liquor laden trucks on highway.

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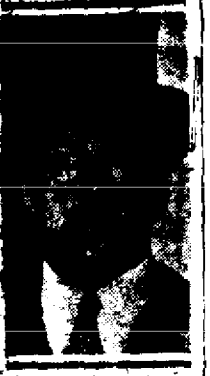
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Capone Painting by British Peer

London, April 27.—No gangster, safely tucked away in an American prison, is the central figure in a mural painting entitled "The History of Bootlegging," by Viscount Hastings.

The painter, son and heir of the earl of Huntingdon, depicted the scar faced one, plump jowled and wearing spats, in his palmy days.

Capone is shown with a platinum blonde on his knee and five scowling henchmen in the background, their hands thrust ominously in their pockets. Apparently the federal men are about to burst into the room. The blonde is frightened and Capone himself has one hand in his pocket.



VISCOUNT HASTINGS.
[Aiwell photo.]

Pictures Bootleg Industry.

Starting at the left, the mural shows a murky waterfront scene with a ghost ship riding in the background and five husky roustabouts unloading sacks of contraband whisky from a speed launch. Others, clutching revolvers and a submachine gun, are apparently beating off an attacking hijack party.

The police are coming, however—two of them, in a rowboat with the Stars and Stripes waving in the breeze.

Panels show three speakeasy scenes, and then the panorama turns rural, with huge trucks lumbering along the moonlit countryside and grim jaws then blazing away at each other with tommyguns. Three airplanes swoop low overhead. Everything appears to be in the district except the cavalry.

Sprayed with a Gun.

The whole work of the artist, appropriately enough, was sprayed with a gun. That is the way the viscount works. He uses a paint gun.

"It is faster and really very effective," said Hastings.

A graduate of Eton and Oxford, his full name is Francis John Plantagenet Hastings. He is [illegible] Plantagenet, which ruled England for more than 300 years.

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CHICAGO DAILY TRI[illegible]

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POE'S CRIME SHOWN IN BOOK

Government Puts Away Record of His Income.

GAMBLING GAMES PAID WELL

Tax Compromise Makes Use of Ledger Unnecessary.

CHICAGO, March 18 (U.P.).—The government docked a neat book unto its shelves today—source material for a sometime biographer of Scarface Al Capone.

The volume, certainly a collector's item, is a first-hand account of one of the erstwhile gang lord's business ventures and had been planned as evidence of the Government's income tax claim against Capone.

It was stuck back on the Federal bookshelf as the Government and Capone compromised the $386,406 claim for $220,880.75, a settlement effected a day ago.

Across a page marked "December, 1924," in the ledger, appears the notation:

"Frank paid $17,500 for Al."

Frank and Al, it seems, along with Town, Ralph, Pete, Lew, D——, J & A, and such, were partners in a business enterprise. The page obviously recorded a distribution of dividends.

It showed "Town paid $6,537.42." Ralph and Pete each received $1,634.35, seemingly being minor stockholders. Frank, J & A, Lew and D—— each got $5,720.22.

The ledger recorded the profits and losses, operating capital and expenses of the Hawthorne smoke shop in Cicero from May, 1924, to April, 1926. Its business, for which a daily record was kept, included races, twenty-one games, dice, wheels, poker, pan ingle, hazard and cage games.

The full names of the business men were not written in the otherwise completed ledger, but government attorneys said the man who made the entries associated the recorded names and initials with such [illegible] as Capone, Guzik, Pope [illegible], Ba [illegible] Ellis, Fusevich [illegible] O'Banion.

[illegible] with [illegible] a business [illegible] $6,721.85 [illegible] [illegible] [illegible]

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Mr. Lester
Mr. Quinn
Mr. Scott

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Mr. Nichols
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REDUCE CAPONE U. S. TAX DEBT TO $220,980

Al Capone has agreed with the United States government that he owes $220,980 in disputed income taxes for the years 1924 to 1930, inclusive.

An announcement was made here yesterday that special attorneys for the treasury department and counsel for the former beer czar have agreed to stipulations reducing the tax claimed by the government from $322,842 to $220,980.

A public hearing on Capone's appeal from the government levy set for tomorrow before Judge J. Russell Leech of the board of tax appeals was canceled.

Instead Judge Leech will return from Washington Monday, March 25. The government will then ask that judgments be entered against Capone and three other gangsters who agreed to stipulation reductions last week.

By entering the stipulation agreements, Capone, through his attorney, Michael Ahern, admits only that he owes a certain amount of money in taxes. Collection of this judgment must be made by Collector of Internal Revenue Carter Harrison.

It was conceded by government officials that collection of the entire judgment might prove difficult, because gangsters rarely have visible assets. There are liens against Capone's equity in his home at Miami, but its sale, it is said, would wipe out only a small part of his indebtedness. Agents of the investigating unit of the internal revenue department must ferret out his other assets, the officials said.

The civil tax case against Capone has been investigated since December by Elden McFarland, special attorney for the treasury department, and his assistants, John E. Marshall and Bernard E. Daniels.

They had gone to great lengths, obtaining depositions from 21 persons in Florida, impounding the books of former Capone gambling houses and other illegal interests, and subpenaing numerous bank clerks. It was believed that Capone's counsel agreed to the stipulation to avoid, not only the expense of a lengthy hearing, but further revelations of the former gang lord's many illegal activities.

The stipulation fixed Capone's net income for the six years at $703,496, and the amount of taxes and penalties at $220,980. Capone is in Alcatraz prison, serving an 11 year sentence for violation of the income tax laws. Last week stipulations reducing their total tax claims from $1,251,695 to $529,062 were agreed to by Ralph Capone, Jack Guzik, and James V. Mondi.

Chicago Tribune

69-180-A

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62-7

DE GRAZIA ON WAY TO U. S. PRISON; CAPONE HOODLUM

Rocco De Grazia, alleged Capone hoodlum, surrendered yesterday to United States Marshal William H. McDonnell and was taken with 15 other prisoners to Leavenworth penitentiary to begin serving a sentence of 18 months imposed recently by Federal Judge Charles E. Woodward for income tax evasion.

Among the others taken to prison was Paul Leo Gorski, 31 years old, alias "Dr." Paul Wagner. Gorski was sentenced yesterday to two years in Leavenworth by Federal Judge William H. Holly on charges of violating the Harrison narcotic law and impersonating a government officer. He pleaded guilty.

Gorski was arrested in January, 1934, at 6205 Ravenswood avenue after the state department of registration and education had complained that he had practiced medicine without a license. He was convicted in state court and sentenced to six months in the county jail in this case.

Assistant United States Attorney Mary Bailey told Judge Holly yesterday that Gorski forged the names of legitimate doctors to prescriptions in order to get narcotics which he sold to "patients." The federal impersonation charge grew out of Gorski's representation that he was a member of the army medical reserve.

Chicago Tribune

69-180-A

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AL CAPONE

Report Mrs. Capone Living Near Gangster's Prison

San Francisco, Cal., Feb. 9.—(AP)—The Chronicle says Mrs. Al Capone is living in the San Francisco bay section under an assumed name to be near her husband, the former Chicago gangster. Capone is serving an 11-year sentence on Alcatraz Island, federal "escape proof" penitentiary for incorrigibles.

Chicago Tribune

69-180-A

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14

GANGSTER GETS 18 MONTH TERM FOR TAX EVASION

De Grazia of Old Capone Mob Pleads Guilty.

Rocco De Grazia, once a member of the old Capone gang, was sentenced to 18 months in Leavenworth penitentiary and fined $1,000 yesterday by Federal Judge Charles E. Woodward on a charge of income tax evasion. De Grazia pleaded guilty and admitted an income of $19,932 for the years of 1928 and 1930.



ROCCO DE GRAZIA.

De Grazia's brother, Nicholas, who pleaded guilty to a charge of failing to file income tax returns for 1929 and 1930, was fined $250 and placed on probation for one year.

Conviction of De Grazia left but one major income tax case for trial, court attaches pointed out. The defendant in this case is William H. Malone, former chairman of the Illinois tax commission, who is reported to be a fugitive in Germany.

Deaths Block Disclosures.

Defendants in three other [redacted], which promised sensational disclosures, escaped prosecution through death. They are Ted Newberry, north side gang chief, who was found slain near Chesterton, Ind., Jan. 7, 1933; Moe Rosenberg, prominent politically in the 24th ward, and Tom Maloy, czar of the Motion Picture operators union, shot to death Monday.

The government was preparing to move for indictment of Newberry at the time he was slain, it was revealed yesterday. Rosenberg, who was charged with failure to pay a tax of $65,000 for the years of 1929 and 1930, died following an operation in January, 1934, shortly after his indictment.

Assistant Attorney General Leslie E. Salter announced yesterday that the government would move against Maloy's estate in an effort to collect tax of $81,000, which the indictment charged that he owed for the years from 1929 to 1932.

O'Hara Case to Be Pushed.

It also was announced yesterday that the death of Maloy would not weaken the perjury case against Ralph O'Hara, organizer for the moving picture union. United States Attorney Dwight H. Green said that he felt confident of a conviction without presence of Maloy. O'Hara was indicted for perjury for his testimony during the investigation by the federal grand jury of the Maloy tax payments.

In the De Grazia case Assistant United States Attorney E. Riley Campbell told the court that Rocco admitted operating 18 handbooks, most of them on Melrose Park. He also admitted, the attorney said, that he had a pay roll of $400 a day during the years mentioned in the indictment and had paid "protection" of $1,700 a month.

Chicago Tribune 5

64-190-1 FEB 3 1936

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18 MONTHS FOR A CAPONE AID

Because, like other Capone gangsters, he neglected to pay his income tax, Rocco De Grazio was sentenced by Federal Judge Woodward yesterday to eighteen months in Leavenworth penitentiary and $1,000 fine.

He and his brother, Nicholas, pleaded guilty. The latter was granted probation after being sentenced to a year in the Bridewell and $250 fine.

By drawing the prison term for tax cheating, De Grazio followed the path of Al and Ralph Capone, Jake and Sam Guzik, Frank Nitti, Terry Druggan, Frankie Lake and —most recently—Murray Humphreys.

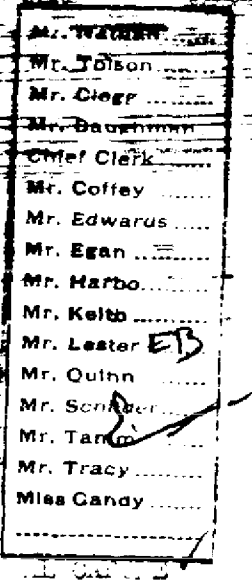
De Grazio admitted failing to pay $20,000 tax in 1929 and 1930.

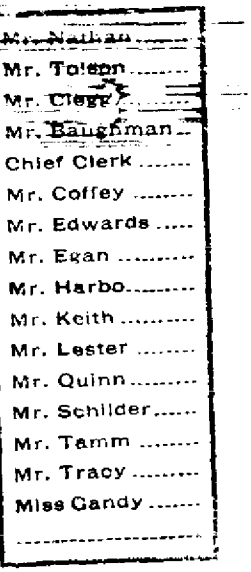
According to Assistant United States Attorney E. Riley Campbell, he confessed to internal revenue investigators that he operated eighteen handbooks, mostly in Melrose Park, had a $400 a day payroll and paid $1,200 a month for "protection."

Chicago Herald & Examiner

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~~END~~ TESTIMONY IN CAPONE TAX EVASION PROBE

Miami, Fla., Jan. 30.—(AP)—Depositions of government witnesses here in appeals by Al Capone, former Chicago gang leader; his brother, Ralph, and his aid, Jack Guzik, from federal income tax assessments totaling $1,212,698.64 were completed today after a two day hearing.

They will be reviewed by the federal board of tax appeals in Chicago March 11.

Al Capone, who is in Alcatraz prison in California serving a sentence for income tax evasion, is protesting assessments totaling $68,644.06 for the years 1924 to 1929, inclusive.

Ralph Capone is protesting assessments totaling $311,282.53 for the years 1926 to 1928, and Guzik, $832,752 for the years 1924 to 1929.

Tax liabilities of the trio during their residence at Miami Beach were sought by Elden McFarland, ~~special attorney~~ for the treasury department.

Chicago Tribune

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TAKING CAPONE'S WEALTH!
A NEW PUNISHMENT



The First Move to Forfeit 'Crime Estates'

INCOME TAXES AND PENALTIES

Efforts to take from Al Capone $391,506 of his booze-beer-vice profits made during prohibition for back income taxes and penalties are to be made soon by the government, it was announced in Washington yesterday.

Although Capone still has the major portion of an eleven-year sentence to serve in a federal penitentiary for tax evasions, the action of the government is designed to deprive him of his fortune built up from criminal activities.

It is the government's way under existing laws of making it impossible for a convicted criminal to enjoy the fruits of his ill-gotten gains after the expiration of a penitentiary sentence.

A Forfeit

This step is in line with the suggestion made last Saturday by Governor Horner at his nation-wide crime conference in Springfield that laws be passed enabling courts to forfeit estates of convicted predatory criminals unless proof is given that their wealth was honestly gained.

Witnesses are being gathered by the government who will testify before the United States board of tax appeals in Chicago that Capone had an income of more than $1,000,000 from gambling and other sources for the years 1925 to 1929, it was stated.

It is not likely that the notorious gangster will be released from prison to attend the hearing but he will undoubtedly be represented by his attorney, Michael J. Ahern, who already has made the claim that imposition of the penalties proposed would be in violation of Capone's constitutional rights and would constitute "double punishment."

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Chicago Herald & Examiner

69-180-A

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JAN 9 - 1935
NEW YORK AMERICAN

CAPONE'S TAXES

U. S. Is Seeking To Collect $391,506

HAS EVIDENCE

WASHINGTON, Jan. 8 (AP)—The Government will appear soon before the United States Board of Tax Appeals in an effort to collect $391,506 in back income taxes and penalties from Al Capone, now serving an 11-year sentence for tax evasion.



AL CAPONE
U. S. seeks $391,506 from him.

Witnesses are being rounded up quietly to present to the board evidence to prove Capone had income from gambling and other operations totaling more than a million dollars for the years 1925 to 1929. The arguments will be heard in Chicago.

69-118-A

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U. S. PONDERS SUING CAPONE FOR $391,506

[illegible] FRANCIS A. [illegible]

Washington, D. C., Jan. 8.—Uncle Sam set out today to start collecting from Al Capone some of the thousands of dollars the government expended in investigation and criminal prosecutions that sent the one-time overlord of Chicago vice to a ten-year stay in Atlanta and Alcatraz prisons.

Sometime soon the circuit branch of the United States board of tax appeals will hold a hearing in Chicago and decide whether the government is entitled to any of the $391,506.28 in back income taxes, including interest and penalties, the gangster has been accused of attempting to evade and defeat.

Rounding Up Witnesses.

With a view to bringing this civil suit to a showdown in as short a time as possible, government operatives of the internal revenue bureau today are conducting a countrywide roundup of all witnesses who testified either for or against the gang chieftain in previous Capone cases.

[illegible] was learned today that agents have been ordered [illegible] Miami, where Capone maintained during his affluent heyday, in Chicago and Cicero.

Combating the charges of the government, Capone, in his petition to the board, asked for a redetermination of income taxes assessed against him for the years 1924, 1925, 1926 and 1927, amounting with penalties to $64,262.43. He likewise asked for a redetermination of similar taxes the board proposes to make against him for the years 1928 to 1929 inclusive, amounting with penalties to $322,243.85.

Pleads Innocent.

Through counsel, Capone today denied the commissioner has grounds or reasons for his charge that in 1924 the taxpayer fraudulently attempted to evade 50 per cent of the profits of the gambling syndicate in the sum of $260,250.56, or a tax advantage of $113,102.89.

Moreover, his counsel declared in the petition, the gangster has already been acquitted of criminal charges of evasion, serving time, and the government is attempting to further in a civil suit [illegible] an act of double violation of his client's constitutional rights.

Chicago Daily News
JAN 8 1935

69-180-A

61

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SEEK $391,506 CAPONE TAX

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Witnesses are being rounded up to prove that Capone had income from gambling and other operations totaling more than a million dollars for the years 1925 to 1929, inclusive.

It is not likely that Capone will be released from prison to attend the hearing. Through his attorney, Michael J. Ahearn, he has made the claim that the penalties proposed would constitute "double punishment" and destroy his constitutional rights."

1-7-35

69-180-A Chicago American

JAN 8 1935 62

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~~SAYS~~ AL CAPONE ~~—~~ PARTICIPATED IN HUNGER STRIKE

San Francisco, Cal., Dec. 15.—(AP)—Some of the alleged secrets of Alcatraz island, including an asserted hunger strike by Al Capone and other prisoners, were disclosed today by John Stadig, young counterfeiter, before officials clapped him back into the government's carefully guarded prison for arch criminals.

"I'd rather die than go back to Alcatraz. That's a hell hole," Stadig told Constable John Ott immediately after being captured near Martinez, Cal., yesterday. He escaped recently while being returned to the prison from Portland, where he had been taken to appear in court.

"I got a 15 year sentence at Portland through a frameup," Stadig said. "The warden, attorney general, and Portland court framed me because I had written a letter to the attorney general criticizing the prison.

"My pal and ~~I had asked~~ the warden to allow us some newspapers and motion pictures in the prison once a month. He shackled us and threw us in the dungeon for this, and if we got two slices of bread a day we were lucky.

"Al Capone and other prisoners went on a strike and refused to eat or come out of their cells, and in three days we were released from the dungeon. It was after that I wrote to the attorney general."

1127

Chicago Tribune

69-180-A 12-16-34

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BARES CAPONE HUNGER STRIKE AT ALCATRAZ

Captured Fugitive Tells Secrets of U. S. Island Prison; Prefers Death to Return

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After being captured near Martinez, Cal., yesterday, he said:

"I'd rather die than go back to Alcatraz."

TELLS OF LIFE.

The 26-year-old counterfeiter escaped recently while being returned to the prison from Portland, where he had been taken to appear in court.

Telling of life in prison, he said:

"I wrote a letter to the Attorney General criticizing the prison. My pal and I had asked the warden to allow us some newspapers and motion pictures in the prison once a month. He shackled us and threw us in the dungeon for this, and if we got two slices of bread a day we were lucky.

"Al Capone and other prisoners went on a strike and refused to eat or come out of their cells, and in three days we were released from the dungeon. It was after that I wrote to the Attorney General."

IN SEPARATE CELLS.

He added:

"Capone, 'Machine Gun' Kelly and Harvey Bailey are confined to separate cells like the rest of us. Each man is locked in his solitary cell at 4:30 p. m. and stays locked up until 6:30 a. m.

"We wear gray uniforms during the week and change to blue ones on Sunday. The guards are plenty strict, but the treatment in the main isn't so bad. We don't get much exercise, only six hours a week, spread over seven days. There is no dope in the prison."

Stadig has figured in three escapes, one of which was in Chicago.

187

Chicago Herald & Examiner

69-180-A

12-16-34 64

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Chicago Herald & Examiner

69-180-A

12-16-34 65

Toman Names New Warden for Jail; Fights Dope Evil

Moneypenny Out; Lax Discipline Charged

CITES CRIMES

Guns and Poison Brought to Prisoners

Smuggling of dope into the county jail yesterday prompted Sheriff-elect John Toman to depose David Moneypenny as warden and appoint in his place Frank Sain, for fifteen years a guard in the house of correction.

Moneypenny's intimations that lack of political pull was at the bottom of his removal were impatiently brushed aside by Toman, who said:

"I have no confidence in him. He has permitted the violation of the strictest rules of penal institutions.

TELLS OF CRIME.

"Dope has been smuggled in butter cubes, poisoned sandwiches that killed one prisoner were brought into the jail, and a gun got into the jail with which a guard was killed. There is no politics in his removal.

"This is a new deal. I want to clean up. I want to be able to sleep nights without trying to be afraid that a guard will be shot."

FIFTY CACHES FOUND.

It was learned from good authority that within the last four years more than fifty caches of dope have been found in the institution.

Said the informant:

"Only within the last four weeks we found in the jail a cache of morphine in capsules. Dope is never found on prisoners. They are too canny to be caught with the goods, because the federal government would prosecute them. But the records of the narcotic division will bear out that dope has been found many times within the walls of the institution."

In addition to Sain, who is a brother of Alderman Harry Sain of the Twenty-seventh Ward, Toman announced the appointment of George Gibson, assistant warden, to continue in office.

Reforms Are Pledged by Sheriff Toman.

Commercialized vice must be driven out of the county. The sale of liquor to minors must stop. The employment of young girls as hostesses in roadhouses must cease.

Thus Sheriff-elect John Toman yesterday outlined their duties to Chief William F. Collins and Lieut. Lester J. Laird, Angelo Borella and Fred Mulhausen of the highway police when he informed them of their appointments.

Toman also announced the following appointments: Joseph Lelivelt, chief bailiff; James Todd, attorney for the sheriff; William Milota, chief bailiff of the Criminal Court, and Rudolph Sabath, custodian of the county building.

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Chicago Herald & Examiner
12-2-34

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MISC.

Capone Misses Out on Special Feast

SAN FRANCISCO, Nov. 29.—(I.N.S.)—Inmates in all of California's state prisons today were enjoying special Thanksgiving Day meals, but to Al Capone and the 200-odd selected "bad boys" on Alcatraz federal penitentiary, the "Devil's Isle" in the middle of San Francisco Bay, it was just another Thursday. Warden James A. Johnston, warden at Alcatraz, said, "There will be no special dishes on our menu today."

Chicago Herald & Examiner
11-30-34
67

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AL CAPONE

PAROLE CAPONE? NOT IN 11 YEARS, AVERS OFFICIAL

San Francisco, Cal., Nov. 23.—(AP)—There will be no parole for Al Capone or the other Alcatraz Island prison "incorrigibles," Col. Joel Moore, chief federal probation officer, made known today.

"Al Capone and others of his like will have to serve out their entire terms in Alcatraz prison. There will be no paroles recommended by my department for them," Col. Moore declared. "Capone must serve out his 11 year sentence."

68

69-180-A Chicago Tribune 11-24-34

CAPONE'S WIFE ASKS INTERVIEW, REPORT

San Francisco, Nov. 22 (AP).—Despite reports that Mrs. Al Capone is in San Francisco to seek an interview with her convict husband at Alcatraz island penitentiary, Warden James Johnston denied knowledge of her whereabouts. Johnston said if the interview is granted with the ex-Chicago gang chief it would be kept secret.

1-180

Chicago Daily Times
11-23-34

69-180-A

67

Pre-Vote Roundup Jails A Capone

BROOKLYN, N. Y., Nov. 2.—(AP)—James Capone, cousin of Alphonse ("Scarface Al") Capone, was held in $500 bail today for further hearing on a charge of "consorting with criminals." Capone was arrested with thirty-seven others in a pre-election roundup designed, police said, to prevent disturbances at the polls. "Consorting with criminals" is a disorderly conduct charge.

Chicago Herald & Examiner

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Rule Against Capone

The plea of Al Capone, former gang lord of Chicago, was started in the federal District court of Atlanta while he was imprisoned in the federal penitentiary there, but before its final rejection by the Supreme court Capone had achieved the release he sought. He was taken out of the penitentiary there, but was lodged in a new one on Alcatraz Island, off the California coast.

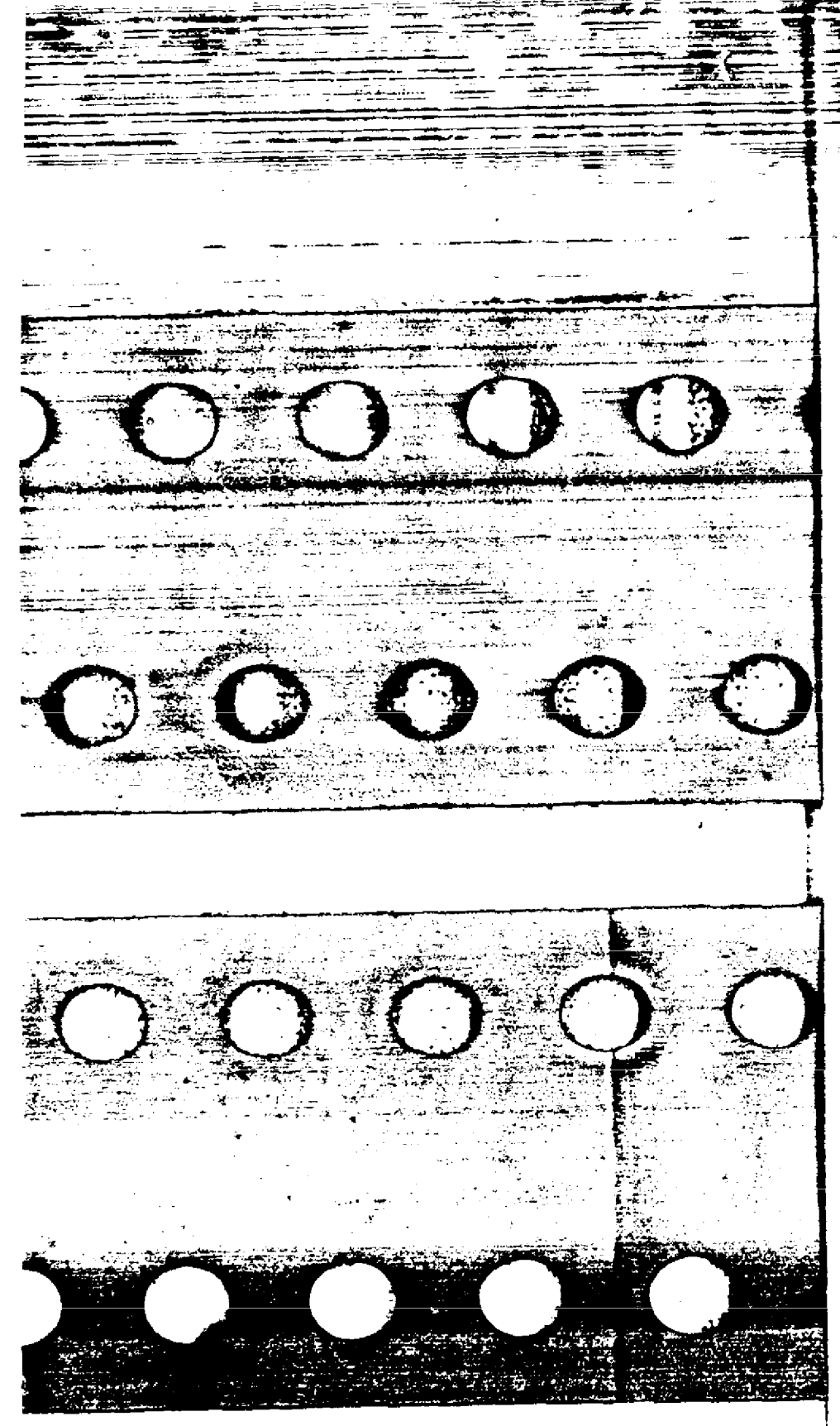
Nevertheless the petition for a writ of certiorari, which the Supreme court denied today, was in the matter of Alphonse Capone vs. A. C. Aderhold, the latter being warden of the Atlanta penitentiary. Capone's lawyers raised his plea after he had been committed to the penitentiary on May 4, 1932. A Supreme court decision in another case held that the statute of limitations in criminal income tax cases is three years, and not six, as the government relied upon in convicting Capone.

But Capone's lawyers had failed to raise the plea during the trial and this precluded him from further relief.

The Supreme court took under advisement the case in which Samuel T. Ansell, who investigated election frauds in Louisiana, is suing Senator Long for $500,000 libel.

Chicago Tribune

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N. Y. TIMES

Oct. 16, 1934

CAPONE LOSES PLEA TO SUPREME COURT

Review Is Denied for Habeas Petition Raising Issue of Limitations Statute.

ODDS AGAINST A REHEARING

Chicago's Ex-Gang Chieftain Is Believed Likely to Serve His Time at Alcatraz.

Special to THE NEW YORK TIMES.

WASHINGTON, Oct. 15.—Probably the last avenue through which Alphonse Capone might have escaped serving the rest of his ten-year prison sentence for attempted evasion of income tax, from 1925 to 1927, was blocked today by the Supreme Court.

Without explanation the court rejected a petition of the former Chicago gang leader for review of lower court findings, in a habeas corpus proceeding.

Counsel for Capone, conceding income tax evasion charges, argued that as the indictment was drawn more than three years after the alleged offenses occurred, the statute of limitations barred the court from taking jurisdiction.

The action of the high court left to Capone the sole recourse of an appeal for a rehearing, a move in which the odds would be against him. As a result Capone is likely to stay at Alcatraz prison at least until he becomes eligible for parole.

Since the court confined its ruling to the essential point of the petition, it threw no light on the question whether counsel for Capone, in appealing to the Court of Appeals from the decision of the District Court for Northern Illinois, had erred in *failing* to raise the statute of limitations as a legal impediment to his trial.

Besides the ten-year prison sentence, Capone received a year's term in county jail and a fine of $50,000.

At the trial, counsel for Capone asked the court to direct a verdict of not guilty on the ground that the statute of limitations prevented consideration of an offense three years prior to the indictment. The government replied that in this case the limitation was six years because of an attempt to "defraud" the United States.

The trial court overruled the motion for a directed verdict. On appeal, reversal of the conviction was sought on the sole ground of insufficiency of the indictment and the question of the statute of limitations was not raised.

In a petition for a writ of habeas corpus filed in the Federal court for the Northern District of Georgia, Capone's counsel offered as a parallel the granting of a habeas writ to "Boss" William Tweed by New York's highest court.

19 100 1

73

Relative of Capone in Quiz on Bombing

Frank Diamond, 42, relative of Al Capone, was to be questioned today by Arthur Treacy of the bomb squad. Known as a racketeer and public enemy, Diamond was arrested last night by Sergt. Marshall Pidgeon at Washington and Dearborn sts.

69 17 A Chicago American 10-15-34 74

Al Capone's Nemesis Forced to Take Exam to Keep Federal Job

Cleveland, Oct. 15 (U.P.).—The man who headed the government's investigation into the income tax evasions of Al Capone, Chicago's dethroned and imprisoned No. 1 public enemy, has had to take a government competitive examination to hold his job.

He is Eliot Ness, 31, Chicago, who became agent in charge of the Cleveland office of the alcohol tax unit of the treasury department after his successful expose of Capone's evasions.

Despite his brilliant record, Ness and the 10 men under him had to take the examination. A new law passed by congress makes the test mandatory, whether they are jobholders or not.

The tests were preparatory to increasing the federal liquor staff in Ohio and Michigan from 60 to 150.

Ness, a University of Chicago graduate, was frankly a little disturbed about the examination. He wandered about the federal building reviewing his mathematics.

Chicago Daily Times

69-180-A

10-15-34

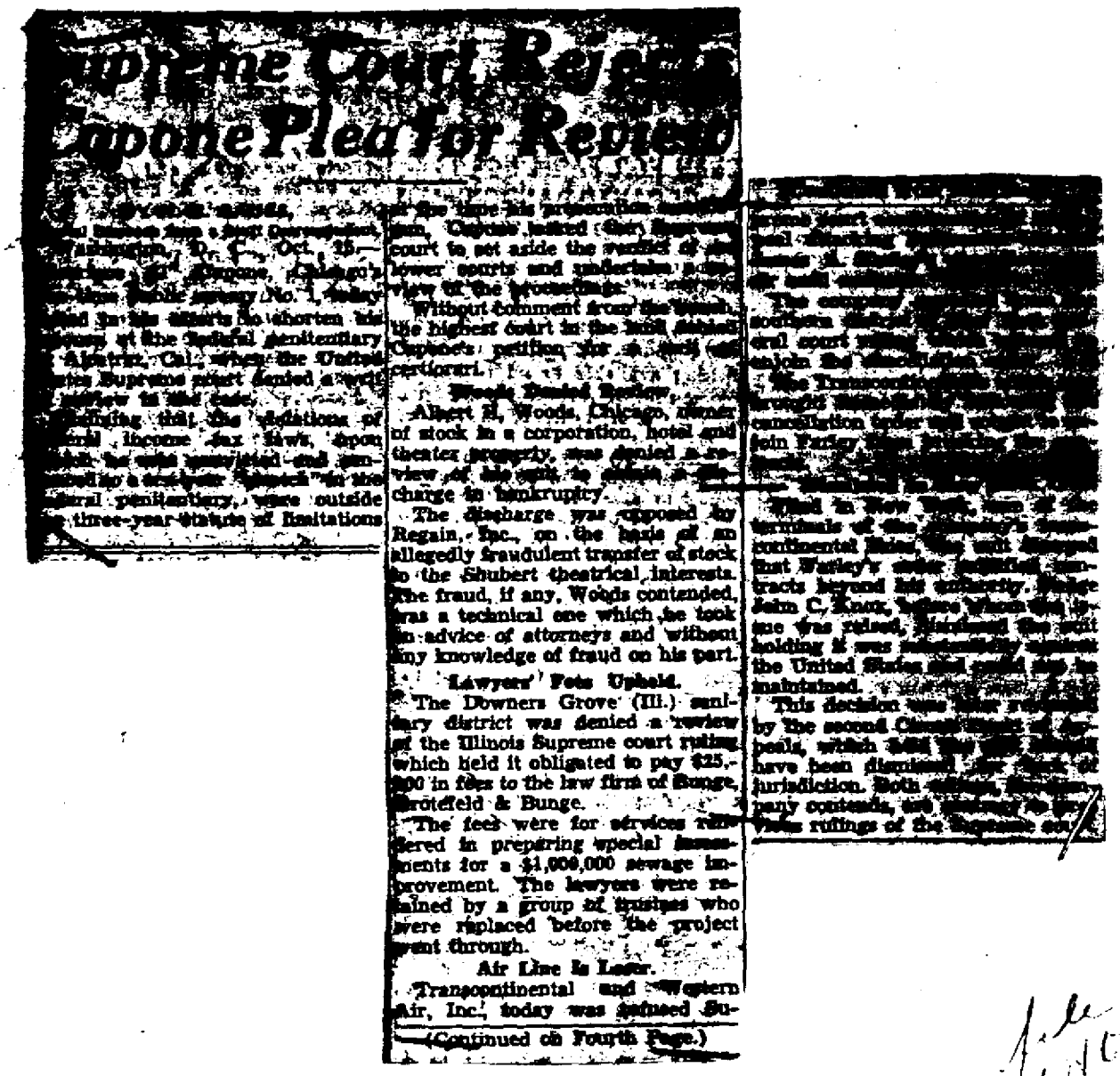
CAPONE LOSES IN HIGH COURT

WASHINGTON, Oct. 15.—(By International News Service.)—Alphonse Capone, *former* overlord of Chicago, today lost his second appeal to the United States Supreme Court in an effort to escape serving out *his* term on charges of dodging income tax.

The high court, without explanation, denied a petition for review in a habeas corpus proceeding, in which Capone's lawyers contended the statute of limitations prevented his trial.

76

69-180-H Chicago American 10-15-34



Will the Court Reject Capone Plea for Review?

...Washington, D. C., Oct. 25.—...Supreme, Chicago's ...public enemy No. 1, today ...for his efforts to shorten his ...at the federal penitentiary ...Alcatraz, Cal., when the United ...Supreme court denied a writ ...review in that case.

...alleging that the violations of ...federal income tax laws, upon ...he was convicted and sen...tenced by a district court in the ...federal penitentiary, were outside ...three-year statute of limitations ...

...the case his prosecution ...ham, Capone asked the supreme court to set aside the verdict of the lower courts and undertake a new view of the proceedings.

Without comment from the bench, the highest court in the land denied Capone's petition for a writ of certiorari.

Woods Denied Review.

Albert H. Woods, Chicago, owner of stock in a corporation, hotel and theater property, was denied a review of his suit to obtain a discharge in bankruptcy.

The discharge was opposed by Regain, Inc., on the basis of an allegedly fraudulent transfer of stock to the Shubert theatrical interests. The fraud, if any, Woods contended, was a technical one which he took on advice of attorneys and without any knowledge of fraud on his part.

Lawyers' Fees Upheld.

The Downers Grove (Ill.) sanitary district was denied a review of the Illinois Supreme court ruling which held it obligated to pay $25,000 in fees to the law firm of Bunge, Brotzfeld & Bunge.

The fees were for services rendered in preparing special assessments for a $1,000,000 sewage improvement. The lawyers were retained by a group of trustees who were replaced before the project went through.

Air Line Is Loser.

Transcontinental and Western Air, Inc., today was refused Su-

(Continued on Fourth Page.)

...Transcontinental ...Western Air, Inc., ...brought ...cancellation ...Fairley ...

...Trial in New York ...terminals of the ...Transcontinental ...that Warley's ...contracts beyond ...John C. Knox, ...issue was raised, ...holding it was ...the United States ...maintained.

This decision was ... by the second Circuit ... peals, which ... have been dismissed ... jurisdiction. Both ... company contends, ... rulings of the ...

77

Chicago Daily News
10-15-34

69-150-H

Capone Again Loses Fight To Go Free

By International News Service

"Scarface Al" Capone, former overlord of Chicago gangdom, today lost his second appeal to the Supreme Court in an effort to escape his sentence on charges of dodging income tax.

The high court, without explanation, denied a petition for review in a habeas corpus proceeding, in which Capone's lawyers contended that the statute of limitations prevented his trial.

Thus the high court left unanswered the question of whether or not Capone's lawyers made a fatal error when he was tried in Federal court in Chicago by not raising the statute of limitations question in the proper way.

Capone was sentenced to a year in jail on misdemeanor charges and 10 years for dodging income tax for 1925, 1926, and 1927.

At the trial his lawyers moved for a directed verdict and asserted that three years had elapsed since the offenses. The Government replied that a six-year statute applied in Capone's case.

AL CAPONE LOSES IN SUPREME COURT

Tribunal Refuses to Review Court Action Denying Him Freedom.

By the Associated Press.

The United States Supreme Court refused today to aid Alphonse (Scarface Al) Capone, convicted Chicago gangster recently removed to Alcatraz Federal Penitentiary, in his effort to obtain freedom.

Capone had contended his conviction of violating the internal revenue laws by making false income tax returns for 1925, 1926 and 1927 was illegal because it was obtained more than three years after the offenses were alleged to have been committed. The Supreme Court declined to review the refusal of lower courts to release him.

U. S. Denies Time Expired.

In its argument against Capone's release the Government took the position the three-year statute of limitations did not apply in cases of fraud and that the conviction was legal because obtained within six years after the offenses.

Capone was sentenced in the Federal District Court at Chicago to one year in the county jail and fined $30,000 on conviction of two misdemeanors, and to 10 years' imprisonment in a Federal Penitentiary and a fine of $30,000 on three other counts alleging fraud.

Milk Ruling Upheld.

The court also affirmed an injunction granted by the lower court against a section of the New York milk control act which prohibits milk dealers from selling their product purchased outside the State for less than the same grade produced within the State.

A special three-judge Federal court had held the section unconstitutional and enjoined its enforcement.

Mr. Nathan
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Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

AL. CAPONE CASE

1-2

Capone Loses Plea in Supreme Court

Al Capone today lost probably his last plea for liberty from the Federal penitentiary where he is serving 10 years imposed in Chicago for failing to pay his income tax.

The Supreme Court, to which the premier of Chicago gangdom carried his fight for release, turned a deaf ear to his habeas corpus fight.

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Mr. Conrad .....
Mr. Smith .....

WCNS39

AL CAPONE TODAY LOST PROBABLY HIS LAST PLEA FOR LIBERTY FROM THE FEDERAL PENITENTIARY WHERE HE IS SERVING TEN YEARS OF THE 11 YEARS SENTENCE IMPOSED ON HIM IN CHICAGO FOR FAILING TO PAY HIS INCOME TAXES

WCNS43

ADD CAPONE

EXCEPT FOR A PETITION FOR REHEARING, A GENERALLY FUTILE GESTURE, THE RULING CLOSED ANY POSSIBLE AVENUE WHICH CAPONE HAS LEFT TO GAIN HIS RELEASE UNTIL HE BECOMES ELIGIBLE FOR PAROLE.

10/15--NIB137P

81

U.S. RIDICULES CAPONE'S PLEA

WASHINGTON, Sept. 29.—(INS)—The government, in a brief filed in Supreme Court today, ridiculed the plea of Al Capone, former Chicago gang leader, for freedom on the ground that the Statute of Limitations prevented his conviction for income tax fraud. Capone, now in Alcatraz Prison, is seeking his release on a writ of habeas corpus.

Solicitor-general J. Crawford Biggs said:

"As shown by the record in the October term, 1931, when the case was previously before this court, petitioner raised the precise and only question he now seeks to have reviewed.

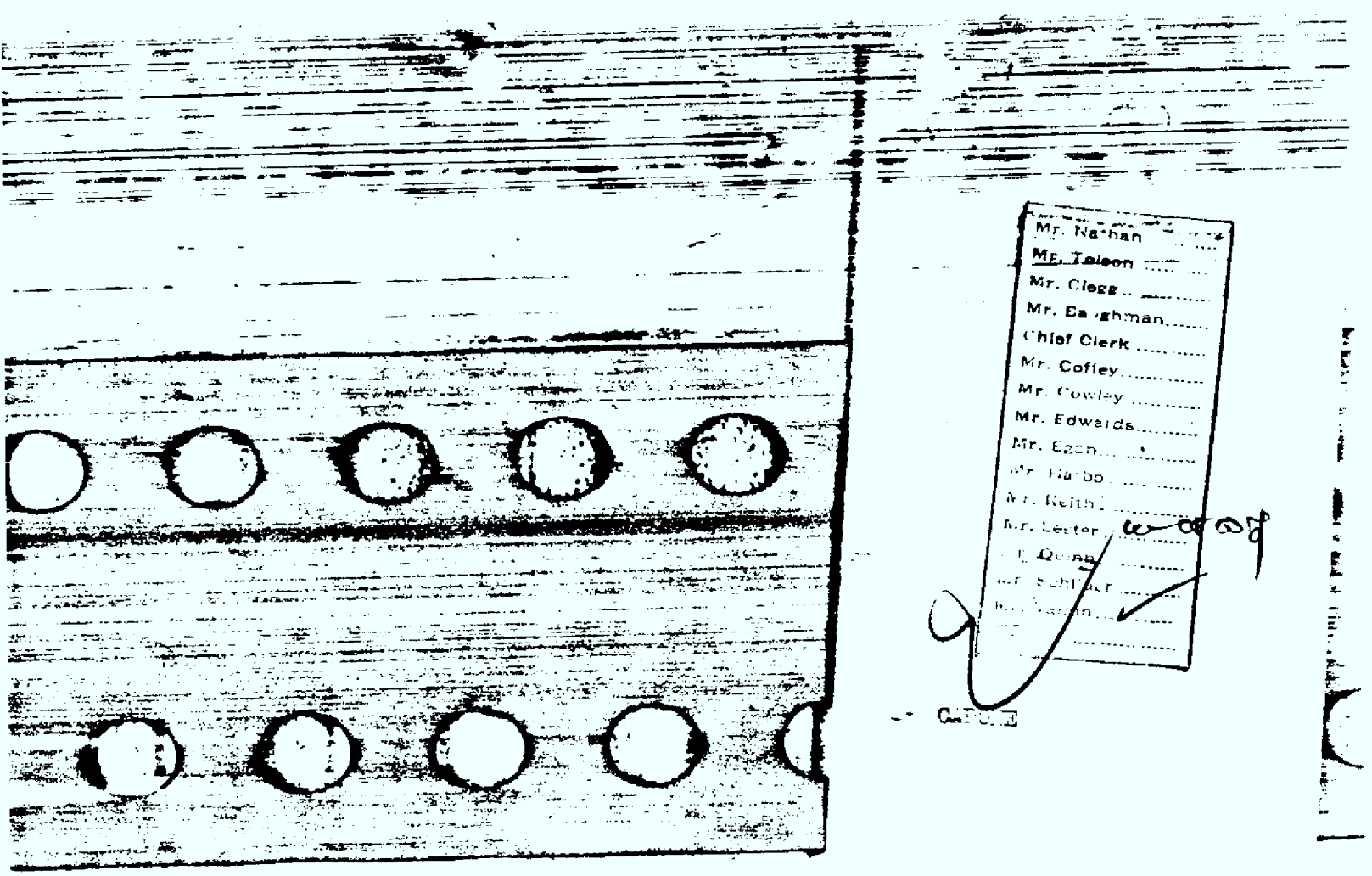
"The petition for a writ of certiorari is without merit on any theory."

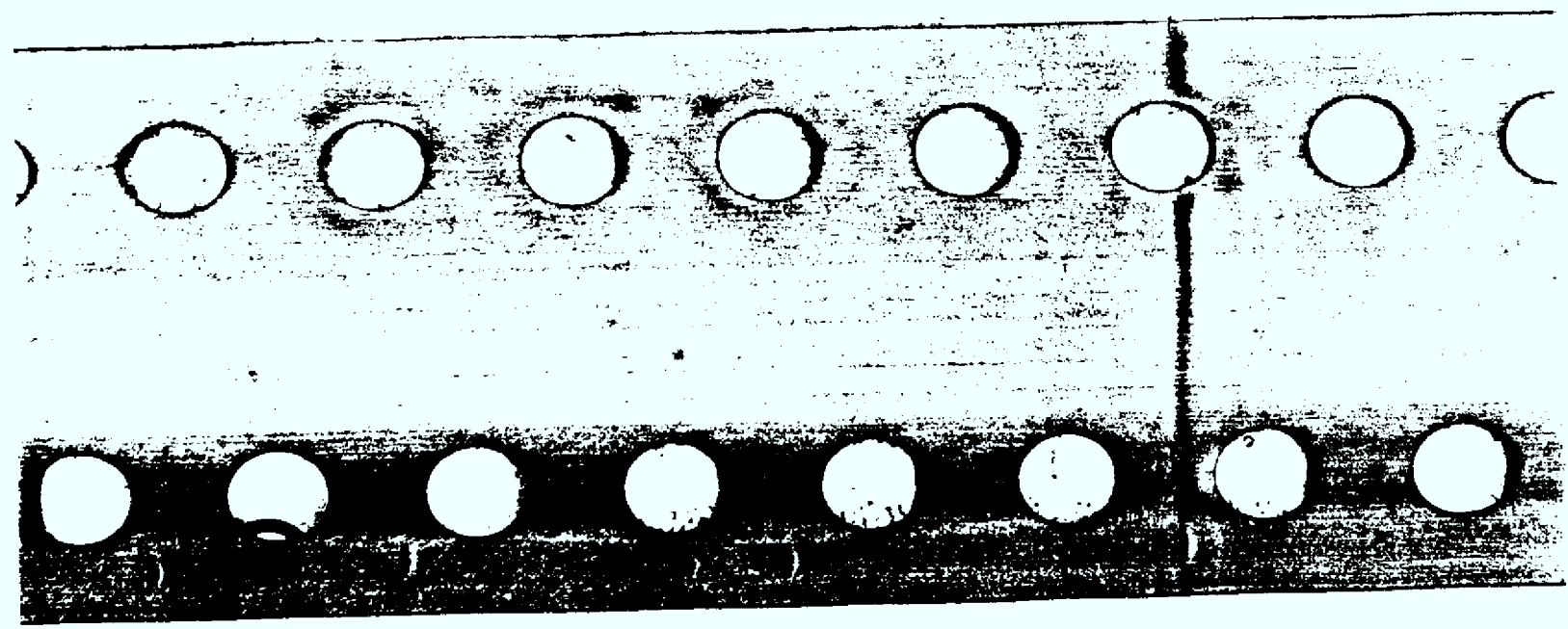
Capone's lawyers contend that a three-year statute of limitations had expired before his indictment. The government denied this.

Chicago Herald & Examiner

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Mr. Clegg
Chief Clerk
Mr. Cofley
Mr. Edwards
Mr. Egan
Mr. Keith
Mr. Lester



U. S. ATTACKS CAPONE'S PLEA FOR FREEDOM

Washington, D. C., Sept. 29.—(AP)—The government answered back in the negative today to an effort by Alphonse Capone to have the Supreme court order his release from Alcatraz prison in San Francisco bay.

The justice department filed with the high court a brief opposing a review by that tribunal of a habeas corpus proceeding brought by the one time Chicago gangster.

Capone recently was transferred from Atlanta to the Alcatraz penitentiary to serve the remainder of a ten year sentence which he began in May, 1932. The prison sentence and a fine of $10,000 was imposed on him for alleged violation of income tax laws.

At the time of his trial Capone contended he could not properly be prosecuted because the charge was not brought within three years of the alleged offense.

Solicitor General Biggs, in opposing the review, declared no new questions were raised by Capone's present petition. He contended that with four lower federal courts agreeing that the prosecution had been brought in time, and with the Supreme court having once refused to pass on the question, it should again decline to grant a review.

84

19 170-H Chicago Tribune 9-30-34

U. S. HITS CAPONE PLEA FOR LIBERTY

Brief Tells High Court Gangster's Petition Has No New Questions.

By the Associated Press.

The Government answered back in the negative yesterday to an effort by Alphonse Capone to have the Supreme Court order his release from Alcatraz Prison in San Francisco Bay.

The Justice Department filed with the high court a brief opposing a review by that tribunal of a habeas corpus proceeding brought by the one-time Chicago gangster.

Recently Transferred.

Capone recently was transferred from Atlanta to the Alcatraz Penitentiary to serve the remainder of a 10-year sentence which he began in May, 1932. The prison sentence and a fine of $10,000 was imposed on him by the Federal courts in Illinois for alleged violation of the income tax laws.

At the time of his trial, Capone contended he could not properly be prosecuted because the charge was not brought within three years of the offense. When the lower Federal courts decided against him, he sought review by the Supreme Court which was refused.

Habeas Corpus Action.

Recently while at Atlanta, he brought habeas corpus proceedings in the Federal courts there to obtain his release on the same grounds, contending he was unlawfully deprived of his freedom.

Again the lower Federal courts decided against him and he is now asking the high court to review their action.

Solicitor General Biggs, in opposing the review, declared no new questions were raised by Capone's present petition. He contended that with four lower Federal courts agreeing that the prosecution had been brought in time, and with the Supreme Court having once refused to pass on the question, it should again decline to grant a review.

U. S. Body Denies Al Capone's Plea

Justice Department Brief Opposes Case Review.

The Government answered in the negative yesterday to an effort by Alphonse Capone to have the Supreme Court order his release from Alcatraz Prison in San Francisco Bay, according to an Associated Press report.

The Justice Department filed with the high court a brief opposing a review by that tribunal of a habeas corpus proceeding brought by the one-time Chicago gangster.

Capone recently was transferred from Atlanta to the Alcatraz Penitentiary to serve the remainder of a ten-year sentence which he began in May, 1932. The prison sentence and a fine of $10,000 was imposed on him by the Federal courts in Illinois for alleged violation of the income tax laws.

Solictor General Biggs of the Justice Department, in opposing the review, declared no new questions were raised by Capone's present petition.

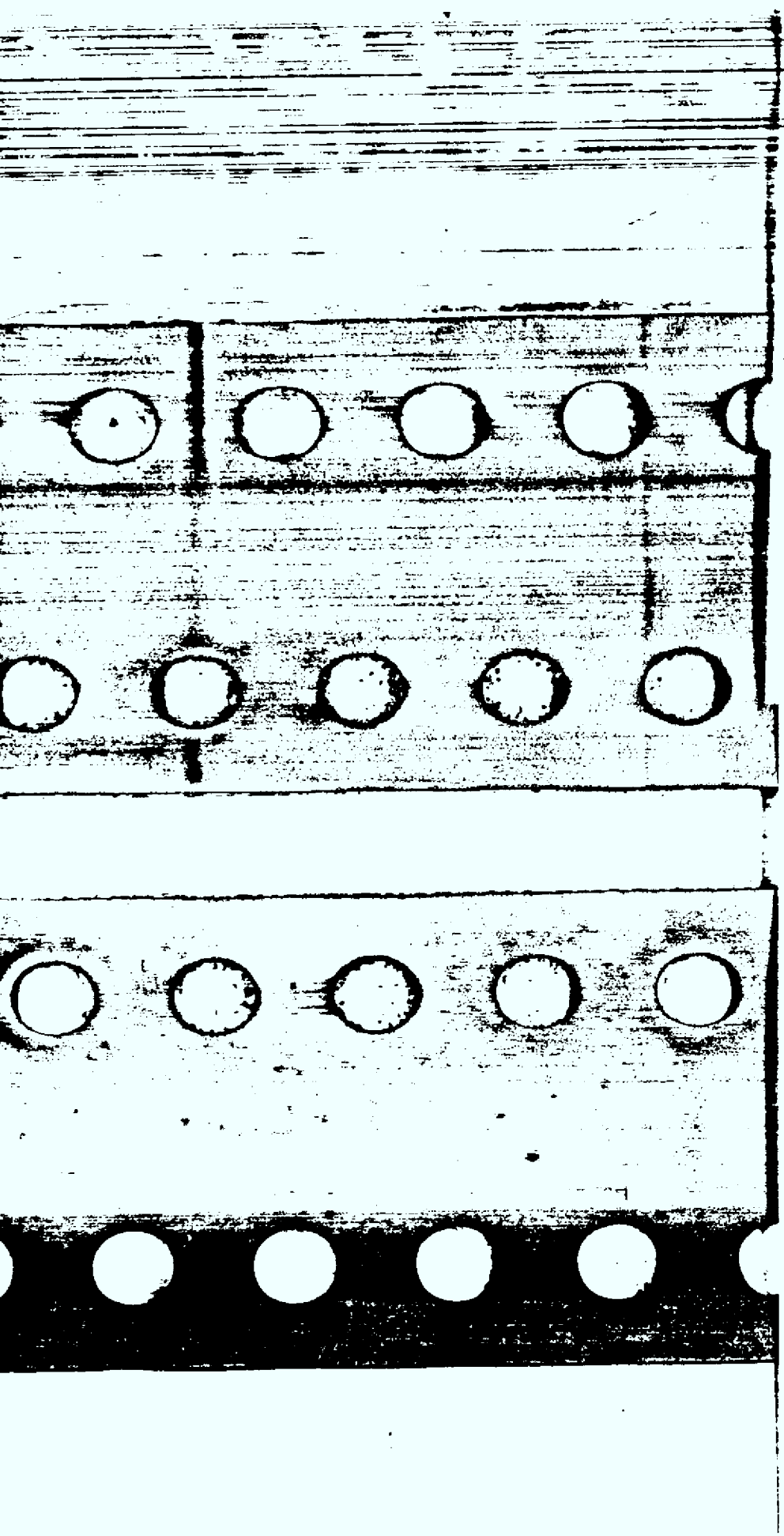
AL CAPONE'S PLEA IS DENIED BY U. S.

Uncle Sam yesterday ridiculed a petition by Alphonse Capone, Chicago's erstwhile king of racketeers, for Supreme Court review of his conviction and sentence to prison for cheating on his income tax return.

Capone's petition for a writ of certiorari is without merit on any theory, the Government said in a reply brief filed with the high court.

Argument by Capone's lawyers that the time limit allowed in the statute of limitations for prosecuting him had expired when the Government arrested him in 1931 was not well founded, the Government said.

WASH. HERALD SEP 30 1934



Mr. Tolson
Mr. Clegg
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Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Gurnea
Mr. Quinn
Mr. Schilder
Mr. Tamm

AL CAPONE

88

CAPONE RELEASE OPPOSED BY U. S.

Department of Justice Files Brief.

WASHINGTON, Sept. 29 (AP).—The Government filed in the Supreme Court today a brief opposing a review of habeas corpus proceedings brought by Alphonse Capone to obtain his release from Alcatraz, where he is serving a sentence for attempting to evade Federal income taxes.

Capone was sentenced to 10 years' imprisonment and fine of $10,000. He began serving the sentence at the Atlanta Penitentiary May 6, 1932, but recently was removed to the new Federal prison on the Pacific coast.

Contending the prosecution was barred by the statute of limitations, Capone unsuccessfully sought to obtain a review by the Supreme Court shortly after his conviction. Recently he brought habeas corpus proceedings in the Federal courts in Georgia on the same grounds and, failing there petitioned the Supreme Court for a review.

The Department of Justice, in its brief filed today by Solicitor General Biggs, asserted the proceedings were brought within the six years granted by law in such cases and insisted the record clearly showed the prosecution was not barred by the statute of limitations.

Phila. Record 9-30-34

69-180

89

OPPOSITION FILED TO CAPONE'S PLEA

Government Answers Habeas Corpus Move to Obtain Prisoner's Release.

By the Associated Press.

The Government filed in the Supreme Court today a brief opposing a review of habeas corpus proceedings brought by Al Capone to obtain his release from Alcatraz, where he is serving a sentence for attempting to evade Federal income taxes.

Capone was sentenced to 10 years' imprisonment and a fine of $10,000. He began serving the sentence at the Atlanta Penitentiary May 6, 1932, but recently was removed to the new Federal prison on the Pacific Coast.

Contending the prosecution was barred by the statute of limitations because it was begun more than three years after the offense was committed, Capone sought to obtain a review by the Supreme Court shortly after his conviction, but it was refused.

Recently he brought habeas corpus proceedings in the Federal courts in Georgia, demanding his release on the same grounds. Upon the refusal of the lower courts to release him on habeas corpus he petitioned the Supreme Court for a review.

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U. S. RIDICULES CAPONE WRIT

By International News Service

The Government, in a brief filed in the Supreme Court today, ridiculed the plea of "Al" Capone, former Chicago gang leader, for freedo mon the ground that the statute of limitations prevented his conviction for income tax fraud.

Capone, now in Alcatraz prison, is seeking his release on a writ of habeas corpus. Once before the high court refused to consider his case.

The brief of Solicitor-General J. Crawford Biggs, says:

"The petition for a writ of certiorari is without merit on any theory. As shown by the record in the October term, 1931, when the case was previously before this court, petitioner raised the precise and only question he now seeks to have reviewed."

Capone's lawyers contend that a three-year statue of limitations had expired before his indictment in Chicago. The Government denied this and in addition, said he came within the scope of a six-year statute.

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Mr. Conley
Mr. Edwards
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Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

ADD CAPONE PLEA

THE GOVERNMENT CONTENDED THAT IF CAPONE WENT TO PRISON BECAUSE OF A TACTICAL ERROR ON THE PART OF ATTORNEYS WHO REPRESENTED HIM IN THE LOWER COURTS IT IS TOO LATE TO REMEDY THAT DEFECT.

"WHILE PETITIONER APPEALED FROM HIS CONVICTION TO THE CIRCUIT COURT OF APPEALS FOR THE 7TH CIRCUIT, HE FAILED TO RAISE THEREON ANY QUESTION CONCERNING THE STATUTE OF LIMITATIONS, AND HE MAY NOT NOW, BY WRIT OF HABEAS CORPUS, AVOID ANY MISTAKE HE MAY HAVE MADE, FOR IT IS WELL SETTLED THAT MERE ERROR CANNOT BE REVIEWED ON PETITION FOR SUCH A WRIT," RIGGS CONTENDED.

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Mr. Cotte
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Mr. Ekun
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Conrad
Mr. Tolson

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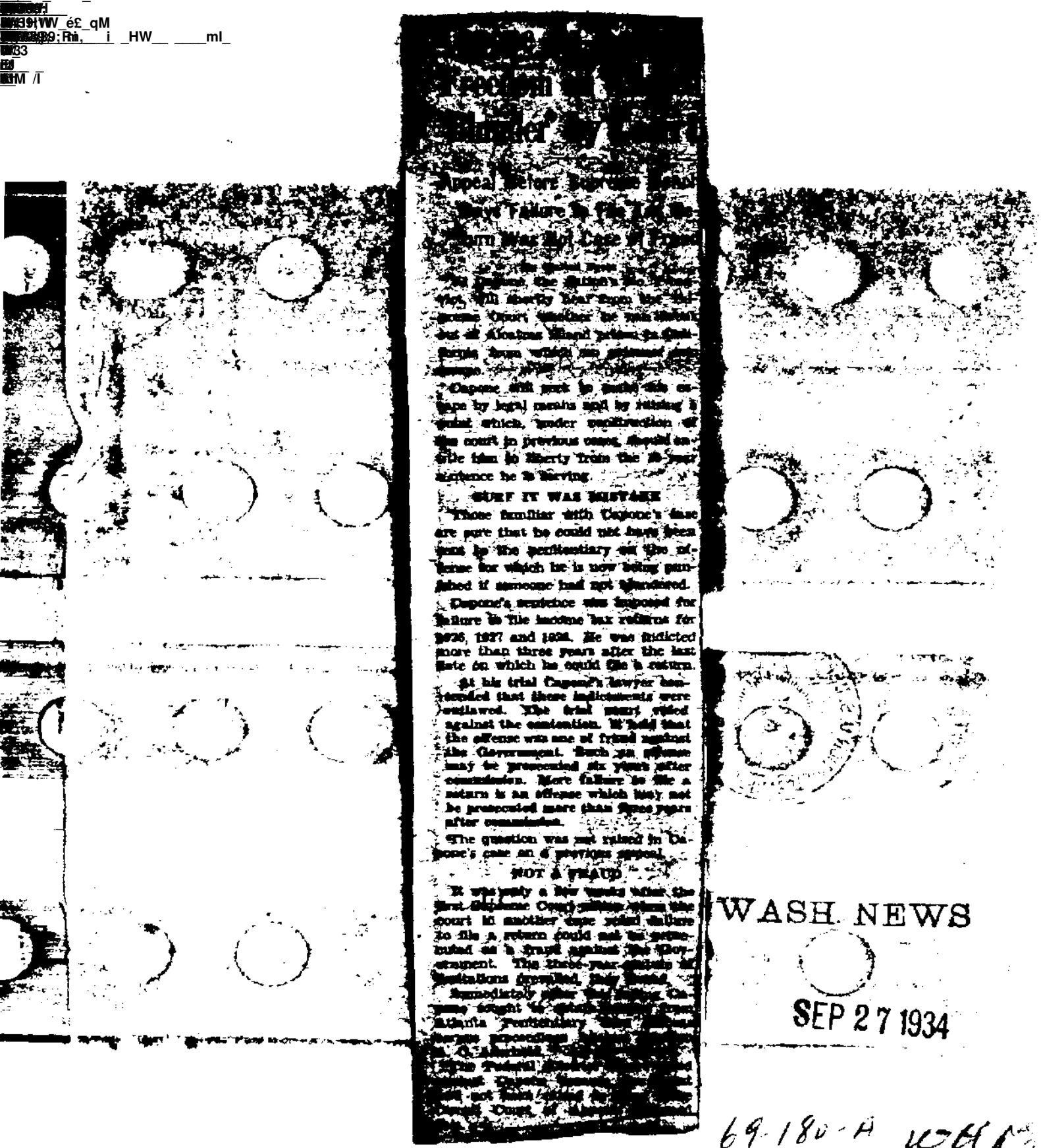
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AL CAPONE'S PLEA TO THE SUPREME COURT FOR RELEASE FROM ALCATRAZ ISLAND WAS ASSAILED TODAY IN A BRIEF FILED BY SOLICITOR GENERAL CRAWFORD BIGGS.

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69-180-A



Appeal Before Supreme Court
Says Failure to File Income
Return Was Not Case of Fraud

WASH. NEWS

SEP 27 1934

69-180-A

Officials Accused In Capone Tie-Ups

HOUSTON, Tex., Sept. 14 (U.P.)—Al Capone was moved to Alcatraz Island to break up his underworld connections, E. R. Cass, of New York, general secretary of the American Prison Association, said here today. Cass added:

"Contrary to reports, Capone was not a model prisoner at Atlanta. Even while he was in the penitentiary there he carried on his outside affairs with the help of a staff of lawyers and others."

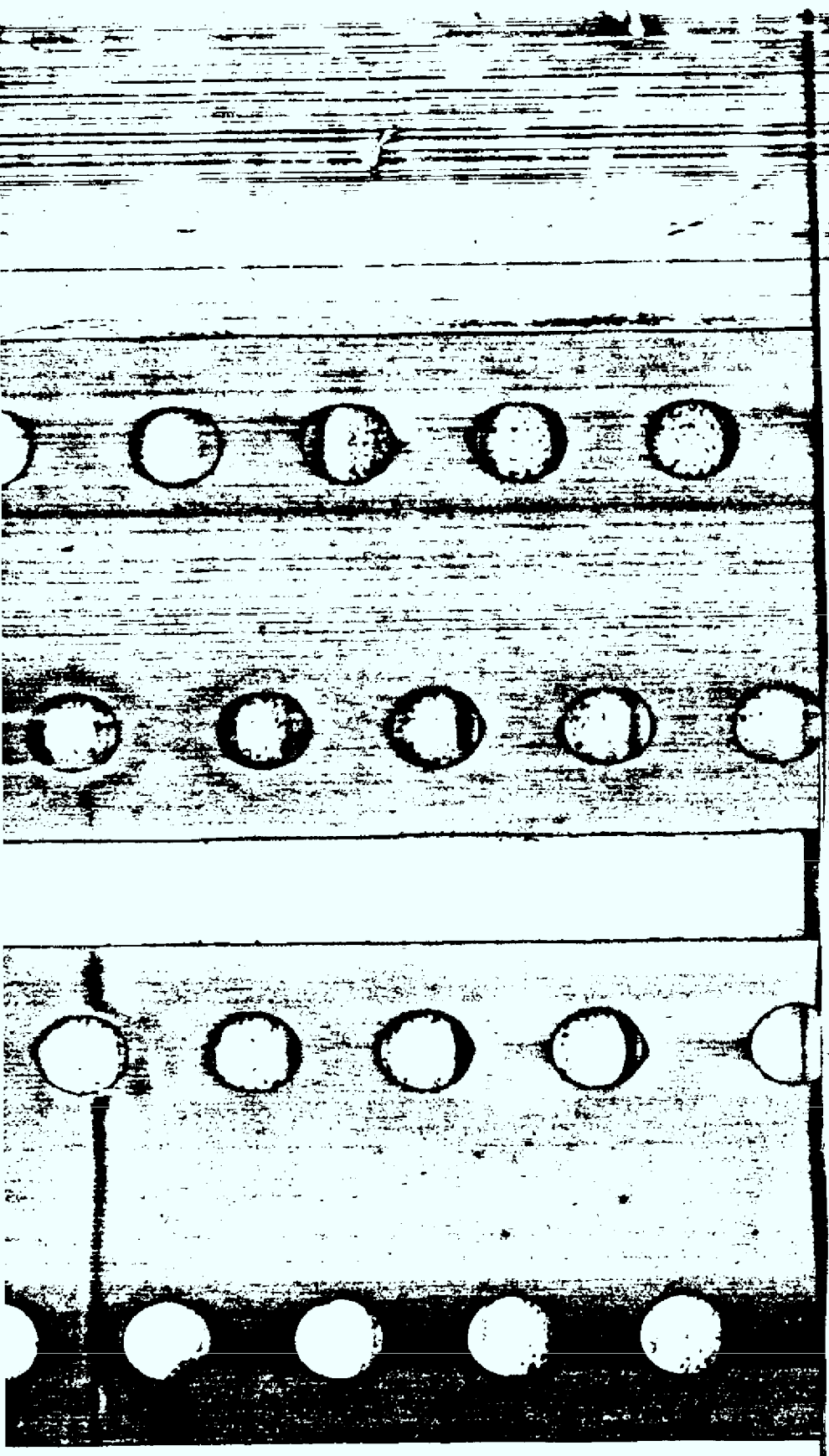
The "others," he intimated, may have been public officials.

WASH. HERALD

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AL CAPONE

buildings on Alcatraz are as modern as its safeguards, with even the ceiling of the dining room equipped with gas cylinders to be used against the convicts in the event of an outbreak.

The currents are strong in the surrounding waters, and an expert swimmer needs an hour's time to negotiate the mile and a half from the rocky slope to the mainland.

Mussolini's Lipari Islands are not prisons in the sense that strong walls make a prison. They are seven volcanic rocks off the coast of Sicily, rather idyllic places with vegetation and delightful climate. But they are as isolated as the tiny isles of the South Seas, having no connection with the outside world, save the twice-a-month visit of the steamer from Messina.

Signor Arpinati, formerly a member of the chamber of deputies and undersecretary of the interior, joins there about 700 other exiles, persons who, by word, deed or thought, have offended against the sacred dictates of fascism.

Arpinati is to serve five years because "in various circumstances he assumed an attitude in contrast to directions which should be followed by whomever has the honor of belonging to the Fascist party."

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and 6:00 a. m.
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Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Human Side of the News -:- By Edwi

Uncle Sam has his Alcatraz Island, and Mussolini has Lipari. To the one has gone Al Capone, once rated America's public enemy No. 1, and to the other goes Leandre Arpinati, who only one year ago was rated Il Duce's right-hand man.

The idea of a Federal prison on an island is the New Deal which the Roosevelt administration is handing out to desperadoes of the type of Dillinger and "Machine-Gun" Kelly. Attorney General Cummings conceived the idea of isolating such vicious criminals on Alcatraz. Formerly the Army's military prison, the soldiers christened it "The Rock."

Such it is, 12 acres of hard stone, standing alone in San Francisco Bay a mile and a half from the mainland. The prison buildings on Alcatraz are as modern as its safeguards, with even the ceiling of the dining room equipped with gas cylinders to be used against the convicts in the event of an outbreak.

The currents are strong in the surrounding waters, and an expert swimmer needs an hour's time to negotiate the mile and a half from the rocky slope to the mainland.

Mussolini's Lipari Islands are not prisons in the sense that strong walls make a prison. They are seven volcanic rocks off the coast of Sicily, rather idyllic places with vegetation and delightful climate. But they are as isolated as the tiny isles of the South Seas, having no connection with the outside world, save the twice-a-month visit of the steamer from Messina.

Signor Arpinati, formerly a member of the chamber of deputies and undersecretary of the interior, joins there about 700 other exiles, persons who, by word, deed or thought, have offended against the sacred dictates of fascism.

Arpinati is to serve five years because "in various circumstances he assumed an attitude in contrast to directions which should be followed by whomever has the honor of belonging to the Fascist party."

One of the first persons to be sent to Lipari by Mussolini was Domizio Torrigiani, grand master of the Masons of Italy. Francisco Nitti, nephew of the former premier, who joined him later, made a sensational escape in 1929 along with Carlo Rosselli, a Roman professor, and Emilio Lussu, a decorated war hero.

Contradictory stories are told of the treatment of the prisoners on Lipari, but it seems well established that the punishment is far more mental than physical. The prisoners hire their own rooms, usually living three together. They receive 50 cents a day and have the liberty of the islands, except between the hours of 9:00 p. m. and 6:00 a. m. when they must remain indoors.

Ever over their heads by day is the black smoke and by night the red glare of Stromboli, that most famous of volcanoes which has been active for more than 2,000 years.

"The Lighthouse of the Mediterranean" is on the northeasternmost of the islands, where it rises grandly to a height of 3,083 feet. It is one of the wonders of the world, something which must be seen, such as the harbor of Rio, the Taj Mahal and sunrise in the Himalayas.

A few weeks ago Stromboli was to be heard as well as seen. Two mighty thunderclaps warned the 1,600 inhabitants that the gods of fire were troubled, and for a time those on the mainland, 35 miles away, who had heard the explosions, were fearful lest streams of lava should pour down the vineyard-covered slopes, carrying away man, beast and vegetation.

Island prisons always bring to mind the penal colonies of France and Mexico, the one off the coast of French Guiana known as Devil's Island, the other in the Pacific called The Three Marys. There is no question about these being places of punishment.

In seventy years France has sent sixty thousand convicts to the terrific heat and the yellow fever of Devil's Island and two adjoining small dots in the ocean. Few sights are more horrible than the loading and departure of the old prison ship La Martiniere from La Rochelle. The cargo is mostly one of cutthroats and incorrigibles.

An exception was Captain Alfred Dreyfus, whose trial, conviction and subsequent exoneration of a treason charge made history.

Some of the elements of the Dreyfus case enter into the story of Benjamin Ulme, only recently returned to Paris after 25 years in the penal colony. Ulme, a young ensign, stole some military papers to get funds to satisfy the tastes of an expensive sweetheart. He demanded money from the government on the threat of selling the papers to a foreign power. He was trapped easily and as easily condemned to penal servitude for life.

Reports from France indicate that Ulme's reasoning has been affected by his prison ordeal. The wonder is that he did not go stark mad years ago. From 1908 until 1916 he was a "solitary" on "The Black Rock" talking to no human and seeing none but his guards.

He saved himself from self-destruction or violent insanity only by talking to the trees of the jungle and to the sharks of the sea.

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SEP 10 1934

WASH. TIMES

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Mr. Schilder .....
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Poor Al Capone?

We Can't See It.

Pity poor Al Capone?

Whip up a little righteous indignation against Uncle Sam for daring to "taint the record" of this "model prisoner" by sending him out to the new federal prison on Alcatraz Island in San Francisco Bay?

Maybe you can. We can't.

Al's record started long before the bars at Atlanta saved him from the fate to which his henchmen had consigned plenty of ganglanders. It was far from a model record. Indeed, it was below tainting.

We hope Al adjusts himself to his new surroundings and that we don't have to hear from him or about him for a long time.

98

69-190 A

Chicago American
9-4-34

Mr. Nathan .....
Mr. Tolson .....
Mr. Clegg .....
Mr. Baughman .....
Chief Clerk .....
Mr. Coffey .....
Mr. Conley .....
Mr. Edwards .....
Mr. Egan .....
Mr. Harbo .....
Mr. Kelly .....
Mr. Lester .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
.....

CAPONE PUT TO WORK

Alcatraz Official Refuses to Specify Duties.

SAN FRANCISCO, September 1 (AP). —All newly arrived convicts at the new Federal prison on San Francisco Bay's Alcatraz Island, including Al Capone, have been assigned to duties, Warden James Johnston has announced.

"Every man in the institution has been put to work now," Johnston said, "and the prison's new routine is officially under way." He declined to say whether Capone has been put to work in the prison's laundry, tailor shop, shoe shop or at general maintenance.

WASH. STAR SEP 1 1934

99

14-180-11

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. Schilder.....
Mr. Tamm.....

AL CAPONE

CAPONE MIAMI HOME RAIDED

MIAMI, Fla., Aug. 31 (US).—The massive halls of Al Capone's Palm Island mansion were invaded last night by police and Federal agents searching for perpetrators of last week's $427,000 Brooklyn, N. Y., armored car holdup, it was learned late today.

