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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

June 10, 2019

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

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

Dear Mr. Greenewald:

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

Material consisting of 477 pages has been reviewed pursuant to Title 5, U.S. Code § 552/552a, and this material is being released to you in its entirety with no excisions of information.

The enclosed documents represent the first interim release of information responsive to your FOIPA request. This material is being provided to you at no charge.

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

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

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

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

Sincerely,

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

Enclosure

FBI FOIPA Addendum

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

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

(i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIA [5 U.S.C. § 552(c) (2006 & Supp. IV (2010)]. FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.

(ii) **National Security/Intelligence Records**. The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1), (b)(3), and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C § 3024(i)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

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

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

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

Part 3: General Information:

(i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. Most requests are satisfied by searching the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling its dual law enforcement and intelligence mission as well as the performance of agency administrative and personnel functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (FBIHQ), FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide. A CRS search includes Electronic Surveillance (ELSUR) records.

(ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.

(iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheets. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

(iv) **The National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

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

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;

(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

From
Courtney Ryley Cooper,
George T. Bye & Co.,
535 Fifth Avenue,
New York, N. Y.

copy

THE BIGGEST JAIL ON EARTH

As Told By

J. Edgar Hoover, Director,

United States Bureau of Investigation

To

Courtney Ryley Cooper.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/20/84 BY 8219 WEB/dlg

On Pennsylvania Avenue in Washington, stands an ordinary appearing structure which has no guards, no high walls, no cell blocks, yet it is the biggest prison in the world. In it are more than 3,500,000 personalities for whom death is the only escape.

I said personalities, not persons. Factually, they are only so many smudges on white paper, above which intent men gaze through microscopes, and from their observations, make cryptic marks upon memorandum pads. While these hurrying men go about their tasks, terror stalks the brains of hunted men. This is the Identification Division of the United States Bureau of Investigation, of which I have been director since 1924. It is perhaps unnecessary to explain that these "personalities" in the Bureau are fingerprints. However, that is not a catch-phrase. Perhaps I can illustrate.

One spring morning in 1929, a farm boy near Green Bay, Wisconsin, noticed a thin trail of smoke from the chimney of a long abandoned farmhouse. The boy went closer and saw a bearded man walking about the farmhouse yard. At home, he mentioned the incident; his father told the Sheriff.

Shortly after that, the Sheriff looked in upon what was a typical hermit's dwelling, with improvised stove and furniture. The dishevilled occupant gave his name as Sam Mayo, and classified himself merely as someone tired of the world. But the Sheriff searched the house and found articles which had been stolen recently in Green Bay. He took the hermit to jail.

There Sam Mayo admitted the thefts. They had all been minor ones, conceived and executed, he insisted wholly through necessity. This was his first offense; he swore it. The Sheriff and Judge believed his story. Sam Mayo drew a short sentence in the Wisconsin reformatory.

However, these days, practically every criminal fingerprint taken in the United States goes immediately to Washington, flooding in at the rate of 2,200 a day. Sam Mayo's prints rolled in with the rest of a day's supply. Busy men with microscopes shuffled the cards for classification; among them, one looked at Sam Mayo's, then checked the files for a duplicate. Suddenly he halted in his search. Here was one which bore exactly the same classification as that of Sam Mayo. He jerked it out,

62-21526-2 OK. M. Gates 6/10/33

Read and approved by Mr Nathan & Mr Clegg Gleason 6/10/33

and compared them. They were the same -- except for the name and photograph.

The man on the indexed card was beardless. He wore the uniform of a convict. A "Wanted" sticker shouted that he was Dominic A. Genski, a fugitive from justice. His record card told of the robbery of the little postoffice at Alpha, Washington, his arrest and sentence to the grim Federal Penitentiary at McNeil Island. Then, one night, he had "gone over the wall", and in a rowboat had made his way across the sound to Tacoma, Washington. There, every trace of him had been lost.

But here he was again, in Sam Mayo, the hermit, weaving his pitiful tale to delude a Sheriff and a Judge. He could not, however, escape those fingerprint cards, and as a result prison awaited him instead of a soft reformatory sentence.

In fact, these days, it is becoming increasingly difficult for a man to stay out of prison, once he has escaped, or to remain free of the law, once his fingerprints have gone to Washington. This in spite of the fact that there is no police agency so little known to the public as the United States Bureau of Investigation.

The average person thinks that crooks are still identified by the Bertillon system of photography and complicated measurement. Instead, today, astute police merely take a good clear picture, make note of outstanding scars, physical characteristics and the fingerprints. The last is most important. Photographs can lie -- the most benign-appearing criminal I ever saw was a man named Moses Harmon. As he moved about in his free state, with long white hair and a flowing white moustache and beard, his resemblance to the gentle Henry Wadsworth Longfellow was remarkable. But when he was shorn for prison, the action revealed a face as hard as Vermont granite, eyes which were cold and remorseless and a mouth like a bloodless slit in a piece of shark flesh. No police officer in the world could have recognized him as the poetic man of the whiskers. But his fingerprints didn't change.

When I became Director of the Bureau of Investigation in 1924, one of my first opportunities was the organization of this vast fingerprint prison. I knew photographs could lie, and measurements. Then too, there has never been a coincidence in fingerprints. There have been historic ones in facial and physical similarity. Some years ago, a colored man named Will West, was being "dressed in" at Leavenworth penitentiary. Naturally he was taken to the Bertillon room for measuring and photography. As he went about his work, the Bertillon man said:

"You've been here before."

"No sir," the prisoner answered. "I ain't never been in this jail-house."

The officer went to his file, and brought back a card.

"Isn't that you?" he asked. It was the Bertillon card of William West, colored.

"It sure looks like me," said the prisoner.

"It is you," the clerk answered. "Listen to this."

He read the measurements. They tallied exactly. But still the new prisoner protested. The officer investigated. Then William West, Federal prisoner, was brought down from Cell Block 3, Tier 5, and made to stand beside Will West, Federal "fish", as convicts call a new man. They were identical in height, weight, features, hair, eyes, nose, mouth, length of arms, legs, chest measurement, thickness of thighs and biceps. They were even more alike than the average twins. Yet they never had heard of each other before that day. And their fingerprints when taken were absolutely different. That case did a great deal toward making Leavenworth Penitentiary a pioneer in discarding the Bertillon system and building up a fingerprint file. This was followed by the same sort of action by the International Association of Police Chiefs, with the result that when this Bureau instituted the Identification Division, about 900,000 fingerprints were donated from these two agencies. There are now more than 3,500,000, a tremendous growth in eight years.

Police chiefs everywhere, even in foreign countries when an American is concerned, depend upon this Identification Division. They have learned that while facial blemishes, measurements, photographs, and other forms of identification can trick them fingerprints are sure. The case of Kenwood Williams reveals how even outstanding characteristics often fail to identify a wanted man. Queerly enough, this also happened at Green Bay.

In January, a year ago, Williams, tin horn gambler, walked into a roadhouse near the city. There he went to the room of a woman with whom he had been intimate, and shot her. Then he turned the heavy calibred gun on himself. When habitues of the house arrived, Williams was dead and the woman dying.

Williams had been physically outstanding for two reasons. He was crippled in both feet, which gave him a peculiarly jerky walk. Often when his shirt sleeves were rolled up, a tattooed bird and snake had been observed on his left forearm.

The coroner of Green Bay sought identification in vain, finally sending the fingerprints of the dead man to Washington. Almost immediately — the Identification Division of this Bureau concludes it work within a remarkably short time -- there was snapped back the secret of the dead man's past.

He was not Kenwood Williams, but Ira White, who had started his criminal career in 1918 with manslaughter in Indiana. He had been paroled in 1930, immediately violating it. Then he had begun to steal automobiles, transporting them interstate, which put the agents of the Bureau on his trail. We had caught him in New Mexico, where he had escaped from the Roswell jail, and the search for him had started all over again.

Authorities had sent "Wanted" notices everywhere, containing his photograph, and drawing particular attention to his physical peculiarities. But when at last he killed himself, thus ending a costly search, the physical marks counted for nothing. Under conditions as they existed before the formation of the Identification Division, we still would be looking for a man, now concealed forever under six feet of earth!

During my years as Director of the Bureau, I have never gone into the Identification Division without a distinct thrill. Here are row after row of shoulder-high filing cabinets, each with its thousands of fingerprints, and thousands of stories, of escape, murder, piracy on the high seas, cunning confidence men and crafty imposters,

some of whom have achieved international notoriety. Many persons may remember the excitement last year over the story of an alleged war ace, whose memory had come back to him after many years. But few persons know that it was the Bureau of Investigation which exposed him.

It began during the return to their homes of the men in the Bonus Army from Washington during the early autumn of 1932. A detachment reached Charlotte, N. C., and suddenly one member apparently recovered from an amnesia of many years' standing. He now thought he remembered who he had been. Arthur Courtney Campbell, famous member of the Lafayette Escadrille, shot down behind the German lines in 1917.

Immediately, every newspaper in the United States and France took up the story. It became the talk of Paris -- the supposed body of Arthur Courtney Campbell had been removed from its war-front grave in 1929 and placed, with due ceremony, in the Lafayette Escadrille Memorial Mausoleum at St. Cloud, France. Then another angle entered -- the parents.

For years they had grieved for their lost son. Now he had come to life. Or had he? The man seemed to know aviation; he talked of air raids and bombing expeditions with the manner of one who had taken part in them. He asserted his eager desire to go home. But in the meanwhile, Special Agents of the Bureau of Investigation at Charlotte took his fingerprints at the request of a newspaper and sent them to Washington.

There was nothing in the files at the Identification Division. We turned to those in the custody of the War Department. A day later, the halo of heroism for Clarence Stephen Wendler, also known as James Edwin Wendler, and Jim Wendler, had faded. He had never even seen the Lafayette Escadrille, having enlisted as an apprentice seaman at Richmond, Va., in 1929, after the war was over. The cause of his excursion into fiction? Perhaps a friend expressed it:

"Well, Jim always was pretty much of a hot air artist. I guess he just boiled over."

There was one real service in this case -- that to the parents of Arthur Courtney Campbell. Perhaps if more parents thought of the cruelty which can be inflicted by an imposter, there would be more of the voluntary civil fingerprinting which is growing year by year, and which, ofcourse, is not to be confused with the criminal work of the Identification Division. There is hardly a family, which, in its various ramifications, has not some wandering member. Sometimes they die, to remain unidentified at a city morgue, and to be buried in a potter's field. Others become actual victims of the amnesia which Wendler simulated. There are thousands of families today, searching in vain for relatives who are either dead, or in institutions of various kinds. If their fingerprints had been on file in some central bureau, and if, during their wanderings, they had ever come in contact with the various forces of Federal, State and Municipal endeavor, the long list of missing persons would be much shorter.

In this regard, it may be surprising to know that kidnapping now is doing more to promote civil-life fingerprinting than any other agency. Parents all over the country are fingerprinting their children and sending the prints to our Identification Division. In this way, they are at least sure of identification, as well as authenticity on ransom notes. If there had been fingerprints in the Lindbergh case, for instance, "Jafsie" might not have been hoaxed into paying out $50,000 ransom money to imposters. And of course, there is always the chance of a stray fingerprint furnishing a clue.

Our agents never start on a case of criminal violence without a magnifying glass, dusting powders and specially constructed fingerprint camera. fitted with batteries and lights, so that it is only necessary, day or night, to point the camera at a fingerprint, press the button and get a picture. This was part of the equipment of a [redacted] early one morning several years ago, when he hurried from Prescott, Arizona, toward a Navajo Indian camp in Skull Valley. A murder had been reported; a part of the Bureau's work concerns crime on government reservations.

A Navajo squaw, early that morning had gone to a brush grown arroya near camp for firewood, only to grunt with fright and run for camp. She had seen the sprawled form of a dead man, face down in the sandy soil.

Shortly afterward, an Indian runner set forth from the excited camp for Prescott; when he returned, the Special Agent [redacted] was with him. Then, followed by excited braves and squaws, the Special Agent went to the arroya of death.

The murder victim was an aged white man, A. M. Cavell, who for years had driven a Ford sedan as a taxicab around Prescott. His skull had been fractured; the blood stained iron bar which evidently had been used to strike the blows, lay nearby. Tire marks on a side road about twenty yards away, and blood stains on the brush, showed that the man evidently had been killed in his car and dragged to this spot. But for the moment, the Special Agent dismissed all that. His attention was centered upon what the magnifying glass had revealed on that iron bar. There, plainly outlined in the dried stain of human blood, was a fingerprint.

Carefully the Special Agent dusted the mark, to bring out more clearly its characteristics. He photographed it. Then he turned to other leads, especially the broadcasting of descriptive data on the stolen car, and a search of all garages and filling stations at which this car might be seen. The immediate vicinity yielded nothing. The search broadened. At last, on a road leading toward Kingman, Arizona, the Special Agent secured a lead from a filling station proprietor.

"Come to think of it," the gas vendor said, "I believe I did see that car. It was about nine o'clock on the night you say this man was murdered. An Indian drove up in a Ford -- rather he tried to drive up. The car acted like it had engine trouble. Anyway, he asked me to drive the car into the station and fill it up with gas. Said he didn't know much about it yet; he'd just bought it that morning; paid $450. for it, he said. Well, I filled him up, and he pulled out toward Kingman."

So, the beginning of a chase had been made. True, the clues were weak; Fords look alike, and Indians do buy cars. Aided by state officers and other Special Agents, Kingman was ransacked in vain. Then every side road and canyon leading into the town was searched; at last, in a tree-filled canyon, the car was found. Now, the officers knew that their trail was hot and that their quarry was somewhere near. It was not long before the Special Agents, working in the comparatively restricted area of the town of Kingman, picked up an Indian who answered the description given by the filling station man. At the jail, he said he was George Dixon Sujynamie, a Yavapai. He lived in Prescott, he said. Again and again he denied his guilt. At last, the Special Agent [redacted] interrupted. Out of the various things which had been taken from the Indian's pockets, the Special Agent had selected a small, red tobacco can.

"Look here, Sujynamie, "he said. "After you killed Cavell, you were nervous, weren't you? You needed something to brace you up. So you took out your tobacco can and rolled a cigarette. Remember that?"

The Yavapai denied it.

"We'll take his fingerprints," said the Special Agent laconically. Then three things were compared; the photograph of the print from the iron bar, the bloody print on the tobacco can, and the black smudges on white paper. They matched. The state officers turned to begin their questioning -- only to be halted by a warning sign from the Special Agent. He had spent many years among Indians; he knew their ways, their lore. A word spoken at this time, an interrupting movement or sound might ruin everything.

The Yavapai had turned toward the wall. He had straightened, and raised his head for a moment, as if trying to stare out through his confines to the sky above him. His fists doubled. Then slowly, he began to beat upon the wall, the sound reverberating hollowly, while a wailing cry came from his bloodless lips. It was the death chant of the Yavapais - - -

"Tut ju pi nevako ---"

Silently the Special Agents waited, neither moving nor speaking. There was only that slow, ceaseless pounding on the wall, and the wailing cry of a distraught man as he called upon the Great Spirit to hear that he stood ready to die. At last the drum beat ceased. Sujynamie turned. He stood straight with folded arms, and began to speak, as if reciting a rote:

"I have been in love with Navajo girl. The Chief would not let me marry her -- me Yavapai, her Navajo. So I make plan to kill her, kill them. I think old man who drive car has pistol. So I make plan to kill him and get pistol, then drive out to Skull Valley, kill girl, kill Navajos who not let me marry her, and kill myself.

"But when I kill him, I find no gun. I drive to Skull Valley -- girl and Navajo chiefs gone to other camps. Now Great White Father arrest me. Sujynamie testify himself guilty. Sujynamie ready to die."

One morning about six months later, within the confines of Fort Whipple reservation, the death chant of the Yavapai sounded again -- but this time, there was no need for Special Agents to stand silent, lest they break a confession. Sujynamie was ascending the scaffold.

So much for fingerprints in the field. They are constantly in use to solve crimes; in one case they not only caught two men for an old murder, but convicted them on a new one. This was the case of Albert I. Silverberg and John Newman, gangsters.

On a hot evening in July last year, Abie Loeb of the underworld, sat in an automobile on a St. Paul street, while his friend, Al Gordon, a dope peddler, went into a drug store to make a minor purchase. Two men walked to the store.

"Hey Al!" one of them shouted. "Come here a minute." The dope peddler obeyed. But he gasped with horror as he recognized old enemies, whirled and tried to run. Impossible; two guns were spitting fire at him; he crumpled and fell, while Loeb, terrified, leaped from the car and strove to escape down an alley.

That too was in vain. The murderers followed, shooting as they went; soon Loeb was only a sprawl at the base of a telephone pole. The slayers threw away their guns and ran.

The police worked fast. The murderers hardly had gained their breath and begun a sauntering walk away from the neighborhood, before a detective stopped them for questioning, and didn't like their answers. He took them in for investigation -- and fingerprinting. Airmail carried the prints to Washington. Hurrying men with microscopes catalogued the loops and whorls and lines, then went to the file cases to seek a counterpart. Then out to the St. Paul police was snapped this telegraphic information:

"Fingerprint classification of Joe Shafer and George Young held by you for investigation into murder correspond exactly with classification of John Newman and Albert Silverberg, wanted by Elizabeth, New Jersey Police for murder of John Finiello. Have notified New Jersey officials."

A long search had ended. Two years before, while Finiello, a prohibition agent, had been directing a raid on a New Jersey brewery, a gang of men had run into the building. Someone had shouted:

"There's Finiello. Let him have it!"

Guns had barked in answer to the command; Finiello had sagged to the floor, dead. Time passed. Someone in the underworld squealed. John Newman and Albert Silverberg had been indicted for the murder. But that had been an end to it -- search had been useless. Fingerprints, photographs, descriptions, posters, "wanted" notices, distributed over the entire country, had brought no word of them. Now they were in custody. And not for one murder but three. One of the guns which had been thrown away after the Gordon and Loeb murders, had been found to possess one fingerprint. It too was sent to Washington. Experts in our Identification Division matched it with a print of Silverberg.

But these were gangsters, not an inherently honest Yavapai Indian. The fact that the Bureau had matched their fingerprints to three murders brought no confession. St. Paul asked for aid to confute the heavy defense which Newman and Silverberg set up. The Bureau of Investigation sent out the fingerprint expert who had made the comparison. After a two weeks' trial, Newman and Silverberg were sentenced to life imprisonment at hard labor in Stillwater Penitentiary. The trial had hinged almost completely on that one fingerprint, found on a pistol barrel.

Thus it goes, endlessly. Mail sack after mail sack pour out the fingerprint cards daily, to be examined, classified and acted upon. Often there is no record; again it will be only a routine matter of information concerning a prisoner's former incarcerations. But surely in the course of the day, a worker will strip the alias and false statements from some prisoner in a faraway city, nailing him irrevocably for an unexpiated crime in the past. Or stop a search that has been in progress for years, by

the announcement that a wanted crook is dead.

A good example of this was in the notorious Irene Schroeder case of several years ago — one of the first of the so-called bobbed-haired bandits. With a man named Glenn Dague and Irene's brother, Thomas Crawford, she had left a trail of banditry, robbery and murder across America, including the killing of a state police-officer and a sheriff. At last Irene Schroeder and Glenn Dague were captured in the wilds of the Pima Indian Reservation in Arizona. They had been trailed by Indian trackers, airplanes, men on horseback and even bloodhounds. But Thomas Crawford still remained at liberty. He had left them shortly after the first murder. Irene Schroeder on her capture, said he was dead, that he had been wounded in a fight with a state policeman and that they had buried him in the mountains of West Virginia.

The Pennsylvania police to whom she had been returned, did not believe it. They obtained Crawford's fingerprints from the War Department and prepared wanted circulars, one of which was sent to the United States Bureau of Investigation. The search went on, vainly. There was no trace of Crawford — anywhere.

In January of this year, four years after the murder, two robbers backed against the wall of a building in Cape Girardeau, Missouri, where they had been storing the loot from a robbery at Morehouse, Missouri. Both were drunk, vaguely they realized that police had trailed them.

"Shoot it out!" said one thickly.

Guns were raised; trigger fingers tensed; red-yellow fire streaked from pistol barrels. Instantly the guns of the police answered; the two robbers staggered forward, strove in vain to raise their guns for a last shot, and fell dead.

Apparently they were merely two drunken thieves, brave through booze, who had lost their lives in an effort to "shoot it out with the cops". Efforts to identify them were vain. Then one day, our Identification Division received two sets of fingerprints, submitted by the Chief Special Agent of the St. Louis and San Francisco Railway at St. Louis. They were marked:

"Unknown No. 1 and Unknown No. 2, killed in battle with police officers, Cape Girardeau, Missouri, January 3, 1933."

Unknown Number One was checked. His only record was that of vagrancy. The expert bent above the finger-marks of Unknown Number Two. At last, after a search of the files, he turned to a fellow worker.

"Say," he asked, "they executed Irene Schroeder and Glenn Dague, didn't they?"

"Yes, a couple of years ago. ~~Gave 'em the hot seat.~~ The third member of the gang got away."

"No, he didn't," answered the first expert, and tossed over the fingerprint card of Unknown Number Two. It was matched with another from the files — that of Thomas Crawford.

Just how much money that identification saved in the search for Crawford cannot, of course, be estimated. The same is true of fake claims for War Risk insurance; the Identification Division has determined time after time that the subjects were alive -- one was not only living but in jail. We even found one case where a man had entered the army under an assumed name, dropped that name on the date of his discharge, and then applied for the insurance as the beneficiary, stating that the insured had been missing seven years and therefore legally dead.

Time after time, also, men arrested in the thirty-five foreign countries which send their fingerprints to Washington, have been found to be wanted in America. Or their criminal records here have knocked out stories of innocence abroad. Criminals get into strange places. But the strangest ones of all were illumined when, four years ago, the United States Civil Service Commission began to route the fingerprints of applicants through the Identification Division. Among the first were the prints of a man wanted for murder! Out of the applicants examined that year, it was found that one man in every thirteen who applied for a government job had some sort of a criminal record. During the next year, the average had dropped to one in fourteen, covering the entire range of misdemeanor and crime from disorderly conduct to bigamy, counterfeiting, arson, burglary, and murder. Then, evidently, the word began to get around. The next year, the percentage dropped to one criminal in every twenty-two, while last year the figures took a nosedive. Only one applicant in seventy had a record.

So it goes -- men losing the chance of a job, because they've been crooked, calls from Mexico, Belgium, France or Italy for the record of an international crook, business men enquiring about the past of some man who has been acting a bit shady of late, a murder case from far away Alaska. But perhaps the strangest and most melodramatic of all cards in the entire index is that which bears the picture and prints of a man named Jake Fleagle.

A band of four desperate men entered the First National Bank at Lamar, Colorado, in May, five years ago. They were masked. A motor purred at the curbing. They wanted money and punctuated their demands with levelled revolvers.

With their victims backed against the wall, they entered the cage, gathered up about $200,000, and started to leave. But the aged President, A. N. Parrish, had not been cowed.

An old revolver was in his desk. He lunged for it and shot at the gang, striking one of the men in the jaw. Instantly the heavy guns of the invaders bellowed death at him; he literally died on his feet. Then as the banker's son rushed to his father's aid, they shot him down also, and whirled to the Assistant Cashier, Everett Kessinger, and to E. A. Lungren, Teller.

"Come along with us!" they roared, and with their guns as prods, pushed them into the car.

Pursuit was almost immediate. When the sheriff had come within range, the teller was shoved half out of the car — any stray bullet would kill him. When this did not halt the chase, the bandits cooly stopped their car, got out, put Kessinger

in front of them for a shield and began to fire at the sheriff. They had rifles. The sheriff and his companion had only sidearms; nevertheless they stood game in the battle. At last a rifle bullet tore up the hood of the officer's car, breaking the spark-plugs.

"That stops him," someone shouted. The cashier was released. The bandits hurried on, into Kansas.

Late that night, in Dighton, Kansas, Dr. W. W. Weininger answered a ring at his doorbell. A man stood there, plainly nervous. His brother had been kicked in the jaw by a mule, he said. Would the doctor aid him? They got in the doctor's car and drove away. The doctor did not return. Days later, the Sheriff of Prowers County peered over the side of an airplane and signalled to the pilot to make a landing. His search was over. The body of Dr. Weininger, riddled with shot-gun bullets, lay in the bottom of a ravine. His car had been pushed over the hill, and upon his body. He had treated the wounded bandit, and been killed for the sake of secrecy. Kessinger, the cashier, was also killed by the bandits.

R. S. Terwilliger, fingerprint expert from Garden City, Kansas, arrived, and began a search of the Doctor's car. It had been wiped with an oiled rag to eradicate any evidence. But Terwilliger was persistent. At last on the rear window, he found a "latent", as a single fingerprint is called. He dusted it, photographed it and sent it to the Identification Division. That helped little -- it is impossible to tell what the ten fingerprints of a man may be, from a single one.

Nevertheless the entire Identification Division turned in on it. The print was magnified on a screen by stereoptican. Day after day, the experts studied it, memorizing every line and loop and whorl. It was useless. No one remembered having seen such a fingerprint recently; it was a physical impossibility to search the entire 3,500,000 prints; that would have meant the examination of ten times that number, one search for every finger.

A year passed. Working on physical description, the police of Lamar, and Colorado Springs brought back an ex-convict from Kansas City, another from Oklahoma, a third from St. Louis and a gangster from New York. They were all identified by witnesses of the robbery. Hanging was almost a certainty.

Then one day, in the course of a day's work, there came to the Identification Division, a fingerprint card from the Sheriff's Office at Stockton, California. A man named William Harrison Holden had been arrested on suspicion for train robbery there, and had freed himself by a plausible story. The Sheriff had merely sent his fingerprints to Washington as a matter of course.

As a matter of course, they were classified and the records searched. Out came a card bearing the name of Jake Fleagle, ex-convict 6591, Oklahoma Penitentiary, back in 1916. In routine manner, the fingerprint expert began his final check, to be sure that William Harrison Holden and Jake Fleagle were the same man.

But as he worked, a queer feeling of familiarity ran through his brain. He went over the prints again — he felt uncertainty, nervousness, as though he were making a mistake. He checked and re-checked. Then suddenly the smudges on the paper beneath the microscope ceased to be such. There was murder in those lines and whorls, the

bark of guns, a white haired old man standing alone against a bandit gang, firing shot for shot until the barking guns of four against one had mowed him down. The expert whirled. He left his microscope and, while other workers stared after him, ran wildly for the photograph of the latent print found on Dr. Weininger's car. He examined it again. It matched with the prints on the cards. He straightened exultantly. This was a member of the Lamar bandit gang!

That changed the entire case. Four men had been identified and were under arrest. But here was surely a member — someone was innocent. The wires sang, carrying amazement to Garden City, Kansas. The Fleagle family had a homestead near there; members of the family still lived on it, a bare place, unproductive, sun baked. But when the banks were checked they revealed heavy deposits, especially for Jake Fleagle and his brother, Ralph.

A posse was formed. It encircled the ramshackle ranch and surrounded the weather beaten old house. The father, mother, and two brothers were arrested. Questioning yielded a lead which led to the arrest of Ralph in Kankakee, Ill. Further questioning of him revealed a streak of yellow. Yes, he'd tell. He'd tell everything, hang his own brother, hang the rest of the members of his gang, if only he could save his own neck.

He could only be promised a plea for leniency by the District Attorney -- he grabbed at that. The result was the arrest of two men known as Howard L. Royston and George J. Abshier in California and Colorado, and a chase for Jake Fleagle which ended only when he was shot down by an officer in Branson, Missouri, while resisting arrest.

The four men awaiting trial were freed; for once in their criminal careers they were innocent. As for the rest;

A condemned man hangs himself in the Colorado State Penitentiary. His weight on the trap tips a bucket of water. The trickle can be heard in the death chamber -- as the weight lessens and lessens until at last a latch is released which frees a great weight. Then the rope jerks taut —

I often have wondered if George J. Abshier and Howard L. Royston and the lank, craven Ralph Fleagle paused to think of our Identification Division as they stood on that trap, listening, waiting, as the water dripped slowly away from a bucket of death.

* * * * * * * *

COPY

From Courtney Ryley Cooper,
George T. Bye & Co.,
535 Fifth Avenue,
New York, N.Y.

copy

HOW SMART IS A CROOK ?

As Told By

J. Edgar Hoover, Director

United States Bureau of Investigation

To

Courtney Ryley Cooper.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/20/84 BY 6369 WEB/dlj

There seems to be a deeply rooted impression in the average mind that all crooks are possessed of genius and that all law enforcement officers have the brains of a wet hen. Perhaps the recent wave of detective fiction is partly responsible -- the formula invariably calls for the police department to fall down miserably, leaving the crime to be solved by an astute amateur. The same course has been pursued on the radio. The truth is, of course, that novitiates seldom solve crimes, and that the formula is entirely different. There isn't any genius in catching a crook. It's hard work, plus common sense, plus the fact that no matter how smart a criminal may be, sooner or later, he will do something dumb. That's when we get him.

O.K. R.M. 6/10/33

Read & noted by Mr Nathan by Mr Coffey & Mr Tolson 6/10/33

62-21526-22

Then too, there's the matter of misplaced hero worship, which brings up the name of Al Capone. Theoretically, he is the super-genius of American crime. His reign was in a day when he had assistance on every side -- politics, money, thirsty people willing to cover up for him in order to get their booze, and a great part of the foreign population of a big city to give him aid and information.

It fell to the United States Bureau of Investigation to take one of the first steps which led to Al Capone's descent from the throne. He had been called as a witness in a prohibition case before Federal Judge James H. Wilkerson in Chicago. However, his attorneys submitted an affidavit by a Physician of Miami, Florida, stating that Capone was recuperating from bronchial pneumonia and that a trip to Chicago would endanger his life.

Special Agents of the Bureau began to check Mr. Capone's illness. It wasn't difficult. They found that a part of his treatment for bronchial pneumonia was to go frequently to the Hialeah Race Track and the Miami Jockey Club. Another specific was seaplane trips between Miami and Bimini, Bahama Islands, to look after his booze interests. Sometimes too, as a tonic, he rode between these points by steamship. And when he was supposedly sickest, he was questioned in the office of the County Solicitor of Dade County, Florida, and appeared quite healthy. As a result, Al Capone was convicted of contempt of court and drew a six months' sentence which he now is serving concurrently with his sentence for income tax evasion.

A ten year old child could not have made a more dumb attempt to evade the law. It was Capone's "assistance" which kept him out of trouble in Chicago. Somebody always stands ready to help a crook -- someone who will yield to bribe money, someone who hates the law, someone who fears to "get mixed up in a criminal case", or someone who does it just because he is asked. In the list of cases handled by this bureau involving murders on government reservations, there are numerous instances where persons gave alibis for the prisoner -- merely because he asked them to say he had "been at their house all night."

A law officer starts on a case with everything against him. Yet it is my belief that most criminals are punished. Crime is habit forming -- often police fail to find a man for the simple reason that he is serving time somewhere else under an alias. One arrest may mean a dozen crime solutions. For instance:

A house was surrounded by Special Agents and police one night in Sioux City, Iowa. There they arrested an escaped Federal prisoner named Charles W. Drake. Only one individual, as far as criminal records go, he was nevertheless a wagon-full. He was Charles W. Drake, Chuck Drake, Michael O'Connor, Mike O'Connor, Louis B. Jennings, Edgar M. Burns, Mike Cunningham, Mike Courtney, Mike Kinney, Mike Martin, Mike O'Connell, Louis B. Jannings, Mike Parella, Bill Brickell, and Jack Blaz-

ier. Yet he wasn't any of these, for his real name was Roy Courtney, a man of much action and imagination. His law-breaking career included everything from the White Slave traffic to three jailbreaks, burglary, robbery and manslaughter.

He too had done the one dumb trick. He tried to see a woman of his fancy. This in spite of the fact that he knew the police had questioned her. But she had been released, and it never entered Roy Courtney's head that shadows had followed her, certain that she would lead them to the criminal they wanted.

When good investigators get on the trail of a fugitive there can be no relaxation of vigilance, either for the hunter or the hunted. If the hunter slows down, he misses his "break", and if the hunted fails to cover every safequard --

One day, the body of a dead man floated down a stream near Fort Riley, Kans., where some soldiers were swimming. They retrieved the corpse; it was of Private Joseph Thomas, Troop F., 13th Cavalry. Three bullets, one in the lungs, one in the stomach and one in the heart, had killed him. This was murder on a government reservation. Special Agents of the United States Bureau of Investigation were called to the job.

Clues were not difficult. Lawrence H. "Pat" Wilson, a bootlegger, had been jealous of Thomas, and was missing. So was Mrs. X, the object of jealousy. The chase began.

The lengthy investigation which caused Special Agents and police to believe that Wilson and Mrs. X would spend Christmas

Eve with friends in Kansas City, was featureless. But, with the house surrounded, the officers waited in vain.

Night came. Neither the friends nor the fugitives appeared. A Special Agent yawned.

"Guess I'll find out what became of them," he said. Soon he returned from a drug store, announcing:

"They'll be right over." Ten minutes later, a murderer and his woman walked into the trap. As for the Special Agent's occult information, he merely had followed a rule which calls for a check on everybody who possibly could know anything about the case. In trailing the friends, he had learned that they often went to an Aunt's house. So he had telephoned in friendly fashion and asked "if the folks were there."

"No, they just left for home," was the innocent answer, and thus a murderer was caught.

One break is all a good criminal investigator needs, but sometimes it takes years for it to come. By that I do not mean an accidental break, for in spite of public belief, such things are not frequent. I know, from my work, that most good investigators make their own breaks, and I shall explain that later. But sometimes a crook will literally lock the penitentiary doors on himself when officials have not even known that a crime has been committed. Such was true in the case of the legless beggar.

His beat was Market Street, in Philadelphia, where he slaunched against a building, pitifully holding aloft a few pencils. Passersby were quite generous. The faithfulness of a beautiful Chow dog which sat beside him, helped greatly to create sympathy. There

might have been less if those same passersby knew that this dog was not only an adjunct of begging but of white slavery. But only the legless man, and his immediate confederates knew that. One of them was the chauffeur of his big automobile. After hours, the beggar devoted his time to swelling the Missing Persons List, by delivering fifteen and sixteen year old girls to various houses of ill-fame for which he acted as field agent.

One day, a new recruit appeared. The attraction, of course, was the dog -- the fifteen year old girl stopped to pet the animal, and the legless one immediately became ingratiating. He learned that the girl was poor, sympathetic and lonely.

This story should have happened on the streets of old Paris, or in the London of Dickens' day. Instead it began in the autumn of 1930 and was concluded only two years ago. The girl felt sorry for the cripple. She stopped often to talk; at last they became great friends. Then the beggar began his work.

He confessed to her that he was rich and that he had an automobile and chauffeur. He even had the car driven to the curb so that she could see it. He made promises of wealth, good clothes, happiness, if she would run away with him. Hackneyed stuff of course, but it had worked before.

This girl, however, did not respond. The beggar changed his game. His chauffeur was handsome and young; he was delighted to make love to the girl. This was much more successful. There was a strictly proper wooing, even to obtaining the mother's consent. Then on the wedding day, the beggar

offered his car to drive the newly married couple to Scranton. Of course he accompanied them.

However, there was only a ghastly pause at Scranton -- long enough for the beggar to hand his chauffeur a fifty dollar bill, and for the chauffeur to tell his new wife that she now belonged to the legless beggar. She protested. She tried to fight her way out of the car. It was useless. They took her to Rochester, where she was placed in white slavery.

She was beaten. She suffered indignities, horrors. Finally, after two weeks, she escaped and hitch-hiked to her home in Philadelphia.

No complaint was made to authorities -- that is one of the difficulties of chasing down a true white slave case. The shame which a girl feels is usually sufficient to force her into silence; she would rather pursue the life into which she has fallen than face publicity.

But the two men still desired her. After three weeks, they abducted her, and traveled as far as Bridgeton, New Jersey, before her constant struggles and screams forced them to change their minds. They returned her to Philadelphia, left her at her home and turned to a search for more amenable victims. There was only one trouble with all this. The chauffeur had fallen in love with the girl !

Time passed. He attempted to see her -- and failed. The girl believed that her marriage had been a fake; she met a man she loved and became his wife without investigating the validity of her wedding. Then the chauffeur, wild

with jealousy, did an amazingly dumb thing. He filed criminal charges against his child wife, accusing her of bigamy !

Until this time, it must be remembered, not a hint of wrong-doing had reached any police agency. The girl had remained silent, and her parents had been equally silent, to shield her. Now she had been placed in a position where she was forced to tell her story to keep out of jail. So she told.

It is part of this Bureau's job to hunt down white slavers. We went after them, but they had left Philadelphia. However, it is not difficult to trace a legless beggar; Detectives Slegal and Cleary of the Rochester, New York Police Force picked up the legless one as he whimpered his pleas to a carnival crowd. Nearby stood a sleek automobile, with a chauffeur in livery. In the car, petting the big chow dog, was a new victim in the making, a fifteen year old girl. The sequel was simple. On November 4th, 1931, the two men were sentenced to prison.

So much for a case which literally fell into our lap. Most of them present a different story. All too often, relatives, friends, acquaintances and sometimes the actual witnesses to a crime seem to unite against the pursuing agency. Just why it is a citizen shouts so loudly against lawlessness and at the first opportunity becomes an actual aid to crime, is hard to understand. He objects to serving on a jury, he wriggles out of testifying, and often deliberately evades telling the truth when a plain statement would aid officers in making a capture. In our files is the actual case of an otherwise honest tailor

who falsified his records, and then went on the witness stand and perjured himself in an effort to save a crook from jail. In the end he too was sentenced — the only reason for his action was that the crook had bought several suits from him and "always seemed to be a nice fellow".

Therefore, the efficient law enforcement officer always hopes for outside aid — but depends mostly on his own endeavors. He tells himself that the criminal will have all the breaks until one goes the other way. Perhaps I can illustrate by the story of John Orofino, who, with Joseph Randazzo and Rosalino Saputo, and a dream of fortune, formed the Economy Wholesale Grocery and Baking Company in Toledo, Ohio.

They bought in tremendous lots, through fraudulently established credit. After hundreds of thousands of dollars in merchandise had been shipped to the concern, and creditors were pressing for payment, a funeral wreath appeared on the door, with the notice that owing to the death in the family of a partner the business would be closed for five days. This was August 6th, 1920.

That caused an investigation. The Credit Men's Association obtained a court order to admit them to the building. It was empty! The thousands of dollars of stock had disappeared. So had Orofino, Randazzo and Saputo. The National Bankruptcy Act had been violated, so the Bureau of Investigation was called into the case.

Special Agents began a difficult job. Employees suddenly had been stnuck dumb. Books had disappeared. It

was found that carload after carload of merchandise had been shipped to Watertown, N. Y., whence it had disappeared, as well as all other leads.

However, one of the rules of the Bureau of Investigation is that a case must never die on the files. Actual investigative work is vastly different from that of the movies. There the detective finds a clue, makes a deduction and goes out and arrests his man. It also is vastly different from the laconic version often given by detectives to newspapers, which is that: "We got a tip." Then too, in the Bureau of Investigation, the case of one Special Agent, if necessary, immediately becomes the case of every one of the several hundred Special Agents scattered throughout the United States.