Raiding officers said they acted on a tip that the robbers, who fled the Brooklyn shore in speedboats, were taken south on another craft and had holed up in the Capone home.

After the search, officers said there was no evidence to substantiate this theory. A caretaker told the raiders the house had been closed for several weeks and that Mrs. Capone and her son, Al, Jr., were in the north.

N.Y. American
LOW 9-1-31

DIVISION OF INVESTIGATION
DEPARTMENT OF JUSTICE

100

69-170

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 Schilder .....
Mr. Tamm .....
.....

CAPONE PUT TO WORK IN ALCATRAZ PRISON

San Francisco, Cal., Aug. 31.—(AP)—All newly arrived convicts at the new federal prison on San Francisco bay's Alcatraz island, including Al Capone, have been assigned to duties, Warden James Johnston announces.

101

Chicago Daily News

69-180-A

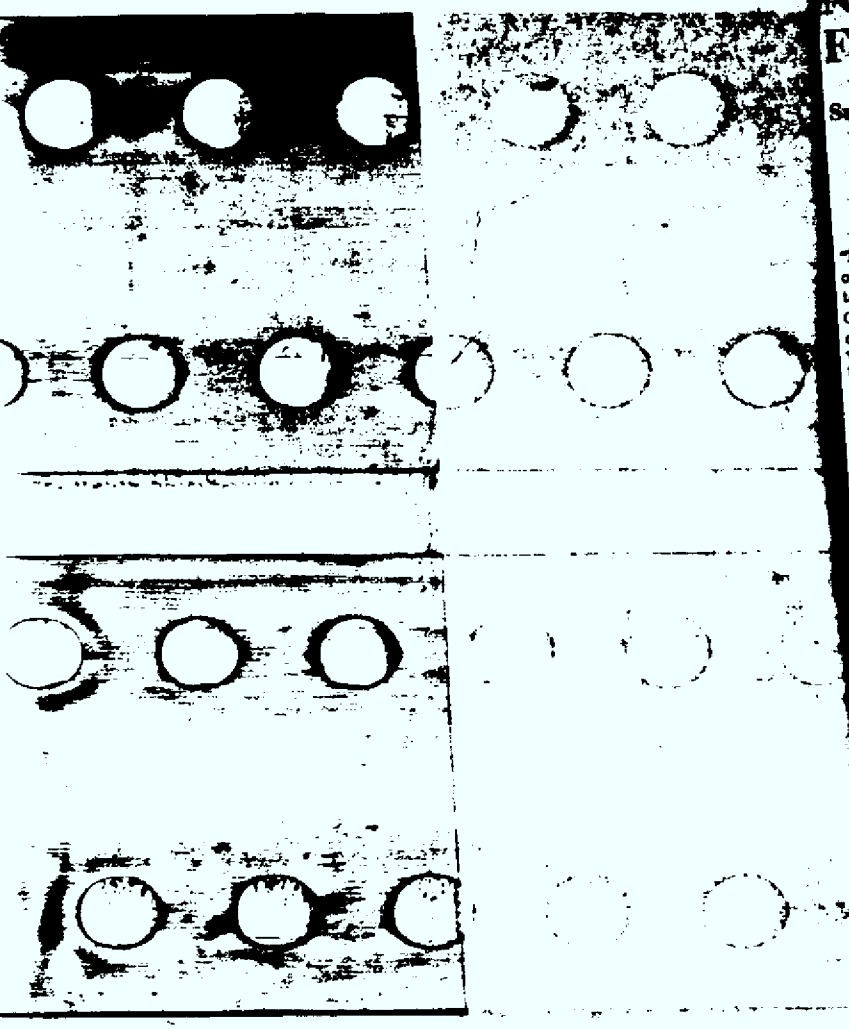
8-31-34

Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Ewan
Mr Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
mr Schilder
Mr. Tamm

Al Capone Put to Work at Alcatraz

SAN FRANCISCO, Aug. 30.—(AP)—All newly arrived convicts at the new federal prison on San Francisco Bay's Alcatraz Island, including Al Capone, have been assigned to duties, Warden James Johnston announced today. He declined to say what work Capone is doing.

62-180-Chicago Herald & Examiner
8-31-34



Capone Files New Petition For Freedom

Supreme Court Again Urged to Review Conviction.

(Associated Press.)

Seeking freedom from America's "Devil's Island," Alphonse Capone, once Chicago's gangster chief, yesterday appealed to the Supreme Court to reverse decisions of lower courts that denied his claim of conviction after the statute of limitation had expired.

It was the second time the erstwhile "Public Enemy No. 1" had asked the Supreme Court to review his conviction. His prison sentences aggregate 11 years and fines totaling $50,000, together with costs of prosecution, for violation of the income tax laws.

From behind his cell bars in the Federal Penitentiary at Atlanta, Ga., Capone directed his attorneys here, William R. Leahy and William J. Hughes, jr., to take the new step. But the gangster was whisked away in secrecy from Atlanta to the Government's prison for bad men on Alcatraz Island, in San Francisco Bay, before the petition was filed here.

The document charges that Capone was convicted on three counts in an Illinois Federal court of violating the income tax law after the three-year statute of limitations had expired. The convictions, it cited, were on charges of income tax evasion in the calendar years 1925, 1926 and 1927, while indictments were not returned until June 6, 1931.

Capone's attorneys cited the three-year limitation of statutes for violations of internal revenue laws. At "Scarface Al's" trial Government counsel maintained that in cases where fraudulent statements or attempted to defraud the Government, the limitation was six years.

Mr. Nathan ...
Mr. Tolson ...
Mr. Clegg ...
Mr. Baughman ...
Mr. Clark ...
Mr. Coffey ...
Mr. Conley ...
Mr. Edwards ...
Mr. Egan ...
Mr. Harbo ...
Mr. Nebl ...
Mr. Lester ...
Mr. Quinn ...
Mr. Schilder ...
Mr. Mohr ...

DEC 30 1932

WHAT

DEC 29 1932

WASH. POST

69-180-A

107

CAPONE BEGINS NEW DRIVE FOR JAIL RELEASE

Sick of Mingling With Island Prisoners, Former Gang King Petitions for His Freedom

Al Capone started a new drive for freedom yesterday.

Caged on America's "Devil's Island" last week with a half hundred of the nation's most desperate criminals after a spectacular journey from Atlanta, the arch gangster asked the U. S. Supreme Court to order his release.

His attorneys slapped a petition before the high court yesterday, contending Capone's imprisonment is illegal.

The court is expected to give a quick decision shortly after it reconvenes October 1.

Representing Capone are William E. Leahy and William J. Hughes, Washington attorneys, and Frank A. Doughman, an attorney of Atlanta, Ga.

His counsel argue the three-year time limit in the statute of limitations had elapsed before the Government obtained Capone's indictment on charges of evading his Federal income tax. But the lower courts held that the Capone case fell within a provision of the statute giving the Government the right to prosecute within six years.

Capone was convicted on charges of evading income taxes in March of 1926, 1927 and 1928.

He was sentenced to 10 years in Federal prison, beginning May 6, 1932. In addition he was fined $30,000 and costs of the trial.

Mr. Boughman
Chief Clerk
Mr. Coffey
Mr. Egan
Mr. Harbo
Mr. Quinn
Tamm

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AUG 31 1934

WASHINGTON HERALD

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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. Schilder
Mr. Tamm

AL CAPONE

AL CAPONE TRIES AGAIN TO REGAIN FREEDOM FOR SELF

Washington, D. C., Aug. 28.—[Special.]—The United States Supreme court was petitioned today to review the judgment of lower courts denying Al [Scarface] Capone, former Chicago gang chief, a writ of habeas corpus filed against A. C. Aderhold, warden of the Atlanta penitentiary. Al Capone is now in Alcatraz Island prison, off the Pacific coast.

The petition, filed by Attorneys William E. Leahy and William J. Hughes Jr. of Washington, contends that Capone was tried in the federal district court in Illinois and convicted on three charges of violating the internal revenue laws after expiration of the statute of limitations.

The legal limitation excepts cases in which defendants defraud or attempt to defraud the government, and it was on that point that Capone was prosecuted.

Capone filed his habeas corpus petition in the federal court of northern Georgia. It was denied there and in the Circuit Court of Appeals.

105

Chicago Tribune
8-29-34

69 180-A

N. Y. SUN
Aug. 28, 1934

CAPONE PLEA GOES TO HIGHEST COURT

Gangster Asks Review of Habeas Corpus Case

WASHINGTON, Aug. 28 A. P.)—Alphonse Capone, the convicted Chicago gangster, asked the Supreme Court today to review the judgment of lower courts denying him a writ of habeas corpus filed against A. O. Aderhold, warden of the Atlanta penitentiary.

The petition was filed for Capone by Attorney William E. Leahy and William J. Hughes Jr. of Washington. It contended Capone was tried in the Federal District Court in Illinois and convicted on three charges of violating the internal revenue laws after expiration of the statute of limitations.

The petition said Capone, one-time termed "public enemy No. 1," was convicted for violation of the income tax laws for the calendar years 1925, 1926 and 1927, and indictments were not returned until June 5, 1931.

The petition said on these three counts Capone, who recently was transferred to the new Federal prison at Alcatraz in San Francisco Bay, was sentenced to an aggregate of ten years in the penitentiary and to pay a fine of $30,000 on those three counts.

The indictment, the petition said, "showed on its face that the offenses charged in counts 1, 5 and 9 were committed more than three years prior to the filing of the indictment."

Capone filed his petition for a habeas corpus writ in the Federal court of northern Georgia and it was denied. He appealed to the Circuit Court of Appeals in the Fifth Circuit, which affirmed the judgment of the lower court.

Mr. Nathan
Mr. Harbo
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

106

69-180-A

Mr. Nathan
Mr. Tolson
Mr. Bergman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

AL CAPONE ASKS SUPREME COURT TO REVIEW PLEA

Washington, D. C., Aug. 28.—(AP)—Alphonse ("Scarface Al") Capone, the convicted Chicago gangster, today asked the Supreme court to review the judgment of lower courts denying him a writ of habeas corpus, filed against A. C. Aderhold, warden of the Atlanta penitentiary.

69-180-A

file 107

CAPONE CASE GOES TO HIGH TRIBUNAL

Petition Asks Supreme Court to Overrule Georgia Judge.

By the Associated Press.

Alphonse Capone, convicted Chicago gangster, yesterday asked the Supreme Court to review the judgment of lower courts denying him a writ of habeas corpus filed against A. C. Aderhold, warden of the Atlanta penitentiary.

The petition was filed for Capone by Attorneys William E. Leahy and William J. Hughes, jr., of Washington. It contended Capone was tried in the Federal District Court in Illinois and convicted on three charges of violating the internal revenue laws after expiration of the statute of limitations.

The petition said Capone was convicted for violation of the income tax laws for the calendar years 1925, 1926 and 1927, and indictments were not returned until June 5, 1931.

Sentenced to 10 Years.

The petition said on these three counts Capone, who recently was transferred to the new Federal prison at Alcatraz in San Francisco Bay, was sentenced to an aggregate of 10 years in the penitentiary and to pay a fine of $30,000 on those three counts.

The indictment, the petition said, "showed on its face that the offenses charged in counts 1, 5 and 9 were committed more than three years prior to the filing of the indictment."

Three-Year Limit.

The petition cited that the Internal Revenue laws provide a three-year limitation on such charges, except for cases wherein defendants defraud or attempt to defraud the Government. It cited that in the prosecution of Capone, Government attorneys contended the offenses in the three counts "involved defrauding or attempting to defraud the United States, and that hence the period of limitation applicable to said offenses are six years and not three."

Capone filed his petition for a habeas corpus writ in the Federal Court of Northern Georgia and it was denied. He appealed to the Circuit Court of Appeals in the fifth circuit, which affirmed the judgment of the lower court.

Mr. Nichols
Mr. Foxworth
Mr. Clegg
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Kelley
Mr. Baker
Mr. Quinn
Mr. Schilder
Mr. Tamm

Miss Gandy

WASH. STAR

AUG 20 1932

69-170-A

Mr. Nichols
Mr. Boardman
Mr. Clark
Mr. Coffey
Mr. Conroy
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Miss Gandy

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9/9/34
N.Y. American

CAPONE IN NEW BID FOR LIBERTY

WASHINGTON, Aug. 28 (AP).—Seeking freedom from America's "Devil Island," Al Capone, once Chicago's gangster chief, today appealed to the Supreme Court to reverse decisions of lower courts that denied his pleas for a writ of habeas corpus.

It was the second time the erstwhile "public enemy number one" had asked the Supreme Court to review his sentence to eleven years' imprisonment and fines totaling $50,000 for violation of the income tax law.

His attorneys here, William E. Leahy and William J. Hughes, Jr., filed a petition charging Capone was convicted after the three-year statute of limitations had expired. In 1932 the Supreme Court denied Capone a review of his case.

CHICAGO, Aug. 28 (AP).—Ralph Capone, brother of the ex-gang leader, released only a few weeks from McNeill Island penitentiary, where he atoned for dodging Federal income taxes, was named today in a suit by the State to collect $20,424 delinquent taxes and penalties.

file

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159

Mr. Nease
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Sullivan
Mr. Tamm

AL CAPONE ASKS WRIT REVIEW

WASHINGTON, Aug. 28.—(AP)—Alphonse Capone today asked the Supreme Court to review the judgment of lower courts denying him a writ of habeas corpus filed against A. C. Aderhold, warden of the Atlanta penitentiary.

69-180-A Chicago American 8-28-34

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Harbo
Mr. Coffey
Mr. Gurnea
Mr. Schilder
Mr. Tamm
Mr. Clegg
Miss Gandy

SAM HUNT WINS TRIAL BY JURY AS BAIL JUMPER

Trial by jury was granted yesterday to Sam Hunt, former Capone gangster, noted for having once carried a machine gun in a golf bag and who was arrested for bond forfeiture on an old vagrancy charge when he was released Thursday from the Bridewell after serving most of a year's term for carrying concealed weapons. Judge John J. Rooney, in Safety court, set the trial for Oct. 11 and fixed Hunt's bond at $1,000. It was furnished through a professional bondsman.

69-180-A Chicago Tribune file Ent 8-25-34

Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

WQNSTT

SAN FRANCISCO--THE TRANSCONTINENTAL PRISON TRAIN, BRINGING 53 NOTORIOUS PRISONERS TO THE GOVERNMENT'S NEW "DEVILS ISLAND", ARRIVED AT ITS DESTINATION TODAY.

BEFORE NOON THE PRISONERS ARE EXPECTED TO BE CELLED INSIDE ALCATRAZ ISLAND PENITENTIARY.

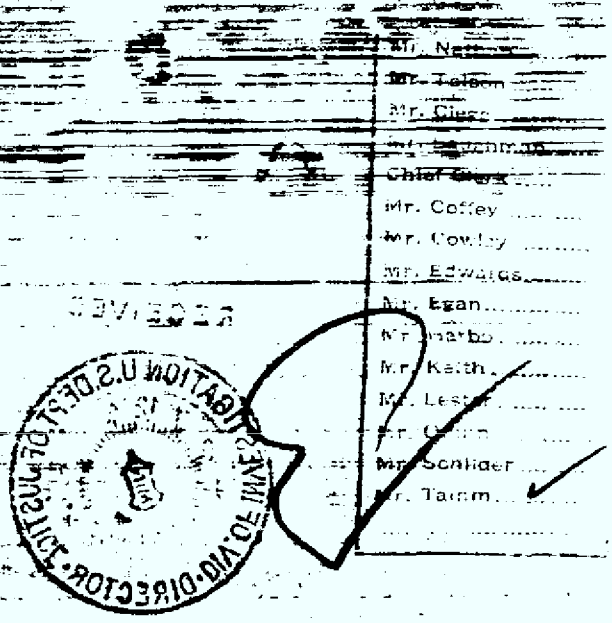
8/22--R1225P

Mr. Nathan
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Lester
Mr. Quinn
Mr. Tamm

WCNS58

MARTINEZ, CAL.--THE COURSE OF THE FEDERAL PRISON TRAIN, BELIEVED CARRYING AL CAPONE AMONG ITS 43 PRISONERS, WAS CHANGED ABRUPTLY HERE TODAY IN A MANEUVER APPARENTLY PLANNED TO AVOID BRINGING THE TRAIN DIRECTLY INTO SAN FRANCISCO.

8/22--R1114A



WCNS115

TRANSFER OF AL CAPONE FROM ATLANTA TO ALCATRAZ WAS ANNOUNCED TODAY BY SANFORD BATES, U.S. PRISON COMMISSIONER.

FORTY-THREE PRISONERS WERE TRANSFERRED FROM ATLANTA TO ALCATRAZ AND 10 MORE WENT FROM THE NORTHEASTERN PENITENTIARY IN LEWISTON, PA.

WITH CAPONE, BATES REVEALED THAT OTHER INMATES, INCLUDIING EDWARD O'BRIEN, JAMES COLSON, HERBERT S. WESTON, AND J. W. WATTS, HAD BEEN TRANSFERRED TO THE ISLAND PRISON.

PRISON BUREAU OFFICIALS REFUSED TO MAKE PUBLIC THE FULL LIST OF THOSE SENT TO ALCATRAZ.

8/22--RS49P

Mr. Nathan
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

U. S. AGENTS RUSHED TO CAPONE'S TRAIN

LOS ANGELES, Aug. 21 (U.S.). Squads of Department of Justice agents, armed with machine guns, tear gas bombs and sawed-off shotguns aped from the Federal Building late today.

They had orders to surround the prison train carrying 43 notorious desperadoes, including a convict identified as Al Capone, to the Federal prison on Alcatraz Island when the special, itself bristling with guards, entered Los Angeles.

Whether the Department of Justice had information as to a possible attempt to deliver Capone or others en route from the Federal prison at Atlanta could not be learned.

115

Mr. Tolson
Mr. Clegg
Mr. Glavin
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Capone Train Nears West Coast Prison

By United Press

EL PASO, Tex.—The prison cars carrying Al Capone, deposed Chicago gang leader, and 52 others of the nation's most dangerous convicts to the new Government prison on Alcatraz Island, left here early today after a brief stop and resumed the run to San Francisco. They are expected tomorrow or early Thursday.

The cars attached to a regular train when they left Atlanta, Ga., where Capone was confined in the Federal penitentiary following conviction on charges of income tax evasion, now are running as a separate section.

Two prison cars, heavily armored and with barred windows, a diner and two sleeping cars for the guard comprise the section.

Crowds surrounded the cars on stops in Texas, but were not allowed within 20 feet, being kept back by heavily armed guards.

WASH. NEWS AUG 21 1934

1118

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. Schilder
Mr. Tamm

AL CAPONE

CAPONE'S TRANSFER GOES UNCONFIRMED

Cummings Silent on Report of Gangster's Removal to Alcatraz Island.

By the Associated Press.

SAN FRANCISCO, August 21.—Reports that Al Capone is aboard a heavily guarded train bringing him to the new Federal prison on San Francisco Bay's Alcatraz Island remained without official confirmation here today.

United States Attorney General Homer S. Cummings declined to discuss the matter after the San Francisco Chronicle quoted him as saying the former Chicago gang leader "is not headed for Alcatraz."

The train, presumably carrying Capone and 42 other prisoners, passed through El Paso, Tex., about midnight. One of the prisoners who closely resembled Capone—even to the long scar on his face—waved to a news reporter, but heavily armed guards refused to permit any one to communicate with the prisoners.

Under normal schedules the prison cars should reach here late tomorrow.

WASH. STAR AUG 21 1934

17-18

117

Mr. Tolson
Mr. Nease
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

CAPONE ON WAY TO AMERICA'S 'DEVIL'S ISLAND'

Al Recognized in Coach But Ducks Cameraman's 'Shot'; Train Full of Armed Guards

HOUSTON, Tex., Aug. 20—Forty-three notorious criminals, one of them identified as "Scarface Al" Capone, one-time public enemy No. 1 of the nation, rolled across Texas today in two heavily-barred and closely-guarded railway coaches on their way to Alcatraz prison in San Francisco Bay—America's "Devil's Island."

The train, overrun by Federal agents carrying automatic shotguns, attracted plenty of attention when it stopped at New Orleans, but in Houston it received no notice and was well on its way westward before it was learned that the notorious Capone was aboard.

DUCKS PICTURES

At New Orleans, newspaper men crowded about the train and one of them shouted to the convicts inside:

"Have you got Al Capone in there?"

A prisoner yelled back:

"Sure, he's in this car by the sixth window."

At the sixth window, the man indicated as Capone merely grinned when he was asked to confirm his identity. He ducked when a photographer tried to shoot a picture through the window. And a Government man with leveled gun ordered the camera man away.

IS ESCAPE PROOF

Capone and the others were taken from Atlanta Penitentiary secretly yesterday morning and started on their long journey to the remodeled and reinforced Alcatraz Prison, where are to be incarcerated the most dangerous of the nation's convicts.

The prison is declared to be escape proof.

WASH. HERALD

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Mr. Clapp
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Cummings Silent On Capone Move

Attorney General Declines to Discuss Transfer,

San Francisco, Aug. 20 (AP).—Attorney General Cummings declined here tonight to discuss reports that Al Capone, former Chicago gang leader, is being brought to the New Federal prison on San Francisco Bay's Alcatraz Island.

The Attorney General, after the Chronicle had quoted him as denying that Capone is being brought to the prison, said:

"I have consistently declined and am consistently declining to discuss the matter. I do not propose to make any statement whatsoever."

The Chronicle quoted the Attorney General as saying: "That's one point on which reports are wrong. Capone is not headed for Alcatraz. That's all I can say at this time, since we never discuss such matters."

8-16-39

NEW YORK evening [illegible] of the [illegible] Greater

AL CAPONE SPED WEST AFTER ESCAPE PLOT

CHICAGO, Aug. 16.—Al Capone, one-time public enemy No. 1, is en route to the Republic Island prison, Alcatraz, in San Francisco Bay, it became known here today.

The former king of the racketeers is being moved in secrecy from the Federal prison in Atlanta, Ga.

Capone faces eight years imprisonment at Alcatraz. Joining a group of prisoners from other prisons including 75 from Pennsylvania, Capone is being sent westward by an unannounced route under heavy guard. Officials fearing some move might be made to free him en route if advance announcement of the transfer were made.

ESCAPE PLOT FOILED.

The transfer was begun three days ahead of schedule, it was reported, following discovery of plan in the cells of one or more of the prisoners to be removed. Whether Capone was implicated in this apparent scheme for escape could not be learned. Complete silence was maintained by Government agents here and along the anticipated route of transfer regarding the entire happening.

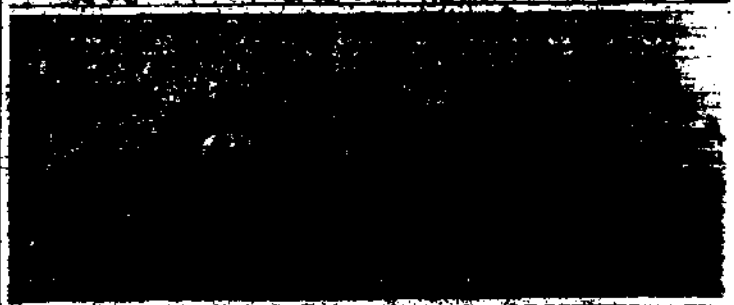
Fourth Death Linked to Yacht Explosion

Haven, Rocky Operator, Dies from Heart Attack

ASBURY PARK, Aug. 16.—A. C. S. Haven, 73, for many years a leading operator in shore real estate, died today of a heart attack.

His death is the fourth which is traceable to an explosion which occurred aboard Mr. Haven's motor cruiser Alfreda, on July 15.

Alcatraz, New Capone Home, U. S. 'Devil Isle'



THE DESOLATE ISLAND PRISON OF ALCATRAZ IN SAN FRANCISCO BAY

This is the first of two articles about the Federal Prison on Alcatraz Island in San Francisco Bay to which Al Capone and other Federal Prisoners are being taken today.

By HAROLD HEROUX.

ALCATRAZ ISLAND, Cal., Aug. 16 (By International News Service)—With a few days ferryboat captains will change courses to avoid coming close to this island in the middle of San Francisco Bay, site of Uncle Sam's newest Federal penitentiary.

Because James A. Johnston, Warden of America's so-called "Devil's Island," has erected huge signs, reading:

"Warning—Keep off!

"The Secretary of War has declared that only Government boats shall be permitted within 300 yards of Alcatraz. Persons attempting to enter without authority do so at their own risk!"

To back this warning are trained gun guards, armed with the latest equipment and stationed in a series of towers, some to be soon



AL CAPONE

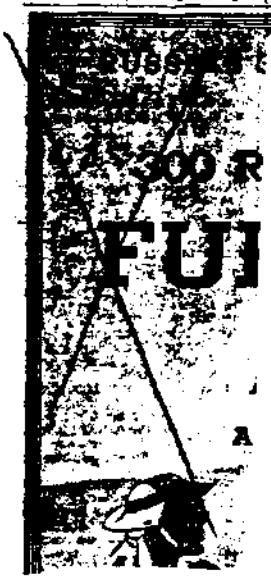
[illegible] Alcatraz, Illinois' contribution.

"The record of that man's prisoners will be kept here," said Warden Johnston, "and they will be kept here, as the government has spent several hundred thousand dollars to make this prison 'escape proof.'

"Crack guards from Atlanta,

Incorrigibles, habitual and other government prisoners have been transferred here and put through exhaustive training. They will be able to cope with attempted breaks or riots."

Thirty-eight "tough customers" are already in cells here. There is room for 600, but only about 300 will be maintained at present.



Mr. Nathan
Mr. Glavin
Mr. Laughman
Chief Clerk
Mr. Conroy
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Noted Public Enemy Reported Being Sent There From Atlanta

Officials Refuse Denial or Confirmation; Escape From Island Virtually Impossible

By United Press

Unless good signs fail, Al Capone is on his way today to spend five or six years in the new American "Devil's Island," Alcatraz Fortress in San Francisco Bay.

The first public enemy of his time was reported without official denial to be traveling under heavy guard to the new prison which the Government believes is as nearly escape-proof as natural conditions and human ingenuity can make it.

Capone was said to be a passenger on a special two-coach train transporting about 40 prisoners from Atlanta and Lewisburg, Pa., prisons to Alcatraz. The transfer was being effected with utmost secrecy.

OFFICIALS SILENT

The Department of Justice here refused to confirm the report. At the same time officials would not deny Capone was being transferred. Since it was believed an official denial would have been made promptly were he not en route to San Francisco, opinion was that he is a member of the party.

[redacted] was met by newspapermen, a prisoner who generally resembled Capone was spotted at a car window. When the interest of reporters was aroused guards quickly pulled down the window shade.

Capone is known to have a number of the prisoners on the list of dangerous criminals selected for transfer to Alcatraz. He has been in Atlanta penitentiary since his conviction in Chicago on income tax charges.

CLOSELY GUARDED

Few authentic reports have been had of the prison regarding the gang leader's life. Recently, however, he has been working in the prison shoe shop. He was convicted in 1930 and sentenced to an 11-year term. With time off for good conduct he has between five and six years more to serve.

At Alcatraz, Capone will find the most rigorous discipline of the Federal prison system. The prison, originally a fortress and in recent years an army punishment barracks, has been completely renovated. The walls are several feet thick.

The island is surrounded by swift and treacherous currents.

Mr. Tolson
Mr. Clegg
Mr. Glavin
Tele. Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

CAPONE SPIRITED TO COAST PRISON

Among 42 Atlanta Prisoners Being Secretly Transferred to Alcatraz Fortress.

By the Associated Press.

NEW ORLEANS, August 20.—Al Capone, America's public enemy No. 1 long before the world had ever heard of John Dillinger, is on his way to a new prison home.

He is being transferred, with great secrecy, from Atlanta Penitentiary to the new Alcatraz Prison in San Francisco Bay—the prison Federal authorities call "impregnable."

With 42 other prisoners, Capone was whisked out of the penitentiary in Atlanta in the early hours of Sunday. Guarded by a picked squad of Federal agents carrying automatic shotguns, the prisoners were placed in two specially built, screened and barred railroad cars and started on their way to Alcatraz—the island prison fortress designed for convicts considered too dangerous to be kept in ordinary prisons.

News Hawks Spy Him.

Although Federal authorities maintained a tight-lipped silence about reports the former Chicago gang leader was being sent to the Pacific Coast prison, his presence in the group was established by newspaper men when the convict cars arrived here.

Mr. Nathan
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Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Prison Officials Silent on Report Plan for Break

By United Press

ATLANTA, Ga.—The possibility of an attempted break was believed today to have prompted officials to transfer Al Capone and 42 other convicts at the Atlanta Federal penitentiary to the Alcatraz prison island in San Francisco Bay, where the Federal "bad boys" are kept.

Tight lipped prison officials here would not discuss the report that files and paraphernalia for a possible jail break were discovered in the cells of some of the 48 prisoners who are en route today to the West Coast prison.

file
E.I.
123

69-180-1

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Mr. Nathan
Mr. [illegible]
Mr. [illegible]
Mr. Berman
Chief Clerk
Mr. Coffey
Mr. [illegible]
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

CAPONE TAKEN TO ALCATRAZ, 'DEVIL'S ISLE'

ATLANTA, Ga., Aug. 20 (I.N.S.). A rolling fortress today was reported bearing Al Capone across the Continent from the Federal penitentiary here to Alcatraz, Uncle Sam's new "Devil's Island" prison for hardened criminals, in San Francisco Bay.

Picked squads of well armed Federal agents guarded the two special railroad coaches carrying some score convicts to the grim island prison.

Among them, it was reliably reported, was the swarthy Capone, former overlord of Chicago's gangdom of prohibition days, who still must serve eight years of a sentence for income tax fraud

Dangerous Taken

Quietly the prisoners, considered the most dangerous and notorious of the Government's wards, were taken from the penitentiary cells here early yesterday morning and hustled aboard the coaches in the penitentiary siding. The coaches were attached to a passenger train and the trip Westward began.

At each stop the corps of Federal guards, each carrying an automatic riot gun, deployed about the coaches and waved curiosity seekers away. Strict secrecy was employed along the route to guard against anyone approaching the trains. The identities of the prisoners likewise were closely guarded.

But at New Orleans last night, while the train was waiting in the Louisville and Nashville yards for transportation across the Mississippi, one of the prisoners nodded in the affirmative to a bystander who shouted the question:

"Is Capone in there with you."

Observers reported that one of the prisoners peering out the window resembled the convicted underworld king.

Cameras Routed

Federal guards chased away a photographer who tried to take a picture of the grinning face identified as that of Capone.

Escape from Alcatraz Island, hemmed in by swift flowing tides, is considered impossible.

Capone and his fellow convicts on the trip westward were kept in ignorance of their destination.

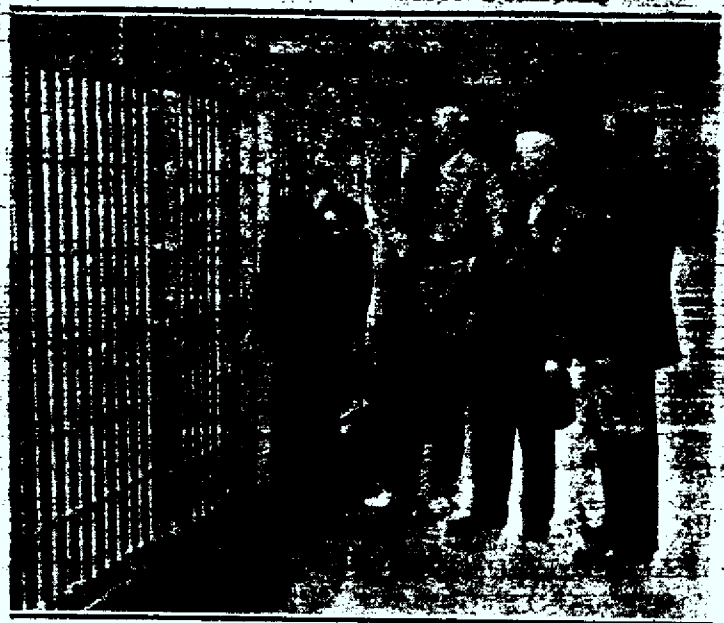
WASH. TIMES AUG 20 1934

124

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
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Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

NEW YORK POST-SUN

AL CAPONE'S NEW PRISON DOMICILE



Associated Press Photo

Moved secretly in barred railroad car, Al Capone goes from Atlanta to Alcatraz Island, United States "Devil's Island," in San Francisco Bay. The picture shows an automatic signal opening and closing cell in main building of prison, when Attorney General Homer S. Cummings and other officials inspected the island recently. Also in the group above are Mayor Angelo Rossi of San Francisco, Warden James A. Johnston and Chief of Police William J. Quinn of San Francisco.

Al Capone Rides Prison Car To New U. S. "Devil's Island"

Great Secrecy Attends Transfer From Atlanta to Alcatraz on West Coast

NEW ORLEANS, Aug. 20 (AP).—Al Capone, America's public enemy No. 1 long before the world had ever heard of John Dillinger, is on his way to a new prison home.

He is being transferred with great secrecy from Atlanta Penitentiary to the new Alcatraz prison in San Francisco Bay—the prison Federal authorities call "impregnable."

With forty-two other prisoners Capone was whisked out of the penitentiary in Atlanta the early hours of Sunday. Guarded by a picked squad of Federal agents carrying automatic shotguns, the prisoners were placed in two specially built screened and barred railroad cars and started on their way to Alcatraz—the island prison fortress designed for convicts considered too dangerous to be kept in ordinary prisons.

Although Federal authorities maintained a tight-lipped silence about reports the former Chicago gang leader was being sent to the Pacific Coast prison, his presence in the group was established by newspapermen when the convict cars arrived here.

When the two cars were stopped for a change of trains, a prisoner who strongly resembled Capone just grinned when some one called:

"Is that you, Al?"

While the cars waited to be ferried across the Mississippi River the guards kept the curious at a distance.

"Is Al Capone in there?" one called out.

One prisoner nodded his head and yelled back:

"In this car, by the sixth window."

The occupant of window No. 6 looked just like the ex-gang lord. He grinned when the reporter called to him and ducked hurriedly—as Capone did in days gone by—when a photographer aimed a camera in his direction.

An unidentified official was asked if Capone had special drawing room accommodations.

"Of course, he hasn't," the official said, heatedly—and then checked himself. He added quickly—"that is, if he was on here he'd be treated just like the rest of them."

The two cars were switched off to the Southern Pacific line.

Files and paraphernalia for a jail break found in the cells of some of the forty-three prisoners speeded the plans of the Government to send the men to Alcatraz.

The only other known prisoners reported in the group with Capone were "Frisco" Eddie O'Brien. Eddie Colson and Alvin Crip. O'Brien and Colson were train robbers and Crip was a Chicago gunman, at one time an enemy of Capone.

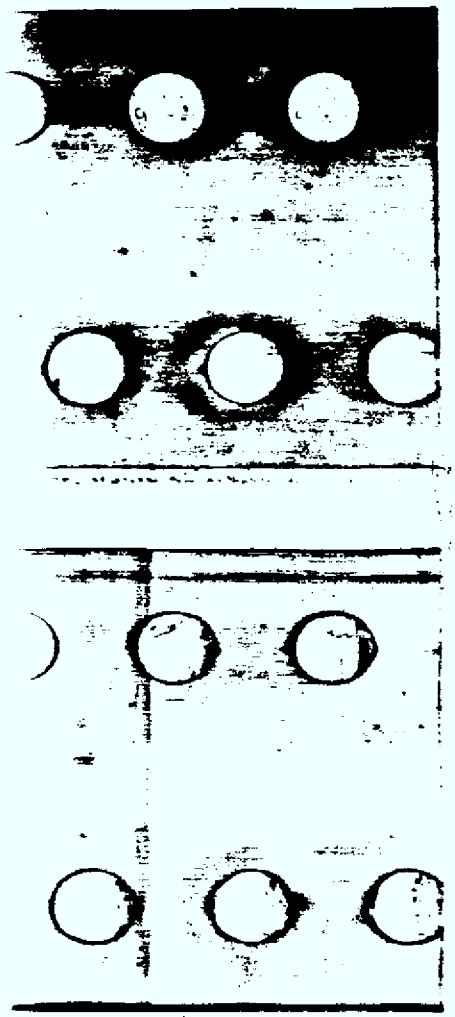
Justice Officials Silent

WASHINGTON, Aug. 20 (AP).—Justice Department officials would neither confirm nor deny today that Al Capone and forty-two other prisoners had been removed from Atlanta Penitentiary and were en route to the new Alcatraz prison in San Francisco Bay.

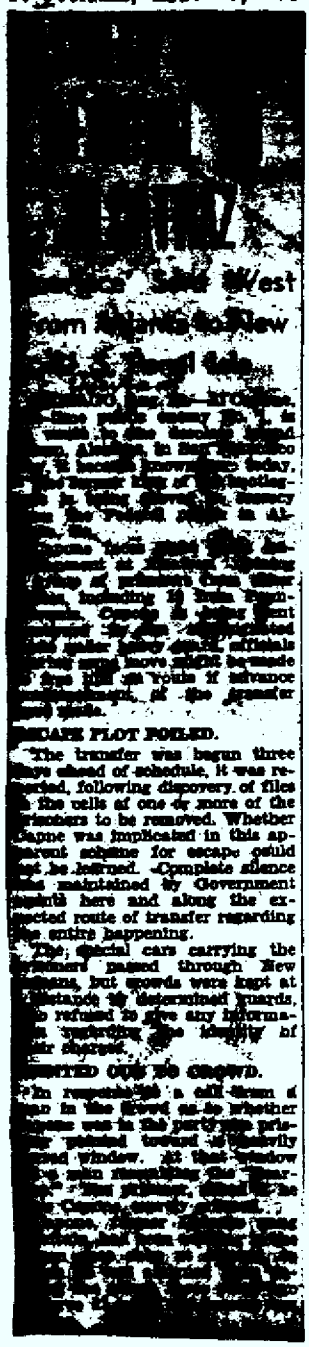
Off to Island Exile



AL CAPONE,
Chicago gang lord, was reported last night to be on his way from Atlanta Penitentiary to Alcatraz Island, the Government's new penal colony off the coast of California.



N. Y. JOURNAL, AUG. 20, 1934.



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. Schlueter .....
Mr. Tamm .....
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127

Mr. Tolson
Mr. Clegg
Mr. Belmont
Chief Clerk
Mr. Coffey
Mr. Covdey
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Kelly
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Capone Transferred to Island Prison; Files Found in Atlanta

Atlanta, Aug. 19 (AP).—The Constitution says that Al Capone was among 43 prisoners transferred today from Federal Penitentiary here to the Government's new Alcatraz Island Prison in San Francisco Bay.

The transfer was made three days ahead of schedule because of the discovery of files in the cells of some of the prisoners selected for removal to Alcatraz.

In the special car attached to a regular passenger train leaving here at 6:10 a. m. were 10 prisoners who arrived last night from the Federal prison at Lewisburg, Pa., en route to the new prison to which the Government has announced its most notorious prisoners will be sent.

At the Federal prison here no confirmation was forthcoming as to whether there had been a movement of prisoners.

Capone, former Chicago gang chieftain, had been doing a tour in the prison shoe shop to which he was assigned upon entering the prison three years ago to serve 11 years for income tax evasion.

Last midnight two passenger coaches were shunted on to the Federal Penitentiary siding and a few minutes later the guards began marshaling the prisoners, one by one, from their cells to the cars.

The only prisoners whose names were learned besides Capone were "Prisco Eddie" O'Brien, Eddie Colson and Alvin Crip. O'Brien and Colson were identified as notorious train robbers and Crip was said to be a former Chicago gunman and a bitter enemy of Capone before they were sent to the penitentiary.

Each prisoner was awakened separately, marched through the darkened cell blocks and escorted from the prison door to the cars by four guards. In the coaches they were assigned immediately to quarters for the trip across the continent to the "Devil's Island" of the United States, from which escape is considered impossible.

Justice Officials Mum On Reported Transfer

Federal Prison Bureau officials said last night they could neither confirm nor deny the report of the transfer of Al Capone at the present time. Justice Department officials explained the transfers are necessarily surrounded with secrecy until completed.

Mr. Tolson
Mr. Nichols
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Al Capone Transferred To Alcatraz Island Prison

ATLANTA, Aug. 19 (AP).—The Atlanta Constitution says Al Capone was among 43 prisoners transferred today from the Federal penitentiary here to the Government's new Alcatraz Island prison in San Francisco Bay.

The transfer was made today three days ahead of schedule because of the discovery of files in the cells of some of the prisoners selected for removal to Alcatraz.

At the Federal prison here no confirmation was forthcoming as to whether there had been a movement of prisoners.

Capone, former Chicago gang chieftain, had been doing a tour in the prison shoe shop to which he was assigned upon entering the prison three years ago to serve eleven years for income tax evasion.

NEW ORLEANS, Aug. 19 (AP).—A special heavily-barred railroad car believed to be carrying Al Capone and 42 other prisoners from the Atlanta Federal Penitentiary to the Government's Alcatraz Island Prison in San Francisco Bay arrived here shortly before six o'clock.

Prisoners were seated inside of iron-barred windows. One of them, in response to a shout from a looker-on to know if Capone was inside, pointed to the "sixth" window.

In that window a man who resembled Capone was seated. When asked whether he was Capone the man grinned.

N.Y. American 8/20/34

DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
AUG 20 1934

1-9

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Gowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm

Report Capone In New 'Devil's Isle'

Possibility of the removal of Al Capone from the comparative comforts of the federal penitentiary at Atlanta to the rigorous confinement at the new Alcatraz prison, the American "Devil's Island," near San Francisco, was a matter of concern for friends of the one-time gang chief yesterday. At Washington, Department of Justice officials refused to affirm or deny reports that Capone had been transferred. United States Attorney Dwight H. Green admitted he had heard that the removal was conemplated.

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Chicago Herald & Examiner
8-17-31 p30

62-180-1

TWO DE GRAZIAS ARE INDICTED FOR U. S. TAX EVASION

Indictments charging Rocco De Grazia and his brother Nick, former Capone gang leaders in the western suburbs, with wilful attempt to evade payment of their income taxes for 1929 and 1930 by failure to file returns were returned yesterday before Federal Judge Philip L. Sullivan. The court ordered bench warants for their arrest and set bond at $10,000 for Rocco De Grazia and $5,000 for his brother.

Both men have been at liberty in $5,000 bonds on a criminal information filed against them several months ago. Rocco De Grazia, who also uses the names De White and A. W. Meyers, and his brother are owners of a combination bowling, gambling, and road house in Melrose Park, according to E. Riley Campbell, special asistant United States attorney in charge of income tax prosecutions.

In the indictments it is charged that Rocco De Grazia in 1929 had an income of $97,011.54, on which he should have paid $14,610.78 tax, and in 1930 had an income of $51,348.37, on which $5,331 should have been paid. Nick's 1929 income was $52,474.85, which called for a tax of $4,997.10, and his 1930 income was $25,865.79, on which $1,407.77 tax was due, the indictments stated, charging that neither paid any tax.

Chicago Tribune
7-28-31

Mr. Nathan
Mr. Tolson
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Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Tamm

AL CAPONE AIDS

U. S. INDICTS 2 CAPONE AIDS

Echoes of the days when Al Capone was supreme were heard yesterday when two of Al's minor aides, Rocco and Nicholas De Grazia of Melrose Park were indicted for dodging their income tax. The government charges that the two brothers were the head men of the North-West Side branch of the Capone syndicate and had taxable incomes amounting to $200,000 for the years 1929 and 1930.

The indictments against the De Grazia brothers were returned before Judge Philip L. Sullivan in the Federal Court. If they are found guilty they may be fined $10,000 each and imprisoned for ten years.

Chicago Herald & Examiner
7-28-34

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 .....
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Capone Aids Indicted in Income Case

Rocco and Nicholas De Grazia of Melrose Park head men of the west end branch of the Capone enterprises in prohibition days, were charged with income-tax evasion in separate indictments returned by the federal grand jury before Federal Judge Philip L. Sullivan today.

Rocco was charged with willful attempt to evade and defeat the tax for the years 1929 and 1930. The government charges that for 1929 Rocco had an income of $97,011.54 and that he neglected to pay a tax of $14,610.78, and that for 1930 he had an income of $91,347.37 and that the matter of paying $5,321.91 seems to have slipped his mind.

Charges against Brother Nicholas for the same years give figures of $52,474.85 in income for 1929; tax, $4,997.10; for 1930, income of $25,365.79; tax, $1,407.77.

Agent Clarence Converse and other men under the direction of A. P. Madden, local chief of the intelligence unit of the internal revenue department—the men who built the entirely successful income-tax cases against Al Capone and other gangsters—dug up the information which Assistant District Attorney E. Riley Campbell presented to the grand jury, resulting in today's indictments.

Chicago Daily News
7-27-34
69-180-A

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Kerr
Mr. Lester
Mr. Quinn
Mr. Tamm

Indict Two Brothers, Ex-Aids of Capone, as U. S. Tax Dodgers

Rocco and Nick De Grazia, brothers, both of whom formerly were high in the council of the Capone syndicate, were indicted today by the federal grand jury for evasion of income tax payments for 1929 and 1930.

The indictment alleges Rocco owes a total of $19,932.68 tax for the two years, while Nick owes $6,306.37. Each faces 10 years in the penitentiary and a $10,000 fine.

Bench Warrants Issued

The total income of Rocco, former owner of the Greyhound roadhouse in River Grove, for the two years



Rocco De Grazia Nick De Grazia

was placed by the government at $97,011.54. That of Nick ws said to have been $76,340.64.

The indictments were returned before U. S. Dist. Judge Sullivan, who at once issued bench warrants for the arrest of the brothers. He fixed the bail of Rocco at $10,000 and that of Nick at $5,000.

Rocco Still Fugitive

Rocco, known to police as a "field lieutenant" for the Capone mob in Melrose Park, was arrested and sentenced to Pontiac for one year for burglary in 1914 and arrested in 1920 on a charge of larceny.

According to the records at the detective bureau, he still is a fugitive.

Chicago Daily Tribune

69-180-H 7-27-34 134

Mr. Nathan .....
Mr. Tolson .....
Mr. Clegg .....
Mr. Baughman .....
Court Clerk .....
Mr. Coffey .....
Mr. Cowing .....
Mr. Edwards .....
Mr. [illegible] .....
Mr. [illegible] .....
Mr. [illegible] .....
Mr. [illegible] .....
Mr. [illegible] .....
Mr. [illegible] .....
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INDICT BROTHER AIDS OF CAPONE

Nicholas DeGrazio and his brother, Rocco, who once helped Al Capone rule gangland and then all but dropped out of sight with imprisonment of their chieftain, were indicted by the federal grand jury on two charges each of income tax evasion.

Nicholas and Rocco were arrested some months ago in misdemeanor charges alleging they neglected to file tax returns in 1929 and 1930 and were released on $5,000 bonds. Today's indictments boosted Nicholas' bond by $5,000 and Rocco's by $10,000.

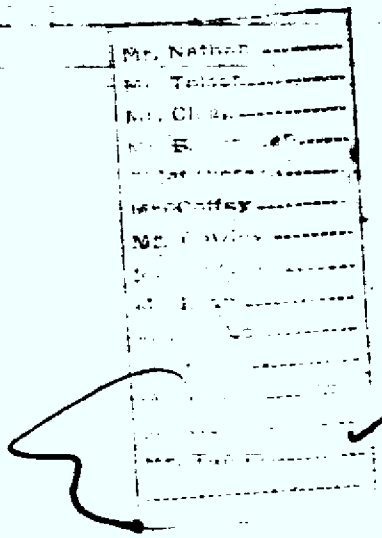
Nicholas, who formerly ran a notorious Melrose Park roadhouse and allegedly owned several stills supplying the Capone alcohol syndicate, is charged with failing to pay a $4,097 tax on a net income of $52,474 in 1929 and a $1,407 tax on an income of $25,865 in 1930.

Rocco, who was Capone's ruthless lieutenant in Oak Park, allegedly owes $14,610 tax on a 1929 income of $97,011 and $5,821 on an income of $51,847 in 1930.

Assistant District Attorney E. Riley Campbell said that Nicholas now operates a roadhouse, gambling house and bowling alley in Melrose Park.

Chicago American 135
69-180-A 7-27-34

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
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Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Tamm



CAPONE

Capone's Brother Seized at Fair

John "Mimi" Capone, brother of Al Capone and Joe Fusco were seized last night in Old Mexico at the World's Fair by Sergts. William Drury and Edward Griffin of the state's attorney's office. They will be questioned about their connections with any concessions at the World's Fair.

Chicago Herald & Examiner
7-26-34

69-180-11

136



Mr. Baughman

BROTHER OF CAPONE ARRESTED AT FAIR

John (Mimi) Capone, 30, brother of Al Capone, and Joe Fusco, 32, who were arrested early today at the Old Mexico concession of the world's fair, were questioned to determine if they have connections with any concessions at the fair.

Chicago Daily Times
7-26-24

69-180-A

137

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 .....
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QUIZ CAPONE KIN, AID

John ("Mimi") Capone, brother of Alphonse ("Scarface") Capone, and Joe Fusco, who were arrested early today at the World's Fair are to be questioned during the day to see if they have any connections with concessions at the fair.

Both were picked up in the fair by Sergts. William Drury and Edward Griffin of the state's attorney's office. They were held at the detective bureau.

"Mimi" gave his age as 30 and said he lived at 7244 Prairie av. Fusco is 32 and lives at 7342 Prairie av. Neither have police records, but have been seized by the police before for questioning.

Chicago American
7-1634

1-7-160-14

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Conley.....
Mr. Edwards.....
Mr. Egan.....
Mr. Quinn.....
Mr. Lester.....
Chief Clerk.....
Mr. Tamm.....

CAPONE

CAPONE REFUSED WRIT FOR RELEASE

World—Telegram

Gangster Loses Habeas Plea in Federal Court.

5-31-34

By the United Press.

NEW ORLEANS, May 29.—The United States Circuit Court of Appeals in a decision today denied Al Capone a writ of habeas corpus which would have freed him from Atlanta Federal Penitentiary where he is serving ten years for income tax evasion.

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69-180-A

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Mr. Nathan .....
Mr. Tolson .....
Mr. Clegg .....
Mr. Cowley .....
Mr. Edwards .....
Mr. Egan .....
Mr. Quinn .....
Mr. Lester .....
Chief Clerk .....
Mr. Tamm .....
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Capone Plea Denied

NEW ORLEANS—The U. S. Circuit Court of Appeals in a decision today denied Alphonse Capone, Chicago gangster, a writ of habeas corpus which would have freed him from Atlanta Federal penitentiary, where he is serving 10 years for income tax evasion.

WASH. NEWS MAY 29 1934

Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Quinn
Mr. Lester
Chief Clerk
Mr. Tamm

CAPONE DENIED FREEDOM

NEW ORLEANS, May 29 (I.N.S.).—For a second time Al Capone lost his bid for freedom from a ten-year income tax evasion sentence at the hands of the United States District Court of Appeals today, which spurned his appeal for release from the Atlanta Penitentiary on an habeas corpus writ.

WASH. TIMES MAY 29 1934

MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. RORER

HYMIE LEVIN

industry, cavalry and communications units [illegible] with the Red Army. The reorganization is expected to take place early in June.

Capone Aide Sent To Leavenworth

CHICAGO, May 14 (AP).—The Government struck down another Capone gangster today when Federal Judge Sullivan imposed 18 months in Leavenworth on Hymie "Loud Mouth" Levin, erstwhile collector for the Capone syndicate.

Levin pleaded guilty to violating the income tax law. His gross income was reputed to have exceeded a million dollars from 1926 to 1930, but he never paid a tax.

MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
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MR. LESTER
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MR. RORER

DIVISION OF INVESTIGATION
MAY 15 193

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69-180-4

142

MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
R. QUINN
R. LESTER
F CLERK
ORER

"Loud Mouth" Silent As He Gets Prison Term

Chicago, May 14 (AP). — Rymie Leyb, the "loud mouth" of the Capone gangland, most strongly silent in Federal Court today and heard Judge Philip L. Sullivan sentence him to 18 months in the Leavenworth Penitentiary.

Conviction came on charges of neglecting to pay taxes on part of the million dollar income he was reputed to have enjoyed during the flush period from 1926 to 1930, when he was collector in chief for the mammoth Capone organization.

64-150-4

WASH. POST MAY 15 1934

43

MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. ROSEN

Another Capone Gangster Jailed for Tax Evasions

By United Press

CHICAGO—The Government won again today in its determined campaign to place the members of the Capone [illegible] Capone's [illegible] behind prison bars when Hymie Levine was sentenced to [illegible] Federal penitentiary for income tax evasion.

Sentencing of Levine, a member of Capone's "inner circle" during the gang leader's hey-day, pleaded guilty before Federal Judge Philip Sullivan to evading payment of $3000 income tax for 1930 and 1931.

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64-1114

WASHINGTON MAY 14 1934

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MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. RORER

MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. RORER

GANGSTERS

GANGSTER SENTENCED

Capone Collector Gets 18 Months in Income Tax Case.

CHICAGO, May 14 (AP).—The Government struck down another Capone gangster today. Federal Judge Philip L. Sullivan imposed 18 months in Leavenworth on Hymie "Loud Mouth" Levin, erstwhile collector for the Capone syndicate.

Levin pleaded guilty to violating the income tax law for 1929 and 1930. His gross income was reputed to have exceeded a million dollars in the period from 1926 to 1930. The Government prosecutor, E. Riley Campbell, said that most of Levin's money spilled from his hands as fast as it flowed in, and that for the two years covered in the indictment Levin owed only $4,000 or $5,000 in taxes. He never scheduled an income or paid a tax.

69-150-A

MAY 14 1934

WASH. STAR

MR. NATHAN
MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. RORER

GANGSTERS

CAPONE AS COBBLER STARTS THIRD YEAR

Will Be Eligible for Atlanta Parole in 2½ Years

ATLANTA, May 5 (AP).—Al Capone, former Chicago gang lord, today began the third year of his ten-year prison sentence in the Federal prison here for violating the income tax laws.

Warden A. C. Aderholt dismissed questions about his notorious prisoner with the statement that "Capone is still doing his usual job." The one-time gang leader is employed in the prison shoe factory.

Capone completed two years of his sentence yesterday. He will be eligible for parole after serving two years and six months more.

MOVE WITH

DIVISION OF INVESTIGATION

NOT RECORDED

69-10-A

MR. NICHOLS
MR. GLEGG
MR. COVINGTON
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. RORER

CAPONE TRIES AGAIN FOR FREEDOM WRIT

Third Fight for Liberty Begun by Chicago Gangster

NEW ORLEANS, April 30 [illegible] Attorney for Alphonse Capone [illegible] day [illegible] in the United States Circuit [illegible] of Appeals to review the [illegible] the Chicago gangster for freedom from the eleven-year sentence he [illegible] serving in Atlanta Federal Penitentiary for income tax evasion.

Frank J. Wideman, Assistant Attorney General, [illegible] the Government in opposing Capone's latest motion [illegible] from the Federal [illegible] of Northern Georgia [illegible] Capone's application [illegible] of habeas corpus [illegible].

The present proceeding involves Capone's claim that his conviction at Chicago was illegal under the statute of limitations. He has lost two similar actions.

DIVISION OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
MAY - 1 1934
NEW YORK OFFICE
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69-180-4

147

NATHAN
MR. TOLSON
MR. CLEGG
MR. GURNEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
CHIEF CLERK
MR. BOWERS

Capone's Appeal In Court April 25

April 25 has been set as the date for hearing habeas corpus proceedings brought by Al Capone before the United States Circuit Court of Appeals at New Orleans, the Department of Justice announced yesterday. Last December Capone applied to the North District Court in Georgia for a habeas corpus writ, but the request was denied.

WASH. HERALD

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69-180-A

MR. TOLSON
MR. CLEGG
MR. COWLEY
MR. EVANS
MR. GLAVIN
MR. LEVET
MR. NICHOLS
MR. ROSEN

AL CAPONE TO BID ONCE MORE FOR FREEDOM

Washington, April 20.—(AP)—Al Capone is going to make a bid for freedom April 23 in the United States circuit court of appeals in New Orleans.

It was disclosed at the Department of Justice today that Frank J. Wideman, assistant attorney general, would resist the Chicago gangster's latest effort to get out of the Atlanta penitentiary, where he is serving an eleven-year sentence for income tax evasion.

The proceedings in New Orleans are in the nature of an appeal from a decision of the United States district court of northern Georgia which dismissed an application for a writ of habeas corpus for Capone December 9.

Capone's contention at that time was that the indictment on which he was convicted was brought after the expiration of the three-year statute of limitations.

St. Paul - Dispatch

4-20-34

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149

CAPONE TO TRY AGAIN TO WIN HIS FREEDOM

Gangster to Present Plea to Circuit Court of Appeals at New Orleans.

By the Associated Press.

Al Capone is going to make a bid for freedom April 26 in the United States Circuit Court of Appeals at New Orleans.

It was disclosed at the Department of Justice today that Frank J. Wideman, Assistant Attorney General, would resist the Chicago gangster's latest effort to get out of the Atlanta Penitentiary, where he is serving an 11-year sentence for income tax evasion.

The proceedings in New Orleans are in the nature of an appeal from a decision of the United States District Court of Northern Georgia, which dismissed an application for a writ of habeas corpus for Capone on December 9, 1933.

Capone's contention at that time was that the indictment on which he was convicted was brought after the expiration of the three-year statute of limitations.

WASH. STAR APR 20 1934

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69-180-A

Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Dawsey .....
Mr. Egan .....
Mr. Foxworth .....
Mr. Glavin .....
Mr. Harbo .....
Mr. Joseph .....
Mr. Lester .....
Mr. Nichols .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....

Back to Capone?

SOME extraordinarily bad liquor is being sold across many Chicago bars.

And if something is not done about it—and that very speedily—a great many tavern keepers will be back in the terror-grip of the murdering syndicates which seem to have risen, phoenix-like, on the ashes of the old Capone mob.

The local alcohol tax unit every now and again flushes rabbits out of cover—usually in the form of shabby fellows talking broken English, if able to talk English at all. They are caught running a medium-sized still, they keep their mouths closed tight—and they go to jail.

This is as it was in the alky-cooking days of the Aiellos who daily gathered and distributed thousands of gallons of low-grade alcohol for prohibition-era consumption. This same poison is in competition today with approved, taxed liquor, is apparently handled by an organization and is, of course, underselling legitimate liquor.

Suppose you hunt foxes instead of rabbits, Mr. Yellowley. The scent should not be hard to pick up.

69-180-15

151

CHICAGO HERALD & EXAMINER

4-17-34

Inside Story of Al Capone's Model Prison Life

Stitches Shoes; Plays Tennis; Only Eight Years to Go!

This is the first of two articles describing the prison life of Al Capone, Chicago's original public enemy No. 1, and the fight he is waging for freedom from his ten-year sentence for income tax evasion. The second article will follow tomorrow.

By Kenneth L. Riggs,
International News Service Staff Correspondent.

(Copyright, 1931, by International News Service.)

ATLANTA, April 11.—A balding figure in cheap baggy cotton clothing, square-shouldered, sits hunched over a whirring electric stitching machine.

Across the back of the faded blue-gray denim shirt the numerals 40,886 are sharply etched in black. A livid scar dresses the cheek of a face that reminds you of Caruso.

Hands clean cut from a life of luxurious ease, Oriental in its splendor—as the fabulous profits of the era of beating booze, beer and racetrip rolled in, now calloused and grained, deftly fit a heavy strip of pale leather on a bulky, shapeless shoe upper.

It's a shoe designed for utility and hard knocks, identical with the pair he wears. Once those feet flashed in quick strides across polished night club floors in custom English boots that cost $40. He had dozens.

Shoes and Shoes—an Endless Stream.

The machine thumps and pounds. The heavy needle bites into the coarse leather. He snips away the loose ends of waxed cord and passes the shoe on to another dejected figure, then picks up another shoe upper and sole block. Then another. And another. Endlessly.

Eight hours a day. Forty-four hours a week. Two thousand, two hundred eighty-four hours a year. Twenty-two thousand eight hundred and eighty hours in a decade.

Two years have passed like this. The machine clocks:

"Eight more to go . . . eight to go . . . eight to go."

This man with the full, expressive lips, the black brows and forceful face that conjure a vision of a swashbuckled Italian hillside, look with ripening olive trees, olives on vines. His scene two dozen companions of other nationalities in the vaulted, barren room are speechless.

Above the ceaseless counterpoint of the stitching machines, and the dull-dead squishing of feet, there is no sound but the drumming of an April rain on a windswept red clay compound outside. Through the barred window, across the muddy exercise yard, beyond the curtains of rain, a grim, gray granite wall, crowned by pallid cupolas, rises ominously.

40,886 Paying His Debt to Society.

Prisoner No. 40,886 pays his debt to society. Two years ago, on May 4, 1932, Alphonse Capone, dubbed "Scarface" and to certain intimates in the shadowy half world of crime "Snorky," kingpin racketeer, boss of booze and beer, Public Enemy No. 1, entered the Atlanta federal penitentiary to become just another of 3,100 numbers.

A decade of national prohibition that saw him rise to the accompaniment of chattering machine guns and the roar of bursting pineapples, to the dizzy of operating an underworld empire, had given way to a ten-year period in which Uncle Sam demanded he count the ill-gained bribed prison bars for failure to pay income taxes on the enormous profits from the illicit traffic.

Two years of that ten-year sentence have passed. Another year's term of imprisonment awaits Capone in Chicago's Cook County jail when he is released from the Atlanta penitentiary.

Today Capone, from the throne of the underworld, has become a symbol of Federal might. His prison employment record is as clean as the driven snow. His unswerving gentleness in all things has undoubtedly aided that may win freedom for him several years sooner than the pessimistic people.

This is the word that comes to the outside world of his life behind those grim, gray walls out of the city's outskirts. It comes through discharged prisoners, recently released, and other unofficial but credible sources.

Prison Is Silent on 'Head Convict.'

There is no official word of Capone, or acknowledgment that he is one of the hundreds of criminals now housed in Uncle Sam's "big house." Warden A. C. Aderhold, one of the most zealous and efficient of prison wardens, leans over backward to submerge the identity of his celebrated prisoner. To him, Capone is just another number, one of more than 3,000 convicted criminals who must expiate their crimes under his strict supervision, to be rewarded only the recognition that comes from good behavior, hard work and scrupulous observance of the penitentiary rules. He politely refers all inquiries to Sanford Bates, superintendent of prisons, at Washington.

Aderhold, a graduate from the ranks, in his regime at the Atlanta penitentiary has wiped out the stigma of special privilege that several years ago sent one warden from the warden's office to a felon's cell to serve a term in the prison he once ruled.

Capone is allowed $15 a month to piece out the simple, rugged prison fare, to purchase newspapers, which he reads voraciously, tobacco and other small luxuries. This is the same allowed other prisoners. Capone's only game from the outside. He receives no compensation for his long hours in the bright sunshine, for he has no wages to

Family and Lawyers Are Only Visitors.

His visitors are limited to members of his family and his attorneys. Once a month his wife, his 15-year-old son, John; his aged mother, Theresa, who instigated the long legal battle, a complete failure thus far, to win his freedom; and John, his younger brother, who was never arrested in Chicago's colorful and who gave evidence for the government in the income tax trial, are permitted to visit him.

They come from Chicago, Ill., their visits, where Capone lived in luxury, and Florida points as Palm Beach, to whatever they believe the Federal Court dictates. His wife and son spend several months of the year at the Florida resort, Palm Island, opposite Miami.

Even in these visiting moments Capone is vouchsafed no privacy. A guard sits in the room within earshot and watches every movement. Capone is not permitted to be alone with any visitor, even his attorneys.

Members of the members of his immediate family Capone is permitted no extra except his attorneys, William H. Lamar and William J. Hughes of Washington and Frank J. Loesch of Atlanta, who are permitted, but only when necessary, to consult with him on aspects of his legal fight.

He may write only two letters a week. These invariably go to his family. They are censored by the penitentiary authorities.

He occupies a steel bottom-barred cell with five other prisoners. His sleeps in his underwear, dungaree shirt and shoes of cheap white cotton. Once a week he is given a shower with batches of other prisoners in a community bathroom, and change of linen clothing—denim trousers, heavy at knees and seat, denim shirt with its numbered stencilling, white cotton socks and underwear.

In the hey-day of his Chicago career Capone, one of the nattiest of gangland's dressers, wore $200 tailored suits, custom shirts that ran around $25 each, $40 hats, socks that cost $10 a pair, silk neckties and diamond studded gold belt buckles.

The factory work is cut to four hours on Saturday, and Sunday is a rest day. Capone, who remains aloof and detached from his fellow prisoners, spends his brief recreative hours playing tennis, reading newspapers and books from the prison library, and listening to the radio in his cell. Each of the cells is provided with a radio.

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APR 19 1934

THE WASHINGTON TIMES

CAPONE IS PRISON'S MODEL CONVICT

Works Industriously In Penitentiary's Shoe Shop

This is the first of two articles describing the prison life of Alphonse Capone, and the fight he is waging for freedom from his 10-year sentence for income tax evasion.

By ROBERT G. NIXON

(Copyright, 1934, by International News Service, Inc.

ATLANTA, Ga., April 18 (I.N.S.)—A Hulking figure in cheap, baggy cotton clothing, swart-skinned, sits hunched over a whirling electric stitching machine.

Across the back of his faded blue-gray denim shirt the numerals "40,886" are sharply etched in black. A livid scar creases the cheek of a face that reminds you of Caruso.

Hands Calloused

Hands once soft from a life of luxurious ease, oriental in its splendor as the fabulous profits of the era of bootleg booze, beer and rackets rolled in, now calloused, deftly fit a heavy strip of sole leather on a bulky, shapeless shoe upper.

It's a shoe designed for utility and hard knocks, identical with the pair he wears. Once those feet flashed across polished night club floors in custom English boots that cost $40. He had dozens.

One machine thumps and pounds.

Eight hours a day. Forty-four hours a week. Two thousand, two hundred eighty-four hours a year. Twenty-two thousand eight hundred and eighty hours in a decade.

Two years have passed like this.

Above the raucous jittering machines, and the subdued shuffling of feet, there is no sound but the drumming of an April rain on a windswept red clay compound outside.

Prisoner No. 40,886 pays his debt to society. Two years ago on May 4, 1932, Alphonse Capone, dubbed "Scarface," and to certain intimates in the shadowy half world of crime, "Snorky" kingpin racketeer, boss of booze and beer, public enemy No. 1, entered the Atlanta Federal penitentiary to become just another of 3,100 numbers.



AL CAPONE

A decade of national prohibition that saw him rise to the rank of overlord of gangland's alky empire had given way to a 10-year period in which Uncle Sam decreed he must be behind prison bars for failing to pay income taxes on his enormous profits from vice and crime.

Two years of that 10-year sentence have passed. Another year's term of imprisonment awaits Capone in Chicago's Cook county jail when he is released from the Atlanta penitentiary.

Special Privileges Denied Dean of Racketeers

Model of Decorum

Today Capone, from the terror of the underworld, has become a model of decorum. His prison record is clean. His consuming ambition is to keep an unblemished slate that may win freedom for him several years sooner than the prescribed decade.

This is the word that comes to the outside world of his life behind those gray walls out at the city's outskirts.

Propaganda
for Jones

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WASHINGTON, D. C., POST January 31, 1934.

MR. NATHAN ....
MR. TOLSON ....
MR. CLEGG ....
MR. COFFEY ....
MR. EDWARDS ....
MR. EGAN ....
MR. QUINN ....
MR. LESTER ....
MR. LOCKE ....
MR. RORER ....
.....

"Santa Claus" Capone.

A prisoner just released from the Federal Penitentiary told the Atlanta Journal that Al Capone, once our best known gangster, is a "nice man" who figuratively put on whiskers Christmas Day and distributed boxes filled with candy, cake and tobacco to his fellow prisoners.

Before we Americans, notoriously sentimental in such matters, begin signing petitions seeking pardon for genial Al, another picture may be recalled. A district attorney in Chicago is digging into the truth of racketeering, in a trial now under way. Testimony shows that Capone stepped into the cleaning and dyeing business, served notice that he was taking over its "protection" and made himself master. He didn't do it by giving proprietors of cleaning establishments boxes filled with cakes and candies. He offered them their choice: Either they could give in and split profits with him, "or else." People who defied Capone came to find out that his "else" was likely to be delivered from a gun barrel or in a "pineapple" that would blow up a store and anybody who happened to be around when the pineapple was delivered.

It is not unlikely that the Christmas boxes for the Atlanta prisoners were bought with money extorted from Chicago pressers and those whose pants they pressed.

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MR. NATHAN
MR. NELSON
MR. CLEGG
MR. COURTNEY
MR. EDWARDS
MR. EGAN
MR. QUINN
MR. LESTER
MR. LOCKE
MR. PORER

Rackets Called Original NRA At Trial of 18

Defense in Chicago Denies Control of Business Was Vicious.

Chicago, Jan. 23 (AP).—Eighteen defendants in Chicago's racketeering conspiracy trial heard themselves alternately described today as blackguards and thieves, and as progressive, sagacious business leaders who really thought up the NRA.

The contracts with which they attempted to regulate the dry cleaning, laundry, carbonated beverages and other industries, said Defense Counsel Floyd Thompson, were much like the codes of fair competition under the National recovery act.

But to Special Prosecutor Edwin J. Raber the same contracts, as well as the unions and associations which the defendants controlled, were just devices to gain control of profitable businesses and "bleed them white" with dues and fees.

Attorneys for both sides spent the day with opening statements to the jury, one of the defendants, Aaron Sapiro, attorney, of New York, making his own.

Pictures Violence.

Raber related a graphic picture of bombings, slugging, threats and greedy mulcting of the racket-ridden industries. He mentioned Al Capone and Murray Humphreys, defendants, but not present—Capone because of prison bars and Humphreys because of fear of income tax prosecution. He declared the state would try to prove Al Capone and Alderman Oscar Nelson were associates.

Edward J. Brundage, Attorney, listed as a State witness, was found shot to death Saturday, supposedly a suicide.

In brief, Raber charged gangsters and big business men cooperated in attempting to control the industries. The gangsters wanted work for their hoodlums, he said, and profits for themselves. The business men supposedly wanted to remove competition.

Compared to NRA.

Thompson said there may have been racketeering in the industries, but that the defendants put forth their best efforts to end it.

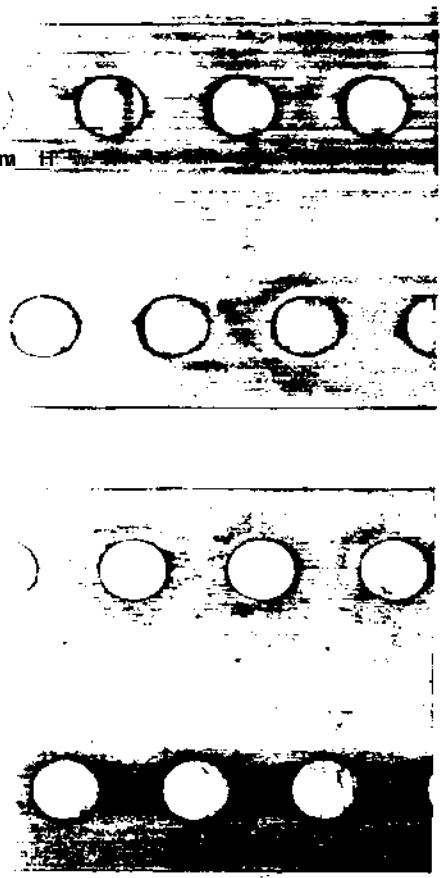
"The agreements entered into between the unions and members of the associations were forerunners of the type of agreement that we now call the NRA," he said.

The first of 300 State witnesses may be called tomorrow. The defendants, in addition to Sapiro and Nelson, include Federal Labor Mediator Benjamin Squires, Attorney Morris Kaplan, of Chicago, and officials of various unions and trade associations.

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69-180-4

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155



MR. NATHAN ....
MR. TOLSON ....
MR. CLEGG ....
MR. COWLEY ....
MR. EDWARDS ....
MR. EGAN ....
MR. QUINN ....
MR. LESTER ....
MR. LOCKE ....
MR. ROSEN ....

NATION'S LARGEST RACKET TRIAL SET TO OPEN IN CHICAGO

Eighteen Defendants Ranging From Al Capone to Prominent Citizens

CHICAGO, January 31.—Eighteen officials representing the State and defense [illegible] today for a battle royal before Chief Justice Philip A. Prystalski on the largest racket trial in the United States marked the point of [illegible] statements.

To state's Attorney Thomas J. Courtney, Cook County's most political prosecutor, the trial of the 18 defendants meant the culmination of his first effort to rid Chicago of the labor racketeer.

Inducted to office a little more than a year ago on a platform to handle gangsters and racketeers, Courtney launched an investigation of the [illegible] legitimate business men paid to the underworld and said it ran into millions annually.

Last July 27 Courtney announced fifteen indictments against 34 men charged with bombing, and shooting and [illegible]

[illegible]

[illegible]

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Will Irwin Tells How Bootleggers Plan to Carry on in Spite of Repeal

It Means Only Continuing in Same or Similar Illicit Business, He Finds

By WILL IRWIN,

Noted Reporter and Student of Politics, War Correspondent and Fiction Writer.

NATIONAL prohibition is finished; but we are not yet finished with its results. It has left lasting economic wreckage with which the entire nation will have to deal for the rest of this generation—this gunman and the gangster. With their old business stamped or ruined, these malignant parasites are already looking for new and profitable fields to exercise their peculiar talents.

We shall never be rid of this element until the last of them takes a current of electricity along his spine or dies a sudden bum in some cheap lodging-house. But we can—if we are wise—handle them in such manner that they will no longer form a major menace in our society.

After it really found itself the illegal liquor business drew into its scope all sorts of men, the best of them being in the middle ranks of the trade. The average retail bootlegger, in most parts of the country, differed but little from the average liquor dealer of the period before prohibition. Typically, he kept all laws except those against selling any liquor whatever and against bribing public officials. That last was necessary to the game; for bootlegging could not go on unless the policeman on the beat shut his eyes.

The average speakeasy proprietor had about the same moral rating. Probably he compared rather favorably with the old-time saloon-keeper.

The best of these men conducted in our cities high-class restaurants which afforded good cooking and the wine that goes with it. The worst, it is true, ran "joints" whose patrons were criminals. But just such places existed under license before 1918.

Real Rum-Runner Seldom a Killer

The picturesque rum-runner was usually a hard-boiled, adventurous boy, willing to include the possibility of jail among his adventures, seldom a killer.

The worst characters in the liquor business insinuated at the bottom and the top of the heap. As soon as it became apparent that most Americans were not going to obey the prohibition law the business faced a special quandary. It dealt with millions in actual property but that property had no legal standing.

The hijacker, appearing soon after 1919, served notice that it needed a protection which the regularly constituted police would not and would not give.

The illicit business proceeded at once to enlist a praetorian guard. It found its human material for this purpose in the gangs of men and young boys which infested the poorer and more crowded quarters of our great cities. The typical gangs of this sort, in the old days of legal liquor, expressed only the general phase of toughness through which slum-boys usually pass in the process of sowing their wild oats.

Most of their members settled down in their early twenties to a steady job, married, became respectable citizens. True, a minority of their worst characters, working under the gang organization until they played out their string, went on into the criminal class, became proprietors for gambling houses, dealers in women, or rogues.

Gangs are no new thing in American city life. But quantity production of gangsters, that came only after the illegal liquor business found need for protectors.

The distillers, importers and [illegible] of illicit alcohol assembled ingenious systems of regular and permanent extortion—were seeking at least two hundred million dollars a year from Chicago alone and probably even more from New York.

All this time failures in the game were floating over into the more conventional crimes like plain stick-ups.

And the more hardened and more stupid took to the shocking crime of kidnaping.

The murder of Colonel Lindbergh's baby son bears the same relation to prohibition repeal and to our belated move against commercial racketeering that the murder of the Austrian Crown Prince bears to the Great War. It roused Americans to action.

Last by the Federal Government, we moved to annihilate the gangster. First, by drastic laws and prompt convictions, we virtually eliminated kidnaping as a danger to society.

Last November two Chicago gunmen, who gangster-like in hold up a series of stores, needed an automobile. They found one parked in a secluding spot with a man and a woman in the front seat. Pulling the door open, they drew their guns. "This is a stickup. We want your car. Get out!" they said.

The man kept trying to say something; but every time he opened his mouth a gunman showed a muzzle into his abdomen and commanded, "Shut up!" The robbers had driven a few blocks when a sound from the back seat caused the man at the wheel to step on suddenly that he strained the brakes.

It was the squall of a baby! The baby's nurse—dumb with fear—heard one of her captors say: "My God, we'll be got for kidnaping!" They threw out these dangerous passengers and, very much relieved, went on to a job which might at any moment involve murder.

This small episode symbolizes the terror which an aroused society can throw into the underworld. There may be other kidnaping cases; but it is safe to say that the criminals—like the two wretches lynched in San Jose, California—will be amateurs, not members of the organized underworld.

Also, the Federal Government is finding a charge against racketeering on business. That is slower work than scaring the kidnapers. Moreover, the movement lacks a focus of popular indignation.

But until times improve enough to make racketeering worth while shall we know if the parasites of this class are on their way out.

But with prohibition gone, with kidnaping rendered a supremely dangerous occupation and with the future of racketeering perilous, it would seem that the hard-boiled boys might have to go to work. Of course, they will not do that. They have the habit of easy money. And among their leaders there are plenty of rat-like intelligences. They will float on into other games, some old, some yet to be invented.

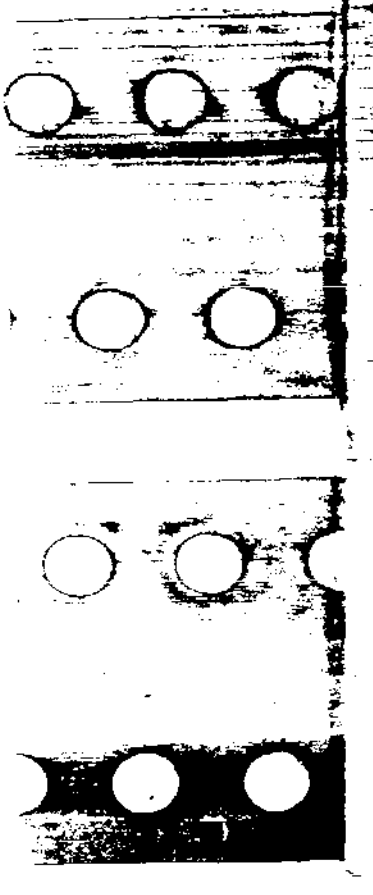
Even if the Federal Government gets reasonably efficient co-operation from local authorities it will take at least a decade to suppress them. We can only "push them around," force them into smaller and smaller groups until the last of them succumbs to prison or sinks to the cultural plane of a small [illegible]. The problem was not solved when we repealed the Eighteenth Amendment, and until it was the gangster problem.

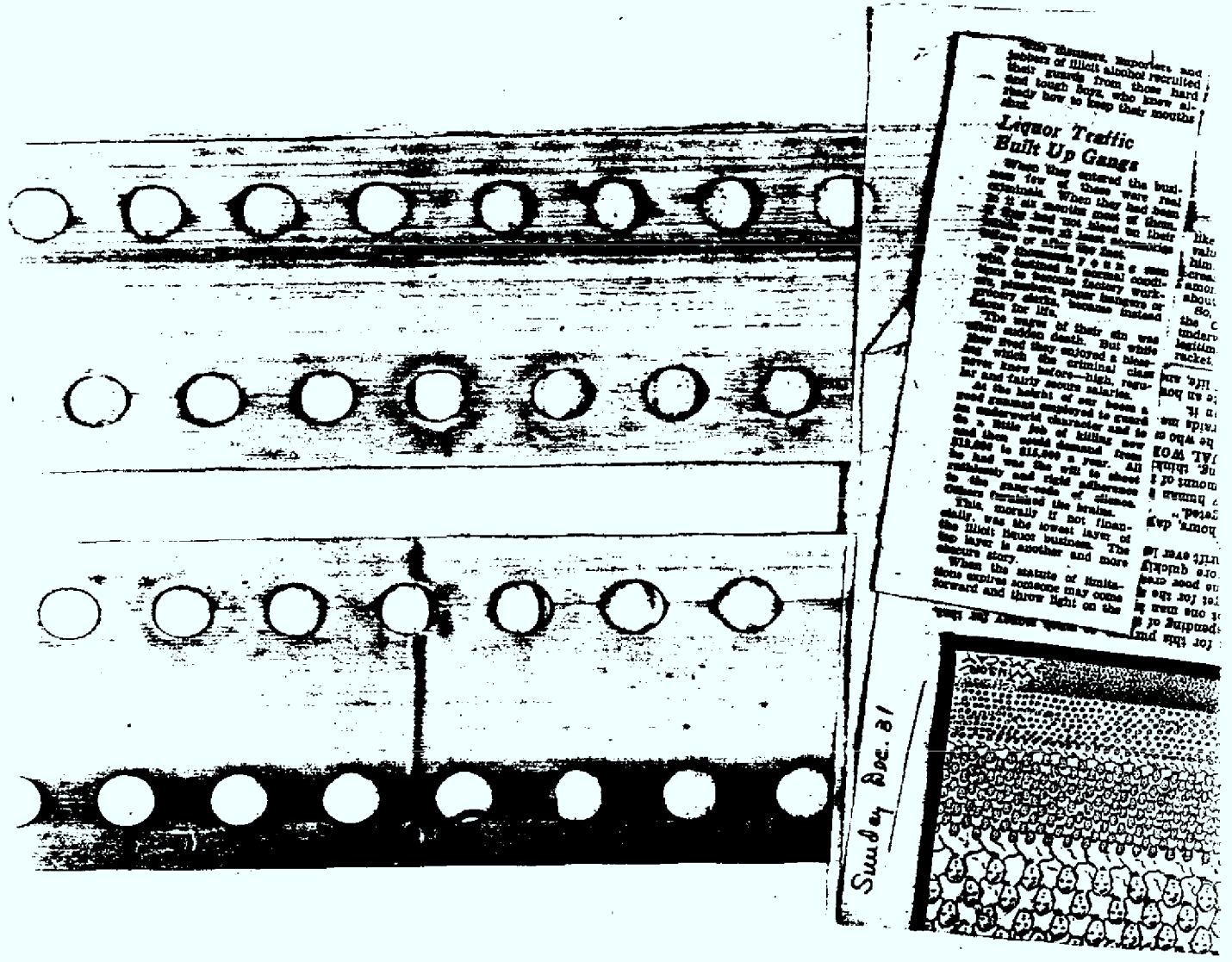
[illegible], was, by W. T. Anderson, for

This is the first of a series of articles by Mr. Irwin on gangsters and gangsterism. The next will appear in an early issue, probably next Sunday.



PUBLIC ENEMY—A closeup of Alphonse Capone, Chicago gang leader, to whom Mr. Irwin alludes in his accompanying article.





Sunday Doc. 21

Liquor Traffic Built Up Gangs

69

158

WASHINGTON D. C. TIMES December 23, 1933.

5

Mr. Tolson
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Lester
Mr. Locke

CAPONE, MODEL PRISONER, TO STAY IN ATLANTA

ATLANTA, Ga., Dec. 22 (I.N.S.).—Al Capone will serve out his 10-year sentence in the Atlanta penitentiary, instead of being transferred to Alcatraz, America's new "Devil's Island," according to Department of Justice officials in Washington. The former public enemy No. 1 is considered a model prisoner, and bleak Alcatraz Island, in San Francisco Bay, is for men like "Machine Gun" Kelly—gangster of the desperate type.

62-1804 WARE-5 159

Chicago Herald Examiner
Chicago, Ill.
Dec. 17, 1933

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. Quinn
Mr. Lester
Mr. Locke

ROLES CAPONE MAY APPEAL

ATLANTA, Ga., Dec. 16.—Attorneys for Al Capone, imprisoned Chicago gang chief, today were granted the right to appeal to the Circuit Court of Appeals at New Orleans the recommendation of Federal Judge Underwood here, who denied Capone's plea for freedom on a writ of habeas corpus.

A year ago, Capone first sought his freedom on a writ, but this was denied by Judge Underwood. Then six weeks ago his attorneys renewed their plea, adding to their original record a portion of the testimony at Capone's income tax trial in Chicago. This likewise was denied, but the federal court today granted the gangster the right to appeal.

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DIVISION OF INVESTIGATION
DEC 18 1933
U. S. DEPARTMENT OF JUSTICE
ST. LOUIS, MO.
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160

Newspaper clipping.
The Urbana Daily Courier.
Urbana, Ill.
December 15, 1930.
(Submitted by St. Louis Div. Office)

Mr. Nathan .....
Mr. Olson .....
Mr. Clegg .....
Mr. Edwards .....
Mr. Egan .....
Mr. Hughes .....
Mr. Quinn .....
Mr. Lester .....
Mr. Locke .....

ATTORNEYS FOR AL CAPONE APPEAL TO FEDERAL COURT ON DENIAL OF HABEAS CORPUS WRIT

Atlanta, Ga., Dec. 15.—(UP)—Attorneys for Al Capone, former Chicago gang chieftain, today appealed in federal court the decision denying a right to petition for habeas corpus. Capone is serving a sentence in the federal penitentiary here on charges of evading of income taxes.

Judge E. Marvin Underwood allowed the appeal to the fifth federal circuit court at New Orleans.

Frank A. Doughman, Atlanta attorney for Capone, filed the appeal. The said attorneys for Capone are ready to present their case any time. A hearing may be given early in January.

Judge Underwood recently denied Capone's attorneys the right to petition for habeas corpus. This was the gang chieftain's second attempt to gain his freedom on grounds the statute of limitations excluded his prosecution of the tax evasion charges.

file
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WASHINGTON D.C. TIMES, December 10, 1935.

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. C...
Mr. L...
Mr. Locke

Capone Denied Writ, Plans Appeal to Higher Courts

Atlanta, Dec. 9 (AP).—Alphonse Capone, former Chicago gang chief, today lost his second attempt to gain his freedom on a habeas corpus writ from the Atlanta Penitentiary, where he is serving ten years for failure to file income tax returns.

Judge E. Marvin Underwood in Federal Court denied Capone's attorneys claimed the statute of limitations had run when Capone was indicted.

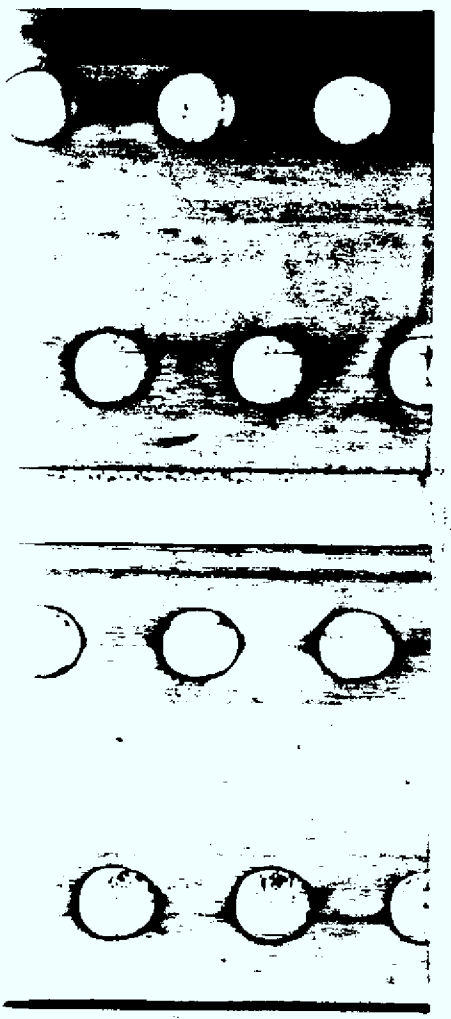
Judge Underwood previously had denied a writ brought on the same grounds and was upheld by the Circuit Court of Appeals in New Orleans. Capone's attorney filed a new petition incorporating the exact language of the Chicago trial court to show defense attorneys then had asked acquittal because of the statute of limitations, but were denied by the court.

In the first hearing Judge Underwood had ruled the motion to dismiss had not been brought at the proper time.

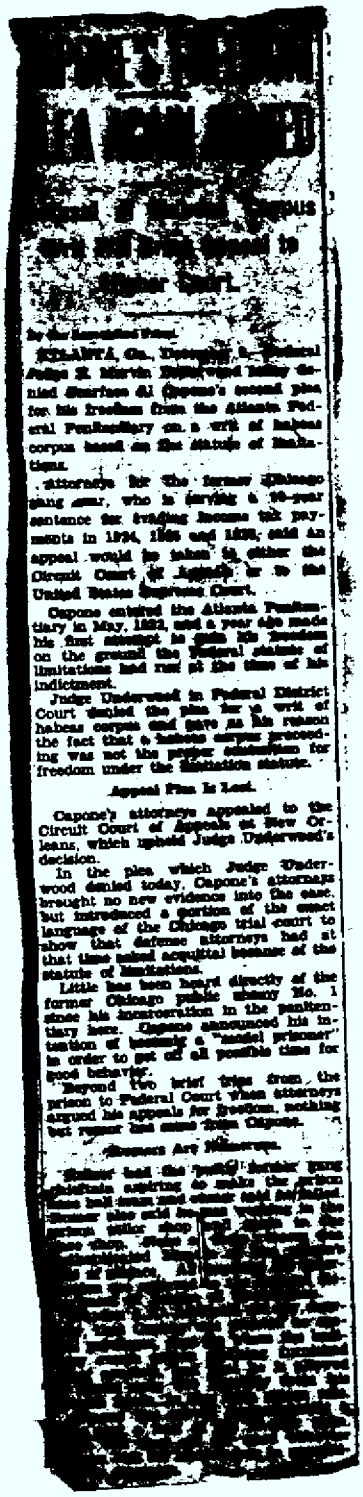
Frank A. Doughman, Capone attorney, said the case would be taken to either the Court of Appeals or the United States Supreme Court immediately.

69-180-A

152



WASHINGTON D.C. HERALD December 10, 1933



Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Edwards.....
Mr. Glavin.....
Mr. Harbo.....
Mr. Quinn.....
Mr. Lee.....
Mr. Locke.....

CARD

69-180-A-

Capone's Beer Hustlers Get "Break" in Repeal

Chicago, Dec. 8 (AP).—Repeal of prohibition worked out quite nicely today for 20 men accused of operating Capone syndicate breweries in the old days.

They pleaded guilty before Federal Judge James H. Wilkerson and were let off with $25 fines, in contrast to the long sentences they might have expected a few years ago. Among them was Bert Delaney, Capone's chief brewer of illicit beer.

62-18-3

NOT RECORDED
69-180-A

164

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Nichols
Mr. Lucas

CAPONE TRIAL HERE UNLIKELY

Changes appeared small yesterday that the federal government would permit the return of Al Capone from Atlanta penitentiary to stand trial in state court here on a conspiracy charge.

District Attorney Dwight H. Green has been studying the indictment returned in the Cook County Criminal Court against Capone and others, and comparing it with the state laws.

Today he will make his recommendation to Attorney General Homer S. Cummings, concerning the return of Capone.

Green refused to reveal the nature of the recommendation, but it was said that the indictment was not regarded as setting forth Capone's terms of residence, in relation to the time of the alleged crimes, clearly enough.

Chicago Herald & Examiner
9-12-33

69-180-A

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Gurnea
Mr. Keenan

CAPONE FIGHTS CHICAGO TRIAL

Al Capone, Chicago's public enemy No. 1, now serving a term in Atlanta prison for violating income tax laws, yesterday made his first move to prevent his return to Cook County for trial on an indictment charging conspiracy in connection with the cleaning and dyeing war.

Through his attorney, William Parrillo, Capone filed a sixteen-page copy of objections to his return to stand trial, protesting that he was not in the city at the time of the alleged conspiracy.

The objections will be forwarded to the United States Attorney General, who will decide whether or not Capone must return to Chicago.

Chicago Herald & Examiner
9-6-33.

NOT RECORDED
69-180

McGURN GRANTED COURT DELAY IN VAGRANCY CASE

Lawyer Attacks Law Invoked by Police.

(Picture on back page.)

The Felony court was crowded yesterday with people seeking a glimpse of Machine Gun Jack McGurn, who was the first to be arrested under the new vagrancy law which makes a man's reputation a factor in determining his guilt.

McGurn, whose name originally was Vincent Gebhardi, was dressed to perfection as the new rich of the underworld regard perfection. He kept his head down as he went before Judge Thomas A. Green after two days in a detective bureau cell. Up stepped Attorney Benjamin Feldman, pleading for a delay.

"This is a brand new law," Attorney Feldman said. "I must have time to determine the legality of such a legislative act which allows men like my client to be arrested while playing golf."

McGurn was entered in the western open tournament at Olympia Fields and was shooting under par golf when police seized him.

"No Test Case," Says Judge.

"This is no test case," Judge Green replied. "Yesterday three men were sentenced to serve six months in the Bridewell on the same charge. In the old days a vagrant meant some one going about in overalls with nails for buttons—an ordinary hobo.

"Under this new law a man may be as well dressed as your client and still be a vagrant or vagabond. The burden of proof now lies with you, Mr. Feldman. Your client was arrested because he has a reputation for being engaged in criminal practices against the good of society. You must bring in your witnesses to prove this is not so if you wish an acquittal. The law is not like it used to be."

The attorney said he would like to argue some legal motions before the start of the trial. Judge Green then set Sept. 6 as the date of hearing and refused to reduce McGurn's $10,000 bail.

Promises More Warrants Soon.

The new law, which declares a person "reputed to be a criminal" to be a vagabond and subject to six months' sentence, is to produce another batch of warrants tomorrow or the next day, Chief of Detectives Schoemaker said yesterday. Last week he furnished 25 names of public enemies to Judge Green, including that of McGurn, and the judge issued warrants for the arrest of all of them. A second list is being prepared. In all, Schoemaker will list more than 200 persons of criminal reputation.

Schoemaker yesterday had in custody Walter Guida, one of the 25, and James Belcastro, a cousin of the "king of bombers" of the same name, who is also one of those on the public enemy list. James Adducci, west side vice monger, gangster, and petty politician, was seized and held, but so far, Chief Schoemaker said, Adducci's name has not been put on a vagabond list. All three of these hoodlums were viewed by victims of robbers in the police showup last night, but they were not identified in connection with any crimes.

Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hurth
Mr. Nathan
Mr. Tolson

Chicago Daily Tribune
4-20-32.

NOT RECORDED

69-180-A



HOODLUM IN COURT.
Machine Gun Jack McGurn before Judge Green after arrest on golf course.

(Story on page 2.)

Chicago Daily Tribune
5-30-33

NOT RECORDED
19-180-A

Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. Nathan
Mr. Tolson

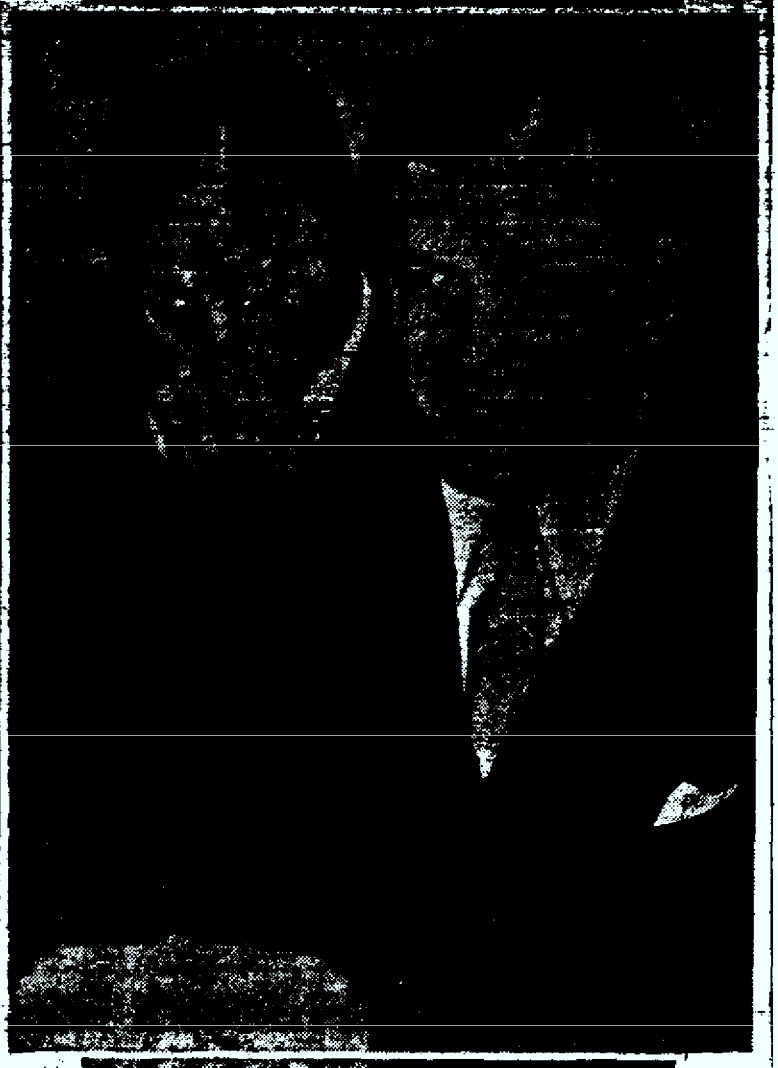
M'GURN MUST FACE U.S. JUDGE, GREEN RULES

"Machine Gun" Jack McGurn, dapper golfer when he's not at his trade as a gangster, must face arraignment on September 8 under the new law requiring hoodlums to establish a good reputation or face charges of vagrancy.

So ruled Judge Green today when McGurn was brought before him for a preliminary hearing after being in a cell at the detention bureau since Saturday, when he was arrested while participating in the Western Open Golf Championship at Olympia Fields.

McGurn was released on $10,000 bond. His attorney, Ben Feldman, had argued stubbornly for a longer continuance of the hearing. A big crowd turned out to see the notorious hoodlum, who was questioned yesterday by federal Department of Justice agents under Chief Melvin H. Purvis. The government wants to determine whether any of his activities come under federal jurisdiction.

With the crime drive on in full force, several other hoodlums were waiting hearings. They are Walter Guida, arrested on a "reputation" warrant, and James ("Jimmie the Deuce") Adduci, public enemy and flunkey for "Dago" Lawrence Mangano. Also in hoodlums' row was James Belcastro, 27, of 2726 S. Marshfield av., a cousin of his namesake, James ("King of the Bombers") Belcastro, a Capone henchman.



Bashful as always in such surroundings, Vincent Gebardi, better known under the nom de guerre of "Machine Gun" Jack McGurn, appeared today before Judge Green with his attorney, Ben Feldman (right). McGurn, arrested golfing at Olympia Fields, learned he would go to trial under the new vagrancy law which requires proof that one is of good reputation and not a vagrant. (Chicago American photo.)

Chicago American

NOT RECORDED

8-29-31.

69-180-A

169

Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Hughes
Mr. Nathan
Mr. Tolson

Return of Capone To Chicago Held Up

Jurisdiction 7-20-33

WASHINGTON, Aug. 19 (AP). —The request of Chicago authorities and a court writ for the return of Al Capone from Atlanta penitentiary to Chicago to stand trial will not be acted on by Attorney General Cummings at present.

Cummings said today action was being held up due to uncertainty regarding the indictments returned against Capone.

CHICAGO, Aug. 19 (AP).—Assistant State's Attorney Cunningham went to Springfield today to obtain a new extradition warrant for Aaron Sapiro, New York attorney charged, with Al Capone and 22 others, with conspiracy in labor racketeering.

The Grand Jury reindicted Sapiro after Governor Lehman of New York had refused to permit Sapiro's extradition on the ground he denied being in Chicago on the date specified in the first indictment.

NOT RECORDED

69-180-A

170

Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. Lester
Mr. Nathan
Mr. Tolson

ILLINOIS VINDICATES ITSELF

Indictment of Al Capone in Chicago on a State racketeering charge involves the possibility that he will be turned over for trial by the Federal authorities. If convicted and sentenced in the Illinois Court, he would be returned to Atlanta to serve the balance of his Federal sentence of 11 years and then be delivered to the State authorities to serve whatever sentence might have been imposed.

If this program is carried out, it will be a salutary example of State responsibility for the maintenance of law, the importance of which goes far beyond the fact that this notorious public enemy will pay a more adequate penalty for his crimes. The country was freed from the national and international disgrace of Capone's complete immunity by the energetic initiative of the Federal Government in 1930 and 1931 when the last Administration sent to Chicago a force of detectives and tax experts and obtained evidence in the face of which Capone threw up his hands. The first penalty he drew was one for contempt of Federal Court. Then, unable to beat the income tax case, he pleaded guilty, also admitting conspiracy to violate the prohibition laws, in the expectation that he would get off with a two years' sentence. The resolution of the trial judge prevented an unwholesome deal and imposed a more exemplary sentance.

But Capone has still thus far been able to avoid being brought to book for numerous crimes in violation of the fundamental laws of the State. If they now can be brought home to him it will be a most wholesome thing, especially at this time, when, in the clamor against racksteers and gunmen the demand most insistently heard is that Uncle Sam shall do the policeman's job for the entire country and for the whole range of crime.

The intervention of the Federal Government two years ago was a magnificent stroke for law and order. Washington has still a great part to play in war on organized crime. But the fundamental responsibility for the suppression of crime is on the State and Federal action should supplement, not supplant State initiative.

NOT RECORDED

69-180-A

The Evening Bulletin
Philadelphia, Pa.
8-17-33

RHM.

Mr. Clegg
Mr. Edwards
Mr. Egan
Mr. [illegible]
Mr. [illegible]
Mr. Tolson

RETURN CAPONE[illegible] HERE AUG. 29

Al Capone, Chicago's most notorious gangster, will be returned here August 29 from Atlanta penitentiary to stand trial in the state courts with twenty-three co-defendants named in pending criminal conspiracy indictments subject to the government's approval.

A writ of habeas corpus for the purpose of prosecuting the former No. 1 "public enemy" now serving a federal term of eleven years for income tax evasion was issued yesterday by Chief Justice Prystalski of the Criminal Court, returnable on August 29.

A certified copy of the writ is to be sent to Warden Aderholt at Atlanta, who, in the course of legal routine, will inform Attorney General Cummings at Washington.

Chicago American

4-16-33.

NOT RECORDED

69-180-A

174

AUGUST 29 FOR RACKET TRIAL

Prystalski Issues Writ; Arraignment Set; Cummings' Approval Is Required.

Subject to federal approval, Al Capone, Chicago's most notorious gangster, will be returned here August 29 from Atlanta penitentiary to stand trial in the state courts with twenty-three co-defendants named in blanket racket conspiracy indictments.

A writ of habeas corpus for the purpose of prosecuting the former No. 1 "public enemy," now serving a federal term of eleven years for income tax evasion, was issued yesterday by Chief Justice Prystalski of the Criminal Court, returnable on August 29.

ARRAIGNMENT SET.

All defendants in the racket case, which covers illegal trade operations in five major industries and names the most prominent figures in the unions for a period of several years past, as well as a group of major hoodlums, are to be arraigned August 29.

A certified copy of the writ is to be sent to Warden Aderholt at Atlanta, who, in the course of legal routine, will inform Attorney General Cummings at Washington. Cummings will have the final word as to whether the government will consent to Capone's return.

MOLEY CONSULTED.

It is understood that State's Attorney Courtney, now in New York preparatory to sailing for a visit to Ireland, had arranged to confer before his departure with Cummings and Raymon Moley, close adviser of President Roosevelt, who is in charge of federal plans to rout rackets.

Courtney has already discussed the return of Capone with District Attorney Green of Chicago, and it is believed the government will accede to Capone's return if a convincing case can be shown against the gangster and possibility of a stiff sentence held out in the event he is convicted.

Chicago Herald & Examiner

8-16-33.

NOT RECORDED

69-180-A

173

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Chicago Herald & Examiner

NOT RECORDED

8-16-33. 69-180-A 174

Writ Signed Asking Return of Capone for Racket Trial

A formal request for the return of Al Capone from Atlanta penitentiary to stand trial in the Cook county Criminal court with 23 other persons named in a conspiracy indictment charging racketeering was signed yesterday by Chief Justice John Prystalski at the request of Acting State's Attorney Grover C. Niemeyer.

The request was in the form of a writ of habeas corpus as provided under the law for the return of a prisoner to stand trial on another indictment. The first step in the proceeding was to get a trial date and, at the request of Mr. Niemeyer, Aug. 29 was the date fixed. The application for the writ of habeas corpus was then presented Judge Prystalski and signed.

Approval Up to Washington.

The action of Judge Prystalski is not binding on the federal authorities, who have Capone in the Atlanta prison under a 10 year sentence for income tax fraud. The writ was forwarded to Warden A. C. Aderholz at Atlanta, who in turn will send it to Washington.

There it must be sanctioned by Attorney General Cummings. The attorney general is expected to return to Washington in a few days from a vacation trip in Connecticut.

It is believed by Cook county officials, however, that the government will grant the request inasmuch as State's Attorney Thomas J. Courtney and United States District Attorney Dwight Green have already conferred on the matter.

Plan of State Prosecutors.

The plan of the prosecution is to try Capone on the racketeering charge and if he is convicted have him serve the new sentence after he has finished his federal sentence.

Among those indicted with Capone on the racket conspiracy charge are Murray Humphries, his successor in gangland; Dr. Benjamin Squires, economist and labor arbiter; Ald. Oscar Nelson of the 46th ward; Aaron Sapiro, New York attorney, and Attorney Morris I. Kaplan, counsel for several trade associations. Sapiro is resisting extradition in New York.

Chicago Tribune

8-16-33.

NOT RECORDED

69-180-A

175

EW YORK TIMES, W

CHICAGO GETS WRIT TO TRY AL CAPONE

Delivery of Atlanta Prisoner Arranged With Justice Department Officials.

INDICTED WITH 24 OTHERS

He Will Serve Out Federal Sentence Before Starting New Term If Convicted.

Special to THE NEW YORK TIMES.

CHICAGO, Aug. 15.—Arrangements for the return of Al Capone to stand trial with twenty-three others named in a blanket indictment charging racket control of five service industries were completed today when Judge John Prystalski signed a writ directing the warden of the Atlanta Federal prison to bring Capone into court here.

Judge Prystalski set Aug. 29 for the arraignment, but it is not expected that the trial will start on that date.

Conferences between the State's Attorney, Thomas J. Courtney, and the Federal District Attorney, Dwight Green, have assured the State of the government's willingness to surrender Capone for trial here.

The writ will be sent by Warden Aderholz at Atlanta to the Department of Justice at Washington for approval. District Attorney Green has already conferred with Washington officials, who will cooperate with the State.

Capone, who is serving an eleven-year sentence for income tax evasion, will be accompanied from Atlanta by deputy wardens, who will guard him twenty-four hours a day.

Among those indicted with Capone were Murray Humphries, recognized as his successor in gangland; Benjamin M. Squires, economist and labor arbiter; Alderman Oscar F. Nelson, Aaron Shapiro, New York attorney and trade organizer, and Morris L. Kaplan, counsel for several trade associations.

Await Cummings Sanction.

WASHINGTON, Aug. 15.—An effort to obtain authority to remove

UNITED STATES
BUREAU OF INVESTIGATION
AUG 18 1933
NEW YORK OFFICE
ROUTED TO FILE

NOT RECORDED

69-180-A 17

ness to surrender Capone for trial here.

The writ will be sent by Warden Aderhold at Atlanta to the Department of Justice at Washington for approval. District Attorney Green has already conferred with Washington officials, who will cooperate with the State.

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Among those indicted with Capone were Murray Humphries, recognized as his successor in gangland; Benjamin M. Squires, economist and labor arbiter; Alderman Oscar F. Nelson, Aaron Sapiro, New York attorney and trade organizer, and Morris I. Kaplan, counsel for several trade associations.

Await Cummings Sanction.

WASHINGTON, Aug. 15.—An effort to obtain authority to remove Al Capone, gangster leader serving a Federal sentence in Atlanta prison, to Chicago for trial on State charges was made today by State's Attorney Courtney of Cook County, Ill.

The request was received by the criminal division of the Department of Justice. It must be passed on by Attorney General Cummings, who will return from a vacation in Connecticut the latter part of this week. Officials declined today to forecast what action might be taken.

Capone and others were indicted in Chicago on charges growing out of a racketeering inquiry and Cook County authorities want to get the gang leader back for trial, feeling that he will receive a heavier sentence, if convicted, than the Federal sentence he is serving.

Policy Favors Move.

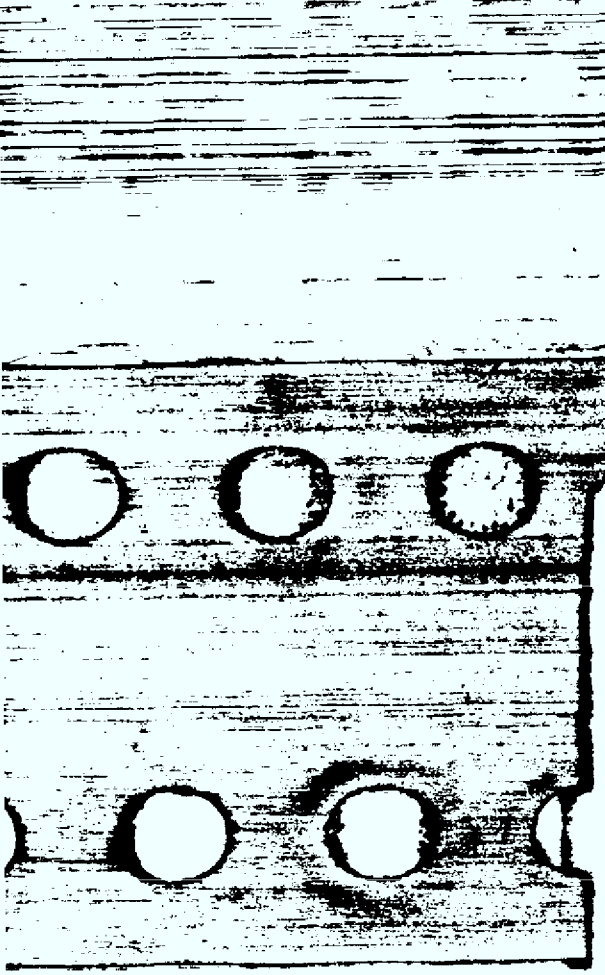
The policy of the Department of Justice in cases of this character has been to permit the State authorities to take custody of a prisoner where the local offense is more serious and where heavier punishment appears likely. There is some question in the Capone case, but it is thought possible that the State trial of Capone may be permitted while the evidence is fresh and conviction more probable.

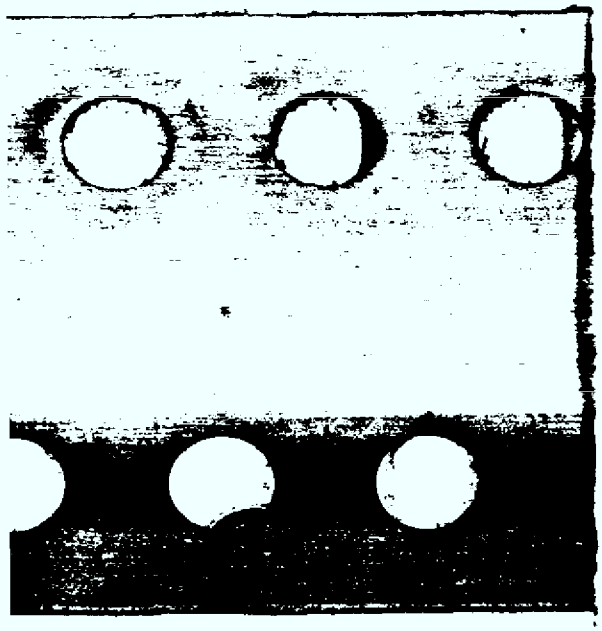
Should Capone be convicted in Illinois, it was stated that he might be returned to Atlanta to serve the remainder of his present sentence, after which he would be turned over to the State authorities.

UNITED STATES
BUREAU OF INVESTIGATION
AUG 18 1933
NEW YORK OFFICE
ROUTED TO: FILE

NOT RECORDED

69-180-A





PLAN TO BRING CAPONE BACK IN BIG LABOR PLOT

United States Attorney Green and State's Attorney Courtney conferred yesterday on the procedure of returning Al Capone from Atlanta penitentiary to stand trial on the indictment charging him with complicity in a large labor conspiracy for which 24 men were indicted about two weeks ago.

Inasmuch as Capone is in a federal prison serving an eleven year sentence for income tax evasion, Mr. Courtney must obtain permission from Attorney General Cummings to effect his return. Mr. Green has been given to understand that no objection would be made at Washington providing adequate means were taken to safeguard the notorious prisoner while here.

The state's attorney must first obtain an order from a Criminal court judge calling for Capone's appearance at the trial. This will be transmitted to the warden of the Atlanta prison who will refer it to Mr. Cummings. Mr. Green then must approve the plans for safeguarding Capone and, once given, this approval probably will be sufficient to bring a release from Washington, D. C., of the return order.

Chicago Tribune
August 13, 1930

NOT RECORDED

69-180-A

178

INDEXED

NOT RECORDED

69-1940-A-8

...UP, SAYS ALDERMAN, IS FREED ON $10,000 BAIL

... Nelson, the victim ... attempt to kidnap ... Nelson ... to Chicago today after a ... from Europe following his ... as a member of the labor ... ring, along with Al Capone ... twenty-two others.

... an hour after stepping off ... Twentieth Century, he had surrendered at the state's attorney's ... and posted bond of $10,000.

... Alderman Toman, who ... the demand in the July ... which came to an end at ... The season for haste in ... matter lies in the fact that after a jurymen has dispanded a trial ... four consecutive court terms, ... has been denied a trial, he is ... unconditionally freed.

... means that the state will ... to be ready to try Alderman ... by November. If he had ... entered his petition until Monday, the state could have had until ... December.

... Robert Rado, business agent of ... Laundry and Dye House ... Union, No. 712, also under ... in the ... case, surrendered and was released on $10,000 bond, for which two pieces of ... estate were scheduled.

... a formal statement issued just ... leaving to ... Alderman ... Assistant State's At... J. Healy, ... the trial ... and other ... politicians.

... Nelson and ... Chicago on our way to ... when my law partner ... me Thursday night, July 27, ... had been indicted. I immediately booked passage for our return to Chicago, and arrived this morning.

UNDER TWO

Chicago Evening American 8-6-33

Mr Clegg
Mr Edwards
Mr Egan
Mr Glavin
Mr Nichols
Mr Tolson

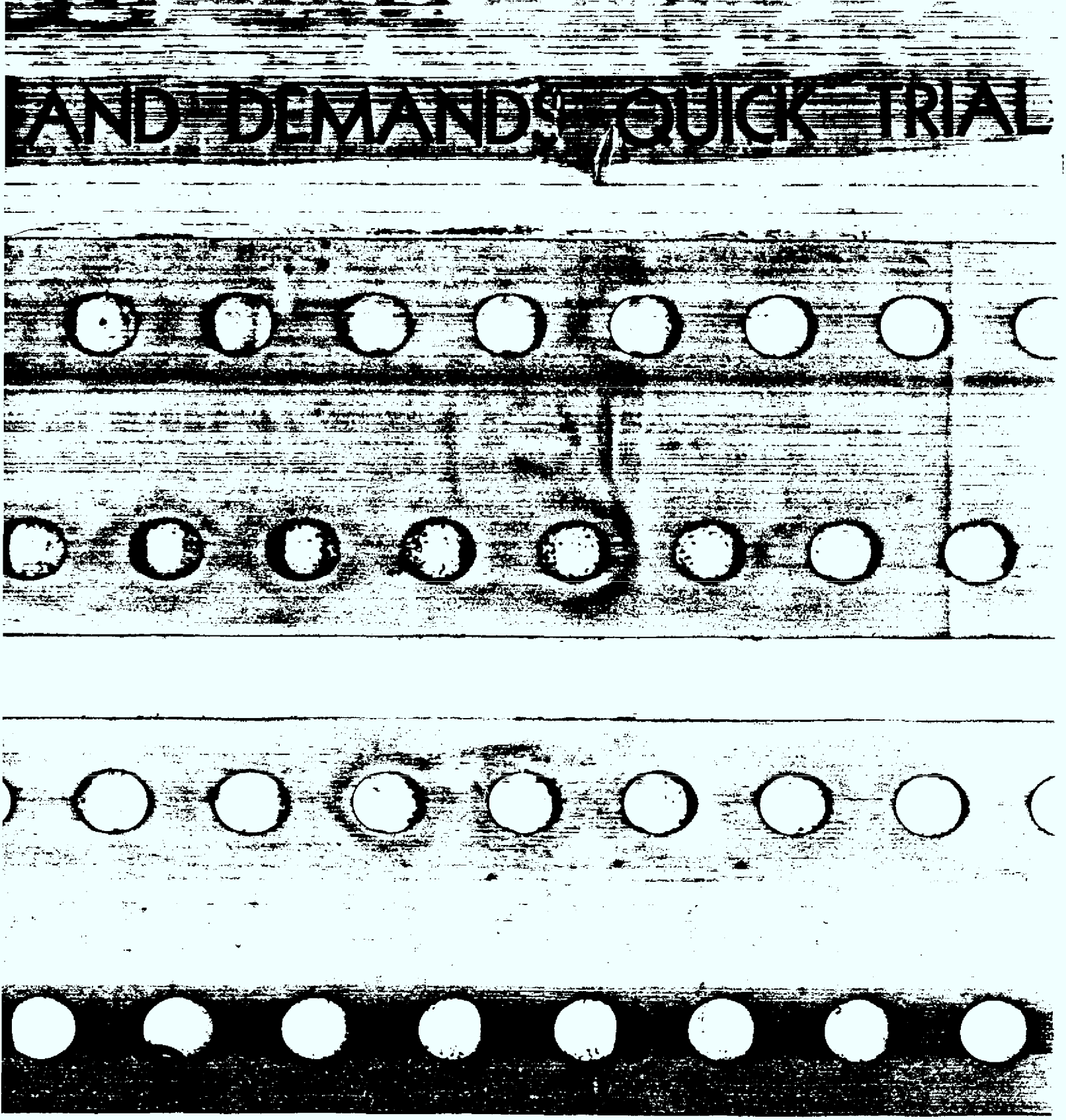
180-A-8

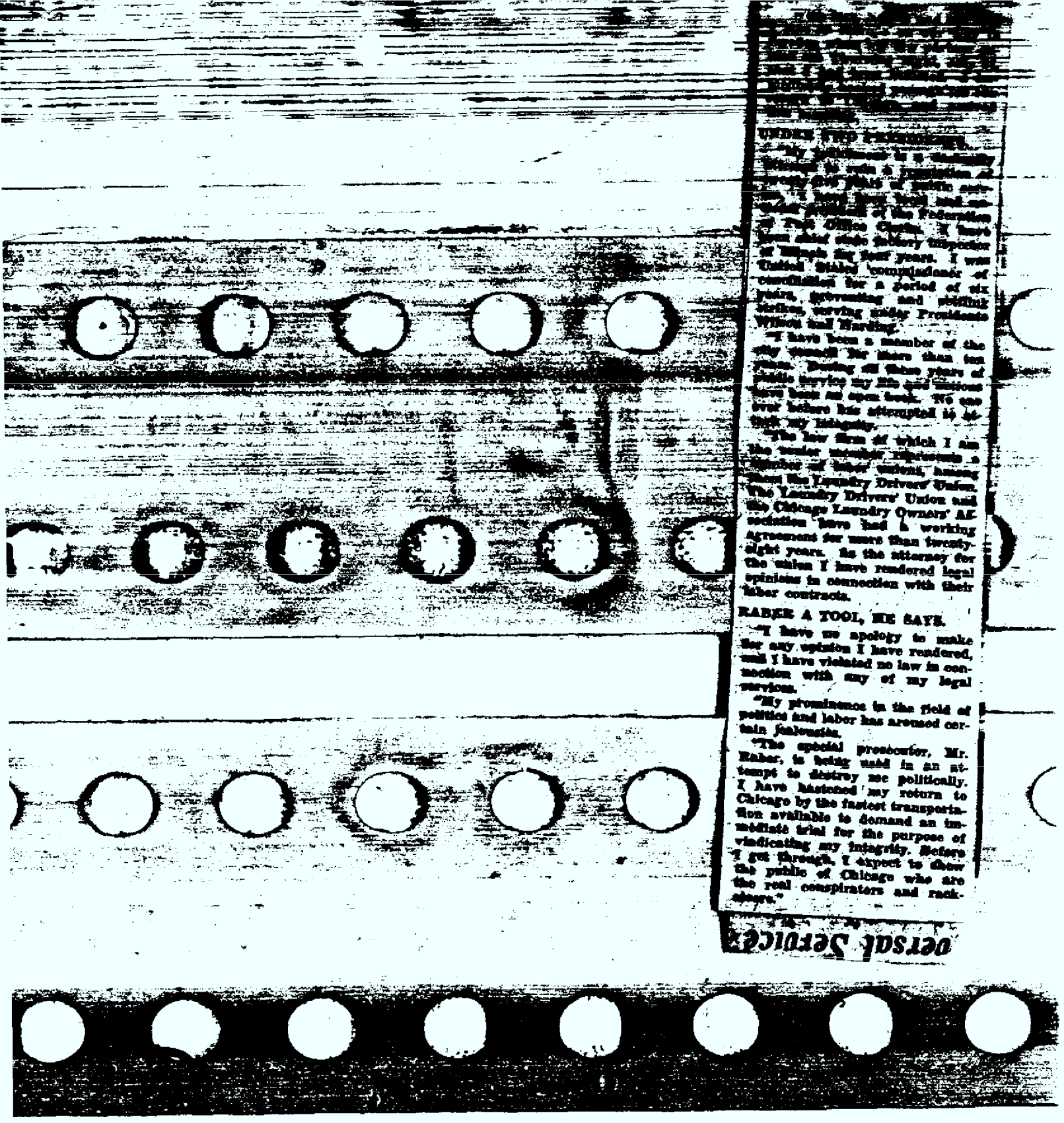
179

Mr. Clegg.....
Mr. Edwards.....
Mr. Egan.....
Mr. Hughes.....
Mr. Nolan.....
Mr. Tolson.....
.....

180-A-9

1S6


AND DEMAND A QUICK TRIAL



UNDER FED [illegible]

"My [illegible] is a [illegible] to make a reputation as [illegible] public activities. I have been [illegible] of the Federation of Post Office Clerks. I have been chief [illegible] inspector of Illinois for four years. I was United States commissioner of conciliation for a period of six years, [illegible] and [illegible] strikes, serving under Presidents Wilson and Harding.

"I have been a member of the city council for more than ten years. During all these years of public service my life and business have been an open book. No one ever believe has attempted to [illegible] my integrity.

"The law firm of which I am the senior member represents a number of labor unions, among them the Laundry Drivers' Union. The Laundry Drivers' Union and the Chicago Laundry Owners' Association have had a working Agreement for more than twenty-eight years. As the attorney for the union I have rendered legal opinions in connection with their labor contracts.

RABER A TOOL, HE SAYS.

"I have no apology to make for any opinion I have rendered, and I have violated no law in connection with any of my legal services.

"My prominence in the field of politics and labor has aroused certain jealousies.

"The special prosecutor, Mr. Raber, is being used in an attempt to destroy me politically. I have hastened my return to Chicago by the fastest transportation available to demand an immediate trial for the purpose of vindicating my integrity. Before I get through, I expect to show the public of Chicago who are the real conspirators and racketeers."

[illegible] Service

182

WASH STAR 8-14-1933

REQUEST FOR CAPONE'S RETURN IS HELD FALSE

Chicago Has Not Yet Asked His Release for Rackets Trial, Bates Declares.

Reports published in Chicago that Al Capone would be returned there from the Atlanta Federal Penitentiary to stand trial in the rackets conspiracy case were said at the Justice Department today to be premature.

Sanford Bates, director of prisons, said no request had been received from the Chicago authorities for Capone's return and that if such a request was received it would be passed upon in the usual manner. Until a request was received, he continued, the department would have nothing to say about the case.

NOT RECORDED

69-180-A-7

CAPONE EFFORT TO INFLUENCE JUDGE CHARGED

Ald. Nelson Accused by Brundage.

Charges that friends of Al Capone tried on two occasions to bring influence to bear on Federal Judge James H. Wilkerson to "go easy" on the gang leader were made public yesterday in connection with the bitter fight for alderman in the 46th ward.

Oscar F. Nelson, Republican, is running for reelection in this ward against Arthur S. Dehmlow, another Republican. Both have bipartisan support.

Ald. Nelson has been listed by the Municipal Voters' league as the "preferred" candidate in this struggle. This recommendation, it was learned yesterday, was given despite certain allegations made to the officers of the league by former Attorney General Edward J. Brundage. Mr. Brundage, who is one of Dehmlow's chief backers, told the league officers that Nelson had had affiliations with Capone.

Hark Back to Capone Trial.

Incidents upon which these charges were based took place in October, 1931, when Capone was on trial before Judge Wilkerson for income tax evasion.

Both Mr. Brundage and Ald. Nelson have told their versions of the incidents to the league. They repeated them yesterday to a TRIBUNE reporter. The narratives agree on some points but differ greatly in interpretation. Ald. Nelson denied any Capone connections—past or present.

Mr. Brundage told this story in substantiation of his statements:

"One night during the latter part of the Al Capone trial in October, 1931, I received a telephone call at my home in Lake Forest from State Senator Dan Serritella [of the First Chicago district, a follower of Al Capone]. He asked if he could drive to my home and talk with me. Serritella is a Republican committeeman. I told him to come.

"They said that the judge was not treating Capone's lawyers fairly. I told them I was certain that they were getting fair and impartial treatment, but they asked me to talk with the judge.

"Capone said, 'We can beat this case on its merits; all we want is a square deal.'

Boasts of His Power.

"Capone also boasted of his power in politics and mentioned that he had followers in the city council. He named Ald. Nelson as one of these followers and, turning to Serritella, said, 'Have Nelson out here tomorrow night.'

"The following day I talked with Judge Wilkerson, who told me that Capone's lawyers [Michael Ahern and Albert Fink] were objecting to every piece of government evidence and that they would 'be treated as lawyers when they acted as lawyers.'

"The following night Serritella came again to my home with Ald. Nelson. Capone was not with them. Ald. Nelson and I talked 46th ward politics [Mr. Brundage is a voter in that ward]. Nelson assured me he was for anything I wanted.

"These incidents took place early

Mr. Nathan
Mr. Tolson
Mr. Edwards
Mr. Clegg

Chicago Daily Tribune

2/25/33

NOT RECORDED
62-180-A-6 184

CAPONE EFFORT TO INFLUENCE JUDGE CHARGED

[Continued from first page.]

in the week in which Capone was found guilty. Later, I believe it was a day or two after his conviction [Capone was still at liberty on bail], Capone came to my office at 110 South Dearborn street. With him were Serritella, Ald. Nelson, Patrick Sullivan of the Chicago Building Trade council, and Jerry Horan of the Flat Janitors' union.

"They said they had heard that Judge Wilkerson intended inflicting a heavy sentence upon Capone. Serritella thought that a two year term, as was originally proposed when Capone pleaded guilty to the indictment, would be sufficient. I don't recall who made the statement but I was told that if Capone received a two year term the opposition of railroad labor to Judge Wilkerson's elevation to the Circuit bench would be withdrawn."

Judge Wilkerson was not formally nominated for the Page vacancy on the Circuit Court of Appeals by President Hoover until Jan. 12, 1932, but he had been mentioned for the post. It was reported that organized labor would contest his confirmation by the United States senate.

"I asked this group in my office," Mr. Brundage continued, "if they were guaranteeing that William Green, president of the American Federation of Labor, would not oppose confirmation. They told me they could make that guarantee. I told them I would consider what they had said."

Gets 11 Year Sentence.

Capone received an eleven year sentence from Judge Wilkerson a few days later and is now serving that term in Atlanta penitentiary.

Ald. Nelson, in his version of these incidents, flatly denied that he went to Brundage's office with Capone and that the conversation was along any lines save politics.

"During the trial," the alderman said, "I received a call from Serritella. He asked me to drive with him to Mr. Brundage's home to discuss harmony among the Republican factions in the 48th ward. I agreed and we went to Lake Forest. There we talked politics but came to no agreement. I told Mr. Brundage that I was ready to confer with him at any time but we did not agree on any candidate for ward committeeman or for any other post.

"I learned that Capone had been there the night before and I assume that Serritella wanted me to go there in order to make it appear I was answering a summons.

Gets Another Call.

"A few days later, I received a telephone call from Patrick Sullivan and Jerry Horan. They said Serritella had called to say that Mr. Brundage wanted to talk with the three of us about politics. I agreed and Sullivan, Horan, and I went together. I was considerably surprised to walk into Brundage's office and find Serritella and Capone with him. I had met Capone only once before in my life and knew him only casually.

"We talked politics alone. Nothing was said about Capone's conviction. Capone took no part in the conversation, save to laugh occasionally when some one said something funny. As before, there was no agreement between Brundage and me although we talked about various men in the ward. There certainly was no mention of labor opposition to Judge Wilkerson. He hadn't even been nominated at that time."

"I suppose," Ald. Nelson concluded, "that Serritella called for Sullivan, Horan, and me in order to create the impression to Brundage that he and Capone had friends in organized labor."

185

Mr. Nathan
Mr. Edwards
Mr. Clegg

CAPONE CODDLED IN ATLANTA PRISON

Still 'Big Shot' and Wears Silk Underwear, Says Former Convict

HIS SHOES $25 A PAIR

Following is the first of a series of three stories describing Al Capone's life in Federal prison at Atlanta, where he is serving a sentence of 11 years for income tax fraud. The author is an ex-convict, committed from Philadelphia, who worked in the prison shoe shop with the notorious gang leader. He has just been released after completing a sentence of 28 months for impersonating a Federal officer.

BY EX-CONVICT NO. 35,503

Atlanta, Ga., Jan. 23.—Al Capone remains "the big shot."

He was "the big shot" in the years he dominated Chicago's racketeering underworld and he is still "the big shot" behind the gray walls of Atlanta prison—at least so far as his personal comfort and special privileges are concerned.

Outside of actually being permitted to leave the walls, he gets about what he wants over there in the Big House, far more at any rate than the ordinary prisoner.

Plentifully supplied with money (although no other prisoner is permitted to have more than $10 at one time) he still wears the silk underwear that he boasts costs him $12 a suit, he wears suits tailored for him in the prison tailor shop and the specially made shoes that he says costs him $25 a pair.

Other convicts wear the regulation prison issue garb.

He receives and sends a voluminous mail, although other prisoners are limited to writing two letters a week. On the ground that it is "business correspondence" much of it goes uncensored. I've seen him get lots of uncensored letters.

In the matter of visitors, too, he gets a fairly free hand. They're coming down here all the time from Chicago to see him, and Al persuaded the authorities to let him have a special room in which to see them. There isn't any guard around when Al talks business with his friends.

His "work" in the shoe shop is more or less a joke. He usually shows up for an hour or two in the morning to tack on some rubber heels. Then there will be visitors, or he goes over to the hospital for treatment, or play tennis. He has special hours on the tennis court.

Often he spends nights in the hospital, where there are regular mattresses on the beds instead of the straw ticks used in the cells.

Sometimes he eats with the other prisoners, sometimes he doesn't.

With his money, he can buy things from the commissary that are a good deal more apeptizing than the prison grub, which isn't so hot.

But with all his money and his special privileges, Al Capone is a mighty unhappy man.

When he first came down to the prison, he cried on everybody's shoulder that would listen to him about how he had been "double-crossed" and "cheated" by the authorities in Chicago. He said he had distributed 300 "grand" in Chicago to insure a light sentence, but they crossed him up, he said.

I've heard him put his head in his hands and say, "Oh, why did I do it?" I don't know whether he meant the crime for which he was sentenced or the 300 "grand."

Naturally, getting all these privileges, and his perpetual crabbing against his fate and everything else hasn't tended to make him very popular with the other inmates. He has a small clique around him that toady to him for cigars, cigarettes, extra food, and other things that make life in there more endurable.

The prison commissary even put in his own favorite brand of cigars. He buys them by the box.

They call him "Grease Ball" and "Wop" and "Macaroni Bender" and make obscene cracks about his being "a big shot."

And he will yell at them, "Shut up, you mugs, I've handled more dough than you and all your families ever saw," with plenty of profanity mixed up in it.

He has been trying for some time to wangle a transfer to the new Federal prison at Lewisburg, Pa. But he hasn't had much luck yet.—(©1933.)

NOT RECORDED
69-100-A

Bulletin, (Pa) January 2, 1933

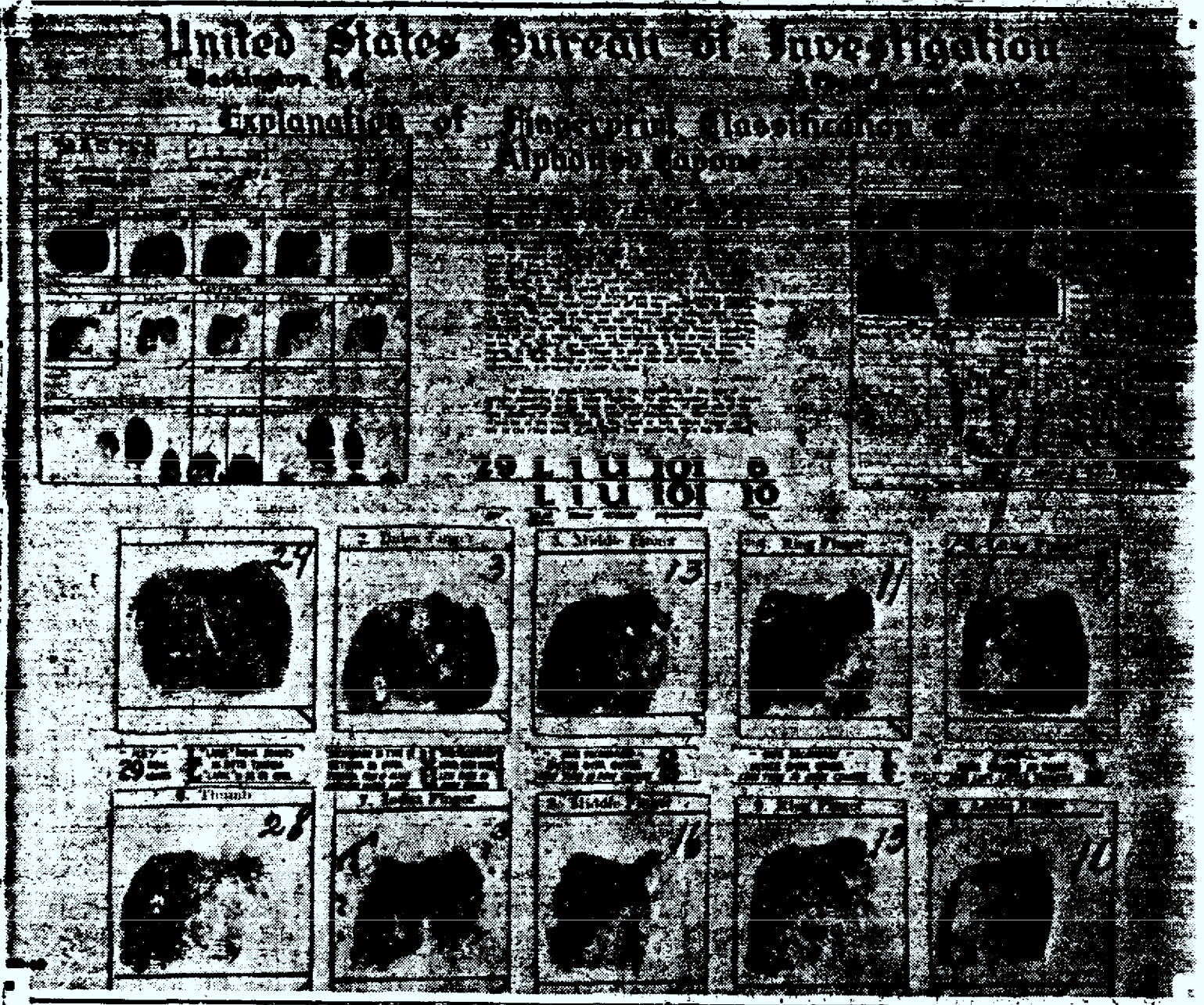
186

U. S. Department of Justice

Bureau of Investigation

Mr. Nathan
Mr. Tolson
Mr. Edwards
Mr. Glavin

First and Exclusive Picture of Al Capone's Fingerprint Record



A little insight into the operation of the Federal criminal bureaus is given in this exclusive picture of the fingerprint record of Alphonse Capone, "Public Enemy No. 1" of the nation. The picture, on file with the U. S. Bureau of Investigation in Washington, gives the complete classification of each of Capone's fingers; his criminal record; his real name, which, (upper left) seems to be Alphonsus Capone; his several aliases, and finally his Rogues' Gallery pictures. Picture from International News Photograph Service.

The N. Y. Journal Dec 29, 1932

INDEXED
NOT RECORDED

189

69 - 180 - A - 4

Uncle Sam's Biography of Al Capone



Here is the first rogues' gallery photo and finger-print 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 complete classification of Capone's physical characteristics, criminal record, various aliases and photographs. Inserted close-up is an enlargement of the small photo at top of the record.

12/3/33

No newspaper given.

NOT RECORDED
69-180-A-5

190

CHICAGO DAILY TRIBUNE
11-17-32

DIRECTOR
NOV 28 1932 AM

CAPONE HEARING LAWYERS ARGUE HIS APPEAL CASE

Looks Thinner than When He Entered Prison.

Atlanta, Ga., Nov. 16.—[Special.]—Alphonse Capone, gangster, who was Chicago's public enemy No. 1, sat in the federal court here for three and a half hours today while lawyers gave technical arguments for and against his plea that he had been convicted illegally on charges of evading income tax.



JUDGE E. M. UNDERWOOD.
[(C) Harris & Ewing]

At the end of the hearing Federal Judge E. Marvin Underwood took under advisement the government's motion to dismiss the habeas corpus petition brought by Capone's attorneys. These attorneys had claimed that Capone was convicted of offenses which had occurred more than three years before his indictment and that he should have been freed under the statute of limitations.

Capone was taken from his cell in the federal penitentiary and transported under heavy guard to the courtroom. He arrived there an hour before his case was called. With his hands manacled he was led through the corridors of the federal building, which had been cleared of the curious who came to view him.

"Looks Thin, but Fit."

During the arguments he appeared intensely interested, but did not speak, even to confer with his counsel. He appeared much thinner, bronzed, and in better physical trim than he was in May when he arrived here to begin serving the ten year term meted out to him in the federal court in Chicago.

The blue suit Capone wore, with much of his fat gone, clung in loose folds to his frame. It was not as well pressed, either, as his raiment was wont to be of yore. His tie was a subdued gray and white check. His soft gray hat, the same one that he brought with him, was kept close at his side, and when the hearing was concluded and he was led out to the street he clapped [illegible]

It was the second time the gangster had left the penitentiary since his arrival. He was taken to court for a few minutes on Sept. 21, when the attorneys filed his application for the writ of habeas corpus. On each occasion a large number of deputy marshals were assigned to guard him and to keep order around the court.

William H. Leahy of Washington, one of the Capone attorneys, told the court that his client's case was similar to that of William R. Scharton, Boston attorney, whom the Supreme court freed of income tax charges under the statute of limitations.

C. A. Youngquist, assistant attorney general of the United States, and Assistant District Attorney Hal Lindsay argued that there was no similarity between the cases and that the Capone petition "read itself out of court."

It was pointed out that in the Scharton trial a plea at bar was made at the conclusion of the case. That, said Mr. Youngquist, was the proper procedure, and it had not been followed by the Capone attorneys.

Not Habeas Corpus Case.

"The law of habeas corpus," he continued, "cannot be used as a substitute for appeal. Yet Capone is trying to use it for that purpose. The sufficiency of the evidence is not a proper subject matter to sustain a writ of habeas corpus. The proper place to introduce additional evidence, if he had it, was in the trial. The statute of limitations does not begin until a default in taxes becomes willful. It does not begin running when the taxes become past due."

Leahy contended that this argument was not correct and quoted cases running back as far as 1870. He asserted, also, that the time Capone spent in jail in Philadelphia and his residence in Florida should be considered part of the time applicable to the statute of limitations.

This was another point of divergence among the attorneys, the government asserting that only the time he spent in the Chicago federal district should count.

Gives Week For Briefs.

Judge Underwood gave the attorneys a week in which to file briefs containing their arguments.

It was learned today that Capone has never officially been asked to pay the income taxes he owed and evaded. The internal revenue office in Atlanta is awaiting the arrival of distraint warrants demanding payment. These will be served on the gangster. After they have been delivered the government will be empowered to levy on Capone's property for the [illegible]

NOT RECORDED
69-190-A-3
INDEXED
191

HEARING POSTPONED ON CAPONE'S WRIT

Atlanta, Ga., Oct. 19 (AP).—Hearing on a habeas corpus petition by which Scarface Al Capone seeks his release from the federal prison here was postponed today until the week of Nov. 14.

*Daily News
Oct 20, 1932

INDEXED

NOT RECORDED

69-180-A-1

192

DAILY NEWS, WEDNESDAY, OCTOBER 18, 1933

CAPONE TO RATTLE PRISON BARS TODAY

Atlanta, Ga., Oct. 18 (AP).—Prisoner 40886 will put aside his blue-gray denim uniform tomorrow or Thursday and Scarface Al Capone, Chicago's erstwhile gang chieftain, will emerge from the Atlanta Federal penitentiary to wage another legal battle for his freedom.

His petition for a writ of habeas corpus is scheduled to be heard in Federal Court tomorrow before Judge Marvin Underwood.

He's In For Ten Years.

The gangster is serving a 10-year sentence for violation of the income tax laws in 1926, 1927 and 1928, and seeks his freedon on the contention that his prosecution should have been barred by the statute of limitations.

The filing of the petition Sept. 21 gave Capone his first few minutes in the open since he was brought to the penitentiary, heavily manacled, May 4.

Recent Decision Cited.

William J. Hughes Jr., of Washington, D. C., Capone's attorney, will cite the recent decision of the United States Supreme Court in the case of Schurton, a Boston lawyer.

"The Supreme Court held that the statute of limitations had a period of three years and that offenses committed more than three years before cannot result in conviction," Hughes explained.

The attorney said the decision is "certainly applicable to Capone's case" and that he expects him to be freed.

NOT RECORDED

INDEXED

69-160-A-2

193



FEDERAL BUREAU OF INVESTIGATION

ALPHONSE CAPONE

(NEWS ARTICLES)

(MISC. FILES)

PART 11 OF 11

CAPONE, Alphonse

Sub. A — News Articles

part 2 of 2 parts

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369M
195

NEW YORK EVENING JOURNAL
Forwarded by New York Office
FEB 8 - 1936

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

LAST PLANE TO LEAVE TANGIER



Other youngsters are in Tangier today, relief and resounded by a record blizzard. Photo.)

JAPAN GIRDING FOR RUSSIA

TIENTSIN, Feb. 8.—Japan stripped for military might [illegible] with Russia today, marching strong reinforcements [illegible] to the Mongolian Frontier.

AL CAPONE GUARDED AS 'RAT'

Five Leaders Thrown Into Dungeon; 2 on Hunger Strike

Copyright, 1936, by Universal Service.

SAN FRANCISCO, Feb. 8.—The sensational story of what happened during the Alcatraz prison's "three days of madness" and the truth about what is still happening on the Federal "Devil's Island" were learned today, despite efforts of Government officials to conceal the real extent of the mutiny and its aftermath.

First disclosure of the inside story of the January 20 mutiny showed it was far more serious than the wall of official secrecy had permitted the world outside to know.

AMAZING EPISODE.

Through the amazing episode of the revolt walked these captains of crime:

John Paul Chase, former Sausalito bootlegger and garage man who became a lieutenant of "Baby Face" Nelson and was convicted of killing a G-man.

Harvey Waley, convicted kidnaper of 9-year-old George Weyerhaeuser.

Ludwig "Dutch" Schmidt, gunman from the Roger Touhy gang, and involved in the John Factor kidnaping.

[illegible]

69-180-11

96

Mr. Nathan
Mr. Tolson
Mr. Boughton

CAPONE REFUSES TO JOIN RIOTERS

San Francisco Newspaper, However, Says Whitaker Was Among Leaders.

By the Associated Press.

SAN FRANCISCO, February 8.—The Examiner said today the recent riot among prisoners on Alcatraz Island was "far more serious than prison authorities had indicated" and declared it had information that Al Capone and George "Machine Gun" Kelly, two of "the Rock's" most notorious prisoners, had refused to join the uprising.

Two leaders of the rebellion, which occurred January 20, are on hunger strikes in solitary confinement, the paper said it learned from undisclosed sources.

Means Among Leaders.

Among the leaders, the newspaper said, were Norman T. Whitaker, convicted with Gaston Means in a Lindbergh ransom hoax; Ludwig "Dutch" Schmidt, Roger Touhy gang gunman involved in the John Factor kidnaping; Harman Waley, kidnaper of 4-year-old George Weyerhaeuser, and John Paul Chase, lieutenant of "Baby Face" Nelson.

The riot started after the death of Jack Allen, a prisoner who was reportedly refused hospital treatment because of his frequent appearance in the sick list when there was no sign of any ailment. The Examiner said he died after an operation for a stomach ulcer. The prison administration attributed his death to pneumonia.

Capone Remains at Post.

When workers in the laundry, where the worst criminals are assigned, quit work, the newspaper said Capone remained at his post despite jeers of "yellow rat."

Others who refused to join the quickly-spreading mutiny, the story said, were Kelly and two of his associates in the kidnaping of Charles F. Urschel—Harvey Bailey and Albert L. Bates.

So many men were sent to the dungeon in the guards' efforts to stop the screaming and bowling prisoners set up when locked in their cells, that, the newspaper said, the warden ordered eight more cells built in the dungeon.

The newspaper said Whitaker and J. Lucas are still in the dungeon where they are daily given forced feeding. They, with Chase, Schmidt and Waley, went on a hunger strike in the dungeon, but the latter three capitulated as soon as forced feedings were started.

97

Mr. Nathan ✓
Mr. Tolson
Mr. Baughman
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Mr. Edwards
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Mr. Foxworth
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Mr. Joseph
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Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

Ralph Capone, Understudy Of Al, Dying



RALPH CAPONE.
Sentence: Six Months More of Life

Six Months to Live, Say Doctors; Has Tuberculosis.

NEW YORK, Feb. 2—(Universal)—Ralph Capone, brother and gang lieutenant of the notorious "Scarface" Al Capone, was reported today to be dying of tuberculosis complicated by heart disease.

Ralph, released recently from prison after serving three years for income tax evasion, is said to be facing death at the palatial home of his brother on an island near Miami, Fla. The Florida island estate was purchased by Al Capone shortly before his incarceration in the federal penitentiary for violating the income tax laws.

Shortly after his release from prison, Ralph was taken to a hospital suffering from tuberculosis and heart disease. According to reliable sources, physicians have given him six months to live.

Of the three Capone brothers, Ralph was, until his conviction, the unnoticed member of the family. The youngest brother, Frank, was shot to death in a gun battle with Cicero, Ill., police.

MILWAUKEE SENTINEL
FEBRUARY 3, 1936

69-180-A
198

BUFFALO,(N.Y.) TIMES

2/8/36

CAPONE CALLED "RAT" IN MUTINY

Alcatraz Convicts Also Brand Machine Gun Kelly Yellow for Not Joining

By United Press

SAN FRANCISCO, Feb. 8.—A gang gunman, a kidnaper, a figure in the Lindbergh baby abduction and the man who rode with George (Baby Face) Nelson in his last battle with Federal agents were named today as the leaders of the Alcatraz Island Federal Prison mutiny Jan. 20.

The alleged leaders were listed in a purported "inside story" of the revolt published today by the San Francisco Examiner.

As identified by the Examiner, which did not reveal the source of its information, the ringleaders were:

"The Fox" Whitaker

John Paul Chase, former Sausalito, Cal., bootlegger and lieutenant in Baby Face Nelson's Midwest gang of desperadoes.