Six years passed. Saputo and Randazzo, had made a straight getaway out of the country and now were safe in Italy. We had not a clue to the whereabouts of Orofino. It was five-thirty o'clock in the morning. Patrolman John Jackson of the Third Precinct of the Detroit Police Department, swung his club as he walked down a dingy warehouse street and passed a building occupied by the International Wholesale Grocery Company, run by Joseph Caruso and Samuel Cantalanotta. Suddenly the earth rocked and the policeman staggered from the impact of a terrific explosion. Then as he whirled, he saw flame and smoke sweeping from the windows and roof.

Patrolman Jackson worked fast. So did the fire department — swiftly enough to learn several things. One was that the fire had been a "touch off", begun by the explosion

of a keg of powder and followed by trailers of rags and newspapers leading to open barrels of gasoline. The second was that there was no stock to burn -- only bare walls. So here was another violation of the National Bankruptcy Act, with seemingly no connection, however, to the Toledo affair.

Caruso and Cantalanotta were easily found; it was evident that they were not the brains of the business. That seemed to be the province of one Thomas Toti, the general manager, who had disappeared. Then the Special Agents reached back six years. There was something familiar about the signature of the man when it was unearthed on various bills of lading. A handwriting expert was called in. Again we were on the trail of John Orofino of the Economy deal in Toledo. The search tensed.

How does an investigator look for a man? The popular idea is that he merely sends out his pictures and descriptions to various police stations, there to be bulletined to the officers. The facts are vastly different.

He learns if possible, every occupation the fugitive has followed. He finds out what clubs he has belonged to. He gets the man's family history, even to the addresses of distant cousins. He gains knowledge of associates, likes and dislikes in reading, in amusement, in food, in athletics. He looks up any possible insurance policies, for what information they may reveal. He investigates any criminal history. He checks on the persons to whom the fugitive has been in the habit of writing. Of course he is always alert for the names

of women. He interviews tradesmen. He inquires the wanted man's preferences regarding automobiles, clothing, hats, shoes. He talks to bell boys and clerks at the hotels where the runaway has stayed. He enquires about previous places of residence and checks acquaintances, friends and hangouts in that neighborhood. There is not one fact, and not one intimate of a wanted man which is not checked by a good investigator -- everyone who has known this man more than casually, is questioned. His habits are checked; he may like cigars of a peculiar make, for instance. Or be a devotee of billiards. Or never miss a night at the movies. Among the things which the Special Agents learned was that John Orofino's son was missing.

That seemed inconsequential, especially since all of John Orofino's family had disappeared with him. Nevertheless a new chase began. The same process was gone through -- questioning of intimates, acquaintances, habitues of the places which that son had frequented. At last someone said he thought the son had been sent to prison for stealing an automobile.

So the prisons were searched. The name of Orofino did not appear. Then a comparative search was made to match a photograph which the Special Agents had obtained. That's a rule too -- to get all possible pictures. At last daylight dawned. Paul Grana, serving time in Atlanta Penitentiary, was the missing Orofino.

His answers to questions were evasive. They did not press him. They merely sought the prison records and found that he wrote often to a Mrs. Cauto at 15355 Crudder Avenue, Detroit. The Special Agents went there. No, the

motherly Mrs. Cauto never had heard of anyone called Orofino. She was just a friend of Paul Grana, that was all.

So the Special Agents searched the real estate records, and there got the tip they wanted. The Cautos had bought this house. They had moved here from an address on East Congress Street, where they had lived for years, even while the head of the family was operating in another city. For the records of the East Congress Street address showed the occupants to be the family of John Orofino! A week later, the six year fugitive tried to sneak home to see his wife. The Special Agents and police grabbed him and took him to jail. After a time, he decided, in the parlance, to "blab". So John Orofino and Joe Caruso and Sam Cantalanotta went to jail, because of a tip. But it was a far different sort of a tip from the average conception. The usual belief is that an officer stands on a corner and stares into vacancy until a stool pigeon comes along and tells him where a criminal is hiding. There is no need and no place in good detective work for stool pigeons.

Nor do good investigators ever relent, no matter how many difficulties they may face. William Donald Mayer is an example of that. While his records in this story come from the Bureau of Investigation, the part which our agents took in the case was both exceeding small and exceeding great. That must be explained later.

Mayer was the son of a woman known as "Shoebox" Annie French. Still a young man when his career ended, he had spent time in jails in California, Washington, Montana, Utah, Colora-

do, Kansas, Idaho and Utah. On six occasions persons were seen in his company — and never seen again. Three times officers found property of these missing persons either in Mayer's possession or in that of "Shoebox" Annie. But not once could he ever be brought to trial for murder. It was not possible to find the body of the supposedly murdered person!

One disappearance was in Anaconda, Mont. Ole Larson, a partner of Mayer's in some oil stock deals, went with him to the Mayer home at 623 Commercial Avenue. Several days later, "Shoebox Annie" cashed a $750.00 check of Larson's. Larson himself never appeared again, nor could a trace be found of his body.

Later, Mayer went to Seattle. He had a specific reason. Years before he had been sent to the Montana penitentiary for stealing an automobile, and he believed that a former paramour had been the one to tell the police. So he found her in Seattle and induced her to come back to Anaconda with him. She entered the little house on Commercial Street and never again was seen. Neighbors spoke of having smelled offensive smoke coming from the place — but that was all. No evidence of the disposal of a body could be found. But the officials did find jewelry, baggage, furs and even underwear belonging to the missing woman. There was sufficient evidence to prosecute for murder, except for one thing. No one could prove that a murder had been committed. "Shoebox" Annie and her son left Anaconda, but the police did not forget them.

They selected Pocatello, Idaho as a home. There

Mayer went into Utah and stole an automobile. The police caught him, bringing it home, and when he tried to escape from the patrol wagon, shot him twice in the arm, later recapturing him, huddled in the garage of his home. Then a detective of the Pocatello Police Department dropped around to the hospital.

"Say, Mayer," he announced, "they've found the bones of that girl you killed."

It was only a ruse; nothing had been found. The man on the hospital cot turned white, and pleaded to be taken to Utah to admit the automobile theft. The detectives were willing; there was still no basis for a murder charge in spite of Mayer's partial confession. The law demands a corpus delecti. He drew a three months to ten years sentence and was paroled two years later. Immediately Bureau of Investigation agents returned him to Montana for an interstate car theft. The court was by no means too severe. Mayer, convicted of felony, received a fine of $25.00.

After that, he went to Colorado, was arrested for stealing furniture and was sentenced to three years in Canon City Penitentiary. But in little more than a year, he was free again. A Parole Board had decided that he was entitled to freedom. However, local police waited at the gate to re-arrest him, on a larceny charge from Idaho. They put Mayer in jail. It was Hallowe'en, so he celebrated by sawing his way out, taking several other prisoners with him. Then the United States Bureau of Investigation entered his career. When he left Canon City he took two women with him into Idaho. White slave charges followed.

Mayer went to Leavenworth Penitentiary for three years, while his mother, Shoebox Annie, married a seventy-two year old man in Seattle and took out life insurance on him. Evidently this must have worried the old man.

It upset him even more when the son came home from prison. He fell to cooking his own meals. Then one morning he started out for wood.

"I'll be back at three o'clock," he announced. "And if you both ain't gone by then, there'll be more hell raised than you ever saw."

It seems that "Shoebox" Annie talked in her sleep, thus revealing to the seventy-two year old husband his possible fate. Anyway, Annie and her son departed. Perhaps Annie knew her failing during sleeping hours.

It is just as well to remember that here has been recited eleven years of criminal history, beginning in 1917. It now was 1928. The known crimes have been set down. How many more were committed in various parts of the country, to go unsolved, never can be determined. Sympathetic courts had dealt easily with Mayer. Soft hearted parole boards had shortened his sentences. He was free again, and eager for action. A young Naval Officer, James Eugene Bassett, recently appointed secretary to an American Admiral in Manila drove to Seattle and decided to sell his car before leaving for the Philippines. Almost immediately William Donald Mayer appeared as a prospective purchaser. The price was $1,600.

"If you'll drive out to my aunt's house with me, I'll get you the money," said Mayer. Bassett's body has never

been found.

But in response to a broadcast in search of the missing car, a policeman in Oakland, California, halted a blue roadster. It contained "Shoebox" Annie and her son, William Mayer. It also contained the naval officer's wrist-watch, cuff links and pocketbook. Then too, there was a rifle and silencer, shells with part of the charge removed to make less noise, a gas gun, chloroform and a pair of tongs, suitable for breaking bones. Back they went to Seattle.

Apparently the charges were a travesty. Three persons had disappeared; undoubtedly murdered. Three others, unnamed in my records, also were missing. But the only charge that could be brought against Mayer and his mother was that of stealing the automobile.

"Shoebox" Annie stood up for sentence. The court sent her to Walla Walla Penitentiary for a maximum of ten years. Then William Donald Mayer rose. He was somewhat accustomed to this sort of thing. Suddenly he blanched.

The court had spoken and the sentence was for life imprisonment equal to the penalty for first degree murder in many states. William Donald Mayer had failed to remember during the excitement of the Bassett disappearance, that he already had been convicted of three felonies; one in Colorado, and two as a result of the work of the Bureau of Investigation, even if one of them had brought only a fine of $25. Thus he could be sentenced to life, under Washington law, as an habitual criminal. Evidently he had forgotten that. Police memory had been more retentive.

In the Bureau of Investigation, my main instruction, especially to new Special Agents is to watch for the "black spot". It usually works. It worked with Gaston B. Means who is about as slippery an individual as ever tangled with the law. More than that, his education was enhanced by a brief service, many years ago, as a Special Agent of the Department of Justice. He not only knows the crook's side, but the detective's as well. Nevertheless, when we were searching for the mysterious individual called "The Fox", with whose aid Means obtained $104,000 from Mrs. Edward B. McLean under pretanse that he could restore the Lindbergh baby, we found that Fox through one false move in a series of telephone calls.

We subpoenaed the record of every telephone call made to Mrs. McLean and Means. We eliminated society calls, tradesmen's calls, a thousand and one other different kinds of calls. At last we found where someone had telephoned both Means and Mrs. McLean on the same day from Durham, N.C. Agents went there and obtained a description. They checked the Durham telephone records and found that a Washington number also had been called on the same day from another pay station. We got a description of the man who had done the 'phoning. It matched that of "The Fox". We traced the Washington call and found it had gone to a relative of Norman T. Whitaker, a disbarred attorney and a friend of Means. We laid Whitaker's picture before Mrs. McLean.

"That's the man," she said. A short time ago, Whitaker was sentenced with Means for the hoax. He had made one telephone call too many. That sort of thing usually is "the tip" which good officers

mention to put aside queries as to how a criminal has been caught after a long chase. Two men were arrested in Kansas City, Mo., on such a tip. Their names were Francis L. Keating and Thomas Holden, train robbers, jail breakers, gangsters and general desperadoes.

They had been sent to Leavenworth Penitentiary to serve twenty-five years for robbing a postal car of the Grand Trunk Railway near Chicago, in 1926. Their attack had been swift, their guns menacing. Two postal clerks had held up their hands. The men had tossed out a mail sack containing $135,000, none of which ever has been recovered.

The inside of a penitentiary is a place of seething intrigue. Visitors are slipped notes and code messages. Trusties carry letters against regulations, risking their liberty. A criminal comes to regard beating the law as a sort of a game. Keating and Holden got hold of a trusty pass and made a fraudulent duplicate. Then they walked out of the penitentiary.

Immediately they did that, they came within the province of the United States Bureau of Investigation, which, as a part of its duties, tracks down escaped Federal prisoners. We sought Keating and Holden in vain.

Special Agents became race track habitues, alleged gangsters, frequenters of gambling halls, underworld characters, without results. They could not pick up the trail of Keating and Holden. In the meantime, Leavenworth Penitentiary flared into one of the most horrible jailbreaks in its history. Guns and ammunition were smuggled into it, concealed in a barrel of paste, used in the penitentiary shoe factory. Armed with these weapons, seven of the prison's most desperate convicts confronted the prison warden, compelled him to turn over the keys of the prison and

carried him out as a hostage.

A battle between prisoners and guards followed. The warden was seriously wounded, shot down by the escaping desperadoes. Three of the convicts were killed. The rest were re-captured. An investigation followed. At last it was ascertained that the guns had been shipped into the prison by Holden and Keating, working with a released convict named Harold Fontaine.

Every man in the Bureau now was actively concerned with the capture of Keating and Holden. Special Agents apparently dropped out of service, they were never seen in Bureau of Investigation offices. Good reasons; they were living in the underworld, mingling with petty crooks, bootleggers, race track hangers-on; ex-convicts. Naturally the search had centered in the Chicago District; Keating and Holden had been active there before their arrest. They might return.

The underworld grapevine works in devious ways. Shreds of information, gathered by Special Agents, posing as anything from janitors to hunted fugitives, began to come in slowly -- a bit gathered from some ex-convict in San Francisco, the boastings of a petty thief in St. Louis, dilating upon the big shots of his acquaintance, the casual conversation of a dive-keeper in Chicago, talking, as he thought, to a man of his own calibre. With police and detective assistance, every friend and relative of the two men were kept under surveillance. Twice the Special Agents thought they had their men; once in White Bear Lake, Minnesota, again in St. Paul. Both times we arrived too late.

Then from out of the underworld came a hot tip. It revealed the fugitive not at all as regarded identity, name or place of concealment.

The informer had not even meant it as a tip. He had merely been skillfully engineered into talking about these big shots, Keating and Holden, and had mentioned one of their peculiarities. Immediately our search narrowed.

We cared no more for the underworld. Bureau Agents who had been playing the part of human derelicts suddenly snapped into youthful enjoyment of life. In St. Paul, Minneapolis, Omaha, Chicago, St. Louis and a dozen other cities, Special Agents suddenly developed new personalities and a new environment. One afternoon in Kansas City --

An expensive automobile stood in the driveway of an exclusive country club. In it were excellently gowned women, chatting pleasantly. Two men, stylishly dressed, came from the clubhouse, waved to the women and started forward.

They never reached their molls. The police closed in, with drawn revolvers. Trapped, unarmed, Francis Keating and Thomas Holden, train robbers, jail breakers, and general all-round desperadoes, weakly raised their arms in surrender.

Perhaps I haven't made clear the exact import of that "hot tip". It was the fact that Francis Keating and Thomas Holden were absolute addicts to a daily game of golf.

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COPY

From
Courtney Ryley Cooper,
George T. Bye & Co.,
535 Fifth Avenue,
New York, N. Y.

6-4-33

PURPOSE: ADVENTURE

As Told By

J. Edgar Hoover, Director,
United States Bureau of Investigation

To
Courtney Ryley Cooper

A card index in the United States Bureau of Investigation of the Department of Justice details the past vocations of the several hundred men who form its corps of Special Agents. Here is a mass of former occupations which covers everything from a professor of Latin to an expert fisherman. They have all been useful in sending men to prison. These are our "disguises". City men would have been at somewhat of a disadvantage in solving the murder of the one-armed trader.

Beyond the painted desert, in the pinon clad hills of northeastern Arizona, the moccasin telegraph suddenly leaped to action ten years ago. Signal fires burned, tom-toms were beaten, carrying their penetrative note from camp to camp, until at last, three days later, Charles Savin, a white trader at Gallup, received word that the trading post at Cross Canyon had been burned and that his former partner, a one-armed man named Frank Dugan, was missing. Savin left immediately for the reservation.

What had been Dugan's store was only a blackened rectangle in a field of sun-baked ground. A hay barn, some distance from the store had escaped. There, wedged between stacks of baled hay, Savin found the body of his former partner, his skull crushed, his pockets rifled. Time and weather had destroyed all clues.

The Special Agents who were called to Gallup were men who had spent many years in the Southwest. One had been a cowpuncher, another a Texas ranger. Above all things, they knew that an Indian never forgets a possession. Indians often pawn valuables with white traders. Thus the Special Agents might learn what the murderer stole.

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However, the Indians who had traded at Frank Dugan's store were scattered all over Arizona and New Mexico. The territory was vast and the going slow. The quest began, across desert wastes, or through rattlesnake-infested canyons, to the distant camps and "hogans" of the various tribes. At each would be a pow-wow. Had anyone, in the last year, followed the usual Indian custom and pawned a valuable with Frank Dugan, the one-armed trader? At last, in a faraway camp, Hosteen-Cho-Begay nodded excitedly. He had pawned a silver belt of his own making: twelve diamond shaped disks of silver and a silver buckle.

Onward -- Cinni-Jennie-Nex remembered a string of turquoise and shell beads. And "Fatty's Son" a silver bracelet with three turquoise settings.

Now the investigation started a new search -- to learn if any of the articles which had been pawned with the one-armed trader had re-appeared. One night, they thrilled at a bit of news.

An Indian fire gleamed dully, stick-end to stick-end. Gutterals sounded; Indians in gossip -- one asked if the Special Agents had ever heard about the time when the medicine man was called for an Indian named Dal-Gai, commonly called Policeman's Boy. There is a tradition among Indian tribes that if a brave murders a man, and if he eats without first washing his hands, then he will become deathly sick and vomit blood. Only the medicine man can halt it. Again a long hunt started. Disappointment waited at the end of the trail. The medicine man had died shortly after his ministration -- and Dal-Gai denied that he had received the dead man's treatment.

Two years went by, to become three, without a clue. The fourth year passed. Apparently here was the perfect Indian crime. Dal-Gai, watched closely by his own tribesmen, had given no evidence of guilt. Again the Agents made their weary rounds, without success. They returned to headquarters. The murder of the one-armed trader would not be solved.

But at last one night, the tom-toms began their sonorous beat. From atop serrated hills there appeared the gleam of signal fires. Dal-Gai, had traded Frank Dugan's revolver, plus a string of shell and turquoise beads to Fatty's Son for an Indian pony. About that time another trading post was robbed. This time the Special Agents worked directly. They accused Dal-Gai of having stolen articles from Claude Romero's store; and found the loot -- two silver belts, but nothing that had belonged to the one-armed trader.

Dal-Gai went to jail for robbery -- nothing was said to him about the murder. A new search was on. Again Special Agents rode the thirsty desert. This time they were successful. An Indian trader had received the precious twelve-disked belt, made by Hosteen-Cho-Begay. Yes, he had bought it from Dal-Gai. Yellow Man's nephew said he had seen Dal-Gai with a nickle-plated flashlight, also Dugan's. The expedition made its weary way back to civilization. This time it was augmented by the Indians who had owned the jewelry, and also those to whom it had been re-sold.

Dal-Gai remained stoical until he faced his own people. Then, as lie after lie was disproved, he became more and more tense. At last he slowly turned and raised his clenched hands. There was instant silence. Slowly the Indian beat the death tattoo on the jail wall, and sang his death song. Then he turned and made the confession of murder which sent him to a ~~Leavenworth~~ Federal Penitentiary for life.

Adventures like this come often for men of the Bureau, whether on the desert, or disguised in the underworld. But again I must insist that disguise does not mean false whiskers and grease paint. It simply means the right man on the right job. The average Special Agent who would dress himself in seaman's garb for instant, and attempt to gain information along a water-front, would be laughable. But a man who could carelessly display well aged tattoo marks, and roll off the slang of the sea as well as any bos'n's mate -- such a man could and would meet the right people! Or a job may include such acting ability as was necessary to send W. D. Manley to prison.

President of the Bankers Trust Company of Atlanta, Manley had been a power in that district, until the bank crashed in 1926, resulting in the failure of eighty-six other banks in Georgia and Florida. Indictments were issued against him and four others, charging fraudulent use of the mails.

The rest went to trial and were convicted. Manley was too ill, his attorneys said. For three years the government strove in vain to bring him into court -- always there were hospital records, physicians' affidavits and witnesses to prove his ill health. Now, in 1929, Manley was in an invalids' home at Milledgeville, Ga.; his attorneys said he had lost his mind.

In August that year, a new patient came to the invalids' home. He was brought there by his uncle and aunt; his disease was melancholia. Days passed into weeks. Manley began to take an interest in him.

Three months later, a jury at Atlanta, Ga. found W. D. Manley guilty. The judge sentenced him to seven years in prison. For Manley was sane -- he had been proven so at a previous hearing. The man who sent Manley to prison was that melancholia patient, now back in his regular routine as a Special Agent. Manley had forgotten that the man in the next room might be playing the same game as he!

Therefore, a Special Agent never becomes bored with his job. In August 1926 a Special Agent was enjoying the two weeks' leave which he had been granted for a honeymoon, when he was ordered back to Oklahoma City, Okla.

Mystery and danger had enfolded the military post of Fort Sill, Oklahoma. There had been eleven fires and attempts at arson within a few months. There even had been an attempt to fire the camouflaged warehouse, containing many tons of black powder, explosive hand grenades and a million and a half rounds of ammunition. That would have meant wholesale death and wreckage. Some soldier evidently was acting as the go-between for a frenzied band of destructionists; Bolsheviks perhaps, or a group of madmen. Beyond that, there were no clues.

"You served a couple of enlistments in the Army," his superior said to the Special Agent, "Dig this thing out."

That night, a hobo left Oklahoma City and hitch-hiked his way into Lawton, near Fort Sill. The next day he went to the county fair.

The horse races were on. He edged toward the rail, and casually took his place beside two privates from the 44th Observation Squadron. Conversation began; after the races the soldiers invited him into camp. There he went, and there he hung around, getting handouts from the mess-hall until a Captain ordered him off the place. The Special Agent could not very well reveal that he was there by request of the Major General Commandant. Besides he had learned nothing more than that the fires had occurred.

On the way back to town he passed Firehouse Number Three of the Fort Sill equipment. These men might have some private theories -- no soldier likes to be a stool-pigeon. The "hobo" dropped into the firehouse and asked to borrow a sewing kit. After much conversation he confessed to Private Timothy Conklin that he'd go back in the army except for the hard work and lack of excitement.

Private Conklin winked.

"Get yourself assigned to the Fire Department," he advised. "Plenty of excitement here."

From then on, the Agent clung to Private Timothy Conklin. Soon he providentially received ten dollars through the mail; he had waited for it so long that its arrival was worth a party. That night he met many soldiers.

After that the investigator got more money, and met more soldiers. At last, one night, he was taken to an old cotton gin, for a heavy conference. Twenty-four hours later, in the early morning, the Major General Commandant stirred sleepily to the sound of repeated knockings. It was the investigator supplemented by another Special Agent and a United States Marshal. There was need for haste. Another big fire was to bet set off on the first windy night.

"But who's doing it?" the Major General Commandant demanded.

"Your own fire department!" answered the Special Agent. "They've got a feud on, and they'll burn down the whole Reservation to settle it. We've got confessions from the ring-leaders!"

And that, when thirteen soldiers had been sentenced in

Federal Court to a total of two hundred and twenty-six years, while four others underwent military court-martial, was the amazing explanation of Fort Sill's arson mystery. The Special Agent had been taken into the fire ring that night at the old cotton gin. Once initiated, he had learned the whole story.

It had begun with the installation of a speedy new fire truck at Station Number Three. Number Three's men had asserted it was the last word in equipment. The firemen of the other stations had said it was a "lot of boloney". So a sentry had been persuaded to look the other way while a fire was ignited and the telephone wires and signal boxes put out of commission. The first fire had only led to more discord — and another conflagration. By the time Special Agents ended the argument, it had cost the United States Government more than three million dollars to test out a new fire truck!

The interruption of a honeymoon may give an idea of the swiftness with which life sometimes moves in the Bureau of Investigation. There are times when the airplanes of the country present a criss-cross of Special Agents, flying from one part of the United States to another that the training of former occupations may be put to use in the capture of a criminal.

Impersonation of some sort enters into almost every big case — especially if a chase is involved. In a previous article, I described the arrest of "Pat" Wilson, a bootlegger, wanted for the murder of Private Joseph Thomas of the United States Army, at Fort Riley. A quick move by a Special Agent brought about the arrest. Careful shadowing under an occupational guise enabled that quick move to be made.

Wilson, during his bootlegging days, had driven a 1926 model coupe. On his last trip to Fort Riley, he had driven a 1928 coupe. The old coupe was traced by Special Agents, who found that it had been traded in on the 1928 car, the motor and serial numbers of which could now be obtained.

Further, the car hadn't been sold to Pat Wilson, but to a woman who gave as her reference on the purchase application the name of L. H. Wilson. That was "Pat"; evidently he had become generous with friends.

So a hard working automobile salesman traced the woman and a second man. Their address proved to be a drug store, reputedly a "joint". The "automobile salesman" was able to persuade the druggist that he really had a bargain for these two people. The druggist made a date for him to talk over a trade-in on a brand new model.

But the man didn't want a new car. Neither did he want Special Agents on his trail, but he got them regardless. The man and woman were shadowed to their apartment house. It was almost certain that "Pat" Wilson would show up there sooner or later. He did -- on Christmas night. And went to prison.

That was a comparatively simple affair, but a Special Agent never knows whether his job is going to be trivial or at the risk of his life. Three Special Agents recently were shot down in Kansas City, with other officers, by machine-gunners, when they had their man and apparently need do no more than put him in an automobile and take him back to the penitentiary from which he had escaped.

In the D'Autremont case, however, the Agents knew their danger. Never were there two more cold-blooded killers than the twins, Ray and Roy D'Autremont, who, with their brother, Hugh, robbed a Southern Pacific train at Siskiyou, Washington, in 1923, killing the engineer, fireman, brakeman and burning a mail clerk to death. The chase for them was a long one. Hugh enlisted in the Army under an alias, and was recognized and brought back to America in 1927, four years after the murders, being sentenced to prison for life. But Roy and Ray, the twins, remained free.

Meanwhile, the faces of these men had become more or less familiar to every small-town resident in America; the Post-office Department sent out more than 2,000,000 pictorial circulars to be posted in almost every public meeting place. At last a woman living in Ohio, said she believed she had seen them, that they had lived in a shanty in the woods of Sulphur Springs Hollow near Pine Grove. Roy was known as Clarence and Ray as Elmer Goodwin. The woman said that Elmer had married the daughter of a farmer near Pine Grove, Ohio.

A Special Agent became a farm hand, working in the vicinity of Pine Grove until he had learned exactly where Elmer Goodwin had gone when he married the farmer's daughter. ~~It was hard work plowing fields, but there was a reward when the daughter innocently wrote home~~ that Elmer and Clarence were working for the Wheeling Steel Corporation at Steubenville. ~~>~~ It was learned

Police and Special Agents planned to pick up Roy and Ray when they reported for work. But ~~Ray~~ Roy showed up an hour early in an attempt to get a job for a friend. But Ray showed up an hour early in an attempt to get a job for a friend. He was arrested, of course, but that brought complications. Now, if Ray sensed trouble when his brother did not return, a nationwide hunt must begin all over again.

The Special Agent was experienced as a claim agent. Immediately he became such, driving to the supposed Elmer Goodwin's home. Concealed in the big car were armed detectives. With an acquaintance of Roy D'Autremont's, the "claim agent" went into the house. The acquaintance broke the alleged news that Roy had been hurt in a street car accident.

"The Doctor said you'd better come to his office," said the "claim agent", "so that if there's suit over it, we won't have any difference of opinion about the injuries."

The killer did not hesitate -- until he got to the automobile and the detectives had closed in on him. Then he whirled on the Special Agent.

"If I'd known who you were, I'd have killed you!" he snarled.

But that's the job -- to play a role so that there is no suspicion. It pays to know every angle of the part you're going to play -- sometimes it even pays to know how to play a violin.

An indictment had been issued in Nashville for a young lumberman ~~named Howard~~, accused of a minor violation of the Mann Act, but the lawbreaker could not be found. A Special Agent started after him. He learned that the fugitive's parents lived in a lonely wooded section of the Tennessee Mountains some miles from the nearest town, and off the main road. The son had been seen there recently. The Special Agent went out

alone to bring back his man.

It was a clear night. At last the officer saw the faint glow of a kerosene lamp through the grimy windows of a "shake" roofed, unpainted abode. He walked to the door and knocked; there was no need for that; hound-dogs already were barking.

"Come in!" sounded from inside. The Agent entered. The room was smoky. Several high powered rifles leaned against the door. Angular men sprawled about, eyeing the stranger with that calm air which so often precedes lightning activity. A woman sat by the lamp, hands loose in her ginghamed lap. An elderly man rose and drawled a query.

"I'm from the ~~Department of Justice~~ U.S. Bureau of Investigation," the Agent answered. "I've come to get your son."

Instantly the old man strode forward, his eyes gleaming.

"Well," he shouted, "you ain't goin' to take him -- you nor airy other dam govvament man."

Now a gangling mountaineer had risen, and reached for his gun.

"Listen," answered the Special Agent. "I think I know mountain folk. If you say your son isn't here, I'll believe you and go away. Is that fair?" "Well, he ain't here!"

"That's all, then," said the Agent. He turned to go. But a mountaineer had blocked the doorway.

"And you ain't goin' to leave here," the father growled.

A long silence followed that. The mountaineers merely looked at him and said nothing. The Special Agent stood motionless. A long time passed. Then the Agent asked:

"Mind if I look at that fiddle on the mantel?" There was no answer. "I used to play in an orchestra," he added. No one seemed to care. Then: "Do you mind?"

He went to the fiddle and tuned it. Then he swept the bow into the staccato notes of "Turkey in the Straw".

No one gave oral evidence that the music had been heard. He veered into "Arkansas Traveler" and sharply from that into "Pop goes the Weasel". At last a mountaineer wiped the back of a hand across his snuff-stained lips.

"Thet's danged good," he said.

The Special Agent smiled and nooded. Soon he was playing "Carry Me Back to Ole Virginny". Finally the old man looked up.

"Say, he asked, "you know that song about the Buffaler Gals?"

After breakfast, the Special Agent, full of cawn pone, hominy and sidebacon, started back to town. The old man followed him to the door

"I reckon you're right in what you've been sayin'," he announced, "It wouldn't do my boy no good to keep on hidin't out. So you just leave it to me."

The Special Agent left it. A month later, the son surrendered.

And if fiddling is good at catching criminals, so is a knowledge of chicken raising and selling. Former chicken raisers posed as dealers, and

thus learned the restrictions being placed on New York poultry men several years ago by a large gang of petty racketeers. This was followed by the conviction of more than sixty men. In this case, there was another ally - the ability to speak the Yiddish language.

There are men in the Bureau who can speak Bohemian, Czecho-Slovakian, French, German, Hawaiian and even the Malay language -- sometimes the latter comes in handy along the water front. There are ~~Chinese~~ linguists, ~~and Japanese, as well as~~ Norwegian, Polish, Portuguese, Russian, Slav, Spanish, Swedish, Ukranian and the various Indian languages, both oral and sign.

A knowledge of the Apache language, even though too limited for conversation, played a great part in the solution of the murder of Miss Henrietta Schmerler, whose death on the White River Indian Agency in 1931, was a first page story all over the United States. She was a Columbia University student who had been sent from New York to do research work among the Apaches. Her decomposed body was found in a sandy gulch, and an Indian chase was on.

The Special Agent on this case was a Texan who had been a trapper, cowboy and sheriff; he had spent his life in the southwest and he knew Indians. At last he got a trail leading to a young Indian named Golney Seymour. There he was blocked. The Apache interpreters seemed unable to get him any more information.

But the Special Agent knew enough Indian talk to be suspicious of the interpreters. He fired them all and sent 90 miles away for Tom Dosela, whom he could trust. Tom wasn't afraid to ask what the Special Agent desired. Golney Seymour was arrested, and confessed that he had killed the girl because she had resisted his amorous advances.

Speaking of Indians, perhaps no men had greater need for courage than the Special Agents who investigated the sudden blight which fell upon various Indians in Oklahoma about ten years ago. Governmental payments for oil rights ~~was~~ were making the Osages inordinately rich. Then came mystery.

Indian after Indian died -- some from morphine poisoning, others from arsenic; a few were merely taken out and shot. The result was the indictment and conviction after four trials of a white man named William K. Hale, a former cowpuncher and cattle thief who had drifted into this country and become a millionaire from his dealings with the Osages. Hale, with his main confederates, was sentenced to prison for life. The plot had been to kill off various relatives of a confederate, Ernest Burkhart, Hale's nephew, who had married an Indian woman, thus bringing the head-right riches under Hale's control, through inheritance. All that has been printed. However, not much has been said of the means employed to catch him.

Never was there a more powerful man in his own locality than Hale. This was outlaw country. Here, sooner or later, gravitated every notorious outdoor criminal in the country; bank robbers, train robbers, highwaymen, and lesser crooks. Even among the law-abiding, tongues were stilled by fear of William K. Hale. As for the Indians, they did not know whom to trust.

Special Agents went into the country. One became an Indian medicine man, here in apparent search of lost relatives, gradually to work his way, through his ability to make medicine, into the confidence of the frightened Osages.

Now he was in the inner councils of the tribe. He was the advisor to whom the Indians turned -- they could tell him how Hung Buzzard got drunk and how white men took him to a supposed doctor, and how he never came out of the deep sleep which followed. How Henry Roan rode along one day with John Ramsey, only to be found later with a bullet in his brain.

Or perhaps some night, in the shadows, there would be stealthy signalling, followed by a meeting of Special Agents in disguise, on Dead Man's Hill, where many of the famous robberies and murders of the Southwest had been plotted. Here would come an insurance salesman who had concentrated on selling William K. Hale a life policy. An insurance man can ask personal questions without causing suspicion.

There was also a Texan cowman -- up in this country just to look 'er over. Maybe he might start a ranch here. Then too, there was a shadowy figure who seemingly had no occupation, and who went from place to place, asking no questions and giving no information about himself. After a time he gained an entry to various camps where men lay about, staring at the fire, and saying little about their past or their future.

Meeting after meeting followed on Dead Man's Hill. The derelict drifted through the scrub-oak, getting a handout here, or dropping in at some camp where horses stood saddled and bridled, ready for instant getaway. At last, word came from a hideaway in the hills. A bank robber convict named Blackie Thompson, now in prison at McAlester, knew a lot about the Osage murders. He was a friend and confidant of Burkhart.

Special Agents hurried to the penitentiary. The questioning lasted all day, all night, all day again and then another night. ~~Blackie Thompson~~ the convict broke. He had no connection with the crimes, but he knew their every detail. They brought ~~Thompson~~ him and Burkhart face to face. One screamed denials; the other insisted on his story. At last, Burkhart confessed.

That case meant two years of adventure. However, of all the cases in the Bureau's files, there is none more melodramatic than the case of Indian Charlie and the man whose father had been hanged for murder.

In a little Texas town, two boys were school mates. One was the son of worth-while parents, the other a youngster who must smart forever under the contumely of his father's execution. The other kids picked on the boy whose father had been a saloon keeper and who had killed a man. He was befriended by the well-bred boy.

School over, their paths parted. The well-bred boy moved to another town, went to college and entered the service of the United States Bureau of Investigation, at last to be stationed in Fort Worth. One day a man came to see him. He had heard his former acquaintance was in the service here; would he help him out in a marital matter? The Special Agent acted as a mediator -- and again lost track of his boyhood acquaintance. Years passed.

The last big oil boom came to Texas. Towns arose overnight. Black gold gushed from fields of slimy mud. Trucks rolled and careened along greasy roads; slab-boarded buildings sprang up out of the mire to house pool-rooms, gambling halls, and worse. Ruffians flooded into the fields from the entire United States. One day the murderer's son appeared again.

"I need help" he said. "A fellow asked me to help him hold up a train. the T & P No. 11, with the payroll on it."

The payroll meant more than $100,000 in cash, which was carried out monthly on Number 11. Immediately the Special Agent sought legal advice; the district attorney's opinion was that men could not be arrested for something which had not happened.

So a grim game began. Other Special Agents were hurried to the Field Agent's aid. The saloon-keeper's son was sent forth to gain what information he could and report anew. In the meantime, the heterogenous mob of ne'er-do-wells who had flooded into the East Texas fields was augmented by unshaven fellows who hung around pool halls, leaned vacuously against the wall in gambling parlors or bootleg joints — and who missed nothing.

At last through the tips of the informant, the surveillance narrowed to three men; J. L. Morris, a half breed known as Indian Charlie, W. T. Edwards, known as Billie Edwards, and A. K. Jenkins, called Skeete. Skeete was the man who had first approached the saloon-keeper's son; he was new to crime, and he talked. Not much. Only a hint now and then of what was going to happen. But it was enough to give Special Agents a line on whom they must watch, and from whom they could learn vital facts about desperate men.

It is a strange fact that all crimes are not hatched in utter secrecy. Sometimes many persons know it -- or have partial knowledge of it. A keen man working in those surroundings hears more than a person would believe. From here, from there, from the original informant, the plot at last was pieced together:

On the night of September 14th, when Number 11 pulled out of Fort Worth with the payroll, Indian Charlie would leap into the express car from a box car on an adjoining track in the yards. He would cover the messenger with his gun, tie him up, and then, when the train passed the water tank, two and a half miles out, kick out the mail bags containing more than $100,000 in payrolls to be picked up by his two comrades. Then he would close the express car door, cut the messenger's throat, and then, when the train started upgrade a few miles farther on, drop off and join his comrades in the cellar of an old house in the woods near Lake Worth where they would split the loot. Indian Charlie could do all that; the Special Agents were sure of it. He was a giant, with great arms and gorilla-like hands. His face showed the cruelty necessary to slitting the throat of a helpless man.

At 11:30 on the night of September 14th, Number 11 stood as usual on its track in the Fort Worth station. Conductor chatted with engineer, comparing watches and quarreling over a second's difference. Passengers grumbled about their accommodations. The train butcher began his bawling journeys up

and down the smoker. At last came the highball signal. In the combination mail and express car, the messenger sat as usual, with the door open.

The train gathered speed on its way out of the yards; at last to clatter past a line of empty, black-mawed box cars. Then, out of the night, Indian Charlie leaped straight through the door of the express car, his gun already sliding from its holster.

"Put 'em up!" he shouted. The messenger whirled from his desk, with his hands in the air. The huge bandit worked swiftly.

A coil of rope came from a loop at his waist. He forced the man to the wall of the car, commanded him to put his hands behind his back, and with lightning-like pulls and cruel jerks, bound him, and pushed him, impotent to the floor. Then, his swarthy features highlighted by the dim Pintsch lights of the old car, he turned to the mail sacks, swiftly sorting out the ones containing registered mail.

The train had rumbled over a bridge; it was only a few hundred yards to the water tank. Indian Charlie braced himself in the door. Then as the train roared past the tank, with a single push of a great foot, he sent the sacks, containing $100,000, out into the darkness. That done, he reached for the door.

It slid groaningly to its hasps. Indian Charlie pulled it tighter. Then with a swift glance about him, he slithered a long knife from his belt and with a stealthy crouch, started forward to cut the throat of the helpless messenger.

He never got there. There had been some packing boxes in the end of the car. ✓ Magically they had opened. Special Agents of the Bureau of Investigation, together with other law enforcement officers, had moved swiftly into view. Guns leveled, they shouted for the giant to put up his hands. He chose to shoot it out. But before he could pull the trigger, a burst of yellowish-red flame had come from the other end of the car. The great knees of Indian Charlie caved slowly. His gun hand relaxed; he sank to the floor in death.

Meanwhile at the water tank, the other bandits hurried to pick up the bags of money that they might rush it to the car which would take them to the old house in the woods. But they galvanized at the sound of voices from the darkness -- again there was the call of officers to "put 'em up". Billie Edwards swiftly drew his gun and fired; the bullet missed a Special Agent only by inches. The returning fire was more sure -- Billie Edwards joined Indian Charlie in death. Only one was left, Skeete, the novice. Shaking with fright, he stood with his arms high above his head, in surrender.

Thus ends the story of a Special Agent, who, as a boy went to school with another boy whose father had been hanged for murder. One never knows the future.