Harmon Waley, kidnaper of little George Weyerhaeuser of Tacoma, Wash.

Norman T. Whitaker, "The Fox," convicted with Gaston B. Means in the Lindbergh ransom hoax.

Ludwig (Dutch) Schmidt, gunman of the Roger Touhy gang and participant in the kidnaping of John (The Barber) Factor.

Capone Branded "Rat"

Branded as "rats" and "yellow" for their refusal to join in the mutiny, the account continued, were Al Capone, George (Machine Gun) Kelly and Harvey Bailey and Albert Bates, associated with Kelly in the kidnaping of Charles F. Urschel, Southwest oil millionaire.

Warden James A. Johnston announced the revolt publicly a day after it had broken out and reportedly was under control.

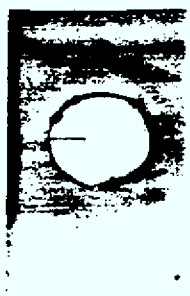
Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
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Mr. Edwards .....
Mr. Foran .....
Mr. Foxworth .....
Mr. Harbo .....
Mr. Joseph .....
Mr. Keith .....
Mr. Lester .....
Mr. Quinn .....
Mr. [illegible] .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....
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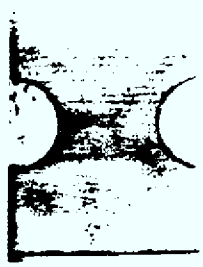
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Mr. Bengtman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. D'arbo
Mr. J...ph
Mr. L...
Mr. Lester
Mr. Quinn
Mr. Schi...
Mr. Tamm
Mr. Trapp
Mr. Gandy







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200

ALCATRAZ RIOT TOLD; CAPONE CALLED 'RAT'

Chase, Waley, Schmidt Leaders in '3 Days of Madness'

(Copyright, 1936, Universal Service.)

SAN FRANCISCO, Feb. 8.—The sensational story of what really happened during Alcatraz prison's "three days of madness and the truth about what is still happening on the federal "Devil's Island" was learned today by Universal Service despite efforts of government officials to conceal the real extent of the mutiny and its aftermath.

First disclosure of the inside story of the January 20 mutiny showed it was far more serious than the wall of official secrecy had permitted the world outside to know.

Through the amazing episode of the revolt walked these captains of crime:

As leaders in the mutiny—John Paul Chase, former Sausalito bootlegger and garage man who became a lieutenant of ("Baby Face") Nelson and was convicted of Killing a G-man; Harmon Waley, convicted kidnaper of 9-year-old George Weyerhauser; Ludwig ("Dutch") Schmidt, gunman from the Roger Touhy gang and involved in the John Factor kidnaping, and Norman T. Whitaker, "The Fox," convicted with

ALCATRAZ RIOT LEADERS PUT IN DUNGEON

Continued from Page 2.

Gaston Means in the Lindbergh baby ransom hoax.

As "Rats" in the eyes of the mutineers and threatened with prison death for their refusal to join in rioting—Al Capone; George ("Machine Gun") Kelly and his two associates in the kidnaping of Charles F. Urschel, Harvey Bailey and Albert L. Bates.

TRY TO FLOOD CELLS.

Mutiny continued in the cells after the strikers were locked in. A guard, Joseph Simpson, was slugged. Prisoners attempted to flood their cells by opening plumbing outlets.

Even in the Alcatraz dungeon, where ringleaders were thrown, rebellion was carried forward with a hunger strike.

And in the dungeon, a battle is still being fought. Forced feeding is being resorted to in an effort to "break" two leaders of the mutiny, Whitaker and J. Lucas.

Whitaker and Lucas, with Chase, Schmidt and Waley, were held in the dungeon after other mutiny leaders capitulated and agreed to return to work.

The five organized a hunger strike, throwing even their bread and water to the floor of their cells. On first resort to forced feeding through a tube, Chase, Schmidt and Waley abandoned resistance.

FORCED TO TAKE FOOD.

Whitaker and Lucas have maintained their refusal to eat. Liquid food is being forced down their throats each day.

A second aftereffect testifying to a situation still tense is the close watch being kept over Capone, Kelly, Bailey and Bates. On them is the mark of death placed by the mutiny's leaders as the punishment deserved by prison "rats."

[redacted] Capone [redacted]
[redacted] Warden H. J. [redacted]
[redacted] squad of [redacted]
the laundry. Capone [redacted]
[redacted]

And those were [redacted]
the mutiny-mad [redacted]
passed him when [redacted]
out of the laundry.

"So, Capone, [redacted]
after all. What [redacted]
the biggest gang [redacted]
are a scab and a rat!"

AL EYES LIBERTY.

Capone's eye was [redacted]
With "good time"—[redacted]
good behavior—he [redacted]

free in three years. [redacted]
term on a federal [redacted]
charge will have been [redacted]
then and Capone will [redacted]
the detainer of Cook County, [redacted]
where he is confronted by a [redacted]
year jail sentence for the [redacted]
misdemeanor of failure to file an
income tax return.

As the first stage of the mutiny broke, Capone thought [redacted] the future and decided the game was not worth the candle.

Capone indicated his attitude when he said to Alcatraz officials on the third day of the [redacted]

"Those guys are crazy. [redacted] can't get anything out of [redacted] But I've got to protect my own skin, if I'm going to get out of here alive. I'd like to [redacted] ing up for laundry work [redacted] ge back to my cell."

Prison officials granted [redacted] quest.

TOO MANY TAUNTS.

In his cell, Capone met taunts from Paul Chase. Finally his bland acceptance of the [redacted] snapped. Capone said, in a guard's presence:

"If I ever get out of here, I'll fix that——"

A year ago Whitaker [redacted] Alcatraz. He had been a [redacted] maker in an eastern federal [redacted] on and he was to [redacted] brains of the Alcatraz [redacted]

Whitaker had been a [redacted] piece," an attorney. [redacted] sised him as "wise." He [redacted] work.

His first move was [redacted] that of an attorney. He [redacted] d a petition through the [redacted] demanding newspapers, [redacted] motion pictures, [redacted] privileges and [redacted] practices.

Mr. Nathan [redacted]
Mr. Tolson [redacted]
Mr. Baughman [redacted]
Chief Clerk [redacted]
Mr. Clegg [redacted]
Mr. Coffey [redacted]
Mr. Edwards [redacted]
Mr. Egan [redacted]
Mr. Foxworth [redacted]
Mr. Harbo [redacted]
Mr. Joseph [redacted]
Mr. Kuhn [redacted]
Mr. Lester [redacted]
Mr. Quinn [redacted]
Mr. Schilder [redacted]
Mr. Tamm [redacted]
Mr. Tracy [redacted]
Miss Gandy [redacted]

Mr. Rosen

R

201

67-180-A

THE CHICAGO AMERICAN
2-8-36

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

Ralph Capone 'On Spot' Police Here Skeptical



Ralph Capone

Ralph Capone is on the spot, and has been given only six months to live!

This was the report that reached Chicago from Ralph's Florida hangout today. But the death sentence, the rumor makes plain, was not passed by a double-crossed pal nor is it the result of a little business deal. The executioner will be the dread tuberculosis.

Chicago police, when they heard about the story, shook their heads and said the brother of Al Capone looked pretty healthy the last time he was here having trouble with his sick gingerale company. And then on second thought, the minions of the law said, "So he's sick—so what?"

69-180-A 2-3-36
202

Mr. Nathan	
Mr. Tolson	
Mr. Baughman	
Chief Clerk	
Mr. Clegg	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
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RALPH CAPONE ILL

Six Months to Live, N. Y. Hears

Reports from Florida by way of New York yesterday were that Ralph Capone, brother of "Scarface Al" and present head of what is left of the old syndicate, is seriously ill with tuberculosis and has only six months to live.

Chicago police, however, said that Ralph, since he was released from McNeil Island prison February 27, 1934, has been very busy for a sick man, organizing a mineral water system in Chicago.

Next he was heard from organizing the gambling in Cook County, and flew to Gary to organize a $1,000,000 loan shark scheme.

69-180-A

CHICAGO HERALD & EXAM.

2-3-36

203

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Danny Stanton Is Held in Tax Warant Theft

(Further on Back Page.)

Danny Stanton, 39, since mid-1915 Tolon avenue, a gangster who was allied with the Zuttis and Capone organizations of the prohibition era, was formally charged last night at the detective bureau with receiving stolen property. His wife, Lucille, 25 years old, and her brother, Robert Bock, 26 years old, were booked on the same charge.

The action was taken after the police found in a dresser drawer of the Stanton home two city tax anticipation warants, one for $1,000 and another for $5,000, which had been stolen from the county treasurer's branch office at 6 North Clark street on Sept. 7, 1933.

First of $87,000 Loot Recovered.

Altogether $87,000 worth of warants, which had been accepted by the county treasurer in payment of tax bills, were taken in the theft. Those found in Stanton's possession are the only ones that have been recovered.

Stanton was seized Wednesday night by policemen and federal department of justice agents for questioning about the whereabouts of one Charles Yarnowski, who is wanted in New Jersey for kidnaping, murder, and bank robbery. Nothing was learned from him about Yarnowski. The prisoner, in his customary snarling way, denied that he knew him.

Discovery Is Accident.

The discovery of the stolen warants was accidental. Detectives Edward Donley and Donald Coakley, going to the Stanton apartment yesterday, concealed the fact of the old Dion gangster's arrest from his wife and asked her where he was. She insisted that he was not at home and shut the door through the hat.

[redacted] drawer and [redacted] top of [redacted]

Stanton, a bulky individual, [redacted] with a reputation in the [redacted] as a handy man with [redacted], [redacted] showed him the evidence.

"They were given to me [redacted] two years ago by my cousin, George Gray," he asserted. "George died a year ago. I didn't know the warants were stolen. I had even forgotten I had them."

The theft of the $87,000 in warants was cleverly accomplished—while an employé in the office was absent from his desk less than a minute.

Familiar with Building.

Stanton, the police pointed out, was familiar with county offices and once made an attempt to organize a Capone dominated union in the county building. He had tried at other times to muscle his way into building trades unions and even into the motion picture operators' union when Tommy Maloy, since slain, was its head.

Since the collapse of Capone and the waging of campaigns against gangster control of labor groups Stanton has been in rather straitened circumstances, the police said. He owns a tavern and has been dabbling in gambling recently.

CHICAGO DAILY TRIBUNE
1-24-36.

204
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DELAY STANTON HEARING IN TAX WARRANT THEFT

Capone Ex-Aid Held After Certificates Are Found in Home.

Danny Stanton, who hustled and muscled for the Capone and other south side beer mobs during prohibition days, appeared before Judge Matthew D. Hartigan in Felony court today on a charge of receiving stolen property.

The case was continued to Feb. 14 at the request of Assistant State's Attorney Patrick Danaher to give the police further opportunity to investigate the wherefore of two tax anticipation warrants found in Stanton's home at 7815 Yates avenue.

Although many of Stanton's fellows in the prohibition beer racket are now on relief or its verge, the passing of prohibition and the coming of the depression appear not to have affected Stanton.

Expensively Dressed.

He was expensively if not well dressed and a handsome set of furs was draped about his wife, Lucille, who faces the same charge of receiving stolen property.

Attorney James M. Burke was in court in behalf of Stanton, his wife and Robert Bock, a brother-in-law. He made no objection to the continuance. The Stantons are at liberty on bond and Mr. Burke said he would furnish Bock's $2,500 bail before nightfall.

The warrants, one for $1,000 and the other for $5,000, were part of the $87,000 in warrants stolen from the county treasurer's branch office at 6 North Clark street on Sept. 7, 1933. They are the first to be recovered.

Stanton, who was merely surly when he was first arrested Wednesday night, talked fast when police, who discovered the tax warrants accidentally in his apartment, confronted him with them.

He declared he had received the warrants nearly two years ago from a cousin, George Gray, who has been dead a year. He denied knowing the warrants were stolen, and said "I even forgot that I had them."

Value Is Questioned.

Some mystery surrounded the appearance of the tax warrants. According to information on file with Chief of Detectives John L. Sullivan, the stolen warrants had been marked redeemed and were not negotiable.

The two warrants found in the Stanton apartment, however, showed no markings that would indicate they had been redeemed.

Stanton was arrested Wednesday night by police and federal agents for questioning as to the whereabouts of one Charles Yarnowski, wanted in New Jersey for kidnaping, murder and bank robbery.

205

CHICAGO DAILY NEWS

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$127,439 Tax Lien Filed on Capone

Taxes on the hundred thousand or so gallons of liquor "Scarface Al" Capone sold during prohibition days was sought yesterday by the government when Carter H. Harrison, collector of internal revenue, when he filed a lien for $127,439 against Al.

Capone's address was given in the lien as 7244 Prairie av. and also as the federal penitentiary at Alcatraz Island, in San Francisco Bay, where Capone is serving his sentence for income tax evasions.

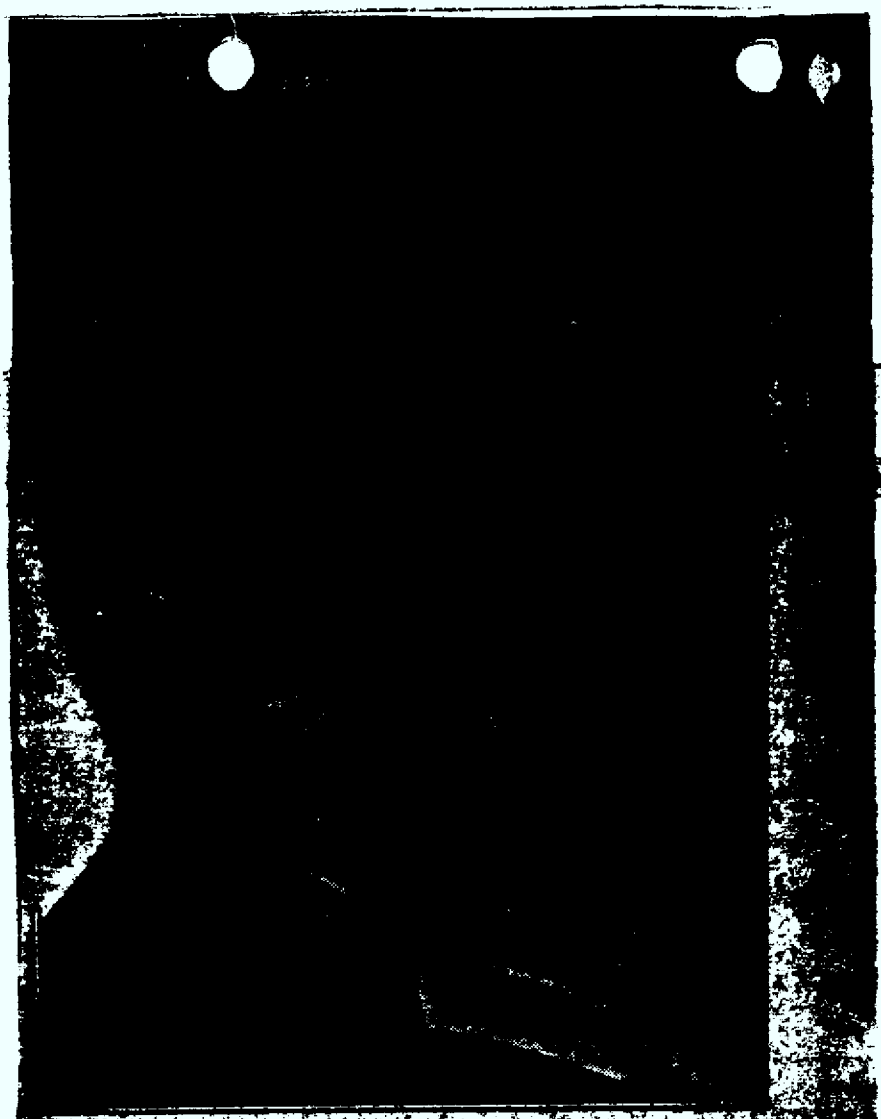
The lien represents a tax of $1.10 a gallon on manufactures of distilled spirits from 1921 to 1932.

CHICAGO HERALD & EXAMINER

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69-180-A

206



AL CAPONE
Fellow-Convicts Are 'Out to Get Him'

'SCARFACE' FEARS HE'LL BE STABBED

More frantically than he ever fought death when he was free and surrounded by his gorilla bodyguards, Al Capone now is fighting daily for life in Alcatraz, America's "Devil's Island." This is the information, related in the following exclusive article, which came to Universal Service through the rigid censorship of the prison in San Francisco Bay.

By UNIVERSAL SERVICE

SAN FRANCISCO, Jan. 13.—

For the job of Warden Harvey A. Johnston said other officials is not so much to keep Capone imprisoned on Alcatraz, as it is to keep him alive. The Bureau informant wrote:

"If it were possible to get away with it, Capone would never leave Alcatraz alive. He has enemies if he is alive, but enemies after he is dead."

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LOS ANGELES EXAMINER
1-13-36
207

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HUMPHREYS LET OUT OF PRISON; MET BY WOMAN

Murray Humphreys, former Capone lieutenant, was released yesterday from the federal penitentiary at Leavenworth, Kas., according to dispatches from that city. He had served a sentence of 18 months for income tax evasion, with 108 days subtracted for good behavior, and had paid a fine of $5,000.

Humphreys is scheduled to report here today to Walter K. Urich, chief probation officer of the federal court. He will have to report to Urich at regular intervals until April, 1936.

Only one person, a woman, awaited Humphreys when he stepped through the prison gates. The gangster was well dressed but was much thinner than when he entered the penitentiary in October, 1934, observers said. His attorney in Chicago, Edward Hess, said he believed the woman was Humphreys' wife, Billie. Hess said he had no idea of what the former underworld leader planned to do in Chicago.

69-180-A-1/9/36 208

ENEMY NO. 1 GREETED ONLY BY WOMEN

Former 'Racket' Chief Silent Regarding Chicago Plans

BY ELGAR BROWN

A woman stood waiting today as a figure so thin as to barely cast a shadow, so sallow as to resemble a ghost, filtered through the big gates of the federal prison at Leavenworth, Kan.

The wasted figure was that of Murray Humphreys, 36, college-bred "gentleman hoodlum" who succeeded Al Capone to the high-falooting title of Public Enemy No. 1.

The Chicago underworld bigwig, reputed black sheep of a once prominent Gold Coast family, had completed his prison term for income tax evasion.

'GOOD BOY' IN PRISON.

Murray had been a good boy in prison, and as such had knocked 108 days from his eighteen-months sentence. He had paid his $5,000 fine long since.

He was a free man. His sole remaining duty to society was to report regularly, until next April 26, to Walter J. Urich, chief probation officer for the Federal District Court here.

None of the "faithful" of the underworld showed up to greet Humphreys as he walked through those grim gates. Only the woman—and a taxicab driver—and a single reporter.

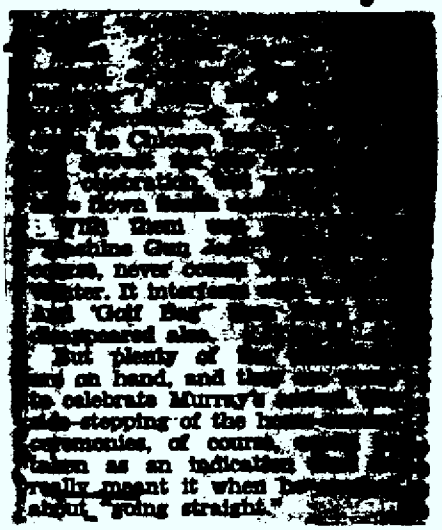
WEARS COSTLY GARB.

For his first appearance outside the gray walls since November 1, 1934, the ever-debonair Humphreys chose a gray suit, dark hat and dark overcoat, with tan muffler. The get-up was obviously costly.

Had his hoodlum friends been on hand they would have readily recognized the dapper attire, but hardly the man himself. Murray weighed 185 pounds when he surrendered to federal agents here on October 26, 1934.

Today his face was thin, his cheeks sunken, his complexion almost ghastly in its whiteness.

Continued on Page 4, Column 1



But plenty of [illegible] on hand, and they [illegible] to celebrate Murray's [illegible] side-stepping of the [illegible] ceremonies, of course, [illegible] taken as an indication [illegible] really meant it when he [illegible] about going straight."

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62-180-A 209

Gay Florida's New Defi to Gangdom

Under "G-Man" Decree the Winter Resort State Has Armed Itself for War Against the Powerful Racketeers Who Invaded It on the Heels of the Rich, Determined to "Muscle In" on a Promising Season—TODAY: The Kidnaper's Shadow Looms Before the Sun

WITH resolute determination unparalleled in the history of its police officials, the State of Florida has declared war to the death on racketeers and gangsters. Never again, they say, will an Al Capone or his like come into the play spots for which it is famous and, with the spoils of crime elsewhere, balk the authorities in attempts to drive him out, hobnob with the playboy rich and, as it is now believed he did, direct therefrom an empire of crime virtually without let or hindrance. Under the urge of Governor "Dave" Scholtz, various police units of State, county and city have coordinated their forces against the gang menace; Federal "G-men" have been requested from Washington and are reported to be working with the State protective agencies.

This third article on the Florida "war," by a writer well known to Sunday Mirror Magazine readers, bares one of the principal fears which, he believes, brought about the present anti-gang drive, is the last of a series. The particular fear is kidnaping.

By T. HOWARD KELLY.

BEHIND the State-wide drive against racketeers and gangsters now under way in Florida, as the current Winter season reaches its full stride, is a fear which few mention in glamorous Miami, Miami Beach, Coral Gables, Palm Beach and the lesser play spot resorts but which many consider. It is the fear of the kidnaper of rich children.

The theory behind the pronouncements of Governor "Dave" Scholtz that the Sunshine State of Florida would country club of America this season, the backing-up statements of lesser officials, and the sheriff and police conferences which have been called to coordinate the State's law enforcement agencies against the gangsters is believed in many quarters to be that, in desperation, the recently much harried mobsters will be forced to fall back on that meanest of major crimes.

Those who hold to this idea—and it must be said that Governor Scholtz, for reasons that are his own, has made no mention of it—point out that kidnaping is not a death-penalty offense in Florida as it is, since the Lindbergh case, in several other States.

They likewise point out that with the beaches all having a good complement of millionaires, small heirs and heiresses and the inaccessible Everglades being the best kidnaper's hideout in the country—outside, perhaps, of the bad lands of the Rockies—there is every temptation to [illegible] for desperate criminals.



New York Sunday Mirror
Jan. 5, 1936.
012 A-021-64

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THE AMENITIES OF CRIME

Emily Post will doubtless be pleased to hear that in Evanston nowadays—or should we say nowanights?—burglars make their calls in dinner jackets. Four gentlemen so attired visited the apartment of Fred C. Mumm, who, by the way, has a name that suggests formal attire. The host was absent, but his callers had a pleasant evening and departed by taxi, which, too, Miss Post would probably say was in good form.

Indeed there is much to be said for keeping in fashion, but will not the adoption of conventional evening wear by burglars raise a new problem for the high-priced custom tailor? In the Capone era the aristocrats of gangdom apparently dressed as other men, but in fact they wore suits ingeniously tailored with great pockets in which the heavy-caliber automatic or revolver could be worn without ostentation.

Can this be done with the tuxedo, or with tails?

CHICAGO DAILY NEWS

1-4-36

212

69-180-A

PITTSBURGH PRESS December 30, 1935

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ANOTHER MOB OF AL CAPONE SLAIN BY GANG

Gunmen Mow Down State Representative as Wife, Son Look On

HOLDUP RUSE USED

Believe One Thug Wounded By Chauffeur in Bloody 20th Ward Killing

By The United Press

CHICAGO, Dec. 30—Albert J. Prignano, member of the State Legislature from the notorious "Bloody 20th" Ward, lay on a morgue slab today while police hunted clues to his assassination.

The holdup theory was discarded by police when it was recalled that Prignano was arrested with Al Capone in Florida in 1930 for vagrancy when the former Chicago liquor, vice and gambling overlord was sojourning in one of his periodic flights from the attentions of the law.

Prignano's chauffeur, Victor Gelfanti, stopped in front of the house and headed for the back door with several packages in his arms as Mrs. Prignano, her son and her husband walked to the front door.

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64-180-A

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[illegible] CLEARS CAPONE

Capone Area Conquered, Says Report of Supervisor of Tax Unit.

By the Associated Press.

CHICAGO, December 28.—Uncle Sam's anti-booting drive was hailed as a success yesterday in the area turned into a proving ground for the post-prohibition liquor laws.

The verdict was set forth in the annual report of E. C. Yellowley, supervisor of the alcohol tax unit for the Illinois-Indiana-Wisconsin district.

It was this section—trade territory of Al Capone and other notorious booze barons in the dry era, but now the base of operations of scores of legitimate distilleries and breweries—that Secretary of the Treasury Morgenthau chose for a test of regulations imposed with repeal.

Gangs Are Eliminated.

Yellowley termed the program successful and reported:

Organized bootleg gangs have been virtually eliminated.

Large and small stills have been ferreted out and destroyed.

A constant increase in the production of legal spirits has been accompanied by a constant decrease in the production of moonshine.

Yellowley disclosed his staff was as large as in the prohibition period, but pointed out that one-third of the Nation's whisky was supplied by plants under his jurisdiction.

Many Leaders Fined.

"Through the co-operation of United States attorneys and Federal courts," he said, "many of the leaders of organized gangs have been sentenced to prison and required to pay heavy fines. County and State officials rendered valuable aid."

As an indication of the decline in bootlegging, he cited these figures:

From May to November, 1934, 499 illicit stills having a total daily production capacity of 128,520 gallons were seized. During the same period in 1935, 621 stills were seized, but their total capacity amounted to only 97,958 gallons.

"And that's not a drop in the bucket," he said, "compared with previous years."

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69-180-A

WASH. STAR

DEC 25 1935

214 REY.

WINS DELAY



"TOUGH TONY" CAPEZIO.
[TRIBUNE Photo.]

Anthony [Tough Tony] Capezio former Capone gangster and public enemy, and 26 of the 28 men who were arrested with him early Sunday morning at the Par-Mar club, 2410 West Chicago avenue, were granted continuances yesterday until Dec. 28 by Judge Eugene J. Holland in South State street court. Joseph La Ross, 31 years old, 2430 Superior street, stickman in the dice game in a room above the club where 26 men were seized, did not appear at the hearing so his $150 bond was ordered forfeited.

CHICAGO DAILY TRIBUNE

12-24-35

215

69-180-A

SEIZE CAPONE AID AND 28 OTHERS IN TAVERN RAID

Squads Find Liquor and Gambling at 3 A. M.

Three o'clock in the morning became the zero hour yesterday for Sergt. Frank O'Sullivan and his squad from Commissioner Allman's office, who found the Par-Mar club tavern, 2410 West Chicago avenue, open at that time—one hour after the legal closing hour. They arrested "Tough Tony" Capezio, a former Capone gangster and public enemy who, they were told, was the real owner of the tavern, and twenty-eight others, many of whom had police records.

Thirty couples were dancing to the music of a small orchestra in the basement of the building which was formerly a novelty beer garden with glass walls and roof. The walls have since been encased in plaster and wood.

Dice Game Upstairs.

Upstairs a red hot dice game was in progress and among both crowds Sergeants Thomas Lyons, Frank Cervenka, and Francis Mather waited for the arrival of Sergt. O'Sullivan, observing, meanwhile, the open sale of drinks.

Among the prisoners were Edward Ryan, ostensible owner, and Harry Belcastro, who gave fictitious addresses. Ryan was found to have been arrested for robbery in Detroit in 1931 and Sergt. O'Sullivan said he would try to find out how Ryan could have obtained a license. Belcastro had served a short sentence in the House of Correction and had been arrested for robbery and larceny.

Charges Against Owners.

A recommendation will be made that the liquor and cigaret licenses issued for the place be revoked. The owners will be charged with selling liquor after hours, not having an amusement license, and operating a gambling house, Sergt. O'Sullivan said.

At 5 o'clock in the morning Sergt. O'Sullivan and his squad found a dice game in operation in the rear of a billiard parlor at 3700 Broadway and three arrests were made.

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Mr. Tracy
Miss Gandy

CHICAGO DAILY TRIBUNE

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216

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GENARO DEATH QUIZ CLOUDED BY MOTIVES

Three Women to Face Court Monday as Disorderly

With little to work on, police today sought answers to the killing of Joseph ("Pepe") Genaro and an unidentified man, who was found beaten to death in a prairie at Ninety-fifth st. and Normal av.

The detectives were hampered in the Genaro case by the wealth of possible motives, for the former Caponeite and public enemy had been mixed up in many rackets.

Three of the women who testified yesterday at his inquest were being held today and will be arraigned Monday in Women's court on charges of being inmates of a disorderly house. They are Patsy Clarke, Genaro's common-law wife; Evelyn LaGore and Mary Korom.

Genaro was killed, gang fashion, while talking with a girl in a tavern, at 1543 E. Sixty-third st. His executioners fired from an automobile at the curbing.

The man found dead in the prairie had no local police record, or at least none supposed by his fingerprints.

12-21-25

69-180-A

217

GUNMEN KILL CAPONE AIDE

CHICAGO, Dec. 21.—An outbreak of gang warfare today had shattered the calm that has lulled Chicago's underworld during recent months and claimed two victims, one a former Capone chief.

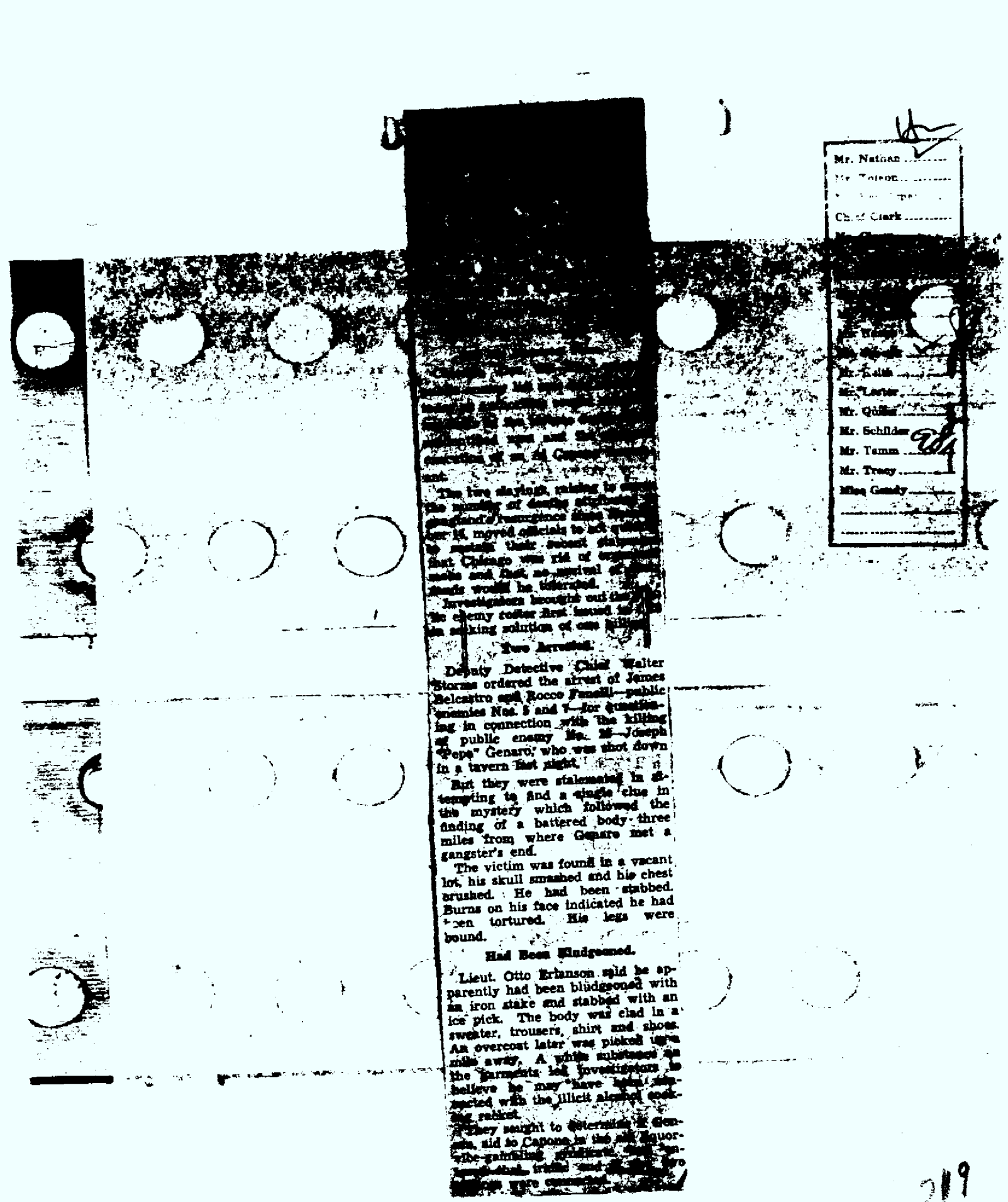
Joseph "Pepe" Genaro, once on the public enemy list and a powerful lieutenant in the Capone organization, was shot to death by three gunmen whose bullets, fired through a saloon window, virtually blew off his head as he stood at the bar.

A few hours later, the trussed body of an unidentified man who had been tortured with fire and beaten to death was found in a lot in an outlying district.

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62-180-A

218



Mr. Nathan .....
Mr. Tolson .....
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Mr. Tracy .....
Miss Gandy .....

Deputy Detective Chief Walter Storms ordered the arrest of James Belcastro and Rocco Fusilli—public enemies Nos. 5 and 7—for questioning in connection with the killing of public enemy No. 28—Joseph "Pepe" Genaro, who was shot down in a tavern last night.

But they were stalemated in attempting to find a single clue in the mystery which followed the finding of a battered body three miles from where Genaro met a gangster's end.

The victim was found in a vacant lot, his skull smashed and his chest crushed. He had been stabbed. Burns on his face indicated he had been tortured. His legs were bound.

Had Been Bludgeoned.

Lieut. Otto Erhanson said he apparently had been bludgeoned with an iron stake and stabbed with an ice pick. The body was clad in a sweater, trousers, shirt and shoes. An overcoat later was picked up a mile away. A white substance on the garments led investigators to believe he may have been connected with the illicit alcohol racket.

They sought to determine if Genaro, aid to Capone in the old liquor-vice-gambling syndicate, had [illegible] or if [illegible] were connected.

WASH. POST
DEC 21 1935

69-180-A

219

R&D

Public Enemies Held in Slayings

Quizzed on Torture Death and Shotgun Killing at Chicago

CHICAGO, Dec. 20 (AP).—The original public enemy list was dug up again today as authorities sought connecting links in the torture death of an unidentified man and the shotgun execution of an Al Capone lieutenant.

The two slayings, raising to seven the number of deaths attributed to gangland's resurgence since Nov. 14, moved officials to act quickly to sustain their recent claim that Chicago was rid of organized mobs and that no revival of their feuds would be tolerated.

Deputy Detective Chief Storms ordered arrest of James Belcastro and Rocco Fanelli—public enemies Nos. 5 and 7—for questioning in connection with the killing of public enemy No. 26—Joseph "Pepe" Genaro, who was shot down in a tavern last night.

The victim was found in a vacant lot three miles from where Genaro was killed, his skull smashed and his chest crushed. He had been stabbed. Burns on his face indicated he had been tortured. His legs were bound.

Mr. Nathan .....
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62-180-A

220

PITTSBURGH SUN TELEGRAPH December 20, 1935

CAPONE AIDE 'PUT ON SPOT'

CHICAGO, Dec. 20.—The ranks of the Capone gang are gradually thinning.

Joseph (Pepe) Genaro, never loath to turn a few dollars peddling silky, gambling, racketeering, or conducting houses of ill fame, was blasted from a bar stool by shotgun slayers here last night.

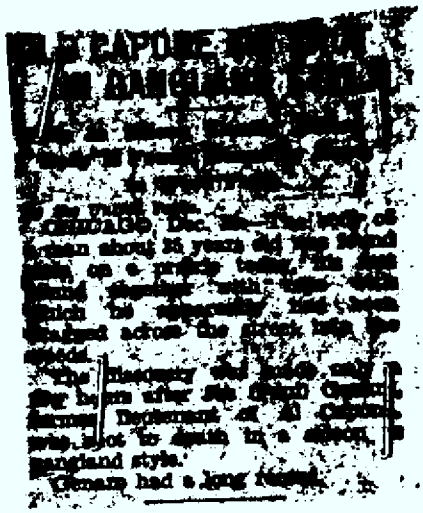
Genaro was sitting at a bar in a saloon near the University of Chicago campus, rolling dice with a waitress. A car drove slowly past. Two men thrust shotguns from the auto's rear window, pulled the triggers.

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Chief Clerk
Mr. Cleary
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69-180-A

221

Mr. Nathan .....
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Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....
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NEW [illegible]
[illegible]

DEC 20 1935

69-180-A

222

POLICE SEEKING SEQUEL CLEW IN KILLING OF PAIR

'Pepe' Genaro Shot to Death in Tavern; Hunt Two Capone Aids.

2 MEN, 3 WOMEN HELD

A few hours after Joe ("Pepe") Genaro, a one-time public enemy whom repeal had reduced to a public nuisance, was shot to death in a south side saloon, police came upon the body of an unidentified man, bound, tortured and slain.

The body of the unidentified man, his head battered with an iron bake, his chest crushed, and his body showing wounds from an ice pick, was found in a lot near 95th street and Normal avenue. The ankles were bound with a length of clothes rope.

The victim was about 35 or 40 years old, five feet, eight inches in height and weighed about 160 pounds. He was clad in black sweater and gray trousers. Police later found a dark blue overcoat at Harvard avenue and 103d street. They thought it might have belonged to the slain man.

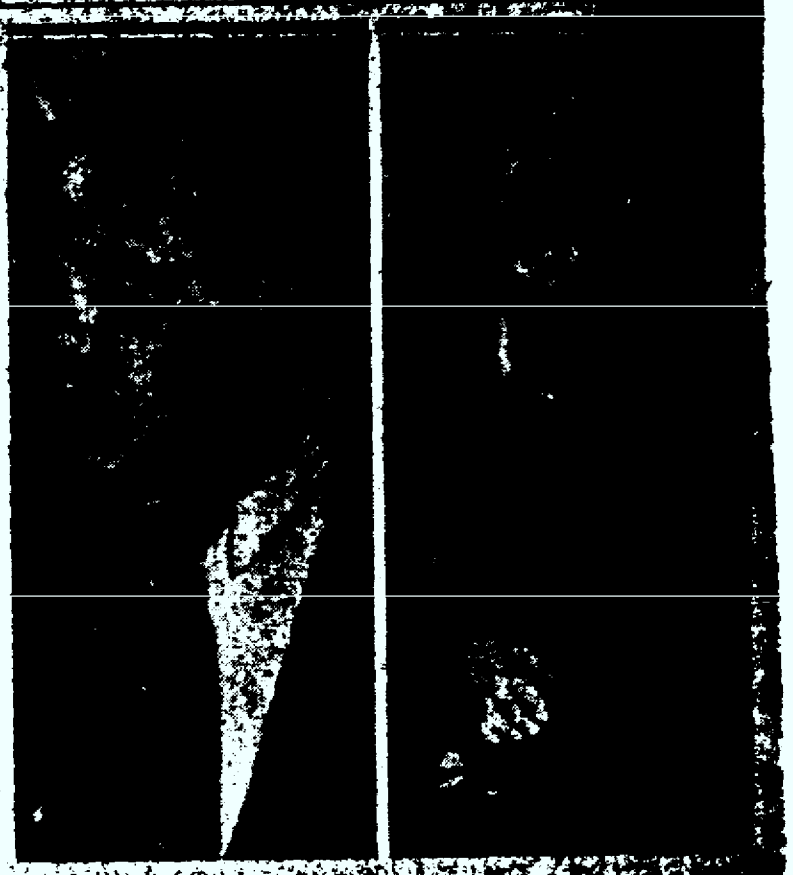
Substance found on the man's clothes was found to be a compound used in the manufacture of flour.

Toppled by Gun Slugs.

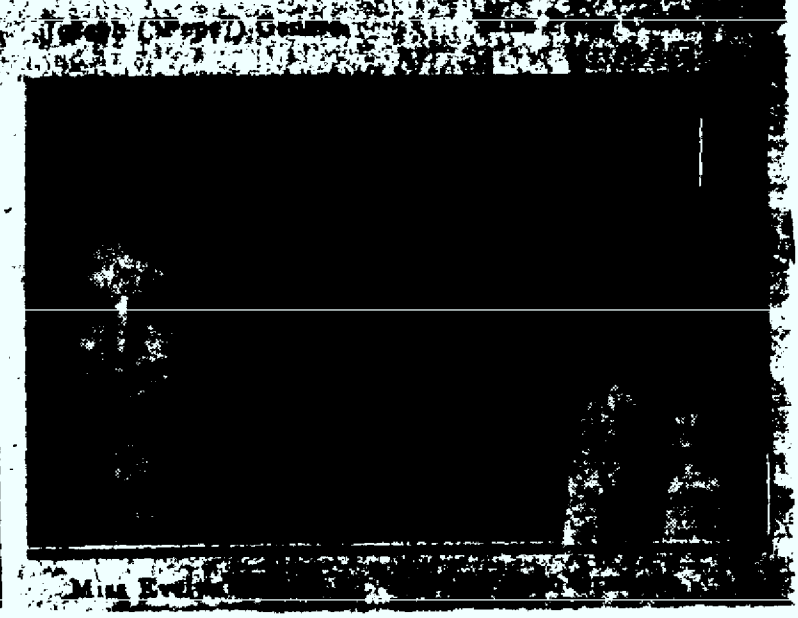
Genaro toppled off a stool in a tavern at 1543 East 63d street last night under a hail of slugs from a shotgun.

The customary inquest was held today. Police found a few patrons, including Pepe's widow, Lena, who lives at 310 West 27th street, who admitted knowing Genaro, but they could find none who would admit that they knew what business enterprise was to be why he was slain.

QUIZ ON [illegible]



Joseph (Pepe) Genaro

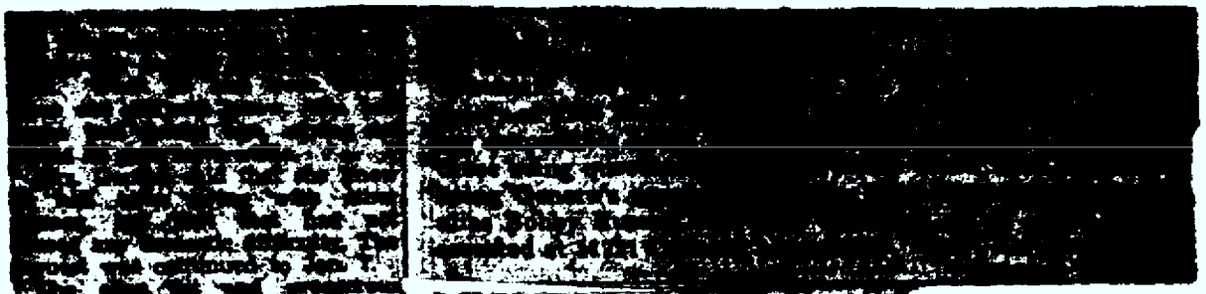


Miss Evelyn [illegible]

12-20-35

69-180-A

223



d Victim of Ga
d, Slain, on S. Side

Police were pondering whether the slaying of Genaro and of the unidentified torture victim had any connection.

Meanwhile police sought James Belcastro and Rocco Fanelli, west side hoodlums, for questioning in

(Continued on Fourth Page.)

Page.)

Two men were in

The women are Miss "Patsy" Clark, 30 years old, who told the police that she had been living with Genaro; Miss Evelyn LaGore, alias "Bobby" Russell, 24 years old, who said she lives in the New Michigan hotel, 2135 South Michigan avenue, and Miss Mary Koran, 28 years old, who said she had been living in Genaro's apartment at 6250 Harper avenue while she recuperated from an operation.

The two men arrested are Otto Graziano, 23 years old, and Frank "Dago" Costello, 42 years old, both of 11721 Calumet avenue. The men and the Misses Clark and LaGore were arrested in a flat at the Calumet avenue address by a detective bureau squad led by Sgt. Kyran Phelan.

Chatting with Waitress.

Genaro was chatting at the bar with Jessie Warner, 32 years old, of 6215 Harper avenue, a waitress, when his killers, three men in a sedan, drove up in front. The sedan stopped for a moment and one of its passengers leaned out with a shotgun and fired twice, killing Genaro instantly.

Miss Koran was taken into custody in the Harper avenue flat and gave the address of a flat at 11721 Calumet avenue occupied by Costello, where the other two women and the two men were picked up.

Walter Storms, deputy chief of detectives, who ordered the arrest of Belcastro and Fanelli, was admittedly at a loss for a motive for the murder of Genaro. As in the case of other hoodlum deaths, there were too many reasons why Genaro might have been killed.

The two west side hoodlums were ordered questioned, however, on the ground that the killing of Genaro might have had some connection with the murder of his brother, John. Belcastro was questioned in that case.

Miss Clark, one of the three women in custody, told police that she saw Genaro last night at the 63d street station of the Illinois Central station as she was on her way to the apartment in Calumet avenue.

Both Graziano and Costello said they were acquaintances of Genaro, but denied knowing anything of his affairs.

Interests in Hammond.

Genaro is believed to have had some interests in Hammond. What they were is a mystery. All police know is that he was opposed to working.

Chief Storms was astonished at the appearance of Genaro, who had not been in the toils of the police for three years. At that time he weighed 175 pounds and was a sleek, well kept looking gangster. His corpse was emaciated and poorly dressed.

CHICAGO DAILY NEWS

12 - 20 - 35

224



An investigation was under way today in the gang-fashion slaying of Joseph ("Pepe") Genaro, one-time Capone lieutenant. He was shot to death last night as he stood in a tavern at 1543 East 63d street. Shotgun blasts from a passing automobile bored through the tavern window. Among those being questioned are Miss Patsy Clark, who admitted being Genaro's common-law wife; Miss Evelyn LaGore, alias Bobby Russell, and Otto Graziano, all of whom were arrested at 11721 Calumet avenue. [By a staff photographer]

Find Second Victim of Gang Tortured, Slain, on S. Side

(Continued from First Page.)

the murder of Genaro. Two men and three women meanwhile were in custody.

The women are Miss "Patsy" Clark, 30 years old, who told the police that she had been living with Genaro; Miss Evelyn LaGore, alias "Bobby" Russell, 24 years old, who said she lives in the New Michigan hotel, 2135 South Michigan avenue, and Miss Mary Koran, 28 years old, who said she had been living in Genaro's apartment at 6230 Harper avenue while she recuperated from an operation.

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CHICAGO DAILY NEWS
12 - 20 - 35

225

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

Pepe' Genero, Capone Ally, Shot to Death

(Picture on back page)

Joseph [Pepe] Genero, 47 years old, onetime Capone lieutenant who was always ready to turn a few dollars in alcohol peddling, gambling, or conducting houses of ill fame, was shot to death last night by unidentified assailants.

Genero, whose real name was Joseph Annerino, was seated in a tavern at 1543 East 63d street when an automobile, driven slowly west, passed the front window. From this car two men in the rear seat thrust shotguns and pulled the triggers. Their aim was good and the charges, crashing through the glass of the window, struck Genero in the head.

Killers Fire Twice; Drive On.

The high stool on which he was sitting fell to the floor as he toppled backward. Jessie Warner, 32 years old, 6315 Harper avenue, waitress with whom he had been rolling dice, screamed. The bartenders and a few patrons took cover. But only the two shots were fired and the car of the killers was driven rapidly west to Harper avenue and then north.

Genero lived only a few minutes after he was struck.

There was no accepted theory as to why he had been killed. Nor was it made clear what his recent activities had been.

[redacted]

Two women, Patricia Clarke, 30 years old, and Bobby Tindell, 24, and two men, "Dago" Frank Costello and Otto Graziano, were taken into custody at 11721 Calumet avenue for questioning. Miss Clarke denied that she had been living with Genero, but admitted she knew him.

Third Man Questioned.

Later William Rondelli, 23, of 357 East 117th street, was seized at the home of his brother at 120 East 105th street. The women and men were being questioned at the detective bureau early today.

Genero was tried in 1927 for the murder of Michael Vinci, a gangster who, on his deathbed, named him as a killer. He was acquitted. In December, 1929, he was indicted on charges of kidnaping in connection with election disorders in the Twentieth ward, but the cases were nol prossed.

In 1932 he was shot and wounded while he was conducting a gambling house in Calumet City. He blamed the attack on Black Handers.



SHOT DOWN

(Pepe) Genero, [redacted] shot by unknown [redacted] in south side tavern.

(Story on page [redacted])

12-20-35

69-180-A

226

Mr. Nathan
Mr. Tolson
Mr. Boughan
Chief Clerk
Mr. Glavin

TWO FOUND SLAIN IN CHICAGO 'WAR'

"Pepe" Genaro, Former Capone Mobster, a Victim, Women Give Clues.

By the Associated Press.

CHICAGO, December 30.—An unidentified man was found slain early today a few hours after Joseph "Pepe" Genaro, 47, one-time Al Capone mobster, had been shot to death in gangland fashion.



Joseph Genaro.

The second victim's body—that of a man about 35—was discovered in a prairie at the city's southern edge. The man apparently had been clubbed or shot to death. His ankles were bound with a rope.

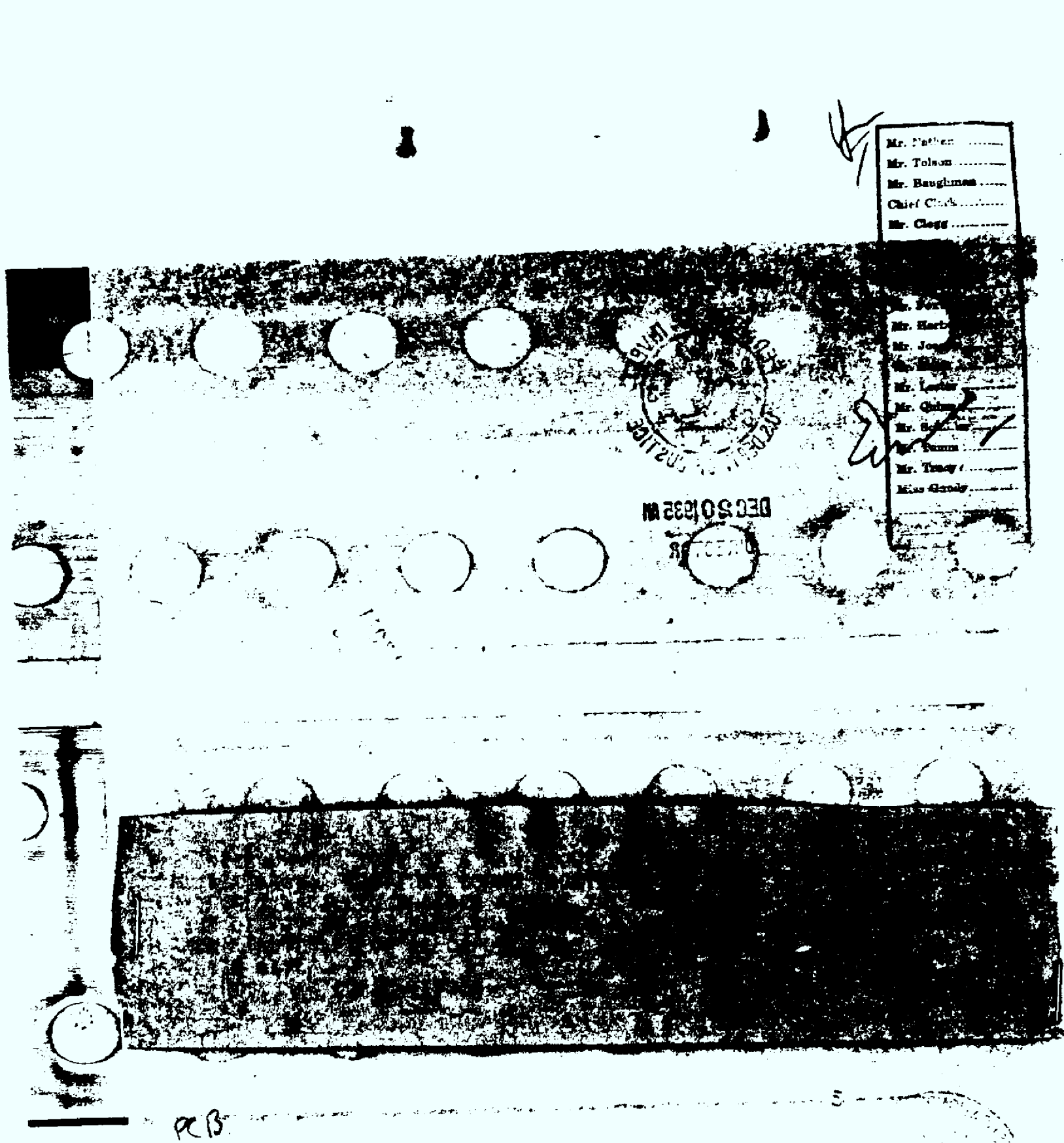
Chief Deputy Coroner Victor Schlaeger hurried to the scene on the chance the second killing was a sequel to Genaro's. That Genaro had re-entered the bootlegging racket was the first theory investigated by the police.

Three street executions in 24 hours on November 16 were laid to this bootlegging revival.

[redacted] was acquitted of a murder charge in 1927. The police unsuccessfully tried to connect him with the murder in 1925 of Ottaviano [redacted] Vinci and in 1929 with a [redacted] bloody twentieth ward [redacted] slayings and slugging. His [redacted] was Joseph Annerino.

WASH. STAR 12-30-1932

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228

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Mr. Nathan ✓
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Mr. Tamm
Mr. Tracy
Miss Gandy

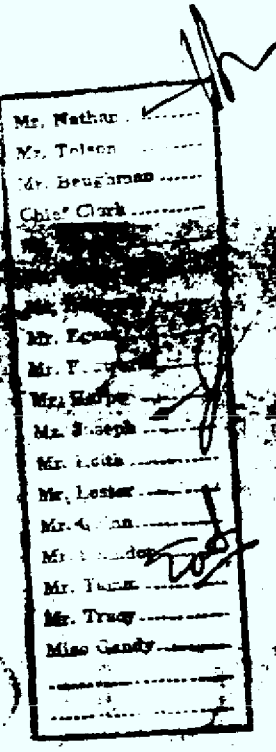
JACK GUZIK ~~GOES~~ SOUTH TO SHED PRISON PALLOR

Jack Guzik, former Capone gangster who was released from the federal penitentiary at Lewisburg, Pa., Saturday after serving three years and eight months for income tax evasion, was reported yesterday on his way to St. Petersburg, Fla. Friends said the ex-convict Guzik wished to replace the prison pallor with a coat of tan.

The gangster, whose net income totaled more than $1,000,000 in the three years from 1927 to 1929, is said to have a winter home at the Florida city. At his home at 7240 Luella avenue, it was said that he did not stop there before going south.

12-17-35

229



Capone's 'Manager' Released From Jail

LEWISBURG, Pa., Dec. 16 (I.N.S.)—Jack Guzik, reputed one-time "business manager" for Al Capone, who like the former Chicago racket king was caught in the Federal income tax evasion net, was released today from Northeastern Federal Penitentiary.

Sentenced to five years for income tax evasion in Chicago, Guzik was given his freedom after serving three years and seven months of his term—a result of good behavior.

69-160-A

WASH. TIMES

DEC 17 1935

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Capone 'Manager' Freed From Federal Prison

Jack Guzik Completes Term for Income-Tax Evasion

LEWISBURG, Pa., Dec. 15 (AP).—Jack Guzik, one-time Capone gangster, of Chicago, was discharged from the Federal penitentiary today after serving a term for tax evasion. Warden Henry C. Hill said Guzik told prison officials he was going back to Chicago.

Allegedly Had $1,000,000 Income

CHICAGO, Dec. 15 (AP).—Jack Guzik, reputed business manager of Al Capone's once thriving liquor and gambling syndicate, who was released today from the Lewisburg, Pa., Federal penitentiary, was sentenced December 30, 1930, to a five-year term and fined $17,500 for evading taxes on an alleged income of $1,000,000 during 1927, 1928 and 1929.

Federal Judge Charles E. Woodward overruled a motion for a new trial and Guzik carried his case to the United States Circuit Court of Appeals and lost. While Guzik's appeal was pending, his chief, Al Capone, was convicted on a similar charge and sentenced to ten years in prison. He is now serving his term at Alcatraz. Guzik's brother, Sam, served a one-year term at Leavenworth for tax law violations.

N. Y. HERALD TRIBUNE
DEC 16 1935

Mr. Nathan .....
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Mr. Coffey .....
Mr. Edwards .....
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Mr. Foxworth .....
Mr. Harbo .....
Mr. Joseph .....
Mr. Keith .....
Mr. Lester .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....

67-1 231

Mr. Nathan .....
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Chief Clerk .....
Mr. Clegg .....
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Mr. Edwards .....
Mr. Egan .....
Mr. Foxworth .....
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Mr. Jones .....
Mr. Lester .....
Mr. Nease .....
Mr. Quinn .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....

Capone's Old Gang to Be with Us Again Real Soon

Given notice that Jack Guzik, who was up there next to the boss in Al Capone's vice and booze syndicate, is to be released from the federal prison at Lewisburg, Pa., after winning 480 days off his five-year-and-a-day sentence for income tax law violations, Assistant United States District Attorney E. Riley Campbell, in charge of income tax matters, checked up today on the status of others sent away for the same reason.

The next man to be freed—if his behavior is good—is Murray Humphreys, another Capone cohort and once head of the T. N. T. He was sentenced to eighteen months in Leavenworth and is expected to be free again about the first or second week in January.

Good News for Rocco.

In March, 1936, if he is good, Rocco DeGrazio, Capone's ambassador to the Melrose Park alky cookers, will get out.

The case of the big chief of the old group of Chicago hoods, Al Capone himself, who was sent away May 4, 1932, to start on sentences of ten years in federal prison and one year in the Cook county jail, goes too far into the future for Mr. Campbell to figure at this time.

A half-dozen other hoodlums who were regarded as big shots when they were sent away have finished their sentences. They are Ralph ("Bottles") Capone, brother of Al; Hymie ("Loud Mouth") Levin, Frankie Lake, Terry Druggan and Frank ("The Enforcer") Nitti.

Paschen Still In.

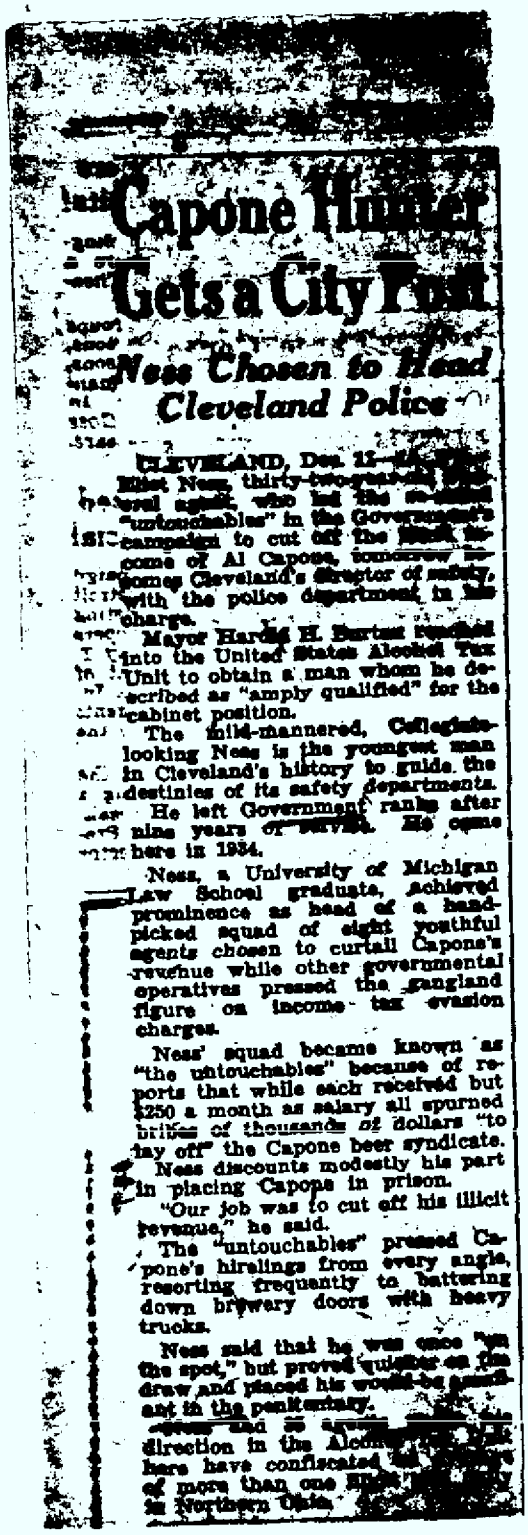
Among those of political stripe who were found to have cheated the government of income taxes and are still in jail are Chris Paschen, former city building commissioner, who was sent away for two years, and Oliver Ellis, once in charge of gambling and slot machines in the southwest part of the county, who is serving a one-year sentence. Those who have completed their terms are Lawrence O'Brien, former state senator, and Gene Oliver, former member of the board of assessors.

12-14-35

232

14-100-A

THE DETROIT FREE PRESS
December 12, 1935



Capone Hunter Gets a City Post

Ness Chosen to Head Cleveland Police

CLEVELAND, Dec. 12—(AP)—Eliot Ness, thirty-two-year-old federal agent, who led the so-called "untouchables" in the Government's campaign to cut off the income of Al Capone, tomorrow becomes Cleveland's director of safety, with the police department in his charge.

Mayor Harold H. Burton reached into the United States Alcohol Tax Unit to obtain a man whom he described as "amply qualified" for the cabinet position.

The mild-mannered, Collegiate-looking Ness is the youngest man in Cleveland's history to guide the destinies of its safety departments.

He left Government ranks after nine years of service. He came here in 1934.

Ness, a University of Michigan Law School graduate, achieved prominence as head of a hand-picked squad of eight youthful agents chosen to curtail Capone's revenue while other governmental operatives pressed the gangland figure on income tax evasion charges.

Ness' squad became known as "the untouchables" because of reports that while each received but $250 a month as salary all spurned bribes of thousands of dollars "to lay off" the Capone beer syndicate.

Ness discounts modestly his part in placing Capone in prison.

"Our job was to cut off his illicit revenue," he said.

The "untouchables" pressed Capone's hirelings from every angle, resorting frequently to battering down brewery doors with heavy trucks.

Ness said that he was once "on the spot," but proved quicker on the draw and placed his would-be assailant in the penitentiary.

[redacted] direction in the Alcohol [redacted] here have confiscated [redacted] of more than one [redacted] in Northern Ohio.

Mr. Nathan ✓
Mr. Tolson
Mr Baughman
Chief Clerk
Mr. Clegg
Mr Coffey
Mr. Edwards
Mr. Egan
Mr. Farnsworth
Mr Harbo
Mr. Tamm
Mr. Tracy
Mr. Gandy

69-190-A

233

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

Bridge Big Sh... For Capone, F...

NEW ISLE TO SPROUT NEAR ALCATRAZ

Will Be Used for 1938 World Fair, Then Airport.

By HAROLD HEROUX,
International News Service Staff Correspondent.

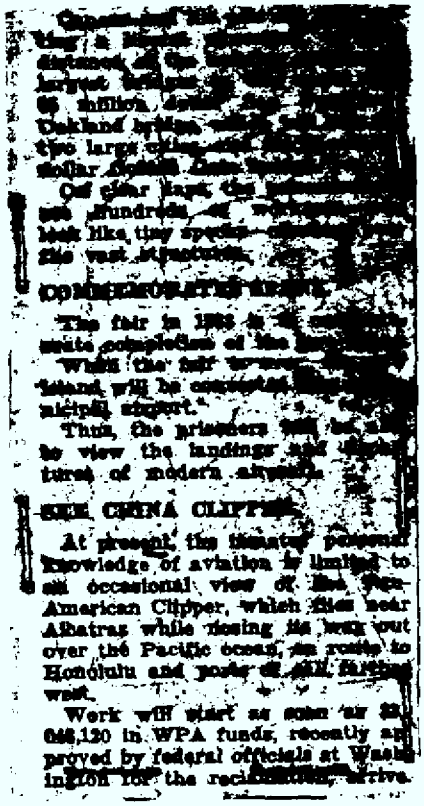
SAN FRANCISCO, Nov. 28—Within a few weeks, Al Capone and the 247 other inmates of the U. S. penitentiary at Alcatraz island will see a new wonder emerge from the waters of San Francisco bay—

Figuratively, it will happen right "under their noses." Actually, it will be about one mile away.

The new wonder will be a new island in San Francisco Bay.

COVERS 400 ACRES.

The island will be man-made and will cover 400 acres. It will be the reclamation of the Yerba Buena Shoals—the 10 million dollar site of the 1938 World's Fair of San Fra...



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...COMMEMORATIVE ...

...The fair in 1938 ...
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...With the fair ...
...island will be ...
...airport.

...Thus, the prisoners ...
...be ...
...to view the landings ...
...tures of modern ...

...SEE CHINA CLIPPER.

...At present, the inmates' personal knowledge of aviation is limited to an occasional view of the Pan-American Clipper, which flies near Alcatraz while rising its way out over the Pacific ocean, en route to Honolulu and points ...

...Work will start as soon as $3,048,120 in WPA funds, recently approved by federal officials at Washington for the reclamation, arrive...

WISCONSIN NEWS
NOVEMBER 28, 1935.

69-180-A 234

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

CONVICTS TURN TO STUDY —But Not Al Capone

WASHINGTON, Nov. 24.—(AP)—A few of the "public enemies" in Alcatraz, thwarted in crime, have turned to the higher life.

Sanford Bates, director of the prison bureau, said today that twenty-five or thirty of the inmates of the Pacific island prison which houses America's most dangerous criminals, are taking correspondence courses from the University of California.

Al Capone is not among them.

"We have no objection to the men studying if they want to," Bates said. "But they do it on their own time. Generally, if a man can read, he doesn't belong [redacted]."

11-25-35

69-180-A 235

Mr. Nathan .....
Mr. Tolson .....
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Chief Clerk .....
Mr. Clegg .....
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M. Foxworth .....
Mr. Carbo .....
Mr. [illegible] .....
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Mr. Quinn .....
Mr. Schilder .....
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Miss Gandy .....
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James [Fur] Sammons, 52 years old, former pal of Al Capone, must serve life in the Indiana state penitentiary. So declared the Indiana Supreme court on Thursday in denying his appeal. He was sentenced in 1930 under the habitual criminal act.

11-24-35

236

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REPORT CAPONE IS WRITING HIS LIFE'S STORY

Magazine Asks Department of Justice for Right to Print It.

BY FRANCIS J. CONNOR.
Special Dispatch from a Staff Correspondent

Washington, D. C., Nov. 22.—The first inkling that the literary public soon may be clamoring for a copy of "The Life and Letters of Alphonse Capone" became evident today.

Justice department officials received their first bid for the privilege of publishing the autobiography reportedly being written for future release by the one-time Napoleon of Chicago crime as he languishes in exile in the government's escape-proof prison fortress on Alcatraz island.

A nationally known weekly magazine informed Attorney General Homer Cummings today that Capone is writing his memoirs and asked permission to be the first to publish.

Officials to Investigate.

Officials, while neither confirming nor denying the magazine's assertion, explained that they "knew nothing about Capone's literary leanings." They indicated an investigation would be made immediately. Meanwhile, consideration of the magazine's request will be held in abeyance.

"Those fellows in Alcatraz have a lot of time to themselves," an official said, "and quite a few of them like to while away the hours putting their thoughts down on paper. It keeps them from doing anything worse, for the time being."

He added that almost all prisoners who have served time usually try to forget their incarceration, but a few get bitten by the writing bug and are smart enough to market their literary efforts, either through "ghost writers" or independently.

[redacted]

The government has offered the one-time gangster [illegible] a chance to improve his mathematical mind free of charge with a correspondence course from the University of California, but thus far Capone has expressed no interest.

Would Cost Nothing.

"A few of the 200 convicts—about twenty-five or thirty—in Alcatraz are taking advantage of extension courses from the university, but Capone did not put in an application or any," the official said.

Courses covered by the convicts cover a wide range of topics from arithmetic to zoology, he said, and subjects for study are left to the individual's choosing and no course is compulsory.

Correspondence courses, paid for by the government unless the convict desires to pay for his own, are popular throughout the whole federal prison system, he pointed out, but no classes in instructions are conducted in Alcatraz as they are in other prisons.

Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
Chief Clerk .....
Mr. Clegg .....
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Mr. [illegible] .....
Mr. [illegible] .....
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Miss Gandy .....

11-22-33

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Hunt 227

Mr. Nathan .....
Mr. Tolson .....
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Chief Clerk .....
Mr. Clegg .....
Mr. Coffey .....
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Mr. Tracy .....
Miss Gandy .....

Capone's Literary Efforts in Prison Exciting Editors

By the Associated Press.

Next it may be "Al Capone, author."

A national weekly magazine, hearing that the former Chicago beer baron is writing in his cell in Alcatraz, grim California prison for "public enemies," has asked to see his "literary output."

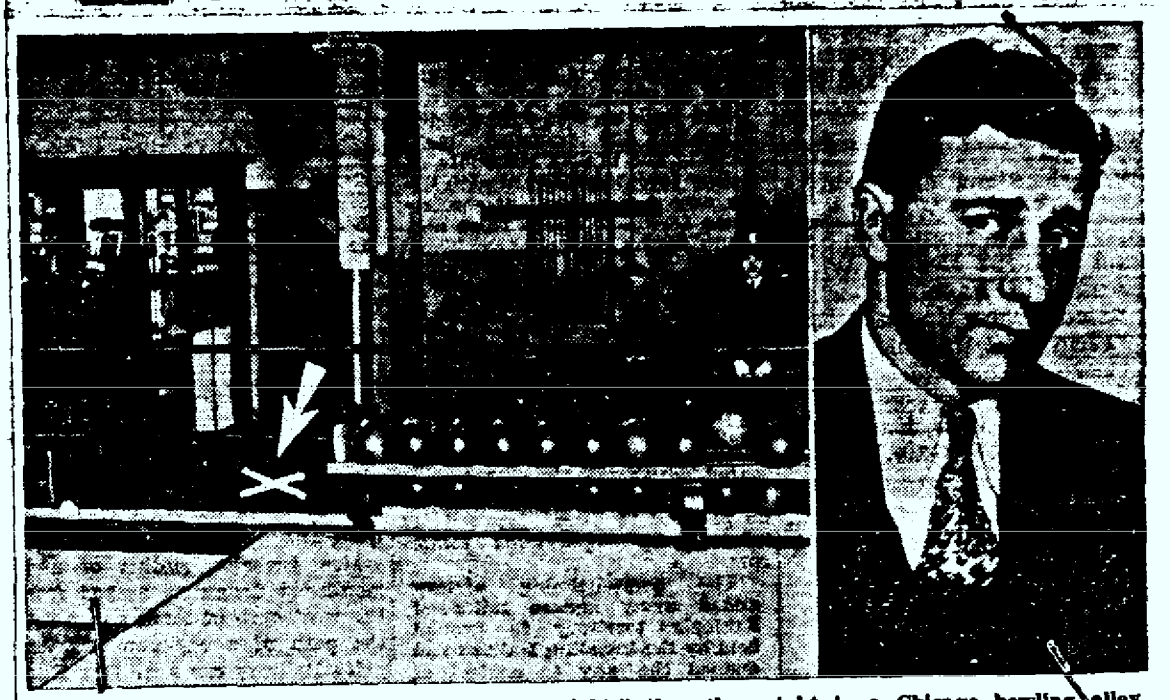
Sanford Bates, Federal prison director, said today he didn't know anything about Capone's literary ambitions.

"Every once in a while," he said, "one of those fellows gets out and tries to write a book about prison life. But most of them want to forget it."

238

19-180-A

Chicago Gunman Put 'On the Spot'



CROSS MARKS SPOT where Jack McGurn "got his" the other night in a Chicago bowling alley. McGurn was a killer, and believed to have participated in the 1929 St. Valentine's Day massacre. Most recent picture of McGurn shown at right.—Acme Photo.

254

2-17-36

ST PAUL DISPATCH

FEB 17, 1936

AUTO PROVES CLUE IN M'GURN SLAYING

Gangster's Car Found Abandoned; Keys Recovreed May Be to Safety Box.

Chicago, Feb. 17.—(AP)—Finding of "Machine Gun Jack" McGurn's automobile 48 hours after the former "Scarface Al" Capone henchman was "rubbed out" in a second-floor bowling alley, gave the police their first tangible clue today in the hoodlum's crude assassination.

In the automobile, which was abandoned in an industrial section on the near North side, were two keys, one which the police believed might fit a safe deposit box. They were on a ring with three automobile keys.

Previous to this, the authorities ran up against the usual blank wall of imperturbability surrounding underworld crimes.

Reported threats against the life of the gangster's widow from an undisclosed source gave the police the additional task of guarding her.

The widow, the former Miss Louise Rolfe, became known as McGurn's "blond alibi" after she established an alibi for him seven years ago when he was accused of the bloody St. Valentine day massacre of seven George (Bugs) Moran gangsters.

Twenty persons were at the alleys when McGurn was shot twice in the back of the head, yet no one who would admit seeing the slayers has been found.

William Aloisio, proprietor of the alleys, and two employes were the only persons who admitted being at the scene. They asserted the shooting began so suddenly and was over so quickly that they were unable to tell exactly what happened.

William Schell, employed by a motor delivery company, told Sergeant Kyran Phelan that he looked out of an office window when he heard an automobile door slam and saw a man jump from a car parked in front of the office. He said it was unusual for a car to stop there at that time of night. The man ~~who left~~ the car, which proved to be McGurn's, hurried to another machine parked across the street and drove away, Schell said.

The police found the ignition key in place, but the wires to the switch had been disconnected. A search for fingerprints was ordered.

The police held to a theory that McGurn was slain probably by a man whom he regarded as a friend. They said only such a person could have come up behind him while he was at play.