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THE SNATCH RACKET

By

Courtney Ryley Cooper

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THE SNATCH RACKET

By

Courtney Ryley Cooper

Kidnappers get at least one person every twenty-four hours.

The homes of the rich are today homes of fear. Even those with moderate savings are apprehensive. Citizens by the hundreds are sending to the Division of Investigation of the United States Department of Justice in Washington for non-criminal fingerprint cards, that their fingerprints may be on file for identification purposes if they suddenly should disappear. Men, women and children move carefully about in what should be an abode, but what is little more than a well-furnished cage. One must be careful in opening doors, or stepping across a sill; one must not open a window thoughtlessly, lest a burglar alarm be set off, bringing the riot squad.

The bulky man who paces in front of the house is a hired guard. The nurse who takes the children to school often is an armed, female detective. And in many schools a requirement of teachers is that they watch their wards on a safe start homewards, free from a call into some stranger's automobile.

Such is the fear of the Snatch Racket.

We believe that we hear about a great many kidnappings. The truth is that not one in twenty ever reaches the newspapers. That, in fact, is an ultra conservative statement. About twenty major kidnappings made the first page last year. Twenty times that number would be four hundred. Consider there-fore, the estimate of the National Crime Commission that there are three thousand kidnappings of all kinds, major, minor, kidnappings for ransom, revenge, possession and all other causes, in the United States every year!

It is an outgrowth of gangdom, and, in many cases, a highly organized business. True, there are amateur jobs, but they are in the minority. The Snatch Racket is too many-sided, requiring finger men, contact men, hideouts, money passers, and other specialists, for anyone but experienced, desperate men -- and women -- to make a success of it. To say nothing of the Better Brain which often directs the activities.

For instance, when Reo Verne Sankey, and Gordon Alcorn, the two remaining kidnappers of Charles Boettcher II, of Denver, were captured in January, the greatest disappointment of law enforcement officers was that they confessed at once. There was an air of urgency about their admissions, as though they desired to evade being asked questions. Then, while awaiting Federal trial in Sioux Falls, S.D., Sankey committed suicide. Again was there disappointment. Officers feel that Sankey cheated more than the penitentiary.

In police parlance, these men "confessed too quick". That usually means that a criminal is trying to evade punishment for some other crime, or to shield other persons who may have been implicated. The great game of the criminal and especially the kidnapper, is to

let someone go free. In several recent kidnapping cases, it would seem that this protected person was the higher up, the planner, the schemer who had thought out every angle of the job, and who would be able to use his brains in freedom to pull other jobs which would result in enough money for the legal and political pressure necessary to a parole or pardon for those already in prison. Crime works that way.

More, it is a matter of common underworld knowledge that many of the big mobs are concerned in some way with the kidnapping racket. The underworld also insists that not one gangland snatch out of fifty is ever reported to the police.

The best evidence of this is a case in New York where a Broadway detective got information that "something" was going to be pulled off by an underworld character. The detective did not know what this "something" was. The suspected person was trailed. He was found to be holding conferences with two New York policemen. More trailing followed. Then a mysterious tip, floating through the underworld, brought word that there had been a snatch.

No kidnapping report had been made to the police. Again the detectives took up the trail, to find out who had been kidnapped. They gained information that a widely known gambler was missing -- but could learn no more. They began to trail members of the gambler's family, finally to shadow the wife to a hotel where the detectives engaged rooms and cut in on her telephone conversations.

They overheard on the telephone that the gambler had paid his ransom and been released. They also learned where the gambler was at that moment -- hurriedly they sent a detail to make him talk. Then came the unusual instance of a snatch victim being questioned

until he confessed" that the underworld character and the two policemen had kidnapped him! Arrests followed and convictions. There are dozens of such cases every year -- of which the police know nothing.

When a gambler is kidnapped, or a racetrack man, or a boxing promoter, or a prize fight entrepreneur, the usual rule is to pay up and shut up. The mobs which make kidnapping a business are powerful -- often they have political affiliations. According to them, it isn't really a kidnapping. They merely take a man away where they can have time to make him understand they need money.

As an example, the proprietor of a number of New York speakeasies was kidnapped some time before repeal and held four days. The mob wanted $35,000. The speakeasy proprietor insisted that he didn't have the money. The kidnappers tried to change his mind by torture. They burned his feet with hot irons -- finally he was released on a payment of $10,000. The case never reached the newspapers.

Of course, the assertion can be made that such instances are only underworld "grabs", and that they have no part in the broader kidnapping picture. The opposite is true; the appetite of the snatcher is insatiable. If he is successful in a ten thousand dollar job, he wants the next one to net him twice that amount. Reo Verne Sankey, for instance, got a total of $60,000 for his gang by the kidnapping of Charles Boettcher II of Denver. At the time of his capture, he was planning to kidnap Boettcher again and for a greater ransom -- he had even written the note that was to be sent the victim's family.

The underworld, especially now, is not a good place in which to find large amounts of money. A twenty-five thousand dollar ransom is a big one, often the reward is far less. With from ten to fifteen members in the usual mob, there is not much to go around when

the money is split. With the desire for "real dough" the kidnapper steps from his usual routine into a different strata of society. It is believed that three major kidnappings in the last year, in which amounts up to $200,000 were obtained, were done by one gang, which formerly had confined itself almost wholly to underworld kidnappings.

Perhaps it would be just as well to add, as a warning to married men who stray from the proper paths, that there is another form of kidnapping which now if finding great favor. No one ever sees anything about it in the newspapers. No reports ever are made to the police. It is what might be called the "Badger Game Grab."

Everybody knows the old-time badger game, in which some man is taken to a woman's apartment and there surprised by the "irate husband" who insists on calling the police until his outraged feelings are mollified by money. That, in a way, has been a petty racket. The new one is much more remorseless and lucrative.

This time, there is no irate husband. The kidnappers simply walk in and take their man away. He has been watched for weeks, and the kidnappers possess plenty of blackmail material for which, under the ordinary circumstances, they could get a fair amount of money. But blackmail is a slow game. It gives a man time to thing things over. Sometimes, in order to save himself, he will confess to his wife -- and then with her forgiveness, lose any fear. The new game precludes that.

The victim is told that he will be killed if he does not supply a ransom. He is allowed to make all the telephone calls he pleases, and write as many checks on as many banks as he desires; the threat of disgrace will keep him silent about his abductors. Few men are going into court and give testimony that will not only

break up their homes but ruin their business careers.

The result is that more than one business man has telephoned his wife that he has a big deal on which requires cash. She in turn has sold securities to get that cash and forwarded it to her husband in another town, not realizing that she is sending him ransom to escape a gang of blackmailing kidnappers. At last with the ransom paid, he is free -- and silent. If he reports the kidnapping he must report also, all the circumstances which led up to it. Then, while he lies to his wife about how he lost his money in that "big deal", the gang which fattened on him turns, with its woman decoy, to a new victim. Taking into consideration the vast number of supposedly conservative men who become anything but conservative when pretty women begin working on them, perhaps the Crime Commission knew exactly what it was doing when it listed the kidnapping totals as 3,000 annually.

Thus the kidnapper thrives with the aid of secrecy -- case after case attests to it. Vincent Coll, gangster and alleged murderer, was one of those who turned to the snatch racket. His specialty was nether-world characters, such as "Big Frenchy" whom he kidnapped at the point of a machine gun, abetted by three other gangsters, also armed in the same way. He held "Big Frenchy" and got what he wanted -- $35,000. The story reached the police, but it was only one of some twenty Coll snatches which ever did get publicity.

Nor are such things confined to New York and the other big cities. James De Jute, Jr. was on his way to school in Niles, Ohio, one morning in March, 1932, when two men seized him, forced him into an automobile, and rushed away with him. The next night his father was alleged to have received an anonymous telephone call, demanding $20,000 ransom.

There was no trace of the boy, until a Youngstown, Ohio detective unearthed confidential information that the boy was being held in a "kidnapper's lair". This "lair" was near town, according to the informant it had been used for at least one other kidnapping.

The place was a bootlegger's house, about 100 yards off the road between Niles and Youngstown, and known as "Scotty's Place". The officers went there and knocked. There was no answer. They broke in. Apparently the place was deserted, but they found a schoolbook which had belonged to young De Jute. A pillow, mattress and blanket on the floor were still warm. The stove held the heat of a recent fire. The officers began, in the parlance, to tear up the place.

A barred door led to the cellar. They broke it open. No one was there. Then they began to test the walls. One portion seemed thicker than another. They sawed through the light partition -- and the first thing they saw was the white face of the kidnap victim. Then, to the command of their guns, the abductors themselves came forth. Two of them got sentences of life imprisonment, a third drew from one to twenty years. But none of them told of the other victims who might have been concealed in this place of secret doors and hollowed out basement receptacles.

There are some things about the kidnapping wave, secret and public, which strike an investigator as decidedly peculiar. No matter in what part of the country they may operate, no matter whether they whether they be members of a mob, ordinary criminals, or supposed amateurs, they all use almost identical methods. The victim is first "fingered" -- watched, catalogued and put on the spot in much the same manner that gangsters were selected for death in the gory old days

when boozesters battled for territory. The kidnappers seem to possess an uncanny knowledge of the best time and place to seize their victim. Their method of demanding ransom is usually the same -- either through a letter dropped at the house of a friend, or quick, jerky telephone calls in which the message is placed so quickly that there is no chance to trace the call. The methods of delivery of ransom are similar to a degree. They all bind the eyes of the victim with adhesive tape. They insist on money of small denomination without a recording of the serial numbers. And nearly all insist that all ransom notes be returned with the ransom money, so that these cannot be used against them as evidence.

It may mean that there is a certain free-masonry among kidnappers, in which successful methods of operations are passed on from gang to gang. Or it may mean that kidnapping, as a business, is carried on by comparatively few men -- men who have been advisers to gangs in the past, and who now are in a new racket, directing the dumb brutes who actually do the job and take the fall if they get caught.

A labor contractor in a mid-western city, received a telephone call one day from what seemed to be a highly respectable source. Would he be kind enough to meet a certain gentleman of the underworld on an out of town road? The contractor had met underworld characters before. He went to the designated spot accompanied by his body guard and machine gunners.

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

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

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

"Services rendered."

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

"You mean I slip you fifty grand or I get kidnapped. Is that the lay?"

"That's the lay," answered the gangster.

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

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

Continuing, when Charles F. Urschel, the Oklahoma oil millionaire, was kidnapped last summer, his captors were all men and women of limited education. Who then wrote the Urschel ransom notes, with such complicated phraseology as this:

"You will ride on the observation platform where you may be observed by someone at some station along the line between Oklahoma City and Kansas City, Missouri. If indications are alright, somewhere along the right of way you will observe a fire on the right side of the track (facing direction train is bound). That first fire will be your cue to be prepared to throw bag to track immediately after passing second fire.

"Mr. Urschel will, upon our instructions, attend to the fires and secure the bag when you throw it off; he will open it and transfer the contents to a sack that he will be provided with. So, if you comply with our demand and do not attempt any subterfuge, as according to the News you have pledged, Mr. Urschel should be home in a very short while."

That letter easily could have been a business man's instruct-

ions to a sales manager, or an attorney's letter to a client. It could in fact, have been the sort of letter to be written by almost anyone--except a person of limited education! When George (Machine Gun Kelly) Barnes went to prison as one of the kidnappers of Urschel, he boasted that he would be free in a short time. More than a third of the Urschel ransom money of $200,000 is still missing. Is there someone on the outside, someone who writes letters with almost legal phraseology, still carrying the flag for the gang that rests in prison?

"I hate to use the term 'Master Mind'", a government official told me recently, "but I am becoming more and more convinced every day that there are Master Minds in these kidnapping cases, and that they are persons so surrounded by legal and political protection that it is all but impossible to reach them."

This Master Mind, also, often is the "finger", the person more responsible for the kidnapping than the kidnappers themselves. The average criminal knows little of the habits of rich persons. He does not know how they live, often he does not even know where they live. He has little means of discovering how much money they possess, and their ability to procure cash. Many persons who are alleged to possess wealth are so hampered by real estate possessions, or defaulted bonds that they are, in reality, poor. But, if you have studied kidnapping cases you will notice that the ones abducted have all been able to dig up the cash. It would almost seem that their financial status had been inquired into deeply; the kidnappers seem to have an uncanny knowledge of just how much money to demand. They have gotten it in practically all cases except one -- and queerly enough, this case is one of the few in which the "finger" has been identified.

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

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

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

So, with this in view, perhaps there was more than mere supposition in my law enforcement friend's remarks about the Better Brains of present day kidnappings. Perhaps too, another inkling of why kidnappers know so much about their victims may be gained from the following:

A group of men from a mid-western section of the United States recently sought the advice of a nationally known investigator of criminal activities. They had received assurances of a subscription of $100,000, with which to start a sort of vigilante committee to combat kidnappers. They wanted advice regarding their first step.

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

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

For the first time in history, the United States Government is in a position to fight kidnapping. This was gained by the passage of the so-called Lindbergh Law in 1932, giving the Government jurisdiction in cases where state lines have been crossed. It also allows the Government to take an active interest in every abduction, on the theory that it may later involve violation of the Federal Statute. The result is that in twenty kidnappings since the Division of Investigation

of the United States Department of Justice, directed by J. Edgar Hoover, forty-three persons have been convicted at this writing. One received a death sentence, ten went to prison for life, and the other thirty two were sentenced to an aggregate of 405 year. The biggest haul of all came in the Urschel case.

Here was a man who started to help catch his abductors the minute he was snatched. He and his wife had been playing bridge at his home in OklahomaCity, Okla., with friends, Mr. and Mrs. Walter R. Jarrett when two men, one with a pistol and the other with a machine gun, walked into the house. They took both Urschel and Jarrett, robbing and releasing Jarrett about twelve miles outside the city. They then produced cotton, a short bandage and adhesive tape, blindfolding Urschel.

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

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

He remembered approximately the time of the first stop; 3.30 o'clock in the morning, when he was taken out of the car and made to wait in some brush until the car went into somewhere for gas. Again, in about another stop was made to open a gate, and approximately three minutes later, the car stopped again for a gate. One minute afterward the car drove either into a private garage or a barn. Sitting blindfolded in the

car, the kidnapped man catalogued the actions of his captors as they changed the license plates from the small car to a larger one, in which he was to be carried farther.

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

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

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

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

He fumbled about, as any blinded man would do -- and by so doing concluded that he was led through one room and into another. Here he was told, there were two beds. The one he selected was a single iron bed or cot; a kidnapper occupied the other.

He heard the voices of a man and woman in the next room. Then

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

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

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

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

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

Urschel was handcuffed to a chair. He felt the handcuff carefully for identifying features. He remembered everything he had to eat.

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

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

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

Now the case began to piece together. Two suspects had been George Kelly Barnes, known as Machine Gun Kelly, and his wife. Investigation showed that Kathryn Kelly was the daughter of Mrs. R.G.Shannon who lived near Paradise. A Special Agent was sent there. Under a pretext he got into the Shannon home -- it matched the description given by the blingfolded Urschel. He went on then to the nearby ranch of Armon Shannon, a son. There he saw the tin cup, the bucket-pulley well, the cows, chickens, and hogs described by the kidnapped man. Further he

learned that George and Kathryn Kelly had been in the vicinity recently--and remembered Urschel's observation that he had heard a man and woman who shortly afterward had departed.

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

Two things made this possible -- Urschel's coolheadedness and determination to prosecute, and a lack of publicity regarding what he had learned. In that regard, the wise family of a kidnapped person these days, does not telephone the local police. Instead a direct call is put in for the Division of Investigation, National 7117, Washington, D.C., where an agent of the Division is on duty night and day, waiting for just such calls as this. Immediately that call is received, J. Edgar Hoover, The Director, is notified. And within ten minutes after that notification, a Special Agent of the Division is on the way to the victim's home. If distance intervenes, the Agent covers it by airplane.

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

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

One of the greatest difficulties of every Chief of Police solving crimes these days is the insatiable demand for news. Citizens

demand it, yelping to the newspapers. The newspapers themselves, being servants of their subscribers, yelp in turn to the police, sometimes even threatening. This failing, owing to the terrific demands of competition, they may resort to every possible subterfuge to obtain information concerning the actions and plans of officers, persons under suspicion and descriptions of those being hunted. Thus they become a mine of information to the kidnappers making capture that much more difficult. If you'll notice, crooks are usually caught after the publicity of a case has died down. And if you'll reflect that you, in your avidity for news, form one of the reasons why newspapers often become involuntary aids to criminals, you may be more lenient about a dearth of news in the next big case that comes along.

Half the job in a big crime like a kidnapping is "fighting off the newspapers". There are fake telephone calls, supposed to come from close friends or even officers -- in the Bremer case in St. Paul in January, one newspaper woman even tried to gain access to the house disguised as a nurse. As for the Lindbergh abduction, it was necessary to issue an appeal to the newspapers to pull off the hordes of men who almost trampled each other down in the search for news.

Which brings up the question of whether the Lindbergh case ever will be solved. It brings up also some necessary explanations of the status of that case, and "why the United States Government, which has been so lucky with other cases, doesn't do something about it."

The Lindbergh kidnapping was, is and will be a purely local affair. When the baby was taken, there was no such Federal law as now exists. J. Edgar Hoover, head of the successful group of men who have solved so many kidnapping cases since 1932, has never even been in the Lindbergh home, or anywhere near it. In fact, he has had the Government's

angle of the case directly under his control only since last October 19, when it was placed there by order of President Roosevelt.

Even now, the United States Government works on the Lindbergh kidnapping only in an assisting way. It does not possess the original evidence, nor the original files, which are the property of the State of New Jersey, where they remain and will remain under the jurisdiction of New Jersey officials. But that does not mean that there is a lack of Federal interest.

There has been Federal activity, ever since the crime. But owing to insurmountable difficulties, that activity has not been wholly in the Division where it now rests. With the Presidential order of October 19th, it was possible to co-ordinate all Federal investigations under the one head -- and instantly the Division of Investigation went into action.

A special office was set up in New York and three men assigned to day and night work. Another office was set up for the same purpose in Washington, with two more men on the job. A special order went forth to more than three hundred special agents to make the Lindbergh case a matter of primary investigation. No clue, remote or not, must be neglected. Every criminal, whose career in the slightest degree suggested kidnapping, extortion or allied crimes, must be questioned incisively as a Lindbergh case suspect.

There was a great deal of excitement in February when it became known that Reo Verne Sankey, arrested for the Boettcher kidnapping, was being interrogated concerning the Lindbergh crime. It was not unusual. Every person arrested on the slightest suspicion of kidnapping affiliations is questioned. The handwriting of every man and woman convected, arrested or even suspicioned of kidnapping in past years, is being examined --

recently in one month alone, more than three hundred such samples passed through the Crime Laboratory of the Division of Investigation at Washington, that they might be compared with the ransom notes in the Lindbergh case.

Hardly a day passes, even now, that letters and "tips" are not received in Washington. One by one they are run down, laboriously traced to their conclusion and catalogued. It was said that Reo Verne Sankey's boy resembled Charles Augustus Lindbergh, Jr. Immediately a Special Agent was sent by airplane to the Sankey ranch in South Dakota in an effort to verify the rumor. The child bore no resemblance to the Lindbergh baby.

It is a process of slow elimination. There were thousands upon thousands of tips and rumors; every one of them is being judged, checked and re-checked. It is the greatest work of reconstruction in criminal history.

Here is the proverbial haystack, with only a possibility that the needle may be hidden there. Even if that needle should be found by the Federal forces which are at work upon it, the case would not be one for Governmental action. The so-called Lindbergh Law is not retroactive; the case always will be a state one. Nevertheless, the Government remains doggedly, persistently on the search.

It has a single hope. Out of the thousands upon thousands of rumors, suspicions, beliefs and theories which are to be sifted, there may be one which was not run fully to its conclusion -- the one that will result in a solution of the crime. Therefore, that the right clue may have a chance of being brought to light, every clue must be chased down, until no other clues are left. That may take years.

But it will continue, remorselessly, night and day. And

there is a saying that the Division of Investigation, like the Royal Canadian Mounted Police, gets its man.

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THE ROOTS OF CRIME

An Interview With

J. Edgar Hoover, Director, Division of Investigation

United States Department of Justice.

By

Courtney Ryley Cooper.

* * *

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The best way to get rid of noxious weeds is to pull them up by the roots. The same is true of crime. Let me illustrate:

When a big criminal shoots his way across the front pages, the public all too often looks upon him as an entity, believing that with his capture, a serious menace to society will be eliminated. That is not entirely true.

The stalk of the weed has been cut down, but the roots remain. Queerly enough, they are at the same time, a parasitical growth, which, by fattening on the criminal give him the strength and security necessary to his existence.

They are the crooked doctors, lawyers, nurses, beauty shop operators, fences, politicians merchants, hideout owners and a dozen other forms of sub-criminality upon which major criminality depends for safety. Not until there is a general realization that one cannot harbor, aid, assist, sympathize nor consort with crime, will a marked step forward be made in the elimination of major lawbreaking. The Division of Investigation of the Department of Justice, under Attorney General Homer S. Cummings has adopted an unrelenting attitude toward that end.

Here is a good example of what I mean: Some years ago, a man who was known as a fence, or dealer in stolen goods, approached a bank president. This fence suggested that any time the president needed money, the best way to get it would be through a fake robbery of his own bank. The fence would furnish the robbers to hold up the bank, and make arrangements for the disposal of the loot, all for a commission. The offer was refused.

Some years later, however, the banker and his cashier needed money. They put their problems up to the fence. Shortly after that, a visitor appeared at the bank, bearing an introduction from the fence and saying that he was one of three men selected to do the actual robbing which would happen as soon as the two other outlaws were freed from jail.

This came about shortly and the bank was robbed in true bandit style, some $70,000 in bonds and currency being stolen. However, the cashier had made the mistake of keep-

George C. Robertson
Case, Chevrysale, Kas.

ing some of the "missing" cash. This was discovered and an investigation followed.

More than a dozen persons were directly or indirectly concerned in that robbery. There was the president, the cashier, the three bandits, two of whom were killed in a genuine hold-up shortly afterward, the wives of the robbers who acted as lookouts, a farmer and his wife whose home the bandits used for a hideout, two lawyers who assisted in the sale of the stolen bonds, two dealers in "hot" collateral and other persons into whose hands the securities passed; the trail of the loot led all the way from Old Mexico to New York City. Yet when punishment arrived, the only persons who paid were the one living robber, the president and cashier of the bank, and a man who had sold $11,000 worth of the bonds at 65 cents on the dollar to another underworld character, for which he was fined $500.

Thus we have a perfect picture of what I mean by the weeds and the roots of crime. In a way, the president and cashier were not the real criminals although they committed a criminal act. They were the stalks. The roots of that crime, if confessions were correct, were the fence, the lawyers who advised the crooks, the hot bond salesmen, the persons who operated the hideout. Even the actual robbers were no more guilty than their wives who had acted as lookouts for them and who aided in their escape. Nor did the sentencing of the actual persons directly involved give any insurance that the same thing could not happen again and again. The

real machinery of conspiracy remained free.

One great reason for this lopsided justice was public opinion. Criminals, big or little, are convicted by juries, and if the limelight on the chief actor in the criminal drama blinds them to the guilt of others, the hands of a prosecutor are tied. Therefore, it is our job to show that the big criminal often successfully commits his crime with aid from smaller ones, and that all too often, his escape from justice is almost entirely due to them. Let me amplify:

Several convicts "crushed out" of a midwestern penitentiary a few years ago. According to ordinary knowledge, they merely escaped. It is not possible for the average person to look behind the scenes and realize that almost every prison break, in the first place, indicates either nonfeasance or malfeasance in office.

Secondly, contacts must be made from the outside. Guns must be smuggled in, with or without the collusion of guards, hiding places must be arranged, transportation ready, lawyers in waiting if the crook gets caught and a quick habeas corpus action will stultify the law. Sometimes the territory outside the prison is unfamiliar, necessitating maps which must reach those inside the walls before the break.

Such arrangements were necessary in this particular prison break, yet I have no knowledge of the outside organization being punished for its act. The Urschel case is a good example in the opposite direction.

Charles F. Urschel, an oil man, was kidnapped in Oklahoma City, Okla., July 22nd, 1933. It was established that three men and one woman were the actual conspirators: Harvey Bailey, an escaped convict, George Kelly Barnes, an ex-convict known as Machine Gun Kelly, his wife Kathryn Thorne Kelly, and another hardened criminal, Albert Bates. These were the stalks of the crime, the limelighted ones. Surface justice would have been done if they had been convicted and sent to prison. But justice, to really get the jump on crime as it exists these days, cannot be superficial. It must dig deeper.

Bailey, the Kellys and Bates could not have kidnapped Mr. Urschel and held him for ransom without a vast amount of aid. There must be somewhere to hide him, someone to act as guard, hideouts where the crooks could remain under cover, other places where they could secrete the ransom money, persons to be bribed to allow escape if they were captured, conspirators to shove that "hot money", which otherwise would be valueless. So this is what finally resulted in the Urschel case, beyond the conviction of the principals:

Investigation showed that during the flight of the Kellys, they had been housed and protected by Cassey Earl Coleman and Will Casey at Coleman, Texas, where $75,250. of the ransom money was hidden. Further in the flight, J. C. Tichenor and Longford Ramsey sheltered the Kellys in Memphis. R.G.Shannon, Ora L. Shannon and Armon Shannon, father, mother and brother of Kathryn Kelly had acted as guards when Mr. Ur-

school had been held in their house near Paradise, Texas. Harvey Bailey escaped for a time from the "escape proof" jail at Dallas, Texas, by means of guns and a gun bought by Grover C. Bevill of Dallas and smuggled to Bailey by Thomas L. Manion, a deputy jailer. Ransom money turned up in Minneapolis, where it had been handled by two underworld characters, Edward Barney Berman and Clifford Skelly. These persons were all convicted, the sentences ranging from one year to life.

Thus, while a kidnapping really was conceived and engineered by four persons, at least eleven others were necessary to its success. Yet it was not a gang. "Organized crime" as imagined by the average person, with a supercriminal at its head, and underlings taking the orders, is largely a myth. It amounts to just this: a reputable man knows where to get reputable things done and a crook has the same kind of knowledge in the field of criminality. So, as the need arose, these major crooks called minor crooks to their aid. Only by obtaining convictions against such persons, can big crime be deprived of adjuncts as necessary as a grocery store to a householder.

Incidentally, the Urschel case is the answer to the oft heard plaint that America should have a Scotland Yard. With all obeisance to this great English municipal police force, it does not have jurisdiction throughout England or the British Isles. It is in reality, simply the Metropolitan Police Department of Greater London, one of 187 police forces throughout England and Wales. The only time it has juris-

diction outside the city of London is upon rare occasions when members of its criminal identification department are invited by some local police department to aid in the solution of a particular crime. This happened only six times during the last three years. Therefore, its normal scope is an area of about 700 square miles and eight million population.

Compare that with the activities of the Division of Investigation. In one single month of the last year, this Division was engaged in investigative activity in 14,856 cases spread over an area of 3,619,596 square miles with a combined population of 126,000,000. In the Urschel case alone, more territory was covered in running down the various participants than is contained in the British Isles, plus a generous slice of Europe. Agents were flown from city to city, ranging from Birmingham and Memphis in the South to Minneapolis in the North and Denver in the West, crossing state lines with the same freedom that a city detective goes from one ward or precinct to another.

Also there is a comparison in the personnel; this year a class of college men is being initiated for the first time into Scotland Yard in an endeavor to improve its efficiency. The Division of Investigation for the last ten years has required all applicants to be either highly trained investigators, expert accountants for such tasks as the Insull case, or graduates of recognized law schools. Of its 515 agents, 362 have college degrees. Why should law-trained

men make good investigators? The answer is easy:

For one thing, a knowledge of law is not the only necessity. There also must be courage, freedom from political domination -- the Division of Investigation is a non-partisan body -- resourcefulness, alertness, determination and physical fitness. The college degree insured education, adaptability and the ability to assemble and present evidence with the same eye to conviction as displayed by the attorneys for the defense in working for acquittal. It is a law enforcement axiom that the courtroom always has been the criminal's greatest and easiest avenue of escape. That is not true when the case is presented by the Department of Justice.

Beyond this, there is the Division of Investigation training school. The applicant is taught all branches of finger-printing. He learns all worthwhile methods of interrogation, the segregation of clues and leads, the necessity of gaining every possible bit of characteristic information about a wanted man, his habits, his relatives, his friends. He is schooled in patience and the prime need of a certain dogged ability to wait, months and years if so compelled, to get his man. He is given a course in scientific crime detection, as practiced in the Division's Crime Laboratory, where one may find everything from binocular microscopes for the examination of handwriting to the use of ultra-violet rays for the discovery of otherwise non-discernable blood stains.

He learns to shoot; a law enforcement necessity

in this country where 12,000 citizens are murdered every year, 100,000 assaulted, 50,000 robbed and 40,000 homes burglarized. The average police department has an annual training period on the rifle range. The personnel of the Division of Investigation goes there once a month. The result is that of the 515 special agents, a majority is expert with one or more weapons. 404 are qualified pistol experts, 345 have received special instruction in the use of the Army rifle, 355 are adept with the automatic shotgun, 265 are trained machine gunners and 97 have received instruction in the use of tear gas guns. All this is exclusive of a class of embryo agents now undergoing training. Much of this has come about since new laws, enacted at the last session of Congress, gave the Division power to equip itself with armored cars, bullet proof vests and the fast shooting equipment which, for a long time, was possessed by the underworld, but denied the Federal men who must chase them. Before that, the equipment consisted of a sparse supply of pistols and a few rifles and machine guns confiscated from the underworld. All that is changed now, and Scotland Yard, again with due obeisance, has nothing to compare with it.

The Division of Investigation is purely an American law-enforcement agency, built up for American problems of desperation, resourcefulness and distance. Yet it must be understood that this is not another fallacy of well-intentioned suggestion makers on how to end crime -- a National Police Force.

To my mind, one of the worst things that could

happen in the field of crime prevention would be a nationalization of police. The municipal and state forces are, and must remain, the first line of attack. The Division of Investigation, especially under the new powers given last year by Congress is in reality a Division of First Aid. Local police forces are better able to deal with local problems. But when crime, by the swift means of transportation now available, steps out of local jurisdiction, it must be met by an organization of wider authority. A good example of this lies in the story of the first prosecution under a new law.

Until recently, it was a Federal crime if an officer embezzled money from a National bank. But if a hold-up man walked in the front door of that bank, shot the president, stole all the money and even shot and killed a Federal agent on the way out of town, that was strictly an affair for local prosecution. Congress, at the last session, made it a Federal offense to assault a Federal officer; likewise a Federal crime to rob a Federal bank, or members of the Federal Reserve System.

One day last June, a man walked into an automobile salesroom in Los Angeles and asked the price of cars. It is quite possible the salesman's replies were somewhat disjointed; his first glance had brought up an arresting memory. Less than a month before, this salesman had watched his prospective customer speed away from a nearby branch bank, with a teller firing a revolver in his wake, and all the other attendant excitement of a bank robbery.

There was no chance to notify the police. The customer left the establishment and the salesman carefully noted the license number of his automobile. It was turned over to the office of the Division of Investigation in Los Angeles and the chase began. Less than a week later, police and Federal agents went to a filling station in Salt Lake, Utah, and arrested its proprietor Charles Erb Rodding, an ex-convict, who confessed to six holdups, all in Los Angeles.

His scheme was one of the speed ago. He would leave his filling station in Utah, drive across the state, through Nevada and down to Los Angeles, pausing only long enough to rob a bank. Then he would return immediately to his filling station and take up his regular duties. His arrest in a Federal Statute precluded any fight against extradition and the man soon was sentenced to prison.

The foregoing is a good example of a real lone wolf vastly different from the criminals who get that name in the newspapers. Indeed, they may be alone in their robberies, or holdups, but they are well supported by what the proceeds of their crimes will buy. The ramifications of the underworld are amazing; I am reminded of the case of Frank Nash.

Although Nash's criminal career has begun long before, he came into the Federal picture in 1924, having been received as a prisoner at Leavenworth Penitentiary on a charge of assaulting a mail custodian. Six years later, he escaped, and shortly thereafter began the weaving of a web of criminal association.

It was an interesting career. Nash went to Chicago, where he fell in with former inmates of the penitentiary. Soon he was engaged with them in a series of bank robberies. Two of the men were Francis L. Keating and Thomas Holden, who also had escaped from Leavenworth. Then Harold Fontaine, another convict, was released from the prison.

The public likes to think of a spiritless convict stepping forth from the grey walls of prison with nowhere to go, without friends, with the burden of his crime heavy upon him. That may be true of the casual criminal; for the real crook, conditions are different. Fontaine evidently knew where to find Keating, Holden and Nash, and carried with him the details of a plot to arrange a prison break at Leavenworth by shipping guns and dynamite into the penitentiary, concealed in a barrel of shoe paste. This was done. The break followed, in which the warden was shot and badly wounded. Three of the six escaping convicts committed suicide rather than submit to capture, and the remainder apprehended, one being wounded and the other nearly frozen and delirious from exposure.

The trail of Nash goes on. Some time afterward, Keating, Holden and Harvey Bailey were arrested on the Old Mission Golf Course in Kansas City. Keating and Holden went back to Leavenworth Penitentiary, while Harvey Bailey was sent to Kansas State prison at Lansing, for bank robbery.

Again a prison break happened, this time at Lansing. Eleven convicts escaped, among them Harvey Bailey, and a

killer named Wilbur Underhill. As in the Leavenworth break, this "breakout" had been accomplished by the aid of guns smuggled in to prisoners, and Nash was blamed as well as two gangsters now being sought for inquiry into a kidnapping.

Four of the eleven escaping prisoners were caught almost immediately. Two more were killed during a bank robbery six weeks later, and the rest, for the moment, remained free.

At last Nash was arrested by Federal agents in Hot Springs, Ark. and started back to Leavenworth. As local and Federal officers were putting him in an automobile at the Union Station in Kansas City, a band of assassins stepped forth, armed with machine guns and made an attempt to liberate the prisoner. Four officers were killed, Nash was slain, and two other officers, wounded.

Evidence pointed to Wilbur Underhill, Vernon C. Miller, a machine gunner for various gangs, and Pretty Boy Floyd as being the actual slayers. Underhill was killed by Federal agents in Oklahoma last year, Vernon Miller was murdered near Detroit, apparently by his own associates because, according to rumors, the Federal chase was too hot, endangering all members of his gang. Pretty Boy Floyd recently fell before Federal bullets in Ohio.

Meantime, another member of the convict band, Robert Brady, who had been caught only to escape again, was killed by police officers in Kansas. Bailey was sent to prison for life for his part in the Urschel case and two

other convicts have been recaptured and are serving life sentences.

That should be an end to the Nash story, but it is not. Women who had sheltered Miller were sent to prison. A man sought by Federal agents for having aided him, was murdered by the underworld. Other persons in Oklahoma who had harbored Underhill received sentences. Seven more are indicted and awaiting trial on a charge of conspiracy in the Kansas City massacre.

How many others might have been the tools of Frank Nash is impossible to determine; someone practised plastic surgery on him, and others aided in hiding and disguising him. But forgetting those, the totals in the Frank Nash case are spectacular. Within four years of his escape from Leavenworth, he had been one of the primary causes in the deaths of thirteen persons, the wounding of three, and indictments for seven others, while the search still goes on for more who may have been implicated.

The Dillinger case forms another excellent example of how great crime grows on small crime. A person may read in a newspaper that a bank was robbed of $10,000 by two armed bandits. The mental picture is of an exciting event, a hurried getaway, and of two men sitting at a table, splitting up ten thousand dollars between them. Instead, sometimes as many as twenty or thirty persons get a part of that money. The following recital, I believe, will prove it.

John Dillinger was arrested in Ohio, on a suspicion

of bank robbery, September 22nd, 1933. Shortly afterward, three convicts, Harry Pierpont, Russell Clark and Charles Makley, whom Dillinger had aided in escaping with others from the Indiana State Prison, entered the Sheriff's office at Lima, Ohio. They killed the sheriff, and freed Dillinger. Later, the four were recaptured at Tucson, Ariz., together with three women, who later were released.

Apparently here is a case of four criminals who tried to beat the law, and failed. In fact, only one of them still lives, a lifer in Ohio State Prison. One was executed, one killed in an attempt to escape and one shot down by Federal agents. To the casual viewpoint that should be sufficient for justice. It was just the beginning.

Let us dig a bit deeper in John Dillinger's career and see how relatively unimportant he might have been, had he been denied the underworld support which made his activities possible. In the first place when Dillinger, himself a paroled convict, aided in the escape with five others of Pierpont, Clark and Makley, a number of things were necessary. Guns must be purchased. Who sold them to a paroled convict? Transportation must be ready, hideouts arranged, cover-ups planned.

Again, when the arrest came at Tucson, and the women who accompanied those men were returned to Indiana, they were released. It was not done through any desire on the part of the police to set them free, but from the belief that it would be almost impossible to obtain a conviction

against them. Yet at least one of those women was highly important in the supporting cast of crime. Her name was Evelyn Frechette.

To go further. Dillinger was placed in jail at Crown Point, Indiana, to await trial for the murder of a police officer at East Chicago, Indiana. He escaped, supposedly by brandishing an imitation gun, made of wood. When he stole the sheriff's car, in which he crossed a state line, thus making it possible for the Division of Investigation to get on his trail. Before this, no Federal statute had been violated.

This argument is not concerned with the chase which followed, ending with the killing of Dillinger in Chicago. It relates to the factors which made that chase long and difficult. He must have weapons, for one thing. Some he stole. Some he bought. It was established that they came from a certain unlicensed dealer.

He must have hideouts. These were arranged by women, among them Evelyn Frechette, Helen Gillis, Patricia Young, Marie Marion Comforti, Jean Delaney, Opal Long and Bessie Skinner, all sweethearts of various members of the gang and including those who were arrested with Pierpont, Makley, Clark and Dillinger in Tucson. All have been convicted of conspiracy to harbor a criminal and have received sentences ranging from six months in a workhouse to two years in Federal prison.

Federal agents and city police trapped Dillinger in a St. Paul apartment; he shot his way out, himself receiving a bullet wound in a leg. Therefore he needed a secretive doctor. Evelyn Frechette hurried for advice to Edward Green, an ex-convict and a former member of the Nash gang which I mentioned previously. Green recommended Dr. Clayton E. May, an abortionist, who sometimes deviated from his chosen vocation by treating criminals. Arrangements were made. Dillinger was treated and sheltered in Dr. May's apartment. Dr. May, incidentally, received a sentence of two years in prison.

The outlaw needed a go-between to arrange various "business" matters concerning political help, legal advice, treatment of other wounds received during a bank robbery and contact with various other members of his gang. This was almost immediately available in the presence of one Albert W. Reilly, a bodyguard for a St. Paul racketeer. He has been sentenced to a year and nine months in prison and fined $2,500.

Money can get a criminal almost anything. When Evelyn Frechette was arrested, following Dillinger's escape in St. Paul, the murderer promptly made arrangements for the woman's defence. The initial fee was $500. A go-between took the money, and such is the underworld that the go-between helped himself to $150. of it before he got to a lawyer's office.

On and on goes the story. Dillinger was losing much of his bravado now. As he expressed it, the "G heat"

was terrible. "9 heat" is an underworld compliment to Federal agents; it means that the United States Government has taken up an unrelenting pursuit and that the trail is getting hot. In desperation, he got the idea that perhaps he could escape by having his face lifted, and his fingertips altered to hinder identification.

An underworld hanger-on named Arthur O'Leary, made the arrangements. Not only one doctor was available, but two; Dr. Wilhelm Loeser, a parole-violator from a Federal narcotic conviction, who was to be the operating surgeon, and Dr. Harold Barnard Cassidy, to be male nurse and administrator of the other; Dillinger said that he wanted to be put to sleep. The price was $5000.

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

John Dillinger lay on a bed in Probasco's slatternly home. Water splattered in the bathroom as the ex-convict surgeon washed and re-washed his hands for sanitation. Details had been fully discussed -- to remove a small scar between the nose and the upper lip, to operate on a dimple in the criminal's chin, to take away two moles from between the

eyes and one from the left forehead, to eradicate a small depression from the bridge of the nose and by slicing the cheeks at the hair line, raise and tighten them.

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

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

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

"We'll use local anaesthetic from now on," said the surgeon jovially.

I often wonder what might have happened if that first aid had not been given. Could the underworld have been sufficiently resourceful to have covered up Dillinger's death, perhaps dumping his body beside some roadway at night?

Or, in the deep consideration which crookdom seems to possess as long as there is money to pay the bills, could the influence of stolen money gone even further -- to the procuring of an undertaker, and a secret burial?

In a case which holds the Division of Investigation's interest, there is every reason to believe that a certain hunted man is dead -- except the proof. Rumors have reached us time on time. In the Identification Unit here in Washington, where more than 4,500,000 fingerprints are on file, it is not at all unusual to solve the mystery of unidentified dead by the fingerprints. But no fingerprint has come in of this muchly wanted man.

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

Therefore, to rid ourselves of the big criminals, it is necessary to uproot the whole field. We are proceeding upon that basis, and the sooner that the public gives its

assistance by remembering that a conviction for the satellites of crime is as necessary as the jailing of the main offender, the sooner law enforcement officers will be able to make crime thoroughly unhealthy.

In the Dillinger case, as I said in the beginning, there were presumably only four men directly involved -- Piorpont, Makley, Clark and Dillinger. Yet, exclusive of those men, four others have died by shooting, one committed suicide, convictions have been gained against nine persons who helped the man, and fourteen other indicted men and women await trial. I think that proves my point, that all of crime does not appear on the surface.

There still remains too much of a holdover from the olden days when injustice brought about a certain amount of romance in the hiding of a wanted man. That day is gone. The Division of Investigation has good reasons when it starts after a man, as is attested by the fact that the average of convictions runs well above 90 percent; last year it was 93.81. Until the expansion granted last year by Congress, there were handicaps which prevented the Division's crime campaign from becoming warfare. Those handicaps have been removed; there are now the necessary forces of personnel, weapons, transportation and statutes. And perhaps by turning up the foul ground, it may be possible to remove some of the morbish sentiment about so-called "lone wolves", "phantom bandits" and the like.

Pretty Boy Floyd, for instance, was the object of

great admiration as long as he had the cash, the influence, the money-motivated satellites to provide him with whatever he needed, from medical assistance to a hide-out. But when he fell before government bullets in an Ohio cornfield, the picture suddenly changed.

? After all, there is little romance in a dead rat.

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SURROUNDING THE SUSPECT

By

Coroner Sylvy Cooper

ALL INFORMATION CONTAINED
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DATE 8-21-84 BY 8269 WKB/kg

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From
Courtney Ryley Cooper
The Hay Adams House
Washington, D.C.

SURROUNDING THE SUSPECT

By

Courtney Ryley Cooper

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8-21-84 BY 8269 wks/dlg

The plaint of the average citizen in recent years has been that too many criminals escape, either from arrest or from the courtroom. Therefore, the methods of a tremendous law enforcement organization which not only gets almost every man it starts after, but convicts him after it gets him, become worthy of recital. This agency of course, is the Division of Investigation of the United States Department of Justice, as it has been built up in the last ten years under the directorship of J. Edgar Hoover.

Mr. Hoover is a comparatively young man, in fact, just looking at forty. The underworld, however, calls his Division "The Old Guy With The Whiskers," thereby typifying the power, the inexorability and resources of Uncle Sam. As far as big criminals are concerned, the average of convictions is almost perfect; only the fact that many lesser law-breakers are often arrested with the main offender and that juries, even judges, are pre-

disposed to leniency in such cases, reduces the percentage. In spite of that, the Division of Investigation has a conviction record of 93.81 out of a possible 100, which, when one considers the results of county and state prosecutions, approaches the miraculous. The reasons are to be found in the intricate workings of this branch of governmental activity, which functions in every state and United States possessions. No matter what problem may arise, there is a machine or a formula, a means of identification or a scientific procedure, a time proven method or a specific man with a specific training to fit the job. As an example:

There were no clues when a Special Agent of the Division of Investigation arrived at the Whiteriver Indian Agency, some ninety miles northeast of Globe, Arizona, to investigate the death of Henriette Schmerler of New York City. A student in the Anthropology Department of Columbia University, who had been assigned on funds provided by the College, to study the lives of Apache women and children. Shortly after her arrival at Whiteriver, circling buzzards had led Indian searchers to a small canyon where they found her body, stabbed and mutilated.

Seven Indians had been arrested as the possible murderers, only to be released. Some thirty other Apaches and white persons had been questioned, all to no avail. The Indians themselves had adopted a slogan which they passed from one to another: "Indian no talk, white man find out nothing," except when they tried to fasten the guilt on some nearby Navajos. Yet within a comparatively short time, the Special Agent had his man, Gelney Seymour, who had not hitherto been under suspicion. The Apache confessed that he had killed the girl when she resisted his attentions as they rode to an Indian dance.

The solution, as it often happens in Division of Investigation cases, lay in Mr. Hoover's selection of the man to break the mystery. The roster of 593
the ~~528~~ Special Agents, reveals on the surface that more than 65 per cent have

had legal training or are expert accountants. Nothing, however, is said of prior occupations.

So, instead of a mere group of lawyers and accountants, the Division is composed of men who can instantly revert to a former life as farmers, ranchers, or prison workers, newspaper reporters or post-office clerks, aviators or carpenters. One finds/ chauffeurs in the list, boiler makers, deck hands, oil workers and telephone men. There are others with training as tractor drivers, electricians, mechanics, lumber camp workers, insurance men, or amateur and professional athletes. Even life guards, mine foremen, radio operators, seamen, telegraphers, printers and painters appear in the card files, together with a half hundred other vocations. In the Schmerler case, Mr. Hoover called upon a Special Agent who had been a trapper, cowboy, sheriff and all-around Indian expert, sufficiently expert in fact, that during one investigation in Oklahoma he posed for months among the Osages as a medicine man and took part in their tribal councils. He knew Indian psychology, and Indian customs. He knew when to ask discreet questions and when to remain silent, meanwhile proceeding upon a course of ingratiation. At last the Apaches began to trust him. One secretively told him a rumor, to be substantiated through others, these rumors leading closer and closer to facts. Finally, the Special Agent brought in Gainey Seymour and instead of asking him questions, told him, move by move and action by action exactly how the Apache had committed the murder. The superstitious Indian could think of only one explanation---white man magic. He confessed and went to prison for life.

Even in this comparatively simple case, there had been a wealth of supporting efforts. Special Agents in New York had conducted investigations to learn if Miss Schmerler had mentioned anyone in her letters who possibly could have committed the crime. There had been queries as to any money or jewels which might have provided a motive; of necessity her every associate

had been checked to preclude the theory that someone might have followed her from New York and committed the murder in such a way that Indiana could be blamed. The obvious must not be taken for granted; the Division of Investigation believes as thoroughly in proving innocence as in establishing guilt. Thus, when a case comes to trial, defense attorneys cannot lead the evidence into a morass of suspicions against some dark horse. Special Agents have been over all that ground and can prove it barren.

As a rule, much of this work is done in close co-operation with local law enforcement agencies; often the actual arrest falls to city police on identification as furnished by the Division's fingerprint bureau, recently described in The Saturday Evening Post. Or perhaps the pick-up has come as the result of the "Fugitives Wanted Bulletin," which once a month travels from Washington to every law enforcement agency in the country, and which carries, in addition to the names and aliases and descriptions of major criminals, a reproduction of one fingerprint; further identification to be made when this matches a corresponding one in a suspect. However, arrest, in actual criminal catching, is only the beginning. Perhaps the example of some stolen pistols and the complications to which they led may afford an example.

First, however, a prelude. A number of years ago, a young man named Johnny Lazia walked out of Missouri Penitentiary, pardoned as the result of activity by influential persons in Kansas City. He became a part of a political machine and steadily grew more powerful, gradually centering his attentions more and more upon the police department. At last it was rumored in the underworld that any friend of Johnny Lazia need have few fears of prosecution. He controlled such money making devices as liquor, women and gambling.

However, this seemed to have no connection whatever with the fact that seventy-five Colt's Army automatic pistols disappeared one night from

the National Guard Armory in Kansas City, Kansas, across the river and the state line from Kansas City, Missouri. Theft or illegal possession of government property lies within the jurisdiction of the Division of Investigation; Special Agents took the case. There were no fingerprints or other clues; all they had to aid them were the numbers of the guns in the records.

A year passed without results. One night some young Italians were arrested for investigation. Two guns were found in the car, which they insisted did not belong to them, inasmuch as they had borrowed the car. Then the silence of Little Italy closed about them, and little more was to be learned. The Special Agents started out to check the ownership of the borrowed automobile. It is a rule that no detail of a case be omitted, even though this may lead to a mass of information which to the uninitiated seems utterly useless. If a man is being investigated, every angle of his life also is investigated. His habits are noted, whether he smokes cigars or cigarettes, what newspapers he reads, whether he likes to walk or, if not, what kind of a car he uses; on and on it goes, even to his tastes in movies. It was not at all surprising to anyone familiar with the workings of the Division of Investigation when John Dillinger was killed in front of a motion picture theater in Chicago. Long before, meticulous Special Agents had established that Dillinger not only liked movies, but that he would even leave a place of hiding against the protestations of his gang and risk his life to see some picture in which he was interested. He risked it once too often.

While a person under investigation is being catalogued in every possible way, his relatives and his friends undergo the same process. The pursuit of those guns proceeded at last to lead to the owner of the car, who successfully denied the possession of the stolen property. Nevertheless the Agents had progressed; this man was a relative of Sam Scala, known in the underworld as one of Johnny Lazia's "enforcers" in the liquor and gambling rackets, and a man from whom a killer could get a gun if he needed

it. Again the slow piling up of information began, a terrific task when one knows the silence which surrounds gangsters. Three months passed. Then one night, the county sheriff, Tom Bash, with his wife, a young girl and a deputy, were returning through town from a picnic when they heard shots. The sheriff stopped his car and leaped out, his riot gun ready for action. Two men were half trotting down a residence street, followed by an automobile which, coming from a scene of murder, was about to pick them up. Three of the gangsters started firing at Bash while his deputy drove off a fourth, the assailant escaping between two houses. Then the sheriff fired twice at the approaching automobile and saw two men fall, the car sloughing to a crazy stop. Bash pointed his riot gun at the remaining assailant who dropped his automatic, the last bullet gone from its clip. He raised his hands, pleading:

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

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

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

Further, during the time in which Gargotta awaited trial, Special Agents gained evidence pointing to a man known only as "Dogi" as the actual robber. Again a trail started; what was Dogi's description, where did he hang out, who were his friends, his relatives; what were his habits? The chase led to Missouri State Penitentiary where John Mike Kobe, alias Dogi, was serving a sentence for a robbery subsequent to that at the Armory. A detainer was placed against him---meaning his rearrest on the gun stealing charge when his present term was done. Thus, a man had been charged with the robbery, and the fence established as dead. Here most criminal chasers would call their job finished.

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

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

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

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

Even then the case wasn't closed. A short time later, Johnny Lazia was killed, in revenge, according to the underworld, for the slaying of Ferris Antone. In like revenge, gangsters started after a man named Frank De Capua. They didn't get him. De Capua talked, before a Federal grand jury, and told of his knowledge of the underworld. The former director of police of Kansas City and a detective head were called before the jury to refute the statements. What they said in their own defense resulted in two more charges of perjury.

So all in all, four men have died as the result of those stolen Army automatics. Two have been sentenced. Three more have been indicted. All this while eight guns of the original seventy-five were being recovered. One wonders what the score will be when there is a complete accounting on the remaining sixty-seven?

Yet, with all the ramifications of this Kansas City case, the concurrence of the Division of Investigation were not even scratched. There is hardly a legitimate type of investigation known to any part of the world

that is not practiced by this governmental agency, as much for local law enforcement bodies as for itself. For instance, the body of a negro child was found in the sewer of an Eastern city. There were evidences of murder, and no way for the local police either to proceed with identification or a concrete method of reproducing before a jury just how the child died---evidently by a blow from a chisel. The Division of Investigation was called upon for expert aid, resulting in the arrival of a Special Agent trained in what is know as "moulage" or the making of plaster casts. Not only was the child's face reproduced in color as accurately as to permit identification, but the marks of violence were preserved sufficiently to allow the death weapon to fit the wound.

For that matter, there is being developed in the Department of Justice the most complete crime laboratory in existence. Science plays its part more increasingly in the pursuit of the criminal; here, for instance, is a file containing the blue prints of every tire tread manufactured. A sheriff or police officer, following a bank robbery, needs only to photograph any possible marks in dust, mud or a wet pavement and send them to the Division of Investigation in the same manner that he would send in the fingerprints of a suspected person. Almost immediately there will be a telegraphic reply, giving the name, style and date of manufacture of this particular tire; sure identification if an abandoned car be found anywhere in the vicinity.

Or the science may take the form of a nickname, based upon the psychology that while a man may have a hundred aliases, his nickname will remain unchanged. Special Agents in chasing down a recent kidnapping case could gain no more than a general description of a man, plus the fact that he was called "Cotton." They sent the information to Washington. A science laboratory worker consulted the nickname files, wherein are

tabulated the nicknames of practically every known crook in America. There, searching through such soubriquets as the Boston Jew, the Bow Legged Kid, Cantaloupe Kate, Bobcat Lulu, Hooknose Rose, Boxcar Annie and Bone the Drummer, he came to fifty or more "Cottons," each denoting a separate personality. This did not bother him at all. He proceeded to another file which contained a corresponding number of oblong cards, dotted by figures, and each containing punch marks, each hole denoting a detail of description. He took the cards to a queer looking machine, consisting of several drums from which jutted numerous small adjustable knobs. He set those knobs, one for sex, another for age, still another for color of eyes, of hair, still more for height, weight and general appearance. Then he put all the cards into the machine and pressed the button. Instantly the main number of identifications began to drop into a bin beneath the machine, rejected by those carefully set knobs. The second bin remained empty, until at last a single card fell there. It was the one which denoted the particular "Cotton" wanted by Special Agents. Now they could look up his real name, his photograph and his fingerprints.

Or to go further, the doctor of an eastern penitentiary reported that a certain convict called often for quinine when there were no symptoms that he needed it. Quinine in prison can mean more than medicine. Mixed with water or saliva it becomes an excellent means of writing invisibly.

The convict in question was one of those "model" prisoners for whom parole boards often exhibit such sympathetic concern. The warden, being a practical soul, knew that most convicts when preparing for trouble, are model prisoners. So the next letter written by the prisoner to his dear, faithful sweetheart, was intercepted and sent in to the Crime Laboratory.

On the plainly lined surface was only the outpouring of a gentle heart, heavy with penitence. The experts did not even read it. They took

the letter to the ultra-violet ray and turned on the juice. There under the peculiar greenish light, lines of white showed through the regular ink-marks. They read:

"Say Lieton Girlie, if you've been able to get hold of these guns, don't try to slip 'em in to me without trying to grease the way first. I got a line on a screw who may fall for you slipping him some dough. I'll let you know more later."

He failed in that promise. The next day he went to solitary confinement, without knowing exactly why.

This does not mean of course, that those on the outside who plot with prisoners make use of ultra-violet rays to bring out the secret writings of their co-plotters. Their re-agents are usually heat, or a weak solution of iodine; these are used also in the Crime Laboratory when the ultra-violet fails. But as a general rule, the penetrating rays bring up secret writing sharply and clearly; blood and other stains are revealed in the same manner. Jesse E. Watkins, a stable employee was being questioned about the murder of a fellow stableman on a government reservation---a matter of Department of Justice jurisdiction. He refused to confess.

"You say there was blood everywhere," he argued. "Well, why didn't I get some on my clothes? Everybody knows I've only got this one suit. Why haven't they got bloodstains on them?"

"Maybe you washed your clothes," said a Special Agent.

"Maybe you could prove that."

"We can," came the answer. "Take off that coat and cap."

Under ordinary light, the clothing was spotless. But there was a different picture once the greenish-blue of ultra-violet drove down upon

it. Now the cloth changed in color; stains appeared, wrinkles and splotches, as plain as though the blood had not been disturbed. Chemical tests followed. Watkins went to prison for life.

Likewise, in a local case, the Crime Laboratory was asked to tell how far a slayer stood from the victim at the time of firing the fatal shot. Proof of premeditation depended upon whether the slayer had fired from a distance, or from within a few feet. A bullet fired at close range, must have left powder marks. The microscope failed to reveal them. But the ultra-violet ray showed them clearly enough to permit photography.

In fact, one of the main purposes of Mr. Hoover's work in building up this Crime Laboratory is the hope that it will act as an impartial central agency, in the same way that the Identification Unit aids in the speedy identification of captured criminals. Laboratory work at the present time is in much the same position as fingerprinting before its centralization by the government.

Only a comparatively few cities and states have criminal science workshops; others must depend upon local experts. Mr. Hoover looks forward to the time when there will be a steady stream of queries rolling into the Crime Laboratory. An illustration of its efficacy lies in a letter from a sheriff in West Virginia who merely enclosed two strands of fabric, asking for a comparative analysis. The answer was that these were identical bits of red wool, that the microscope, plus chemical analysis, showed them to be exactly the same size, the same color, the same fibrous structure, the same grade of wool, and tinted by the same dye, which in turn had been analyzed. The reply to this report was one of thanks, accompanied by an explanation. There had been a robbery. On the window ledge of the burglarized place had been found one of these strands of wool. A suspect had been arrested, wearing a red sweater, which gave evidence of having been snagged. In other

days, this could have led to a prosecution full of loopholes. There are many torn, red sweaters in the world. Because the threads looked alike was no reason they actually were alike. But in this instance, through the work of the Crime Laboratory, which cost the sheriff only stamp and stationery to obtain, he could testify that these threads actually were alike, and in an emergency obtain the services of an impartial expert to defend his statements.

Again, in that impartiality is Mr. Hoover attempting to wipe out an age-old deficiency in American criminal procedure. There is a saying in law that too many experts testify for the side which pays them. That cannot happen with the scientists of the Crime Laboratory---no one pays them but the United States Government, and it demands the truth. The job of these men is to prove the innocent innocent and the guilty guilty, a dispassionate attitude which often guides the Special Agents in the field to the solution of cases otherwise muddled by circumstantial evidence. The attempted extortion of Judge Pengram illustrates this, as well as the methods used in combatting the crime of sending threats by mail. In a little more than two years, since necessary laws were passed, 67 persons have been sentenced to the penitentiary for a total of 445 years, and one was killed while attempting to escape arrest. The story of one is almost the story of all---innocent suspects eliminated by scientifically fastening the crime upon the one really guilty.

A series of threatening letters was received by E. E. Pengram, a county judge who lived across the Mississippi line, near Memphis, Tenn. Persons suspected were a substitute mail carrier, the sheriff of a nearby county believed to be insane, and the members of a gang of outlaws since sentenced on a charge of stealing government property. In addition to the extortion notes---they demanded sums from $2,000 to $10,000---a bomb was exploded near the judge's home, just to inform him, as a note said, that

the threats were real.

One after another, samples of handwriting from suspected persons went into the Crime Laboratory; one by one the experts there insisted that they were not identical with the true extortion notes. The investigating Special Agents, so the experts said, should look for a person with imagination, a flair for poetry, someone with a grievance and a certain amount of egotism. All these were qualities which had shown persistently in the writing, such as fulsome descriptions of the judge's threatened death agonies, the low sweep of willows and the lonely calls of birds over his grave to-be, the outpourings of vituperation over the failure of a bank with which the judge had been connected, and the constant use of personal pronouns. Special Agents found such a man in Mark Cyril Spencer. Having made a beginning, the slow job of checking every item of the man's life, his acquaintances, friends and associates began. Meanwhile they obtained samples of his penmanship, and got writing material from his house.

The checking process showed that he held a grudge against Judge Pongram. The Crime Laboratory established the writing to be identical; the paper and envelopes matched those taken from his house.

All white paper looks alike to the ordinary eye. It would seem that all paper of standard measurements, granted that it comes from the same manufacturer, should be alike. The reverse is true.

The story of paper, as it is outlined in the Crime Laboratory, is one of never ending variations. There one can find samples of every sort manufactured. Every watermark is on file, first for identification, secondly for the establishment of contested dates. Crooks often age documents in an attempt to defraud. It is only necessary to place these under the ultra-violet ray, study the watermark and go to the files. Often it will be discovered that the watermark shown in the questioned document

was not in existence at the time this letter or contract was supposed to have been written. Or there may have been slight changes in style since that time---the files will reveal that also.

In the Program case, however, it was a matter of similarity, size and weight. The ultra-violet rays testified to the identical texture. Then came the measurements. Due to the setting of cutting knives by different persons at different times, jobs of paper vary from several thousandths to several hundredths of an inch. Thus the letters of Mark Cyril Spencer were matched against the stationery taken from his home. The extortion envelope weighed 4.8281 grams. The letter from Spencer's home weighed 4.7669 grams, a difference of .0612 grams. Different? Not at all. The extortion letter contained a stamp which weighed .0573 grams. A fragment had been torn away in opening the letter. There was pencilled writing, plus a postal cancellation mark. These made up the remaining difference of .0039 grams. The envelopes were the same.

The extortion paper was 7.07 by 10.46 inches. So was the paper taken from Spencer's home. Both were .00501 inches thick. The ultra-violet ray showed the same texture. The weight of a clean sheet was 5.0975 grams, of a written one, 5.2839 grams. So the extortion note was written upon the clean sheet with the same grade of graphite pencil, and the difference of .1864 grams eliminated. Mark Cyril Spencer contended innocence until the day of the trial. Then faced by investigative and scientific evidence, he pleaded guilty and took a 20 year term in prison. Thus the job goes on, day after day, impartiality in the field, impartiality in the identification and scientific units. The first training that a Division of Investigation agent receives is not to chase men but to chase facts. Mr. Hoover makes this the subject of endless lectures to his agents, and attitude concurred in by his superior, Homer S. Cummings, Attorney General of the United States.

In fact, it was Mr. Cummings who gave to law annals an historic instance of this kind.

He was State's Attorney at Stamford, Connecticut. A man named Harold Israel had been charged with murder; the evidence was circumstantial. Mr. Cummings turned the murder bullet and Israel's gun over to his experts. Then with their findings, he went into court and asked the dismissal of the charges. The comparison of the murder bullet with those fired by Israel's pistol showed no similarity.

That same question comes up a dozen times a month in the Crime Laboratory. The bullets from a suspicioned gun are fired into a box of cotton. Then, recovered, they are put under what is known as a comparison microscope, which reacts greatly like the old stereopticon glasses in that two objects are brought into the same line of vision. Then the bullets are slowly turned, one after another to match them for the inevitable "finger-printing" which a rifle barrel leaves upon a projectile. If they match, it is possible to make photographs which show the markings of one bullet blending into the marks of the other, twins of lead which cannot be mistaken.

Incidentally, the Division of Investigation knows the facts about guns as hard as it knows the facts about men, to learn whence they came, where they went, who had them, who sold them. Particularly is this true of government pistols stolen from arsenals, and the machine guns which reach gangdom by diversion from legitimate sources. Regarding this, it might be enlightening to crooked gun dealers who believe themselves safe when they file the numbers off a "hot" gun that all they get out of it is the exercise. The number still remains, awaiting work by a ballistics expert. Many of the numbers were abraised from the Army guns involved in the Kansas City, Kan., robbery. But every time a Special Agent finds one of these guns, he'll be able to identify it.

Sometimes it leads to chases which encompass a great part of the country, and always to wholesome results. A machine gun was left behind during the flight of a midwest gangster. The numbers had been removed by placing the gun against an emery wheel and cutting deeply into the steel. Nevertheless, the Special Agents began the methodical checking that was to lead half around the nation.

That method of spreading out is one thing which makes the Division of Investigation different from any other law enforcement agency. This case began in St. Paul, Minnesota. The Special Agent wrote his report, at the end of which, he typed:

"Undeveloped Leads: Washington will restore numbers on machine gun barrel."

Washington did this, by immersing the gun in a certain type of acid. The abrasion was deep. Hour after hour passed, with no results. Finally at the end of a half a day, there were the numbers, almost as clearly as the day they were stamped. The explanation is comparatively simple. The blow by which numbers are cut into steel breaks up the molecules to a surprising depth; to a certain degree it changes the temper of the metal in that portion of the gun. The numbers are in reality stamped entirely through the steel, instead of only for the visible portion. The application of acid, or in some instances, heat, restores this temper, and of necessity brings out the latent markings which, until this time, have been invisible. So, Washington, having finished its work, wrote a report which became a part of the one from St. Paul, adding its undeveloped leads as revealed by the restoration of the gun numbers.

Now a Special Agent in another part of the country checked the records of the gun manufacturer. They showed the shipment of fourteen machine guns for legitimate purposes to a Texas city. Again was there an undeveloped lead: why had this gun, sold legitimately, reached a criminal?

A Texas Special Agent took up the hunt. The legitimate source revealed that all fourteen guns had been stolen. Now the undeveloped leads went back to St. Paul, that the movements of every member of the outlaw crew be traced back through the time of the theft of those machine guns. This brought out other undeveloped leads in a dozen cities, where questioning established the presence of this particular gang of criminals at various times. Every gun shop was investigated. Finally, in a place some six hundred miles from the point of theft, where one of this gang had committed a murder, an unlicensed gun dealer was apprehended. It was established that he had handled five of these fourteen machine guns, selling them to the gang in question. Time, by passing a case along, from city to city, Special Agent to Special Agent, in the end each became an integral of an investigation that led not only to the source of crime guns, but to prosecution.

The chasing of leads also applies to the modus operandi files now being built up for major crimes, wherein are listed the quirks of criminals. For instance, in the kidnapping of Charles Boettcher II in Denver, Colorado, certain characteristics stood out. Boettcher was held up at his garage door, then walked to a small, dark sedan where his eyes were bound with adhesive tape. As the kidnappers drove away, they handed him Boettcher a note. In captivity, the victim was forced to write letters pleading with relatives not to notify the police and to pay the ransom. The money was to be brought out on an open road, in a car running about thirty miles an hour and travelling the road at a certain time. It was to keep going until a like signal was received from a parked car. Then the money was to be tossed out and the ransom automobile continue on its way.

Special Agents checked every one of those points. Then they started after the kidnappers of not one man but two. For this modus

operandi showed by its similarity of characteristics that the same gang also had been the kidnappers of Haskell Bohn, in St. Paul, Minnesota. More the point was proved when Verne Sankey, and several others were arrested ~~and convicted.~~ Sankey killed himself. His conspirators were convicted.

Even beyond the ~~modus operandi~~ files are others, a centralized flare-back to the old methods of the Rogue's Gallery, now efficient because they can be bulwarked by fingerprint files, modus operandi, investigation and science. This is the "general appearance" section.

The First National Bank of Marlton, N.J., was robbed by a quartette of holdup men. Three of the robbers were known, captured and convicted. The fourth got away and could not be identified. Blocked, the local officers sent his general description to Washington.

To be eliminated 11/25 not yet convicted for the B.R.

Again mysterious appearing cards with their multiplicity of punch marks came forth to be run through the machine, some four hundred ~~out~~ of a total of ~~8,000~~ 10,000 known bank robbers and big time crooks. Out of the four hundred, the machine discarded all but 29. The technical expert then went to a photograph file, where no names appear, only pictures and numbers. He picked the 29 photographs which matched the numerals of the cards selected by the machine. These were sent to New Jersey. One was identified as the missing robber.

The efficacy of the system was shown when the number of the photograph was checked against name and address. He was a gangster living in the nearby city of Philadelphia. Nor was he waiting there to protest his innocence. Even gangsters these days know when to run.

But in running, that gangster must observe one inviolable rule. He must not make a single mistake that will bring him into the hands of police anywhere in the United States. For then his fingerprints will be

tation and forwarded to Washington, there, in the Identification Unit, there awaits a pink slip, clipped to his fingerprint file. It bears only one word:

"W A N T E D!"

* - - 0 - - *

From
Courtney Ryley Cooper
The Hay Adams House
Washington, D.C.

HOLD FOR IDENTIFICATION

By

Courtney Ryley Cooper

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8-21-84 BY 8269 WEB/dc

The turnkey called for Raymond Parker and turned him over to the officer who was to take him to the chief. There Parker waited somewhat confidently. No one knew him here in St. Paul. There had been no papers nor letters to indicate that his name was anything except the alias he had adopted. His arrest had been merely one of those pickups by which so many men are brought to headquarters for "investigation." The chief looked him over.

"Got anything to say for yourself, Parker?"

He had plenty to say---mainly that the arrest was all a mistake.

The chief interrupted:

"Why don't you tell the truth? Your name's not Parker. It's Jean Elms."

The prisoner lost his color.

"I---there may be somebody named Jean Elms who looks like me. But---."

"I'm not talking about looks," the chief answered. He motioned to the waiting officer. "Take him back. Mark him up to be held for the arrival of

62-21529

police from Oklahoma. I've just got a telegram from Washington saying he's wanted down in Tulsa for murder."

Dazedly, Jean Elms was led away, wondering how it all had happened. There had been no apparent interest on the part of the police until suddenly they reached into the past and brought out the fact that he was a murderer. Withal, however, his amazement was no greater than that existing in Oklahoma.

Elms had killed a Tulsa policeman. The search had extended over most of the southwest without success. Then, all in a few days, by the more expedient of mailing a piece of cardboard, smudged by black marks to Washington, D.C., the mystery of disappearance had been solved, and the fugitive made available for return to Oklahoma. Ten years ago, such a capture was almost impossible. Today it approaches routine. The explanation lies in that repository of fingerprints, the Identification Unit which has been built up in the United States Department of Justice under the direction of J. Edgar Hoover, head of the Division of Investigation.

The explanation of how Jean Elms got caught explains also the workings of a system which in the last few years has brought about tremendous changes in the nation's work of finding, catching and identifying criminals.

It was not so long ago, for instance, when the Rogues Gallery of a police station, aided by a complicated tabulation of measurements, scars, moles, tattoo marks and other blemishes known as the Bertillon System, was the only means of nailing a man accused of a crime. There was no central agency for this---every police headquarters, sheriff's office, penitentiary and reformatory had its own gallery. Records were poorly kept; a man might be badly wanted in one city while, fifty miles away, he served a thirty day sentence for vagrancy under an assumed name and, at the end of his term, went free. Innocent men sometimes were sent to prison because they looked like a wanted criminal and answered his measurements. The system would be useless today against the prevailing type of high-powered criminals, who use plastic surgery, tattoo-erasing, hair and eyebrow dying and rare instances of illicit bone operations to create the appearance of progenital malformations.

Thus appearance today must become secondary, and measurements considered only as so much supplementary information. What counts are the ten impressions on a fingerprint card. More than 4,500,000 of these cards, representing much of the criminality of the world---the United States and practically every foreign country, are filed in the Identification Unit. A daily grist of some 2,500 fingerprints rolls in from more than 6000 contributing agencies---and on an average of eleven times a day telegrams go forth to law enforcement officers saying their man has been jailed, perhaps in a neighboring city---perhaps in Europe or Alaska.

When St. Paul picked up Raymond Parker, his fingerprints joined other thousands from the police departments of America seeking identification in Washington. What the police mainly desired to know was the man's correct name and his previous record if he had one. There was about a fifty-fifty chance, of course, that there would be no record. Again there was one chance in two hundred that he might be wanted somewhere for an unexpiated crime. So in had gone the fingerprints.

Parker's card travelled first to a sorting room, one of many glass-enclosed workshops on the seventh floor of the new building of the Department of Justice. After that, it became a part of a batch of prints handed to a fingerprint expert; dozens of them work at high filing cases. A magnifying glass came into play as the expert classified the prints by an amplification of what is known as the Henry System, invented by Sir E. R. Henry, commissioner of Scotland Yard.

The expert disregarded the name and description. He looked only for outstanding characteristics in those prints, meanwhile making cryptic appearing marks at the top of the card which, when finished, read like this:

$$\frac{12 \quad 27 \; W \; II \quad 16}{28 \; W \; OI}$$

Yet it was not so cryptic. The first figure was a "key" count of ridges occurring on a certain finger. The next or primary classification of "twenty-seven over twenty-eight" meant the total of certain arbitrary numbers which, when broken down by the expert in connection with the secondary classification of "W over W" denoted that this subject possessed whorls on the first, second, third, fourth, seventh, eighth and ninth fingers. The sub-secondary II over

OI concerned the tracing of inner and outer loops proceeding from a spread of ridges known as deltas, and the final number, 16, was the ridge count of the right little finger.

Now the expert knew exactly where to look for a counterpart and went to the fingerprint files where he found a card which bore the same classification. Even then he did not look at name or description. The magnifying glass again came into play. This time the comparison was in more detail as he searched the whorls, the loops, islands and ridges and deltas for the twelve or more identical recurrences necessary to court testimony. They checked. Now he could look at the name, which, of course was different, in that one card was captioned "Jean Elms", while the other bore the alias, Raymond Parker.

Remember that this expert knew nothing about the fact that Jean Elms was wanted in Oklahoma for murder, inasmuch as the authorities there had not yet notified the bureau of that fact. His job, therefore, was merely to acquaint the St. Paul police with the man's record so that they could check this against any story of a law abiding life which Parker might have told them. To this end, he sent the St. Paul card, plus the one on Jean Elms to the stenographic bureau for a report to the St. Paul police that Raymond Parker was in reality a man named Jean Elms who had served a term in the Arkansas State Penitentiary for burglary and another in Leavenworth Federal Prison for the theft of an automobile. This done, the expert turned to the rest of his day's work.

However, in the meanwhile, complication had arisen. During the search being conducted for Elms by Tulsa, information had developed that the man had served previous prison terms in Arkansas and Leavenworth. This made his fingerprints available, and the Tulsa police had sent to one of the penitentiaries for them. Once received, these fingerprints had in turn been forwarded to the Identification Unit, with the request that a "wanted notice" be placed against them and the Tulsa police notified if the man were arrested for any cause in any other city. This card, by coincidence, reached the Unit only a short time after the one from St. Paul. Another expert received it. Following routine, he went

to the files, only to find an "out" marker where the fingerprints of Jean Elms should be.

In that marker lay a thrill. It meant that only a short time before some other worker had taken out the Jean Elms fingerprints for comparison, thus indicating to the second expert that the man already was under arrest somewhere. He therefore hurried to the stenographic room, retrieving the records, and changing the report. What before had been only a statement of record, now became a double revelation of great importance. One was the telegram containing the information which so amazed Raymond Parker. The other was a wire to the Tulsa police saying they could have their murderer by sending detectives to St. Paul. This they did. Elms was convicted and sentenced to life for murder.

This is the reason why big time criminals today are willing to spend thousands of dollars on the mere assertion of some hoodlum doctor that he can erase fingerprints. Members of the Dillinger gang, for instance, underwent operations. They were so unsuccessful, that Dillinger threatened to kill the surgeon. Dozens of others have tried it, all of them in vain. The pores which supply the ridges of the fingers with exudations, thus making fingerprints p possible, are formed months before birth and never change. They extend to a depth of four layers of skin; ordinary burning, scraping or cutting will not alter them; the new growth is exactly like the former one. However, the psychology of fear which is being bred in the underworld by the finality of fingerprint identification has been so great that one gang has resorted to the torture of having the flesh of the fingers slashed away to the bone, thus leaving only malformation. Even this is useless; it is prima facia evidence of an attempt to evade identification. Meanwhile, year by year, the net is being strengthened, from what was a haphazard affair a little more than a decade ago, to a system that already is approaching perfection. At the present time, it is more than 90 per cent infallible. The other ten per cent will come when every community makes fingerprinting a cardinal rule with all persons arrested

under circumstances requiring identification. Here is a good example of how, even today, laxity may impede the search for a criminal.

Peter R. Beasley of La Grange, Tenn., received an extortion letter, demanding that he place $6,000 in twenty dollar bills at a point along the railroad track. Otherwise he would be killed. Mr. Beasley sought the aid of the local authorities. A dummy package was made up, and a watch kept upon it. Soon an old negro came along and picked up the bait, only to be arrested. However, he proved his only crime to be curiosity; the package had caught his interest and he had taken it merely to see what was in it. Meanwhile, evidently, the real extortioner had been frightened away. Finally, the local authorities, baffled, turned the case over to the Department of Justice which has jurisdiction in certain cases of extortion.

Special agents of the Division of Investigation almost immediately found two clues. One was a latent thumb print on the envelope of the extortion letter. Another was that this envelope evidently had been previously addressed, but not mailed. The first addressee's name had been partially erased, leaving marks discernable under a microscope which read Annie ----ell, Michigan City, Miss. After that, identification was fairly easy. The agents went to Michigan City, where they found Annie ----ell, to be a negro woman. Annie Waddell, the mother of Theodore Roosevelt Waddell, who possessed a criminal record, and who had disappeared a day or two after the writing of the extortion letter.

The criminal record meant that Waddell's fingerprints were on file in Washington. The single fingerprint was forwarded there and compared; it matched, thus absolutely establishing identity. There remained now the job of setting the trap for the possibility of an arrest somewhere on a different charge. In a few months, Waddell's prints came in from Hannibal, Mo., where he was being held on a minor charge under the name of Joseph Phillips. The usual telegrams went forth. Waddell, alias Phillips, was taken back to Tennessee, where he was sentenced to fifteen years in prison.

However, if the Hannibal authorities had been as lax as the police of another

city, Waddell might have escaped. During his flight, he had been in another jail for a number of days---but the police of that town had not considered him a worthy case for fingerprinting.

It is this element of human error which forms about the only remaining loophole in present day methods of identification and apprehension, a condition however, which is being rectified. The Identification Unit is only ten years old. For that matter, it was not until about 1929 that many of the large crime centers began to route their complete records through Washington. Even today, there are still a few cities under political domination closely allied with crime, where the sending of records is only a desultory affair. Two of them are municipalities with population nearly in the half million class, and are known nationally as crook hangouts. The fingerprints which come from those two police departments are fewer in number than a dozen other cities of far less population and ranking much lower in crime statistics.