The hoodlum had entered the alleys with two companions. The investigators believed the killing was a "gang purge," as they said McGurn had been in fear of his life for some time. They also believed the slayers fled in McGurn's own car.

The pomp that marked gangster funerals in the days of prohibition will be missing at McGurn's burial Tuesday. Instead of a $15,000 silver casket such as the one in which Dion O'Bannion, another notorious hoodlum, was laid to rest several years ago, McGurn will have one costing less than $1,000.

The police said the lessened glory represented the fall in the status of gangsters and the lack of popularity that was McGurn's even among his own kind.

McGurn's assassination, likewise, lacked the elaborate flair shown in the slaying of O'Bannion, the Moran massacre and other notorious gangster killings.

Hardly ~~Profitable~~

Another notorious mobster has had meted out to him what so often he meted out to others, and lies dead in Chicago after being shot in the back by persons as yet unknown.

The dead man was Jack McGurn, said to have been at one time No. 1 killer of the Al Capone gang.

He was supposed to be worth several hundred thousand dollars during the prosperous and murderous prohibition days. But he died with $3.35 in his pockets, and according to his wife that is about all there was left. Lately he had been picking up a little change by handling 50-cent bets on horse races.

Not a very glorious end, was it?

But it was a perfectly logical end, and justice has been served even though the law was violated by the killers.

Al Capone on Alcatraz Island may wonder sometimes if crime really does pay. If Jack McGurn's personality has survived his abrupt translation into another sphere of existence he probably is quite sure it does not.

Mr. Tolson
Mr. Boughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Candy

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SYMBOL

PAPER

CITY

DATE FEB 17 1933

256



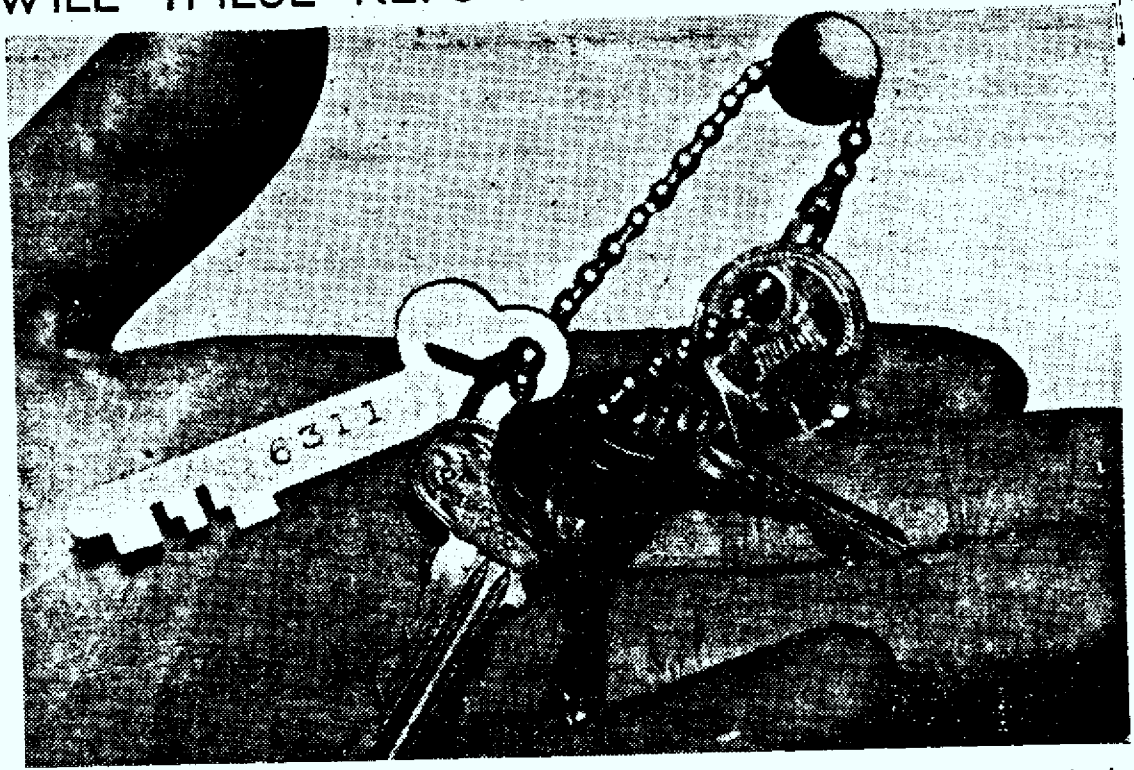
Marjorie Swift named as the companion of Louise Rolfe ("Blond Alibi") McGurn, a few hours before "Machine Gun" Jack McGurn was assassinated.



Mary Dickinson, who told police that her roommate, Marjorie Swift, was with Mrs. McGurn the afternoon before McGurn's gangland slaying.

257

WILL THESE KEYS FIT GANG SLAYING?



The keys found in slain Jack McGurn's auto after it was found abandoned last night. At least one of the keys fits a safety deposit vault and if police can locate this box they believe the contents will reveal "Machine Gun" Jack's recent activities and provide the motive for his killing.

POLICE QUESTION STENOGRAPHER IN M'GURN KILLING

Her Roommate Is Also Due to Face Grilling; Didn't Know Hoodlum.

AUTO, KEYS, CLEWS

BULLETIN.

One of the keys found in the abandoned automobile of "Machine-Gun" Jack McGurn, slain gangster, early today was found to be for a safe deposit box in the vaults of the Oak Park Trust and Savings Bank, 1044 Lake street, Oak Park. Police immediately went to the bank to examine the box.

An 18-year-old girl, a blonde stenographer, was questioned at the Racine avenue police station today, and her roommate at 195 East Chestnut street, sent word that she would appear at the station shortly to tell all she knew about "Machine-Gun" Jack McGurn, slain early Saturday, and his widow, the former Louise Rolfe. Both are stenographers at the Seneca hotel.

Miss Mary Dickinson, who said that she knew neither McGurn nor his wife, was questioned by Capt. Martin Mullen, who acted upon a tip that she was overheard to say, Saturday, "Well, they got him."

It developed from questioning Miss Dickinson that Miss Margaret Swift, with whom she had shared an apartment for the last six months, was a friend of Mrs. McGurn and went on a party with her Friday night. The former Capone executioner was murdered shortly after midnight that night.

Didn't Know Them.

Miss Dickinson told Capt. Mullen that she did not know McGurn or his wife, and that Miss Swift knew only the woman.

Q.—After McGurn was shot, did she say anything to you about it? A.—No, she just said she was keeping up with the newspapers.

Q.—What time did she get home Friday night? A.—She got home about 2:30 a. m. Saturday.

Q.—Did she tell you where she was? A.—She said she went to a party and that she left the rest of them there.

Q.—Did she say McGurn's wife was there or not? A.—She said she had seen her at the party.

McGurn Not There.

Q.—Did she say whether McGurn was there? A.—She said he wasn't there.

Q.—When Louise (Mrs. McGurn) called Miss Swift Friday afternoon, Feb. 14, what time was it? A.—It was about a quarter to 5.

Q.—And what time did Margy go out? A.—I don't know.

Q.—When Margy came back at 2:30 a. m. Saturday what tavern did she say she visited? A.—She said she had been to a couple of restaurants.

Although police asked for a continuance, disorderly conduct charges were dismissed by Municipal Judge Lambert K. Hayes today against William Belmonti, 5541 West Harrison street, a tailor in whose name McGurn's car was registered, and

259

Police Quiz Stenographer on Slaying of McGurn

(Continued from First Page.)

William Aloisio, 1121 West Huron street, owner of the Milwaukee avenue bowling alley where the hoodlum was killed.

Find Auto and Keys.

The automobile in which McGurn drove to his rendezvous with gangland bullets Friday night was abandoned early today in front of a garage at 305 North Ada street, evidently by men who had accompanied him and sped away in the machine immediately after the shooting.

In the car, which was brightly shined and had obviously been kept hidden in a garage since the killing of the one time Capone high executioner in a bowling alley at 805 Milwaukee avenue Saturday, police found two possible clews.

One was the fingerprint of a left hand on one of the car doors. The other was a key ring, inserted in the ignition switch, containing five keys, one of which police believe is to a safe deposit box.

Saw Man Board Auto.

William Schell, 2022 West 69th place, a watchman employed by a motor delivery service, heard the slam of an automobile door in front of the garage on North Ada street. He looked out the window, because there is virtually no night traffic in that industrial district, and saw a man board a slowly moving automobile headed north.

The condition of the automobile indicated that it had been gone over carefully to eliminate all fingerprints, and on this premise Policeman Arthur Linderman of the bureau of identification hopes that the one fingerprint discovered was left there carelessly by one of those abandoning the coupe. The license for the car had been taken out in the name of William Belmont, 5541 Harrison street, a tailor whom McGurn patronized.

Police plan to check the supposed safe deposit keys with banks.

Police Guard Widow.

Meanwhile McGurn's widow, the former Louise Rolfe, his blonde alibi in the wiping out of seven members of the George ("Bugs") Moran gang, is under police guard. It is said she has received gang threats not to talk too much.

McGurn, who saw many gaudy funerals of gangsters during the era when a dead hoodlum's underworld status and that of his bereaved relatives was impaired by anything but the most costly coffins and floral tributes, will go to his own grave in a casket costing only a few hundred dollars.

The funeral will be held tomorrow at the chapel at 624 North Western avenue. Burial will be in Mount Carmel cemetery.

2-17-36

260

Slain Gunman's Car Is Found in Chicago

CHICAGO—Police today found the auto in which Machine Gun Jack McGurn drove to the bowling alley where he was murdered. Two men who accompanied the gangster on his last ride early Saturday were believed to have fled in McGurn's car.

In the auto police found a Chicago newspaper which contained a front page account of the slaying of State Assemblyman A. J. Prignano of the "bloody 20th" ward.

Prignano aided in obtaining McGurn's release when the gangster was arrested on a misdemeanor charge several years ago. Police investigated the possibility that the two slayings may have had a common motive.

Mrs. (Blonde Alibi) McGurn made a solitary visit to the undertaking parlor where her husband's body lay. Funeral services will be held tomorrow without the pomp and flourish that marked gangsters' funerals in the prohibition era.

MENACE

Gangsters Want Her Death

McGURN'S WIDOW FLEES THREATS



MRS. JACK McGURN
Former "Blond Alibi" Weeps At Death

Underworld Is Afraid She Will Disclose Secrets; Mate Begged Life

CHICAGO, Feb. 16 (N.S.). Threats against the life of Mrs. Jack McGurn, widow of the Capone gangster who was slain early Saturday morning, were reported to police today.

Steps to protect her were immediately taken, particularly because authorities are eager to obtain the secrets she is supposed to possess which they feared would be sealed with her death.

WIDOW GOES IN HIDING

Mrs. McGurn was in hiding today with her 12-year-old daughter by an earlier marriage, while preparations were being completed for McGurn's funeral.

Meanwhile detectives, seeking through a record of McGurn's recent movements a clue to his fate, came upon a curious underworld story concerning a meeting of racketeers in Miami, Fla., where McGurn is reported to have pleaded—literally—for his life. The answer was: Thumbs down.

Police learned McGurn went to Miami primarily to see Frank Nitti, formerly known as "the enforcer" of the laws which Scarface Al Capone laid down for his followers.

PROTECTION REFUSED

Instead of seeing Nitti alone, however, the story is that McGurn was brought before a "committee" which gave him a chilly reception—not definitely ordering his death but declining to protect his life.

Among the members of the "committee," it was said, were Jake Guzik, former big shot, just out of prison; Ralph Capone, brother of Al; Willie Heeney, a "utility man" in the Capone organization, and Charles "Lucky" Luciano, ruler of the "U. S."—which means "Unione Siciliani."

The business before the committee, police said, was the formation in Chicago of a branch of the big loan shark racket which already had proved highly profitable in New York—profitable because a man with a gun makes a highly efficient collector, a splendid insurance policy against "bad loans."

262

McGurn Killing Puzzles Police; Motive Hidden

Ex-Capone "Machine Gunner" Had Many Enemies; Revenge Scouted.

By the Associated Press.

Chicago, Feb. 15.—A tangle of gangland hostilities—extended back seven years to the St. Valentine's massacre of 1929—tonight enmeshed the hunt for the slayers of Dapper "Machine Gun" Jack McGurn.

"Public enemy No. 5" on the original Chicago list, he died today, just 12 hours past the exact anniversary of the septuple killings of George (Bugs) Moran henchmen which spotlighted him in national notoriety. Three pistol men ended his "charmed life" in a near Northwest Side bowling alley.

There were "just too many reasons" why the death of the chief machine gunner of the Capone "syndicate" could have been desired to make it easy to trace his killers, said Mal Coghlan, assistant State's attorney.

"Police will have to untangle many phases of his life before we can even get started toward a solution," he added.

In his dozen years as a major gangster, the frequent target of bullets himself, McGurn was credited in underworld boastings with the death of at least two dozen men, the extortion of thousands of dollars, a favorite with his chief, "Al" Capone (now in Federal prison), which bred jealousy among his own associates, and a suave ruthlessness with enemies of his gang which incited hopes of vengeance.

Into all these and their ramifications, authorities dug for clews.

They quickly rounded up the widow—once Louise Rolfe, the "blonde alibi," whose testimony cleared him in the St. Valentine's Day killings—and eight others for questioning. But gangland's wall of silence intervened when searching queries were put to them.

"My God, they shouldn't have done it," the widow exclaimed. But she said she had no idea of who "they" might be. She said the $3.85 found in her husband's pockets along with two unused prize fight tickets and a "piece of a book" (horse race betting enterprise) represented their entire estate from McGurn's 12 years' gunning in the gang wars.

William Aloisio, proprietor of the bowling alley, told police the trio came into his second-story establishment, shouting "Stick them up!" and that he ducked when the volley started. Other witnesses said they heard 15 shots as the gunmen closed in on McGurn and fired away at him. He had two bullet wounds in the head.



Associated Press WIREPHOTO.

"MACHINE GUN JACK" McGURN.

The police search concentrated on the two companions who went with McGurn late last night—his widow said he slept most of the anniversary of the killings, which caused him much trouble with authorities—to the bowling alley.

They regarded it highly significant that the pair snatched from the scoring board after the shooting the sheet presumably containing their names and Jack's. Possibly, police theorized, the pair had "fingered" the onetime shadow of Boss Al Capone, for the slaying trio.

Revenge Discounted.

There were rumors, too, of other underworld jealousies and of rivalries among the Capone counselors, returned from prisons and jails, over control of the gang's remnants. Authorities considered it strange that several recent killings, apparently motiveless, have followed the rallying of old Capone chieftains here. Among those recently restored to circulation were Murray Humphreys and Jack Guzik.

The possibility of revenge for the savage slaying of the Moran gangsters—despite the coincidence of dates—found little support from Police Capt. Richard Barry.

"The gangs don't usually shoot to avenge something that happened years ago," he commented. "My guess is that McGurn stepped on somebody's toes in the alky racket, or the gambling business, recently."

Chief of Detectives John Sullivan said the killing was likely due to "a new alky war between Chicago and Milwaukee hoodlums."

He said he learned recently that McGurn had turned to competing with the Wisconsin alky cookers and bootleggers—and—that he "undoubtedly was put on the spot."

Mr. Nathan .....
Mr. Baughman .....
Chief Clerk .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Kennedy .....
Mr. Egan .....
Mr. Foxworth .....
Mr. Jarbo .....
Mr. Joseph .....
Mr. Keith .....
Mr. Lester .....
Mr. Quinn .....
Mr. Schilder .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....
.....
.....

'BLOND ALIBI' SOBS AT INQUEST: 'I DON'T KNOW'



LOUISE ROLFE M'GURN.
"He didn't tell me," her only answer.

WIDOW 'DOESN'T KNOW' IN INQUEST QUESTIONING

A coroner's jury yesterday heard much of "Machine-Gun" Jack McGurn as Vincent Gebardi, "golf professional," but little, indeed, of his activities as a Capone gangster and public enemy, or of the reasons for his slaying.

Center of attraction at the inquest into McGurn's death in the county morgue was his widow, Louise Rolfe McGurn, the "blond alibi" who saved him from prosecution in the St. Valentine's Day massacre of 1929.

Louise, wrapped in a coat which, she confided, was "Summer ermine," her hair glistening with a golden wash and tears threatening to carry away her stylish artificial eyelashes, insisted she didn't know what her husband's occupation had been.

HIS NUMBER NOW.

It was McGurn's brother, Anthony Gebardi, who offered the information that Jack was a golf pro, employed, Anthony said, at the Maywood Country Club. That statement was vigorously denied by James Killgallon, president of the club. McGurn, he said, although he was not employed there, frequently played the course, shooting a neat 70—his number now at the county morgue.

Louise was asked by Deputy Coroner James J. Whalen whether she thought her husband was a "pro." She replied:

"I don't know. I know he played a lot of golf."

THEY VISIT WAKE.

Earlier she had told police that she knew her husband made money and that she thought he owned an interest in a handbook in Melrose Park—a handbook which, police said, had been operated by McGurn and closed by state's attorney's police.

Recalling her husband's activities shortly before his death, she said, without apparently realizing the grim irony of the statement, that on Thursday night he and she had attended a wake at 1335 S. Austin blvd., where Giuseppe Circella, 67, an old friend, had died.

Friday morning, she said, they had gone to the funeral, coming home only twelve hours before McGurn himself was to be slain. McGurn slept until 11 at night, then left, telling her he was going to bowl.

GASPS AT QUESTION.

But Louise, tense, pale, her carmine fingernails digging deeply into her palms, insisted that he didn't tell her with whom he was going—that he never told her anything of his movements or companions, and that she didn't ask him.

She gasped with grief when she was asked if she knew his enemies, but insisted that she did not, that she had heard of no threats made against him. And certainly, she said, she knew of no one who would wish to kill him.

From William Aloisio, owner of the bowling alley at 805 Milwaukee av., in which McGurn was slain, and from Tony Mascarella, the porter, the coroner's jury heard excited accounts of the murder, but no clue to the slayers.

CONFLICTING STORIES.

Aloisio declared that McGurn had never been in his place before, and that he did not know him, his companions or the three "stickup men" who threw the place into confusion as McGurn was slain. At that time, Aloisio declared, McGurn and his two "friends" were waiting for an alley.

Conflicting with that story was the testimony of Edward Bonirek, 1128 Fry st., another pin boy, who said that McGurn and the other two had already bowled two frames—that he was setting up pins for them.

CHICAGO HERALD & EXAMINER

265

GIRL IN MURDER OF CAPONE'S GUN-MAN

Anniversary of Massacre Saw Killer Killed

CHICAGO.—Missing the seventh anniversary of the 1929 Valentine's Day massacre by three hours, but not the man credited with that gory butchery, avengers yesterday rubbed out Killer Jack McGurn with two bullets in the back.

McGurn's executioners, still unidentified left a symbolic reference to the seven year old score they were settling in the shape of a comic vlaentine found beside McGurn's body in the bowling alley where he was slain.



Jack McGurn.

The rhyme on the valentine read:

"You've lost your job,
"You've lost your dough,
"You're jewels and cars and handsome houses,
"But things could still be worse, you know,
"You haven't lost your trousers."

SINISTER RED.

The gaudily-colored illustration, showing a scantily clad couple anding in a snow-drift outside a ouse marked "Sold," showed one t not from the priting press—e addressee's life blood.

Twelve hours after the killing, olice were holding beautiful ouise Rolfe McGurn, mate of the ead man, and vainly trying to wring from the frightened woman's lips the name of the man suspected of leadership of the three-man pistol squad which surprised McGurn in the midst of an all-night bowling game and felled him as he squared off to launch his shot.

Louise, who married McGurn four years ago when matrimony was the only escape for both from a Federal Mann Act charge, told both police and a coroner's jury that she "couldn't imagine anyone wanting to kill poor Jack."

EIGHT HELD.

The imaginations of the police were in better working order than the widow's. No less than eight men, all known to have good cause to celebrate Killer Jack's demise, were being held, while a confidential call was out for Jimmie Gusenberg, "baby" brother of Peter and Frank Gusenberg, two of the seven machine-gunned to death in a North Side garage on St. Valentine's Day, 1929.

CAPONE'S AID.

McGurn's widow was a valued aid to Al Capone. Besides serving Capone as a dummy in his alcohol business, Louise gave yeoman aid when McGurn, Capone's executioner, was arrested as perpetrator of the Valentine Day massacre. She swore without a blush that, at the hour of the septuple murder, Jack was in her arms in her boudoir.

Her story gave McGurn his alibi, but caught both in the toils of Federal law when G-men trailed them to Miami a year later and arrested them on Mann Act charges. The wily Louise, however, had one more trick in her fertile mind. She married McGurn and the Federal case collapsed.

She freely told the coroner's jury the details of McGurn's last hours.

"We were living quietly in the little flat where the police got me," she said.



Louise McGurn

"We were dirt poor." Her expensive furs and hair-wave, however, told a differing story.

"Jack had a Valentine dinner with me and then about midnight he got up and said, 'You go to sleep, honey. I'll go over to the Avenue Alleys and roll a few.'"

Two hours later, as he threw off his coat in the Avenue, a Northwest Side recreation hall, three men strolled up as if to watch his play, and suddenly whipped out guns. Fifteen shots in all were fired. Two took effect, one through the heart.

Mr. Nathan
Mr. Tolson
Mr. Nowlbourn
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Parbo
Mr. Joseph
Mr. Kerr
Mr. Lester
Mr. Quinn
Mr. Tamm
Miss Gandy

62-1180-A

"~~You've~~ Lost Your Job, You've Lost Your ~~Dough~~ . . ."



So read part of the grim Valentine which his killers left near the body of Killer Jack McGurn after they had pumped 15 bullets at him and dropped him dead in a Chicago bowling alley (as above). The killing came almost exactly seven years after the infamous St. Valentine's Day Massacre, for which McGurn was held responsible.

(International)

NEW YORK SUNDAY MIRROR

DAL for
EJ

67

KILLER M'GURN SLAIN BY GANG; MOTIVE SOUGHT

Trio Mows Down Al Capone's Machine Gunman in Bowling Alley; Alcohol War Is Seen

CHICAGO, Feb. 15 (U.S.). Chicago's gangland peace came to a bloody end today with assassination of "Machine Gun" Jack McGurn, expert executioner for Al Capone and chief suspect in the Valentine Day massacre of seven mobsters just seven years ago.

The slim 38-year-old gangster, whose educated trigger finger was reputed to have sent a dozen men to death in prohibition days, was shot down a few minutes after midnight in a bowling alley.

Tries To Flee

Three men marched into the place with drawn guns, announced "This is a stickup," and then fired an accurate stream of lead into McGurn's head as he tried to flee.

Two "pals" who had accompanied McGurn to the alley and who scribbled their names with his on a score sheet for their quiet little game, vanished even as the gunman gasped his last on the smooth boards. They took the score sheet with them.

Indicted in Massacre

It was a "perfect job" of gangland execution and left police with an endless number of theories—and a few witnesses who "don't know" anything about it.

McGurn was indicted for the wholesale slaughter of seven hoodlums in a garage on St. Valentine's Day, 1929, the crime which shocked a nation already familiar with scores of single, double and triple slayings.

Seven men were lined up against a wall and shot down by a particularly accurate machine gunner.

But McGurn had an alibi, furnished by his attractive blonde "Moll," Louise Rolfe, now Mrs. Louise Gebardi—McGurn was also called Vincent Gebardi—who testified to the satisfaction of the law that her husband was with her in a hotel at the time of the massacre.

And today, as the blonde widow sobbed over "poor Jack" as he lay on a morgue slab, police declared his shooting was not in vengeance for the shocking crime of 1929.

In Power Again

Capt. Richard Barry explained: **"Gangs don't shoot to avenge something that happened years ago. They put men out of the way for what they are doing now."**

Chief of Detectives John L. Sullivan, declaring he was certain the three gunmen were "imported" for the assassination, gave as his theory that McGurn was slain in the opening stage of a new alcohol war between Chicago and Milwaukee gangsters:

He said:

"Gangsters who do their killing that way pin their confidence to the thought that witnesses will either forget voluntarily or can be 'taught' to forget. That is why such killers use no masks and are not afraid of light.

McGurn Was "Broke"

"Here's the situation—McGurn had been practically broke. There is reason to believe he had even been compelled to sell his wife's jewelry and his own. He had been trying to get along on a petty gambling racket—bookmaking. And so he tried to resurrect the bigger racket of his former boss, Capone.

"He undertook to muscle in on the Milwaukee boys, and there were three killings. Frank Stypulowski was shot November 14, Joseph Scaffido, of Milwaukee, and Angelo Kleronomos, of Cicero, were shot a day later in front. I believe that a connection will be found between these killings and McGurn's.

"We know that McGurn had been making desperate efforts to raise money—and his enemies knew that when he was desperate he was dangerous. They put him on the spot. The trouble was that McGurn outlived the easy days of his racket."

Inquest Postponed

An inquest, formal investigation of McGurn's slaying, was continued until March 4 to allow police to probe less formally into the murder.

Chief Cl...
Mr. Cl...
Mr. Ed...
Mr. Fo...
Mr. Ha...
Mr. Jos...
Mr. Keith
Mr. Lo...
Mr. Qu...
Mr. Sch...
Mr. Ta...
Mr. Tracy
Miss Gan...

69-1... - A-263

McGURN SLAIN IN GANG PURGE

CHICAGO DAILY TRIBUNE

HELD USELESS AND A RENEGADE BY CAPONEITES

Underworld Silence Balks Inquiry.

TURN TO GRAPHIC SECTION.

The assassination of Machine Gun Jack McGurn recalls anew the decade of death which marked Capone's gang rule. The second chapter of the story of that era will be found in the Graphic section of this paper.

After twenty-four hours of investigating the murder of Machine Gun Jack McGurn, Sicilian born swashbuckler who flourished for half a dozen robust years under the wing of Al Capone, the police last night advanced a theory that McGurn was sent to death by some of his own supposed friends.

They elaborated.

"McGurn," they said, "was through long ago as a big shot. He was broke and a nuisance to his friends who still retained a little of the old business of the gangs—vice, gambling and bootleg alky. They were tired of his interference or of his begging. So they put him away for good."

Deprived of His Defender.

Capt. Martin Mullen Jr. held that if Capone, now in Alcatraz prison, were at liberty and bossing the gangs, he would never have permitted the killing of McGurn.

"Al," he said, "was grateful to McGurn for exposing a plot of John Scalisi and Albert Anselmi to kill him. McGurn was credited with wiping out those two men. But with Capone locked up, McGurn had little influence. I don't think he was powerful enough to make it worth anybody's while to break up his gang by killing the man at the top.

"If he was, there will be a few revenge slayings. It's doubtful, though, if there will be any; nobody in the rackets cares much whether he's gone or not."

The Old Ignorance Gag.

At least 20 persons were present in the second floor bowling alley at 805 Milwaukee avenue, known as the Avenue Recreation rooms, at 1 a. m. yesterday when McGurn was shot in the back and in the head by an unidentified man, or men, standing close behind him.

Of the 20, only three have been found to tell what they saw. And what they saw was, from the standpoint of evidence, negligible. The wall of silence, traditional among the gangsters and the people who know them, was erected high and tight. Vagueness afflicted not only the witnesses of the actual event, but even those who were questioned merely about the victim's history [and they should have known his career thoroughly].

Blonde Alibi Is Poor Help.

"I don't know what Jack's business was," declared his widow. "He never told me and I knew I shouldn't ask him."

Mrs. McGurn, so known although her husband's real name was Vincent Gebardi, is the former Louise Rolfe. Back in 1929 she established herself as his "blonde alibi," by signing statements asserting that he was with her in a hotel room [they were not married then] when seven north side gangsters were slain in the St. Valentine's day massacre.

McGurn was slain just a few minutes after the close of the seventh anniversary of that massacre. Beside his body on the floor was found a comic valentine twitting him on his joblessness and poverty.

Sergt. Francis Donohue of the coroner's investigating force found Mrs. McGurn in her home at 1224 North Kenilworth avenue, Oak Park. Still handsome and tastefully dressed, she went to the inquest into McGurn's death, where she took the stand weeping and dabbing at her eyes—but carefully, that the mascara on her eyelashes might not become smeared.

Occupation a Family Mystery.

"We have been told your husband was a golf professional," said Deputy Coroner Grover Whalen. "Is that correct?"

"I don't know," replied the widow. "He played a lot of golf."

She then related that he had attended the wake of a friend, Giuseppe Circella, 1335 South Austin boulevard, Cicero, on Thursday night. He went to the funeral Friday morn-

CHICAGO DAILY TRIBUNE
2-16-36

27

ing, returned home at noon, and shortly afterward went to sleep. He rose at 11 p. m., Mrs. McGurn said, and went out with the remark that he intended to do a little bowling.

Did McGurn talk to her of any enemies, and had he mentioned any threats? Mrs. McGurn said no to both questions.

Off the stand she told Capt. Mullen that she did believe Jack had an interest in a horse racing book in Cicero, but that she didn't know much about it.

Anthony Gebardi, a brother of the slain man, said that McGurn was born in Italy, that he was brought to the United States as an infant, and that he was 32 years old. He was a golf professional employed at the Maywood Country club, according to Gaberdi. This statement was denied later by James Kilgallon, president of the club, who described McGurn as a frequent patron of the links.

"He was a fine golfer," said Kilgallon. "Often got down in the 70s."

Anthony Gebardi asserted he knew nothing about his brother's underworld activities, or of his enemies, if any.

Nevertheless, the police learned from other sources that McGurn was jumpy in recent months, and apparently expected some dire fate. He frequently requested the Oak Park police to give him special protection. One informant said he "went pretty near crazy when a tire blew out close to him a few weeks ago."

Three Real Witnesses Found.

The witnesses to the shooting itself are William Aloisi, 1121 West Huron street, owner of the bowling alleys; his porter, Tony Mascarella, and a pin setter, Edward Bonarek, 20 years old, 1128 Fry street. The rest of the twenty persons in the room at the time have not been found.

"I didn't know the man who got killed," declared Aloisi. "He came in at 20 minutes before one with two other men, whom I had never seen. They all sat around a few minutes waiting for an empty alley. I paid no attention to them. About 1 o'clock I heard somebody shout that there was a stickup and not for anybody to move.

"Then there was shooting. I dived under a pool table that was near me and stayed there. There must have been 10 or 15 shots fired. But I don't know who did the firing. I stayed where I was, sheltered, until things quieted down. I don't know whether the man that did the shooting came in with the man that was killed."

Awakened By Gun Play.

Mascarella related that he was asleep on a bench when the shooting started and that he didn't see anything that preceded it.

"All I know is that I woke up to see one man shooting and telling everybody to stay down," the porter asserted. "He kept firing till he reached the stairs and then dived down the stairway. Everybody else followed him but Aloisi and he told me to call the police."

The only fact of moment added by Bonarek was that McGurn and his companions had taken off their coats and had bowled one game before the firing. He said he was not close enough to observe who did the shooting.

It was generally agreed that the shooting was furious and fast.

Stories Held Unreconcilable.

All the statements were like those that were given in the days when gangsters were important elements in the population. Moreover, these declarations were at variance with what the police asserted were verified facts. For one thing, they said, McGurn bowled in the place three times a week for the last month, and must have been well known to the owner and to other patrons.

Some one, possibly the killer, had the foresight to tear away the score sheet which bore the names or initials of McGurn and those who bowled with him. There was left, accordingly, no clew to the identity of any person who was standing nearby when the murder took place, and the police have faint hope of ever finding one.

Rather strangely, when McGurn was shot down, he was not wearing a large diamond ring which habitually adorned his hand. His brother, Anthony, demanded this ring of the investigators, and became indignant when he was informed that no jewelry was found on the body and no money, other than $3.85. Mrs. McGurn resolved this difficulty when she reported that her husband had left the ring at home.

An Obsolete Mercenary.

All in all, the police decided, McGurn was slain because he didn't understand that he was an anachronism. There are no gangsters left like Capone, who can afford to pay their murdering help big wages for protection. McGurn, unable to act without direction, still pushed himself in wherever he could find a loophole. There is even a fairly well founded belief that he was planning to take over a little booze and vice territory in the vicinity of the bowling alleys.

From this information the investigators reasoned that some other underling of the Capone mob remnants had been assigned to gain his confidence and to end him. He was too expensive a load to carry, considering his abilities.

With considerable more than a grain of salt the police took a persistent rumor that Capone, although he must stay behind the bars at Alcatraz for at least three or four years more, is still getting his "cut" from such business as the gang syndicate he controled can still stir up.

Doubt Power of Capone.

Part of this story is that Capone is able to purchase favors in the prison and that his faithful boys are still loyal to him merely in gratitude for past favors.

If that were true, the investigators reasoned, Capone would still be strong enough to protect his one time favorite. It is far more likely that Frank Nitti and the other chieftains who are carrying on the tradition of gang rule in Chicago—on a miserably lessened Capone model—became bored with a useless sort of appendage who was trying to live on his past reputation, and gave out the word that he was no longer protected from harm. Even gangsters

CHICAGO DAILY TRIBUNE
2-16-36

have to work hard nowadays for a living.

Nitti and Ralph Capone, brother of the old leader, are almost alone carrying the load of organization and of syndicated marketing of the goods that Al dealt in. Frank Rio, the first string bodyguard of the old boss, died a natural death not so long ago. Louis Cowen, his Cicero publicity man, and William [Three Fingeered Jack] White have been slain. So has George Barker, who with White tried to strongarm Chicago unions into the Capone field—and almost succeeded.

Most of those left are merely existing as McGurn did in fear and trembling and on the edge of poverty. McGurn's situation was described last night by Lieut. Harry Wilson of the Oak Park police.

A James Fitzjames Episode.

"A dozen times McGurn has called us to say that his life was in danger," said the lieutenant. "Last October we went to the house on a call and found him locked in a clothes closet. He wouldn't come out until he was sure we were policemen. He couldn't have been very prosperous, as a finance company took away his big automobile only a few months ago."

It may be quite a while before Capone learns that his old underling is gone.

"We won't tell him about it," said Warden Johnston at Alcatraz. "Such information is censored out of the letters and newspapers that the inmates are allowed to read. In time, it is probable, he will get word through the prison grapevine. Otherwise he would have to wait until his term is finished."



JACK McGURN.



MRS. JACK McGURN.



WILLIE ALOISI.

CHICAGO DAILY TRIBUNE

5/6/36

272



GANGLAND PROBED IN M'GURN SLAYING

Gunner Linked to Valentine Day Massacre Killed by Pistol Men.

By the Associated Press.

CHICAGO, February 15.—A tangle of gangland hostilities—extending back seven years to the St. Valentine's massacre of 1929—enmeshed tonight the hunt for the slayers of dapper "Machine Gun" Jack McGurn.

"Public Enemy No. 8" on the original Chicago list, he died early today, just 12 hours past the anniversary of the septuple killing of George (Bugs) Moran henchmen which brought him national notoriety. Three pistol men ended his "charmed life" in a near northwest side bowling alley.

There were "just too many reasons" why the death of the chief machine gunner of the Capone "syndicate" could have been desired to make it easy to trace his killers, said Mal Coghlan, assistant State's attorney.

"Police will have to untangle many phases of his life before we can even get started toward a solution," he added.

Dozen Years as Gangster.

In his dozen years as a major gangster, the frequent target of bullets himself, McGurn was credited in underworld boastings with the deaths of at least two dozen men, the extortion of thousands of dollars, a fever with his chief, "Al" Capone, which bred jealousy among his own associates, and a suave ruthlessness with enemies.

Into all these and their ramifications authorities dug for clues.

They quickly rounded up the widow—once Louise Polfe, the "blond alibi" whose testimony cleared him in the St. Valentine's day killings—and eight others for questioning. But gangland's wall of silence intervened.

"They shouldn't have done it," the widow exclaimed, but she said she had no idea of who "they" might be. She said the $3 65 found in her husband's pockets along with two unused prize fight tickets and a "piece of a book" (horse race betting enterprise) represented their entire estate.

Two Companions Sought.

William Aliano, proprietor of the bowling alley, told police the trio came into his second-story establishment, shouting "stick them up," and that he ducked when the volley started.

The police search concentrated on two companions who went with McGurn the last night to the bowling alley.

They regarded it highly significant that the pair snatched from the scoring board, after the shooting, the sheet presumably containing their names and Jack's.

The possibility of revenge for the savage slaying of the Moran gangsters—despite the coincidence of dates—found little support from Police Capt. Richard Barry.

"The gangs don't usually shoot to avenge something that happened years ago," he commented. "My guess is that McGurn stepped on somebody's toes in the alky racket, or the gambling business recently."

Believed "Alky" War Victim.

Chief of Detectives John Sullivan said the killing was likely due to "a new alky war between Chicago and Milwaukee bootlums."

He said he learned recently that McGurn had turned to competing with the Wisconsin alky cookers and bootleggers.

An inquest heard brief testimony from Mrs. McGurn and from Anthony Gebardi, who said he was Jack's brother and that his real name was "Vincent Gebardi." Gebardi said he understood his brother was a golf professional at a suburban country club—a reminder that golf was Jack's pastime—and that he was once good enough to enter the Western open under his own name. The inquest was continued to March 6.

Late today all persons questioned in the slaying were released, including Alonzo and William Belmonte, a tailor who made many of McGurn's suits.

They will be arraigned Monday, but police said continuances would be asked pending the outcome of the coroner's inquest.

From the original "public enemy" roster of 28 names, McGurn's was the ninth to be erased by death.

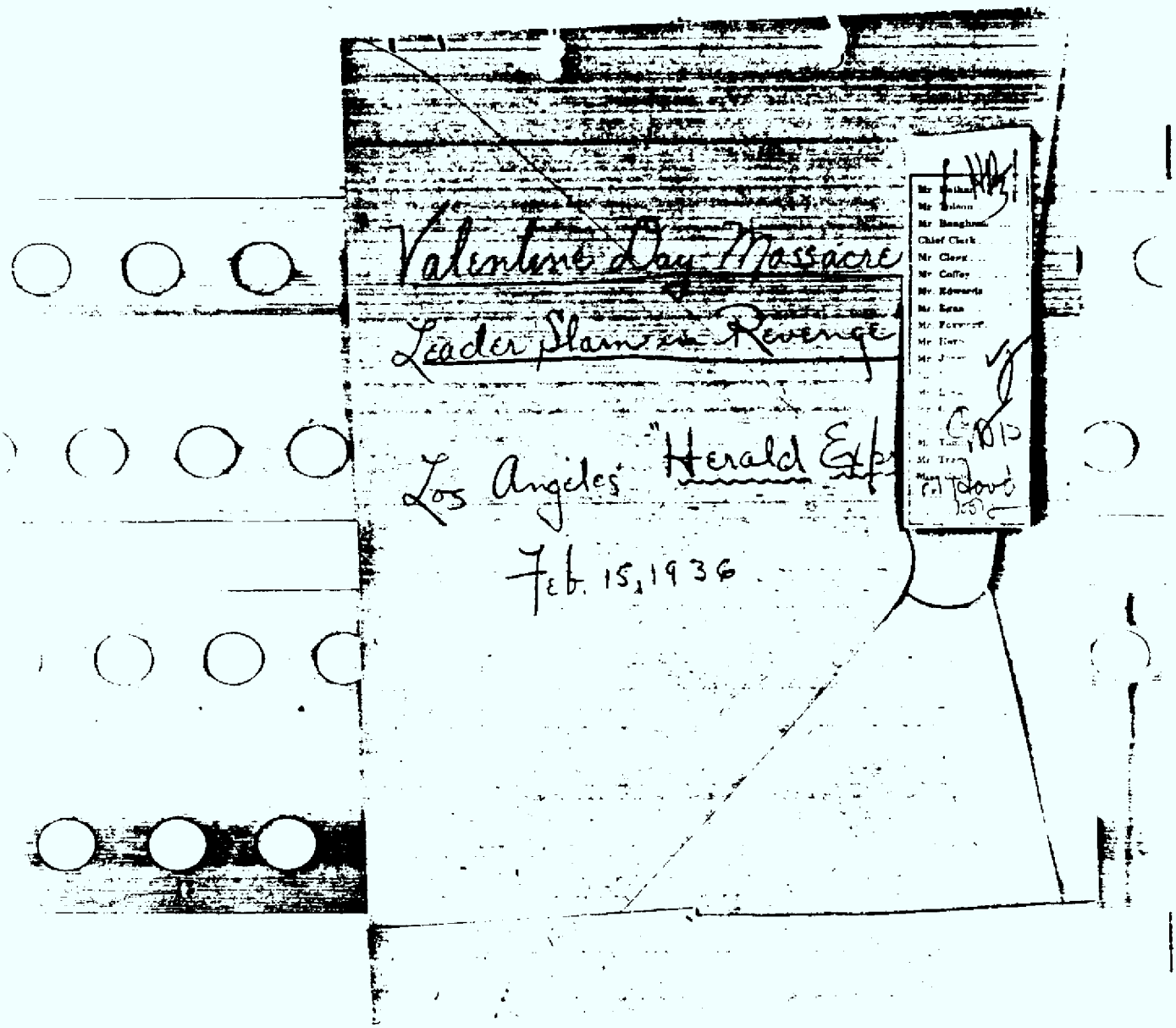
By gang guns or from natural causes Jack Zuta, Joe Aiello, Frank McErlane, George (Red) Barker, William (Three-fingered Jack) White, Joseph (Pepe) Genaro, Frank Rio and Myles O'Donnell previously had died.

Capone, No. 1 on the list, is still serving a Federal prison sentence at Alcatraz, near San Francisco, for income tax evasion. Willie Niemoth is serving time in Maryland; James (Fur) Sammons in Indiana, and the others are "at large"—several after completing prison terms on income tax charges. Ralph (Bottles) Capone, Al's brother, is among the latter group.

McGurn's Valentine Found Near Body



The trampled valentine greeting, at left, was found yesterday near the body of "Machine Gun" Jack McGurn, slain Chicago gangster. At right: the "Blond Alibi", widow of McGurn, being escorted to a police inquiry shortly after the shooting. Sobbing, she said she had no idea who killed her husband. Inset: McGurn, slain just seven years after the St. Valentine massacre of seven Moran gangsters, for which he was indicted, but never tried. --Copyright, A. P. Wirephoto.



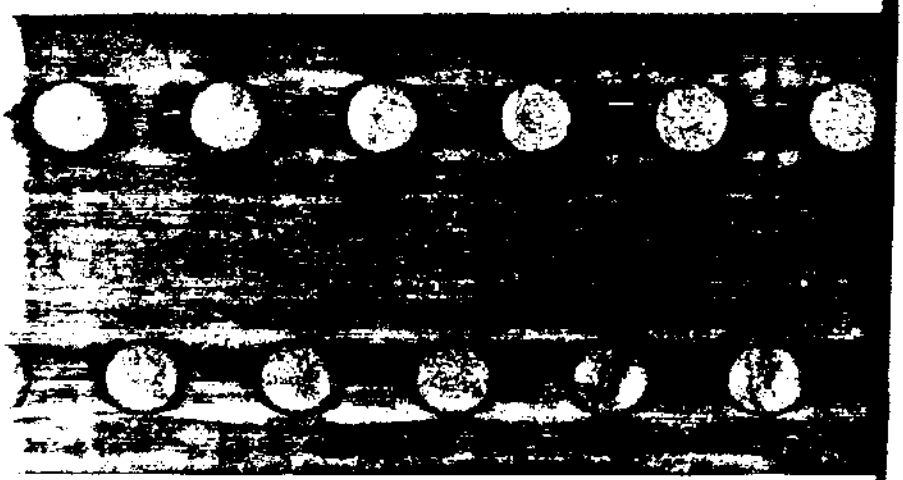
Valentine's Day Massacre

Leader Slain in Revenge

Los Angeles "Herald Exp

Feb. 15, 1936





M'GURN SLAYING AVENGED, SAY POLICE

[illegible] asked hysterically as the police took her in for questioning, if Jack McGurn had fallen back into [illegible] and that they were "broke." She owned [illegible] share of a [illegible] horse race betting establishment at Melrose Park," she said.

The police said McGurn had been ordered to [illegible] to-end [illegible] in person.

The valentine was in a plain white envelope addressed to "Jack McGurn."

Besides the Valentine Day revenge theory, police also investigated the possibility of a new Chicago gang war. Capt. Stanley Best declared:

"Things don't shoot by accident. Something that happened years ago. They put them out of the way for what they are doing now."

HANG DEFENDERS

The recent return from prison of eight powerful Capone lieutenants to Murray Humphreys and Jack Guzik and reports of discussion in the ranks of the remnants of the Capone gang enters the swiftly launched police inquiry.

One theory was that the hoodlums were quarreling over division of the spoils of the bolcyon prohibition days.

Other theories dealt with efforts of gangsters to gain control of night clubs, labor rackets and gambling.

Five hours after McGurn's slaying eight persons were held for questioning, and being his friends or widow.

McGurn died in much the same manner as the victims of the St. Valentine's day massacre of 1929.

McGurn entered the bowling alley with two companions shortly before 1 a. m. William Aiello, the owner, told them they would have to wait 15 minutes because the alleys were then in use. McGurn and his friends then walked to the most distant of the four alleys and stood watching the game in progress.

THREE MEN ENTER

A quarter of an hour later three men entered. One shouted:

"This is a stickup!"

Ignoring the approximately 20 other persons in the room, one of the killers fired a volley of shots. Two of them entered McGurn's head, killing him instantly. Another bullet struck the base of his brain and another hit him just behind the ear.

The killers rushed out of the room.

After McGurn fell Aiello said the hoodlum's companions, neither of whom were known to him, leisurely straightened out the body. They walked over to the bowling score sheet, tore off the page on which their names were entered and took it with them as they left.

Another crumpled sheet-like lay on the floor near where they had been sitting. It was addressed to "Willie de Grazia." The missive inside had been torn up. The police sought to learn whether De Grazia might have been one of McGurn's companions.

MAN 3 IN FLIGHT

Three men who sought to flee the place when the police arrived were taken into custody for questioning. They gave their names as John Baltaglia, 28; Charles Alexander, 29; and Sam Aiello, 31, reported to be a brother of the bowling alley operator.

The police also took into custody the janitor, who gave the name of Tony Moscarello. The janitor told the police he was asleep when the shooting started and all he saw were the persons who were fleeing from the room.

On McGurn's body the authorities found $3.85, a package of cigarets and two unused tickets for admission to visit the morgue to view the body of the man her alibi had saved from being tried for the infamous St. Valentine's Day massacre, seven years ago yesterday.

The police issued a description of one of the slayers over the police short wave radio. It said the man was about 25 years of age, five feet tall, weighed about 125 pounds. He wore dark clothing, no hat and carried an automatic pistol.

Belmonte, in whose name the automobile was registered, when found by the police said he knew McGurn and that he had permitted the slain gangster to use his name in buying license plates because the gangster told him it would be difficult to get them in his own name.

Vincent Gebhardi, alias Gebardi, alias "Machine Gun Jack" McGurn, former big time gambler and alky runner for the Capone syndicate, rapidly descended from the heights of the prohibition era, the police said, to operation of a small gambling resort.

TOURNEY ENTRY

McGurn was arrested on a vagrancy warrant as he teed off at Olympic Fields, Aug. 31, 1933. McGurn had entered the western open tournament under the name of Vincent Gebhardi.

With him at the time was Louise Rolfe, whom he married after divorcing his first wife, Mrs. Helen G. Demory.

McGurn was 39 years old, according to previous police records. Always dapper, he had not given up his flair for good clothes. When he was slain, he was wearing an expensive gray suit, a bright red [illegible] suspenders, and silk linen shirt.

The police said they last heard of McGurn on July 14, 1933, when he was operating a gambling establishment in suburban Melrose Park. Bets on horse racing, as low as 50 cents, were received by McGurn himself, a far cry from the affluence displayed by the notorious gangleader of prohibition days, they said.

In 1931 McGurn was listed as public enemy No. 6 on the list posted by the Chicago crime commission.

GANGLAND BULLETS CATCH UP WITH M'GURN ONLY 7 YEARS LATE

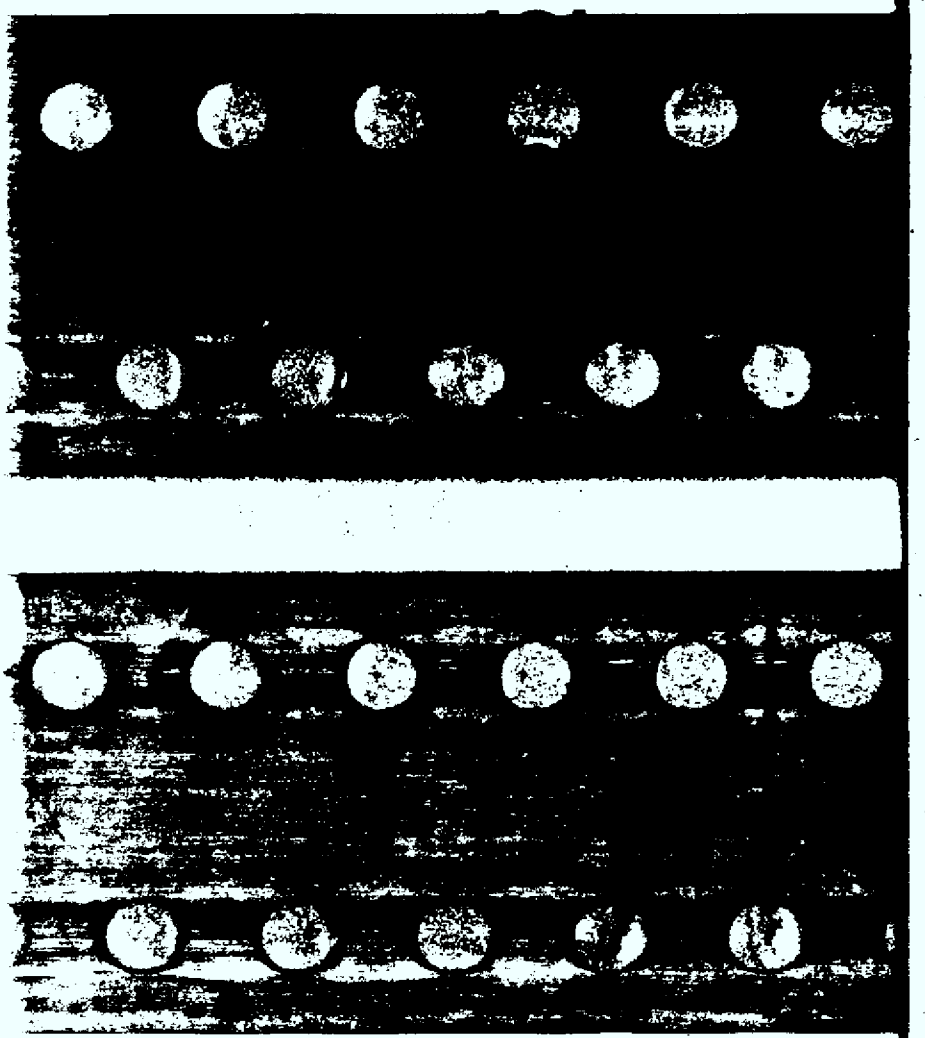
By International News Service

CHICAGO, Feb. 15.—Underworld bullets caught up with "Machine Gun Jack" McGurn today—seven years late.

Though police never pinned it on Al Capone's chief executioner, it was generally conceded McGurn engineered the St. Valentine's day massacre.

Seven members of "Bugs" Moran's northside gang were wiped out in that wholesale slaughter seven years ago yesterday.

The seven were waiting in a North Clark street, garage for a



[illegible] Tuesday by Jack McGurn and [illegible] Their method was to lure the [illegible] victim to the bowling alleys, turn off the page on which their names were entered and took them at their late.

Another suggested explanation by the 10th floor sleuths was that they had been sitting. It was addressed to "Mike de Grazia." The identity [illegible] was not known. The police sought to learn whether De Grazia might have been one of McGurn's companions.

BAR 2 IN FLIGHT

Three men who sought to flee the place when the police arrived were taken into custody for questioning. They gave their names as John Bardellis, 21; Charles Alexopulos, 22; and Nick Zikakis, 21, reported to be a brother of the bowling alley operator.

The police also took into custody the janitor, who gave the name of Harry Mancarello. The janitor told the police he was asleep when the shooting started and all he saw were the persons who were fleeing from the room.

On McGurn's body the authorities found $3.65, a package of cigarets and two unused tickets for a prize fight held at the Chicago stadium last night.

There was also an automobile license for a coupe issued in the name of William Belmonte of Chicago and a bill of sale showing he purchased the car last Dec. 24.

A cliff was sent out to pick up Belmonte and Mrs. McGurn, the former blonde alibi, Miss Rolfe. The authorities also checked the bowling alley equipment in a search for possible fingerprints which might lead to the identity of the killers [illegible] McGurn's companions.

Sharpnosed Frank Donahue rang Mrs. McGurn's doorbell early today. Louise answered. She was fully dressed, sobbing, but not hysterical.

KNEW ABOUT HIM

"Do you know about Jack?" Donahue asked.

"Yes! my God! how had it be?"

"Well, he's gone."

The buxom blonde bounced into the sumptuous house, reappeared in a moment wearing an expensive fur coat, a jaunty black hat cocked over one tear-reddened eye.

At they drove to the police station she told Donahue she had received an anonymous telephone call shortly after the shooting. A voice said:—

"Something has happened to Jack."

But she insisted that was all.

She told police Jack arose at 11:30 yesterday morning, remarked, "I feel like [illegible]," and left their home in suburban Oak Park. That was the last time she had seen him alive.

OWNED PIECE OF BOOK

She said she didn't know what her husband had been doing for a living lately, but she thought—

"He owned a piece of a book."

She punctuated her answers to police queries by sobbing:

"Take me to him! Take me to him!"

Later, police said, she would be [illegible] in suburban Melrose Park. Note on house-moving, as low as 50 cents, were received by McGurn himself, a far cry from the affluence displayed by the notorious hoodlum of prohibition days, they said.

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Seven members of "Bugs" Moran's northside gang were wiped out in that wholesale slaughter seven years ago yesterday.

The seven were waiting in a North Clark street garage for a shipment of liquor. A telephone call to Moran headquarters had informed the gang boss the liquor was enroute and was about to be delivered.

SUCCESSFUL RUSE

That telephone call was a ruse, a successful ruse, to lure the gangsters to their execution.

At 11 a. m. an automobile resembling a police squad car stopped in front of the garage. Two men in police uniform entered the entrance from the rear and four men entered the street entrance.

That much was seen by witnesses. What went on inside the garage has never been disclosed, but police were able to continue the story from the ghastly evidence they found sprawled on the bloody floor.

As reconstructed by police, the intruders produced machine guns from under their coats. Announcing it was a liquor raid, they lined the seven gangsters against the garage wall.

Then the killers squeezed the triggers of their machine guns, sending a deadly stream of bullets into the backs of the helpless gangsters, mowing them down into a bloody, lifeless row of bodies.

MORAN GANG HARD HIT

The executed were Pete Gusenberg, Frank Gusenberg, Al Weinstalk, James Clark, John May, Adam Hayer and Dr. R. H. Schwimmer.

The massacre practically wiped out the Moran gang and left the lucrative north side territory open to Al Capone.

The killers escaped. Three weeks later McGurn was captured and identified by two persons as having been one of the men who entered the garage with the massacre squad.

But his "blonde alibi," pretty Louise Rolfe, said "Machine Gun Jack" had been in a downtown hotel with her at the time of the massacre and McGurn was not charged with the wholesale killing. Later he married his "alibi."

37

VALENTINE DAY MASS
LEADER SLAIN IN RI

Reveal 250 Periled by L. A. Harbo

ANG EXECUTIONER





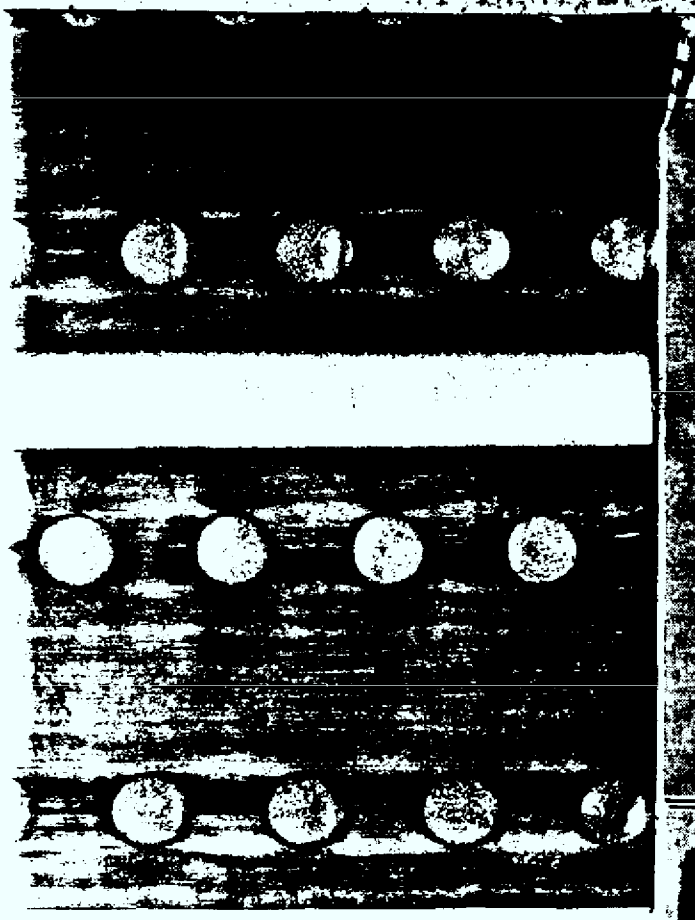
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Valentine's day
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McGurn was susp
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With an ironic "comic" valentine beside his body, "Machine Gun Jack" McGurn, above, one-time chief executioner for Al Capone, was found shot to death early today in a Chicago alley.

278

ENTINE DAY MASSACRE
ADER SLAIN IN REVENGE

ıl 250 Periled by L. A. Harbor Bombing



ANG EXECUTIONER SLAIN



Here is Louise Rolfe, McGurn's widow, who is being questioned. Officers say his murder may have been revenge for the Valentine's day massacre of seven gangsters seven years ago. McGurn was suspected, but Miss Rolfe established [illegible]



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CAPONE AIDE JACK M'GURN KILLED BY THREE MEN

New Gang War Hinted as 'Executioner' Killed on Anniversary of Slayings

CHICAGO, Feb. 15.—Dapper "Machine Gun Jack" McGurn, one-time chief executioner for Al Capone, early today received a comic Valentine—and death.

It was a ghastly gangland gesture—possibly revenge for the slaying of seven "Bugs" Moran gangsters seven years ago in the bloody St. Valentine's day massacre.

McGurn, accused of the massacre, "beat the rap" by producing the now famous "blonde alibi," Louise Rolfe, who later became his wife. She testified that she and McGurn were in a hotel when the seven men were slain.

McGurn, 33, was shot in the back in a northwest side bowling alley by three men with pistols about 1 a. m. Beside his body was found the "comic" valentine. It bore the picture of a [illegible]-clad female standing [illegible] "Hall Insurance," "Sale of Household Goods." Then the verse:

"You've lost your job, you've lost your dough,
Your jewels and cars and handsome homes;
But things could still be worse, you know—
At least you haven't lost your frowns!"

And the jest about McGurn's poverty was about the truth, police said.

As Capone's chief machine gunman in prohibition days, McGurn was reputed to have amassed several hundred thousand dollars. He died on the blood soaked bowling alley floor with $1.15 in

...ANG EXECUTIONER SLAIN

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McGurn, 32, was shot in the back in a northwest side bowling alley by three men with pistols about 1 a. m. Beside his body was found the "comic" valentine. It bore the picture of a scantily-clad couple standing back of a sign reading, "Sale of Household Goods." Then the verse:

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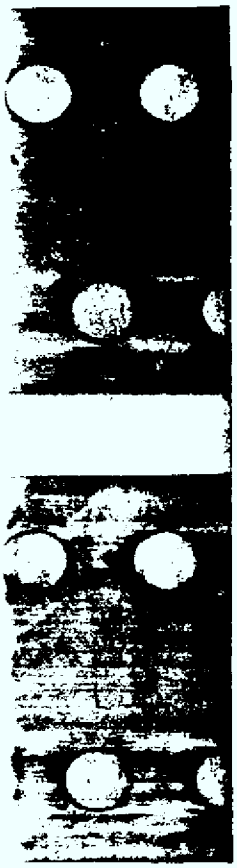
As Capone's chief machine gunman in prohibition days, McGurn was reputed to have amassed several hundred thousand dollars. He died on the blood soaked bowling alley floor with $2.35 in his pockets.

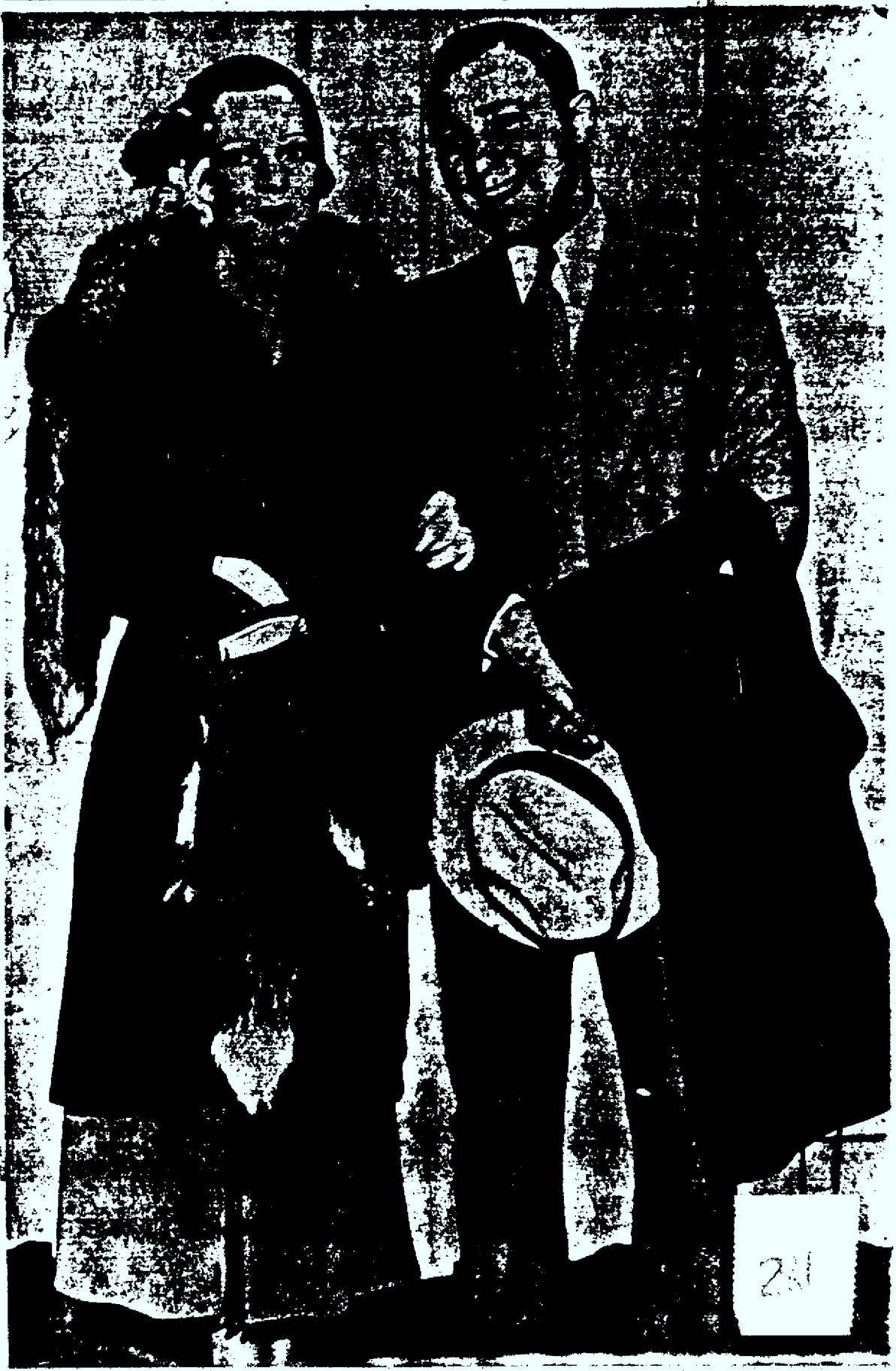
His widow, the "blonde alibi,"

(CONTINUED ON PAGE FOUR)

Jack McGurn and His Blond Alibi

NOTORIOUS PAIR POSE IN PEACEFUL MOMENTS





21



LOUISE ROLFE M'GURN — **JACK GEBARDI M'GURN**

Shown at time of arrest June 5, 1929, for Mann act violation for trip to Florida together. He escaped two-year penalty by marrying her.

St. Paul Daily News

2-15-36

2 Leaden Valentines Follow One On Paper; Capone's Gunman Slain

Jack McGurn, Reputed Leader In Moran Gang Massacre Shot Down In Bowling Alley.

CHICAGO, Feb 15.—(UP)—Two "lead valentines" in the back rubbed out machine-gun Jack McGurn, baby-faced killer of the Al Capone era, today in what police believed was retaliation for the atrocious St. Valetines day massacre of seven years ago.

A comic valentine, mocking McGurn for his fall from former affluence, was found near the crumpled body in the bowling alley where he had gone with two supposed friends early this morning.

Detectives failed to find a motive in McGurn's recent quiet life. The valentine, addressed to McGurn in a penciled scrawl, and his death a few hours after the seventh anniversary of the mass execution of seven "Bugs" Moran gangsters in which he was chief suspect, set police trailing old clues.

As McGurn laid down his coat and derby hat, three men appeared behind him and fired more than a dozen shots. Two drilled the gangsters back and he died immediately.

The executioners vanished—also nearly a score of customers.

Police placed McGurn's wife Louise Rolfe McGurn, McGurn's blond alibi in the St. Valentine's day massacre, under technical arrest.

"I don't know who did it," she screamed.

She told Sergt. Frank Donahue that Jack "had a piece of a book" at Melrose park. The former No. 1 trigger man for Al Capone had $3.85 in his pocket when he died.

Three young hoodlums were picked up in a restaurant below the bowling alleys immediately after the shooting.

"ALIBI GIRL" MOURNS PASSING OF M'GURN



Jack McGurn, former machine gunner for Al Capone, who early today was shot and killed in a bowling alley at 803 Milwaukee avenue.
[By a staff photographer.]



The widow of the slain gangster, Mrs. Louise McGurn, who had come to be known as his "alibi girl," is shown weeping bitterly after she had been informed that McGurn had been murdered by gangland rivals. She appears (in inset) as she was in more prosperous and happier days.
[By a staff photographer.]



YOU'VE lost your job; you've lost your dough;
Your jewels and cars and handsome houses!
But things could still be worse, you know . . .
At least you haven't lost your noses!

This comic valentine, addressed to McGurn, was found by police following his murder and is being held as a flimsy bit of evidence in the investigation.

Killer Jack McGurn Is Slain; Surprised by Three Assassins

Machine Gunner Shot Dead in Bowling Alley on Milwaukee Avenue.

VALENTINES ARE CLEWS

BY EDWIN A. LAHEY.

Jack McGurn, who learned the arts of homicide when most youths are still playing run-sheep-run, was shot and killed today in a bowling alley at 803 Milwaukee avenue.

McGurn, who rose to prominence with police and public under the expert guidance of "Scarface Al" Capone, was about 32 years old. In his crowded career as chief machine gunner of Capone in prohibition days he was reputed to have killed at least two dozen men and gone through several hundred thousand dollars.

In recent years McGurn, who was born Gebhardi, had yearned for respectability and a low golf score. He died in the low 80's.

Three Men in Attack.

Some wag had given McGurn a comic valentine a short time before three men barged into the bowling alley and started cracking at him with guns. The valentine portrayed a man and a woman dispossessed and standing in front of a house with their furnishings. The verse was:

You've lost your job; you've lost your dough;
Your jewels and handsome houses;
But things could still be worse, you know,
At least you haven't lost your trousus.

Shortly after the killing, Sgt. Francis Donohue of the coroner's office rang the bell of McGurn's home at 1244 North Kenilworth avenue, Oak Park, and was answered by McGurn's blonde wife, the former Louise Rolfe, who was his "alibi girl" in the massacre of seven Moran gangsters on Valentine's day, seven years ago yesterday:

"Heard about Jack?" said Sgt. Donohue laconically.

"My God," said Mrs. McGurn, "how bad?"

"He's washed up," answered the sergeant.

The gun widow became hysterical, but dressed and accompanied Sgt. Donohue to the Racine avenue station, where she appeared weeping bitterly.

Wife Views Body.

Then Mrs. McGurn, beautiful in her grief, and attired in an ermine coat, was taken to the county morgue, where so many of her husband's subjects had previously lain. She was shown the body of her husband, and became hysterical again. Later she lapsed into a quiet cry as she waited for the inquest to be convened.

Questioning by Assistant State's Attorney Malachi Coghlan failed to bring forth from Mrs. McGurn anything that would shed light on the murder.

Mrs. McGurn made a striking fig-

2-15-36

245

'Machine Gun' McGurn Slain by Three Gunmen

(Continued from First Page.)

ure, deathly pale from grief, with spots of color showing from the red of her nails and lips, and the dark brown at the roots of her blonde hair.

It was revealed during the inquiry that Mrs. McGurn is the mother of a 12-year-old daughter. When asked about the child she exclaimed:

"Oh, don't ask me. Can't you see how I feel?"

Silence Confronts Police.

The slaying of McGurn did not have the class or the finesse that accompanied murders charged to "Machine Gun Jack," but it had all the elements of silence that confronts police in the average gang killing.

Four men were questioned by the police, but professed to know little of the killing. Two of them were in the bowling alley when McGurn's killers entered. All of them declared they knew McGurn only by what they had read in the papers.

Those questioned were William Aloisio, owner of the bowling alley; Sam, his brother; John Battaglio, 23 years old, of 1154 West Ohio street, and Charles Alozowska. The latter three were picked up when they entered a restaurant below the bowling alley after the killing.

William Aloisio was held for the inquest and was due for some more questioning, despite his assertions that he did not know McGurn.

Valentines on Counter.

One fact compelled police to believe that Aloisio might have been chummy with McGurn. On the cigar counter in the bowling alley were found four valentines similar to the one found near McGurn's body.

These valentines were all addressed in the same handwriting as that which carried the name of McGurn. They bore the names of Nick de John, Doc Pecaro, Jim Dyme and Skippy.

Alosio told Sgt. Kyran Phalen and Capt. Martin Mullen of the Racine avenue station that he was sitting on a bench when the three killers came in and that he dived under a pool table when the shooting started. He said he believed about fifteen shots were fired.

Tony Mascarella, 2023 Grand avenue, employe of the bowling alley, also witnessed the shooting. He dived behind a radiator when the bullets began to fly, but said he would be unable to identify the killer of McGurn.

"I was asleep in a chair at the side of one of the alleys," he said. "I awoke to see one man with an automatic pistol backing out of the entrance door, shooting as he went. I jumped for a radiator."

Two Men with Victim.

McGurn, accompanied by two other men, entered the place between midnight and 1 a. m. They chose two of the four alleys in the place, took off their coats, pawed over the balls and prepared for a game. One of the party had marked up the names of the three on the score sheet.

Before the bowling had started the three assassins entered. There were about fifteen other men in the place besides the McGurn party.

"Stick 'em up, everybody," shouted one of the intruders.

Before anybody knew what was up the assassin with the automatic began firing at McGurn at a distance, police supposed, was between twenty and thirty feet.

Shot Twice in Head.

McGurn caught two bullets before he could turn around. One entered his skull just above the nape of the neck, the other behind his right ear.

The ex-Capone killer slumped down on his back on the sleek maple flooring of the bowling alley—dead. When police arrived he was still sprawled there in his shirtsleeves with two rivulets of blood pouring out of his nose.

McGurn was dressed in his usual immaculate style. He wore a gray suit of good tailoring, gray spats, a fine shirt and a red tie. Slung over a bench behind the alley were his suit coat, a black overcoat and a derby.

Besides the valentine, police found among McGurn effects an automobile identification card issued to William Belmonte, 5541 Harrison street.

Belmonte, a tailor at a loop shop where McGurn had had suits made, told police he had allowed McGurn to use his name in procuring license plates for his automobile, to avoid the difficulties that beset the notorious gangster in his public business affairs.

In McGurn's pockets were two tickets to the Hank Bath-Red Burman fight at the Stadium last night. They were $2 mezzanine seats, and had not been used. There was also $6.85 in his pockets.

Companions Suspected.

The possibility that McGurn's two bowling partners may have led him to the slaughter engaged the police in thought, but they were at a loss to find out who they were, in view of Aloisio's statement that he did no even know McGurn, let alone his companions.

As McGurn's companions crowded out of the bowling alley with the rest of the customers, they took with them the bowling sheets on which their names were inscribed.

There was some question as to how many shots were fired in the killing. Three bullet holes were all that the police found on the premises. One was over the door, leading police to believe that McGurn's companions may have returned the fire of his killer.

There were four .45 caliber shells scattered on the floor. Two were near McGurn's body, one near the door and one near a telephone booth adjacent to the door.

Police learned that William de Grazio, a guard at the bridewell, frequented the bowling alley and planned to question him to learn if McGurn was a regular visitor there.

Aloisio, although he admitted he had conducted a gambling place before the "heat wave" last summer, said that no gambling had been carried on in the bowling alleys.

Inquest Is Opened.

McGurn's body was taken to the county morgue, where an inquest was opened by Coroner Frank Walsh today.

Mrs. McGurn told her questioners that her husband had gone to a funeral yesterday morning, but that she did not know who the central figure at the funeral was.

McGurn returned to Oak Park in the afternoon and slept through into the late evening, she said. About 11 o'clock last night, Mrs. McGurn related, her husband dressed and announced he was going out to bowl. A retiring wife, Mrs. McGurn declared she did not learn with whom he intended to bowl, or where.

Of McGurn's business, Mrs. McGurn declared she knew little, except that he had an interest in some handbooks, one of them in Melrose Park.

This handbook, which has been conducted by McGurn and his associates for more than a year despite frequent public notice of it, is located in the quarters of the defunct Citizens State Bank of Melrose Park, at Broadway and Main street.