However, even with these obstacles, the work of the Identification Unit becomes daily more amazing. There is the case for instance of Joe J. Crammer, an escaped convict, whose fingerprint records were turned over to the Identification Unit from the Nevada State Penitentiary at Carson City, Nev., when the unit was organized in 1924. One after another, frayed and torn by the constant use of the files, wanted notices were renewed on Joe Crammer's record. Finally, more than a decade after the man's escape, a card came in from Redwood, Calif., showing that Crammer had been arrested there on a charge of assault, thus permitting identification in Washington and a telegraphic notification to the Nevada prison that the escaped convict had been captured. It is the old, old game of waiting, with the trap always set, plus the certainty that it will spring remorselessly, whenever the quarry touches the bait of arrest. Albert C. Carson, for instance, was wanted in Atlanta, Georgia; Cairo, Egypt; San Antonio, Texas; Nice, France, and Mount Carmel, Pa., on charges which ranged from swindling to traffic in narcotics. Under the present system of international exchange of fingerprints, a foreign country immediately communicates with Washington upon

the detention of anyone bearing American characteristics. Recently a man who called himself John Leslie Matson, was arrested in Rome, Italy, as an object of suspicion. The Roman police sent his fingerprints to Washington, where they were found to be those of Albert C. Carson. A few years ago, the alias of John Leslie Matson, plus the fallibility of photographs and the inaccuracies of the Bertillon system, might have meant freedom for this man. Fingerprints, however, are inexorable. Recently an international case revealed that the arrested man had used 21 aliases. They counted for nothing in the fingerprint comparisons by which he was returned to this country.

Thus, one of crookdom's greatest avenues of escape, the plea of mistaken identity gradually is being eradicated. In fact, it was a matter of resemblance which gave fingerprinting its true beginning in the United States.

Sing Sing Prison had started it in 1903, merely as a matter of prison record. A year later St. Louis begun to dabble in it. Shortly thereafter, the United States Penitentiary at Leavenworth, Kansas, largely as a result of what is known as the case of Will and William West, adopted it on a large scale.

A new convict, named Will West was being measured and photographed when the record clerk of Leavenworth suddenly remembered him as having been here before. This West denied, even after the clerk had brought a Bertillon card from his files, showing the name of William West, plus a photograph that matched and measurements so closely comparative that any expert would declare them identical. Nevertheless, Will West continued to insist that never before had he been in any penitentiary, nor had he been measured nor photographed. The argument finally caused an investigation which resulted in a second Will West being brought down from a cell block. They were not even related. Yet the only detail in their identification which differed was their fingerprints.

So the warden, R. W. McClaughry, obtained the services of [redacted], a fingerprint expert, and set out to build up the biggest collection in America. It was a terrific task, mainly because much of the work was carried on by convicts. Thus, whenever the 24 parts [redacted] was called from the department, a merry game began; every

convict doing a good turn for his friends by mutilating, or changing, or destroying fingerprints. However, such as they were, a total of some 800,000 records had been built up by 1924, which police departments consulted in desultory fashion. Otherwise, in this slowly changing era when most of the law enforcement agencies still clung to the Bertillon system, the prints, were sent to the International Police Bureau at Washington, which contained only about 100,000 files. About this time, forward-minded men among the police chiefs decided that everything was in a pretty bad mess, and that if fingerprinting was to amount to anything, it must be taken over by the government.

There was instant opposition, especially from those who could not see the benefits of fingerprinting and others who wanted to retain the Bertillon System. A missionary was needed, with the result that the Department of Justice was asked not only to take over the bureau, but to send someone sufficiently enthusiastic to argue recalcitrant chiefs into co-operating. The man selected by the Attorney General was J. Edgar Hoover, then a young assistant to William J. Burns. A former thirty dollar a month clerk in the Library of Congress, he had studied law at night, had gotten another clerkship, this time in the Department of Justice, where in seven years, he had been promoted step by step, to an assistant directorship of what is now the Division of Investigation.

The present tremendous Identification Unit is due almost entirely to his enthusiasm. He visited practically every big police unit in the country. He went forth on speaking tours, in which he argued the benefits and the necessity of a fingerprint clearing house. He issued pamphlets containing fingerprint instructions, so simply worded that a cross-roads constable could follow them, and made it possible for the identification to be mailed post-free; cards and other necessities were furnished by the government. Above all things, he guaranteed answers to all queries for identification within thirty-six hours. Fingerprint classes were started. Then with the Unit under way, negotiations were begun with foreign countries. The field of the Unit now takes in practically all of the civilized world. Today, although he is now the head of the entire Division

of Investigation, J. Edgar Hoover continues to look upon the fingerprint division as his especial pet---and will not cease his efforts until even the constables of tiny hamlets depend on Washington to correctly inform them of all the hidden facts about some man whom they may have arrested as a mere loiterer, but who may be a super criminal, using the village as a cooling off joint.

Even today, however, with the steady flow of nearly three quarters of a million fingerprints a year into Washington, the old records of penitentiary days still possess value. This was proved recently in a case of identity more than thirteen years old.

One night in April 1921, three years before the organization of the Unit, a man was shot in Bristow, Oklahoma; dying, he refused to either name his assailant or give any information about himself. An identification officer, taking a thousand to one chance, made impressions of his fingerprints, and for a time sent them about through the haphazard system which existed at that time. The search brought no results.

A month or so ago, someone remembered those fingerprints, and forwarded them to the Identification Unit, on the theory that inasmuch as all available collections had been taken over by this central agency at the time of consolidation there existed a bare hope of solving this old mystery. The theory was sound. Among other collections was that of the Iowa State Penitentiary, which had been missed by the Oklahoma searchers.

There on a card which had come from its records was a set of prints which matched those taken from the dead man. Not only did it give his name, James O'Keefe, but it explained the reasons for his taciturnity. He was an escaped prisoner, sent up from Sioux City on a life sentence for murder. The fear of being returned had held him silent, even when facing death.

Thus mysteries are solved as a mere part of the day's grind. The sheriff of Westchester County, New York, received a letter one day stating that William Sloans, sought by him as a murderer, was safe from any prosecution by the State of New York. The reason was that the fingerprints of Sloan had come to Washington

name?

Checking with Schaefer etc.

from North Carolina State Prison, where William Sloane was awaiting execution for another killing. The Westchester sheriff hurried to North Carolina and questioned the condemned man. After a few hours of interrogation, Sloan confessed the second murder; a month later, the man expiated both crimes in the electric chair.

Or it may be the establishment of a criminal identity for someone killed while resisting arrest, thus forestalling the sob sisters of emotional newspapers which dislike the idea of policemen carrying guns---especially if the paper is on the outs with the incumbent administration. Or the saving of hundreds of millions of dollars annually in the settlement of War Risk claims. As an illustration, there is the case of Robert Patton, who had been missing seven years, during which time his relatives had dutifully paid his premiums and then started action to declare Patton legally dead. But the fingerprint files as compared with Patton's wartime prints, established within thirty-six hours that during the seven years which Patton had been "dead", he had been arrested seven times on minor charges. Then to clinch the matter, the Unit placed a wanted notice against Patton's file. Five days later, he was arrested for investigation in Pittsboro, North Carolina---and the insurance claim was not paid.

Increasingly, this job of fingerprints extends itself into the daily life of the American citizen. ~~It does more than find criminals~~ It protects him from crooks working under cover of respectability. There was a time when there was no way of telling if the tax assessor was an escaped embezzeler, or the cop on the beat an ex-member of a safe cracking crew. Even now that potentiality exists, and will continue to exist until citizens everywhere insist upon the fingerprinting of all public servants and the forwarding of these prints to Washington for comparison. That there is need for this precaution is evidenced by a recent municipal campaign in which speakers made the public charges that at least twenty-five ex-convicts were on the police pay-roll. Perhaps it wasn't true; on the other hand, there is statistical data to show that a previous record of criminality by persons in public jobs is more than mere theory. There might be some surprising

results if a national fingerprint toll were taken of all persons now feeding at the public trough. Certainly, scattered statistics are enlightening.

At various times, the armed forces of the country have cleared the fingerprints of enlisting personnel through the Identification Unit. [illegible] about five years ago, the United States Civil Service Commission also adopted the practise and was somewhat surprised to learn that one applicant out of every eight had somewhere broken the law; the offenses covered the entire range of misdemeanor and crime, even to murder. These revelations led to the consolidation of the Civil Service Commission fingerprint files with those of the Division of Investigation. News travels quickly in the underworld. Only one person in forty-five who now applies for a Civil Service job has a criminal record.

This system, of course, does not apply to political appointees. That there are still plenty of loopholes is evidenced by the following:

A check of 544 applicants for police jobs in a midwestern city, showed ten with record of arrests. The checking of a single applicant for an enforcement job in a Michigan city revealed that he was an escaped convict from Texas. A search on 81 fingerprints of applicants for police jobs in a California city brought an average of one in eleven with criminal background. Likewise, out of 299 who applied in an upstate New York town seven had records, one of them a deserter from the Army. Extending its scope, the Identification Unit last year examined 280 fingerprints of persons who had applied for positions in the hotels and resorts of a Florida city. Eighteen of them were found in the criminal files, and the cases ran all the way from the passing of checks to burglary and assault to kill. Going still further into civic life, out of 1735 persons who applied for alcohol licenses in the state of New Jersey following repeal, there were 74 who possessed an unsavory background.

Beyond this, there are other methods of protection. A woman shopkeeper killed a man who was unlawfully entering her store; the reaction from this ex-

perience was lessened by word from the Identification Unit that the intruder was not some innocent driven by hunger to his first offense, but an escaped convict from the North Carolina State Penitentiary. Through the Unit, for the first time, reliable age figures on crimes are being tabulated; from this sociologists have learned that nearly 20 per cent of all crimes are committed by persons less than 20 years old, the high point of lawbreaking being the age of 19; that six out of every ten persons arrested and fingerprinted are less than thirty years old, that nearly forty-five per cent of all major crime consists of repeated offenses and that our own American born people average 47 per cent more arrests than the foreigners we so busily blame for crime, except in the cases of homicide and assault. The negro ranks at the top in this class by four hundred per cent.

Still reaching outward, the Identification Unit is also becoming a depository of protection. There are thousands of families in the United States who fear kidnapping plus murder; fingerprints can authenticate ransom notes, aid in prosecution, and identify the body of a slain person. There are also thousands of individuals who because of prior illness, dread death in some isolated place without identification. There are others who are afraid of amnesia, and still others who, merely cautious, desire that absolute proof of their identity be on file in some safe place. To all of those---and any other citizen, for that matter---the Division of Investigation holds forth an invitation to become a member of its "non-criminal" group, where fingerprints are kept on file for protective purposes. The service is free; a postal card will bring by return mail the necessary fingerprint cards together with instructions. By this means of education, the Unit hopes to create a civil file even larger than its criminal one, and to good purposes. Today, provided that he has relatives who care enough about him to pay the funeral expenses, a criminal who dies under conditions of non-identity has a better chance of escaping a potter's field than an honest citizen. His records are on file, together with the names and addresses of near relatives. He can be taken home if he suffers from amnesia. And certainly he

has a permanent address. Moreover, if someone kidnaps him and he cares to prosecute, his presence can be established at the place of his imprisonment, if he'll only make a few imprints. Shrewd lawyers can tangle a witness about regarding the sounds he heard or the things he saw while held a captive. But when the prisoner has left a finger print, there is no argument. There it is, so many ridges and whorls and deltas and arches and islands. It can belong to only one person in the world. And for that print to be in a certain place, the human being owning that print must have been there also.

It is in actually fixing a person at the scene of a crime that this branch of the Division of Investigation is doing some of its greatest work. During the chase for John Dillinger, the Division of Investigation busied itself with the job of prosecuting all those who had aided or harbored the criminal. Among these was Evelyn Frechette, a woman with a flair for lawbreakers.

Only two years ago, swearing eternal faithfulness, Evelyn Frechette was married in the Cook County Jail to Welton Sparks, now convict 42165 in the United States Penitentiary at Leavenworth. She would wait for him, until he was a free man again, and forever be true to him---just like it happens in the story books.

But the underworld and fiction are different things. Evelyn, once Sparks had been taken to the penitentiary, dropped back to running around with her old crowd: Pat Cherrington, who was married to the man who played in a big-name band as a vocation and robbed banks as a sideline, "Mother" Barker, and her spawn of underworld kidnappers, Baby Face Nelson, the murderer, Nash and Van Meter and Harmon, bank robbers and all the rest of a social convict crowd which numbered into the dozens. Finally, a new member came into this gay group which did the night clubs and lent each other money in units of a thousand dollars. His name was John Dillinger, escapee and murderer. Evelyn Frechette forgot all her promises to Convict 42165. She became Dillinger's woman, his moll, his hide-out finder; she carried his machine guns and ammunition when, with a "tommy-gun" spitting its deadly bursts, he fought off police and Federal agents in escaping from an apartment on Lexington Avenue in St. Paul last spring.

Special agents trailed Frechette and arrested her---only to find her mute

as regarded a confession. Well paid attorneys fought for her freedom; here was a woman with plenty of underworld money and determined to battle every inch of the way. She made no admissions. She denied every accusation. But the special agents of the Division of Investigation put her in jail without worry and without difficulty.

Every special agent of the Division of Investigation carries an extensive set of tools. He can take fingerprints on an instant's notice, or with his huge magnifying glass, he can search them out at a scene of a crime. Once found, he goes to his service kit for various dusting powders which, by careful application, he spreads over the print, bringing it up into sharp relief, black powder for white surfaces, silver for metals, dragon's blood for those where a pale red will best reveal the impressions. Then, even though the room be in darkness, he merely aims a camera and puts that fingerprint on record by means of a battery attachment which lights the fingerprint surface coincident with the action of the shutter.

So alibis could not help Evelyn Frechette. Hard working lawyers could not aid her. There were two witnesses who could not be confused. They were the fingerprints of herself and John Dillinger found in the Lexington avenue apartment.

However, it must be understood that one fingerprint---called a "latent" in the language of experts---cannot easily lead to identification at Washington unless there is some hint as to the owner. Four and a half million sets of identifications each set consisting of ten fingers, makes a total of 45 million prints which must be searched---when the quest is merely a fishing expedition, thus creating a human impossibility. Therefore, the Division of Investigation is deliberately setting about the task of beating even this obstacle, by the creating of a Who's Who of Crimedom.

Here, in a special department, the fingerprints of more than ~~6,000~~ 10000 of America's most dangerous crooks have been "broken up" into single classifications. Here are the kidnappers, the bank robbers, the big gangsters, killers, machine gun men, in fact the experts of crime. It is as easy to search out a single im-

pression here as it is to find a complete set in the larger files. All this was brought about by a case which happened a few years ago, and which has become a classic of fingerprint work. The story has been told so many times that it must be reduced here to its essentials.

On May 23, 1928, four bandits robbed the Lamar State Bank of Colorado, taking more than $200,000, killing the president and kidnapping two employees to cover their escape, one of whom they later murdered. During the robbery one of the bandits was shot in the jaw.

The bandits crossed into Kansas, where they enticed a doctor from his home to treat the bandit, then murdered the physician and threw his body into a gulley. There were no clues, only a latent fingerprint, found at the scene of the crime on the rear glass of the doctor's car. It was sent to the Division of Investigation where experts began the hopeless task of trying to match it with something from the files.

There was only one way to proceed---an attempt to so fasten the outlines of this fingerprint upon the memory of the technicians that it would be constantly before them in their search of the daily grist. This was done by lectures, stereopticon enlargements, and photographs. More than a year went by without result.

In the meanwhile, four men had been arrested and identified by eye-witnesses as the robbers. Conviction was almost certain, with hanging sure to follow. Then, one day from California, a sheriff sent in the fingerprints of a man who called himself William Harrison Holden. He had been arrested for investigation and released.

The expert went about his work, identifying Holden as Jake Fleagle, a former Oklahoma prisoner. But there was something about it all which bothered him---something familiar about these prints, as though he had handled them several times before.

Suddenly he ran from the filing case, carrying with him the fingerprints of Jake Fleagle. He found the enlargement of the latent print in the Lamar Bank

Robbery case. Other experts gathered about him. Then came the verdict. Jake Fleagle, alias Joseph Reed, alias William Harrison Holden had made that print found on the rear glass of the murdered doctor's automobile.

The chase began. Ralph Fleagle a brother, was caught. He confessed, implicating Howard L. Royster and George J. Abshier, who also were captured. These three were hanged. Jake Fleagle himself was killed while resisting arrest, while the four gangsters and ex-convicts who were being held for the crime were released, innocent for once.

Thus with the example before him of what a single fingerprint could do, J. Edgar Hoover began at once to build up the file previously described. He first made a survey of the country for known kidnappers. With these assembled, he then asked the various chiefs of police for the names of bank robbers, and following this for bad men and women in general. The file of what might be called National Enemies is now greater than many complete police fingerprint files before the installation of the Identification Unit. Already it has solved a number of cases which depended upon one latent print found at the scene of a crime---and afforded another example which almost matches the Fleagle case.

When machine gunners, a year ago, murdered four officers and a convict, Frank Nash, in Kansas City in their efforts to liberate their fellow criminal, only one thing became certain out of the confusion of eye witness testimony which followed the multiple slaying. This was the evidence that these killers had been led by a professional murderer named Verne Miller, who had lived for some time in one of the better residential districts of the city. Special agents of the Division of Investigation hurried there, only to find the man gone, and the furniture carted away. Nevertheless, they picked up every discarded bottle, every rag and piece of paper which might produce a scrap of evidence.

Descriptions by witnesses pointed to several of more than a dozen possible suspects. Verne Miller's associates might have been any one of six convicts who recently had escaped from the Kansas State Penitentiary; all of them knew Nash. Or they could have been a part of the Keating-Holden mob of bank robbers;

also friends of Nash. Possibilities also existed among the members of the Barker-Karpis gang of alleged murderers and kidnappers; there was evidence that they had been in the vicinity of Kansas City recently. Also, a fingerprint found in a St. Paul apartment after Nash's death showed that he had been in that city only a few days before his arrest, and that he had been in company with some of this crowd.

Suddenly, however, the chase veered. Now the forces of the Division of Investigation centered upon Oklahoma, and the hiding places of Charles (Pretty Boy) Floyd, and his constant companion in crime, Adam Richetti. Deep in the Cookson Hills, a Special Agent, reverting to a type of life he had known before entering the Department of Justice, posed as a cattle buyer while he asked discreet questions of the hill people. Other agents moved in the underworld, their every attention centered upon Pretty Boy and his machine gunner assistant, Richetti.

Previous to this time, Pretty Boy Floyd had led a pretty soft existence. He had plenty of money or could always borrow from other bank robbers. There was at least one city in which he could buy protection, and dozens of hideouts in the Oklahoma and Arkansas hills where he and Richetti could rest up in peace, meanwhile getting gloriously drunk and even sending emissaries into town for women with which to while away the hide-out hours. Withal, it was an existence so safe and so sure that Floyd beguiled the passing hours by filing ten notches on the inside case of his expensive watch, evidently to remind himself of the fact that he had killed ten men.

Then this easy existence for Floyd and Richetti suddenly changed. The hide-out owners told him he'd better move on. Fellow crooks looked the other way when he wanted to borrow money, and insisted that he had too much "G heat" on him to afford them pleasure. The reason lay in this determined search by the special agents of the Division of Investigation.

They tracked down every relative, every friend, everybody who even had known Floyd at other periods of his life. They had catalogued all his likes and

dislikes. They knew what kind of clothes he wore, his habits, the persons to whom he had appealed in time of previous trouble. Gleaning a little knowledge here and a little more there, they learned that Pretty Boy Floyd had been hidden in Kansas City by certain members of the underworld on the night previous to the killing of Nash and the officers. They traced the actions of Verne Miller as, following the news that his old pal in crime, Frank Nash, had been arrested, sought aid and an extra machine gun so he could "take Frank away from the G men." They broke down the resistance of the underworld and established the actual connection of Pretty Boy and his lieutenant in the massacre; they even learned that Floyd had been shot in the shoulder and that this wound had precipitated the machine gun barrage which had killed four officers and their prisoner.

It became impossible for the hunted man to seek out any of his old hiding places. The search turned eastward; Richetti had relatives in Ohio. Floyd's original crimes were committed in that state.

One day, the break came. A local officer found the two men hiding in a gulley near Wellsville, Ohio, captured Richetti, and sent Floyd fleeing after a pistol fight. Immediately airplanes brought Special Agents into the country from every direction; soon Pretty Boy Floyd lay dead; his body weighted by law enforcement bullets.

What had caused this sudden centering of suspicion, this dogged, never ceasing search for Pretty Boy Floyd? First, it must be remembered that Floyd and his associate Richetti were inseparable; if they could get trace of one, they would be on the trail of both of them. Secondly that the Special Agents, in searching the house of Verne Miller had not overlooked a single clue. Among the things they had found were several beer bottles, evidently remaining from a last round of drinks before a gathering. Microscopes had gone into action. Then dusting powders had been brought forth. After that, the queer, elongated cameras with their self-contained batteries and shielded electric globes, had clicked off their photographic records. Finally, the pictures had been sent to Washington, where a technician had gone to the single fingerprint file, shuffling through it, at last to stop at a classification. There had been

comparison, identification---and a telegram which had set the forces of the Division of Investigation on one of the greatest secret manhunts of recent years.

Upon one of those beer bottles had been found the imprint of a single finger. It belonged to Adam Richetti; and if Richetti were there = So the chase progressed; and ended with the death of Pretty Boy Floyd.

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3 chapters

* * *

TEN THOUSAND PUBLIC ENEMIES

By

Courtney Ryley Cooper.

* * *

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DIVISION OF INVESTIGATION
DEC 18 1934 P.M.
U. S. DEPARTMENT OF JUSTICE
FILE

TOLSON
LESSER

DEC 18 1934

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

ALL INFORMATION CONTAINED
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TEN THOUSAND PUBLIC ENEMIES

By

Courtney Ryley Cooper

With a Foreword by J. Edgar Hoover, Director, Division of Investigation, United States Department of Justice

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CHAPTER ONE

Let us consider the subject of so-called organized crime from an angle which directly concerns yourself.

If you even walked a block today upon a crowded street, you brushed your way past persons with a police record. You may even have talked to ex-convicts and been none the wiser.

If you attended a baseball game, or went to the theater, or rode on a crowded streetcar or subway train, you were in the company of former prison inmates, perhaps dozens of them. Last night, you may have danced to the music of a good orchestra in the best hotel in the city. It is a possibility that some one of the group which entertained you

gained his experience in a prison band.

You see ex-convicts and criminals every day without knowing it; you meet them and conduct business with them. Sometimes you are even guided and commanded by them. I have in mind the excitement of a high officer of a concern employing thousands of men who one day dropped in to the office of J. Edgar Hoover, Director of the Division of Investigation of the United States Department of Justice in Washington.

"Perhaps this is silly," the visitor said. "We've got a man in a very important post out West that I -- well, I just don't like him."

"You personally dislike him, or you suspicion him?"

"Both. I dislike him because I suspicion him. I don't like this man's evasiveness. I don't like the way he dodges my questions about his previous connections."

Mr. Hoover asked for the name and reached for one of his several telephones. Then he called the head of the Identification Unit, and relayed to him a desire for facts. Fifteen minutes later, a messenger entered the office with an oblong card.

It showed the front and side views of a man's face, together with his name and various aliases. It told of gangster connections, and bore the marks of fingerprints. Mr. Hoover tossed the card wordlessly across the table; the visitor needed only to glance at it to effect positive identification.

Excitedly he left the office to send the telegram

installed through a merger.

that would rid his bureau of a crook. Mr. Hoover went calmly back to his grueling work of guiding hundreds of criminal chasers throughout the United States and its possessions. Criminals who masqueraded as honest men were nothing new to him.

There is a certain amount of irony in the attitude of the average law abiding man and woman toward crime and criminals. The male, heavy with the responsibility of protectiveness, is ever alert for the "criminal face", only to be amazed when the police raid a house in his own neighborhood and take a bank-robbing crew to jail; they had always been so quiet and well behaved. The woman shivers every time she passes a police station, and often will not even read crime news. But at some time during her shopping day, she meets a crook without knowing it, and perhaps passes quite a pleasant time in doing so.

Criminals do not spend their lives in secretiveness and solitude. They are all about us, and, paradoxically, the more desperate they are, the greater possibility of their being in places where they will mix with those who obey the laws. Our daily lives are intertwined with crime and its perpetrators. The dreamy-eyed manicurist who files away so enthusiastically at your nails may be thinking only of quitting time when she can hurry to meet the man whose moll she will eventually become, arranging his hideouts, carrying his gun for him, fainting at the scene of a burglary to confuse pursuit. Provided this manicurist works in a shop of heavy

patronage, it is almost certain that the same instruments which shape your fingers have performed the same service for men who have known the cell-block and the mess hall of prisons. Your tip after a hotel meal clinks in the same pocket with the gratuity of murderers and kidnappers. In the drug store, the grocery store, the millinery shop, the hotel, the bank, the theater, the night club, the office where you work; everywhere, your daily life is within the limits of a current where drift also men and women who have violated every law from minor infractions to murder. Recently at the Department of Justice, in studying the files of a bank robbery, I was impressed with the wide variety of occupations engaged in by those under suspicion of having been concerned in the commission of the crime.

It was a bizarre cast of characters which I finally listed. There was a manicurist, for instance, and a farmer, a resort owner and a hotel owner, a magazine solicitor and a real estate man. There was a mail carrier and a cigarette girl in a night club, the owner of a soft drink parlor and a politician. There was a radio singer and a gambler, a road house owner and a golf professional, a peddler of stolen furs and a sales girl in a large department store. Then too, there was a waitress and a cabaret entertainer, a girl owner of a candy store, a college student, a policeman, an ex-banker, and a former chief of police.

In these occupations, this cast of criminal characters had met and served thousands of law abiding citizens who believed them honest. To the surprise of those good

members of society, the malefactors had carried no placards announcing themselves to be enemies of society; yet seven of them were ex-convicts. Among that number was the radio singer who nightly crooned love songs from a big station and who left the microphone to consort with his old cronies of the cell block and exercise yard.

The underworld is not something which is hidden away; it is distinctly a part of your world as concerns looks, actions, and often places of residence. The name of John Hamilton, for instance, is high on the list of National Public Enemies. A member of the John Dillinger gang; his crimes ran from bootlegging to murder. Yet when the Chief of Police of South Bend, Indiana, went to arrest Hamilton for his first bank robbery, he did not go into some low dive where candles spluttered, and illy-dressed sots slumped at rough tables. The Chief called the riot squad and led it down the street to within a few doors of his own home, where he took John Hamilton from a family dinner with relatives and friends. There was even that necessity of any typical American dining room scene, a baby in its high-chair.

Again it must be impressed that men and women may "look like criminals" when they are dressed in prison gray. But in the clothes of the ordinary citizen, they look, act and seem like the rest of us. There is nothing so gullible as an honest man. A passport photograph invariably causes the laughing comment that all such pictures would turn a saint into a safecracker. But that same person will believe that a

police photograph, taken under almost identical conditions, represents the true reproduction of a person's features. Therefore, to truly depict the present day problems of crime it must be repeated that the dangerous part of the underworld carries no banners announcing its occupation. Its members do not scowl fiercely, nor wear their collars turned up about their necks, nor cringe, unshaven and skulking in the shadows. They go about as good citizens go about, well dressed and buoyant. They attend the same entertainments which give pleasure to the law-abiding. They have many of the same habits. They are interested in the same fashions; one of the hats left behind when machine guns rattled and the "moll" of a hunted man recently escaped police and Federal officers, was a Patou model. Given the money, you'll find the public enemies of today at the horse show, at the big resorts, in boxes at the races, and in the best hotels.

Another thing to impress is the enormous number of persons who are either in crime or living on its fringe. One drizzly day in late November, I sat in Mr. Hoover's office in Washington. There were lines in the Director's ordinarily youthful face as he stood behind his big desk, flanked on each side by the soft folds of the American flag. His hands were outstretched, within inches of the telephones which link him at a moment's notice to the thirty field offices of his Special Agents, stationed at stragetic points throughout the United States. The Director was tired; there were gray loops beneath his keen eyes, a grim, set appearance about his lips; usually

they are extremely facile, eager to smile.

There was reason for the tenseness. Two of his men, one a highly efficient inspector, the other a Special Agent of great resourcefulness, had been killed the afternoon before by gangster guns. Mr. Hoover had spent the night at these telephones as he directed the search for the killer. Now word had come that the hoodlum had been found dead, his nude body in a drainage ditch, where his companions had rolled him. A newspaperman entered the office.

"They tell me you've found the body of Baby Face Nelson," he began.

"Special Agents found it," Mr. Hoover corrected gravely.

"Swell." Then: "That about cleans up your job, doesn't it?"

The Director seemed surprised.

"I don't understand."

"Baby Face was Public Enemy Number One, wasn't he?"

"Yes, he was, previous to that."

"And you're after the Barker-Karpis gang now. And that Robinson guy for the Stoll kidnapping."

"Yes, and we'll get them."

"There you are. Knock over those babies, and there won't be any public enemies left."

Mr. Hoover shook his head.

"There will be ten thousand active public enemies left."

"Ten what?"

" "Ten thousand persons rated as dangerous criminals--you'll find all their names in a special file in the Identification Unit. Persons like Dillinger or Pretty Boy Floyd or Baby Face Nelson. One desperate situation is all they need. And," he added, "there are three million others who have exactly the same background as these men had when they started."

Perhaps that last sentence seems fantastic. Comparatively speaking it means that out of every forty-two persons in the United States, one is either a convict, an ex-convict or possessed of a police record of arrest. That if you meet forty-two persons in a day, the law of averages demands that one of them be a lawbreaker. Yet that figure is a conservative minimum. In the files of the Identification Unit of the Division of Investigation are some four million eight hundred thousand sets of criminal fingerprints. These represent about ninety per cent of all persons arrested in the United States for offenses where conviction would merit jail sentences or worse. In cases where innocence is proven, the law gives an accused person the right to demand the return of his fingerprints; therefore the deduction must be made that these prints represent guilt.

Of these, one million eight hundred thousand are repeat cards, representing arrests for more than one offense, thus leaving a total of three million individuals. Minor infractions, like overparking, and the breaking of lesser municipal ordinances are not listed. These persons have committed

offenses from the worst of felonies on down the scale and it will be shown later that the ranks of the desperate are filled as easily from the lesser grade of offenders as from the more serious.

The selected ten thousand are men and women whose capture must be made by armed men. In other words, the necessity for arrest means also a necessity that the raiding officers be prepared with machine guns, automatic rifles and perhaps tear gas guns in order to be properly armed for the battle which may follow. They include the criminal murderers as differentiated from those who have slain in passion, kidnappers, vicious extortioners, confirmed bank robbers and hold-up men. Each of these ten thousand has from two to a dozen infrantions of the most vicious nature against his record. They are listed in a separate file because they are consistent violators, and their number is being supplemented daily. All of them are qualified to lead a gang, and most of them have done so at some time or another.

A gang, it might be added, usually is composed of from five to eight principals, with at least four minor characters or hangers on for each major member. Therefore, this file of ten thousand names in reality means an army of criminals far greater than the numerical strength as indicated by the cards. These are the post-graduates of crime. The remainder of the three million might be called the general student body. It is a wise official who can prophesy which of them will remain dormant and which flare up into a life of banditry that

will force the law enforcement bodies of the entire nation upon his trail.

The dangerous criminal becomes such by a process of education. In practically every instance, he begins in a petty way, slowly becoming more vicious, until at last he is classed as a mad dog. Perhaps a case history is necessary. Wilbur Underhill, known as the Tri-State Terror, is a good example. Catalogued by popular opinion as an "Oklahoma Outlaw", he nevertheless was an excellent personification of crime as it exists today, for geographical boundaries have almost ceased to exist. A man may live in a certain locality, he may even commit his crimes in that locality, but, as shall be shown later in this book, his activities in reality are nation wide. But to Wilbur Underhill, his beginnings, his ascent -- and his decline:

That portion of the middle southwest where the southeastern end of Kansas joins the southwestern end of Missouri, both of them flanked by the northern boundary of Oklahoma, is known generally as the Tri-State Region. It is a country of varied activities; huge mines in the vicinity of Carthage and Joplin pour forth a great part of the national output of lead and zinc. Nearby in Kansas are coal mining centers. To the south, in the Osage Hills, are tremendous oil fields, while scattered everywhere are rich grazing and farm lands. The country is prosperous; the population as mixed as the vocations.

Wilbur Underhill was of German-American parentage,

tall, gray-eyed, with unruly light brown hair -- in appearance only one of thousands of average American small town young men. If one looks hard enough at the pictures of him taken while in prison, one may believe his mouth to be cruel, his jaws to possess heavy lumps of determination and his eyes a sinister directness. Yet in ordinary life, those same gray eyes would have carried a certain air of wistfulness, and the lips an almost imperceptible droop which might have indicated youthful melancholia. Appearances run that way; your own mood accounts greatly for the manner in which you see a thing.

It was about 1918 when Underhill found his way into crime. He began in the same manner which most present-day criminals began -- on the fringe of prohibition. He had grown up in the vicinity of Picher, Oklahoma. It was a mining town like many of the others in the community, with its consequent shack-like speakeasies, and its inevitable drinking parties. The boy made a few extra dollars by selling moonshine.

Naturally, a bootlegger himself, he met others higher in the business. In those days much of the liquor of Tri-State region came from the stills of the Osage Hills. Good roads and the oil business have changed this country considerably in the last fifteen years; it now no longer bears as sinister a reputation as a bandit hide-out. In Underhill's youth, however, it was possible for anyone who dealt liquor to meet a cross-section of national crime. The wild stretches of the Osages then afforded a hideout for some of the most notorious bandits of the country, to say nothing of the crooks

which had come from every part of the nation to prey upon oil-rich Indians, willing to spend their petroleum royalties upon anything from a fifty-room mansion of which they used only the kitchen, to a confidence game. As for the source of most liquor, it came from the "estate" of Henry Grammer.

This man controlled an empire. A privately owned power plant lighted up the dense section of forest growth where criminals from a dozen penitentiaries ran his stills. Armed guards patrolled the limits of this domain, warning away any casuals who might stray in the direction of the liquor plants. Deliveries were made by motor car, driven by ex-convicts. Sometimes they were faithful to the confidence which Henry Grammer imposed in them. Sometimes they hi-jacked the liquor with the aid of a confederate, and sold it themselves. Shortly after he began peddling, Wilbur Underhill saw that there was more money to be made by selling cargoes of moonshine instead of bottles, so he joined in one of these hi-jacking enterprises, splitting the profits with the driver. Then, having been successful, he hi-jacked a truck by himself. He had now moved up in crime.

In reading the files of the Department of Justice, one is amazed at the short space of time in which a comparative novice in crime becomes a professional, and the equally brief interim which elapses from his amateur days to the moment when he can call big bandits by their first names and possess an acquaintanceship which extends deep into the underworld. At ~~eighteen~~ nineteen, Wilbur Underhill knew most of the men

who used Henry Grammer's place as a hideout. Soon he was to extend his acquaintance. The police of Joplin, Mo., arrested him on a charge of burglary and proved their case. Underhill went to Missouri State Penitentiary under a sentence of two years.

He was less than twenty years old. Not two years before, he had been a gawky boy, yet to run his first bottle of liquor. Even now, ~~as he sat~~ by the window as the train wound along the bluffs of the Missouri River toward Jefferson City and the walled prison which awaited him, he appeared only an immature, sad-eyed young fellow with no apparent evidences of a criminal instinct. His voice was pleasant, he smiled easily -- except for long moments when he stared outward at the murky flow of the eddying Missouri, and that slight droop came to his well-formed lips. Yet this quiet boy with the unruly, light-brown hair, already was known to a hundred vicious outlaws of the Osage hide-out area as one who listened eagerly to every tale of criminal exploits, and who could be depended upon for cold, incisive action in the commission of a crime.

His time in Jefferson City was spent in the usual activities of any man who looks forward to a criminal career. He told the chaplain what a good man he was going to be when he got out, meanwhile cementing friendships with other convicts and gaining from them an increased knowledge of how to break the law. He failed, however, to learn one thing -- how to keep away from the police. Therefore, within a year of his release, he was back in the penitentiary upon another

sentence, this time for five years upon the more serious charge of armed robbery. He served only a part of his sentence. On his first trip he had learned from older men the wisdomQ of supposedly good behavior. It is prison sagacity to bribe guards, indulge in secret writing to pals outside the walls, or engage in the hundred and one forms of smuggling which constantly go on inside a prison. That is all accomplished in secrecy and what the warden does not know makes no appearance on a record or upon an application for parole. But only the foolish or desperate openly break prison rules, thus endangering early release through clemency, or preparations for an escape. Wilbur Underhill played his game with finesse and was free long before the stipulated expiration of his sentence.

One day shortly afterward, four men drove up to a bank in a small Oklahoma town and alighted from their car. It was noontime, only a few depositors were in the bank, and one officer on duty; the rest were at luncheon. One of the four men stayed with the car, another took up a position as guard near the door; the other two went into the bank. Soon they ran forth, tossed money bags into the tonneau and shouted for speed. The guard clambered in behind them, the driver jammed his foot against the accelerator, the car rounded the corner in a swirl of reddish Oklahoma dust and was gone. Then the wires sang with the news that Ray Terrill and Matt and George Kimes, notorious bandits, had pulled off another bank robbery. This time, however, they had a fourth man in

the gang, a young fellow of about 25, with gray eyes and light brown, unruly hair. Once more Wilbur Underhill had "stepped up".

To the law abiding it perhaps seems a difficult process for a man to become a member of a notorious gang. In reality, its counterpart in ordinary life would be that of the ambitious young man who works in the grocery store in a small town and who knows everyone. He is alert and eager, he forms friendships easily and impresses those whom he knows as a person with executive ability. So soon, another and bigger grocery store starts down the street, and a surprised town finds the young man as one of the partners. It is exactly the same in crime. Acquaintanceships stretch through the criminal world even in greater proportion than they do in law abiding society. A good citizen, as a general rule, need know only those whom it pleases him to know. A criminal wants to know everybody, the good so that they can appear as character or alibi witnesses for him in case of a trial, and the bad because they are his business associates, the members of his Criminalis Club.

Underhill had met the Kimes boys and Ray Terrill in hi-jacking days. Now, long graduated into more desperate fields of endeavor, he had appeared to them a capable partner. So Wilbur Underhill, alias Henry Wilbur, had become a bank robber and rode with the Terrill-Kimes gang upon many a desperate mission. At last, however, they split. The Kimes Boys and Terrill said it was because Underhill had a murder complex and eternally begged for the privilege of killing someone. Underhill struck out for himself.

It was Christmas Eve. In a drug store in Okmulgee, Oklahoma, George Fee, a clerk, was alone behind the counter when a tall, well-built young man with gray eyes, wide jaws and unruly brown hair came into the store. He walked to the waiting clerk, and raised an automatic pistol.

"Reach!" he commanded. Fee gave a surprised laugh.

"Why -- what kind of a Christmas joke is this?" he asked.

"I said to reach!" the gray-eyed man commanded. Fee was slow in obeying. There was a spurt of flame, a coughing gasp from the wounded clerk, and he crumpled to the floor. The man rifled the cash register and ran out of the store, leaving Fee dying behind him; the clerk lived only long enough to give a description. Now Wilbur Underhill was a murderer, and as such the police of Tulsa, Oklahoma, recognized him on the street a week later and arrested him. He was taken to Okmulgee and there placed in jail.

This time his attitude toward imprisonment underwent a change. Good behavior went by the boards. Underhill sent word that he needed the help of some of his old pals.

The average person wonders just how a man in jail gets to see the persons he wants and needs. Again it is simple. Often it is worked through some relative, and in a manner almost approaching the casual:

"Mother, when you go back home, call up Joe Smith and tell him I wish he'd drop by and see me, will you?"

Unfortunately for those who believe that the only

sacred word in the world is "Mother", it often happens that the female parent of a criminal knows that her imprisoned son does not want to see Joe Smith in order to discuss the Bible. On the other hand, there are many times when she, as well as other relatives, enter innocently into conspiracies which later jolt their faith in human nature and human offspring. A guilty man in trouble does not care whom he uses. His psychology is exactly that of a child who will fasten a family infraction on his own sister if he, himself, can evade a spanking. Underhill, like any other guilty murderer who wanted to be free, finally found a way to bring a Joe Smith to the criss-crossed grating of the jail through which they talked. There were other visits. Perhaps, during one of them, the guard may have looked the other way; that often is found to have happened just prior to a jailbreak or prison escape. At any rate, Underhill went back to his cell with saws concealed in his clothing. Shortly after that, he cut through the bars of his enclosure, likewise sawed the bars of the window, and dropped to the ground on a rope made of bedsheets. One more exploit had been added to his career.

Officers who chase criminals work on the strength of the homing instinct. They felt sure that Underhill would return sometime to Picher. This he did, and walked into a trap, only to shoot his way out of it. An innocent man fell as a result of the speeding bullets, Earl O'Neal, an oil worker. Underhill had committed another murder. But they got him again, and this time, visitors were watched more closely. Underhill was sentenced to spend the rest of his life in the

Oklahoma State Penitentiary at McAlester for the Fee killing with the other charge yet to be tried.

Now he had become truly a desperado, with the probability that he would be sent to the chair for the murder of O'Neal. So he attempted an escape, only to fail, and was placed in solitary confinement.

I am afraid that as one goes deeper into this book, a great many stalwart beliefs about crime, criminals and punishment will emerge torn and dishevilled. All our lives, we are taught that the guilty must pay, that prisons are stern, uncompromising institutions where an offender steps through steel gates into a life of silence and discipline, a gray clad figure without hope or personality, an epitome of despair known only by a number.

The builders of that fiction possessed two serious faults. For one thing they did not know human nature. Neither did they know prisons. It was not long until Wilbur Underhill was not only out of solitary confinement, but outside the walls, and working with a guarded gang on road construction. Suddenly, as the men marched along, he slipped out of line and into a clump of bushes. The convicts continued to march, silent, giving no sign that a man was missing from their ranks. They call such an action the "criminal code". It is in reality fear -- fear that a convict pal of the escaped prisoner will knife them, or the desperado himself be waiting to settle the matter when the term is done and both meet in freedom. But at last a guard shouted. Underhill was missing.

It was then that the escaped convict ran out of the brush, upon a jagged, dodging course, and headed for the bluff of a river. There, with the crack of rifles sounding from behind him, he leaped into the water, diving at frequent intervals to escape the bullets which were splashing about him. At last he climbed out uninjured on the other side of the river, and headed into the scrub oak. Guards sometimes are notoriously bad shots.

A short time later, the desperado reached Wichita, Kansas, where he took up his residence in a hotel, to all appearances, merely one of the dozens of farmers, oil workers, ranchers and business men who frequented the place. He was well clothed. He had sufficient money. How all this happened is a part of the criminal existence which must be explained later; it too is simple. Then a robbery occurred in Wichita and someone in the hotel reported having seen stolen goods in Underhill's room.

By this time, of course, the man was armed. The love of a criminal for guns is almost an obsession. One often does not suffice. There seems to be a greed for them, which sometimes results in as many as eight or ten shotguns, several machine guns and a dozen pistols being found in a bandit's possession. Underhill was a perfect specimen of this sort. Guns were his hobby; he loved them, pored over them, toyed with them like a man with a pack of cards. He spent long hours in target practice, with a tree for an imaginary man, and anything from a machine gun to an extra-

magazined Luger as his weapon, as he played at killing. Then make-believe became reality. Merle Colver, a Wichita policeman, came to Underhill's room to question him regarding the reported possession of stolen goods. The bandit opened the door with one hand and with the other grasped an automatic pistol. Colver had no time to ask questions. He fell mortally wounded, and other policemen hurrying to his aid caught the murderer as he sought escape. Since Kansas has no law providing for capital punishment, Underhill promptly pleaded guilty to the killing of the policeman, thereby being sent to Lansing prison for life, otherwise he might have been returned to Oklahoma and been executed for the O'Neal murder.

So again he was in the penitentiary and working to be free. On Memorial Day, 1933, there was a prison break, the details of which must come much later in this volume. Underhill "crushed out" with ten other convicts. Now, with some twelve years of crime development behind him, he plunged into a career of bank robbery, assault, holdups and murder in the three states. Once, armed with a machine gun, he halted the car in which he had been fleeing from officers and stepping forth, waved them closer as if begging them to come on and be killed. With other companions, he actually drove the peace officers out of a town, then with the law at bay, rode up and down the streets, driving citizens within their houses. He even robbed banks by the expedient of loading the safe on a truck and carting it away. At last he became so dangerous that even hardened bank-robbers became fearful, and excused

themselves from teaming up with him. Finally he was identified as a participant in the murder of a Special Agent of the Department of Justice. This put the United States Government on his trail. A determined hunt began.

For a time it seemed in vain. Protected by the wide range of criminal acquaintanceship which he possessed, Underhill was always a jump ahead of the officers. Perhaps it madehim even more daring; he entered the town of Coalgate, Oklahoma one day with Hazel Hudson, a childhood sweetheart, and a member of the family from which sprang the Jarrett gang of bank robbers. There he was married. Then with his bride he vanished.

But the net drew slowly tighter, through the intricate workings of the Division of Investigation, ~~which ... later chapter.~~ One cold, drizzly night in late December 1933, word came that the Tri-State Terror as he now was known, with his wife and some pals, was in a house at Shawnee, Oklahoma.

The information had come at midnight. Two hours later, after a wild forty-three mile drive from Oklahoma City, seven Special Agents, and eight police officers and deputy sheriffs crept toward the house, from a point some distance away where they had left their three automobiles.

A block from the house, darkened except for the northeast bedroom where the curtains were raised, the main body of the posse split, half to approach from one side, half from the other to permit a cross-fire if necessary. Then

 rest of chapter?

men with gas guns were detailed to cover the front and rear. Wilbur Underhill now bore the title which passes so swiftly from head to head these days -- Public Enemy No. I.

The creeping approach began. No one spoke; each was guided only by the faint rustling sound of the moving men to his right and left. Then a dog began to bark from an adjoining yard.

"That damned dog!" whispered a deputy.

"Hurry!" came in a low tone from the Special Agent in charge. "That dog'll warn him -- "

Crouched, they ran forward. Then the Special Agent in charge straightened, his sub-machine gun in readiness. Before him, not fifty feet away, outlined in the light of the room of the raised window shade, stood Wilbur Underhill.

He was in his underwear, apparently making ready for bed. Within reach, upon a nearby table, the Special Agent could see two converted Luger pistols, each capable of firing thirty-one shots with machine gun speed.

"This is the law!" shouted the Special Agent. "Put your hands up, Wilbur. And don't reach for those guns!"

The desperado stood perfectly still for almost a second. Then spazmodically he whirled to the right and grasped the two Lugers. Again the agents shouted -- the answer of the Terror was to bring the guns into firing position and pull their triggers. Instantly yellow-streaked fire burst forth from a half dozen spots in the darkness. Underhill staggered and fell to the floor.

"We got him!" shouted a deputy.

"Stay back there!" The Special Agent in Command was a veteran of many such battles. Then: "Didn't I tell you? He's on his feet again."

The Terror had risen, both Lugers blazing. Now there were fifteen guns to answer his shots. Suddenly aid came to Underhill from the front end of the house. A pal, Ralph Howe had seized a weapon and had begun firing.

The night was now a hideous rattle, stabbed by the screams of Underhill's woman. But still the battle continued, Howe and Underhill now out of sight, but continuing to fire nevertheless, while the darkness outside was slashed by the flame of machine guns, pistols, automatic rifles.

The deadly spurts which had been coming from the front window ceased; Howe had been wounded and was out of the battle. Underhill raised from his hiding place and with a burst of fire, emptied his Lugers into the drizzling night. Then for the briefest part of an instant, he stood immobile. His machine gun and shotguns were in his automobile, locked in the garage. Momentarily beaten at the game of killing upon which he had practised so long, the man staggered from the impact of a bullet, then with amazing strength leaped for the door leading to a hallway. Again the old Special Agent shouted a command:

"He's headed out -- on a getaway!"

Guns converged on the front veranda. The door opened. A dim, grayish form showed faintly as Underhill

leaped from the house to the steps, then outward. Again the drive of bullets began, automatics, pistols, the deathly rattle of sub-machine guns. Wilbur Underhill slumped in a stumbling fall, only to straighten and again go onward. Once more the possemen cut him down. But once more he rose -- and vanished around the side of a neighboring house.

Then the slow search began. Flashlights poked their white beams into every unlocked garage in the neighborhood, every corner, every open cellarway. The hunt was fruitless. Bloodhounds were hurriedly brought from town. The drizzle had become a downpour now; they circled aimlessly, baying their inability to pick up a scent. Meanwhile Sheriff Stanley Rogers of Oklahoma City, with another posse, was cruising the streets. He heard a rumor that a man who staggered had been seen at the rear door of a downtown furniture store. He hurried there with his men. Once more flashlights pointed a way. There, sprawled in a bed which had been set up as a furniture exhibit, they found the hunted man, his body torn by thirteen bullets; three of them had caused vital wounds. Yet it was nearly a week before the Tri-State Terror died.

The story of Underhill, as I have told it in detail, seems unusual. However, the only modification necessary to make it applicable ~~policy~~ to any one of the spectacular cases which have occupied public attention within the last few years, is to change the names and locale. The formula is the same whether the place be New York, San Francisco, New Orleans or Chicago. In a measure, the history of Wilbur Underhill is even the history

of Al Capone; certainly there could be no two men apparently more widely separated in the field of crime. But let us compare them:

Underhill started as a small time bootlegger. Capone started as a hanger-on around the Five Points in New York. Underhill widened his acquaintanceship among criminals. Capone finally became known among gangsters in New York as a tough man in a fight, and was taken to Chicago as a hoodlum. Both Underhill and Capone grew into enemies of society through a slow climb of the ladder; this writer can remember the days when Al Capone was only a capper and procurer standing ~~out~~ in front of the Four Deuces saloon and brothel at 2222 South Wabash Avenue in Chicago. I saw him there a dozen times, coat collar turned up on winter nights, hands deep in pockets as he fell in step with a passerby and mumbled:

"Say Pal, want to drink some good beer? Got some nice-looking girls inside here ---"

Both Capone and Underhill were at one time merely members of the three million, and nothing more. Thus dangerous crime becomes a mammoth grab-bag, and no one knows which man out of the tremendous number of candidates will become the one who, seemingly within a short time, takes his position on the first page as a national menace.

CHAPTER TWO

In the foregoing chapter, there were several hints that the career of a criminal is not wholly a lone-wolf affair, carried on without assistance. If you care to find a lone wolf, go to any penitentiary and ask for the man who is serving a long sentence without much hope of pardon or parole. You will find he has been a failure at law-breaking.

The successes are those who conduct their lives greatly along the same lines pursued by the business man who believes in wide acquaintanceship, utter familiarity with all necessary contacts, and the value of influence, both family and political. No man can succeed in business by drawing off to himself, refusing to advertise, refusing to belong to clubs, refusing to let a politician say a good word for him, refusing to take advantage of business secrets. Exactly the same precepts hold true for the person who chooses to align himself against the law.

Yet organization in crime is only a term, a phrase. Even in the days of Al Capone, there was no such thing as real organization. True, Capone had hundreds of henchmen; any gang leader will possess followers. But any rich man possesses them also, and any captain of a kids' gang, digging caves in a vacant lot. The system amounts to little more.

Mainly Capone ruled -- if such can be the term -- because he got in on a growing business where there was a

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tremendous demand and little call for enforcement. He had the help of so-called honest persons who eagerly bought the liquor which he purveyed. He made money and made it fast, therefore he could hire thugs to promote his business, attorneys with tremendous political influence to protect it, and bribe almost whom he chose. He had a certain business ability -- sufficient in fact, to use Italian families as alcohol cookers, thus maintaining a supply of liquor and, through the money he dispensed, establish himself as a political entity. Yet Capone was no genius. He got away with it while the going was easy, like a rich prospector with both hands full of money, who is able to buy a town -- because he pays for it. When the going got hard, Capone went to prison, and did it with a far greater degree of submission than many desperadoes of the present day. As long as he could buy his way out, he stayed out. When that no longer became possible, he went in, and there's his story.

Perhaps an illustration is necessary. The effort to place Capone behind bars was for years a farce. He even obligingly dropped in at police stations whenever he heard he was wanted, and almost as quickly walked out again. But finally, the United States Government decided that he had come within its jurisdiction on an income tax matter. An opportunity then was provided to establish the exact degree of shrewdness and cunning possessed by this alleged emperor of crime.

Capone hitherto had evaded court by turning the

matter over to his attorneys. They in turn had dismissed the annoyance by methods which gangsters' attorneys, especially in those days, seemed to know so well. Therefore, when the Federal Court called Capone, he looked upon the summons with his usual disdain.

In all justice to Al Capone this was not his fault. That responsibility belonged to the American people who allowed him to build up a political machine, to help control elections, and who, in many cases, heroized him because he established a few soup kitchens and gave away food to hungry men during cold winters. If a department store or a newspaper had established soup kitchens, the action would have been judged for what it was worth, an advertising stunt. When Capone did it, that was the magnificent gesture of a Robin Hood. It is a sad fact that the greatest aid to criminality of all sorts is the slow-thinking attitude of the average American citizen.

Nevertheless, Al Capone was called as a witness in a prohibition case before Federal Judge James H. Wilkerson in Chicago. Capone dismissed the matter and went to Florida, his attorneys submitting an affidavit by a physician of Miami, stating that Capone was recuperating from bronchial pneumonia and that a trip to Chicago would endanger his life.

Excuses of this type had sufficed before in the lesser branches of the judiciary to which Mr. Capone had been invited. It did not satisfy Judge Wilkerson. The Division of Investigation was given the task of determining the exact extent of Capone's illness and his inability to attend court.

Special Agents therefore were sent to Miami. The investigation was ridiculously simple. They found that Capone's treatment for bronchial pneumonia consisted of frequent trips to the Hialeah Race Track and the Miami Jockey Club. Another specific was seaplane trips between Miami and Bimini, in the Bahama Islands, where he went to confer with liquor runners. Sometimes he also made these trips by steamships, perhaps for the tonic effects of the salt air. The Special Agents made their report to the court, and for the first time Capone really felt the strength of law. He was sentenced to six months for contempt, which he served concurrently with the term he is now undergoing at Alcatraz Island for income tax evasion.

The point is not that Capone tried to beat the law. It is the fact that a crook can always find someone to help him in his attempts to defeat justice. In the files of the Division of Investigation are countless cases where apparently reputable citizens have aided alibis, or even given perjured testimony regarding questioned documents simply because some criminal asked them to do so.

The crook depends on all that. He depends also upon a vast network of information, and aid, which the inexperienced might call "organization". In fact, it is more dangerous than an organized system. In that event, it would be only necessary to wipe out the heads and the whole fabric would go to pieces. The criminal set-up as it exists today is something much more difficult to reach. It is a

voluntary coalition instead of organization, a fraternization, a vast lodge which extends to every part of the United States, and it can be eradicated only by a determined and continued attack during which the aiding and harboring of criminals becomes too costly for profit.

As conditions exist, however, the worthwhile criminal of today knows exactly where to find aid in any city of size in America. He knows what merchant to patronize, what tailor makes clothes with concealed pistol pockets, which hotels and resorts are "right", what cities have politically dominated police. He has the name of the crooked banker or broker or fence who will take ransom money or bank notes off his hands at a discount. He knows the names of night clubs, restaurants, resorts, pool and gambling dumps where his pals can be found. He has the telephone number and name of doctors who will attend his wounds if he is injured in the commission of a crime, and who will keep the fact a secret. He knows lawyers who will not only defend him, but who often will go to the extent of planning a crime beforehand, showing him the pitfalls to be avoided and the precautions to be taken to establish an alibi. If he needs an automobile, he knows what gangs are operating in stolen cars and where he can buy a disguised machine. Or if he desires a new car purely for pleasure purposes, he knows the name of several dealers who make a specialty of confusing the records so that true ownership cannot be traced. He even has a fairly good record of "soft" pardon boards, easy governors and "gill" or loosely run prisons, so that if caught for his

crimes, he may plead guilty to something in a state where punishment is not severe and where the parole board is composed of "sisters" who believe that all a convict needs to make him a model of sweetness and gentility is a little more freedom.

He knows the names of hundreds of quiet outlying resorts throughout the United States where a person may hide out from the law -- cooling off joints, they are called. He even knows what beauty shop proprietor to patronize to get his hair dyed. Is that far fetched? Let me drew an example:

Recently a crook named Lawson was captured on the Pacific Coast. His hair had been dyed. George (Machine Gun) Kelly, the bandit and kidnapper, was caught in Memphis, Tenn., and his hair had been dyed. Harvey Bailey, the mint robber, was caught in Texas. His hair had been dyed. James (Fur) Sammons, wanted for a Baltimore robbery, had changed the color of his hair. Two prisoners who escaped from Leavenworth Penitentiary roved all over the country before they were caught -- with dyed hair. Dillinger's hair was dyed. So was Baby Face Nelson's. And John Hamilton's. Here were widely separated instances, but they all had patronized hair-dyers, in accordance with crookdom fashion, ~~and they knew [illegible]~~. The jobs were expert ones and had been done several times. But in not one single instance had a report gone to the police that a young man, with no necessity for hiding gray hair or physical deformity, had p chased a hair dyeing job -- and one which would tend to co pletely alter his physical appearance.

To continue: They know which penitentiaries have crooked guards and who those crooked guards are. They know which wardens are suckers for a hard luck or mother story, and which ones are easy with passes. They even know what "honest" shop-owners and merchants are crooked and where to find them.

Naturally, these are generalized statements. It shall not be difficult to prove all of them. Here is one item in particular; Suppose you should decide that your family automobile should be made bullet-proof. Just how would you go about it?

There would be the questions by the police, to enquire just why you desired this car armor-plated. There would be questions from the motor car company. And if you never have seen a bullet-proofed car, perhaps a description of one might give some ideas of the difficulties attendant upon having the job done.

The body is of thick steel, so thick that a strengthy effort is necessary to close a door. Even the top is made of light armor plate. Every bit of glass used in the windows and panels is at least three quarters of an inch thick and of the non-shatterable variety. The windshield raises from the bottom to allow the muzzle of a machine gun to be shoved through with the least possible danger to the person who operates it. The same is true of the rear panel, usually immovable. There are special apertures in the dash for automatic pistols, the inlay and wood work so carefully done that

even the most inquisitive policeman, once the drawer is locked, would pass up this receptable as a factory job. The same is true of machine gun racks concealed in the rear of the front seats.

The tires are filled with a puncture healing liquid which flows immediately into any hole that may be created by a bullet, thus allowing the car to proceed no matter how many persons shoot at the tires. The radiator grill is of bullet-resisting steel, and the engine protected by an inner plating which lies inside the hood.

All of this work is done perfectly, professionally. The trademarks of the car remain as they originally existed; the insignia on the radiator, and on the hub caps. The paint job, the body work, the fitting and joining of the doors, the wider apertures for the glass, are all so well executed that it is impossible to believe that the car did not thus come from the factory.

Here therefore, is a job which requires a tremendous amount of equipment. The steel must be purchased and moulded--so carefully that the armored car can stand side by side with an ordinary automobile and be classed as identical. I believe I am a fairly close observer; yet I have ridden in armored cars and not realized the fact until I have rolled down the windows. Nor was that caused by the effort in lowering them; the ratchets work so perfectly that there is no evidence of weight. The knowledge comes when the window is lowered and the edge of the glass is revealed, displaying its extraordinary thickness.

This glass must be made. There must be expert artizans to fit it to the woodwork. Where is it all done? Many law enforcement officers would like to know. They can't find out. But persons in apparently remote places have no difficulty. I remember Joe Roma.

An inoffensive sort of fellow as I knew him, Joe Roma apparently looked at the world from the standpoint of a philosopher. He ran a little grocery store on what is known as the North Side of Denver, and believed in beautiful things. Joe liked to go to church. He loved flowers. More than once, I saw him sitting in his store, his chair tilted against the wall, his hands hanging loose against his inner thighs, his eyes closed, as he listened to some particularly beautiful piece of operatic music from his phonograph. Particlarly keen is the picture of him as he rounded the candy showcase, half bent, grinning, one hand outstretched with a present for some juvenile customer. All the children loved Joe Roma. Parents said it was because he loved children.

There were rumors about Joe. The North Side at that time was Denver's dispensary for what was known as Sugar Moon. Manufactured in the canyons and mountainous districts near the city, often in the shafts of abandoned mines, it came into Denver by the truckload at night, there to mysteriously disappear. After that, it reached hundreds of bootleg joints, often small stores adjacent to vacant lots where the bottles were buried, and dug up one by one for the retail trade. The rumors insisted that Joe Roma was at the head of this business

and that he had caused the killing of several Italians who had tried to muscle in on his business.

Of course Joe denied all this. He even persuaded a high police official to accompany him on a visit to the managing editor of a newspaper which had hinted that Joe was a gangster -- there the police official told of Joe's love of family, of home, of children and of music. This is no reflection on the official; he was sincere. But one day Joe Roma was found dead in his grocery store, shot to death by his enemies in the booze racket which he had sought to control. His quiet little home was an arsenal; machine guns, automatic pistols, shotguns. And his expensive automobile, in which many persons had taken pleasure rides, was one of those bullet proofed affairs which I have just described.

Denver is 1750 miles from New York, nearly a thousand miles from Chicago; two cities in which gangster activities might support an armored car factory. Possibly Joe Roma sent to one of these places for his machine. A good citizen couldn't have done it; he would not have known where to apply for a $12,000 job of armor-plating. But Joe was a crook -- and a crook these days knows exactly where to go for anything he desires.

I do not know the details of the search to learn where Joe had his bullet-proofing done. But I am familiar with efforts in other cases. An armor-plated car was discovered in a garage in Boston, evidently abandoned. Police and Federal officials began the job of tracing. They learned

that the automobile had left the factory an ordinary vehicle, just like thousands of others which had come from the assembly line. When officials tried to find the man to whom it had been sold, he did not exist. The purchase had been made under an assumed name, and the license had been issued under the same circumstances. In like manner, the car had been sold several times and the license transferred, always to mythical persons. Not once did a name prove true or an address prove correct. Somewhere along the line of this list of imagined owners, the car had travelled into a hidden factory, there ~~xxxxx~~ to be transferred under expert workmanship into a travelling fortress. When that place is found, there is every reason to believe that it will be an automobile body building plant which ostensibly operates as a legitimate business. And the owner probably will be a member of some civic club in the city in which he lives, intensely interested in municipal progress.

One of the biggest of recent automobile theft rings was highly successful for a long time through the connivance of a hardware store. The thieves would spot a car which was parked regularly at a certain place. They would jot down its ignition number. That would be delivered to the store. The store would order keys to this number, and, once received from the factory, turn them over to the thieves. Then the robbers would drive the car away, with no difficulty whatever. The point being of course, that those thieves knew where to find a merchant willing to connive with them.

But for that matter, there is a case in Washington records of three firms which went into fake Federal bankruptcy. Carload after carload of goods was sold throughout America at prices which should have labelled the merchandise as stolen. Not a merchant who received it notified the police. Investigators were convinced that a majority of these stores knew they were receiving stolen property. Proving it, of course, was a different matter. Here was a national business in which crooks knew just whom to approach -- and be safe in so doing.

Or perhaps I can show by the case of Joe Dunne, convicted with thirteen others of running a lottery, how simple it is for one member of the criminal element to contact others in different parts of the country.

The lottery was to be a sweepstakes on the Saratoga Handicap at Saratoga, N.Y. The drawing was to be in Juarez, Old Mexico. The offices were in El Paso, Texas. The printing of the lottery tickets was done in Alberquerque, N.M. And Agents, many of whom worked under aliases, were appointed as the result of a single three weeks' motor trip, taken through the country in the same casual manner that a sales-manager would go out to appoint representatives for legitimate business.

Within a month, the tickets were being sold in nineteen states, from New York to Los Angeles. There was no hesitation anywhere, no skirmishing about. Joe Dunne went into a town, found his men, arranged the financial end of the transaction and drove on again. When indictments were handed down

it was necessary to pick up defendants in New Mexico, New York, Illinois, Minnesota, Missouri, Oklahoma, California and Arkansas. These were only the actual organizers and promoters of the scheme; the numerous agents and sub-agents, working in hundreds of cities and small towns, were not prosecuted. Joe Dunne had known where to go, whom to ask for, what political bosses to placate, what city administrations were lax and what towns were good hangouts for the kind of men he was seeking. The laws against lotteries are perhaps the most widely known of all Federal statutes. It was necessary, in nineteen states, to find persons willing to break them, and, in many instances, to find police who would allow the tickets to be sold. Yet it was done with comparative ease.

This facility of information reminds me of a meeting with an old acquaintance on a cross-country train. As I entered the smoking compartment, a man shifted his position at the window with a bored air of discomfort, glanced again at me, then grinning, extended his hand. He might have been a business man, just returning from Washington after a discussion of code enforcement, or a quietly dressed doctor or attorney. His true profession, however, was that of a gambler and confidence man; I last had seen him in Colorado some fifteen years before, with such a large wad of money gained from the proceeds of a wire tapping racket that he carried it to a North Side crap game wrapped in a newspaper. He had gone to Canon City penitentiary since then and served six years. Now he was free again and apparently prosperous. We talked of his business

with the casual air that one would discuss the price of eggs. He told me that he was back at gambling and making a good thing out of it. Except that a vacation had been accidentally extended.

"There's a big investigation on out where I'm working," he said, "so I'm laying off the town. There won't be anything running until a week from Monday. Big Eddie's got the town now, you know, and he has sent out word to lay low."

The last time I had heard of Big Eddie, he was a small politician working in the slum district of this particular city. He had not even progressed to the point of giving free picnics for the poor, or of running a sport club for the benefit of young hyphenated Americans. But Big Eddie had progressed in the world.

"He figures to keep everything clamped down until after the grand jury adjourns."

"So?" I enquired. "When did all this investigation come up?"

The gambler looked out at the whirl of the passing landscape.

"Oh it just broke yesterday. Came like that," he added, snapping his fingers. "A couple of fellows blew into the Kentucky Derby -- remember? Over Joe and Freddie's Cigar Store? Seems there was some argument as to whether the dice were right at Bill Finley's table and so one of these fellows pulls a gun and shoots Bill. Now everything's all heated up."

We were two thousand miles from that particular town. Eastern newspapers had carried nothing about the investigation. Only twenty-four hours had elapsed since the heat went on. Yet this gambler knew all about it without even a private telegram or air mail letter. The information had gone out over the leased wires which served the race track gambling pool rooms, telling what had happened, who was responsible, and how long to stay away. Incidentally, I was in that city on the Monday following the grand jury adjournment. Promptly on time, in accordance with advance announcement, the games and gaff joints opened up again, and the town was no longer hot.

For a more graphic picture of how the scope of crime can spread, perhaps it would be a good idea to pay a visit to the quiet, law-abiding little city of Cherryvale, Kansas, where the "underworld" is looked upon as a vague, faraway thing which exists only in large cities.

Considerable cash had accumulated in the Montgomery County National Bank of that city. It was a few days after pay day at the Zinc Smelter Company; now the money was returning to the bank through the channels of trade. During the noon hour, Clarence R. Howard, the cashier, was in the bank alone, sealing currency to be sent to the Federal Reserve Bank atKansas City.

An automobile pulled up to the curb outside. Two men came into the bank by the rear entrance. Howard turned, only to shrink at the sight of revolvers.

"All right, raise 'em," came the command and Howard obeyed. Then, while one of the outlaws held the cashier powerless, the other quickly gathered up gold, silver and currency from the tellers' windows and the money drawers, dumping it into a heavy sack. That done, they pushed Howard into the bank vault and locked the door. The bandits moved calmly out of the bank and, entering their automobile, drove away.

For a time the cashier merely stood staring. Then suddenly remembering a side door to the vault, he tried it and found it unlocked. Shortly after that, the usual peace of Cherryvale was jarred by the news of a bank robbery. The outlaws had taken $7,000 in cash and approximately $63,000 in United States, county, state and municipal bonds.

Here, to all appearances, was the typical bank holdup, with not more than three persons involved, the two robbers who entered the bank, and a possible third who remained on guard in the automobile. But bank robberies, even when they fall into the ordinary category, do not merely consist of men who rob banks. There must be a supporting background. In the Cherryvale case, not only this was present, but a foreground as well. An investigative officer, answering Howard's excited call, happened to touch the cashier's cap, which apparently had been thrown carelessly to the ledge of a bank window. The headgear seemed strangely heavy. The officer lifted it and found beneath $6,500 in currency, evidently left behind by the robbers as a gift to the cashier for his ready obedience. This, in the parlance of law enforcement officers, meant an

inside job. A long investigation followed. At last Howard confessed that he was an actor in the plot, but a minor one. The head conspirator, he said, was George C. Robertson, president of the bank.

Robertson was taken in for questioning. He also denied full responsibility. That, he insisted, belonged to a professional fence who, according to Robertson, made a business of robbing banks to order.

This took the hold-up out of the usual class and brought Special Agents of the Division of Investigation into the picture, under a clause of the National Bank Act covering embezzlement. A painstaking check-up of Robertson's past life began, finally leading to a confession by the bank president.

As a young man he had started in the banking business at Springfield, Mo. Shortly afterward he had met a man supposed to be a confidence worker, a "fixer" and a fence for stolen goods. It had been an acquaintanceship, no more. Later in life, Robertson had purchased a small bank at El Dorado Springs, Mo. Again he had met the fixer and confidence man, this time by appointment. The fixer had a great scheme, Robertson said -- the robbery of a bank to order, with no worries, no losses, except to the insurance company; and a share for share division of the proceeds by the conspirators. The offer was refused.

After Robertson had moved to Cherryvale however, and become Director and President of the Montgomery National

Bank he had thought several times of his old acquaintance, the fixer. He was ambitious; he wanted more of the bank's stock and had no money to buy it. Besides, he and Howard, the cashier, had been stealing; the total now had amounted to more than they could replace.

So one day Robertson and Howard talked it all over. Then they went to Springfield, for a conference with the fixer. It was a business meeting, with all matters of the job in hand to be considered. First of all, of course, there was the question of the right kind of holdup men.

"That can be looked after very easily," the fence announced. "The main point is this: will there be enough available cash to interest men of real reputation -- persons really experienced in bank robberies?"

"Mr. Howard, being the cashier, would know more about that," answered the president. Howard made some mental calculations.

"Well," came finally, "if we choose the right time -- several days after the Zinc Smelter pay day when the money has had a chance to filter back through the merchants, the cash on hand should run between $13,000 and $15,000. Then of course, there are always the securities."

"Of course," agreed the fence. "We must count on that. Although their value will be depreciated -- we'll have to allow the broker a commission for selling them. And stolen bonds always go at a discount, you know."

The bank president agreed. Then he said:

"There is just one more point. I have been thinking about resigning as President and member of the board of directors. Perhaps it would be best to delay the holdup until after I'm out. Then nobody would suspicion me."

The fence nodded.

"That fits in with my plans. I want the right men to do this job. One of my best workers is in jail now up at Omaha. So we'll just wait until he gets out."

If the description of this "business meeting" seems overdrawn, I can only answer that I am quoting from notes of the investigation. The conference was ended. The bank president and cashier went back to their work in Cherryvale. Months passed. One day, a well-dressed man came into the bank and asked for Mr. Robertson.

"Mr. Robertson isn't connected with the bank any longer," the cashier answered. There was a moment of hesitation.

"Perhaps then," said the visitor, "I could see Mr. Clarence R. Howard."

"I am Mr. Howard."

There was a quick smile, and a proffered hand.

"I am Mr. Mays," said the visitor. "I have a card of introduction."

He presented it, bearing the signature of the fence. The cashier glanced at the activities of the bank about him, farmers waiting to discuss loans, the line of depositors before the teller's wicket.

"Yes, of course," he said. "I'm quite busy now. But --" he lowered his tone -- "suppose I meet you somewhere later in the day?"

"In front of the postoffice would be a good place."

They set a time. Later that day, the cashier went to the postoffice, where two men awaited him in a new automobile. This time introductions were more specific.

"I suppose you've heard of me," said the newcomer. "I'm Charlie Mays. And this is Lee Flournoy. I guess you've known about some of the jobs we've done."

"Most of them weren't as easy as this one is going to be," added Flournoy.

"I guess not," the cashier agreed. These two men were bank robbers of considerable notoriety. Their record included jobs in all parts of Oklahoma and Kansas; some of them made-to-order affairs like this one was to be, others genuine hold-ups where bullets whined and men died.

Again was the robbery discussed from the standpoint of a business proposition. However, it still must be delayed; that third man was not yet out of jail.

Meeting followed meeting. Finally the third robber, Lyman Ford, was free to join his comrades. The robbery occurred, Flournoy and Ford entering the bank, while Mays waited in the car outside. There was also another car, occupied by the wife and the paramour of two of the bank robbers, in readiness to "accidentally" become stalled in the path of pursuit if that should occur. But everything went off quite happily except for the mistake of leaving that

money under the cap on the window ledge.

The slow gathering of evidence in this supposedly compact robbery went on. It was established that prior to the hold-up, Lyman Ford, had taken his wife who was ill, to the farm of friends, there to be cared for. At the same time, he had made arrangements whereby active participants in the robbery could meet here after the crime and divide the profits. Thus two more conspirators, the farmer and his wife, were added to the cast of characters.

The meeting was held; it lasted more than an hour, while robbers and entrepreneurs decided upon just which of many crooked bond salesmen should be entrusted with the job of selling the stolen securities. At last one was agreed upon, a fence named Joe Hamm in Kansas City.

Romantic-minded girls knew this man as a cabaret crooner. The bootleg ring, headed by a local politician, looked upon him as the contact man by which the cabaret in which he worked, obtained its liquor. Frequenters of pool and gambling rooms knew him as the part owner of a greyhound racing track in Miami, Florida. But the bank robbers cared only that he was a fence for stolen securities, with a nation-wide acquaintanceship among crooked bankers and "hot" bond salesmen.

Flournoy, by instructions, took the bonds to him. The cabaret-singer-bootleg-race track owner shook his head over them. They might be hard to handle. The newspapers had carried the information that this had become a Federal

case. There is a tremendous respect in the underworld for the star-spangled gentleman whom they call "The Old Guy With the Whiskers."

The cabaret singer was able to sell only a part of the bonds, and for 65 cents on the dollar. The rest were turned back to the bandits to dispose of through other channels.

Shortly after this, Flournoy and Mays attempted a genuine bank robbery in Oklahoma and were killed. Ford and his wife one day, according to their confession, received this news from an attorney who also brought advice. They should go to a certain resort in the Ozark Mountains where they would be safe; meanwhile the attorney would see what could be done about selling the remaining bonds.

The confession states that the lawyer shortly afterward brought them some money from a sale, together with the information that the chase for Ford was getting hotter and that he and his wife should go to Mexico and await further developments. This they did and went to Juarez, where the lawyer again met them and turned over $2,100 from the additional sale of stolen securities. The bank robber then went into New Mexico where he started a chicken ranch. Meanwhile, the Kansas City attorney forwarded him by registered mail, a package containing bonds and travelers' checks which he had not been able to sell. Ford took these to another lawyer, this time an American attorney living in Juarez who attempted to dispose of them, only to be arrested. That led to the apprehension of Ford.

I have previously stated that big crime cannot be placed under control in America until it is made unprofitable for all those concerned. The Cherryvale bank case is an excellent example of this. Its ramifications are those of nearly every big robbery, with the possible exception of the fact that it was planned from the inside. Yet even this has its counterpart in many crimes.

The Division of Investigation, through deliberate tracking, established a trail of connivance in the Cherryvale case which covered more than half of America. Stolen bonds were recovered in New York, in Chicago, in Boston, in Juarez, old Mexico and other places. The participants were hunted down and arrested. Yet, when the case came to trial, only Robertson, Howard and Ford were given sentences to the penitentiary. Joe Hamm, the cabaret singer, was fined $500. for having disposed of more than $11,000 worth of stolen property -- and the rest were acquitted. It all sums up into the plaint of an old police chief:

"After all, you've got to believe in Santa Claus to be in this business. You've always got to think that this is the one time when a jury is going to have some sense and send a guilty man to the penitentiary."

In the final analysis, little was accomplished in the Cherryvale case. Hard working Federal agents presented their evidence with the meticulous care which only Federal agents possess. The jury elected to look only at the principals, and forgot the true importance of what seemed to be minor characters. In other words, the machinery of inside

bank robberies was left intact.

Nothing was done to the fence. Practically nothing was done to the man who had formed such an important link in the robbery by disposing of stolen property. Nothing was done to the attorney, who, by a bank robber's confession, advised him how to keep away from pursuing officers, and sold the loot resulting from a crime. Nothing was done to the persons who had furnished a hideout and a place for the division of the spoils. Nothing was done to the women who waited in a second car, ready to drive it into the path of a pursuing sheriff or posse if the necessity arose. This sort of thing happens all too often. The American citizen, especially when he gets in a jury box, seems to possess a childlike faith in the theory that all crime is run by a guiding genius, and that if the "brains" of a plot be put in prison, then the problem of law enforcement is solved. The view is idiotic.

Crime thrives because it has a foundation. That is composed of the fences, the bond salesmen, the doctors, the lawyers, the merchants, the automobile salesmen, the women confederates, the hideout owners, and a hundred and one other forms of a supporting background which lives on crime while crime thrives upon it. Sources of supply and channels of distribution are as necessary in lawbreaking pursuits as in legitimate business. When juries learn to dry them up, crime will dry up. Otherwise, it will only become more widespread. Again these people are a part of the three million, perhaps more vicious than the average criminal because they

are so often immune from punishment. And they are an integral part of nationalized lawbreaking.

There was a time when crime was a haphazard affair. Then it was a problem of the community. Crooks travelled about only at intervals, and held to certain constricted avenues of law infractions. All that has been changed.

Speedy automobiles and airplanes have widened both the field of acquaintanceship and of activity. The old time specialization has, to a degree, vanished; a man no longer is a safecracker and nothing else; he is an all-round criminal and he uses the nation for his field. True, he may like one sort of work better than another, but let an innovation offer large rewards and he will be glad to try it. He always knows where he can get help and where he can be hidden. It is quite true that there were crook hangouts in olden days and a certain amount of fraternization, but it was a matter of jealously guarded cliques. Denver, Colorado, for instance, then was known as the home of the confidence man. Kansas City was a hangout for pickpockets. Toledo, Ohio, was called the "peterman's town" where safecrackers gathered. All that has disappeared. There has been a jumbling of trades in the land of the criminal, an underworld counterpart for what might happen if all the lodges and chambers of commerce and fraternal organizations were taken into one big brotherhood.

Thus a crook of any pretensions can operate as well in San Francisco as in his home field of New York -- all he needs is a list of names and telephone numbers. The man who

pulls a bank robbery in Philadephia today can sell his stolen securities to a fence in Los Angeles tomorrow, and the murderer from St. Louis, can take in a Broadway show that same night. A man may even operate in a state and yet not even take his meals there. The case of Charles Erb Redding proves the point:

There had been a number of bank robberies in Los Angeles, all within a few weeks, with a similarity of procedure in every case. The holdups always occurred in branch banks where only a small number of persons were employed. Well dressed, casual, the robber would walk to one of the money windows. There he would move close to the wicket, swiftly point a gun at the teller, and command him in a low tone to push a bundle of currency through the grill. The teller inevitably obeyed; one usually does when looking into the cold muzzle of an automatic.