2-15-51

M'Gurn Slayers Leave Valentine Behind

By International News Service.

CHICAGO, Feb. 15—A ghastly interpretation was read into a "comic" valentine found lying near the bullet ridden body of "Machine Gun Jack" McGurn, slain by three unidentified assassins early today.

Beneath the picture of a scantily clad couple standing back of a sign reading "sale of household goods," were the words:

"You've lost your job; you've lost your dough;

"Your jewels and cars and handsome houses!

"But things could still be worse, you know . . .

"At least you haven't lost your trousas!

The valentine was in a plain white envelope addressed to "Jack McGurn."

Police immediately connected it with the infamous St. Valentine's day massacre of 1929, when seven members of a rival gang were mercilessly slaughtered in a plot believed engineered by McGurn.

WISCONSIN NEWS
FEBRUARY 15, 1936

16a-A

281

McGURN, KILLER No. 1 FOR CAPONE, SLAIN

(Special to The News.)

Chicago, Feb. 15.—Machine Gun Jack McGurn, who in the days of Al Capone was on of the most notorious of Chicago gangsters, was shot and killed by three unidentified assai ants early today in a bowling alley at 805 Milwaukee Ave. Three men, who slipped up b hind McGurn, who was bowling, fired a total of more than a dozen shots from their pistol Nearly all the bullets took effect in his body.

The murder of McGurn occurred a day after the seventh anniversary of the St. Valentine's Day massacre, when seven men were mowed down in a N.



For a long time Machine Gun Jack McGurn flouted both the law and gangland's guns. Left, he's shown in court as judge freed him on concealed weapon charge. Center, in hospital, riddled with underworld bullets, he still lived. Right, Louise Rolfe, his "blonde alibi" bride, as her testimony saved him from chair when he was arrested in St. Valentine's Day massacre.

Clark St. garage. McGurn has been suspected as the machine gun wielder who handled the gun at that time.

More than a dozen persons witnessed the shooting. All fled immediately afterward except William Alosio, proprietor of the place.

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McGurn and two of his friends," said Alosio, "came in shortly after midnight. They engaged the second alley and took off their coats to bowl. As they stood at the end of the alley, three men who had come in after them walked up unnoticed behind McGurn and began firing.

"They didn't miss. They were standing so close to Jack that every bullet took effect. He was shot several times in the head and several time in the back. He fell dead. The



Al Capone.
His No. 1 Killer Killed

killers ran out and the other people in the house, including his friends, followed."

Yesterday was the anniversary of the St. Valentine's Day massacre, one of the most sensational crimes in American history. On Feb. 14, 1929, seven members of the North Side gang headed by George (Bugs) Moran, Capone enemy in the booze and vice rackets, were lined up against the wall of a garage on N. Clark St. and were all machine-gunned to death.

McGurn Link Doubted.

There were at times reports that McGurn was implicated in that shooting. Most investigators discredited this, however. That some one wished to remind McGurn of Valentine's Day was proved by the discovery of a comic lithograph that was left with Alosio for him some time yesterday. It depicted a couple in scanty clothing with a little jingle under it which read:

"You've lost your job, you've lost your dough;
Things still could be worse, you know—
At least you haven't lost your trousers."

It was the belief of the investigators, headed by Capt. Richard Barry, that the killers had accurate knowledge that McGurn would be in the bowling alley at about the time he arrived. Possibly, it was said, they waited for him and climbed up the stairs to the second floor, where the alleys are, as soon as he and his friends had cleared the hallway.

It was even theorized that the men who went with him might have been in on the plot. To support this the police pointed out that all the bullets were directed at McGurn alone. His friends, in all probability, were armed and could have battled if they wished, in the opinion of Capt. Barry.

"But anything could have happened in this instance," he added. "McGurn had plenty of people with reason to bump him off. My guess is he stepped on somebody's toes in the alky racket or the gambling business, recently. The gangs don't usually shoot to avenge something that happened years ago. They put enemies out of business for what they're doing now."

Suspect in Many Killings.

McGurn was suspected of more than a dozen murders. But the nearest he ever came to doing a long stretch in jail was on a Mann Act conviction.

When police arrested him in Miami, Fla., on suspicion of the St. Valentine's Day murders, he was living with a golden-haired gun moll, Louise (Lulu Lou) Rolfe.

Her alibi for McGurn was graphic.

He was in her arms, she said, in a Georgia hotel, at the time police declared he was mowing down Moran's gangsters.

Witnesses who placed McGurn in



'Machine Gun' Jack McGurn
Closeup of killer who got dose of his own medicine—lead.

Chicago were rubbed out, one by one. Lulu Lou's testimony remained unconvincing—but unshakable.

The underworld hailed her as the "blonde alibi" when McGurn appeared for trial five times, each time to jeer as the State prosecutors backed down and asked for a continuance.

But when the St. Valentine's Day charges were finally dropped for lack of evidence, McGurn's alibi was turned against him.

He and his blonde paramour were indicted for violation of the Mann Act.

In an attempt to impress the jury, McGurn married the girl before trial.

The charge stuck, however, and McGurn was sentenced to two years in Leavenworth Prison and his wife to four months in the Cook County jail.

Saved by High Court.

But even in this he beat the rap when the United States Supreme Court set aside the conviction.

He served two minor terms, however, while the appeal was being argued.

In 1930 he was sentenced to the county jail for one year and fined $300 for carrying a gun.

Later he was snatched out of the Western Open Golf Tournament, where he was playing under his real name, Vincent Gabardi, and charged with vagrancy.

With unusual consideration, the arresting officers allowed him to finish his match before taking him off to jail. He shot an 86.

Later a jury sent him to the Bridewell for six months.

Jack McGurn Of Massacre Fame Is Slain

CHICAGO, Feb. 15—(Saturday) —(AP)—Machine Gun Jack McGurn, gangster, was shot and killed in a bowling alley early today.

The victim was identified positively as McGurn by Sergt. Kyran Phelan of the detective bureau. The scene of the shooting was on the near Northwest Side.

First reports of the shooting were that several unrecognized men walked into the bowling alley, drew a machine gun and fired directly at McGurn. They then turned and fled.

McGurn was allied with the forces of Scarface Al Capone, now serving time in Alcatraz prison for evasion of federal income tax.

The slain gangster was reputedly one of Capone's gunners in the days of the prohibition era, when the Capone gang was one of the most powerful and bloody in the history of the city.

McGurn's death came just seven years and a day after the St. Valentine's day massacre in which seven George (Bugs) Moran gangsters were slain in a near Northside garage. The Moran gang was previously a rival of the Capone mobsters.

The bowling alley where McGurn was killed was reported to have been owned by him.

The name McGurn was an alias. His true name was Vincent Gebardi. He also used the alias Jack Demory.

McGurn had been arrested several times in Chicago. He was charged with participation in the St. Valentine's day massacre in 1929. He furnished his famous "blond alibi" to beat that rap.

The "blond alibi" was Miss Louise Rolfe who testified that they were together in a hotel at the time of the slaying.

The state failed to convict McGurn but the federal government stepped in with a Mann act charge against both. They were convicted in 1931 and McGurn was sentenced to serve two years in Leavenworth. Miss Rolfe was given a lesser term. Before their conviction the couple were married legally.

MILWAUKEE SENTINEL
FEBRUARY 15, 1936.

Victim of Slayers Had Long Record of Crime Charges

Chicago, Ill. - (AP) - The Chicago police record of Machine Gun Jack McGurn was as follows:

Jan. 1, 1930, arrested under the name of Jack McGurn, on a charge of carrying concealed weapons.

Mar. 20, 1930, held under the name James Vincent for investigation in Miami, Fla.

July 3, 1930, sentenced to one year in the county jail and fined $300 on a charge of carrying concealed weapons.

Dec. 26, 1930, that sentence was reversed and the case was remanded by the supreme court.

July 2, 1931, under name of Jack McGurn, arrested for violation of Mann act. Convicted and sentenced to two years in Leavenworth penitentiary but placed on probation for five years.

Sept. 6, 1933, under name of Jack McGurn, sentenced to six months in the house of correction on a vagrancy charge.

MILWAUKEE JOURNAL
FEBRUARY 15, 1936

180 A



MACHINE GUN JACK McGURN, one-time Capone gang assassin, was slain in a Chicago bowling alley early Saturday. He is shown (right) on trial as a participant in the St. Valentine's day massacre. He won acquittal through the alibi supplied by Louise Rolfe, whom he later married. They are shown on the beach together. At the left McGurn is pictured competing in the 1933 western open golf tourney.

MILWAUKEE JOURNAL
FEBRUARY 10, 1936

M'GURN DEADLY AND DEBONAIR IN ALL HIS KILLINGS

Desire to Avenge Death of Father Said to Have Prompted Crimes.

If epitaphs must be written for hoodlums, it can be said for "Machine Gun Jack" McGurn, who was slain early today, that not since the medieval days of the Italian city states has there been a hired killer as gracious, debonair and deadly.

What their velvet-clad and plumed young men with Florentine daggers were to the Sforzas or the Medici, McGurn was to no less a buccaneer, "Scarface Al" Capone, who revered him for his deadliness and his loyalty.

The legend about McGurn on the near west side is that he started his career as a killer to avenge his father, slain by blackhanders when McGurn was a boy in his teens. This was about the time of the birth of prohibition.

McGurn, born Gebhardi, was a carefree youth living in the shadow of Notre Dame church at Sibley and Oregon streets when his father was slain.

A relative "ribbed" the young man up and told him the names of at least six men responsible for the murder of his father, the story goes.

When this relative had stirred in the young man a passionate desire for revenge, he had launched McGurn on his career. Within the next year, according to underworld gossip, McGurn had killed every one of the Sicilians "fingered" in the death of his father.

His First Murder.

The first murder was obviously a nervous piece of work for the sensitive young west sider, but once over the hill of his first homicide, McGurn went, in the parlance of the day, to town.

His efficiency and earnestness in redressing wrongs with a pistol won the admiration of "Scarface Al" Capone, then rising to prominence as Chicago's biggest gang leader. Once under the wing of the rising Capone, McGurn was made.

A close friendship developed between the two social outlaws, and among all his associates, Capone trusted McGurn to the last line.

It was McGurn, according to competent police informers, who first learned some years ago that ambition had stirred within the breasts of John Scalise, Albert Anselmi and Joseph Giunta, who planned to kill Capone and seize his organization.

McGurn informed Capone of the plot. A few nights later McGurn was host to Scalise, Anselmi and Giunta at a spaghetti party in Cicero. The next morning the bodies of the three were found in Hammond.

McGurn was shot once in an attempted assassination as he stood in a cigar store in what was then the McCormick hotel, Ontario and Rush streets. This was in the days of the intense rivalry between the Capone mob and the north side gang of George ("Bugs") Moran.

The St. Valentine Murders.

This rivalry was liquidated seven years ago yesterday, when a squad of Capone killers walked into the garage at 2122 North Clark street and mowed down seven Moranites and their associates. McGurn was reported to have been at that party, along with Fred ("Killer") Burke and the late Gus Winkler.

McGurn was the target for assassins a second time, on March 7, 1928. Machine gunners riddled his automobile on the west side, but he escaped unscathed.

McGurn in his lifetime had been accused of about everything but pickpocketing, but never served a jail term.

He was convicted in the state courts for gun carrying and on a vagrancy charge, but beat both cases in the Illinois Supreme court. He was also convic[ted] eral court of viola[tion] act with the woma[n] widow, but won a r[e]versal in the United States

McGurn was indi[cted] in the St. Valentine[s] but the case [was] dropped. He estab[lished] that he was with [a] the Stevens hotel [at] the mass killing.

His golf was go[od] him dare to compe[te] right name, in th[e] tournament a few [years] the first six holes [in] then discovered th[at] with a warrant issu[ed] Thomas A. Green in Felony court, were following him. He blew up and quit. He stood trial and was convicted in the lower court.

"It is a good thing he is gone," Judge Green said today. "Men of his type have no place in the community. His case is a point in the argument for an amendment to the constitution to permit men with reputations as gunmen to be searched on 'probable cause' by police."

Since the breakup of the Capone gang, accomplished through the income-tax conviction of the leader, McGurn, along with other notorious members of the mob, had drifted almost into obscurity. McGurn had spent his time golfing and taking care of a few handbooks in which he was interested in Cook county outside Chicago.

Brother Claims Body.

The body was claimed at the morgue by McGurn's brother, Anthony Gebardi, 622 South Morgan street, who filled out a blank containing some family history at the request of Henry Vala, a clerk in the coroner's office.

McGurn was born July 2, 1903, at La Gota, Italy, and was brought to this country as a baby by his parents, Thomas and Josephine Verderams Gebardi. The dead hoodlum's profession was given as a golf professional at the Maywood Country Club for seven years prior to February, 1935.

According to the brother, McGurn carried no insurance and had no property, real or personal.

QUIZ 8 IN M'GURN SLAYING

WITNESSES IN HIDING AFTER KILLING IN BOWLING ALLEY

A new Chicago gang war, rumblings of which have been heard in the underworld for many days, broke in Chicago early today with the assassination of "Machine Gun" Jack McGurn.

The dapper little golfer, reputed to have been Al Capone's No. 1 gunman in the wildest days of the prohibition era, was shot down at the close of a "Coca-Cola Night" in the Avenue Recreation Parlors, a bowling alley on the second floor at 805 Milwaukee av.

Three gunmen entered the place about 1 a. m., shortly behind McGurn, and, staging a fake holdup, shot down McGurn as he and two friends waited to bowl.

Eight Held for Quizzing

Strangely enough, the murder came at the close of the seventh anniversary of the St. Valentine's Day massacre of 1929, the wholesale killing of seven Moran mobsters for which McGurn was indicted but never tried.

Five hours after the killing the police held eight persons for questioning, one of them being Louise Rolfe McGurn, the "blond alibi" whose story in 1929 got McGurn out of the St. Valentine's case and almost got him into the federal penitentiary on Mann act charges.

Louise was found about 5 o'clock in the home she occupied with Jack at 1244 N. Kenilworth av., Oak Park, by Sergt. Frank Donohue of the coroner's office.

McGurn's Two Friends Flee

At the county morgue she quivered as she looked at her husband's body and cried:

"Poor Jack. They shouldn't have done it. Oh, Jack, you poor darling."

McGurn's two companions had fled immediately after the shooting, perhaps in his automobile, which was missing, and police did not know who they were or if they had put him "on the spot."



JACK M'GURN.
They Finally Got Him!

In fact the murder of McGurn stood out as a mystery as great as the many crimes in other days attributed to "Machine Gun" Jack, but written in the record as unsolved.

Theorizing, the police pointed to stories of a wide schism in the ranks of Al Capone. The recent return from prison of powerful figures like Murray Humphreys and Jack Guzik have brought

Continued on Page 3, Column 1.

2-15-5

TWENTY MORE WITNESSES TO SLAYING DISAPPEAR

Continued from First Page.

stories of jealousy for control of the mob.

Hint Fight to Rule Cabarets

Other stories were that the hoodlums were quarreling over the distribution of what spoils remain of the golden days of prohibition. There have been many threats.

Other theories dealt with efforts of the hoodlums to regain control of the night clubs and the "wet spots" in the near North Side. It was reported that the old guard was challenging the rule in that sector of Bill Connors, ward committeeman and boss of the Forty-second Ward.

There was thepossibility, too, that McGurn was killed in revenge for one of the many crimes laid to him in other days of his underworld career.

EXPECT REPRISALS.

But whatever the motive, the police feared that the killing of McGurn was only the first chapter in a new gang war. They expect the friends of McGurn, who was 38, to strike back, and soon.

Near McGurn's well-dressed, well-groomed body as it lay in a pool of blood was a valentine. His name was written on the envelope in pencil. The valentine read:

"You've lost your job; you've lost your dough;
Your jewels and cars and handsome houses!
But things could still be worse, you know . . .
At least you haven't lost your trousas!"

McGurn and Pals Enter Bowling Alley at 12:45

As nearly as police could piece together the scene and the action in the recreation parlors, this is what happened:

McGurn and two companions entered the place at 12:45.

They spoke to William Aloisio, 29, the proprietor, asking him when they could get alleys 1 and 2 for bowling.

Aloisio told them they would have to wait about fifteen minutes because the alleys were then in use.

There are five pool tables near the door and about twenty feet north are four alleys for bowling.

McGurn and his two companions walked to the most distant alleys, 1 and 2, and removed their coats.

TRIO WATCHES BOWLERS.

They stood watching the men using that alley, and one of the two men with McGurn put the three names on a bowling sheet.

Aloisio was seated near the counter at the door. On a bench Tony Mascarella, 37, of 2023 Grand av., the janitor, was taking a nap.

Fifteen minutes passed after McGurn had entered when the door was flung open and three men entered.

One shouted:

"This is a stickup . . . stay where you're at!"

Almost immediately he began shooting.

Aloisio thought he heard about fifteen shots.

DUCKS UNDER POOL TABLE.

Aloisio, who had his left shoe off because of an injury to his leg, scrambled for cover. He ducked under a pool table.

The twenty patrons, aside from McGurn and his companions, dove under tables and behind benches.

Mascarella, awakened by the shots, looked up to see one man backing out of the doorway. He was shouting:

"Everybody stay down!"

In an instant the three gunmen were gone.

Companions Snatch Score Sheet and Flee

Then McGurn's companions seized the bowling sheet on which their names had been written and raced each other to the door.

When the patrons and Aloisio and Mascarella emerged from cover they saw McGurn lying on the floor at the head of alley No. 1. He was dead.

That was enough for the patrons. They took their coats and hats and ran.

Only Aloisio and Mascarella were in the place with the dead "Machine Gun" Jack when police arrived.

IMMACULATE IN DEATH.

McGurn was on his back, a pool of blood spreading out from his head.

His clothing was as immaculate and costly as in the halcyon days of the Capone mob.

His overcoat, hat and suit coat lay on a bench, where he had placed them.

He wore a gray vest and trousers, gray spats, black shoes, white shirt and red checkered tie.

His red suspenders had gold clasps, set with red stones, and he wore a gold tie chain.

$3.85 IN HIS POCKETS.

In his pockets were $3.85, half a package of cigarets, two handkerchiefs, some memoranda, and a wallet containing an automobile license issued to William Belmonte, 5541 W. Harrison st.

The memoranda in the wallet took police to several addresses.

At the feet of the body were two .45 automatic shells. A third was near the door.

Fifteen feet from the dead McGurn were two bullet holes in the floor. There was another hole above the door, indicating this shot had been fired as the assassins were leaving.

THEY "KNOW NOTHING."

Aloisio claimed to know little about the shooting. Mascarella said he didn't know anything either.

Neither had seen McGurn before. Neither knew the two men with him.

Was McGurn killed by the three "stickup" men or did McGurn's companions do the job?

Aloisio and Mascarella said they didn't know. They hadn't any idea. They didn't know where the valentine came from.

They didn't know anything about five other valentines found on the cigar case near the entrance.

Witnesses Describe Only One of Killers

One of these had been torn to bits. The pieces were put together to compose the name, "William Degrazio." Degrazio, police learned, is a guard at the Bridewell. A squad was sent out for him.

The others were addressed to "Skippy," "Jim Lyne," "Nick de John," and "Doc Pecaro."

Police were attempting to identify these men on the theory they may know who was in the place at the time of the shooting and perhaps who McGurn's companions were.

DESCRIBE ONE MAN.

Aloisio and Mascarella furnished only one description. They said one of the three "stickup" men was about 30 years old, 5 feet tall and weighing 180 pounds. He was dark complexioned and wore dark clothing and no hat. He was the one who backed out last, shouting:

"Everybody stay down!"

BELMONTE FOUND.

Checking up on the automobile license, Lieut. Richard Barry went to the Harrison st. address and found Belmonte, a tailor, with his uncle, Tony Lambert, 39, of 1334 W. Van Buren st.

Belmonte, who is 38, admitted letting McGurn use his name in purchasing a car. He had become acquainted with the gangster through making clothing for him.

TAKEN FOR GRILLING.

Belmonte and Lambert were brought to the station to be questioned by Capt. Martin Mullen, who was in charge of the investigation.

One of the squads arriving at the murder scene picked up three men who were entering a restaurant below the recreation parlors. They were Aloisio's brother, Sam, 21, of 1141 W. Huron st.; John Battaglia, 23, of 1154 W. Ohio st., and Charles Alazowka, 22, of 668 N. Curtis st.

They were locked up at Racine av. station to be interrogated by Capt. Mullen, Deputy Chief of Detectives Storms, and Chief Deputy Coroner Victor Schlaeger.

WOMAN ALSO QUIZZED.

Also questioned was Aloisio's wife, Jacqueline, of 2020 Pierce st. She said her husband had never mentioned McGurn.

On a piece of envelope in McGurn's pocket was a telephone number, Delaware 3943, and the name "Henny." The number was traced to the Westminister Hotel, 1219 N. Clark st.

Police could find no one at the hotel by that name.

In one of McGurn's pockets two tickets to the prize fight last night at the Chicago Stadium were found. They were unused.

Capt. Mullen regarded this as an indication that "Machine Gun" Jack had been summoned to keep an important engagement and that the two men with him took him to the recreation parlors to

put him on the spot for the killers.

OVERSLEPT, SAYS LOUISE.

But the blond Louise told Sergt. Donohue that Jack has missed the fight because he had overslept.

Thursday night Jack had gone to the wake of a friend she knew as "Nick," Louise said, and did not get home until Friday morning.

He slept until almost 10 p. m. last night and then left home, explaining that he was going to do some bowling.

McGurn left in his automobile, a 1936 Ford de luxe coupe, which had been registered under Belmonte's name.

AUTO MISSING.

The car could not be found when police arrived at the bowling alley to investigate the shooting.

Capt. Mullen said he believed either McGurn's companions or the three "stickup men" had used it to make their getaway. McGurn did not have the car keys on his person.

ALOISIO HAS RECORD.

Aloisio told Capt. Mullen he had operated the recreation place only since October. Before that he booked horses and operated gambling houses. He has a police record of several arrests, but has never been convicted.

Despite his story that he had never seen McGurn before last night and didn't know him, police believe the dapper gangster had been there before.

Another point in his story which the investigators doubted was that McGurn had been shot from long range.

Since both bullets struck him in vital spots in the head and neck, they believe the assassins were much closer. However, there were no powder burns.

Capt. Mullen ordered a thorough search for patrons who fled from the recreation parlor. He wanted them produced in time for the inquest at the county morgue today.

Lived as Gentleman, Even Among Wealthy

Jack McGurn was no gentleman; but he lived like one.

And Louise Rolfe, one of the first of the gangsters molls, conducted herself very much as a lady.

Born Vincent Gebardi, he took the Irish monicker of Jack McGurn when he embarked on a short career as a lightweight pugilist.

But by the time McGurn had switched to machine guns in his business of fighting, golf had become his favorite sport.

GOOD GOLF PLAYER.

And he was a good golfer. He boasted that he shot around 78. Louise's usual score was about 96. And on the golf links they were as attractive and as fashionable a pair as could be seen.

Many a golfer filled up a foursome at the Evergreen public course without knowing the mild-mannered, trim stranger in the party was McGurn. And many a player on Lincoln Park course admired the form of Louise as she played on the fairway and the green.

In Florida on the beaches in the Winter they cut as neat a figure as the New York millionaires with whom they rubbed shoulders.

A frequenter of Chicago hotels and night clubs, McGurn, always immaculately but not flashily dressed, looked the part of a prosperous business man guest.

How well he fit into the picture was shown by the fact that he lived in the Stevens for two weeks following the St. Valentine's massacre, during most of which time all Chicago policemen were supposed to be hunting him.

ACQUIRED FINE HOME.

In the heyday of their success, they acquired a fine home at 1114 N. Kenilworth av., in the exclusive north end of Oak Park.

In the depression of post-prohibition that home was lost, but the McGurns were living in a modest home a few blocks away when Louise got word there that her husband had been killed.

In recent months McGurn had sunk many points in the underworld scale and the one-time Public Enemy No. 5 was reported to be the proprietor of a Maywood bookmaking establishment that would take bets as low as 50 cents.

But even that emporium was properly housed. The building was a closed bank building.

'Blond Alibi' Seized, 'Knows Nothing'

Louise Visits Morgue and Peers at Body, Sobbing 'Poor Jack'

'Blond Alibi' Describes Jack's Last Hours in Their Home.

Attractive Louise Gebardi, "blond alibi" of Vincent Gebardi, alias "Machine Gun Jack" McGurn, lowered a tear-stained handkerchief from her eyes at the County Morgue today to peer at her husband's body.

There were no alibis then—just a sob:

"Poor Jack! They shouldn't have done it!"

Near collapse, the gunfire widow walked across the yard supported by Sergt. Frank Donohue of the coroner's office. Her high heels clicked across the floor of the anteroom where were Attendant Justine Krutkewicz and Dr. Jerry Kearns, coroner's physician.

They took her—her black draped dress wrapped in a brown ermine coat, a veil over her eyes a black turban hat on her head and little white ribbons on her shoes—to the second floor and—

A slab.

"Machine Gun Jack," now just one of four bodies in a room where postmortems are held, was

Continued on Page 4, Column 2.

Widow Fully Dressed When Police Arrive.

Continued from First Page.

covered by a sheet. His black hair was ruffled. There was a smudge on his forehead and blood on his face.

For just a moment pretty Louise lowered her handkerchief.

Then Sergt. Donohue had to carry her back to the anteroom.

He offered her water, but she said:

"I don't want any."

Earlier, weeping softly at the Racine st. police station, where she was questioned by Sergt. Donohue, Capt. Martin Mullen, Detective Lieut. Richard Barry, Sergt. Kyran Thelan and Patrolman Richard P. Broehl, she had asked repeatedly for water and for aspirin.

WANTS DRINK EN ROUTE.

On the way to the station with Sergt. Donohue, her escort on her first day of widowhood, she had even requested him to stop at a gasoline station for a drink of water.

But that was all over at the morgue. She had answered the questions of the law. She had seen 'Machine Gun Jack's" bullet-torn body. There was nothing now. She didn't want anything. Not even a glass of water.

That was Louise Gebardi, in her happier days the sensational witness for the defense of "Machine Gun Jack" when the heat was on him for the infamous St. Valentine's Day massacre, perpetrated exactly seven years before Jack himself was massacred.

GAVE 'JACK' AN ALIBI.

She testified then that she was with Jack at the time the seven were slain in the N. Clark st. garage. He "beat the rap."

Later they were arrested together in the Stevens Hotel and convicted under the Mann act, but the United States Supreme Court reversed the conviction.

Alibis today were needless. And, perhaps, it was just as well for Louise that they were. She insisted she knew of no reason for Jack's assassination, that she didn't even know what he did for hours before his death.

STORY OF LAST HOURS.

Here, according to the police record, is her story of those hours.

Q—When did you last see your husband? A—Between 11 and 11:30 p. m. February 14, 1936.

Q—Where did he say he was going? A—He said he was going bowling.

Q—Do you know where he bowled? A—No.

Q—Was any one with him when he left the house? A—No.

Q—Of your own knowledge do you know if he had any trouble with any one lately? A—No.

TOLD BY REPORTER.

Q—Do you know he was shot and killed last evening. A—Yes. A reporter came to my house and told me.

Earlier Louise had told Sergt. Donohue of a mystery phone call telling her "something had happened."

Q.—Do you know of any reason why he should have been killed? A—No.

Q—Do you know if he belonged to any secret or labor organizations? A—None.

Q—Has he been out of town lately? A—No.

Q—How did he leave home last night? A—He left in his own Ford coupe.

Louise was taken to the station for questioning by Sergt Donohue.

SWAYS IN WALK TO CAR.

Down the red tile path from the sumptuous yellow brick house at 1224 N. Kenilworth av. in one of Oak Park's most exclusive residential districts she swayed unsteadily on his arm.

She sobbed:

"Take me to him! Take me to him!"

When Sergt. Donohue rang her doorbell early today she answered after a delay. She was fully dressed, sobbing but not hysterical.

Sergt. Donohue asked:

"Do you know about Jack?"

She said:

"Yes! My God! How bad is he?"

"Well, he's gone."

And Louise threw on her fur coat, a jaunty black hat and walked down the path with Sergt. Donohue.

TELLS OF PHONE CALL.

She told of the phone call as they drove to the station, but did not mention it during the official questioning. Shortly after the shooting, she said, a voice told her over the phone:

"Something has happened to Jack!"

But she insisted that was all.

Ironically, she revealed, Jack had gone to a wake Thursday night. Yesterday morning he had gone to the funeral which followed, arriving home at 12:30 p. m. yesterday.

He went right to bed and slept until 11:30 p. m., Louise said, then he got up and announced:

"I feel like bowling."

He left—and that was the last time Louise saw him alive.

She said she didn't know what Jack had been doing for a living lately, but she thought—

"He owned a piece of a book at Melrose Park."

When Sergt. Donohue and reporters approached McGurn's home it was evident that bad news had arrived first.

NIGHT LAMP BURNING.

Through a window they could see the master bedroom on the first floor. A night lamp burned dimly between Louis XVI twin beds of aspen wood. But the beds were deserted.

They peered through another window into a living room, carpeted in dark coffee color like the bedroom. It, too, was lighted by a dim lamp. But the lamp threw its rays on upholstered furniture which was vacant.

Two bedrooms on the second floor also were empty. It is believed one was used by McGurn's 14-year-old daughter, a dark-eyed, auburn-haired beauty. But if it was, the daughter had flown.

HOME LUXURIOUS.

The comfortable yellow brick house marked a transition in "Machine Gun Jack's" life.

It was luxurious, but not with the over-stuffed type of luxury

2-15-35

304

which marked another house the affluent hoodlum had occupied at 1112 N. Kenilworth av. a few years earlier.

Comparatively hard times drove Jack and Louise, the pretty, typically North Side girl, who left an Addison st. home and a Lake View High School education to join the life of the underworld—from the house at 1112 more than three years ago.

He returned to the less pretentious house at 1224. Some of the neighbors objected, but police said Jack could not be evicted unless he ran afoul of the law again.

Instead he ran afoul of the enemies of the law.

ALMOST BROKE, SHE SAYS.

Today, as she was led from the morgue to the state's attorney's office, she said:

"We were practically broke."

From the state's attorney's office she was returned to the morgue for the inquest at 11 a. m.

Her tears by then had smeared the thick mascara over her face. She would say little to reporters, but when she was asked:

"Was he good to you?"

She answered:

"Oh, he was wonderful . . . always so nice."

WAVES CAMERAS AWAY.

Newspaper photogarphers she motioned away with her hand, on which was a platinum wedding ring, her only jewelry, and in which she carried a black purse with the initials "L. G."

She pleaded:

"Boys, please don't."

To the questioning of Assistant State's Attorney Hal Coughlan, too, she insisted that she knew little of her husband's business operations and that his death had been entirely unexpected.

Coughlan asked her:

Q—What has your husband been doing for a living lately? A—I don't know.

NOT MAKING MUCH.

Q—How has he been making money? A—He hasn't been making much, but he always seemed to have some when he needed it. No, I don't know where he got it.

Q—Who has he been hanging around with? Who are his associates? A—I don't know. He never told me much about those things.

Q—Who would want to kill him? Who would profit by his death? A—I haven't any idea. I thought that sort of thing was all past and gone.

Q—Has he been threatened lately? A—I don't know. Oh, please don't ask me so many questions.

Valentine Massacre Spotlighted McGurn

The St. Valentine's massacre that disgraced Chicago and made "Machine Gun" Jack McGurn a nationally known desperado occurred February 14, 1929, in a garage at 2122 N. Clark st.

Seven members of the "Bugs" Moran mob, supposedly awaiting a shipment of booze, were in the garage when two men dressed in police uniforms walked into the place.

What happened was never known, but apparently the fake policemen lined the men up as in a raid, whereupon other machine gunners who came in the back door shot them down as they stood against a wall. The scene later, the seven men lying in the blood-spattered room, is the high spot in the history of prohibition lawlessness in Chicago.

M'GURN SHOT BEFORE.

Six of the victims were dead when police arrived. The seventh, Frank Gusenberg, died within an hour after mentioning "policemen."

Gusenberg and his brother, Peter, also killed in the massacre, had been accused a year before in the shooting of McGurn. McGurn had been shot through the lung when ambushed in his car and had been taken supposedly dying to Alexian Brothers Hospital.

He rallied and lived and his fellow gangsters spirited him away from the hospital while he was still in precarious condition.

17 WANTED FOR MASSACRE.

The massacre started a furore in Chicago. Rewards totalling $40,000 were offered and the police listed seventeen men as wanted for the killings.

The most tangible lead came about ten days later when an automobile was found in a burning garage at 1723 N. Wood st. It was apparent an effort had been made to destroy the automobile. Police named Claude Maddox, a Capone hoodlum, as the owner of the car.

Great excitement was occasioned by the arrest of McGurn February 28, two weeks after the murder. It was found the machine gunner had been living in the Stevens Hotel with Louise Rolfe as Mr. and Mrs. Vincent D'Oro.

BLOND ALIBI' ENTERS.

In the face of reported positive identification of McGurn by two witnesses, Jack insisted it was "a bum rap" and that at the time of the killing he was in the hotel with the fair Louise. That was where she got her name, "the blond alibi."

There was much hubbub as other gangsters were rounded up.

Eventually McGurn and John Scalise were indicted for murder and Rocco Fanelli as accessory after the fact.

McGurn's lawyers, Nash and Ahern, repeatedly pressed for trial, but the state kept taking continuances, claiming that additional evidence was being uncovered.

In the meantime Scalise was assassinated in a gang killing generally laid to the Capone mob.

M'GURN'S CASE STRICKEN.

McGurn ultimately was admitted to bail and finally, in December of 1929, the indictment against him was stricken when, for the fourth consecutive term of court, he appeared ready for trial and the state was not. No one was ever tried for the crime.

So ended the prosecution of McGurn for the Valentine's Day massacre without the "blond alibi" ever appearing in court.

Several months later came the prosecution of McGurn and Louise on federal Mann act charges, resulting from their trip to Florida together, which dragged on for years until the United States Supreme Court finally upset his conviction by Federal Judge Lindley which had twice been upheld by the Court of Appeals.

AN "UNSOLVED CRIME."

The massacre of N. Clark st. ultimately went down in Chicago crime annals as an unsolved crime.

In the passing years there has been a general opinion among police and other investigators that McGurn was certainly not the leader in the plot.

The most generally accepted theory is that the head man in the execution of the seven Moran gangsters was Fred ("Killer") Burke, also a Capone ally, who is serving a life sentence in Michigan for the murder of a policeman at St. Joseph.

Gun Man Finds Death On Comic Valentine

Suspect in Famous Massacre Is Slain in Chicago Hangout—Rhymed Jibe Dropped at Side

CHICAGO, Feb. 15 (AP).—Machine Gun Jack McGurn, former Capone gangster, got a comic Valentine today, and two shots in the back of the head that killed him much as seven Bugs Moran gangsters were killed seven years ago in the bloody St. Valentine's Day massacre for which McGurn was later tried.

He beat the rap on the massacre charge by producing the blonde alibi who later became his wife. She testified that she and McGurn were in a hotel south of the Loop when the Moran men were murdered.

McGurn and two unidentified companions sat in a second-floor bowling alley waiting their turn to play.

Three men entered the place and shouted: "Stick 'em up! Stand where you are!"

McGurn stiffened. Without another word, the pair opened fire. One bullet struck McGurn just behind the right ear, the other in the lower part of the neck.

Trampled on the floor near the spot where he fell police found a comic valentine addressed to McGurn. It was a picture of a man

Continued on Page 3, Col. 4

MACABRE VALENTINE



JACK McGURN BLONDIE ROLFE

Seven years and a day after the St. Valentine's massacre for which he was tried and acquitted, gangsters dropped Capone's old trigger-man in a Chicago bowling alley. Louise Rolfe, his blonde alibi in the massacre case, and who later became his wife, was questioned.

NEW YORK POST

Capone's Decade of Death

Chicago Daily Tribune
Feb 14 [illegible]

308

VALENTINE GUNS KILL CAPONE THUG

Suspect in Chicago Massacre Slain—Comic Card Left Near His Body

Continued from Page One

and a woman in their underwear. Standing in front of a house marked "Sold." The doggerel verse read:

"You've lost your job, you've lost your dough;
"Your jewels and cars and handsome houses;
"But things could still be worse, you know,
"At least you haven't lost your trousers."

William Aloisio, who owns the bowling alley, said he was sitting on a pool table when the gunmen came in. He ducked under it when they began shooting.

Score Crossed Off

When they had left, he crawled out. He saw McGurn's two companions leisurely straighten out McGurn's body. Then they walked over to the bowling score sheet, tore off the page on which their names were entered, and strolled out.

Alosio told the police he didn't know who the men were.

But police found another crumpled Valentine on the floor, addressed to "Willie De Grazio." The Valentine had been torn up. Police sought to learn whether De Grazio might have been one of *McGurn's companions.*

Three men who sought to flee when the police arrived were taken into custody for questioning. They gave their names as John Battaglio, twenty-three; Charles Alozowka, twenty-two an Sam Alosio, twenty-one, brother of the bowling alley proprietor.

The police also took Alosio and the janitor, Tony Moscarello. The janitor said he was asleep when the shooting started.

Victim Unarmed

On McGurn's body were found $3.85, a package of cigarettes and two unused tickets for a prize fight at the Chicago Stadium last night. He had no gun.

There was also an auto license in the name of William Belmonte of Chicago and a bill of sale showing he purchased the car last December 24.

Police hurried to the gangster's home after the slaying.

Mrs. McGurn, partly dressed when she answered the door, had been sobbing, they said. Some one already had told her of the shooting.

She said McGurn had been at home most of the day, but had attended a funeral yesterday morning.

He had no life insurance and no bank account. She declared she was penniless and that the only money they had to their names was the $3.85 found in McGurn's pockets.

Slayer Described

A police description of one of the slayers said the man was about twenty-five, five feet tall and weighed about 180 pounds.

Police knew of no motive for the crime. They had lost track of McGurn during the past two years.

Belmonte, in whose name McGurn's automobile was registered, said he had permitted the slain gangster to use his name in buying license plates because McGurn told him he couldn't get them in his own name.

McGurn's real name was Vincent Gebhardi. Once a big-time gambler and alky runner for Capone, he had fallen to operation of a small gambling resort.

He was arrested on a vagrancy warrant as he teed off at Olympic Fields, August 27, 1933, where he had entered the Western open tournament under his read name.

With him at the time, was Louise Rolfe, the blonde alibi, whom he married after divorcing his first wife.

McGurn was thirty-three. Always dapper, he had not given up his flair for fancy clothes. When he was killed, he was wearing an expensive gray suit, a bright red tie, red suspenders, and a fine linen shirt.

Police said they last heard of McGurn on July 15, 1935, when he was operating a gambling house in Melrose Park. Bets on horse racing, as low as 50 cents, were taken by McGurn himself, a sharp come-down from his affluence in prohibition days.

In 1931 McGurn was listed as Public Enemy No. 5 by the Chicago Crime Commission.

NEW YORK POST

Gangster Rule by Bribery and Gun

"I am getting too prominent for my own good."—Al Capone, Dec. 16, 1926.

"I am not in any rackets; I am an honest real estate dealer. I wish the newspapers would leave me alone."—Al Capone, Jan. 24, 1927.

BEHOLD Alphonse Capone at the height of his arrogant power; any time between late 1926 and mid-May of 1929.

A gross man, fat, with thick lips and a scar on one cheek. A powerful man, immune to the penalties of the law that applied to lesser mortals.

When he went abroad it was in an armored car that weighed seven tons. Picture this strong man in his fortresses—the Hawthorne hotel in Cicero, with the metal shutters impervious to bullets; the Metropole or the Lexington hotel in Chicago, where he and his followers held whole floors at a time; or on his seaside estate outside Miami.

No policemen ever raided these places. They knew that raids would be futile gestures. The courts would not hold Alphonse Capone to account.

Picture Capone the politician, shaking hands with judges, calling assistant state's attorneys his friends, telling representatives in the state capitol and aldermen in the city council (whom he had set in their places) how he wanted them to vote.

The composite portrait is that of America's Public Enemy No. 1, the symbol of all the crime the prohibition era produced; of a man above the law; a man who feared nothing—except publicity.

The Capone power had ripened in obscurity.

Already it has been related how he came to be the partner of John Torrio in a business which in 1924 controled bootlegging on the south side, owned a chain of brothels in a crescent of west and southwest suburbs, and operated dozens of gambling hells.

Early in 1924 in front of his home at 7104 Clyde avenue a spray of bullets was directed at Torrio. One leaden pellet passed through his lower jaw. It shattered his courage as well as the jawbone. When he recovered he wanted no more of the game. He retired and his mantle fell upon Capone.

That rising young executive also was the target of the men who eliminated Torrio. They poured a withering rain of bullets upon his automobile as it stood in the street, and Capone escaped only because fortune had decreed that he should be at the moment in a restaurant nearby. Promptly he bought the bulletproof car and strengthened his force of guards.

He obtained the absolute loyalty of those guards by making it more profitable for them to be his men than to be anybody else's. The salary was $100 a week. Also Capone clothed them, fed them, and gave parties for their amusement. He asserted that it cost him $3,500 a week for his personal protection.

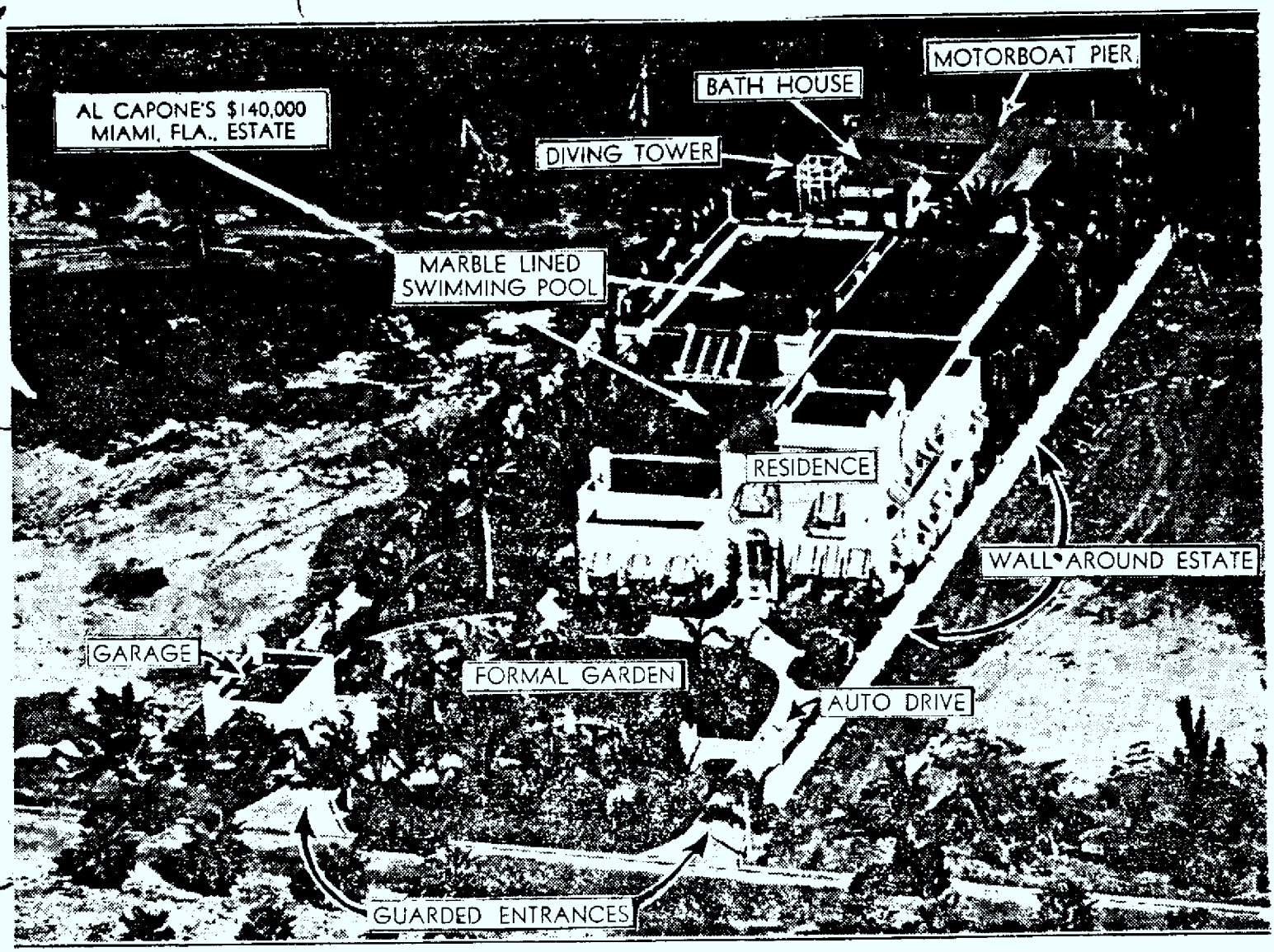
In 1924 the Torrio-Capone organization dominated only the south side and the suburbs it had taken over. North side bootlegging was in the hands of a gang of tough men headed by George (Bugs) Moran and Dean O'Banion. On the west side was another gang, of Sicilian origin, headed by the six Genna brothers.

These Gennas were important people. They invented a new technique in the manufacture of alcohol. They put it in the home. Hundreds of their fellow countrymen, each in his own little house, cooked alky. The Genna organization collected each cooker's output daily and paid cash for the work.



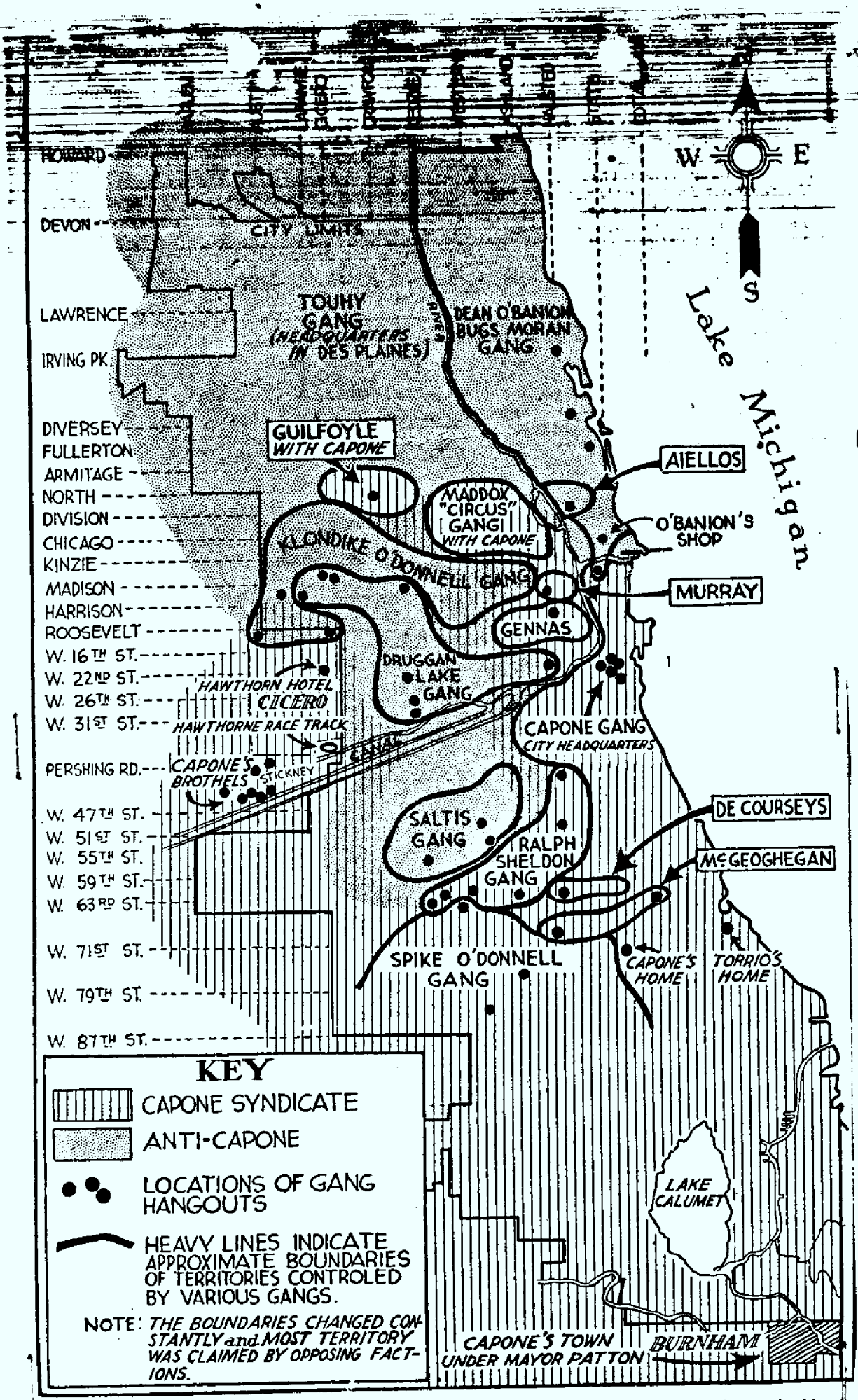
Capone in a bathing suit in Florida, one of his alibi costumes.

CHICAGO DAILY NEWS
2-16-36



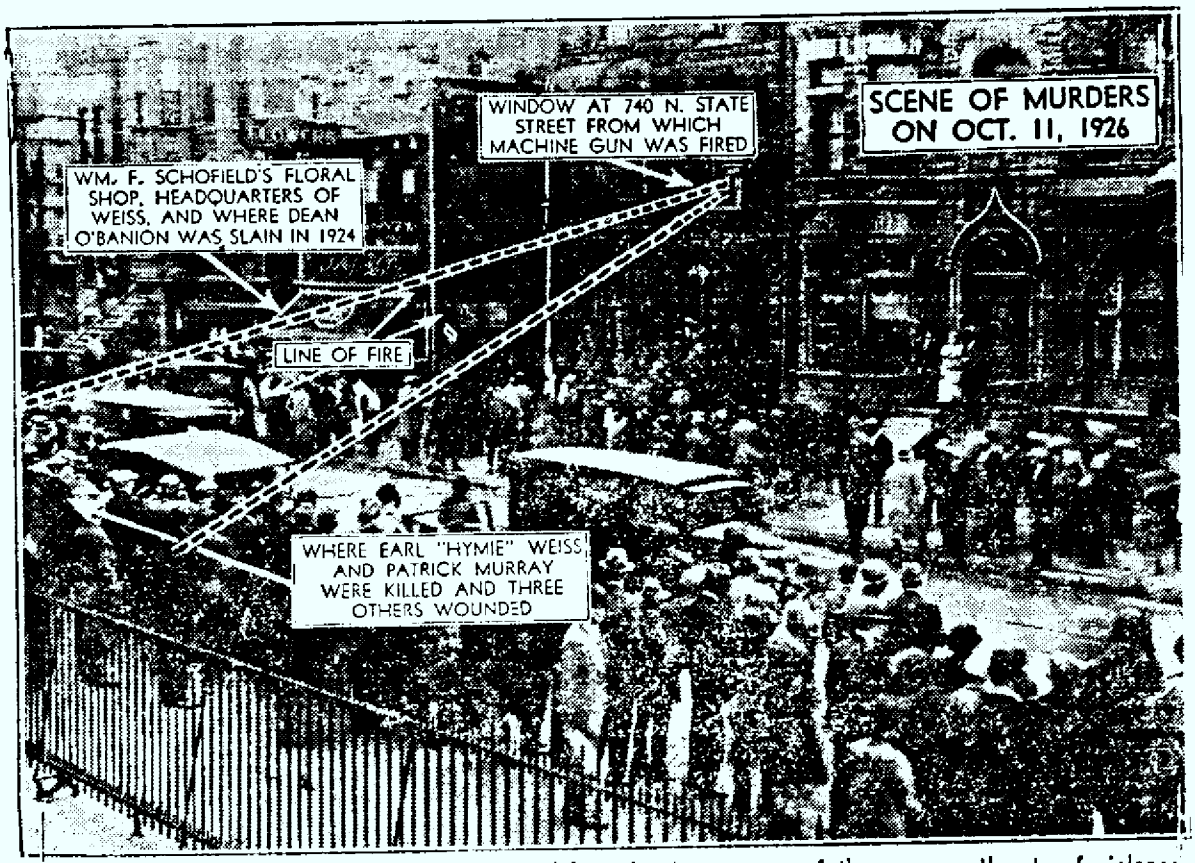
A view of Al Capone's palatial winter abode near Miami, Fla. This estate always was closely guarded by Capone gunmen.

CHICAGO DAILY TRIBUNE
2-16-36 3/2



How Chicago and some of its suburbs were divided up under the rule of various gangs during the bloody years in which Al Capone held sway as the boss criminal.

CHICAGO DAILY TRIBUNE



Scene of the murders of Earl (Hymie) Weiss and Patrick Murray, one of the many outbursts of violence during the reign of Capone. (Tribune photo.)

CHICAGO DAILY TRIBUNE
2-10-50
36

Their importing business became a blind through which the materials for making mash could be purchased.

The pay (we find this over and over in tracing the history of the prohibition era) was good. A better grade cooker could earn $80 to $100 a week.

The production end outgrew the sales end of the Genna enterprise. Its leaders sold some of the product to Capone and Torrio, but not enough. Hence they came to covet the territory of Moran and O'Banion, which overlapped theirs in spots.

A precarious peace had been maintained, however, through the efforts of Mike Merlo, head of the Unione Siciliano. Merlo was no bootlegger or gangster; he was the paternal arbiter of all the actions of his countrymen on the near north side. He had decreed that there should be no warfare between the Gennas and their rival bootleggers.

In mid-November of 1924 Mike Merlo died. A magnificent funeral, with a statue of him worked in flowers to ride on a float behind the herse, was arranged.

It was always a pleasant fiction of the gang leaders that each had a legitimate business. O'Banion, a florid, roundfaced little fellow who walked with a limp, was a florist and had a shop at 738 North State street, opposite the entrance to the Holy Name cathedral. The Merlo funeral meant much business there.

O'Banion, who was not above making an honest dollar, was in that shop on Nov. 19 when three men of dark complexion entered. He dropped his rose trimming and went forward to meet the delegation.

"Hello, boys," he said, extending his right hand to the man in the center. "You from Mike Merlo's?"

"Yes," replied the man, seizing the hand in both of his.

While he held it in a viselike grip one of the other strangers deliberately fired six bullets into the body of O'Banion. He fell dead in a bower of flowers. The killers went away.

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The O'Banion killing and its aftermath gave the first inkling, to the general public, of the power that the gangs had achieved in darkness. The funeral of the bootlegger florist was one of the most magnificent ever held in the city. The coffin reputedly cost $15,000.

But O'Banion did not go unavenged. His associates were quite tough enough to handle the Gennas. It was only a little while until three of the brothers—Tony, Mike, and Angelo—were slain. The others followed Torrio into obscurity.

Into their territory, without much trouble, stepped Capone. His genius for organization was far beyond that of the Gennas. He established big distilleries that could turn out thousands of gallons of alcohol daily. It was impossible, of course, to keep these hidden indefinitly, but arithmetic showed that one which stayed at work six weeks paid for itself and thereafter returned a handsome profit. Raids, then, were only annoying, not damaging to a great extent.

He established breweries and made working agreements with the brewmakers already supplying the trade. He strengthened his sales organization and gave it twin objectives; to deliver the goods and to see that rival wholesalers stayed away from the saloons.

Also, Capone lifted the art of protection to new heights. It became understood just how much tribute a truckload of beer or a five gallon can of alcohol should pay the policemen and the politicians. Sometimes the police looked the other way; sometimes they convoyed the delivery trucks to destination.

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The rules of the game prescribed that the driver must follow his specified route. If he failed a policeman not already "taken care of" would arrest him and take him to a station. Once it had reached that point and the capture had been reported in the newspapers, no one would dare turn the truck and its cargo back.

Capone had able fixers. One was Joe Fusco, who had in the old days outranked Capone in the Torrio organization. Another was Dennis Cooney, who acquired and still enjoys a fortune estimated in the millions, which he gathered in the conduct of houses of prostitution. He had the ear of the higher ups of politics.

Also, Capone had able allies outside the Chicago area. There was always a market here for better beverages than the home bathtub crews and the six-weeks stills could turn out. Through Frank Uale, a Brooklyn gangster, Capone was able to bring in cargoes of imported Scotch for the limousine trade.

In another way the Uale alliance was valuable. He and Capone could, at need, exchange crews of gunmen to handle each other's enforcement work. Obviously, it was an advantage to have killings done by men who would not be recognized away from their home towns.

Killers, guards, business men, fixers, allies, political friends, huge revenues—all these Capone had in plenty before the summer of 1926 ended. He had gathered them with a minimum of personal publicity.

Still left to oppose him and his schemes was the north side gang, headed by Earl (Hymie) Weiss and George (Bugs) Moran. Its members were individualists, and consequently their setup differed from that of Capone. They organized on tribal lines. They might gather for a battle, but it was difficult to hold them together for a campaign. Capone was organized for the long pull. His men were as solidly combined as a burocracy and could be trusted to carry on over a period of months, or even years.

A desperate attempt to kill Capone was attributed to the cockiness of the north siders. He was attacked Sept. 20, 1926, in his retreat at the Hawthorne hotel (this was before the metal shutters were put up).

Eight carloads of gunmen drove slowly past this hotel. The first one let go a random blast of fire in the street. The supposition was that Capone and his men would hasten to the windows to see what was going on, and that the volleys from the succeeding cars would wipe them out.

The tactics were carried out exactly. Into the first floor of the hotel more than a thousand bullets were poured. Yet no Capone gangster was scratched. That was because Capone thought fast and gave a warning when the first shots were heard.

"Down to the floor, everybody!" he cried.

The bullets zipped through the windows, but the masonry saved the men on the floor. When it was all over Capone arose from his prone position.

"That's the last we'll take from that mob," he announced.

On Oct. 5 a young man who said his name was Oscar Lundin rented a room at 740 North State street. Next door was the old O'Banion place, still a flower shop and still the headquarters of the north side mob. On the same day a young woman rented a room in the rear of 6 West Superior street. It overlooked the rear of the florist shop, as the young man's overlooked the front.

In each of these rooms three men planted themselves. From behind the curtains they watched the movements of Moran, Weiss, and their cohorts. As they watched they fingered their sub-machine guns. Their orders were to make sure of their quarry—and they did not fail.

On Oct. 11 a car belonging to Weiss halted in front of the shop. In it were W. W. O'Brien, well known as a criminal lawyer; Benjamin Jacobs, a 20th ward politician; Patrick Murray, a beer peddler; Weiss, and his chauffer, Sam Peller.

As they were getting out of the car there was a burst of machine-gun fire from the window next door. Weiss, struck ten times, died instantly. Murray also was slain on the spot. The others were seriously

wounded. Before pursuit could be organized, or even started, the three men in the room at 740 North State street had fled.

A few days later Al Capone called Chief of Police Morgan Collins.

"I hear that people are saying Capone killed Weiss," he stated. "I did not. I am sorry he's dead. When he was shot I was out of town. But if you want me to come in for questioning, I will be glad to do it."

Chief Collins told him not to come. "What was the use?" he asked later. "Capone had his alibi perfected. It undoubtedly is a good alibi. He didn't do the shooting."

In April, 1927, Assistant State's Attorney William McSwiggin, youthful son of a policeman and a product of the west side, where he became acquainted with many of the youngsters who later were important cogs in the gangland machines, was slain in Cicero. With him died two gangsters who had opposed Capone rule.

There were unofficial assertions that Capone had ordered the triple murder. These at length reached his ears.

"That is absurd," he averred. "Billy McSwiggin was my good friend. I am sorry he is dead. And I was in Florida when he was bumped off."

The police, again, did not question Capone. What was the use?

In May of that year Commander Francesco de Pinedo, Premier Mussolini's around the world flyer, set his Marchetti hydroplane down in the lake off Grant park. On a millionaire's yacht was a reception committee. With judges and other officials stood Al Capone.

He was now quite definitly the first of the public enemies. A reporter wanted to know why he had been invited to welcome the distinguished visitor.

"It's this way," was the reply. "We heard that there might be an anti-Fascist demonstration. If anything like that was planned, Capone would be more effective in squelching it than a hundred policemen."

Such appearances were ill-advised. In general, Capone realized this, and while he was often seen in public gatherings—particularly prize fights and baseball games—he never again took part in a public function.

He would have preferred the darkness. But he had grown so great that he could no longer remain out of print. And he had felt the lash of publicity as early as December, 1926, two months after the Weiss killing.

With his entourage he went to California for a vacation. An assumed name failed to conceal his identity or guarantee his privacy. Attempts were made to interview him in the hotel. These were unsuccessful, but the news that so notorious a person was in their midst caused the Californians to cry loudly for his ousting. The perspiring management of the hotel, hearing this public clamor, at length requested that Capone surrender his accommodations.

This so irritated the Big Fellow (this was the name his henchmen used in referring to him) that he really did grant an interview.

"I wouldn't stay in any town that didn't want me," he declared. "I'll go back to my own city. And I'm going because I want to go. The hotel didn't ask me to leave, either."

Returning to Chicago, he made the experiment of organizing himself into a minister of propaganda. He attempted, rather clumsily, to give the news about Capone a favorable twist.

With his omnipresent guards carefully concealed, he received a reporter in the hallway of his nominal home at 7244 Prairie avenue. He was a strange appearing Capone. Over his underwear he wore a long pink apron. He had on carpet slippers and he held, in one diamonded hand, a pan of spaghetti richly drowned in sauce.

"Come in and have a little of this spaghet I cooked myself," he urged. "Let's quit talking about bootlegging and such things. Positively I have retired. I am a plain business man, and all I ask is that the newspapers let me alone."

It was not a convincing picture and the reporter wrote it for what it was, a half comic interlude intended to deceive.

When he first went to Miami, with a huge roll of thousand dollar bills in his pockets, there was a storm of criticism. For a time it appeared that his fortune was so tainted that he wouldn't be allowed to spend it. Hardened now in such matters, the Big Fellow called on the chief of police.

"Let's lay the cards on the table," he said. "I am here to enjoy myself. I am not a criminal and I have never been in jail for anything. Against me there is nothing but gossip. Does Miami want me as a visitor who'll mind his own business and spend his money, or do I have to appeal to the courts for my constitutional rights."

The authorities withheld their decision for a little while. Then they said there was no law that could keep him out. Further, which they didn't mention, the real estate market was not exactly booming, and there were many honest real estate men seeking buyers.

Capone purchased a splendid walled estate on Palm Island. It became a center for gay parties, and the Big Fellow's parties outshone those of many a winter colonist of ancient wealth and high social position. He kept his pledge to let Florida alone and the only complaint about his menage was that it looked funny to have armed sentinels on guard around the house.

Thus we find Capone nearing the height of his power. Bootlegging, brothels, gambling paid their tributes on a scale something more than county-wide—and the county held more than four million persons. Local governments could not touch him.

Enough, it would seem, for any man. He had, and spent, a million a year. Yet it was not enough for Capone. Like a good many others, he dreamed of dominating Chicago's labor organizations with strong arm methods.

His first chance to break into that field came almost by accident. Morris Becker, who conducted several dry cleaning establishments, began having trouble with rivals and with employes. There was a rumor that he had formed a partnership with Capone, and Becked confirmed it.

"That's right," he said, "I don't need the police to help any more. I have the best protection in the world now."

By this time the Capone methods and resources were too well known for any one to doubt that he would soon try to dominate unions.

George (Red) Barker, an ex-convict, and Murray Humphreys set out on the work. With unerring instinct Capone ordered them to attack the teamsters' and chauffeurs' organizations. They got results. How Barker seized the coal teamsters' union was told later by an official he ousted.

"Lefty Flynn was our chief in 1928," said this informant. "Like me, he had come up from the ranks. He knew the game and was useful to the union. But he was not a gunman and he was 60 years old. Barker set out on a systematic course of terrorism.

"First he tried to kidnap Flynn's children. That failed. Flynn took his family to a summer home in Wisconsin. Barker followed him there and shot him. 'If you ever come back to Chicago you'll be killed,' he told the wounded man, 'and so will your whole family.'

"Barker appeared at the next union meeting with a bunch of fellows carrying shotguns. 'Where does the business agent sit?' he inquired. Somebody showed him. 'That's my place,' he said. 'From now on I'm boss here.'"

Barker held on to that prize, too. Humphreys was no less successful in seizing other teamster unions. He even formed one to combat the old Milk Wagon Drivers' union, whose officials were too strong to be ousted. Legitimate organizations, including the American Federation of Labor, battled against the gangs, but the latter, with the potent name of Capone to fall back on, continued to progress in their campaign even up to 1932.

Only a crystallized public sentiment, it now became certain, would be able to halt the march of Capone to a dictatorship so wide and so strong that few businesses in Chicago would be able to refuse any demands he might make.

That sentiment was being formed. America, the whole world, now saw Capone for what he was, a criminal, big only as he was evil. Good people everywhere recognized him as the symbol of all the raw lawlessness that went to make up the prohibition era.

Capone did not understand. He went ahead. He played desperately. He scattered money. In two years he bet, and lost, two million dollars on race horses. He gave magnificent Christmas presents to his friends. Apparently he did not know what to do with his money.

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Feb. 14, 1929. In a garage on North Clark street were gathered seven men allied with the north side gang headed by George Moran. Still belligerent, still unafraid of Capone, that gang continued to serve its territory with liquor. The seven had gathered to receive a truckload of imported stuff that had been offered to Moran by a supposed friend.

At 10:30 a. m. an automobile with drawn curtains was halted at the curb near the garage. Five men stepped from it. Three wore police uniforms and two were in civilian clothing. The uniformed trio, with pistols drawn, walked into the garage.

They collected the weapons of the seven, who made no resistance, having accepted the statement: "We're police officers." All were lined up facing a wall, with their backs to the door of the garage. Their hands were in the air. Frank and Peter Gusenberg, John May, Al Weinshank, James Clark, Adam Heyer, and a young doctor named Schwimmer—those were the names, and the Gusenbergs were notoriously haters of Capone.

The supposed policemen stepped aside. One of the other men calmly sprayed the backs of the seven victims with machine gun bullets. They died, all of them.

That was the St. Valentine's day massacre. Nothing quite so ferocious had ever been known before, even in the gang wars.

At the moment Al Capone was in his stucco villa on Palm Island, taking a lesson in etiquette. A young woman, expert in such matters, was instructing him how to rid himself of his gloves and stick when he entered a drawing room.

George Moran, he of the charmed life, had been late at the garage. Seeing the car at the curb, he drove away, assuming that it belonged to the police. By so narrow a margin did he miss his own rendezvous with extinction.

"Only Capone kills like that," he asserted that same evening.

CHICAGO DAILY TRIBUNE
2-10-34
36

FIVE REVENGE DEATHS LAID TO STRIPLING

Jack McGurn, born De Mora, assumed name James Vincent Gebardi, dubbed "Machine Gun," has murdered a number of men.

A sleek, athletic, well-mannered little Italian known then as James Gebardi, was the son of an alky cooker who had been murdered by one Orazzio Tropea, "The Scourge."

The kid Gebardi was hanging around the Maxwell st. station and he was told by police that his father had been put on the spot.

He didn't like that, but he didn't know what to do about it until one day he received a "black hand" letter. It told Gebardi to get out of town lest he feel the same urge that snet his father on his way.

HE HAS REVENGE

The kid knew what to do then. He ducked for awhile, appearing as a professional boxer, and then he returned to the wars.

His father had been put on the spot on January 10, 1926. On the following February 15 Orazzio Tropea was shot—on the very spot where James Gebardi's father had died.

Six days later Vito Bascone, who had aided in "collections" from the elder Gebardi, met the same fate in the same place.

Two days after that assassination, on February 23, Eddie ("The Eagle") Baldielli was killed, presumably because he, too, had been involved in the slaying of the elder Gebardi.

TWO MORE CLAIN

It was March 7 before the avenger of Old Man Gebardi got around to bumping off Tony Finalli, and it was thirteen days after that when Samuzzo ("Samoots") Amatuna, who had lived long and prosperted by the gun, died by the same means.

All of these incidental killings were attributed to the stripling who had taken on the task of avenging the Gebardi family—known in the old world as De Mora.

"Samoots" had been striving to induce certain citizens to contribute to a defense fund for John Scalice and Albert Anselmi, a couple of no-goods who were then prominent in the picture and in hot water with the law.

ADMIRED BY CAPONE

McGurn, as he became known after his return from the professional baxing game, was a natural enemy of that atrocious pair, Scalice and Anselmi.

He set out to gun for them, and in his enthusiastic killings he earned the attention and admiration of Al Capone.

That was a fortunate piece of discernment on the part of Capone. Because Scalice and Anselmi were eagerly plotting the death of Scarface.

McGurn told Capone of the plot. A little later McGurn entertained Scalice and Anselmi and a fellow named Giunta at a spaghetti party in Cicero. Next morning the three guests were found deporably dead.

That coup apparently won McGurn his spurs as a Capone handy man. He became so prominent that he was shot at periodically, being wounded once in a tiff at the McCormick Hotel, Rush and Ontario sts.

THEN THE MASSACRE

Then came the Capone masterpiece, elimination of seven assorted hoodlums attached to George ("Bugs") Mor
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HERE'S

His official police record follows:

January 1, 1930, arrested under the name of Jack McGurn, on a charge of carrying concealed weapons.

February 5, 1930, indicted on the above charge.

March 20, 1930, held under the name of James Vincent for investigation in Miami.

April 10, 1930, returned to Chicago from Miami under name of Jack McGurn.

July 3, 1930, sentenced to one year in the county jail and fined $300 by Judge Frankhouser on a charge of carrying concealed weapons.

WINS IN HIGH COURT

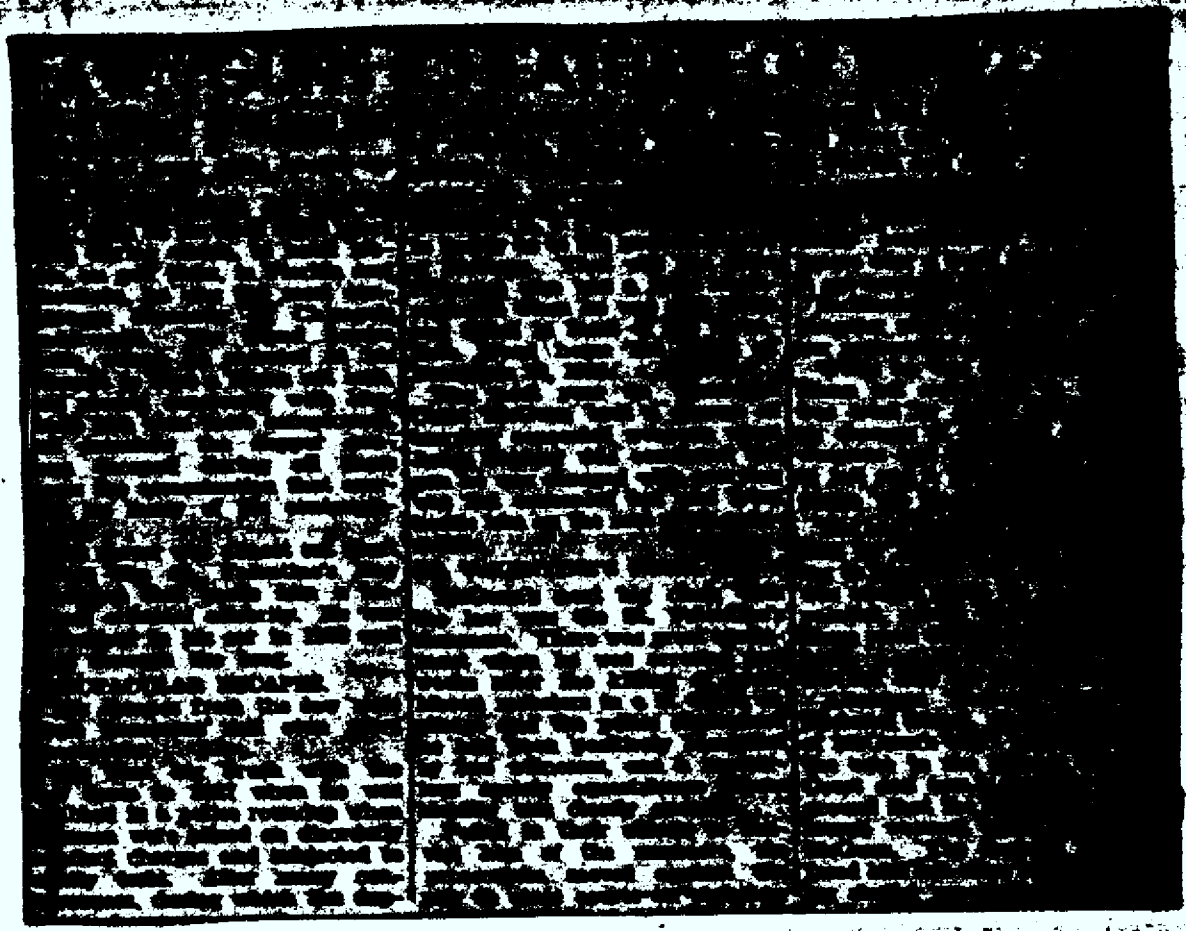
December 26, 1930, that sentence was reversed and the case was remanded by the Supreme Court.

July 2, 1931, under name of Jack McGurn arrested for violation of Mann act. Sentenced to two years in Leavenworth penitentiary. Placed on probation for five years.

September 6, 1933, under name of Jack McGurn, sentenced to six months in house of correction after he had been found guilty of vagrancy by Judge Thomas A. Green.

Mr Nathan
Mr Tol
GMD
Mr Nease
CRC

62-180-A
2-15-34



THE CHICAGO AMERICAN

69-180-A

2-15-36 3/8

'MACHINE GUN' M'GURN SLAIN

CHICAGO HERALD & EXAMINER

62-180-A

Shot Down on Anniversary of Valentine Day Massacre; 20 in Club See 'Execution'

Bowlers in Panic; Clues Point to 'Friends' as Assassins

"Machine Gun" Jack McGurn, 38, dapper Capone gangster and Public Enemy No. 5, was shot and killed at 12:55 a. m. today in the Avenue Recreation Parlor on the second floor at 805 Milwaukee av.