As soon as he had seized the money, the holdup man would run from the bank and leap into an automobile conveniently parked with the motor running. By the time the teller could notify the rest of the bank, the robber had vanished.

Certainly here appeared to be the typical local crime. There were none of the trademarks of an "outside mob", which, in these days, often plans its robberies hundreds of miles away from its hideout base. This man got small amounts of money, spent them, and then went back to his source of supply for more.

The crimes came under a new law passed last year by

Congress, providing that the robbery of a National Bank or one possessing Federal funds on deposit, should be a Federal offense. The Division of Investigation therefore assumed jurisdiction, working in co-operation with local police.

The evidence pointing to a local job caused dragnet after dragnet to be put out through the lodging house district of Los Angeles, together with the usual raids on poolrooms and other hangouts. Every loiterer was questioned. It all yielded nothing. In the meantime, the Division of Investigation, in its painstaking way, sent Special Agents about the neighborhoods of all branch banks, to enlist the aid of merchants. If an automobile was seen to speed away from a bank, would someone please try to get the license number?

Shortly afterward, an automobile salesman was standing near the Whittier and Lorena Branch of the Bank of America when suddenly a man ran out, jumped into an automobile and sped away. Immediately thereafter, a teller ran forth and fired two shots, both aimless. The salesman noted the license tag and turned it over to the Division of Investigation. But he had made a mistake -- checking by Special Agents was fruitless.

Two weeks later there occurred one of those coincidences which happen only in real life. A man entered the automobile showroom, approached this particular salesman, and told him he'd like to look at a new car. For once the automobile man had some difficulty in dilating upon fuel consumption, pickup and roadability. His first glance had told him that this was the wanted bank robber.

Perhaps his preoccupation cost him a sale. At any rate, the robber walked out without buying, while this time, the salesman noted the license tag with a greater eye to accuracy. And when the Special Agents got the number, they no longer looked for their suspect in Los Angeles. They took an airplane for Salt Lake, Utah, a thousand miles away, traced the ownership of the car through state records and arrested a Salt Lake filling station operator. He was Charles Erb Redding, a former convict who had served three terms in state and Federal prisons.

Time after time, this man had left his filling station in Salt Lake, driven across Utah, through Nevada and California into Los Angeles, there robbed a bank, and driven the thousand miles back to his legitimate business. Not once had he even stayed overnight in the California city.

Thus crime has taken on shuttle-like proportions; men living in one state and committing crimes a thousand miles away, mobsters of one city in direct touch with the mobsters of another, bank robbers hurrying from place to place by fast automobile or airplane that they may contact lawyers, doctors, face lifters, hair dyers, brokers for stolen bonds, purveyors of kidnap money, dealers in gangster guns. The problem of the ten thousand real and three million potential public enemies whose records cram the tremendous Identification Unit in Washington becomes therefore, not so much what to do about crime as how to do it. Local police, no matter how efficient, cannot be expected to catch criminals when, almost immediately, they vanish from jurisdiction. Detectives cannot amass protective knowledge about persons they never before have seen. So what?

CHAPTER THREE.

A long established tradition demands that one speak kindly of the dead; nevertheless, it becomes necessary to lay one more wreath of thistles upon the unrevered grave of Prohibition. The present crime set-up with its vast underground tendrils of acquaintanceship, "connections", persons "wired in" to courts and police departments is directly traceable to this experiment. All in a few years it transformed the United States from a place of low-brow crime to a cohesive affair of high speed and far-reaching accomplishements. Before that, the worst that could be said of any community was that it was a "good town", which meant that it was an abiding place of crooks.

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Good towns were not at all infrequent ~~fifteen or~~ twenty five years ago. There was often little effort at concealment. Some cities were even proud of the fact, insisting that it was better to be a good town and thus have a low crime percentage, than to attempt to fight the criminal element. A matter of argument; nevertheless, many cities ran their police departments upon these lines and the ones which did it honestly at least served one useful purpose. They knew where to lay their hands on crooks when they were wanted.

Kansas City, in my younger days as a police reporter, was such a town. Often in the grimy old police headquarters down at Fourth and Main Streets, I would glance up from my

typewriter, to wave a greeting to some nationally known pickpocket as he came slowly up ~~from~~ the iron stairway from the street, worn slick by the passage of the criminal float of the city.

Perhaps it would be Pinky Blitz, whose front view and profile glared from the Rogues Galleries of a half hundred cities; or Milwaukee Whitey, or Memphis Thin; sooner or later they all made their way up those worn iron stairs and went in to report to the chief of police.

This was a truce with crime. Quite true, in those days, a farmer, fresh from the sale of his hogs at the stockyards, could go down on "the Row", and be taken for his every possession in some panel joint. Gullible souls from the rural districts often were sold the Union Station or the Intercity Viaduct; one purchaser even put up a barricade and endeavored to collect tolls. Trusting souls who chanced by Twelfth and Summit Streets where the street car line switched its trams for the return journey, and the crew often left them unmanned for a cup of coffee in a nearby restaurant, sometimes found themselves entwined in big business. It all came about through a chance meeting with two affable gentlemen who pointed out the advantage of owning a streetcar and collecting a nickel from everybody who wanted to ride on it. All this could be accomplished by a payment of $50. to the confidence men, the difficulty arriving when the new owner endeavored to start upon his money-making journey and the crew ran from the restaurant shouting for the police.

And once, some engaging souls sold the entire seating capacity of the Blues' ball park to various individuals who had been reading in the newspapers about a predicted end of the world, and therefore were willing to pay $2. apiece for reserved seats from which they wouldn't miss a thing.

All that happened in Kansas City, and much more. There were heads to be cracked on Saturday night, when "The Row" was a raucous place of mechanical player pianos, wide open houses of prostitution and saloons by the dozen. I gained quite a knowledge of first aid by helping the police surgeons when the emergency hospital at headquarters was jammed with cases of every sort, from the girl who had swallowed a half dozen antiseptic tablets to make her lover feel sorry, to the Bohemian, fresh from a throat-slashing bee, down in the Wettest Block.

Yet it was a town of low-calibre crime; the police monument carried only a few names of those who had been killed in the line of duty. And few indeed were the persons who could complain that their pockets had been picked -- a source of tremendous revenue for crooks in those days. The reason lay in those trudging steps upon the long iron stairway by men like Pinky Blitz. This was a game which crime and the police played side by side, with certain set rules of procedure.

Identification was difficult before the advent of the finger-print in general police usage. There was only the Bertillon system, the fallacies of which shall be described later, and the Rogues Gallery pictures, most of which, due to poor fixing chemicals, complicated the problem of identity

by a swift process of fading. Unless a complainant had an extremely good description of the man who had robbed him, conviction was almost impossible.

Therefore, Pinky Blitz, when he needed money, would take a tour away from Kansas City. He would pick pockets where he chose, and when he became afraid of the law, he would return and make the trip up the iron stairway, to inform the police that he was back home and happy. The police then would go through the formula of telling Pinky Blitz that they expected him to obey the laws while he was in town, and in the event of a complaint from another city, naming him as a participant in some pocket-picking bee, he must live up to the rules of the game by coming down to headquarters and giving himself up to the visiting officers. All this was done; it was a matter of honor. This was the routine of the average good town; true there were places where bribery flourished, but it was to a degree petty. Whorehouses bribed the officer on the beat to forget a fight between some young college gentlemen and a group of ladies in Parlor A. Saloons indulged in more direct means than simply handing out a "bucket of suds" to the cop on the beat for the privilege of staying open after midnight. Gambling houses often slipped the sergeant a few dollars to forget that the place existed, or better still, let him win on his day off. Graft flowed into police pockets from a hundred different petty sources, as it still does. But nobody dared ~~to~~ indeed did anyone to take money from a bank robber, a kidnapper or a murderer. The Schmidt-Ruef scandals in San Francisco, the Becker affair and Lexow hearings of New York could not touch what must have been the condition around Chicago under Capone.

The foregoing is no nostalgic plea for the good old days of the good town; even then such cities were looked upon as very naughty. And lest it be thought that Kansas City has been singled out for especially hard treatment, may I apologize? This was done only because I lived there when times were different and therefore can make comparisons.

The Wettest Block is gone from the present day Kansas City, and the Slav from the packing house district must cut his wife's throat without the accompaniment of a player piano. The big drama of the old days, when a fanatic named Adam God went berserk down by police headquarters and started a gun-fight which ended in the death of police and civilians alike, is dimmed by machine gun killings when gangs meet and fight it out. A former director of police and an alleged go-between for the police department stand indicted of perjury before a Federal grand jury because they denied certain vice conditions. A detective is under sentence of four years in prison because he attempted to give perjured evidence to free an Italian mobster from an accusation of murder. Judges have insisted from the bench that there is a definite alliance between crime and the police, brought about through the infiltration of bootleg days. And in a recent political campaign, the charge was made thatat least twenty-five ex-convicts were on the police payroll.

Again, it must be said that Kansas City has not been singled out as a horrible example. It has just been unfortunate enough to be the scene of spectacular events in crime.

Four officers and a convict were massacred there two years ago by underworld gunmen. The town was selected by the kidnappers of Charles F. Urschel as the place in which to receive their $200,000 ransom. National figures in crime have stalked across the first pages of newspapers as having been active there. Yet, in the main, it is no different from any one of twenty other cities of its size. And by its own announcement, it no longer is a good town.

In fact there are no really good towns any more as viewed by the old standards. Prohibition made most cities good towns, but upon a different basis. Where formerly a crook might remain in a city as long as he committed no crime, he now may reside in the town, and even be a captain of a gang which preys upon that city, if he is properly wired in. Dutch Schultz of New York remained free while the 20,000 police of New York "sought him", a condition which Inspector Valentine of that city declared impossible without tremendous political influence.

Time was when the politician found other ways of making a living than by feeding on the proceeds of robbery and murder. Today, however, the control of a police department is a prize to be sought by any possible means. I have in mind the attempted soldering of a political hookup through a kidnapping in a middle western city. The father of the stolen child had political affiliations, an association greatly desired by the ruling gangster.

Evidently the kidnappers were amateurs; they had

not made the usual checkup of bank balances, and business associations so necessary to a successful job. They had employed no expert fingerman, usually a "friend" of the family, to give full details on the plans of the house, habits, and above all, financial resources. So they had demanded an amount of ransom seemingly impossible for the family to raise.

It was late at night when the gangster went to the stricken parent. He listened to the ransom demands.

"You haven't got that much money," he said.

"Of course I haven't. I never will have."

"Just sit tight,"was the answer. "I'll fix it for you."

The gangster went back to his office and called his "enforcers". This was following the passage of the beer bill, but there were still enforcers -- and still are. At that time, they were busily engaged in trying to make every pop stand, small restaurant, pool hall and chile joint in the town sell a brand of beer generally believed to have come from Al Capone's old breweries near Chicago. Now, however, the enforcers had a different job. They must raise the money to pay a kidnap ransom.

Out into the town they went. Slot machine owners were assessed fifty dollars apiece. One asked why.

"My God, you know the kid's father, don't you? Don't you want to get wired in?"

They went to the beer parlors, to the dancehalls, to the several hundred little doorway racetrack betting joints,

the pool rooms, the cigar stores with their backroom poker games. They invaded the bigger gambling halls. The answer to a demurrer was always the same:

"Listen. The guy's a politician. Use your head."

In the morning, the ransom money had been raised, furnished by the city's underworld. When the kidnappers were finally caught and arresting officers sought to call the head of the police department, the telephone was answered by the gangster in the official's absence. He often dropped into headquarters this way.

"Be sure you bring back that ransom dough," he commanded.

Again, I am reminded of another town, changed by prohibition. A mobster politician had been slaughtered a few days before by the machine guns of an opposing faction. The chief of police was discussing the matter.

"You know, when you come to think of it, Johnny gave his life for the good of this city," he said, with a degree of sentimentality. "He was killed because he wouldn't let the hoodlums take over the town. I've got the information that a bunch of big time crooks went to Johnny and told him that they wanted to work here. But he wouldn't have it. He told them he'd run them all in the river. So they machine-gunned him."

It is the belief of the average citizen that a police chief controls the life of a city as concerns crooks. The naivette of the official's statement, however, reveals a

different system. In at least one town, the big crook goes to see the ruling politician, and the police have nothing to say. That, sadly enough, is the condition of officials in other cities as well. Their jobs are dependent upon the whim of the man who controls them, they can merely obey orders.

It might be interesting, for instance, if figures could be published, setting forth just how much stolen money was put forth by Keating and Holden, the bank robbers for their year or so of comparative immunity after a prison escape, and during which time they reported almost daily to a ruling politician. To do that, of course, would necessitate the opening of this gangster-politician's books, and that no one ever has been able to do. It would be more interesting to name the city, except that it would cause so many unpleasant denials which, incidentally would not come from the police. In fact, those law enforcement officers might relish an upheaval. After all, it is the politically protected crook who kills policemen -- and gets away with it. The loud outcry would come from those good friends of criminality, the best citizens in town. Provided, of course, that they belonged to some high-minded civic organization dedicated to making the name of their fair city known round the world.

It all sums up to the dollar. Let a city reek with crime, and you'll never hear of it through a business booster organization. But if you work on a newspaper which believes in telling the truth, you will see delegation after delegation of snivelling, hypocritical men filing into the office of the

managing editor to protest against the statement that the police department is run by politicians who have sold out to the criminal element. They will say it is unfair to the city, And grossly untrue. But above all, it is bad for business. A few more days of such publicity and women will be afraid to come downtown to do their shopping. And, unless the campaign ends, they will, regretfully, of course, be obliged to withdraw their advertising. Unhappily there are few managing editors who can tell these delegations to go to hell and take their advertising with them.

Most of the cities which are now bound and gagged as concerns law enforcement, were centers of bootleg activities for large contributing territories during prohibition. The systems enforced there spread to the nation, a tremendous massing of underworld information coupled with the welding of criminal elements until now the paths of crime encompass America. Most of it came about through the development of the "fix".

No matter what else may be said of prohibition, the violation of liquor laws could not possibly have succeeded without the wide use of bribery or political pressure. Liquor runners in the West learned which law enforcement officers could be handled along the "greased trail" leading up from Mexico. On the Pacific Coast, information came from both north and south. The middle-west got it from Canada and from Louisiana, Mississippi and Florida—wherever boats landed with liquor and sent their cargoes inland by automobile. The Atlantic Coast received it as the result of the workings of rum

row and the motor truck movements from the Canadian border. But no matter how much political pressure there might be, and how much bribery, it was inevitable that many persons should go to the penitentiary, if for no other reason than through the double-crossing of one gang by another.

Many of the men who had taken up bootlegging were new to general crime. True, they were fixers, pay-off men, hijackers, racketeers, rod and machine gunners, but at heart, they considered themselves business men, in the trade of supplying a certain well-defined want. Many of them were highly intelligent; numerous college educated persons turned to bootlegging during the fat years. In prison these men met persons of lower intelligence who boasted of their success in robbing banks or sticking up payrolls. The idea appealed to the newcomers.

In the first place, the rewards of prohibition had begun to wear out. It was becoming a sap's racket. Therefore when the bankrobber talked of the joy of crashing a "tin box" in some Pennsylvania town, or a con man revelled in memory over the squeal of a sucker, students who were far more intelligent than their professors listened intently. Here were new rackets, different rackets, to which the same ideas of organization could be applied as had been used in prohibition.

Add to this, the natural attraction of criminality to the "big shots" of the racketeering world as they travelled from one race track to another, from Saratoga to Tia Juana and back to the Hialeah course in Florida, and you have another

beginning of fraternization. Common crooks met Al Capones, at prize fights, in hotel rooms after the races, around the dog tracks, in pool rooms. The two types of criminality mingled and exchanged views. Again the intelligent learned from the slower witted -- for until prohibition, the average criminal was below par in mentality.

Now a new type of man has taken up crime -- men who began by dealing bottles off the hip and who have graduated to sticking up banks. Time was when a petty larceny thief could be listed as that for the rest of his life -- crime ran according to the grade of intelligence. But with the resort loving, gambling mad, race track following criminal of the new type, there is a diversity bounded only by the criminal's intelligence. They carry with them into wider fields all the information which bootlegging had given them about how to bribe a jail guard, or silence a policeman, or find the Number One Man in a good town. They knew what lawyers to get when in trouble, and how to have guns smuggled into jail cells. They are perfect exponents of a merger, by which fraternities built up for bootlegging were thrown into combine with other forms of crookedness. It is this situation which the country faces today and which the average citizen discusses by asking what can be done when the police departments are full of crooks.

In that, the average citizen, as usual, is thoroughly wrong. Police departments are not full of crooks. They are mainly full of honest men who resent the burdens under which

they labor but are powerless to do anything about it. Within the last two years, it has been my privilege to examine certain confidential information which has led me backstage into the workings of nearly every police department in America. I have found evidences of crookedness, true. But they have been sufficiently scattered to prove that the main body of law enforcement officers is eager and willing to seize a crook when freed from the command of someone in power to "go easy".

These records in many instances, are ones of wholehearted co-operation. In other cases, they show that co-operation was given because there was no other course. At least there was coalition, and when it occurred, the criminal inevitably was caught. Out of those captured, only one in twenty managed, in spite of all the resources of the underworld, to escape conviction. These were the records of a vast power which slowly has been building, to a great degree in comparative secrecy, until it now can take its place as a stanchion to strengthen the local law enforcement agencies of the nation. It is the Division of Investigation of the United States Department of Justice.

There are no politics in this organization. During its ten years of life under its present administration, there has not been even a hint of scandal. Largely an investigative unit until a few years ago, it achieved great growth with the passing of the national kidnapping laws, following the tragedy of the Lindbergh baby. Last year, mainly through the efforts of Homer S. Cummings, attorney general of the

United States, it was given even more weapons in the form of new and badly needed statutes. Much of this volume will be devoted to its various cases, the way in which they have been solved and the manner in which the culprits have been sent to prison. By a study of them, the average citizen can understand what should be expected of his own police department, and what will come to pass when the proper sort of interest in civic affairs brings about changes so necessary to the administration of local law enforcement bodies. He also will learn that much of the outcry for a "national police" or an "American Scotland Yard" -- is just so much flim flam. But first there must be an exposition of what the Division of Investigation really consists.

In thirty stragetic points in the United States and others in its possessions, one can find the outposts of the Division of Investigation. Sometimes the "field office" as it is called, will be in a Federal building; more often it will be found tucked away in a business block, with no apparent connection with crime save the lettering on the door. Within the offices, one finds no uniforms, no visible display of guns, no persons of the police type. Instead, there are only the evidences of the usual business office: young women at typewriters, and busy young men working over desks, upon which sometimes are stacked heavy, loose-leaf files, bound in manila wrappers. Innocent enough looking, these files. Yet they often represent the reports from a nation-wide band of investigators whose inexorability rapidly is becoming a national tradition.

A tour of the field offices would reveal comparatively few persons more than forty years old. Thirty would be nearer the average age; men with color still left in their cheeks, and a certain air of youthful enthusiasm. Few of them are burly, although many are athletes. All are pleasant-mannered, polite, well-poised, engaging; you will find among these young men dozens who are proficient in foreign languages, others who can take a plane aloft at a moment's notice, still others who can discourse authoritatively on botany, or chemistry, economics, history, mathematics or physics, because once they led classes in these studies.

But for that matter, you can find young men who at some time in their lives, have been professional boxers;one of them was an interstate champion while another was an instructor. You will find football and baseball coaches, and men who won their college letters in every sport from basketball to rowing; there are even wrestlers, among them a champion.

Or, the past may reveal a history of truck driving, work in lumber camps, experience in mines of various sorts, newspaper reporters, painters, railroad workers, restaurant men, telegraphers and even a baker. There are radio operators, swimming instructors and life guards. There are men qualified to sail boats, or to take their places along the docks, their sleeves rolled up to display tattoo marks, their chests bare, and their knowledge of the job sufficient to allow them to pass for what they seem to be, workers of the waterfront.

Or here is the man who knows all about customs re-

quirements because he once was an examiner, a half dozen or so who know the psychology of the foreigner through experience as immigration inspectors, still others know every trick and dodge of men in penitentiaries, gained while prison workers. There are ex-postoffice clerks, mine foremen, electricians, motor experts, mechanics, telegraph and telephone linemen, printers, salesmen, and hospital workers. Much of this experience came coincidentally with academic learning, for the background of the many Special Agents shows that they worked their way through college.

Among the sprinkling of older men, it is possible to find an Indian expert when one is needed, for there are several. There are ex-United States Marshals, former sheriffs, men who have served as successful chiefs of police and heads of detective bureaus. There are ex-cowboys and men who once rode the desert stretches of the Mexican border as Texas Rangers. Out of this wide range of dissimilarities, there is one ruling description applicable to every man. Whether he be ex-Texas Ranger or former postoffice clerk, seaman, aviator, or student of botany, he is deadly with firearms of all sorts from pistols to rifles, and no gangster ever manipulated a sub-machine gun with more accuracy than these men of the "D of J".

Moreover, concealed in these quietly business-like offices are evidences that the United States has accepted the challenge of the underworld to shoot it out; there are sawed-off shotguns, machine guns, gas riot guns, high-powered rifles, automatic pistols with special magazine attachments, bullet proof vests, protective steel shields behind which men may

creep upon some outlaw, barricaded and determined to die fighting. There are powerful searchlights to flood the scene of a crime chase, flares with which to signal for assistance. In nearby garages await super-geared automobiles capable of roaring out upon a crime chase at a speed of eighty-five miles an hour.

Controlling this vast network of men and armament is a comparatively young executive who sits at a desk in Washington, his vigilance constantly asserting itself through the long distance telephone. In the course of a day, it often links him to every state in the Union. Serious-minded only because crime allows him so few opportunities to laugh, he gives practically every waking moment to the job before him. Early morning finds him at his desk, midnight and dawn may see the lights of his office still burning, while the plugs click in the switchboards of a nation and a crime chase moves onward to its conclusion. This is J. Edgar Hoover, the man who built the Division of Investigation from a mere bureau of comparatively few duties into its present status, equalled nowhere in the world for efficiency and swiftness of punishment. At forty he is the most feared man the underworld ever has known.

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CHAPTER FOUR

There is a general belief that the Division of Investigation is either an outgrowth of the Secret Service, or some new governmental arm recently built up to attack crime. It is neither. There are numerous investigative agencies of the government, each with its defined duties: One is the Secret Service which protects the President and runs down counterfeiters. Then there is the investigative department of the United States Treasury, devoted largely to income tax matters. Also there is the Prohibition Unit, which, under a new set-up, continues to chase the bootlegger and the still owner; besides this, there are the inspectors of the revenue department whose duties lie generally in the same field, with attention centered upon the proper payment of excise taxes. Then comes the Customs inspection force, which not only goes into the tourists' luggage, a minor item incidentally, but which has a border patrol as well as cover men in foreign countries to snare smugglers.

In addition there is the Immigration and Naturalization Service of the Department of Labor, which also has its inspectors, its border patrol and its under cover men, all centralizing upon the illegal entry of aliens and smuggling of humans. There are the Post Office Inspectors who deal in irregularities regarding the U.S.Mails. A force of National Bank examiners is maintained to enquire at stated intervals into the status of financial institutions under Federal super-

vision. Then too, there is the Narcotic Division, with its agents in every large city to guard against the importation and distribution of habit forming drugs. The Division of Investigation is none of these, although at times it may cooperate with any or all of them.

A specific division of the Department of Justice, it was formed in as a small unit in 1908. A wider growth started with the passage of the White Slave laws in 1912 and there was much expansion during the World War when it dealt with the activity of enemy aliens. The present growth, however, started in 1924 with a reorganization of the Division under the administration of Supreme Court Justice Harlan F. Stone, then Attorney-General. He envisioned an investigative department composed of enthusiastic, ambitious, well-trained young men -- and he chose a young man to head it.

By this time, with the passage of added laws, the Division or Bureau of Investigation as it then was called, had assumed jurisdiction in violations of the National Bankruptcy Act, which provided against illegal efforts to defeat creditors. Then there were the anti-trust laws, and the National Bank and Federal Reserve Acts and their violations, the main one being embezzlement. Crimes on the high seas and on Indian and Government reservations came under its jurisdiction, the bribery or impersonation of government officials, the apprehension of escaped Federal prisoners and parole violators, theft from interstate shipments, infractions of the White Slave Law, and the National Motor Vehicle Theft Act, commonly known as the

Dyer Act. Under this statute, the Division of Investigation has done some of its greatest work. John Dillinger was sought by the United States not because he had taken part in several murders, or engineered a prison escape, to say nothin of his numerous bank robberies. All these were state offens and no Federal statutes were involved. Much as it desired t aid the various states, the Division of Investigation was to a degree powerless to actively track down the man and arrest him.

Dillinger himself solved the problem. In escaping from the Crown Point jail in Indiana, he stole an automobile belonging to the sheriff, and transported it across the state line into Illinois, thus violating the National Motor Vehicle Theft Act. The Division of Investigation thereupon took up the task of running him down and killing him, which it did with much celerity.

Before the passage of this act, the run of Division cases was tied in tightly to the business of the Federal government; there was little opportunity to be of assistance to state and local law enforcement agencies. The new law widened tremendously the scope of activities. True, if a man robbed a bank, that was not the Division's business, since the robbery of even a National Bank or despository of United States funds was not a federal crime until about a year ago. But if that robber stole a car during that holdup and crossed a state line, he then became a fugitive from Federal justice. Many a lawbreaker, doing time in some state institution for a local crime, owes his sentence to the United States govern-

ment, although he was tried and convicted in a state court. Let me explain:

One night in October 1929, a picture show owner and his wife sacked the day's receipts, got into their automobile and drove to their home in Wewoka, Okla. They reached their garage and left the car, only to stiffen at the sight of a young man, who had circled into the garage and now threatened them.

"Stick 'em up," he demanded. "And where's that bag of money?"

"It's in the car," said the theater manager weakly. The bag contained more than a thousand dollars. The young man whirled.

"Get it, Blackie," he commanded. "And let's go."

A second hold-up man entered the garage, a negro, and hurried to the car.

"I've got it," he answered. A moment later the two robbers had disappeared.

Wewoka is not a large city; its police force naturally, is in keeping with the population. There were not enough men to throw upon a big crime chase, and not enough money to finance a widespread hunt. The result was what so often happens in a small town -- the officers investigated to the best of their ability, they got descriptions and sent out circulars stating that the robbery had occurred and that it had been done by a young white man and a negro companion. After that, they could only wait and keep the case alive on their records

Meanwhile a district attorney in the small city of Borger, Texas, started out of his house one night with his wife. As he neared the walk, several crouched figures moved swiftly along the hedge which lined the yard. The blaze of gun-fire followed. The official fell dead. Every resource which this town possessed was put into play; the slaying naturally was looked upon as the result of some local hatred. Suspects were arrested, questioned and released. The murder was unsolved.

In Detroit, Michigan, a filling station attendant walked forth for his usual questions about oil and gas -- only to look into the muzzle of an automatic, then to stand impotent his hands raised, while he watched the rifling of the cash register by a gang of young bandits. The same thing happened at a lonely station on the road between Saginaw and Flint, Michigan. Robberies followed in Chicago, in Oklahoma City, in KansasCity. There was no trace of the gang which had perpetrated them.

One day in December, 1929, a man called at the Detroit office of the Divison of Investigation.

"I think my son has stolen my car," he announced. "And I would like to have him picked up."

In the headquarters of the Division of Investigation at Washington, thousands of feet of floor space are given over to a printing establishment. An unusual shop, it deals wholly in crime. Here fingerprint cards are printed for use by contributing agencies from all over the world. Here also are presses which turn out oblong cards by the thousands, and which go to every law enforcement office in the country. These are

the "Identification Orders", bearing the photograph, age, name, aliases, the names of relatives, the past criminal history and the fingerprints when possible of wanted men. Into these presses went stacks of blank cards. Out of them came an order stating that one Gerald Woodworth, 19 years old, of Detroit, Michigan, alias Earl Raven, a parole violator from New Mexico State Penitentiary, was wanted by the Division on a charge of having violated the Dyer Act. He would be found in a certain type automobile, with Michigan license tags, the numbers of which were appended.

Throughout America these cards went, to big cities where they reached the hands of the auto theft squads of the detective divisions, to garages, to sheriffs of far flung counties, even to constables. A few days after the receipt of his card, the chief of police at Stratford, Oklahoma, paused one day on the street. Those license tags looked familiar. So did the car. He arrested the young man in the driver's seat and took him to jail. There his identification was checked against the information on the Division's Order. The Detroit office was notified, as requested on the card.

Within a few hours, a Division of Investigation man had arrived in Stratford. Detroit had notified the nearest Special Agent; now the case came under the jurisdiction of the Oklahoma City office. There are no delays when a local arrest happens in a Division of Investigation case, no waiting for ~~detectives~~ officers to arrive from a distant city. The case may originate in San Francisco, and thearrest may be a casual pickup by a town constable somewhere in Maine. Immediately

the case falls within the jurisdiction of the nearest Division of Investigation office, and within comparatively few minutes that nearest Special Agent is on his way to begin the job of questioning which precedes every prosecution.

The same routine occurred with Gerald Woodworth. The questioning began. This young man seemed desperately nervous. The Special Agent took a shot in the dark.

"You've stolen other automobiles, haven't you?" he asked.

Denial was too vehement. The questioning continued. Suddenly Gerald Woodworth confessed that he had committed the holdup of the motion picture man in Wewoka.

"And that's all I've done," he added aurilly. The Special Agent smiled and sent him back to his cell.

"That fellow confessed too easy," he told the local officials. "He's trying to get out of something."

"He can't get out of that Wewoka robbery."

"That's probably what he's figuring on. To get put away for that, so he won't have to face a worse charge somewhere. And he's got confederates. We'll watch him."

That night a vagrant shuffled out of the jail, free after a short sentence. Suddenly he was halted.

"Let's see what you took out with you," the officers demanded. A search followed. Then:

"Who gave you this letter to mail?"

"That young fellow you arrested today," answered the trembling vagrant. "I didn't mean to do anything wrong---"

"No. You fellows never do."

They read the letter. It was signed "Billey York", which interested them not at all. They already had established the identity of the writer from the vagrant. It was a note from Gerald Woodworth warning his confederates to hide, that he had confessed the Wewoka robbery to avoid being questioned about other matters, particularly that murder in Borger. It was a confession. Again the questioning began. Gerald Woodworth finally admitted that he and his gang had killed the district attorney in revenge for the prosecution of a member of the band. He also confessed robberies in Missouri, Texas, Illinois, Oklahoma, Michigan and New Mexico. More he named and gave descriptions of his gang, which operated out of Chicago; a successful hunt for them was thus possible. Woodworth now is in Oklahoma State Penitentiary under a sentence of eight years for the Wewoka robbery. When that is done, a murder charge awaits him in Texas. The gang composed of several men and as many women, was broken up.

This is only one of many instances where a Federal chase for a violator of the National Vehicle Theft Act has led to the solution of a local mystery. A motivating crime, often is found, the theft of the car being the act of the moment, impelled by something deeper, usually the desire to escape from some other law violation. The Federal Agency therefore frequently becomes an assisting agency to the enforcement bodies of the nation, later withdrawing from the case if the state charge is the more serious.

It was with this idea of co-operation between state

and Federal authorities, that J. Edgar Hoover began to build up the Division of Investigation with his installation as Director in 1924. And it may be of interest to know that this man who, in ten years, has evolved the most efficient enforcement body in the world, never had even a day of experience in a regular police department. He was never a detective; he does not read detective stories. Washington born, with a high-school education, his first job was that of a clerk in the Library of Congress -- a means unto an end. He wanted to take a law course, but he had no money to pay for it The job in the Library of Congress paid thirty dollars a month -- plus some free advice from the older fellows:

"Don't break your neck around here. It won't get you anywhere."

So young Hoover disregarded the advice, "broke his neck", studied Library of Congress work as well as his law courses, and soon got a raise. Then he got another and still another -- he was making more than older employees when he graduated from law school. In 1917 he quit the Library to take a job as a clerk in the ~~United States Division of Investigation~~ Department of Justice.

He broke his neck there to, and began to rise. In the meantime he was wondering why certain things weren't done in investigative work. He always had wondered, ever since he could be interested in a big murder case, why the police department always seemed on the defensive. It was the crooks, it appeared, who always had the best of things -- the fastest

cars, the best espionage system, the best lawyers to defend them. And as the cases came into the Department, he pondered upon the idea of building an investigative force that would take the offensive -- that got the jump on crooks and kept it.

At first it was only a dream. Then it became an obsession. Hoover studied the methods of every worth while law enforcement agency in the world, from the Royal Canadian Mounted Police to the Prefecture of Paris, and the Directorate of Vienna. He envisioned a group of crime chasers who would at no time overstep the proprieties which belong peculiarly to the States under our constitution, but which, nevertheless, would act always as a tremendous assisting force, providing a central bureau for the identification of criminals, free assistance and advice whenever called upon, and a news agency of wanted men, available even to the cross-roads sheriff. But beyond all this, he studied the greatest of all crime obstacles -- the reason why a law enforcement officer could get a man dead to rights and then fail to convict him in court. At last he solved it. Recently I asked him about that.

We sat in his big office on the fifth floor of the Department of Justice Building. There was nothing about the room to suggest the business of man hunting; it was sunny, comfortable, well-furnished; no circulars of wanted men hung on the walls, no glass case exhibits of murderers' revolvers, nor hangman's knots. There was only the furled flags behind him, rows of book shelves, a large map, and a mirror, at which I straightened my tie. Mr. Hoover looked up from his clean,

business man's desk.

"Like that mirror?"

"Yes -- it's all right."

"See anything wrong about it?"

"Not at all."

"That's good. New stunt I'm trying. Works very well. We use it on the backs of trunks -- suppose a bunch of Special Agents are in a truck which they've parked in an alley so they can watch a dummy package, about to be called for in an extortion case. Or maybe they're in a room where somebody's going to pass bribe money. Here, I'll show you."

He rose, loosened one side of the mirror from the wall and swung it out. I blinked. I was looking into a mirror -- yet I could see through it -- on the other side was J. Edgar Hoover, talking to me as though no glass or quicksilver separated us.

"Diaphonous mirrors," he explained. "I just bought twenty-five of them. Great stuff to watch people through. How are they made?" He smiled. "Well, I purposely don't know. Maybe the crooks haven't gotten on to them yet."

Nor did he intend to be mysterious -- there isn't any mystery in the Division of Investigation. Whatever is new, whatever may mean a quicker way of trapping a criminal, Mr. Hoover will regard in a serious light until proven otherwise. He doesn't care how it works, just so it works. But to get back to that matter of evidence.

"Well, you see," he explained. "I naturally wonder

ed how I would try a case, and why I would do certain things. I found that I'd gather my evidence always with an idea of presenting it in court. Then I realized that I did this because I had legal training. The answer then, was to hire men who had been through law school and who knew what would get past a defense attorney's objections and what wouldn't -- in other words, not merely to gather evidence, but admissable evidence. There's many a free crook walking the streets, not becausehe's innocent, but because the evidence which would have sent him to the penitentiary couldn't get to the jury."

So, after Mr. Hoover's enthusiasm had pushed him through all the stages of promotion in the bureau, he found himself one day in 1924, facing Attorney General Stone. He was accepting the Directorship of the United States Division of Investigation. But on one condition, that this agency would be dedicated to absolute freedom from politics. He got what he asked for. The Division is absolutely non-political. Today the Nation eulogizes his department for its fearless, tenacious efficiency; Mr. Hoover modestly gives much of the credit to the fact that his Special Agents need only merit to hold their jobs. No political boss tells them to "lay off", no threats of political reprisals can halt an investigation or forestall an arrest.

With the political angle out of the way, J. Edgar Hoover started to organize an amazing force of investigators. He didn't want men under twenty-five nor any new members of the force over thirty-five. Whomever he hired must have

either a legal education, or be an accountant.

Admissable evidence was at the bottom of those two requirements. If a lawyer can know what to keep from a jury, a lawyer should also know what can get before a jury. The age limit was to assure him of men full of youth and fire and enthusiasm -- it's a twenty-four hour job which awaits a man in the Division of Investigation. The accountants were to be used in cases of fraud, or National Bank thefts or bankruptcy cases, where the layman would be lost with both hands in the air. As for the incentive --

There is no seniority rule in the Division. A Special Agent starts at a salary of $2,900. a year. For that he must show certain qualifications. He must know law. He must dress well and deport himself well, be a good talker, make friends easily, be able to glad-hand if he has to, but at the same time be sincere. He must know a certain amount of psychology -- these are tests for applicants which include all these attributes. When a man becomes a Special Agent he also must become everything from a courageous, fighting investigator to a drawing-room diplomat -- and love his job more for the danger and romance than for the money. He must be sufficiently adaptable to play the part of a garage mechanic one week, a hobo the next and the playboy scion of a rich family the week after that. Not that they use false whiskers impersonation is a matter of clothes, mannerisms and familiarity with the part one is playing. All these things, plus other requirements of patience, tenacity, ability to catch a

criminal and then convict him, makes a Special Agent and he rises according to that ability. There is no such thing as promotion by seniority. It is not uncommon for the salary of an exceptionally able investigator to double within a few years.

This incentive of reward for merit permeates the Division. There are fifteen hundred employees in the various departments. J. Edgar Hoover knows every one of them, every typist, every file clerk. Since he filled nearly every job himself, he knows exactly of what those jobs consist and the problems they present. The organization is as tightly knit as a baseball team -- and Hoover is the coach, just as he is the coach of the real Division baseball team which wins local championships, a rooter for the basketball team which also is a championship outfit, and plays as a member of the various tennis teams which abound in the Division -- when the crooks allow him to leave his desk.

Always before every clerk and minor employe is the lure of a job on that big map which hangs on The Director's wall, where push-pins, each with a name tag, denote the various Special Agents of the Division, as they are moved about in accordance with their assignments. No one ever looks up a record to see where a certain Special Agent may be. Mr. Hoover merely glances at that big map. Some day, the merest clerk in the Bureau can be one of those agents if he desires; I recently watched one of them in the making.

He sat beside the Director's big desk. There was

no fear, no toadying. There was respect, of course, but a different type from that usually noted between employer and employed. The Director was saying:

"I'm terribly glad that you've been thinking about going to law school at night. And I'm going to tell you just what I've told the other hundred and fifty fellows in the Division, who are studying law. If you make good as a clerk, remain enthusiastic, catch the spirit of this work and the determination to go through with us to the finish, and the day you graduate from law School, I'll recommend you to the ~~make you a Special Agent.~~

All this is vastly different from the picture with which I became so familiar in my police reporter days: the lumbering form of a pot-bellied politician as he came into the office of the Chief, there to wander about awhile, or stand, hands clasped behind him, as he looked out the window. There was an unmistakable air of concern on the Chief's face -- the visit of a political boss could mean much grief. Then, at last, he came to the point:

"By the way, Bill, I've been thinking a lot about Charlie Goss lately. Good man. Been on the force a long time. Got a wifeand three kids. What say you shove him up to a sergeantcy."

Concede the fact that every Charlie Goss is a good man. Concede that he even might make a good sergeant. Nevertheless, the system is wrong and the results are wrong, as long as the head of any law enforcement agency cannot himself choose the men he wants in key positions. Yet far more

sergeants and lieutenants are chosen by politics than by police chiefs; and if a politician can hire them, he also can fire them. It makes the policeman work for the politician, more than for the city. Last summer I happened into an instance while indulging in a trip with a circus. Lest that seemsa divergent pastime for one who pretends to know something about criminals, it is again necessary to dispel illusions. There is no one who knows the crime conditions of the country better than a circus man.