He was shot from behind, police believe, by two "friends" with whom he was waiting to bowl, as three confederates, posing as "stickup men," plunged the place into confusion with a fusilade of shots.

7 Years Later

McGurn's death came exactly seven years after the St. Valentine's Day massacre, in which he was one of the chief suspects.

As a grim reminder of that massacre, only eight or ten feet from McGurn's body was a plain white envelope, addressed to him, and bearing this strange "valentine":

"You've lost your job, you've lost your dough,
Your jewels and cars and handsome houses.
But things could still be worse, you know;
At least you haven't lost your trousas!"

Slaying Clues?

Four similar "valentines" had been left at the cigar counter in the alley by some mysterious person. And police sought to know if they had been left by McGurn's slayers—if, indeed, they were intended as a ghastly mockery of the victim.

The others were addressed to Doc Pecaro, Nick BeJohn, Skippy, and Jim Dyne. Police sought to learn who those men were.

From William Alosio, who has owned the Avenue Recreation Parlor, a bowling alley, for two years, police learned that McGurn and his "friends" came in about

UNCLAIMED FREIGHT
2-15-36

Gang Guns Roar Again—

PANIC AT CLUB AFTER KILLING

Crowd Rushes Out Into Zero Cold as Bullets Fly

VICTIM TRAILED BY GUNMEN

12:50 and asked for an alley. It was the first time, Alosio said, that McGurn had ever been there.

The parlor is a long rectangular room, with four alleys along the north side, and the benches for the players at the west wall. On the south side are several pool tables. A cigar counter is along the south wall, about forty feet from the west wall, and west of it is the entrance door.

20 See Slaying

There were about twenty persons in the parlor, and Alosio told McGurn he and his friends could have the north alley, No. 1, as soon as those playing on it had finished.

McGurn and his companions took off their coats, and sat down to wait. One of his companions wrote the three names on a sheet at the alley—a sheet which had disappeared after the shooting.

Alosio was sitting on a chair near the cigar counter—with one shoe off. He had been injured in an auto accident, and his foot was still bandaged.

Suddenly three men walked in. They shouted:

"Stand where you are. This is a stickup."

Without waiting, they began to shoot. At the first shot, Alosio plunged beneath a pool table. But the three men, police learned, had stayed near the door, firing a fusilade of shots into the walls and ceiling.

Shot From Behind

They did not walk far into the room. But McGurn who, astounded at the shots, had whirled to face them, was shot from behind.

Two bullets had shattered the back of his head. McGurn fell on his back in front of the bench, at the head of the alley, blood streaming from his wounds.

Three shells from .45 caliber automatic pistols were found on the floor near the door, apparently fired by the "stickup men." No shells were found near McGurn's body, and police believe the two "friends" who slew him used revolvers.

At the county morgue a coro-

321



THE END OF A GANGSTER.

Jack McGurn's body as police found it.

International News photo by Herald and Examiner.

patrons who were in the place at the time—and for four "pin boys" who were watching McGurn just before the shooting and, presumably, saw exactly what happened.

So terrified were they that they fled with the others—not even waiting for their pay.

Alosio and Mascarella professed to be unable to give the names of the boys—or the names of any other patrons in the place.

Alosio, questioned at the West Chicago station by Deputy Coroner Victor Schlaeger and Capt. Martin Mullen, at first answered routine questions reluctantly, then took refuge in sullen silence, only breaking it to shout repeatedly that he be allowed to "see his lawyer."

Wakened by Shots

Mascarella was a little more willing to talk about the shooting—but not to give any real information. He said he had seen one of the "stick-up men," but insisted he didn't know him and wouldn't be able to identify him.

Later Mrs. William Alosio was seized at 2020 Pierce st. and held for questioning.

The inquest was set for 11 a. m. today at the county morgue.

Meanwhile three men were taken into custody for questioning when they were seen entering a restaurant at 807 Milwaukee av. immediately after the shooting.

They were Sam Alosio, 21, of 1141 W. Huron st., brother of William, and Charles Alazowka, 22, of 666 N. Curtis st., both said to have minor police records, and John Battaglia, 23, of 1154 W. Ohio st. None of the three bore a gun.

The police declared their confidence that the murder had been carefully planned, and that at least five men—the two "friends" and the three "bandits"—were included among the plotters.

Unravel Plot

The "friends," they believed, had been with McGurn for the entire evening, but were afraid to tackle him alone. McGurn was known as a "tough guy," one who was quick on the trigger and well able to defend himself.

The two, appointed as the actual killers, lured him to the bowling alley, police believed, at a carefully appointed time. But even there, with McGurn supposedly at ease and off guard, they depended on the confusion created by the "stickup" to cover their assault.

According to that theory, police said, the three "stickup men" were waiting for McGurn and the others to enter. They watched McGurn come to the trap and gave him time to get settled before they entered.

They may have entered the parlor to do their part with extreme trepidation. They couldn't be sure that McGurn wouldn't draw a gun and open fire before the assassins could act.

But as McGurn whirled about at their fire, the "friends" poured bullets into his head. Those shots were fired at point-blank range. They couldn't miss—and McGurn, who was No. 5 on Chicago's first list of public enemies, died as the St. Valentine's Day victims died—shot from behind, without a chance.

323

M'GURN'S PATH TO TOP PAVED WITH BULLETS

Gangster Narrowly Escaped Death Many Times; Survived Terror Reign of Dry Era

Jack McGurn, product of "the Valley" on the lower West Side, one-time pugilist, graduated from the age of street fighting and the few years in the ring to the deadly warfare of gangdom in the middle of the prohibition era.

His "rise" to infamy as one of the most deadly machine gunners was accompanied always by the menace of death. Many times he narowly escaped the vengeance that overtook him last night, fifteen years after he became aligned with the liquor gangs.

REAL NAME GEBARDI.

His real name was Gebardi. He took the name of McGurn for the prize ring. He was 38 years old.

He became aligned with the North Side gang in 1927. The gang had been headed first by Dean O'Banion and included Hymie Weiss and Vincent ("Schemer") Drucci—all shot to death during the years of battle with the Capone mob. Later George ("Bugs") Moran, still living, led the North Side crew.

But McGurn soon became involved in difficulties with the North Siders, and the immediate result was an effort to kill him. As he stood in a telephone booth in a smokeshop at 618 Rush st., two men entered the shop and fired on him with a machine gun and a pistol. He survived two wounds.

JOINS CAPONE.

His answer was to join the Capone gang as an active warrior in years of battle. And identification of him by witnesses to the beginning of the St. Valentine's Day massacre of 1929 indicated he took part in the most effective battle against his former allies.

After the murder charge for the massacre was quashed he became involved in lesser difficulties with the law when federal agents seized him and his "blonde alibi," Louise Rolfe, June 25, 1929, on a Mann act charge resulting from their trip together to Florida.

ESCAPES BY MARRIAGE.

Though he was convicted and sentenced to two years in prison, he escaped the penalty by an appeal to the United States Supreme Court based on his marriage, meanwhile, to Miss Rolfe. He had been married previously to Mrs. Helen Gebardi, but was divorced. He had one child by that marriage.

After repeal of prohibition McGurn became a gentleman of leisure, playing golf in costly togs at fashionable courses in amateur tournaments. He bought the home in Oak Park, and engaged in various gambling enterprises.

Players in the Western Open tournament at Olympia Fields on August 27, 1933, were amazed to see police invade the course and seize a golfer about to tee off on the seventh tee. The golfer was McGurn, entered under the name of Gebardi. He was arrested on a vagrancy warrant.

Blond Alibi *Hunted in* Slaying



LOUISE ROLFE M'GURN
'Blond Alibi' in massacre.

Killed on Massacre Anniversary

Gangland vengeance caught up with Jack McGurn just seven years after the most infamous crime with which he was charged —the St. Valentine's Day massacre of 1929 in which seven of "Bugs" Moran's gang were slaughtered.

On February 14, 1929, the seven men were lured to a garage at 2122 N. Clark st. by a fake phone call.

At 11 a. m. an automobile resembling a police squad car halted in front of the garage. Another car pulled up at the rear. Two men in police uniform entered from the rear and four entered from Clark st.

The intruders produced machine guns from under their coats and lined the seven Moran gangsters against the wall, announcing it was a liquor raid, and pressed triggers, sending a deadly stream of bullets into the seven men, mowing them down into a lifeless bloody row of bodies.

Though Moran had not fallen into the death trap, the massacre virtually destroyed his gang, killing Pete Gusenberg, Frank Gusenberg, Al Weinshank, James Clark, John May, Adam Heyer and Dr. Reinhardt H. Sthwimmer.

Three weeks later McGurn was seized by police in a downtown hotel and identified by two persons as having been seen to enter the garage. But his "blond alibi" pretty Louise Rolfe, said she and McGurn had been in the hotel at the time of the massacre, and McGurn was freed.

ness Tells Story How McGurn Di

A statement taken from William Aloisio, 2023 Pierce avenue, proprietor of the bowling alley at 803 Milwaukee avenue, by Capt. Martin E. Mullen, was as follows:

Q.—How long have you been the proprietor of this place?

A.—Since September or October, 1935.

Q.—During the evening was there any trouble in your place of business?

A.—Yes sir.

Q.—What was that?

A.—A stickup.

Q.—Do you mean a robbery?

Heard "Stick Them Up."

A.—They said, "Stick them up and don't move."

Q.—Who was it that said that?

A.—I don't exactly know who said it. I was sitting on a chair resting my right leg on another chair at the windows on the Milwaukee avenue side of the establishment and I heard somebody shout "Stick them up," and then some shooting started, and I ducked under a pool table. I waited a while and when the shooting ceased I got up.

Q.—Then what did you do?

A.—Everything was in a commotion and everybody ran out of the place. I looked over on the bowling approach and there was a man lying on the floor.

Q.—Did you know who that man was?

A.—No, sir.

Q.—Did you find out later on who that man was?

A.—Not until the police arrived, and then I learned he was Jack McGurn.

'Didn't Know Him.'

Q.—Isn't it a fact that you knew Jack McGurn, whose real name is Vincent Gebardi?

A.—No, I don't know him.

Q.—Who *did* he come into your establishment with last night?

A.—I do not know.

Q.—Did he come in alone?

A.—He came in with a couple of people.

Q.—What time was it when they came in?

A.—About 12:40 a. m. They were in the place about fifteen minutes before the shooting.

Q.—Isn't there something you can tell us about this?

A.—No, I can't tell you anything more. When the shooting started I went under a pool table.

Employe Tells Story.

Tony Mascarella, 2023 West Grand avenue, employe of the Milwaukee avenue bowling alley where Jack McGurn was slain and who witnessed the killing, made the following statement to Capt. Martin E. Mullen at the Racine avenue station this morning:

Q.—Are you employed and where? A.—I clean out the poolroom and bowling alleys at 803 Milwaukee avenue.

Q.—By whom are you so employed? A.—I only know the man as "Smokes."

Q.—Isn't the man you know as "Smokes" William Aloisio? A.—I don't know his last name, but I have heard him called Willie.

Q.—Is he the proprietor of this poolroom and bowling alley? A.—Yes.

Awakened by Shots.

Mascarella said he was asleep when he was awakened by the shots.

WITNESS TELLS STORY OF HOW M'GURN DIED

(Continued from First Page.)

Q.—When you [illegible] when you heard the shots, the first thing you saw the man near the entrance of the poolroom. He had a gun in his hand and was shooting (I think it was an automatic) and he was backing out the door and shooting at the fellows to "ride down."

Q.—Was this man the only one you saw do any shooting?

A.—Yes.

Q.—Did you see any other men with this man?

A.—No. I didn't see anyone else with him.

Q.—How many people would you say were in this poolroom and bowling alley at the time of this shooting?

Twenty Witnesses to Shooting.

A.—There were about twenty men in the place when the man doing the shooting was leaving, and then they all scrambled for the door after these men left.

Q.—What do you mean when you say "after these men left?"

A.—There were three men backing out of the place, but I only saw one of them doing the shooting.

Q.—Could you describe any of these men?

A.—No, I can't describe any of them.

Q.—How long had you known McGurn?

A.—I don't know him. This was the second time I saw him in the bowling alley.

Q.—Who did he come to the bowling alley with?

A.—I don't know. I was asleep when he came in, I guess.

Q.—When you saw him lying on the floor was he fully dressed?

Coat and Hat on Bench.

A.—No, his overcoat and hat were on the bench in front of the alley.

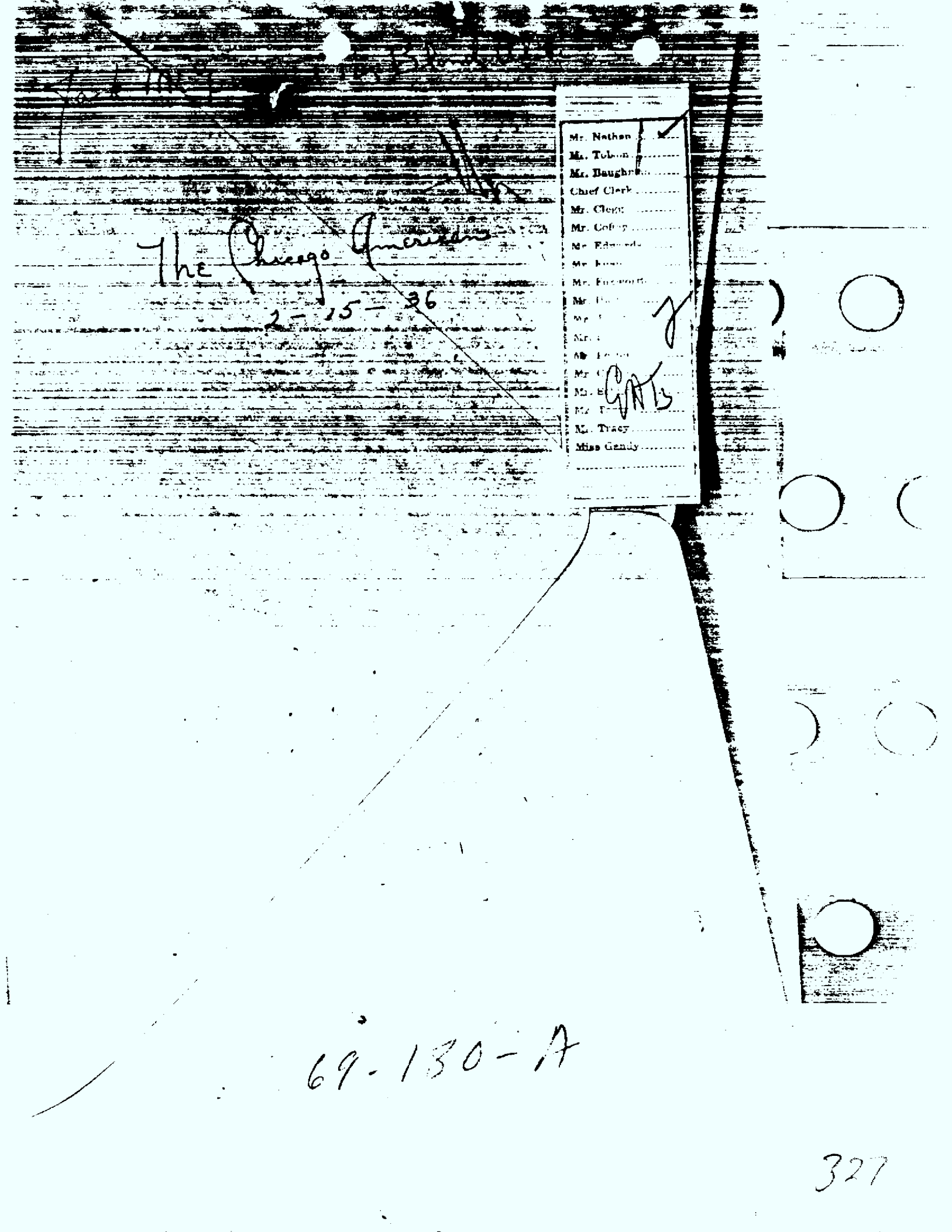
Q.—You stated that you saw Jack McGurn once before in the bowling alley. What night was it and how many people came in with him?

A.—About two weeks ago; there were two men with him, and they bowled.

Q.—Did you see these same two men with him last night at the bowling alley?

A.—No.

CHICAGO [illegible]
69-120-A 2-15-36 32


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2-15-36
69-130-A
327



THE CHICAGO
2-15-96



WILLIAM ALOISIO.
Ducked under pool table at shooting.

Valentine Massacre Spotlighted McGurn

The St. Valentine's massacre at disgraced Chicago and made Machine Gun" Jack McGurn a tionally known desperado ed February 14, 1929, in a rage at 2122 N. Clark st. Seven members of the "Bugs" oran mob, supposedly awaiting shipment of booze, were in the rage when two men dressed in lice uniforms walked into the ace.

What happened was never own, but apparently the fake licemen lined the men up as a raid, whereupon other mach- gunners who came in the back or shot them down as they stood ainst a wall. The scene later, seven men lying in the blood- ttered room, is the high spot the history of prohibition law- ness in Chicago.

GURN SHOT BEFORE.

Six of the victims were dead en police arrived. The seventh, ink Gusenberg, died within an r after mentioning "police- n."

Gusenberg and his brother, er, also killed in the massacre, been accused a year before the shooting of McGurn. Mc- n had been shot through the g when ambushed in his car had been taken supposedly ng to Alexian Brothers Hos- al.

e rallied and lived and his ow gangsters spirited him away m the hospital while he was in precarious condition.

WANTED FOR MASSACRE.

The massacre started a furore Chicago. Rewards totalling ,000 were offered and the po- listed seventeen men as want- for the killings.

The most tangible lead came ut ten days later when an omobile was found in a burn- garage at 1723 N. Wood st. was apparent an effort had n made to destroy the auto- bile. Police named Claude idox, a Capone hoodlum, as the ner of the car.

reat excitement was occasioned the arrest of McGurn February two weeks after the murder. was found the machine gun- had been living in the Stevens el with Louise Rolfe as Mr. Mrs. Vincent D'Oro.

OND ALIBI' ENTERS.

n the face of reported posi- tive identification of McGurn by two witnesses, Jack insisted it was "a bum rap" and that at the time of the killing he was in the hotel with the fair Louise. That was where she got her name, "the blond alibi."

There was much hubbub as other gangsters were rounded up.

Eventually McGurn and John Scalise were indicted for murder and Rocco Panelli as accessory after the fact.

McGurn's lawyers, Nash and Ahern, repeatedly pressed for trial, but the state kept taking continuances, claiming that additional evidence was being uncovered.

In the meantime Scalise was assassinated in a gang killing generally laid to the Capone mob.

M'GURN'S CASE STRICKEN.

McGurn ultimately was admitted to bail and finally, in December of 1929, the indictment against him was stricken when, for the fourth consecutive term of court, he appeared ready for trial and the state was not. No one was ever tried for the crime.

So ended the prosecution of McGurn for the Valentine's Day massacre without the "blond alibi" ever appearing in court.

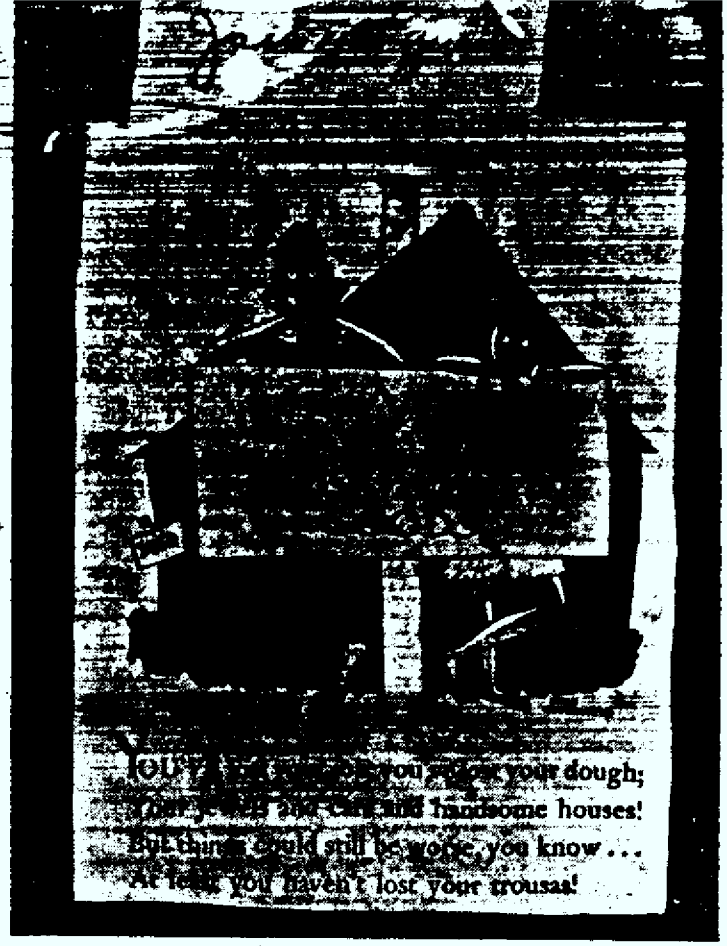
Several months later came the prosecution of McGurn and Louise on federal Mann act charges, resulting from their trip to Florida together, which dragged on for years until the United States Supreme Court finally upset his conviction by Federal Judge Lindley which had twice been upheld by the Court of Appeals.

AN "UNSOLVED CRIME."

The massacre of N. Clark st. ultimately went down in Chicago crime annals as an unsolved crime.

In the passing years there has been a general opinion among police and other investigators that McGurn was certainly not the leader in the plot.

The most generally accepted theory is that the head man in the execution of the seven Moran gangsters was Fred ("Killer") Burke, alias a Capone ally, who is serving a life sentence in Michigan for the murder of a policeman at St. Joseph.



"Things could still be worse, you know," was the ironic phrase on the valentine addressed to Jack McGurn and tossed on the floor ten feet from his body.

LAW, GUNS CHEATED FOR 12 YEARS

Jack McGurn for 38 years bore a charmed life.

The law never quite caught up with him.

The gangs almost got him in 1928; then he survived eight years more during which, in hotel lobbies, on golf links, in Florida and elsewhere, he was the most conspicuous character of Chicago's underworld. The blond Louise Rolfe, whom he married in his attempt to beat a Mann act case, was almost constantly with him, made him even more conspicuous, but somehow the dapper gunman escaped during all these years the assassination that overtook so many of his contemporaries.

His career was almost cut short before the St. Valentine's Day massacre that made him a national criminal celebrity. He was ambushed in his car in 1928 and shot through the lung.

SPECTACULAR ESCAPES.

His escapes from the law were more numerous and even more spectacular.

His first big brush with the law came in 1927 when he was grabbed in a police roundup when gunmen were seized on disorderly conduct charges and subjected to sanity tests. After many continuances, during which the dapper Jack demonstrated his mental alterness, he was finally acquitted.

And in his behalf the then Alderman A. J. Prignano appeared to testify as to the good character of McGurn. That was the same Prignano who was a state representative when he was shot down and killed in front of his Twentieth Ward home the night of December 29, 1938.

The next year in Municipal Court McGurn beat a charge of carrying concealed weapons when Judge Rooney was convinced the gun he was charged with carrying was not concealed but was lying beside him on the seat of an automobile.

ST. VALENTINE'S NEXT.

McGurn's next big clash with the law was the St. Valentine's massacre. There was great excitement when he was arrested two weeks after the killing of seven Moran mobsters in a N. Clark st. garage and the police announced he had been positively identified by two witnesses, one a mysterious society equestrienne whose identity was closely guarded.

Foiled in their efforts to convict him of the massacre, the prosecutors moved against the pair in state courts on statutory charges and federal charges under the Mann act based on their trips to Florida and other southern resorts.

The state case dragged through many continuances and a big furore over a bond forfeiture but it got nowhere.

Incidentally McGurn was one gangster who never faced income tax prosecution.

While he was still fighting the Mann act conviction in 1930 he was tried by Judge Frankhauser on charges of carrying concealed weapons and sentenced to a year in jail and a $300 fine.

FLED TO FLORIDA.

McGurn tried to avoid the gun trial by jumping bond and fleeing to Florida. But eventually he was caught there on Al Capone's palatial estate and Drury and Howe went down and brought him back.

COURT AID TO HOODLUMS.

Attorneys Thomas Nash and Michael Ahern, who fought most of McGurn's court battles carried the case to the Illinois Supreme Court and won a reversal on the ground that the detectives had no search warrant when they seized McGurn. The decision not only freed him but other hoodlums facing similar prosecutions.

Mystery Call Tells 'Blond Alibi' of

Widow Fully Dressed When Police Arrive.

Continued from First Page.

ered by a sheet. His black hair ruffled. There was a smudge his forehead and blood on his

or just a moment pretty Louise ered her handkerchief.

hen Sergt. Donohue had to y her back to the anteroom. e offered her water, but she

"I don't want any."

Earlier, weeping softly at the ine st. police station, where was questioned by Sergt. Donue, Capt. Martin Mullen, Detive Lieut. Richard Barry, gt. Kyran Thelan and Patrolan Richard P. Broehl, she had ed repeatedly for water and aspirin.

ONTS DRINK EN ROUTE.

n the way to the station with gt. Donohue, her escort on her "Machine Gun Jack's" bullet-torn body. There was nothing now. She didn't want anything. Not even a glass of water.

That was Louise Gebardi, in her happier days the sensational witness for the defense of "Machine Gun Jack" when the heat was on him for the infamous St. Valentine's Day massacre, perpetrated exactly seven years before Jack himself was massacred.

GAVE 'JACK' AN ALIBI.

She testified then that she was with Jack at the time the seven were slain in the N. Clark st. garage. He "beat the rap."

Later they were arrested together in the Stevens Hotel and convicted under the Mann act, but the United States Supreme Court reversed the conviction.

Alibis today were needless. And, perhaps, it was just as well for Louise that they were. She insisted she knew of no reason for Jack's assassination, that she didn't even know what he did for hours before his death.

STORY OF LAST HOURS.

Here, according to the police

Q—Do you know where he bowled? A—No.

Q—Was any one with him when he left the house? A—No.

Q—Of your own knowledge do you know if he had any trouble with any one lately? A—No.

TOLD BY REPORTER.

Q—Do you know he was shot and killed last evening. A—Yes. A reporter came to my house and told me.

Earlier Louise had told Sergt. Donohue of a mystery phone call telling her "something had happened."

Q.—Do you know of any reason why he should have been killed? A—No.

Q—Do you know if he belonged to any secret or labor organizations? A—None.

Q—Has he been out of town lately? A—No.

Q—How did he leave home last night? A—He left in his own Ford coupe.

Louise was taken to the station for questioning by Sergt Donohue.

SWAYS IN WALK TO CAR.

"Take me to him! Take me to him!"

When Sergt. Donohue rang her doorbell early today she answered after a delay. She was fully dressed, sobbing but not hysterical.

Sergt. Donohue asked:

"Do you know about Jack?"

She said:

"Yes! My God! How bad is he?"

"Well, he's gone."

And Louise threw on her fur coat, a jaunty black hat and walked down the path with Sergt. Donohue.

TELLS OF PHONE CALL.

She told of the phone call as they drove to the station, but did not mention it during the official questioning. Shortly after the shooting, she said, a voice told her over the phone:

"Something has happened to Jack!"

But she insisted that was all.

Ironically, she revealed, Jack had gone to a wake Thursday night. Yesterday morning he had gone to the funeral which fellow Louise saw him alive.

She said she didn't know what Jack had been doing for a living lately, but she thought—

"He owned a piece of a book at Melrose Park."

When Sergt. Donohue and reporters approached McGurn's home it was evident that bad news had arrived first.

NIGHT LAMP BURNING.

Through a window they could see the master bedroom on the first floor. A night lamp burned dimly between Louis XVI twin beds of aspen wood. But the beds were deserted.

They peered through another window into a living room, carpeted in dark coffee color like the bedroom. It, too, was lighted by a dim lamp. But the lamp threw its rays on upholstered furniture which was vacant.

Two bedrooms on the second floor also were empty. It is believed one was used by McGurn's 14-year-old daughter, a dark-eyed, auburn-haired beauty. But if it was, the daughter had flown.

MAIL IN BLAST

[illegible]

"TIME TO LEAVE."

[illegible]

Teddy Sparman told the story of what happened:

"I was working at my table near the east wall of the building when I saw some smoke and flew near the big punch press.

"All at once there was an awful explosion. The walls began to wrangle and bricks began to fall from the ceiling.

"I decided it was time to leave, so I climbed out through the nearest hole in the wall."

Henry Duijkmans, 48, of 1628 W. Roosevelt road, the company's chemist, said there were two explosions.

FIRE GETS OUT OF HAND.

He added:

"There are 11 girls and 9 men working in the plant.

"This morning a small fire started near the 'combs' which were being made into book matches. Immediate steps were taken to put out the blaze, but we felt no alarm, for fires are common.

"This fire, however, got out of hand, and we had to clear the place.

"Then there was a terrific explosion.

"We got the girls out and wrapped them in blankets. The second explosion was caused by flames which reached the chloride of potash and some lead hyposulfite stored in the vault."

The building was gutted by the flames.

WALL, ROOF BLOWN OUT.

The rear wall, roof and all the windows were blown out by the first blast.

Firemen answering a 3-11 alarm sent in special alarms calling for all available equipment to combat the flames following the blasts.

Division Marshal Joseph Graham said damage would total nearly $100,000.

Earlier more than fifty pieces of fire fighting apparatus had answered a 5-11 alarm at the Odman Manufacturing Company, 228-30 W. Kinzie st.

Flames which broke out in the basement of the five-story brick structure were quickly subdued when the basement was flooded with water. But the fire crept through the walls and broke out anew on the third and fourth floors of the building.

FIREMEN ESCAPE TRAP.

A company of firemen were trapped on the roof of the burning building for a time but made their escape by crossing to a neighboring structure.

Damage in the plant, where twine, paper boxes, and other

[illegible]



While a court battle fo
Margaret Mann, 24, kisses
rior Judge Desort's chambe
be the unwed mother of the
permission to see him twice
E. Mordoff of Wilmette rei

Arrested as Door Smasher.

Matthew McInerney, 37, of 506 W. Thirty-second st. was arrested early today after he broke a glass door in a tavern at 1325 W. Madison st. Gust Trahaneas, tavern owner, had ejected McInerney for creating a disturbance.

From Rogu

He started his criminal
He was notorious as a t
Men who crossed his p
dead—

But the Chicago police
bay.

Read "Out of the Rogu
greatest detective stories, t
told by Lieut. John Walsh
station. Lieut. Walsh was



Louise Rolfe McGurn covers tear-stained eyes as she is led into the Racine av. police station for questioning in the assassination of "Machine Gun" Jack McGurn. (Chicago American-International News photo.) 2-15-36

33

MACHINE GUN
M'GURN SLAIN

Mr. Nathan
Mr. Tolson
Mr. Baughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. [illegible]
Mr. Foxworth
[illegible]

69-180-A

2-15-36

332

"Machine Gun Jack" McGurn, notorious gangster who once swaggered in the train of Al Capone, was shot to death by three assassins early this morning in a bowling alley at 805 Milwaukee avenue. A dozen persons saw him killed.

With two companions McGurn entered the place only a short time before he was slain. The trio removed their coats and were preparing to bowl on the second alley when there was a sudden loud outcry. It came from one of three men who had followed the old Capone lieutenant into the place and was standing behind him at the head of the alley.

"Everybody stand still," was the cry. "Move and you die."

Guns Blaze; McGurn Dies.

As the witnesses looked on, spellbound, shots cracked. Each of the three men, grouped in a little semicircle about McGurn, participated in the firing. A bullet crashed into his head. Another plowed into his back.

As he fell, instantly dead, on the smooth wood of the alley the killers slowly backed toward the stairway [the alleys are on the second floor], dropped their weapons into their overcoat pockets, and fled to the street.

The spectators of the fast moving drama were themselves galvanized into action. They, too, fled to the street. When the police arrived only William Alosio, 1121 West Huron street, proprietor of the place, which is known as the Avenue Recreation rooms, was left. He it was who told the story of the slaying.

Tell It Murder Night.

"McGurn was choosing a ball to bowl with," Alosio said, "when the [illegible] went up. The men knew what they were doing. They didn't miss. But it all happened so quickly I can't remember much about it."

Yesterday with the anniversary of the St. Valentine day massacre, one of the most sensational crimes in American history, on Feb. 14, 1929, seven members of the north side gang headed by George [Bugs] Moran, an enemy of Capone in the booze and vice rackets, were lined up against the wall of a garage at 2122 North Clark street and were all machine gunned to death.

Reminded of Massacre.

There were at times reports that McGurn was implicated in that shooting. Most investigators discredited this, however. That some one wished to remind McGurn of Valentine's day was proved by the discovery of a comic lithograph that was left with Alosio for him some time yesterday. It depicted a couple in scanty clothing, with a little jingle under it which read:

"You've lost your job, you've lost your dough;
Things still could be worse, you know—
At least you haven't lost your trousers."

The slain man's overcoat and suit coat were found on a bench near the bowling alleys. They contained no

[Continued on page 2, column 5.]

2-15-36

333

'MACHINE GUN' JACK M'GURN SLAIN BOWLING

Trio Kill Ex-Capone Chief in Alley.

[Continued from first page.]

pistol. McGurn was neatly dressed in gray and wore gray spats. In his pockets were found $3.85 and two tickets, unused, to the Bath-Burman fight.

Card Gives Police a Clew.

Some importance was attached to a card bearing a telephone number, Delaware 3943, and the name "Henny." The police supposition was that this Henny might have been one of the men with McGurn when he went into the bowling alley, which he visited frequently.

It was the belief of the investigators, headed by Capt. Richard Barry, that the killers had accurate knowledge that McGurn would be in the bowling rooms, at about the time he arrived. Probably, it was said, they waited for him and climbed up the stairs to the second floor as soon as he and his friends had cleared the hallway.

It was even theorized that the men who went with him might have been in on the plot. To support this the police pointed out that all the bullets were directed at McGurn alone. His friends in all probability were armed and could have made a battle of it if they had wished to do so, in the opinion of Capt. Barry.

Captain Discusses Motive.

"But anything could have happened in this instance," he added. "McGurn had plenty of people with reason to bump him off. My guess is that he had stepped on somebody's toes in the alky racket or the gambling business, and recently. The gangs don't usually shoot to avenge something that happened years ago. They put enemies out of business for what they're doing now."

Three men, one of them a brother of Alosio, were seized in front of the bowling place shortly after the shooting. All denied they knew anything of the slaying. Later the police discovered a man who admitted he was upstairs. He is Tony Muscarello, 2023 West Grand avenue. His statements cost little light on the mystery, however, as he asserted he was asleep when the shooting started.

The police set out on a search for the pin boys on duty on the theory that they were more likely than any one else to have been looking directly at McGurn as one of the bowlers.

Colorful Gangland Figure.

McGurn, whose real name was Vincent Gebardi, was one of the most colorful of all the figures in the gang

2-15-36

334

world of the roaring prohibition days. A man of unflinching courage, he had a little more of the graces of polite society than most of his fellows. He was an athlete and under his real name competed in several golf tournaments, once even breaking into the western open.

His pseudonym was gained in the prize ring when he was a youth and his real one was soon forgotten in gangland. He was the target of assassins' bullets several times and until today had the reputation, like Bugs Moran, of being a man with a charmed life.

Wounded in Hotel Shooting.

The first attempt on his life was made in March, 1926.

Two years later, on March 7, 1928, when he had already risen high in the Capone councils, McGurn and another man were shot in the smoke shop of the McCormick [now the Croydon] hotel at Rush and Ontario streets. Bullets struck McGurn in the chest and left arm, but he recovered quickly. The shooting was attributed to enemies of Capone.

A fusillade of shots was poured on him April 17, 1928, as he drove his automobile in Morgan street at Harrison street. That time he escaped unscathed and called up several of his friends to report his good fortune.

Seized with Machine Gun.

In the following month McGurn was arrested while carrying a machine gun in his automobile. He was freed on a technicality. A raid on his apartment in the Guyon hotel at 4000 Washington boulevard at about the same time yielded shotguns and pistols.

"A man can keep arms at home," he told the police, with a smile. "I have to keep an arsenal to protect myself."

Following the St. Valentine day massacre, which "secret witnesses" were said to have laid at his door, McGurn and Louise Rolft resided for several weeks in a loop hotel. He furnished an accounting of his movements on the day of the massacre and Louise supported his story so stanchly that she won herself the nickname of "Blonde Alibi."

She performed the same kindly office each time he was accused of crime and the police, tired of this, at last persuaded federal agents to arrest the couple as violators of the Mann act. The prosecution was based on an allegation that they had traveled together to Florida.

In July of 1931 they were found guilty in the federal court. McGurn was sentenced to two years in prison and the girl to four months in jail.

Neither served any time behind bars, however, on this conviction. They went through a marriage ceremony while the case was being fought through to the United States Supreme court. That tribunal held that since the couple lived together in Chicago their trip to the south was not for immoral purposes but was an incident to their usual course of life. The conviction was therefore reversed.

McGurns Move to Oak Park.

McGurn and his wife, shortly after the old boss gangster Capone went to prison for failing to pay his income tax, moved into a house at 1014 North Kenilworth avenue, Oak Park. He insisted that he was out of the rackets and wished to live the life of an Oak Park gentleman.

It was in late August of 1933 while playing in the western open tournament at Olympia Fields that McGurn discovered how difficult it was to be a golfer with his kind of reputation. He had shot the first six holes of the qualifying round in one under par, but on the seventh he became aware that policemen were waiting to arrest him. He blew up and took a six. At the eighth hole, another had died, he picked up his ball and quit.

Buys Into the 225 Club.

Early in 1934 McGurn became one of the proprietors of the 225 club, a night life and gambling resort at 225 East Superior street. The place caught fire soon afterward and the police declined to allow him to remodel and reopen.

Since then he had been interested in a number of undercover enterprises, including a tavern in Melrose Park that masked a gambling house. He had been keeping well out of police notice. A year ago he and his wife moved from 1014 to 1224 North Kenilworth avenue, Oak Park.

CHICAGO DAILY TRIBUNE

2-15-36

225

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Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Kalm
Mr. Nease
Mr. Quinn Tamm
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

62-176-A

Capone Foes Slain in 'Valentine Day Massacre' Avenged

'Machine-Gun' Jack McGurn Dies With Slugs in Back After Bowling Alley Shooting

CHICAGO — "Machine Gun" Jack McGurn, ace trigger-man of Al Capone's old gang, was assassinated here today. He died with two "lead Valentines" in his back, in what police believed was retaliation for the atrocious St. Valentine's Day massacre of seven years ago.

A comic valentine was found near his body, [illegible] hours from the seventh anniversary of the mass execution of seven [illegible] Morgan [illegible] in which he was chief suspect, set police trailing old clues.

WIFE BREAKS DOWN

The wary McGurn apparently remained close to home until shortly before midnight, when with the companions he went to the bowling alley, thus spoiling the killers' hope of killing him on the anniversary.

Shortly after his body was found police arrested his wife, the beautiful Louise Rolfe.

"My God, how bad is he?" the gangster's wife cried when Sergt. Frank Dugahan [illegible] home.

"He's gone," [illegible]

the bowling alley when his killers entered.

"This is a stickup," the leader shouted.

SAW THEIR MEN

William Aloisio, the proprietor, ducked under a table. McGurn and two companions jumped from a bench. McGurn swung around with his back to the door just as three killers fired.

Aloisio said he heard at least 15 shots from the killers' automatic revolvers. Two of them hit McGurn.

VALENTINE IS FOUND

Near the entrance to the bowling alley police found the comic valentine. It said:

"You've lost your job,

"You've lost your dough,

"Your jewels and cars and handsome houses.

"But things could still be worse, you know,

"You haven't lost your trousers."

Sergt. Kyran Phelan, who was cruising in a squad car nearby, reported he noticed three known hoodlums enter the restaurant below the place where the shooting occurred after McGurn was shot. The three were taken into custody for questioning. They are Charles Alazorka, 22, John Battaglia, 23, and Sam Albicio, 21.

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Mr. Quinn
Mr. Scheidt
Mr. Tracy
Miss Gandy

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337

GANGSTER SLAIN
AL CAPONE AIDE

McGurn, Figure in 1929 St. Valentine Day Massacre, Shot in Bowling Alley

BULLETIN.

CHICAGO, February 14 (AP).—Chief of Detectives John L. Sullivan said today he viewed the assassination of "Machine Gun Jack" McGurn, once Al Capone's No. 1 terrorist, as "the outbreak of a new alky war between Chicago and Milwaukee, with headquarters

By the Associated Press.

CHICAGO, February 14.—Dapper "Machine-Gun Jack" McGurn, former Capone gangster, today received a comic valentine and two shots in the back of the head, killing him in much the same fashion as seven George "Bugs" Moran gangsters died seven years ago in the bloody St. Valentine day massacre, for which he was later indicted.

He "beat the rap" on the massacre charge by producing the now famous "blond alibi," who later became his wife. She testified that she and McGurn were in a hotel just south of the Loop.

The gangster's death came with the same dramatic suddenness as did the massacre of the Moran men. While McGurn and two unidentified companions sat in a second-floor bowling alley at 805 Milwaukee avenue, on the near Northwest Side, awaiting their turn, three men entered the place and ordered: "Stick 'em up! Stand where you are."

McGurn, his back to the men, stood erect. Without another word, the trio opened fire with .45-caliber pistols. One shot struck McGurn just behind the right ear and the other in the lower part of the neck.

The police called McGurn a cold-blooded gangster and one of "Scarface

[redacted] no information [redacted]

She said she had received [redacted] phone telephone call early this morning telling her "something had happened to Jack."

The deliberate killing came just one hour too late to fall on the seventh anniversary of the massacre of which he was accused. The State quashed the indictment after its principal witness was slain.

As Capone's chief machine gunman in prohibition days, McGurn was reported to have amassed several hundred thousand dollars. His widow, during questioning, sobbed hysterically that the former Capone "big shot" had fallen into low estate and that they were "broke."

"All he owned was a piece of a book (a horse race betting establishment) at Melrose Park," she said.

The police said McGurn had been reduced to taking 50-cent bets in person.

Ironically, the gangster, who made his fortune from illicit alcohol, was shot down at the close of a "soft drink night" in the recreation parlors, where free non-intoxicating beverages were being served.

William Aloisio, who said he was the owner of the bowling alleys, told the police McGurn was a regular customer of the place and had entered 15 minutes before he was shot down.

He said the three men walked to within 15 or 25 feet of McGurn and fired several shots.

Tramped on the floor near the spot where McGurn fell, they found a comic valentine addressed to McGurn.

On the front of the valentine were the figures of a man and a woman in their underwear. In the background was the picture of a house marked "sold" and another sign reading "household goods for sale."

Mr. Nease
Mr. Boardman
Chief Clerk
Mr. Egan
Mr. Conroy
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Miss Lester
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Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

62-180-A

338

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Mr. Coffey
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Mr. Egan
Mr. Foxworth
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Mr. Keith
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McGurn, Capone Aid, Shot to Death

Chicago, Feb. 15 (AP)—Machine gun Jack McGurn, gangster, was shot and killed in a bowling alley at 3005 Milwaukee avenue early today.

The victim was identified positively as McGurn by Sergt. Kyran Phelan, of the detective bureau. The scene of the shooting was in the near northwest side.

McGurn was a suspect in the St. Valentine's Day Massacre in 1929. He met his death only a few minutes after the seventh anniversary of the slaying of the seven "Bugs" Moran gangsters in a Chicago garage.

McGurn was reputed to have been shot down while playing golf on a suburban course near Chicago. Also, in 1933, the former Capone gangster was sentenced to serve a six-month term in jail after his conviction for vagrancy.

McGurn, termed a "fashion plate" gunman because of his penchant for wearing expensive clothes was christened Vincent Gebhardi. It was under this name that he played in the Western Open Golf Tournament in 1933, which he did not finish because of his arrest for questioning by federal agents.

Lg-180-A

32

Gangster McGurn Shot to Death

Slain Exactly 7 Years After St. Valentine's Day Massacre

CHICAGO, Feb. 15. (Saturday) (U.S.).—"Machine Gun Jack" McGurn, dapper gangster and public enemy, was shot to death early today in the Avenue Recreation Club on the second floor on the Northwest Side.

His death came exactly seven years after the notorious St. Valentine's day massacre in which he was one of the chief suspects.

More than two score patrons were in the "club," a bowling and billiard hall, when McGurn was shot down. A near panic followed and many raced into the street, without waiting for their coats.

Police who sped to the scene took into custody several persons who were still in the club when they arrived. They were seeking to learn the circumstances of the shooting.

The St. Valentine's Day murder in which seven members of the Moran gang were shot to death, came shortly after McGurn had a falling out with the North Side crowd.

69-180-A

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7 YEARS TODAY: ST. VALENTINE MASSACRE

City's Most Notorious Gang Crime Still Unpunished

Seven years ago today the underworld perpetrated its most gory crime—the unsolved St. Valentine's Day massacre of seven gangsters at 2122 N. Clark st.

It was on February 14, 1929, when all the world was supposed to be in love, that two men disguised in police uniform drove up to a garage, walked in nonchalantly and mowed down seven members of the George ("Bugs") Moran gang with a machine gun.

Falling before the spray of bullets were Peter Gusenberg, ex-convict; Frank, his brother; Adam Heyer, alias Arthur Hayes, ex-convict; James Clark, brother-in-law of Moran; John May, mechanic; Albert Weinshank and Dr. Reinhardt S. Schwimmer.

MULTITUDE OF MOTIVES.

Investigators advanced a multitude of motives for the merciless slayings. The massacre, they decided, could have been the climax of a booze gang war; it could have been retribution for Moran gang attempts to muscle in on a lucrative labor union, or it could have been the "extra-legal" settlement of a dispute between rival groups operating dog race tracks.

Scores of suspects were seized and questioned; many witnesses offered information; but no solution was forthcoming.

Investigators agreed on one point: Somewhere behind the scene was a "double-cross."

GANG CHIEF MENTIONED.

Many big-time gangsters were mentioned in connection with the massacre. There was "Scarface" Al Capone, who was accused of hiring Fred ("Killer") Burke, now serving life in a Michigan prison for the slaying of a policeman, to protect his interests in a dog track at Lyons, Ill., and such headliners as Claude Maddox, Gus Winkler and Murray Humphreys.

"Machine Gun" Jack McGurn was one of those first accused, but he produced pretty Louise Rolfe as his "blonde alibi." She insisted that Jack was with her in a hotel room at the time of the killings.

Down through the years other leads have led nowhere and today the perpetrators of the bloodiest episode of Chicago crime annals remain unknown.

THE CHICAGO AMERICAN

69-180-A 2-14-36

341

Austria to Deport Capone's Rich 'Pal'

Vienna, Austria -(AP)- Alex Sycowski, the wealthy, mysterious prisoner known to Vienna police as "Kid Tiger of the American underworld" will be a free man without a country in 12 more days.

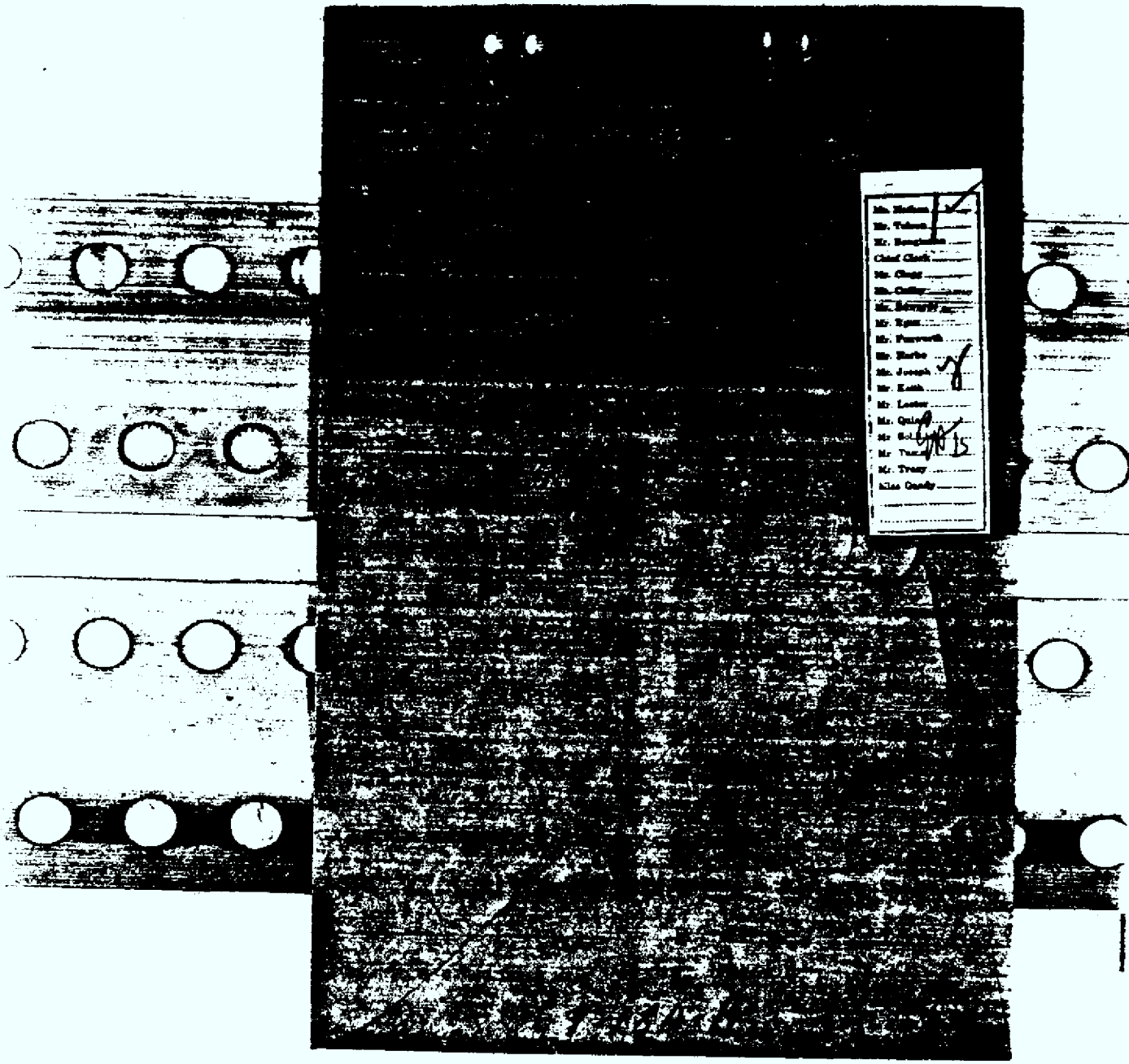
At a new trial Friday Sycowski's sentence on a charge of traveling with a falsified Canadian passport was reduced from seven to five months.

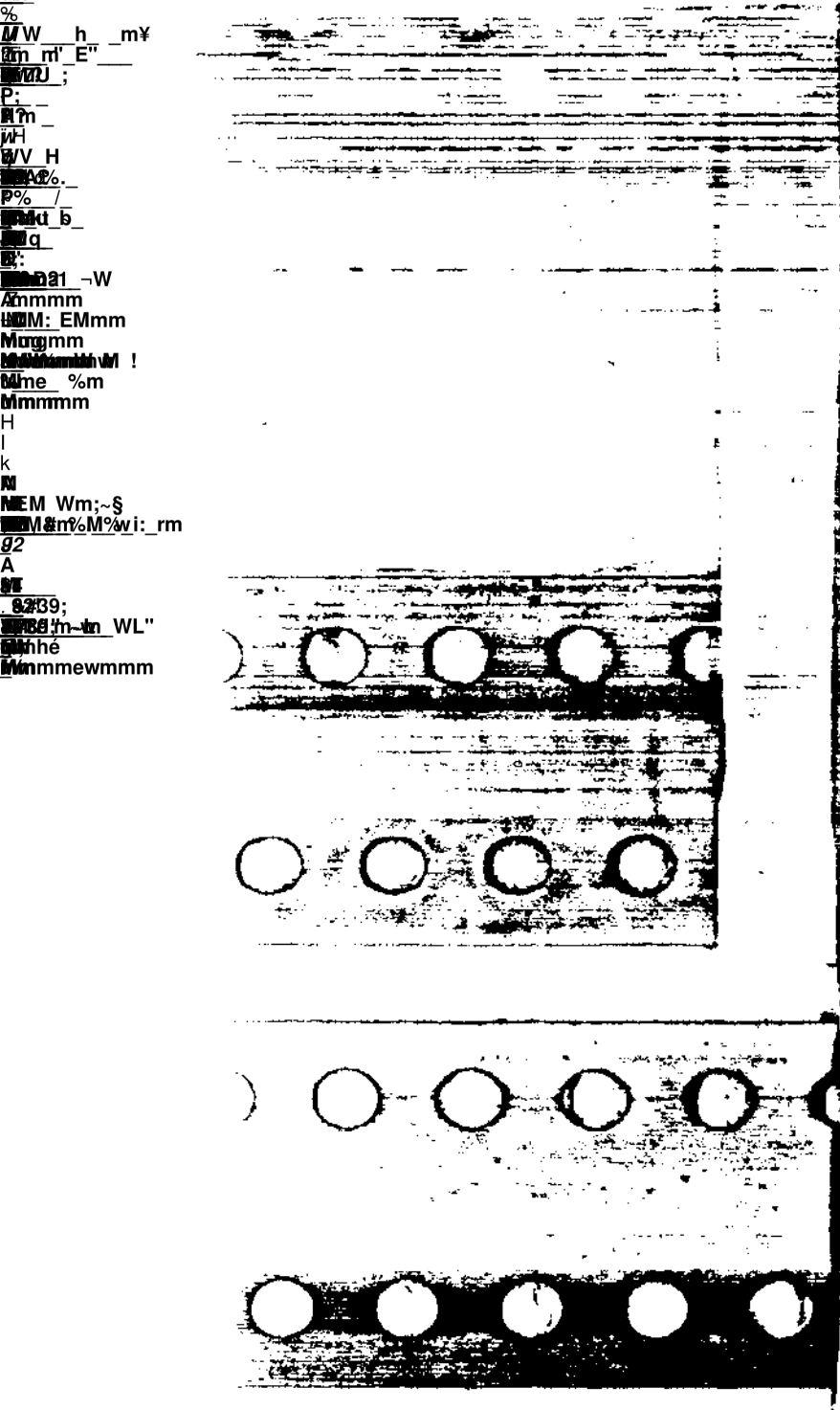
Sycowski is to be deported, but to what port remains unanswered. His funds still apparently are unlimited and he told police, along with tales of his friendship for Al Capone and the late Jack (Legs) Diamond, that he had several million dollars on deposit in an Amsterdam bank.

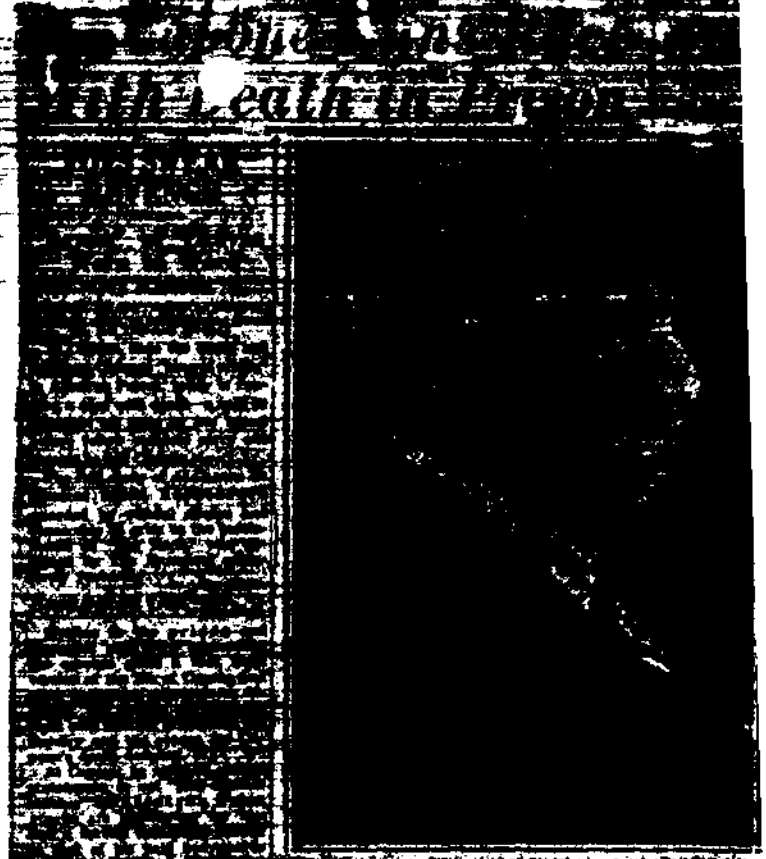
MILWAUKEE JOURNAL
FEBRUARY 14, 1936

Mr. Tracy
Miss Gandy

64-180-A


Chief Clerk
Miss Candy





AL CAPONE, THE 'GREASE BALL'

Death Forecast

The 'Grease Ball'

Seat to Laundry

Favor Curried

No Damage Done

Don't Forget

Wedre 'Armor'

Transfer of Alcatraz Doctor Is Confirmed

3/14

AL CAPONE DEATH PLOT REVEALED

'Marked' by Friends of Massacre Victims, Says Report

By International News Service.

SAN FRANCISCO, Feb. 12—Al Capone, one time No. 1 gangster of the United States, has been marked for death by fellow convicts on Alcatraz island.

Reports which have filtered through the strict censorship on the federal "Devil's island" in the middle of San Francisco bay, state that Capone is daily in fear of being stabbed—that he wears several folds of canvas an inch thick wrapped around his body from his heart to stomach.

Warden James A. Johnston refused to affirm or deny the reports, assuming a non-committal attitude as is his custom with reports concerning the life of the "bad men" on "the rock."

According to the reports, Capone is sluringly referred to as "the grease ball."

Among the convicts on Alcatraz are friends of victims of the St. Valentine's day massacre in Chicago in 1929 when seven "Bug" Moran gangsters were mowed down by machine gun bullets.

FANCY GRIEVANCE.

They have attributed this assassination to Capone's henchmen and coupled with a recent grievance against Capone for his failure to provide money with which they hoped to buy a boat, in a fantastic plot to escape, they have plotted his death.

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Mr. Tracy
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WISCONSIN NEWS
FEBRUARY 12, 1936

69-180-A

PITTSBURGH SUN TELEGRAPH February 12, 1936

Al Capone Dodging Death in Island

Former Gang Chief Wraps Himself in Canvas to Fo

(More frantically than he ever dodged death when he was free and surrounded by his gorilla bodyguards, Al Capone now is dodging death in Alcatraz, America's "Devil's Island." This was the information, related in the following exclusive article, which came through the rigid censorship of the grim prison in San Francisco Bay.)

Universal Service

SAN FRANCISCO, Feb. 12.—Al Capone, once the bland and cocksure Chicago "king of crime," in Alcatraz Prison today is running a race with death—a race to complete his time on the island before fellow convicts carry out their threats to kill him.

The real story of Al Capone on Alcatraz Island, heretofore guarded by official silence and censorship, was obtained by Universal Service today.

Al Capone, in spite of official statements, is not "just another number" on Alcatraz. Prison guards are performing for him now a service amazingly similar to that of his paid bodyguards during his Chicago heyday.

LIFE IN DANGER

For the job of Warden James A. Johnston and other officials is not so much to keep Capone imprisoned on Alcatraz as it is to keep him alive! The Alcatraz informant wrote:

"If it were possible to get away with it, Capone would never leave here alive. Al will be fortunate if he is alive six months after leaving here.

"Capone was transferred from the United States penitentiary at Atlanta, Ga., to Alcatraz on August 19, 1934. He was not transferred because he was such a 'bad man,' but because he bribed the guards to bring him nearly anything he wanted.

"These men (at Alcatraz) know Capone. There are many men that had friends killed by Capone's gang.

"There are men here who are friends of men who were rubbed out in the St. Valentine Day massacre in Chicago (in 1929, when seven "Bugs" Moran gangsters were killed).



AL CAPONE . . . . . SHOWING THE SCAR ON HIS CHEEK

HID 'KILLER BURKE'

"They feel sure that Capone directed that (the massacre.) They know Capone hid 'killer' Burke a[fter] British [pro]perty [as] things turned to [fa]ried. His [m]uch per[son] even tho[se] prison.

"Dutch Ludwig Sc[hol]z Lewis, a T[om]my leader of th[e] Alcatraz) is here on Alcatraz Capone's old enemy. Du[tch] Louie doesn't forget; neit[her] does he let others forget."

Defensive measures of Ca[pone] in his race with death on A[l]catraz, were described by the [in]vict. He asked:

"Is Capone afraid to die?

CANVAS ON BODY

"Capone had canvas wrapp[ed] around his body from his he[ad] to his stomach. The seve[ral] wraps made a thickness of abo[ut] one-half inch. That was [to] keep anyone from stabbi[ng] him."

Capone on the federal "Dev[il's] Island" is threatened by de[ath] not only because of gangland b[at]tles, but also as a result of [old] prison feuds, the informan[t] closed. He said:

"Capone was asked by [his] men to furnish sufficient mone[y] to buy a boat for them so the[y] could plan an escape. He woul[d] not do so and we understand [he] went to the deputy warden.

"That was the reason for th[e] canvas and the reason he doe[s] not go into the yard with th[e] other prisoners."

Capone was declared by the [in]catraz convict to have attempt[ed] to bribe two prison guards.

They rejected the offer.

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67-120-A

ST PAUL DAILY NEWS

FEB 12 1936

AL CAPONE THREATENED WITH DEATH



AL CAPONE

SAN FRANCISCO [illegible] Capone, [illegible] Alcatraz [illegible] both [illegible] Capone [illegible] through the [illegible] Devil's Island" in San Francisco bay, the Chicago is daily in fear of being stabbed. The [illegible] folds of canvas an inch thick wrapped around him from head to stomach.

Warden James A. Johnston refused to affirm or deny the reports, assuming a noncommittal attitude as is his custom with reports concerning the life of the convicts.

According to the reports, Capone is slurringly referred to as "grease ball."

Among the convicts are friends of victims of the St. Valentine's day massacre in Chicago in 1929 when seven Bugs Moran gangsters were mowed down by machine guns.

They attribute the assassination to Capone's henchmen and, coupled with a recent grievance against Capone for his failure to provide money with which they hoped to buy a boat in a fantastic plot of escape they have plotted his death.

Mr. Nathan ✓
Mr. Tolson
Mr. Clegg
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Mr. Edwards
Mr. Egan
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Tamm
Mr. Tracy
Miss Gandy

340

Al Capone's Peril

Existence in the outside world, protected by alert well-paid gunmen, is *one* thing.

Inside stony Alcatraz Prison, all guns in the hands of guards, Al Capone finds life more complicated, surrounded, as he is, by desperadoes that are not *his* gunmen or killers.

After a prison mutiny, a hundred convicts were locked up in solitary confinement, on bread and water. Capone had refused to join the mutiny, knowing that men with bare hands could not break through twenty feet of solid stone and then swim across San Francisco Bay.

Now other and "tougher" convicts in Alcatraz, denounce Capone as a "rat" because he did not join the mutiny; his life may be in danger.

The mutineers cannot break out, but they can murder.

It may comfort Capone to know that in his refusal to join the mutiny he had good company—including George, alias "Machine Gun" Kelly, also Harvey Bailey and Albert Bates, associated with Kelly in kidnaping Charles F. Urschel, oil millionaire.

Al Capone, however, is usually able to take care of himself, outside of Federal courts.

According to legend, long ago, before the word "racketeer had come into everyday use, Al Capone and another, both with black hair and dark complexions, went to a Brooklyn waterfront ball organized by hard-fisted, Irish longshoremen. Capone and his companion each escorted a fair-haired girl. One longshoreman remarked, unfortunately for him, "What are them greaseballs doing with white girls?"

Nobody knows just what happened, or how, but lights went out, and when they were turned on again, the gentleman who made the "greaseball" remark was dead.

There has never been any suspicion that Al Capone had anything to do with it, but some of those Alcatraz "insiders," using the unpleasant word "rat," *might* learn that picking on Capone is not safe.

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Al Capone's Peril

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Mr. Nathan .....
Mr. Tolson .....
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Chief Clerk .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Edwards .....
Mr. Egan .....
Mr. Foxworth .....
Mr. Hoche .....
Mr. Joseph .....
Mr. [illegible] .....
Mr. [illegible] .....
Mr. Quinn .....
Mr. S[illegible] .....
Mr. T[illegible] .....
Mr. Tracy .....
Miss Gandy .....
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L9-180-A

SUSPECT CAPONE IN JAIL RIOT

Special Dispatch to the Daily Mirror

SAN FRANCISCO, Cal.—Still faced with sullen mutiny from several hard-boiled prisoners, officials of Alcatraz Prison yesterday turned their investigation towards the possibility that "Scarface Al" Capone may have inspired the revolt of Jan. 20 with the idea of deliberately double-crossing the others in the hope he might be transferred to some other less formidable institution for his own safety.

It may be for this reason—the fact that he had double-crossed them—say certain officials, that the erstwhile vice baron of Chicago is accredited with "ratting," accompanied by threats against his life.

Ever a master strategist, Capone is not considered by underworld associates and fellow-prisoners to be above such a clever move at their expense.

Meanwhile, the five alleged ringleaders of the abortive revolt are still reported in solitary confinement, although Warden James A. Johnston declared that none was in a dungeon or on a bread and water diet.

The revolt, nurtured through months of silent brooding within the grim edifice in San Francisco harbor, sprouted into mutiny after the death of Jack Allen, a convict known as a "work dodger." Allen often pleaded illness as an excuse to avoid toil in the laundry and other prison shops.

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M'GURN'S AUTO FOUND; BUILDS NEW MYSTERY!

Driver Flees; on Seat of Car Is Newspaper Mentioning Frank Nitti and Prignano

(Picture on Page 4.)

Forty-eight hours after "Machine Gun" Jack McGurn was shot and killed, his automobile, missing since his murder, was driven to 915 N. Ada st. last night and abandoned by a mysterious man, who fled in a second auto.

That act brought new mystery to police who have sought to pierce the wall of gangland silence and find a motive for the slaying. For, on the rear seat of the car, was found a newspaper dated December 30 and bearing the headline:

"Frank Nitti hunted in Prignano Slaying."

Police recalled that Frank ("The Enforcer") Nitti, once powerful lieutenant of Al Capone, and McGurn had been bitter enemies, and that McGurn and State Representative A. J. Prignano had been friendly.

POLICE GET A JOLT.

Police were astounded, that any one would dare to keep the car for two days while the entire city was combed for McGurn's slayers, and then boldly drive it to the spot at which it was left.

Investigators had been informed that McGurn and his two companions drove in the car to the Avenue Recreation Parlor, 805 Milwaukee av., in which he was slain at 12:55 a. m. Saturday. They believed that the slayers had used it to flee after the murder.

They assumed that whoever abandoned it would not have driven it far, and searched the immediate neighborhood in an effort to find where it was kept. Only one fingerprint was found on it, showing that great care had been used to avoid detection.

CAPONE COUNCIL TOLD.

It was the second time that the name of Nitti had appeared in the investigation during the day. Police had been told earlier that McGurn, fearing a plot to kill him, had appealed to a council of the Capone gang in Miami for protection and had been denied aid. Included in that council, the police were told, were Nitti, Ralph Capone and Jake Guzik, only recently released from prison.

WIDOW THREATENED.

Meanwhile, Mrs. Louise Rolfe McGurn, his widow, was protected against reported threats against her life, apparently designed to keep her from "talking." Police doubted that McGurn had confided any secrets to her and regarded the threat as misdirected.

Mr. Nathe...
Mr. Tolson
Mr. Clegg

69-180-4

POLICE STUDY FINGER PRINT FOUND ON DOOR

The automobile in which Machinegun Jack McGurn rode to his date with death was in the hands of baffled police today and a single finger print, found on the door, was being scrutinized by departmental experts.

The car so new it had only 1,000 miles on the speedometer, was left by two unidentified men in front of the Cushman Motor Delivery Co., 315 N. Ada st., shortly before midnight.

WATCHMAN FINDS CAR

William Schell, 25, 2022 W. 69th st., watchman in the building, looked up from his book when he heard a door slam, saw a tall, gaunt figure dash across the street and climb into a large, black sedan which whirled away into the darkness.

The car, police said, was the one in which McGurn and two companions are believed to have driven to the Avenue Recreation Room, 806 Milwaukee ave., where the former machine gun terrorist of the Capone mob Friday night went to his ignominious death in a hail of lead.

In the car police found a bunch of keys, one of which is thought to be the key to a safety deposit vault. Also, they found a newspaper dated Dec. 30—the headline of which read: "Nitti Hunted in Prignano Killing."

BODY IN $1,000 COFFIN

A lone finger print on the door of the car was photographed at the detective bureau and experts planned to compare it today with those of suspected persons.

Meanwhile, the bullet-ripped body of the once-tough hoodlum lay in the Rago undertaking rooms, 624 N. Western ave., while 150 persons filed by to view it as it lay in a $1,000 copper coffin. It will be buried in Mount Carmel cemetery tomorrow at 11 a. m.

Missing, however, will be the flavor of the gangster funerals of old. There were no huge bundles of flowers, no piles of telegrams yesterday.

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Mr. Clark
Mr. Glavin
Mr. Carlson
Mr. Edwards
Mr. Ladd
Mr. Nichols
Mr. Joseph
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

AUTO OF M'GURN, SOUGHT SINCE KILLING, IS FOUND

Left in Street by Gang Which Flees in Car.

The automobile of Machine Gun Jack McGurn, which had been sought by the police since the notorious gangster was slain early Saturday in a bowling alley at 805 Milwaukee avenue, was found early today in front of 315 North Ada street. It had been left there only a few minutes earlier.

Persons living in the neighborhood reported to the police that a man who stepped out of the car, a Ford, joined several others who were in a second automobile and rode away with them.

It was the belief of the police that the two men who entered the bowling alley with McGurn shortly before he was slain fled in this car. The identity of these men has not been made known. William Aloisi, owner of the alleys, and two of his employés—the only ones of 20 witnesses who saw McGurn slain available for questioning—have consistently maintained that they did not know them; nor McGurn, for that matter.

The car was clean and apparently had been kept in a garage. The police were of the opinion that whoever had it had decided to get rid of it as a measure of safety.

Orders Bowlers Questioned.

Capt. Martin E. Mullen Jr. ordered yesterday that all persons known as regular patrons of Aloisio's be questioned, and detectives of the Racine avenue station were busy searching for these bowlers.

There was no change in the police theory that McGurn was slain probably by a man whom he regarded as a friend. Only such a person, according to investigators, could have come up behind him when he was at play. Possibly, it was said, several men, including two who entered the bowling place with him, were in the murder plot. It was viewed as a "gang purge" to rid the Caponeites of a man who, at 32 years, had outlived his underworld usefulness.

Funeral Pomp to Be Missing.

The pomp and circumstance that marked the funerals of gangsters in the days when Al Capone was great will be missing tomorrow when McGurn's body is buried.

Indications were that only a fair sized cortège would follow it from the Rago undertaking rooms at 624 North Western avenue, to the place of interment in Mount Carmel cemetery.

About 150 visitors called yesterday to view the body. Many of these were friends of the Gebardi family [McGurn was born Vincent Gebardi]. There was a sprinkling of his one time friends in gangland, but it was reported that many others were conspicuously absent. There was no massing of floral tributes and no sheaf of telegrams from other cities.

Instead of a $15,000 silver coffin such as the one in which Dean O'Banion was laid to his final rest eleven years ago, McGurn will have a modest one that cost something less than $1,000. Police officials held that the lessened glory represented the fall in the status of gangsters.

CHICAGO DAILY TRIBUNE

69-120-A

353

KEYS IN AUTO CLUE TO M'GURN KILLING

Car Found Abandoned 48 Hours After Shooting. Widow Guarded.

By the Associated Press.

CHICAGO, February 17.—Finding of "Machine Gun Jack" McGurn's automobile, 48 hours after the former "Scarface Al" Capone henchman was "rubbed out," gave the police their first tangible clue today in the hoodlum's crude assassination.

In the automobile, which was abandoned in an industrial section on the near North Side, were two keys, one which the police believed might fit a safe deposit box. They were on a ring with three automobile keys.

Reported threats against the life of the gangster's widow from an undisclosed source gave the police the additional task of guarding her.

Casket Costs $1,000.

The body of McGurn reposed in a $1,000 casket yesterday while detective squads sought a score of men in an effort to determine who killed him and why.

Louise Rolfe McGurn—the widow who shared and spent a generous portion of the millions earned by the old bootleg syndicate—arranged for simple funeral services tomorrow morning. None of the lavish trappings so long identified with gangland's formal farewells were in evidence. Curious crowds were conspicuously absent at the mortuary, where the scar-faced "big fellow's" favorite follower lay in death.

"Broke" at Time of Killing.

Investigators said he was "broke" when assassins cut him down in a cheap bowling alley early Saturday. They held the belief his reduced finances led to his slaying. They figured new leaders of the mob—McGurn's former friends—became annoyed by his attempts to join them in the operation of gambling, vice and illicit alcohol rackets and ordered his elimination.

Police squads renewed efforts to find the 17 witnesses who fled from the recreation rooms, the two men who bowled there with the victim and the three men who precipitated the gunfire by pretending to rob the place.

62-150-A

354

FLEES THREATS

McGurn Widow Goes Into Hiding

SOBS AT PROBE



LOUISE McGURN, WIDOWED BY GANGLAND BULLETS
Testified at Inquest Into Assassination of 'Machine Gun' Jack

Picture by International News Photograph Service.

'Blonde Alibi' Fears Death Mob; Killing Laid to Shylocks

CHICAGO, Feb. 16 (US).—As the underworld waited tensely today to learn if the assassination of "Machine Gun" Jack McGurn would touch off another of Chicago's deadly gang wars, threats against her life were mysteriously conveyed to McGurn's widow, his "blonde alibi" in the St. Valentine's Day massacre seven years ago.

Fearful the threats would be executed, perhaps by one of the same three men who shot McGurn to death in a bowling alley early yesterday, Mrs. McGurn went into hiding, taking with her a 12-year-old daughter by an earlier marriage.

How many secrets of the old Al Capone gang, of which he was "chief executioner," McGurn confided in his wife, authorities do not know. Nor do they know if his widow, the former Louise Rolfe, is aware of the identity of enemies who might have put him "on the spot" as he was about to engage in a bowling game with two "friends" yesterday.

Under Police Protection

But on the possibility she may be able to furnish a lead to the assassins, police took immediate steps to protect her.

Threats that she might meet the same fate as her killer husband were taken by investigators to indicate those responsible for the assassination were considering the same possibility—that the blonde Louise might "talk."

Tonight the police were without a hopeful clue. They were as much in the dark as to the identity of the killers as they were as to the motive for the crime.

Police today said McGurn had been in frantic fear of death for some weeks and had been told the protection of the remnants of the old Capone gang had been withdrawn from him.

Pleaded for His Life

Detectives heard in "grapevine" reports that McGurn literally pleaded for his life at a recent meeting of several of Capone's high-ranking hoodlum-racketeers in Miami, Fla. The answer was: Thumbs down.

As the police got the story, McGurn, who handled a golf stick as adroitly as he did a machine gun, went to Miami not only to indulge in the his favorite game, but to see Frank Nitti, "enforcer" in the Capone mob.

Instead of seeing Nitti alone however, McGurn was brought before a "committee" which displayed none of the genial camaraderie which had marked their relations in the rum-running prohibition days.

Al's Brother at Talk

From that date McGurn lived in constant fear of death.

Among members of the "committee," it was said, were Jake Guzik, formerly high in the councils of the Capone syndicate and now just out of prison; Ralph Capone, Al's singing brother; Willie Heeney, a "utility man" in the syndicate, and Charles "Lucky" Luciano, czar of the Unione Siciliani.

They were there for business, and McGurn was not welcome. One reason was that among his former friends he was regarded as having lost most of his usefulness—this in spite of the fact that he is credited with machine-gunning the seven "Bugs" Moran gangsters to death seven years ago and as effectively "rubbing out" many other Capone rivals.

Plan Loan Shark Ring

The business before the committee, the police say, was formation of a Chicago branch of the big loan shark racket which already had proved highly profitable in New York.

356

ONE LONE CLUE IN M'GURN CASE A FINGERPRINT

CHICAGO, Feb. 17 (I.N.S.)—A lone fingerprint, found on the abandoned automobile of "Machine Gun Jack" McGurn, was the only definite clue to his assassination in police possession today.

Police admitted as much as they revealed the automobile of the one-time chief executioner for Al Capone was recovered last evening after being abandoned on a Northside residential street.

Witnesses told police the automobile was parked by a lone man who fled in a second car.

Car Kept Two Days

Police marveled at the audacity of the man or men who had kept the car for two days while the city was being combed for clues to the murder of the golfing machine-gunner.

McGurn had driven the automobile to the Northwest Side bowling alley where he was slain by three men early Saturday.

Adding to the mystery of the slaying was the discovery in the automobile of a newspaper dated December 30, and bearing the headline:

"Frank Nitti hunted in Prignano slaying."

Police recalled that Frank, "The Enforcer" Nitti, once a powerful Capone chieftain, and McGurn were bitter enemies, while McGurn and Prignano had been friendly.

Hiding Place Sought

Assuming that whoever abandoned the automobile would not have dared drive it far, police began a systematic search of the immediate neighborhood where it was found in an effort to discover where it had been hidden.

McGurn's "blonde alibi," under police guard following mysterious threats on her life, prepared to bury him tomorrow without the ostentation formerly accorded public enemies, while police and the underworld waited tensely today for reprisals.

Police investigation today centered on the roundup of some 20 bowlers who witnessed the slaying.

GOLD COAST GIRL WITH LOUISE

Vanishes, but Friends Tell of Drinking Trip on Slaying Night.

Police were told today that Louise Rolfe ("Blond Alibi") McGurn was making a round of taverns early Saturday while her husband, "Machine Gun Jack," was being murdered.

Their informant was Miss Mary Dickinson, 19, of 195 E. Chestnut st., who made her statement to Capt. Martin Mullen at Racine av. station.

The girl had come voluntarily with Detectives James Dorsey and William Du Bois, who were tracing a reported phone call from Mary's room Saturday morning in which Mary's roommate, Marjorie Swift, 19, was reported to have said:

"They got him after he was sent to the bowling alley."

FRIEND OF LOUISE.

Miss Dickinson denied knowledge of such a call, but said her roommate, Miss Swift, was acquainted with Mrs. McGurn and had gone out to meet her after a phone call Friday afternoon.

Q—Did you ever see Marjorie Swift with McGurn's wife? A—No.

Q—After McGurn was shot did she say anything to you about it? A—No, she just said she was keeping up with it in the newspapers.

Q—What time did Marjorie get home Friday night? A—About 2:30 a. m. Saturday.

JACK NOT PRESENT.

Q—Did she say where she had been? A—She said she went to a party and left the rest of them there.

Q—Did she say McGurn's wife was at the party? A—She said she saw her there.

Q—Did she say whether McGurn was there? A—She said he was not there.

Q—When Marjorie came back did she say where she went with Louise? A—She said she visited a couple of restaurants or taverns with her.

It was at about 1:30 a. m. Saturday that McGurn, the dapper erstwhile Capone lieutenant, was killed in a bowling alley at 805 Milwaukee av.

GIRL CHANGES STORY.

At first Miss Dickinson denied she knew whether Miss Swift knew Louise McGurn, but changed her story after her sister, Elizabeth Dickinson, 26, told police Marjorie had spoken of meeting Louise.

The Dickinson girls are daughters of Mrs. Dorothy Dickinson, who lives at the Seneca Hotel, 200 E. Chestnut st. Only Mary came to the station.

SEEK TO TRACE KEYS.

While this angle of the case was being investigated, police sought to trace keys found in his automobile, which was left last night on a West Side street.

McGurn's body lay in a $1,000 "copper-colored" casket and Louise made arrangements for the burial tomorrow morning.

Investigators said that perhaps one or two of the keys found in the automobile fit a secret safety deposit vault, which may yield valuable information pertaining to McGurn's most recent dealings.

Continued on Page 2, Column 6.

M'GURN'S CAR ABANDONED, KEYS CLUES

Auto, Stolen at Scene of Slaying, Left on West Side

Continued from First Page.

Twenty patrons were bowling, playing pool or loitering in the Avenue Recreation Parlors at 1 a. m. Saturday when three men dashed in, fired several volleys and fled.

'FRIENDS' SUSPECTED.

Two friends who had come with McGurn fifteen minutes before also disappeared. Evidently the "friends" had put Jack on the spot.

McGurn's car vanished from in front of the place.

Shortly before midnight last night William Schell, 25, of 3022 W. Sixty-ninth place, a watchman in the Cushman Motor Delivery Company, 315 N. Ada st., heard an automobile door slam.

FLEES IN SECOND CAR.

He looked out and saw a man leaving a new coupe and getting into a dark sedan, which was then driven north at a high speed.

The abandoned coupe was McGurn's. There were five keys in the car. One was in the switch lock on the steering post. Another, on a chain with three additional keys, was in the shift lock.

Sergt. Kyran Phelan said one of the three keys is a door key to the McGurn home at 1224 N. Kenilworth av., Oak Park. He could not identify the others, but one was said to resemble the type usually issued for safe deposit vaults.

A search was to be made for such a vault.

An inspection of the car, which had been kept inside since its disappearance, revealed a lone fingerprint.

PRIGNANO DEATH STORY.

On the ledge back of the seat in the gangster's automobile was a Chicago American of Dec. 30. The headline read: "Nitti Hunted in Prignano Killing."

The former is Frank ("The Enforcer") Nitti, now ruler of the Capone interests, and the latter was State Representative Albert J. Prignano, who was shot to death at his doorstep in a simulated holdup shortly after Christmas.

McGurn's name was not mentioned in the Prignano killing. The two men were friendly.

PROSTITUTION AND DANCE HALLS [illegible] A YEAR

GAMBLING AND CAFES [illegible] A YEAR

[illegible] [illegible] A YEAR

BEER [illegible] A YEAR

Dennis Cooney (see Board of Directors)

Edward J. O'Hare (see Board of Directors)

George "Bad" Barker (gunman and racketeer)

Johnny Patton (see Board of Directors)

Harry Guzik (white slaver and procurer)

Tony "Mops" Volpe (see Board of Directors)

William "Three-Fingered Jack" White

Joseph Fusco (see Board of Directors)

Johnny Began

Jack Heinan (owner of Paddock inn)

Ralph Capone (see board of directors)

"Big Dave" Earsman and their gangs of teamsters' union racketeers

Francesco Uale (Frank Y (rum-running manager o York to Chicago truck man)

Frank "West Side Frankie" Pope (brothel and gambling house owner)

Lawrence "Dago" Mangano

James "Fur" Sammons (formerly with west side O'Donnell gang)

Claude Maddox (Johnny (head of "Circus" West North avenue and beer outfit), and h

Hymie "Loud Mouth" Levine

Jimmy Mondi (Cicero divekeeper)

"Billygoat" Taglio (plumbers' union racketeer)

Sam "Little New York pagna (booze hustler a man)

"Mike de Pike" Heitler

Fred Ries

Murray Humphreys (milk drivers' union racketeer

Frank Diamond (head manager of still er-in-law of Capone guard)

Joe "Peppi Genero" Annereno (pander)

Pete Penovich

Mike Corroso (street sweepers' union racketeer)

Tony Lombardo (see Board of Directo

Ralph Gillette

Al Lambert

William Clifford

Pasquale Lolordo (Lombardo's success

Jake Adler

Frank Sullivan

"Golf Bag Sam" Hunt

"Tough Tony" Capezi

Jack Zuta (brothel keeper, stool pigeon, treacherous adviser to north side gangs)

Assistant managers, croupiers, head waiters, waiters, chefs, pantrymen, trainers, stable boys, veterinaries, dancers, singers, watchers, bouncers, etc.

Johnny Began

——— Ripley

and others

Brewery operators, dist erators, saloonkeepe ers, watchers, collec ragemen, spies, etc.

Marcus "Stutty" Looney (vicemonger)

Jack Guzik (see Board of Directors)

Rocco Fanelli (procurer)

Prostitutes, panders, dancers, singers, managers, watchers, bouncers, etc.

This chart represents the Capone organization and its principal connections (many of them temporary) during its heyday: from Senior Partner Torrio's retirement early in 1925 until relentless publicity broke it up in 1931. It is as accurate as all available information from police and other investigators can make it.

THESE MEN ARE MOSTLY GUNMEN, BUT MANY WERE IN THE BOOTLEG LIQUOR BUSIN

Tony Accardo
James Adduci (William Pion)
Sylvester Agoglia
Samuel Alex
Mike Allegretto
Johnny "Genero" Annereno
August "Genero" Annereno
Theodore "The Greek" Anton
Tony Arasso
John Armondo
Dominick Ballo
Louis Barko (Valerie)
Bobby Barton (Guzik's chauffeur)
Rocco Belcastro
Frank Biege (Perry) (bodyguard)
Willie Bioff (Henry Martin)

Dominick Brancato
Ralph Buglio
P. C. "Denver Blackie" Burchan
Fred Burke (killer from St. Louis,
Mike Butera
John Capone (Arthur Colby)
Matthew Cappalario
Charlie Carr
Santo Cellebron
Louis Clementi
William Clifford
Charlie Costello
Michael Costello
Samuel Costello
Tony Curingione (Tom Ross)
Phil D'Andrea (bodyguard)

Rocco DeGrazia (driver)
Nick DeGrazio
Tony DeGrazio
Robert DeGrazio
Bert Delaney
Frank Derrico
Rocco Fachetti (Fischetti)
Rocco Fanelli
Fred Farley
Carl Fontana
Ernest Fontana
James Forsyth (Fawcett)
"Big Earl" Fraher
Joseph Glimco ("Little Tim Murphy")
Joe Guinta (Juno)
Sam Guzik

Jack Heinan
Murray Humphreys
"Golf Bag Sam" Hunt
Nick Juffra
Marty Kane
Julian "Potatoes" Kaufman
Tom Kerwin
Henry Kimmel
Philip Kimmel
Lipschultz (garage owner)
Frank Mangano
Sam Marcus (bodyguard)
Bill Marshall
Louis Messessa (Steve Schiavon

Robert McCullough

359

GUNMEN, BODYGUARDS, SPIES, WIRE TAPPERS, COLLECTORS, WATCHMEN, ETC.

Frank Reo
(see Board of Directors)

Frank Nitti (Nitto)
(see Board of Directors)

Tony "Mops" Volpe
(see Board of Directors)

Albert Anselmi
(a "torpedo," ace killer)

John Scalise
(another "torpedo," Anselmi's partner)

"Machine Gun Jack" McGurn (Demore) (Vincent Gebhardi)
(bodyguard and No. 1 machine gunner)

Willie Heeney
(bodyguard and machine gunner)

Charlie Fachetti (Fischetti)
(cousin of Capone, bodyguard, killer)

Tony "The Chevelier" Spano (Joseph Nerone)
(bodyguard and killer)

"Lefty Louie" Campagna
(bodyguard)

James "Bomber" Belcastro
(expert bomb tosser)

Lawrence "Dago" Mangano
(west side leader and brains of a kidnaping gang)

Joe Morici (Moreli) (Ferraro)
(Lombardo's bodyguard)

LEGAL ADVISERS

Defenders of Al Capone:
Thomas D. Nash
Michael Ahern
Albert Fink
Capt. William Waugh
Benj. P. Epstein
Joseph Lustfield
Lawrence P. Mattingly
In Miami
J. Fritz Gordon
Vincent C. Giblin

Defenders of "Mops" Volpe:
John Elliott Byrne
Frank R. Reid (former congressman from Aurora)

Defenders of Ralph Capone:
Tyrrell A. Richardson
Dennis M. Kelleher
George N. Murdock

Defenders of Al Capone and Frank Reo in Philadelphia:
Bernard L. Lemisch
Cornelius Haggerty Jr.

Defenders of James Belcastro:
Elliodor M. Libonati
Albert Filetti

Defenders of Jack McGurn:
Benjamin Feldman
Harry F. Hamlin

Defenders of Rocco Fanelli:
Benedict J. Short
George H. Guenther
Roland V. Libonati

Defender of Frank Diamond:
John F. Cashen

POLITICAL CONTACTS

Numerous political connections were essential to the protection of Capone's vast syndicate with its elaborate breweries, distilleries, its transportation systems, its well advertised houses of vice and gambling, its squads of murderers and racketeers. These political contacts reached into the congress of the United States and included members of the Illinois state legislature (such as State Senator Daniel A. Serritella, former city sealer of Chicago), members of the Chicago city council, ward committeemen, party leaders in both city and state machines, lesser figures such as town mayors, councilmen, policemen, and in some cases penetrating even to the benches of municipal and state courts.

AMBLING, AND LABOR RACKETS AND OTHER UNDERTAKINGS WITH AL CAPONE:

) Nash
ry (former Aiello
uzzo (Nuccio)
o (Nuccio)
(Nuccio)
(bodyguard)
ary
mbo (Parillo)

ny Boy" Quirk
ossi

iers

Nick Sorella (bodyguard)
Mike Spranze (Kelly) and his brother
Pollock Stanley
Thomas Sullivan (Tom Cullen)
Clement Tatton
Maxie Williams
Gus Winkler (bodyguard)
Freddy "The Cowboy" . . .
(bodyguard)

Angelo Genna and gang, including
Tony Genna
James Genna
Mike Genna
Sam Genna
Pete Genna

Tony D'Andrea
Sam "Samoots" Amatuna
Joseph LaCava
and many others

Edward "Spike" O'Donnell & gang
Charles O'Donnell
Steve O'Donnell
Tom O'Donnell
Walter O'Donnell
Jerry O'Connor
George Meegham
George "Spot" Bucher
and many others

William "Klondike" O'Donnell & gang (at times)

Bernard O'Donnell
Miles O'Donnell
James Doherty
James Duffy
Eddie Tancl
Joseph "Humdinger" Corrigan
and many others

Ralph Sheldon (who later took $200,000 and declared his independence of Capone) and gang
Danny Stanton
Michael "Bubs" Quinlan
Hugh "Stubby" McGovern
Mike McGovern
and others

Graphic Section

Chicago Su

WORLD'S GREA

FEBRUA



Capone's Dec

Prohibition to Blame for Al's Rise

"Al Capone is the most notorious gangster in the country. . . . By common repute and common police knowledge he has been the head of a murderous gang living by defiance of federal law."—From an editorial in The Tribune, May 20, 1929.

"End the Reign of Gangdom."—From The Tribune's platform for Chicagoland, 1931.

"Effectual resistance to organized crime . . . is and must be impossible without publicity, persistent, 'sensational' publicity . . . Crime is not encouraged by publicity. It works when it can in the dark."—From an editorial in The Tribune, Dec. 20, 1931.

"Al Capone is under sentence of eleven years imposed by a federal court in Chicago, because the Chicago newspapers for three years have not only played up but have exploited Capone systematically and with the definite object of suppressing him."—Thomas L. Rice, noted criminologist.

By GUY MURCHIE JR.

PERSISTENT, sensational publicity, therefore, suppressed Al Capone, just as it did the Everleigh sisters, the labor racketeers, the kidnapers, and the Dillingers.

It was the uncompromising crusade of publicity that aroused the

PERSONAL ATTENDANTS

Valets	Chefs
Chauffeurs	Trainers
Waiters	Barbers
Secretaries	Doctors

etc.

ALPHONSE CAPC
PRESIDENT OF

Known as "Snorky", "The Big
"Scarface Al". He personally
and lawyer contacts, and p
details of the syndicate's affai
He was born in Brooklyn, N. Y.,
His net annual income once

BOARD OF

FRANK REO (alias Kline), CHAIRMAN OF THE BOARD AND VICE PRESIDENT OF THE SYNDICATE. Gunman and bodyguard, who became the big boss after Capone was imprisoned.

JACK GUZIK, BUSINESS MANAGER AND CHIEF STATISTICIAN. Former waiter who became an able organizer, bookkeeper, go-between, fixer, schemer, and kept many important figures in his head. Though able, he was looked down on socially by the other directors. He was paymaster in bribing of politicians and police, and owned a south side brothel.

FRANK NITTI (Nitto), TREASURER AND SECOND VICE PRESIDENT. General adviser, well informed, presentable, and handled much money.

JOHNNY PATTON, mayor of Burnham, big brewery owner, Capone's closest political ally.

TONY "MOPS" VOLPE, bodyguard, chauffeur, cafe manager.

ay Tribune
NEWSPAPER
1936.

Drama Music
Movies
Hollywood



de of Death

as Al Brown)
NDICATE
v", and (in newspapers)
almost all his politician
ly supervised important
in Chicago and Cicero.
8, and is now at Alcatraz.
ly exceeded $1,000,000.

PERSONAL BODYGUARD

At times it contained several dozen men, but they all had important other duties.

How Chicago Was Ruled by Guns

brought the official action that finally cost Capone his empire and his freedom. It was NEWS, persistent and sensational, day in and day out, that rid Chicago of its archcriminal and ended the lawlessness he inspired.

≈

Joe Howard leaned back in his chair behind the cigar case in Heinie Jacobs' saloon at 2300 South Wabash avenue. The calendar on the wall behind the bar showed the date to be May 7, 1923. The clock said six. Only a spoonful of bourbon remained in old Joe's glass as he sat back to tell the boys all about his hijacking triumphs night before last.

Heinie slouched across the wood. He, an aged carpenter named David Runelsbeck, and a mechanic named George Bilton seated near by, having a drink

:TORS

.PH CAPONE, Al's brother, bodyguard and general assistant in liquor, vice, and gambling rackets.

:EPH FUSCO, bodyguard and assistant in charge of paying off ibition agents and certain other police officers.

VARD J. O'HARA, big dog track and race track manager, etc.

INIS COONEY, cafe and chain brothel manager, and important one ally.

AES "JIMMY" EMORY, relative of Capone's, race track owner big boss in Chicago Heights.

NY LOMBARDO, Capone backed president of the important one Siciliana, the west side alky cooking guild for Sicilians.

JIS COWEN, propagandist, owner of Cicero Tribune.

Gunmen and How Floyd B. O

This is the second of a series of articles

By WAYNE T

MINNEAPOLIS murders and the protection of gangsters and gunmen by politicians attention of the middle west upon there began to focus the that city early in 1925.

In that year Frank Brunskill was chief of police. His part in the case of the kidnaping and slaying of the Rev. Knute B. Birkeland, as charged by the Birkeland family and upheld by a jury in the Criminal courts, was told in the first installment of this story.

Brunskill was a veteran policeman in Minneapolis in 1925. Beginning his career as a stable boy after arriving in the Twin Cities with a shipment of horses from the Iowa farm community where he was born, he soon obtained a job as driver of a [illegible] wagon. During the 1920s the topnotchers in the ring were: Tommy Banks, now the owner of several restau-

ing kidnapings for ransom, then threats of torture and death. He de- elf a bodyguard York for the pur- out 1910.

ck a 29-year-old nny Torrio whom one of the elder Five Points gang. said that he was an. . . . He had business sagacity, imagination. He e duplicity of poli- ficient in the civili- tongue and adroit had a plausible

front. And he was . . . ambitious."

On Torrio's arrival in Chicago, Colosimo's persecution ceased — at least temporarily. Torrio lived by the gun. It was his profession. When shortly after his arrival three Black Handers demanded that Colosimo meet them with $25,000 under an Archer avenue viaduct, Torrio sent four men to the spot with sawed-off shotguns. When the Black Hand leader approached the dark touring car, asking, "Where is our package?" he suddenly found himself looking down a 12-gauge muzzle. For the Black Handers it was a rendezvous with death in the shape of lead slugs at a range of six feet.

xxx

As Torrio felt his power his ambition grew apace. Big Jim Colosimo was prosperous, fat, nearly forty, and growing contented with the status quo. The boundary of his ambition was the southern border of the First ward. But not so with Torrio. Torrio had his eye on the whole city and then some. He was heard saying to a procurer friend one night on 22d street:

"I'm sick of the First ward. There's no money in it. I'm going to start operating wherever I get a chance all over the city and in the suburbs, too, even if Jim won't come along. A monopoly of all Cook county is the only way to handle this business so it'll really pay."

And Johnny Torrio acted on his idea.

Torrio towns sprang up. Prairie centers that had once gone to bed at dusk and risen at cockcrow now had to sit up to all hours with Torrio's growing roadhouse industry.

The first of these towns was Burnham, eighteen miles southeast of the loop and readily accessible to couples and parties driving from southern Chicago, Gary, Hammond, Calumet, and other places for an evening's entertainment. Dance halls, gambling dens, and night clubs of all descriptions arose and ran wide open under the charge of Johnny Patton, the famous "boy mayor," who considerately saw eye to eye with Torrio, for reasons best known to himself.

And then—on May 11, 1920—Colosimo was murdered. A mysterious lone assassin, who has never been identified, secreted himself in the vestibule of Colosimo's café in the early hours of the morning, waited his chance to fire the fatal shot.

With Colosimo gone, Torrio was released from the limitations of his late boss.

Prohibition, coming along at about this time, had caused the closing of the 15,000 legalized oases in Greater Chicago. This gave Torrio something to think about. He was not a little dazzled at the thirst-quenching possibilities in addition to the other business he aspired to control. The two breweries he had leased to [illegible] resorts soon were

phant one moment and as playful as a puppy the next. The collection of ill-assorted crooks and criminals that he and Torrio were able to enlist from all over the city quickly took on a measure of discipline under his drill sergeant brand of leadership. His remarkable flair for organizing built up a machine admirably suited to the task set for it. The drivers, sharpshooters, spies, watchmen, lawyers, and others on the pay roll knew what was expected of them, and they did it. Few ever deserted or turned traitor. They not only respected their boss but they feared what he would do to any man who crossed him. The mind behind that massive, heavy-lipped face was unfathomable. Capone did things as if by magic. One day he ordered one of his own brewery watchers to "Lay off gabbin' with that Joe Pizzito. You know he's not with us."

"How did the big feller know I'd been talkin' with Joe lately?" the man asked his watch partner that night.

"O, Al's got spies everywhere," came the reply.

When it became necessary to do away with the various rival gangs who contested the Torrio-Capone monopoly over all Cook county's liquor and vice business Capone did not hesitate to send his army out to meet the enemy. His orders were: "Wait till they get where you want 'em, then let 'em have it."

The headquarters of the Capone-Torrio organization in these early days was an unobtrusive four-story structure at 2222 South Wabash avenue known as the Four Deuces. It looked like a rooming house from the outside, but it actually was a den of iniquity of the first order. On the ground floor were the Torrio-Capone general offices and a saloon and café. The second and third floors were devoted to gambling and the fourth to the demi-monde. The place was widely known to have been the scene of twelve murders, all unsolved.

Having proved the efficacy of his methods in the Joe Howard case, Al adopted ruthlessness as a basic policy in eliminating business competition. The following September, 1923, in the process of expanding his south side territory, he encountered the opposition of a gang known as the south side O'Donnells. Spike O'Donnell, the leader, had for partners his brothers, Steve, Walter, and Tommy, as well as three thick-skinned henchmen named Jerry O'Connor, George "Spot" Bucher, and Georgia Meeghan. The O'Donnell method of expanding their wholesale territory was to invade a speakeasy which had not been buying their liquor, let the proprietor see their artillery dangling in belt holsters, and put the question, "Who you buying from?"

After listening to the answer, which they knew already, they [illegible] tactfully suggest, "Well, how

It was a brave utterance, but it was almost equally futile. There were to be 9 more killings similar to that of O'Connor in the fall of 1923, 15 in 1924, 46 in 1925, and 64 in 1926, Mr. Dever's last year in office. In this total of 135 gang murders during the rise of the young pool player from Brooklyn only six men were to be brought to trial. Of the six all were to be acquitted save one—Sam Vinci, who chose the occasion of a coroner's inquest to dispatch John Minatti with a .45-caliber automatic. His explanation was:

"John killed my brother Mike, and I thought the jury was going to free him."

Vinci was sent to Joliet penitentiary for twenty-five years.

The situation already was beyond Dever's control. In the fall of 1923 Capone had no fewer than 700 men on his pay roll, and there was a general stampede of criminal opportunists to his camp. He soon formed an alliance with the surviving south side O'Donnells. The wholesale liquor industry was flourishing. Money, which last year had been measured in C's ($100 bills), now was lightly discussed in terms of the "grand" ($1,000). And the impecunious young pimp, who had been delighted with an annual salary of $25,000 a couple of years before, now handed out in the booze traffic [illegible]

[illegible] Kansas City, Chicago police commissioner from 1923 to 1931.

NG

-to beer and was a was tough.

siness and declared said, "To hell with

achery.

fy and Doherty that

r on the north side

fy against Capone in

ported to get Capone.

whom Johnny Patton

t. Louis to kill Capone.

eland to kill Capone.

pone beer and booze.

Al on election day.

wn gang in rivalry with mber of Capone's body- conceal his treachery by

e while serving as rum-

gang hangout on the St. men executed their most eir north side rivals.

f the Unione Sicilione, was way with Capone, assisted

of $250,000.

stool pigeon for the police ant.

uble-crossed Capone.

ival gang leader and ally of

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(Tribune photo.)

Courtroom scene at trial of Sam Vinci for the murder of John Minatti. Left to right: [illegible] Krueger, Vinci, Deputy Sheriff William Gallagher, and (standing) Vinci's attorney, [illegible]

questioned by a young assistant state's attorney named William H. McSwiggin.

"You're wanted for the murder of e Howard," said McSwiggin.

"Who, me?" replied Al with a mused look. "Why, I'm a respecta- business man. I'm a second-nd furniture dealer."

This was in 1923, after the pork-ced Capone already was well the road to success. How was he le to fix the witnesses so surely at he could walk into the hands *the police a few weeks later* with-t the slightest fear of taking the p? What was his background? hat sort of training qualified this an to win out over all others in e frenzied scramble to control the 0,000,000-a-year bootleg liquor busi-ss *which started with the advent* prohibition in a city that was e-to-one wet? What factors aped the career of this extraordi-ry being who in a different age d environment might have been a ussolini or a Napoleon?

He was a sleek, *solidly built boy* ught on to things quickly in hool and was a help to his moth-. He lived near the corner of roadway and Flushing avenue, rooklyn, N. Y., in an Italian tene-ent and was known to the boys as l, son of Capone the barber, *who* ad recently migrated to America rom Naples.

While still in the fourth grade Al uit school to help his parents in heir struggle for existence in the lums. Only ten then, his function as to bring home firewood or any ther useful supplies he could col-ect. He seemed affable and soft-poken except to the few who knew im in anger.

He was smooth as a dancer and requented a hall then known as he Broadway Casino. He also be-ame one of the best pool players n the Greenpoint section of Brook-yn. He was never afraid of a fight nd could hold his own against the est of them.

At the age of twenty-one he had never been arrested. But he was too close to the gang life to be im-mune for long. The world in which his associates moved was a world mostly of opportunism, a world in which cops were one's natural ene-mies and anyone carrying money or valuables one's natural prey.

It happened one evening when Al was listening to a political rally. A fellow from his favorite poolroom came up.

"Hey, Al!" he said. "You gotta come back to the joint right away. We need you. A pool shark came in a *couple of hours ago* an' has been cleanin' us out. Altogether we owe the guy about eight hun-dred dollars—that is, we did when I left. He's stuck-up as hell, but we all know you could take him. You gotta hurry, though, Al."

Capone hurried *to the spot.* The boys were overjoyed to see him, for they knew he never drank and that [illegible] back and $150 of the stranger's money and then he said he must go, as he was due home. The stranger was naturally resentful at being left in this humiliating position and demanded that Al remain, but Al put on his coat and smooth gray hat.

Without a word the stranger pulled a long-bladed knife from his pocket, opened it, and gave Al to understand he'd play *pool or else!* Al did not hesitate one second. His right shot out to the man's chin with all his 200 pounds behind it. The man dropped and lay motionless. Al ran for home.

Twenty minutes later a misinformed friend from the poolroom arrived to tell him that his late opponent was dead. There was excite-*ment and weeping in* the Capone home. But Al thought of his tough cousins in the Five Points gang in lower Manhattan at the other end of the Williamsburg bridge. The Five Points gang was then considered the best training school for *hoodlums in the country.* Surely the Five Points boys would know what Al ought to do.

They did. They assured him he had better get out of town immedi-ately. They said they could help him to the extent of trying to get a former captain in the gang, one Johnny Torrio, to look out for him when he got to Chicago. Torrio had gone there to be associated with "Big Jim" Colosimo, a politi-cian and vice overlord of a section in the southern part of Chicago's First ward.

Al Capone took their advice. He came to Chicago in his best new suit, and, sure enough, Johnny Tor-rio fixed him up. Torrio got a job for the oversized boy from Brooklyn as watcher for a house of prostitu-tion in Burnham.

While young Capone watched du-tifully at his post in Burnham, with *his neat scar* (said to have been re-ceived in a Brooklyn saloon) for his chevron, Big Jim Colosimo was en-joying the lucrative fruits of his political success in the 22d street district. Big Jim had come to Chi-cago in the nineties and got himself a *job as water boy on a railroad* section gang. His next job, pushing a broom through the streets of the First ward, gave the ambitious youth much better social opportu-nities. With broom in hand he met such colorful personages as Alds. Michael *(Hinky Dink) Kenna and* "Bathhouse John" Coughlin, and it was a natural development for Jim to shift from broom-swinging to vote-swinging. He rose to promi-nence in the street sweepers' union and organized his fellow whitewings into a social and athletic club which could deliver as a unit at election time and was as bridle-wise as a riding-school nag.

"Some day I'm going to run this ward," Colosimo once said to a fel-

He meant it, and shortly sold his broom for a job in a café. He al-ready was learning how to turn his friendships with "Bathhouse John" and "Hinky Dink" into a golden-egg-laying goose, and in short order he owned his own poolroom. A year or two later saw young Jim a pre-cinct captain with various privileges appertaining to the old levee district located within the boundaries of the ward and bisected by the night-life whoopee spots of 22d street. From poolroom proprietor he became honkytonk owner, then partner in certain red-light enterprises, and finally Big Jim of his own Colosi-mo's café at 2128 South Wabash avenue.

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But wealth brought with it both comfort and complications. Big Jim was victimized by the American Mafia. He received letters threaten-

CAPONE'S VICTI

NAME	DATE	REASO
1—Joe Howard	May 7, 1923	Because he tried hijack contemptible braggart
2—*Dion O'Banion*	Nov. 10, 1924	Because he ran the nort war on the south side It the Sicilians!"
3—Thomas *Duffy*	April 27, 1926	Because Capone suspec
4—James J. Doherty	April 27, 1926	
5—William H. McSwiggin (assistant state's attorney)	April 27, 1926	Because he happened t night.
6—Earl Hymie Weiss	Oct. 11, 1926	Because he was O'Ban and out to get Capone.
7—*John Costenaro*	Jan. 7, 1927	Because they were pla
8—Santo Celebron	Jan. 7, 1927	a conspiracy trial.
9—Antonio Torchio	May 25, 1927	Because he was a New
10—Frank Hitchcock	July 27, 1927	Because he was a boot wanted to put out of t
11—Anthony K. Russo	Aug. 11, 1927	Because they were impo
12—Vincent Spicuzza	Aug. 11, 1927	
13—Samuel Valente	Sept. 24, 1927	Because he was importe
14—*Harry Fuller*	Jan. 18, 1928	Because they were hija
15—Joseph Cagiando	Jan. 18, 1928	
16—Joseph Fasso	Jan. 18, 1928	
17—"*Diamond Joe*" *Esposito*	March 21, 1928	Because he didn't want
18—Ben Newmark	April 23, 1928	Because he tried to org Capone, and also becau guard who did the job such a gesture of loyal
19—Francesco Uale (Frank Yale)	July 1, 1928	Because he double-cro running manager.
20—Frank Gusenberg	Feb. 14, 1929	Because they were in t
21—Pete Gusenberg	Feb. 14, 1929	Valentine's day when
22—*John May*	Feb. 14, 1929	desperate attempt to w
23—Al Weinshank	Feb. 14, 1929	
24—James Clark	Feb. 14, 1929	
25—Adam Heyer	Feb. 14, 1929	
26—Dr. Schwimmer	Feb. 14, 1929	
27—Albert Anselmi	May 8, 1929	Because Guinta, as pre
28—John Scalise	May 8, 1929	treacherously planning
29—*Joseph Guinta (Juno)*	May 8, 1929	by Anselmi and Scalise.
30—Frankie Marlow	June 24, 1929	Because he welched on
31—Julius Rosenheim	Feb. 1, 1930	Because he was a prof and a paid newspaper
32—Jack Zuta	Aug. 1, 1930	Because he was a spy
33—Joe Aiello	Oct. 23, 1930	Because he was a dang Bugs Moran.

by Gunplay and Politics



(Tribune photo.)

waiting glimpse of Capone on his way to the United States district attorney's office for questioning



Morgan Collins, Chicago police commissioner from 1923 to 1927.

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Even fists could not change Jake's mind, for his burly frame was a little too much for O'Donnell's two drummers, who got bounced elaborately out Jake's door. So three O'Donnell brothers, with O'Connor, Meeghan, and Bucher, called at Geis' neighborhood saloon at 2154 West 21st street early in the evening of Sept. 7, 1923, with the result that Geis was taken to a hospital with a fractured skull and lay at the point of death for weeks. After their argument with Geis that evening the aroused O'Donnells invaded five other recalcitrant beer sellers, administering various treatments, and then repaired to Joseph Klepka's saloon at 5358 South Lincoln street, a sort of headquarters, to partake of refreshments.

It was while they were relaxing in Klepka's place that five men entered and the leader, brandishing his .38, roared:

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Capone Becomes Big Figure in Chicago Underworld; Era of Prohibition

[Continued from page one]

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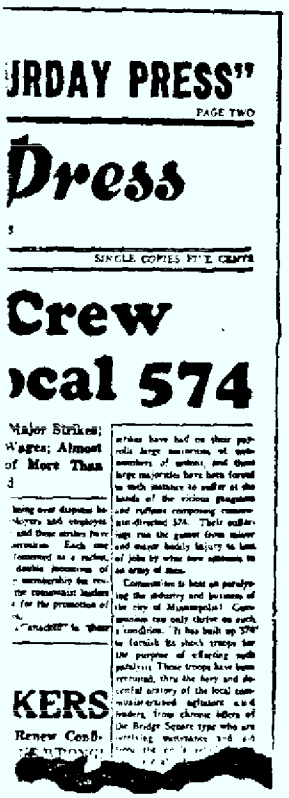
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to his newspaper attacks
he underworld and upon city
unty officials. Then the Min-
gag law, passed by the state
ure in 1925, was invoked
Guilford and his partner,
Tear, co-publishers of the Sat-
Press. The case against them
osecuted by Floyd Olson.
press gag law was peculiar
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without trial by jury, papers
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process of suppression was
lows: The county attorney
ly go before a court, make
sation against a paper, and
e judge issue an injunction
ing publication. The judge
uld decide whether the ac-
was justified and the mat-
ted in the paper actually
us, scandalous, or defama-

Olson appeared in court
Near the injunction against
issuance of the Saturday
as granted. The case was
to the Minnesota Supreme
hich upheld the lower court,
at the paper was a nuisance
law valid.
time the case was attract-
ion-wide attention. The
Newspaper Publishers' as-
took it up, supplying $5,000
through contributions to-


URDAY PRESS"
PAGE TWO
Press
SINGLE COPIES FIVE CENTS
Crew
cal 574
Major Strikes;
Wages; Almost
of More Than
KERS
Renew Conf-

ess of Dec. 14, 1935.
ublisher.

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Within a short time Ritten worked out an arrangement with Alderman Frank E. Giebenhain of the Tenth ward, a labor representative, and J. Russell Sheffield, Eighth ward, to accept money which would later be divided among the trio. Certain other aldermen, including John P. Eckberg, a labor party politician from the Twelfth ward; Fred Maurer, another labor man from the Third ward, and E. J. Sweeney and W. H. Rendell intermittently took part in the boodling.

xxx

All went well with the ring until John Woodward and Werner H. Ruff offered Ritten $1,000 to get enough votes in the council license committee to enable them to obtain a license for a cabaret to be named The Stables, which they proposed to open. Ritten informed Woodward, who offered the bribe, that it would cost at least $1,500. This incident occurred in the summer of 1928.

Ritten's confession, given on Feb. 15, 1929, follows:

"The following day Woodward came into my office with the money, but a few days later he asked for it again, stating he needed it for other purposes. I returned it to him. A few days later he returned and handed me back the money.

"The license was acted upon favorably both in the license committee and by the council. George Sheffield received $500, Giebenhain got $500, and I kept $500 for myself.

"A few days after my return from New Orleans in December, 1928, Giebenhain called me by phone and told me by all means to get in touch with Ruff. I told him I would if I could. Ruff had given Woodward the $1,500 paid us. The next day I arranged for a meeting with him at the home of a friend in north Minneapolis and begged Ruff not to mention my name in connection with the cabaret license. I admitted to him I had received the money from Woodward, and declared to Ruff that I would make everything right with him after the investigation had blown over if he would remain silent. I told him I would do anything in the world to keep my name out of the papers in connection with this matter.

"He promised faithfully that he would say nothing. This meeting was in the afternoon. The next day I called Frank Brunskill [then the chief investigator for County Attorney Floyd Olson, having been removed by Mayor George Leach from the post of chief of police] because he was a very good friend of mine, and asked him to see me.

"He came to the office early in the afternoon. I told him about my meeting with Ruff. He told me

[illegible] Cary demanded a retaining fee of $5,000, which Ritten procured. Ritten tells also that Woodward demanded money to get out of town, saying a grand jury subpena had been issued for his appearance. In all Ritten gave Woodward $3,300 to get out of town. Then he was told that Ruff was about to go before the grand jury. He then decided to go before the grand jury and try to get immunity, on advice of Cary.

The confession continues:

"A few days later Cary arranged for a meeting between myself, County Attorney Floyd B. Olson, and himself in a room at the Minneapolis Athletic club. At that time I told the county attorney everything I knew, except the payments to Woodward. The next conference was in the office of the county attorney on the morning of the day I appeared before the grand jury. I was alone with the county attorney part of the time. I had got there early to avoid being seen. The county attorney told me he would get me into the grand jury room as soon as the jury convened.

"After I had been in the county attorney's office for a short time Cary came in with a document signed by Judge Bardwell granting me complete immunity. Cary told me I was 'absolutely clean' on everything up to the time I went into the grand jury room.

"Before entering the grand jury room I was told by the county attorney to answer all questions that he or any member of the grand jury asked me, which I did. After I had completed my testimony the county attorney stated that I had made a good impression, in his opinion, on the jury members. I remained in the county attorney's office until the grand jury adjourned, and then he assisted me in getting out without anybody noticing me."

From the testimony given by Ritten to that grand jury indictments were returned against Aldermen Eckberg, Giebenhain, Maurer, Sheffield, Sweeney and Rendell. A group

[illegible] E. Sweeney, labor alderman, Third ward, 2 years, accepting bribe.

Fines

Morris Eisenstadt, cleaner and dyer, convicted of giving bribe, paid $1,500; James E. Fox, oil broker, pleaded guilty to giving bribe, paid $750.

Charges Dismissed. Consent of State

J. Russell Sheffield, "silk stocking" Eighth ward, indicted for receiving bribe; Don Green, agent for fire apparatus manufacturing company, indicted for giving bribe; Irsael Ridker, real estate broker, indicted for giving bribe; E. P. Brown, business man, indicted for giving bribe; Henry M. Baskerville, business man, indicted for giving bribe; Emil Sheffe, garage proprietor, indicted for giving bribe.

Not Indicted

Louis N. Ritten, "silk stocking" Second ward; John H. Woodward, cabaret proprietor.

A glance at the table shows that only labor representatives were given prison sentences. Ritten, the self-confessed leader of the graft ring, came free untouched and today is a grain merchant in Minneapolis.

Fox, the oil broker, resisted extradition from St. Louis, Mo., for nearly a year. Then he threatened in speeches made to newspaper reporters to "blow the roof off the county building in Minneapolis if not granted immunity." After several conferences with County Attorney Olson the defendant pleaded guilty and was fined $750.

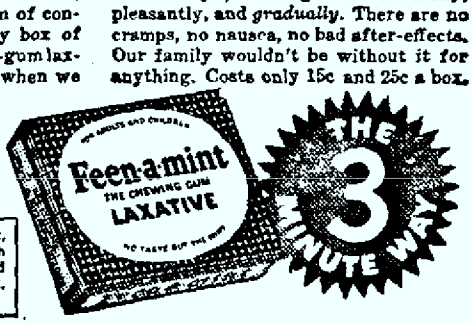
Yet it was this incident which made it possible for Floyd Olson to run for governor in 1930. He was elected by a plurality given him by the labor voters.

The third of this series on "Murder in Minneapolis" will appear in an early issue.



"No more half-sick feeling for me...no more harsh 'all-at-once' cathartics"

When I feel run down, headachy, half sick—when the children get irritable, cranky—then I know it's a sign of constipation. I get out our family box of FEEN-A-MINT, the chewing-gum laxative. There used to be a time when we took old-fashioned, harsh, "all-at-once" cathartics, but that's all over now. We just chew FEEN-A-MINT for three minutes before going to bed—(that's why it's called "the three-minute way")—and it goes to work easily, pleasantly, and *gradually*. There are no cramps, no nausea, no bad after-effects. Our family wouldn't be without it for anything. Costs only 15c and 25c a box.



TUNE IN National Amateur Night, radio's smash hit, with Ray Perkins, Arnold Johnson, and Amateur Stars—Columbia Network, 5 P. M., C. S. T., Every Sunday.

...thur Weibe arrived to seize it. The two detectives did not take the car, but reported back to Mayor William A. Anderson that Captain Brunskill walked into the garage as they were about to drive it away and told them "to leave the car alone."

The automobile, at that time, was said to be owned by one John J. Brennan. Later it was learned that Brennan was the alias used by Harvey Bailey, leader of the Urschel kidnaping gang and a bank robber and killer. He now is serving time in a federal penitentiary. When Bailey was nabbed by federal agents in Kansas City in August, 1932, two employes of the Northwest bank identified him as the leader of the gang which robbed their institution.

Not even this story brought action by the civil service commission.

Federal agents, seeking kidnaping gangs and bands of bank robbers who terrorized the middle west in 1932 and 1933, began work in the Twin Cities as the best points at which to pick up the trails of their quarries.

...to return to the decade of the twenties. Not only was Minneapolis a hideout for visiting criminals but it also was the home stamping ground for one of the largest and best organized alcohol rings in the country. The ring was operated by a syndicate of never

...your ... at to keep as much ... heat off me as possible. I'll bargain ... with you. I will give you $7,500 ... the state civil damage maximum in ... case of death, if you'll keep your trap shut."

The widow agreed. Davenport then handed her $3,500, telling her he would pay the remainder later. It never has been paid, according to Mrs. Winkler.

The most concrete evidence concerning the activities of the alcohol and vice syndicate was obtained by federal agents and county authorities in December, 1933, when Conrad Althen, who once was a golf professional at the Minnepau course at Minneapolis, was found slain.

Althen, who was an expert accountant as well as a golfer, was the bookkeeper for the syndicate. He had been serving the ring since 1926, rendering quarterly statements as concise and balanced as those of any corporation.

xxx

One week before his body was found the federal grand jury in Minneapolis had voted secret indictments against 38 of the better known hoodlums in that city's underworld. The ringleaders, their chief lieutenants and Althen were all named, although this information at that time had not been made ...ublic.

It was apparent, however, that ...deral men were anxious to seize ...then. The day after the indict...ents were returned they raided an ...artment house where he had been ...ing. Finding agents at front and ...ar, Althen jumped from a window ...d escaped.

Althen went into hiding. His ...ends, according to police, sought ...m out and advised him to sur...nder on the indictment. They ...anged to pick him up in a car ...d take him to the United States ...strict attorney's office. Althen fell ...to the trap.

...He joined "the boys," who proceeded quickly to slug him into unconsciousness and then drive to a ...nely road near South St. Paul. ...here evidently he regained con...ousness as he was pitched into ...e ditch. His bullet riddled body ...s found the next morning. It lay ... the right side with the left hand ...sed as if to ward off a blow.

...A circle of empty shells on the ...adside above the body clearly told ...w a machine gunner stood there ...d let fly a burst of 14 shots, all ...t one of which struck Althen.

The books Althen kept have never ...en found. It is assumed that his ...ends who feared he might "squawk" if he got into hands of ...e federal investigators destroyed ...em.

...attacking the city and county of... ...Clair, however, charging them with ...accepting graft and protecting the ...open operations of the syndicate. These attacks had been growing ... intensity over a period of seven ... months, and Guilford had receive... many warnings that unless he ... printing stories about the und... world he would be slain.

...The automobile, at that time, was ...said to be owned by one John J. ...Brennan. Later it was learned that ...Brennan was the alias used by Harvey Bailey, leader of the Urschel kidnaping gang and a bank robber and killer. He now is serving time in a federal penitentiary. When Bailey was nabbed by federal agents in Kansas City in August, 1932, two employes of the Northwest bank identified him as the leader of the gang which robbed their institution.

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...The indices also showed "quietus accounts," "McCoy accounts," in which records of the fine brands of uncut liquors demanded by certain patrons were kept; a profit and loss statement for the entire organization, and separate accountings for each of a dozen liquor producing plants, for gambling houses, and for vice resorts.

Some of the information lacking in these records was supplied by one of Althen's women, who told how he labored over his accounting. The woman, although bitter against Althen's slayers, was unable to give any help in the hunt for the actual books. The searchers were particularly anxious to find the books, since much of the government's case against the syndicate members depended upon finding them.

After months of searching, government agents concluded they had been destroyed about the time Althen was slain. With the books gone the indictments were dropped, only ten of the 38 men named in the original true bills being brought into court. Most of these escaped prison, merely paying nominal fines.

The real strength of this organized gangland was first shown in 1927. It was demonstrated when a coupe containing two men drew alongside the car containing Howard Guilford, publisher of the Saturday Press, a weekly newspaper of Minneapolis, at Lowry avenue and West Broadway. With Guilford was sitting his sister-in-law.

One of the men within the coupe fired five shots at Guilford, leaning



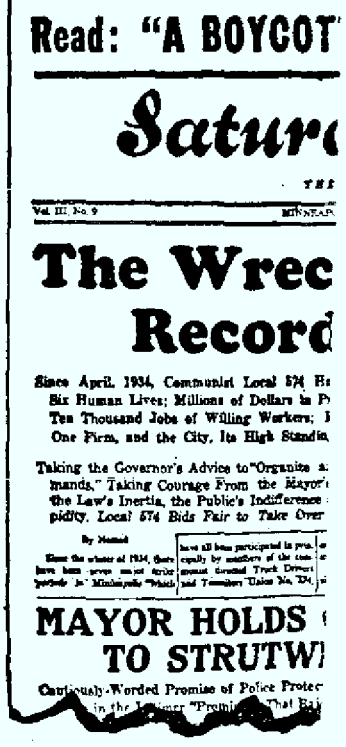
(Associated Press photo.)

Howard Guilford, publisher of Saturday Press, who was wounded by gunmen in 1927. Seven years later he was slain.

...The Minneapolis newspaper... ...while reluctant to recognize Gu... ...ford as a newspaper man, demand... ...action upon this shooting, saying ... was an attempt to silence the fr... ...press. At first it seemed they mig... ...get what they demanded, for Gu... ...ford from his hospital bed identifi... ...Harry Jaffa and "Irish" Gotti... ...as his assailants. The two gunm... ...were seized and jailed. Then th... ...were identified by other witnes...

No charges were placed again... ...the men, however, and they w... ...not taken before the grand jury ... *County Attorney Floyd Olson.* Th... ...when his recovery had become ... certainty, Guilford began to wa... ...in his story. *While yet convale...* ...ing he identified pictures of a n... ...who was in a penitentiary as ... ...of his attackers. Later he ... ...Flippy Share and a gunman, J... ...Gould, of Chicago, had done ... shooting.

When he emerged from the ... ...pital the charges against all



Read: "A BOYCOT...

Saturd...

THE

Vol. III, No. 9 MINNEAP...

The Wrec... Record

Since April, 1934, Communist Local 574 H... Six Human Lives; Millions of Dollars in P... Ten Thousand Jobs of Willing Workers; ... One Firm, and the City, Its High Standin...

Taking the Governor's Advice to "Organize a... mands," Taking Courage From the Mayor's... the Law's Inertia, the Public's Indifference ... pidity, Local 574 Bids Fair to Take Over...

By Nomad

MAYOR HOLDS ... TO STRUTW...

Cautiously-Worded Promise of Police Protec...

Top half of the first page o... J. M. Near nc...

...The worried man in most cases would ask time to consider, in which case the O'Donnells would grant him a twenty-four-hour stay, at the end of which, if he was still stubborn, they would emphasize their arguments with fists or revolver butts. Few speakeasy owners held out further.

An exception was Jacob Geis, who said, "I buy my beer from Capone and Torrio, and I'm satisfied with it."

Even fists could not change Jake's mind, for his burly frame was a little too much for O'Donnell's two drummers, who got bounced elaborately out Jake's door. So three O'Donnell brothers, with O'Connor...

...Power Won by Gunplay and Politics

...in Career

Gunmen and Boodlers

By WAYNE THOMS

MINNEAPOLIS murders and the protection of gangsters and gunmen by politicians there began to focus the attention of the middle west upon that city early in 1925.

In that year Frank Brunskill was chief of police. His part in the case of the kidnaping and slaying of the Rev. Knute B. Birkeland, as charged by the Birkeland family and upheld by a jury in the Criminal courts, was told in the first instalment of this story.

Brunskill was a veteran policeman in Minneapolis in 1925. Beginning his career as a stable boy after arriving in the Twin Cities with a shipment of horses from the Iowa farm community where he was born, he soon obtained a job as driver of a delivery wagon for the Kunze brewing company. This was in 1900.

In 1904 Jake Kunze, president of the brewing company, arranged for Brunskill to join the police force as a rookie patrolman. Brunskill's first assignments included raids on some of the brewer's customers, to whom, shortly before, he had been delivering beer. In six years Brunskill became a detective.

Mayor Thomas Van Lear, who later was to become the star defense witness at Milwaukee for the gunman, Jack Davenport, and virtually obtained the acquittal of that habitual criminal in the case of the robbery of the Northwestern National bank of Milwaukee, made Brunskill chief of detectives. In 1923 Brunskill became chief of the entire force, holding the job until Mayor George E. Leach removed him in 1928.

Brunskill was removed after the mayor obtained evidence proving that the policeman was habitually shielding criminals.

In recent years a number of private citizens have filed complaints against Brunskill with the commission, but the policeman who now is captain of the Minneapolis north side station never has been asked to defend himself.

One of the latest charges bears repeating. In the information sent to the commission it was stated that on May 11, 1932, police learned that an automobile believed to have been used by bandits who had, a month earlier, held up the North American branch of the Northwest National bank of Minneapolis, taking a large sum of cash and securities, was discovered in a garage at 2945 South Pillsbury avenue in Minneapolis.

Garage attendants were in the act of armor plating the car when Detectives Joseph Lehmeyer and Arthur Weibe arrived to seize it. The two detectives did not take the car, but reported back to Mayor William A. Anderson that Captain Brunskill walked into the garage as they were about to drive it away and told them "to leave the car alone."

The automobile, at that time, was said to be owned by one John J. Brennan. Later it was learned that Brennan was the alias used by Harvey Bailey, leader of the Urschel kidnaping gang and a bank robber and killer. He now is serving time

Sam Kronik, Sam Kozberg, Max "Brownie" Stearns, Max "Monkey" Berman, brother of Barney, the big shot; Roy Rogers, George Somers, Benny Rinder, Mose Barnett, Flippy Shaw, Paul "Irish" Gottlieb, and the Jaffa brothers, Harry, William, and Sam.

At its height this organization annually handled millions of dollars taken from illicit enterprises.

As in other cities where large organizations wielded power with politicians and paid generously for police protection among all ranks of law enforcers, the hoodlums were secure from any molestation.

Perhaps this is one explanation for the failure to prosecute Jack Davenport in March, 1927, after the gunman shot and killed John Winkler, a petty bootlegger, in the presence of 14 witnesses in a saloon at 341 Hennepin avenue.

After the killing Davenport was arrested and a detective charged him with first degree murder. The matter dragged for one month while Davenport remained in jail. Then the grand jury voted a no bill after hearing several witnesses introduced by County Attorney Olson.

The widow of Winkler was visited by Davenport only a few days after the shooting. At that time, she says, Davenport told her: "I've paid $40,000 in the right place and I'm not going to be prosecuted. At the same time I'd like to have you keep your mouth shut to keep as much heat off me as possible. I'll bargain with you. I will give you $7,500, the state civil damage maximum in case of death, if you'll keep your trap shut."

The widow agreed. Davenport then handed her $3,500, telling her he would pay the remainder later. It never has been paid, according to Mrs. Winkler.

The most concrete evidence concerning the activities of the alcohol and vice syndicate was obtained by

A week later, however, detectives raided a place where Althen had been living at one time. There they found ledgers, account books, some correspondence, some old freight and truck waybills and other records. These, although merely indices of the actual accounts, disclosed that Althen kept separate statements for each of the gang big shots. Code numbers were used in the indices.

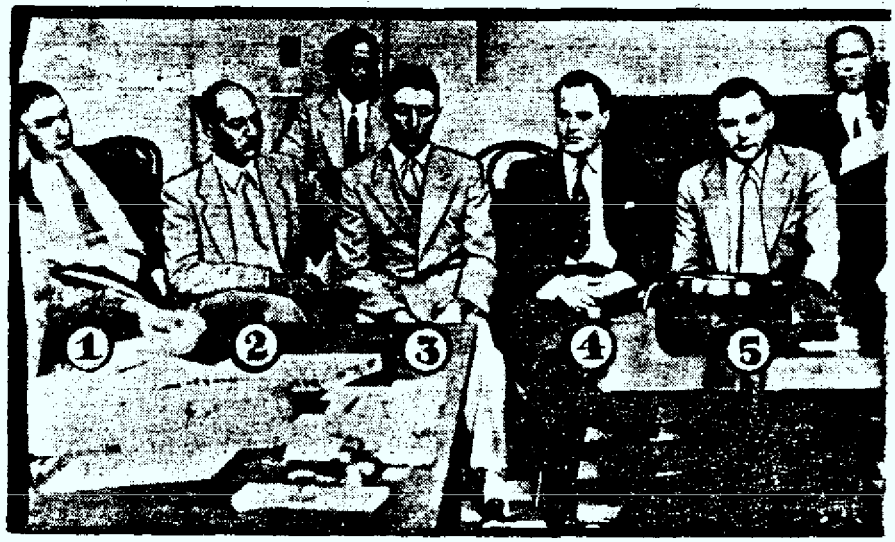
The indices also showed "quietus accounts," "McCoy accounts," in which records of the five brands of uncut liquors demanded by certain patrons were kept; a profit and loss statement for the entire organization, and separate accountings for each of a dozen liquor producing plants, for gambling houses and for vice resorts.

Some of the information lacking



(Associa

A Minneapolis riot scene, one of several displays of violence in co and the strike



Seven men from Minneapolis and St. Paul in a courtroom in Oklahoma City awaiting call as the federa kidnaping of Charles F. Urschel, wealthy oil man. In the front row: (1) Barney Berman, (2) Sam Kozberg (5) Isadore (Kid Cann) Blumenfeld, (6) Pete Miller, (7) Pete Arnold.

out of the car and shouting men while, "Damn you, Guilford, we got you now." Then the car away.

Critically wounded in the ab men, Guilford jotted down the license number of the gang car and drove to a hospital.

As an individual Howard Guilford had no importance. He had been attacking the city and county officials, however, charging them with accepting graft and protecting the open operations of the syndicate. These attacks had been growing in intensity over a period of several months, and Guilford had received many warnings that unless he quit printing stories about the underworld he would be slain.



)oto.)
...k the truck drivers' strike there in 1934. Note the policeman the fighting.



Gov. Floyd B. Olson of Minnesota, who as a county attorney in Minneapolis is shown to have failed in his duty of prosecuting certain members of the criminal element. (Tribune photo.)



...ment began its case in the
...m Kronick, (4) Charles Wolk,
(Associated Press photo.)

Guilford had mentioned were ...ped. Guilford himself, accord- ...to friends, was unexpectedly ...perous. He changed his home ... a shabby rooming house to a ... in one of the best hotels, he ...hed" considerable sums of ... and sported many new ...es.

...within a few weeks he re- ...ed to his newspaper attacks ... the underworld and upon city ...ounty officials. Then the Min- ...ta gag law, passed by the state ...islature in 1925, was invoked ...nst Guilford and his partner, ... Near, co-publishers of the Sat- ...ay Press. The case against them ...prosecuted by Floyd Olson ...he press gag law was peculiar ...nnesota alone. It permitted ... state officials to sup- ...press trial by jury pa... ...publish a matter of a "mali- ...candalous, or defamatory"

ward the cost of carrying the fight to the United States Supreme court. THE CHICAGO TRIBUNE individually engaged counsel for Near.

In an epochal decision on June 1, 1931, the federal Supreme court ruled the Minnesota gag law was unconstitutional because it interfered with the liberty of the press as guaranteed by the fourteenth amendment to the federal constitution. In this battle Near and Guilford won, and the Saturday Press continued to be published.

While these matters were in the courts, Hennepin County Attorney Floyd Olson was busy building a political organization. Defeated in 1924, when he ran for governor on a platform which was almost wholly communistic, Olson was out to gain the support of labor in the three large cities in his state—Minneapolis, St. Paul, and Duluth.

His opportunity came in 1928, when boodlers in the Minneapolis city council became panicky.

The boodlers had been operating on a small scale, the ring consisting of half a dozen aldermen.

Leader of the ring was Alderman Louis N. Ritten of the "silk stocking" Second ward in Minneapolis. He was a former president of the city council and a prominent grain merchant in the town. Soon after he entered the council, according to Ritten's own confession, he began accepting bribes. Then he became a member of licensing committees and of a committee which controled purchases.

Within a short time Ritten worked out an arrangement with Alderman Frank E. Giebenhain of the Tenth ward, a labor representative, and J. Russell Sheffield, Eighth ward, to accept money which would later be divided among the trio. Certain other aldermen, including John P. Eckberg, a labor party politician from the Twelfth ward; Fred Maurer, another labor man from the Third ward, and E. J. Sweeney and W. H. Rendell intermittently took part in the boodling.

≈

that during that afternoon Ruff had been in conference with Melvin Passolt and Joseph A. Poirer in the county attorney's office, and he believed Ruff had told them everything regarding our meeting.

"I asked Frank what he would do if he were in my boots. He declared I should get a good attorney. I asked him whom he would recommend and he said, 'Get Archie M. Cary.' [Cary is known in Minneapolis as the lawyer who appears for the syndicate hoodlums and other criminals who are able to pay large fees.]

"Brunskill called Mr. Cary from my office and arranged for a conference, at the same time telling Mr. Cary that 'Lou is a very good friend of mine.'"

That evening Ritten went to Cary's home for a preliminary conference and Cary telephoned Brunskill to come to the home also. Ritten's confession continues:

"I told Frank I was worried to death and didn't know what to do or where to turn, or words to that effect. Brunskill declared that he had been in a bad fix himself, and that Cary had got him out of trouble."

≈

The following day at another conference Cary demanded a retaining fee of $5,000, which Ritten produced. Ritten tells also that Woodward demanded money to get out of town, saying a grand jury subpena had been issued for his appearance. In all Ritten gave Woodward $3,300 to get out of town. Then he was told that Ruff was about to go before the grand jury. He then decided to go before the grand jury and try to get immunity, on advice of Cary.

The confession continues:

"A few days later Cary arranged for a meeting between myself, County Attorney Floyd B. Olson, and himself in a room at the Minneapolis Athletic club. At that time I told the county attorney everything I knew, except the payments to Woodward. The next conference

of business men also were indicted, these defendants being named as givers of bribes, the aldermen being charged with their acceptance.

But Olson's part in granting Ritten immunity from prosecution never before has been made public. That confession was obtained by two Minneapolis newspaper men who followed Ritten when the latter fled to California. When they returned with the document their editors chose to print only certain excerpts therefrom.

During the trials which followed the public was kept in the dark about the Ritten incident. Prosecutor Olson was praised as a public servant, zealous to uphold the law. Strangely enough the "common people"—the laboring classes of Minneapolis, St. Paul, and, in fact, all Minnesota—rallied around him.

Just what Olson did for the laboring men of Minneapolis is shown in the following table, which lists the defendants as to punishments or lack of punishments:

Prison Sentences

John P. Eckberg, labor alderman, Twelfth ward, 10 years, accepting bribe; Frank E. Giebenhain, labor alderman, Tenth ward, 10 years, accepting bribe; Fred Maurer, labor alderman, Third ward, 2 years, accepting bribe; E. J. Sweeney, labor alderman, Third ward, 2 years, accepting bribe.

Fines

Morris Eisenstadt, cleaner and dyer, convicted of giving bribe, paid $1,500; James E. Fox, oil broker, pleaded guilty to giving bribe, paid $750.

Charges Dismissed, Consent of State

J. Russell Sheffield, "silk stocking" Eighth ward, indicted for receiving bribe; Don Green, agent for fire apparatus manufacturing company, indicted for giving bribe; Israel Ridker, real estate broker, indicted for giving bribe; E. P. Brown, business man, indicted for giving bribe; Henry M. Baskerville, business man, indicted for

SUBJECT Capone, Alphonse

FILE NUMBER

SECTION NUMBER

SERIALS

TOTAL PAGES 6

PAGES RELEASED 6

PAGES WITHHELD

EXEMPTION(S) USED

JHEAJR

November 6, 1928

MEMORANDUM FOR THE DIRECTOR:

Mr. Hayne, formerly an employee of the Prohibition Unit whose alias apparently is Harry Brown, called at the Bureau on Friday, November 2, 1928, and related that he was in the possession of certain information indicating that certain organized gangs operating in Chicago, Illinois under the leadership of Al Capone, have been transporting in interstate commerce, apparently for personal purposes, machine guns and other instruments of a like caliber. It was Mr. Hayne's desire that this Bureau initiate an investigation with a view to instituting a prosecution against Capone's gang for transporting in interstate commerce implements without procuring the necessary permit.

Mr. Hayne was informed that before an investigation could be initiated, some very concrete and definite allegations with respect to the particular violation about which he complained, would have to be received by the Bureau. Mr. Hayne was unable to furnish a specific instance of the interstate transportation of explosives by the so-called gang of New York and replied that his information relative thereto was strictly hearsay.

Mr. Hayne apparently is desirous of receiving an appointment to the field force of this Bureau. He related that previous ago he was affiliated with the Prohibition Unit as an undercover agent and that his services were covered by that Bureau for certain although objectionable upon his part and that after talking with Commissioner Doran of the Prohibition Service, he was permitted to resign from that service without prejudice. He is now an applicant for an appointment to the Secret Service of the United States. He believes that should he secure an appointment to that service, that he might later be transferred to this Bureau.

The educational qualifications and other requisites of this service were fully explained to Mr. Hayne and he left with the opinion that he apparently would not qualify for the field service of the Bureau.

Respectfully,

67-5474
67-29419
62-20419
5-4-34

JOHN EDGAR HOOVER
DIRECTOR

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

62-30617
12-5

RECORDED & INDEXED

November 6, 1930.

FILE

MEMORANDUM FOR THE DIRECTOR

On November 3, there was referred to me, Mr. David D. Layne, who called at the Bureau and stated that he was formerly a Prohibition agent.

Mr. Layne stated that the so-called gang of (Scarface) Al Capone was engaged in handling stolen motor vehicles in violation of the National Motor Vehicle Theft Act. He had no tangible evidence, or information, concerning this matter, but stated that if the Bureau desired to investigate this gang, he believed he could secure information from an underworld character withwhom he is endeavoring to contact.

Mr. Layne also suggested that information upon violations of the National Motor Vehicle Theft Act in connection with the theft of cars in the United States and their transportation to Canada could be obtained if about two agents would go to Montreal, Canada, and there stop at one of the hotels for a week or two and spend a bit of money, as in this way contact could be made with some of the individuals who are engaged in the theft and "running" of cars to Canada for sale there.

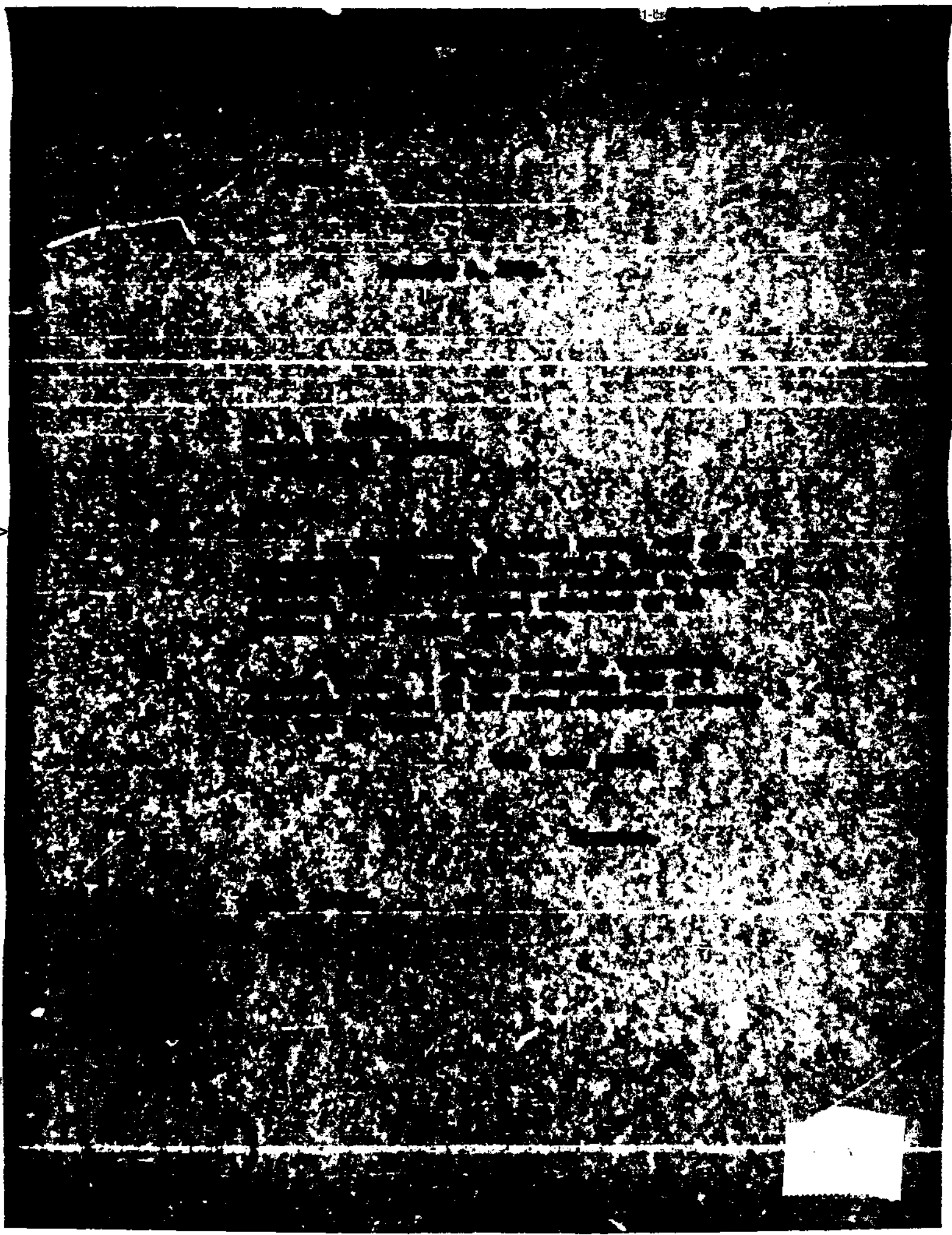
I advised Mr. Layne that in view of the volume of work in the Bureau, investigation of alleged violations of the National Motor Vehicle Theft Act could not be undertaken unless there was some tangible evidence of a violation of that act.

Respectfully,

FBK

On November 5, Mr. Layne again called at the Bureau in connection with the foregoing matter and left here the attached letter. Mr. Layne appears to desire appointment in the Bureau. I advised him that I could give him no information as to whether the Bureau could undertake the investigation desired by him.

FBK



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

2

November 12, 1928.

26-18103

MEMORANDUM FOR THE DIRECTOR

Mr. David O. Layne, whose previous calls to the Bureau have been called to your attention by memorandum, called again on Friday, November 9, to ascertain whether the Bureau desires his cooperation in connection with investigating alleged activities of the gang of [Scarface] Al Capone, in violation of the National Motor Vehicle Theft Act.

Mr. Layne was again advised that the Bureau could not initiate an investigation unless there was tangible evidence of a violation of a Federal statute. In the event Mr. Layne calls again at the Bureau, he will be referred to the Washington field office.

Respectfully,

TF

Mr. Nathan:

Please see that this man is referred to Mr. Cullen if he comes in again. It is a matter for the field office & should have been handled by it from the beginning.

[illegible]

[illegible] N.

NOV 13 1928

NOV 13 1928

[redacted] C. Cole,
Asst. Special Inspector
Division,
Bureau of Prohibition,
Washington, D.C..

To:
Dept. of Justice, U.S.,
Washington, D.C..

From-David B. Mayne,

Subject- Section_____ U.S. Penal Code re-Transporting Stolen Automobiles from State to State, and into Dominion of Canada, Violation of same...

Synopsis-

Have interviewed my informant, one George Cole, residing in The District of Columbia, as to above violation, and am pleased to report as follows; "That he is familiar with the local situation, as to Automobiles stolen in The District of Columbia, transported to a Point known as "T.B." Maryland, reconditioned, renumbered, and again transported to points in The District of Columbia, as well as to points North of T.B. Maryland....He claims no exact knowledge as to the location of the Garage, where necessary transformation of cars takes place, but professes knowledge of persons, with whom he can obtain the necessary information, and furthermore agrees to obtain such knowledge, as required by The Dept. of Justice, for the apprehention of alleged violators..

Mr. Cole furthermore agrees to furnish The Dept. of Justice with information as to "The fence" in New York City..He explains that there are several places where stolen cars are remodeled and transported to other states for sale ..He however must spend enough time in New York City in which to locate these places, it having been some little time since Mr. Cole had direct knowledge of the existance of such places...His connections being good ones, I am of the opinion that a few days in New York City, will be ample time for him to make the necessary connections, whereby The Dept. of Justice, may receive the actual evidence, necessary for prosecution...

As to Mr. Cole, I am thoroughly convinced that he is in possession of facts, which if used now, will result in an investigation, of a Nation wide "ring" of Auto thieves, and in which Canadian Authorities will be much interested, as regards operations of this alleged ring in Northern Vermont, as well as Northern New York..

Mr. Jos. J. Dunbar, recently employed by The U.S. Treasury Dept., as a Prohibition Investigator, will also confirm my report as to the activities of Auto Thieves in New York..I am with little trouble, locate him, and believe that with his assistance (He is personally acquainted with one or more of the "ring") assist The Dept. of Justice in the conviction of the largest ring of its kind now operating in The United States.

26-1102-1

That my knowledge of operations, as concerns the "Racketeers" along The Canadian Border from Detroit Mich, to Points in Vermont, I do not anticipate any great amount of difficulty in making a good case...The base of operations naturally would be in the vicinity of Buffalo, N.Y., and from there I would work Westward, locating the Auto Theft section of one of "Scar"face CAPONE'S gang in Cleveland, (O'HECH, employed by CAPONE will assist the Department in this respect) then Eastward to Rouses Point, N.Y., from which point, as well as in Montreal, P.Q., Canada, I may be assured of the cooperation of The Royal Canadian Mounted Police, in developing the phase of the case as regards the transportation of Stolen Autos into Quebec...

Trusting that this brief report may result in the investigation of this alleged "ring", and that I may be of real service to The Department of Justice, I am,

Respectfully,

David D. Mayne

David D. Mayne

(I can be reached at 1205 K. St., N.W., Washington, D.C.
Phone number Franklin-10499)

279