A circus does not merely come to town and go away again. Its life is a sequence of "fixing" and petty graft from the moment the first posters go on the sides of country barns. There is the license to arrange, the neighbors of the circus lot to placate, the "squawk" to be quieted when the drunken driver of a hippopotamus den slams an eight horse team into a water plug, thus flooding lawns for several blocks. There is the city hall gang to supply with tickets, and a no more rapacious gang ever existed.

There is police protection to be arranged, and police bribery in some cases, if the circus happens to carry a few games of chance. There is opposition from motion picture theaters to overcome, protests from the department stores that the circus "will take all the money out of the town", roars from the church element if the performances happen to come on Sunday.

Therefore, the legal adjuster, or the fixer of a circus is an encyclopedia of local conditions. He knows

every politician with an "in/at the Hall". He knows what towns are "gimme towns" and which are "white people". He knows where to find the person who can put on the pressure for a license when half the merchants in the city are demanding that it be withheld. Thus, when I sat beside the circus fixer on this particular night, I was in the company of a knowing man. There seemed to be great excitement among the policemen assigned to the show. Every few minutes, one would come to the front door and ask if Eddie had come yet -- it seems he had announced a visit to the circus. Eddie was the boss of this town's underworld, under Federal indictment on a charge of evading income taxes. Failing to get him on suspicion of bootlegging, racketeering and other devices of which he had been accused, Federal agents had turned to the same method which sent Al Capone to prison. As the officers asked their solicitous questions, the fixer had a remark about each:

"Eddie made him a sergeant," or "Eddie put him on the force", or "Eddie lifted him from a beat to a lieutenancy".

This scene was repeated a dozen times in other cities during my visit. It shows that in too many places, the police forces are being hampered by a lack of freedom and security. All the more reason therefore that they should be able to turn for aid, in an emergency, to a non-political Federal body. Or that citizens should have that privilege, thus allowing harassed, law enforcement bodies to free themselves of their shackles. Moreover, it has been my experience that politicians exert their power to the utmost as long as a case is

purely local. But when the Federal government enters the scene, their efforts, as a general rule, are quickly withdrawn.

Therefore, it is to the advantage of everyone to study closely the work of the Division of Investigation -- since this is the Federal body most directly concerned with the general run of crime. From that study will be gained a clearer understanding of the fact that investigative methods are undergoing a change, as well as the make-up of those who do the investigating. A public demand for a local use of these methods and for the same freedom of operation cannot help but step up crime detection and apprehension in any city where it is enforced. Above all, a true study of the Division's workings will show that there is no need for a super-police force to take precedence over all local units. Crime can best be beaten by those who know it in the localities where it has occurred, plus the aid of a far-flung body, equipped to leap into action wherever and whenever needed. The downfall of the Touhy Gang is an excellent example of what happens when local and Federal enforcement bodies band together for a common purpose.

Around Chicago, the Touhy Gang was known as "The Terrible Touhys", partly because of its various misdeeds and partly because of the fad for gangster alliteration. Apartment house owners, neighbors, tradesmen, tailors, rental agents and the like however, looked upon them as highly respectable.

Their trail will thus appear in two colors -- as

painted by the law enforcement officers, and the viewpoint of citizenry, which insists on clinging to the belief that all bandits to be bad must appear bad, wear old clothing, talk out of the sides of their mouths, and perhaps carry dark lanterns.

The six sons of a policeman, the Touhys, James, Thomas, Joseph, Edward, Roger and John were reared on Chicago's west side, later entering the beer business in the northwest corner of Cook County which they gradually took over for their own. No one then called them gangsters. They lived in suburban towns, always in good districts and their neighbors spoke of them as "nice, quiet people." Even when the police began arresting Tommy Touhy on charges from vagrancy to murder, the neighbors felt sorry for the rest of the family. The charges never stuck; Tommy spent plenty of money and always walked out free. Even when he boasted that he would rescue a friend from the death cell, no one did anything about it. Moreover, when that friend found two pistols in his cell and escaped from prison, Tommy wasn't held for the escape. This in spite of the fact that he openly announced that he had engineered it.

Life ran along like that for many years with the Touhys. Meanwhile the northwest corner of Cook County steadily became more infested with hot dog stands, chicken dinner joints, dance halls, pop stands, filling stations, lunch counters and ordinary saloons, all dealing Touhy beer, or dying in the attempt to sell someone else's product. Duri this time the Touhys, to their neighbors, remained respectable

They were quiet people -- everybody said that. They were even "refined". When Jim Touhy, the first of the clan to die, was killed in a roadhouse shooting, there was no gangster funeral, no crowds of mourners, no thousand dollar casket and plenthoras of flowers from opposing mobs. It was just a ~~expensive~~ nice, quiet funeral, the sort decent people have. The only repercussion was the fact that Joseph Touhy later murdered a man named Paul Pagan, who was accredited with the killing of Jim. Joseph was sent to prison on a sentence of from ten years to life. He was out in four years; That's what money, spent properly, will do. Then John was killed in a duel with a beer joint owner who didn't like Touhy beer. Joseph followed him in death, also because of his pride in the Touhy product. It must have been terrible beer. Now Roger was the leader, with Tommy Touhy as a quietly efficient assistant, and Edward in the background. Of mild appearance, small, energetic, light of weight and soft of tongue; nevertheless, all of the Touhys were valiant. The business expanded.

There were gang fights, struggles for territory, hi-jacking -- carried on by ex-convicts, young gangsters, criminals from every part of the country. This was in the days when residents of Chicago joked grimly that it wasn't the slippery sidewalks which bothered them on snowy mornings, it was the discomfort of stumbling over dead gangsters, mantled in soft white.

At last conditions began to change. Even though

the politicians did not seem to resent the rattle of machine guns, Chicago's publicity as a crime center was becoming world wide. It's always bad for business when that sort of news gets out -- so something was done about it.

Administrations changed. Repeal approached; Congress passed the Beer Bill. The Touhy gang began looking about for other means of getting money. They turned to snatching.

How many persons were kidnapped and held for ransom by this crowd is impossible to determine. They were underworld characters who would rather pay, keep silent and live than have a big funeral. John (Jake the Barber) Factor, however, had a different idea. He had been returning one night from The Dells, a roadhouse near Chicago, when automobiles forced his car to the curb, and men with machine guns, shotguns and revolvers took Jake the Barber away, telling him that they intended to hold him for $500,000 ransom, later reduced to $70,000. His family notified the police, who in turn, called the Division of Investigation.

Jake the Barber had been kidnapped in northwest Chicago. Investigation showed that members of the Touhy gang had been at The Dells that night. When Factor was released twelve days later, he told of having been taken only for a short trip following his seizure and held in a house somewhere in the neighborhood. Deductions were easy. Nobod but the Touhys had ever been able to pull anything in Touhy territory. It was common knowledge that with the dying of

profits in the beer business, the Touhys had gone in for snatching. Then came a piece of luck.

A hit and run driver knocked down a pedestrian in Elkhorn, Wisconsin, one night, about a week after John Factor was released. The police of Elkhorn went out in search of him, and among others, questioned the four quietly evasive men in a sedan, who insisted that they disobeyed no laws. So the police queried:

"That so? What've you got those guns for?"

An arrest was made. The car contained an automatic rifle, several revolvers, much ammunition, linen bandages, and a cotton rope. Here were four men apparently on a kidnapping expedition. Chicago was notified. Detectives and Special Agents hurried to Elkhorn. In jail were Roger Touhy and three of his gangsters, Edward McFadden, Gustave Scachtel and William Sharkey. Of course they wouldn't talk.

Now, four men were under arrest without much to hold them. Factor identified one of them, Sharkey, as having held a machine gun on him during the kidnapping, and the voice of Roger Touhy as that of the person who had threatened to kill him, while in captivity. But that was not enough to convict.

Much propaganda had been carried on for the Touhys. Chicago had been filled with rumors, judiciously circulated, that there hadn't been any kidnapping. Jake the Barber was generally alleged to be an international swindler. There were accusations against him in England. This kidnapping

story, according to mouthpieces for the Touhy gang, was merely a ruse, to allow Factor to stay in this country. Mere identifications would not convict. These accused men were powerful, with plenty of money, and attorneys who knew many methods of keeping them out of jail.

The whole kidnapping must be re-constructed. The place where Factor was held a captive must be discovered. Witnesses must be found to name the actual members of the kidnapping. Police and Special Agents went into the northwest part of Cook County -- on a house to house search. Had anyone noticed anything peculiar in the neighborhood? Had there been any unusual gathering of motor cars, any house suddenly occupied, or unoccupied? At last a resident of Glenview, a Chicago suburb, said:

"Well, now that you remind me -- "

That is the usual lot of a law enforcement officer -- to remind good citizens. A neighbor may see strange things. Lights may burn all night, strange cars come and go, bundles be lugged in or even a struggling human. Nine out of ten persons will go to mental labor to find a legitimate excuse for it all. After a crime has become known, and hard working officials make the weary rounds, at last by their questioning to create a picture of a certain scene, then it all becomes plain to the observer that he has been observing criminal actions. Until this time, the average human is fairly dumb.

Officials had worked designedly in this neighborhood. Factor had said that his main place of confinement

had been in a two story house with a basement and a side entrance leading to wooden stairs. It had been near a railroad. A woman had cooked the meals which had been prepared in the house.

This Factor knew in spite of having been blindfolded almost from the moment of his kidnapping. Rather, it was drawn from him. I have had the opportunity to read many of the files in kidnapping cases, and a victim rarely volunteers useful facts. It is the Special Agent who, working along carefully, thought out lines, reconstructs the scene:

"Which side of the car did they put you in? Was it a big car or small one? Did you sit on the seat or were you forced to lie on the floor? Was it a four, six or eight-cylinder car -- how did the motor sound? An old car or a new one? Did anyone intimate it had been stolen? How many times did you fill up with gas? Did you cross any car or railroad tracks. Any bridges or culverts? What kind of road were you on? Did anyone speak during the trip? What did he say? What kind of a voice did he have -- gruff -- pleasant -- quiet-- loud? Did he curse? Did he use good English? Did he threaten? Or joke?

"When you got to where you were held, what happened? What side of thee car did you get out of? How many steps did you take? Did you walk on gravel, cement, brick or dirt? What food was served as a general rule? Did they take off your blindfold? How many men guarded you? Did you touch anything with your fingers, or did they force you to wear

gloves? "

"Did you hear any sounds either inside or outside? Did you hear any numbers of children on the street, like they were going to or from school? Did you hear any chickens? Ducks? Geese? Horses? Cows? Any railroad whistles? Factory whistles? Street car bells? Any hucksters? What were they selling and how did they shout their wares -- ?"

On and on it goes, a series of hundreds upon hundreds of questions built up in the Division of Investigation by Mr. Hoover almost immediately upon the passage of the Kidnapping Act. By the answers, unless a person is devoid of all retentive powers, it is possible to discover clues to the distance traveled, the course taken, the surroundings of the place of captivity, the house itself, the people who acted as captors.

So when the neighbor pointed out the house on the corner, it almost instantly became worthy of search. There had been a concentration of automobiles with many persons going and coming at night. Then the place suddenly had been deserted. There was a hedge -- Factor had remembered brushing against it, and there was a side door, leading down wooden steps to a basement. Special Agents and detectives went into the house and found it to be the place they sought.

Flight had been hurried. Discarded clothing was found; a machine gun drum, a magazine chamber for an automatic shotgun, rolls of adhesive tape, such as is used for binding the eyes of kidnap victims, a sweat shirt for a bullet-proof vest. Buried in the yard, in glass containers, was some

colorless liquid which analysis proved to be nitric acid, tempered with nitro benzine and other acids -- the necessary "soup" for the blowing of vaults in bank robberies. Thus a criminal hideout had been found.

But even this cannot make a criminal case when the opposition is determined and the attorneys high priced and shrewd. The clothing was checked for identity -- a round of tailor shops began, finally to name the wearer as a member of the Touhy gang. A discarded envelope was traced to its sender; he was a shoemaker who had outfitted one of the gang members. A laundry ticket was followed up -- it too pointed to the Touhys.

The rental agent of the house was interviewed. He had requested references from the rentor, who of course, used an alias. One by one, these references were found. The wife of one possessed important information.

"I guess they used my husband's name on account of me," she said. "You see, I used to do some hemstitching for a woman named Mrs. Henrichsen. I met a lot of people there; that's how they must have gotten my name as a reference. Then one day Mr. Henrichsen asked me if I would like to do some cooking for a Mr. Burns. So I took the job. There were a lot of men; people were coming and going all the time. They had guns around and all that. Then one night there was an awful commotion in the basement. So I just got suspicious and quit."

"Of course," asked an officer, "You didn't think to notify the police?"

"Well, I didn't want to get in any trouble."

"I see." That seems to be the greatest of all thoughts with the average person. And it's an old story to law enforcement men.

They showed her pictures of some fifteen members of the Touhy gang, as many as could be procured out of the hundred or more criminals who once drew a living from beer activities. She identified ten of them. Then Factor identified the house. Thereupon indictments were issued for Touhy, Sharkey, Gustav Schaffel, Edward McFadden, Basil Banghart, known as The Owl, Charles (Ice Wagon) Connors and ~~August John Tamar~~ (Albert Kator). They had been identified from photographs as the actual kidnappers.

The Division of Investigation then withdrew from the case, having acted only as an assistant. The mails had not been used to transport ransom notes and the victim had been taken across no state lines; the Kidnapping Statute has been changed since that time to include telephone, radio, and telegraph as well as mails, and to create an assumption of a Federal offense if the victim is held over a certain number of days.

Then strange things happened. Jack Kultas, a reputed member of the gang, was found murdered. It was said he had refused to contribute to the Touhy defense fund. Sharkey committed suicide in a St. Paul jail. Henrichsen was arrested in his home as the result of the cook's information, and turned state's evidence. Edward McFadden was freed for lack of evidence. And when the case came to trial, the jury disagreed. The Touhy outfit must be tried again, with little chance, as it seemed, for success.

Now the story moved to Charlotte, N.C. A mail truck started away from the railroad station there with $105,000 in Federal reserve notes in one of the mailsacks. Suddenly a car cut into its path, blocking it. Four men with pistols and machine guns, forced the driver and guard to the floor of the truck, snipped the rear lock with nippers, seized the money sacks and leaping into the waiting car, made their getaway. There was a description of only one man -- that he walked with a limp. The Police Inspector, Frank J. Littlejohn started forth upon a slow, but meticulous job of investigation.

By a system of elimination he determined that the robbers had used a stolen car and that they had left the state. The Postoffice Inspectors already were working on the case; now the interstate theft of a car brought the aid of the Division of Investigation. The Inspector also found that an apartment had been suddenly vacated. It had been occupied by two men, one of whom ate a great many grapes and threw the hulls about freely. Two other men were visitors. One of them had walked with a limp. Days passed without further information. Finally a citizen mentioned to the Inspector that a man who walked with a limp, had visited an apartment across the hall from where he lived, only to disappear. The Inspector with other officers went to the house. They encountered difficulties.

The owner was indignant that the police should dare to come into her place, armed with machine guns and hunting for gangsters. Tenants agreed that it was an outrage.

That apartment had been rented by a Mr. and Mrs. Rodgers and they were fine, quiet people. Just the sort of people that one would like to have in a respectable house. Nevertheless, the Inspector investigated. He found the occupants gone, having left behind a newspaper describing the hunt for the mail robber bandits. He found also among other things, a number of grape hulls, clothing, laundry and eleven beer bottles which contained fingerprints. The expert of the Charlotte, N.C. department developed them, photographed them and sent them into the Identification Unit of the Division of Investigation at Washington. Back came the word that these were identical with the fingerprints of Basil Banghart, Ice Wagon Connors and Isaac Costner, members of the Touhy gang. The Inspector traced down the laundry, piece by piece, identifying it as belonging to the three men, as well as to a fourth, Ludwig (Dutch) Schmidt. So again a hunt was on, this time with the Postoffice Inspectors, the police of Charlotte, and the Division of Investigation on the trail.

Two things happened simultaneously in that case. Both the Inspector and the Special Agents discovered that the Banghart crowd had traded their old cars for Auburns, and that they had expressed a preference for this kind of car. Consequently, the printing presses in Washington as well as in Charlotte rolled out Identification Orders and circulars which went to every official and garage and dealer in the United States, requesting them to watch for men of this description who drove this type of car.

Meanwhile, a patrolman in Baltimore had been eyeing two cars with Kentucky license plates which had stood for several days in front of an apartment house in a good neighborhood. He did it simply as a matter of routine and because there recently had been a number of auto thieveries. The cars disappeared. The policeman checked up on nearby garages where the motors had been kept -- just to be sure the automobiles hadn't been stolen. At one he was told the owners had left town, after having gotten new Maryland license plates for one of the cars. The number was 77-427, issued to Lawrence F. Collins.

Special Agents were looking for Charles Connors. This man's name was Collins. The car was an Auburn. The former license plates had come from Kentucky, where investigation by the Inspector and Special Agents had shown members of the Touhy gang to have visited. It was sufficient for a checkup. The application blank was gained from the registry bureau. Special Agents examined it. The writing was not that of Lawrence Collins, nor of Charles Connors. It belonged to Basil Banghart.

So now, there was something to work on. Basil Banghart was driving an Auburn, license number 77-427, which contained a short wave set. So the police of Baltimore were given the number orally; in every other city it was broadcast and re-broadcast:

"Watch for Auburn automobile, Maryland License Number 77-427."

In the meantime, a Baltimore automobile company reported to Postoffice Inspectors that a man answering Banghart's description had looked at new cars with the idea of a trade-in, but had not returned. Every patrolman, every Special Agent and Postoffice Inspector now centered his attention upon Baltimore. Then one night a patrolman telephoned in to the Northern Police Station that he had spotted License 77-427. The car stood in front of one of the most exclusive apartment houses in the city. Officers hurried there.

After a long period of waiting, they saw a man come out and closed in on him. It was Basil Banghart. They raided his apartment, while tenants insisted that this could not be true, that no gangster ever would live in a fashionable, expensive place like this. But the gangster had lived there, and in his apartment were found two machine guns with circle drums, two high-powered rifles, several revolvers, four sets of false mustaches, and $12,500 of the money resulting from the Charlotte mail robbery. More, the next day, while Special Agents were investigating the apartment, someone knocked at the door. The Special Agents invited him in, whereupon he hastily declined. But they caught him. He was Isaac Costner.

When the Touhy gang again came up for trial on the kidnapping charge, there was a verdict of guilty. Touhy, Schaffel, and August John Lamar, as well as Banghart, got 99 years apiece. Isaac Coster was taken to Charlotte where he received 30 years. Banghart also got 30 years on that charge, to be served if anything happens to the 99-year sentence.

Dutch Schmidt was arrested in Chicago and drew 32 years in Charlotte. The fourth man, Ice Wagon Conners was not tried.

It seems that everyone who ever had belonged to the old Touhy gang had been taxed for the expenses of the various trials. Much of this money, of course, had come from the proceeds of robberies, particularly the mail holdup in Charlotte, N.C. Isaac Costner turned states' evidence in the kidnapping trial because of this taxation. He had been assessed for the expenses of the kidnapping trial, and had refused on the basis that he had been robbing mail trucks, not snatching humans. Thereupon, $25,000 of his loot had been stolen from him -- for expenses. Ice Wagon Connors was even more unfortunate. He also had declined to contribute. On the morning of the day Banghart and Costner were arrested in Baltimore, Connors was found murdered near Chicago. In one tightly clutched gloved hand was found a brand new penny -- the underworld insignia of contempt for a cheapskate who wouldn't kick in to help his pals.

There may come a time when there will be heavy penalties for accepting the loot of robberies as fees for the defense of an accused criminal. Today, the victim of a robbery not only loses his money but often knows that the loot from the holdup has travelled into the hands of criminal attorneys, to be used in the divers ways which criminal attorneys know so well as a means of cheating the penitentiary.

There almost surely will come a time when all branches of local and governmental investigative bodies will work with

the tightly knit cohesion which was so successful in the Touhy case.

But it is doubtful if there ever will come a time when the ordinary, good, dumb citizen will do anything except what so many of them did in the foregoing recital: keep his mouth shut when he should notify the police, find legitimate excuses for actions plainly illegitimate, resent investigations by officers into the pasts of persons they believe to be "nice people", and by wanting to keep out of trouble", serve thoroughly to obstruct justice.

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CHAPTER FIVE.

One day in 1924, a big-shouldered, slow-moving man lumbered into the office of Rush L. Holland, assistant attorney general of the United States. He was Hugh Harper, chief of police of Colorado Springs, Colorado. These men were old ~~friends~~ cronies.

There was more than friendship behind this visit, however. Hugh Harper had been attending a convention of the International Chiefs of Police:

"Some of the boys suggested that I come down and talk all this over with you," he told Mr. Holland. ?

The Chiefs were torn by dissension over what to do about the identification of criminals. In 1896, they had started a central bureau of criminal identification in Washington, at which were collected Bertillon records from various parts of the country. The idea had been good, but the execution imperfect. Then the theory of fingerprinting had come more and more into prominence.

Now the police departments of the country were divided. Many of the older officers wanted nothing but Bertillon records, not trusting this new-fangled system where the identity of a person was determined by the impressions of his fingers. Others were enthusiastic.

The result was that after years of effort, only about 150,000 prints had been gathered at Washington. The big collection of the country was at Leavenworth Penitentiary, where some 650,000 records had been filed. Other penitentiaries maintained their own collections; police departments tried also to keep files of fingerprints; the whole system was in pretty much of a mess.

In the meantime, there had been a movement for the United States Government to take over the whole problem and try to do something about it. To this end, a young man, working in the Division of Investigation, had given much time and study. The subject obsessed him; his hours away from active work were put into study, planning -- just in case, something should happen which would throw that fingerprinting collection into the jurisdiction of the Department of Justice.

"Rush," said Hugh Harper, "I came down here to see if you couldn't help out some of us boys in the Association. Everything's at sixes and sevens over this fingerprint collection. Some of us think the government ought to take over the whole thing -- "

"So does the Attorney General," said the assistant.

"That's what I want to talk about. The job is to make the members of the Association enthusiastic about turning over their prints -- you know, really get some action. I was thinking that if you had somebody down here who could talk to the Association, show 'em all the advantages of a tie-up with the United States government --"

Rush Holland mentioned a name. Hugh Harper stared at the ceiling.

"Nope," he answered. "The boys don't like him."

The assistant attorney general thought a moment.

"We've got a young fellow here who's made a marvelous record," he said at last. "He knows more about fingerprinting than most experts; been studying it for years -- it's a fascinating subject when he gets going on it. Like to have you meet him. His name's J. Edgar Hoover and he's in in line to be the next head of the Bureau. Suppose I ask him to step down and talk to you."

Not long after that Mr. Hoover made a speech to the International Association of Chiefs of Police urging the necessity for a central government bureau to classify and collect the criminal fingerprints of the nation. He knew the history of fingerprinting. He knew all the uses to which the system had been put in Europe. He envisioned the possibilities of the interchange of fingerprints, so that a law enforcement unit might learn, all in a few hours, if a man it held for questioning might be wanted elsewhere. There was no need for bolstered enthusiasm when he began to work for a coalition of the various agencies. He wrote letters. He went on tours of the country, arguing for hours at times, to persuade some recalcitrant head of an indentification bureau that a vast collection in Washington under one control, was better than dozens of small ones scattered throughout the country. At

last he won his point. The fingerprint collection of the Chief's Association was turned over to the government; it took up little more floor space than is occupied by the average small business office. Then the bigger collection came to Washington from Leavenworth. Perhaps that was just as well.

There had been many disadvantages at the western prison; one of them had been the matter of money. Therefore, the fingerprint section, while under the guidance of a civilian expert, was mainly manned by convicts. The result was that whenever the civilian vigilance was relaxed in the slightest degree, the prisoners played a merry game of changing and altering fingerprint records. That not only made identification difficult at times, but necessitated constant checking to re-establish the proper identities of persons whose records, always mysteriously, had undergone "repairs". With the transfer of these prints from Leavenworth into a more systematized bureau at Washington, manned by the best fingerprint men, it was possible to obtain, a new and tremendous growth began.

Today, the Identification Unit which houses the 4,700,000 fingerprints of the nation and foreign correspondents, occupies an entire floor of the tremendous new building of the Department of Justice. Filing cases, each with their thousands of records, stretch on endlessly. Dozens of technicians pore over what appear to be only black smudges, spaced on white cards -- every one of those cards is the patterned story of a life. Here daily parades the population of a thousand jails

each to be catalogued and studied, often to rip open a person's past and reveal, not the identity of honesty which had been assumed, but one of vicious criminality. Let me illustrate:

A turnkey in St. Paul called for Raymond Parker and turned him over to the officer who was to take him to the chief. There Parker waited somewhat confidently. No one knew him in this Northern City. There had been no papers nor letters to indicate that his name was anything except the alias he had adopted. His arrest had been merely one of those pick-ups by which so many men are brought to headquarters for "investigation". The chief looked him over.

"Got anything to say for yourself, Parker?"

He had plenty to say -- mainly that the arrest was all a mistake.

The chief interrupted:

"Why don't you tell the truth? Your name's not Parker. It's Jean Elms."

The prisoner lost his color.

"I -- there may be somebody named Jean Elms who looks like me. But -- "

"I'm not talking about looks," the chief answered. He motioned to the waiting officer. "Take him back. Mark him up to be held for the arrival of police from Oklahoma. I've just got a telegram from Washington saying he's wanted down in Tulsa for murder."

Dazedly, Jean Elms was led away, wondering how it all happened. There had been no apparent interest on the part of

the police until suddenly they reached into the past and brought out the fact that he was a murderer. Withal, however, his amazement was no greater than that existing in Oklahoma.

Elms had killed a Tulsa policeman. The search had extended over most of the southwest without success. Then, all in a few days, by the mere expedient of mailing a piece of cardboard smudged by black marks to Washington, D.C., the mystery of disappearance had been solved, and the fugitive made available for return to Oklahoma. Ten years ago, such a capture was almost impossible. Today it approaches routine. The explanation lies in that repository of fingerprints, the Identification Unit.

The explanation of how Jean Elms got caught explains also the workings of this Unit which in the last few years has revolutionized the nation's work of finding, catching and identifying criminals. The Bertillon System would be powerless today against the prevailing type of high-powered criminals, who use plastic surgery, tattoo-erasing, hair and eyebrow dyeing and rare instances of illicit bone operations to create the appearance of pre-natal malformations.

Appearances today become secondary and measurements considered only as so much supplementary information. What counts are the ten [illegible] on a fingerprint card. A daily grist of some 2,500 of these cards rolls in from more than 7000 contributing agencies -- and on an average of thirteen times a day, telegrams go forth to law enforcement officers saying their man has been jailed, perhaps in a neighboring city--perhap

in Europe or Alaska.

When St. Paul picked up Raymond Parker, the police mainly desired to know the man's correct name and his previous record if he had one. There was about a fifty-fifty chance, of course, that there would be no record. Again there was one chance in about two hundred that he might be wanted somewhere for an unexpiated crime. So in had gone the fingerprints to Washington.

Parker's card travelled first to a sorting room, one of many glass-enclosed workshops. After that, it became a part of a batch of prints handed to a fingerprint expert. A magnifying glass came into play as the technician classified the prints by an amplification of what is known as the Henry System.

The expert disregarded the name and description. He looked only for outstanding characteristics in those prints, meanwhile making cryptic appearing marks at the top of the card which, when finished, read like this:

$$\frac{12 \quad 27 \quad W \quad \overset{II}{11} \quad 16}{\underset{OI}{28 \quad W \quad 91}}$$

Yet it was not so cryptic. The first figure was a "key" count of ridges occurring on a certain finger. The next or primary classification of "twenty-seven over twenty-eight" meant the total of certain arbitrary numbers which, when broken down by the expert in connection with the secondary classification of "W over W" denoted that this subject possessed whorls on the first, second, third, fourth, seventh, eighth

and ninth fingers. The sub-secondary II [illegible] concerned the tracing of inner and outer whorls proceeding from a spread of ridges known as deltas, and the final number, 16, was the ridge count of the right little finger.

Now the expert knew exactly where to look for a counterpart and went to the fingerprint files where he found a card which bore the same classification. Even then he did not look at name or description. The magnifying glass again came into play. This time the comparison was in more detail as he searched the whorls, the loops, islands and ridges and deltas for the recurrences necessary to establish identity. They checked. Now he could look at the name, which, of course was different, in that one card was captioned "Jean Elms", while the other bore the alias, Raymond Parker.

Remember that this expert knew nothing about the fact that Jean Elms was wanted in Oklahoma for murder, inasmuch as the authorities there had not yet notified the bureau of this fact. His job, therefore, was merely to acquaint the St. Paul police with the man's record so that they could check this against any story of a law abiding life which Parker might have told them. To this end, he sent the St. Paul card, plus the one on Jean Elms to the stenographic bureau for a report to the St. Paul police that Raymond Parker was in reality a man named Jean Elms who had served a term in the Arkansas State Penitentiary for burglary and another in Leavenworth Federal Prison for the theft of an automobile. This done, the expert turned to the rest of his day's work.

However, in the meanwhile, a complication had arisen. During the search being conducted for Elms by Tulsa, information had developed that the man had served previous prison terms in Arkansas and Leavenworth. This made his fingerprints available, and the Tulsa police had sent to one of the penitentiaries for them. Once received, these fingerprints had in turn been forwarded to the Identification Unit, with the request that a "wanted notice" be placed against them and the Tulsa police notified if the man were arrested for any cause in any other city. This card, by coincidence, reached the Unit only a short time after the one from St. Paul. Another expert received it. Following routine, he went to the files, only to find an "out" marker where the fingerprints of Jean Elms should be.

In that marker lay a thrill. It meant that only a short time before some other worker had taken out the Jean Elms fingerprints for comparison, thus indicating to the second expert that the man already was under arrest somewhere. He therefore hurried to the stenographic room, retrieving the records and changing the report. What before had been only a statement of record now became a double revelation of great importance. One was the telegram containing the information which so amazed Raymond Parker. The other was a wire to the Tulsa police saying they could have their murderer by sending detectives to St. Paul. This they did. Elms was convicted and sentenced to life for murder.

This is the reason why big time criminals today are

willing to spend thousands of dollars on the mere assertion of some hoodlum doctor that he can erase fingerprints. Year by year, the net is being strengthened, from what was a haphazard affair a little more than a decade ago, to a system that could, with a little more co-operation, be perfection. At the present time, it is more than 90 per cent infallible. The other ten per cent will come when every community makes fingerprinting a cardinal rule with all persons arrested under circumstances requiring identification.

Once the Identification Unit has pointed to a man as a guilty fugitive, or nailed his lies concerning a previous criminal history, there is no refuting it. Fingerprints cannot be forged. Fingerprints cannot be changed. Fingerprints will break down an alibi. Fingerprints cannot even be accused of exact similarity. This is even true of twins.

The Kelly Twins, Robert and James, of Bridgeport, Conn., look exactly alike. Both have the same occupation, that of plumber -- when they are not engaged in other enterprises. They have the same color hair, the same color eyes, the same expression, the same lip formation, the same style of nose, the same slope to their shoulders. They stand alike, they walk alike and have the same type of voices. They are so similar that when the idea of crime appeals to one, it does the same for the other. They have been arrested together on several occasions.

When that happened, their similarity of mannerisms, speech and general appearance was so marked that witnesses

could not identify them separately in a courtroom. A policeman would give evidence against James when he should have been talking about Robert. But when the matter of identity became that of fingerprint cards, there was utter dissimilarity.

For ten years now, the Division of Investigation has been drumming this sort of information at the law enforcement agencies of the country. It is surprising therefore to know that it was not until 1929 that many of the largest cities in the country began to route all their fingerprint records through Washington.

New York City, for instance, dribbled along with an average of 1500 fingerprints a year. In other words, the Identification Unit was on trial, not only by New York, but by dozens of other large centers. Philadelphia, Pa, evidently considered the Unit as not worthy of true co-operation until 1931, only a little more than three years ago. Oklahoma City, Oklahoma did not send any fingerprints at all until 1929; the same was true of a number of other cities in the 100,000 class. Today, New York routes the prints of more than 21,000 persons a year; Philadelphia sends some 5000, and Los Angeles, sends 6000 or more prints where, until 1928, it sent only a few more than 1200 a year.

Even with this tremendous increase, however, there are evidences that there is not yet absolute co-operation. This is best shown by the fact that Wichita, Kansas, a comparatively small town as compared with the large centers of population, sends three-fourths as many prints as are sent by

Chicago, many times its size, and certainly more widely known for variegated crime. It sends one fifth as many as come from New York City. It sends nearly three times as many as come from Indianapolis and twice as many as are received from Detroit, Mich., with its smuggling activities across the adjacent border, its mixture of populations, its Purple Gang, and its close affiliations with the gangs remaining from the old Capone set-up in Chicago. Wichita's name seldom gets in the newspapers either as the breeding spot of crime, or as a place of perpetration. One reads often, however, of some criminal who has been picked up there for offences in other cities. The chance of errors in judgement does not exist here. No one looks a man over and decides from his appearance, his actions or his story whether or not he has a record. It is a part of routine duty to learn the past of every person arrested.

Certainly one hears less of Wichita than one hears of Kansas City with its three penitentiaries nearby, spewing forth thousands of ex-convicts every year, and its history of spectacular crimes. Certainly also, the name of Wichita has reached the first pages in few less instances than that of St. Paul, where Dillinger made an escape from Federal and municipal police. Yet Wichita sends in every year to Washington, nearly three times as many fingerprints as these two towns combined; Kansas City's average figures are a mere 899 a year, and St. Paul obliges with a total of (657.) 687

For that matter, Washington, D.C. with its high

murder rate, its history of easily obtained paroles, its gambling and gang killings, did not even take the trouble until 1932 to route more than a casual number of prints through the Unit. The world's greatest collection of criminal records lay within walking distance of police headquarters; yet in 1931, only 537 fingerprints of suspected persons were turned over to the Identification Unit. With a change of viewpoint, the number jumped in a year to 2865 and is now more than 4000.

By examining the history of cities of the 100,000 class and better, the story of the smaller community is easy to guess. The work of this Unit thereby becomes all the more amazing, in several ways. One is the manner in which it catches criminals. The other is the most astounding way in which persons who are paid to catch lawbreakers sometimes fail to use the weapons which are practically laid in their hands.

There is a different condition in Italy; all police departments there are forced by statute to submit the fingerprints of all arrested persons to the national bureau of criminal identification in Rome. The same is true of Norway with its national bureau at Oslo. In Denmark statutes demand national co-operation with the central bureau at Copenhagen. England, Scotland, Ireland, Canada, Australia, the Bahamas, the Barbadoes, British East Africa, Burma, Ceylon, South Africa and Zanzibar all are rigidly allied to the New Scotland Yard bureau in London. France sends its fingerprints immediately to Paris. Beyond all this, there is in Vienna the Inter-

nationale Kriminalpolizeiliche Kommission, devoted to the interchange of criminal records from all of Europe. And in Argentina, South America, the demands of fingerprinting include not only criminals but passport applicants, members of regulated professions, governmental employees, chauffeurs, and taxicab drivers, with two results. There is a fingerprint collection in Buenos Aires of some 2,250,000 prints, equalling about one fifth of the population of the nation. And there is an exceptionally small crime percentage.

In America however, with its local jealousies, its loose way of hiring and firing police heads, after almost every change of administration, instances like the following are not unusual:

A hotel in a small city informed the police that a guest had been reported by one of the maids as having two machine guns. A raid was made, the man arrested and the machine guns confiscated. The prisoner admitted that he had not signed his true name to the hotel register. He was taken into court and sentenced for the possession of the guns. He immediately appealed the sentence and gave a cash bond of less than a thousand dollars, which he promptly forfeited.

Two things were wrong with that picture. One was that the possession of a machine gun, especially by a person using an alias, should be a grave offense, certainly not one to be evaded by forfeiting a few hundred dollars on an appeal bond. The second error was that the suspect's fingerprints were not taken and forwarded to Washington for inquiry as to a

previous criminal record.

This man was a kidnapper. He was a robber of dangerous degree. He was an associate of murderers if not himself a slayer. He was in this town to make preparations for a big holdup, the loot of which ran into six figures. Moreover, once he was free from the petty inconvenience inflicted upon him for the possession of machine guns, he did not even bother to leave the city. He simply changed his name and domicile, and continued to make ready for the criminal job. Within a month the crime was committed, plus a number of others in the getaway, such as the stealing of automobiles. All this might have been prevented had there been a checkup on the fingerprints. At least two cities gladly would have sent for this man; a pink slip on his master card in Washington shouted the fact that he was badly wanted.

Perhaps it was not the police department's fault that this criminal was not checked upon. Perhaps that dereliction was traceable to the penny-pinching by persons of inexperience which so often handicaps law enforcement agencies. The all-knowing small town alderman is often to blame for the fact that a police department is badly manned, poorly equipped with proper weapons, and thoroughly stagnant in the use of present day methods of crime detection and apprehension. He only understands that a good machine gun costs $250., that steel vests are expensive, that fast cars become outmoded after a time. Above all, if a man can walk a beat or wave traffic across the Busy Corner, there is no sense in allowing him to

fool around at headquarters over a lot of black smudges on white paper.

This happens in spite of all the missionary work from Washington. Record cards are furnished free as well as franked envelopes for sending them on to the Identification Unit. Pamphlets are sent out regularly, giving instructions on how to even take fingerprints of the dead. Even the cross roads constables of the United States should know how to take fingerprints -- and should send them to Washington. There is nothing complicated about the procedure; one of the most popular of toys for boys is a fingerprinting outfit; the rules for taking impressions can be mastered in ten minutes. Necessary equipment for any police unit consists merely of a piece of plate glass, a rubber roller, and a small amount of printer's ink. Fingerprinting in small cities is increasingly important these days when desperate criminals, often use the lesser localities as hideouts.

Fred (Killer) Burke, one of the most dangerous of the last decade's murderers lived for many months on a Missouri farm. It belonged, incidentally, to the family of Harvey Bailey, himself notorious for banditry and kidnapping. A case from Hannibal, Mo. proves the worth of proper identification in a small town:

Peter R. Beasley of La Grange, Tenn., received an extortion letter, demanding that he place $5000. in twenty dollar bills at a point along the railroad track. Otherwise he would be killed. Mr. Beasley sought the aid of the local

authorities. A dummy package was made up, and a watch kept upon it. Soon an old negro came along and picked up the bait, only to be arrested. However, he proved his only crime to be curiosity; the package had caught his interest and he had taken it merely to see what was in it. Meanwhile, evidently, the real extortioner had been frightened away. Finally, the local authorities, baffled, turned the case over to the Department of Justice which has jurisdiction in certain cases of extortion.

Special Agents of the Division of Investigation almost immediately found two clues. One was a latent thumb print on the envelope of the extortion letter. Another was that this envelope evidently had been previously addressed, but not mailed. The first addressee's name had been partially erased, leaving marks discernable under a microscope which read Annie ----ell, Michigan City, Miss. After that, identification was fairly easy. The agents went to Michigan City, where they found Annie ----ell, to be a negro woman, Annie Waddell, the mother of Theodore Roosevelt Waddell, who possessed a criminal record, and who had disappeared a day or two after the writing of the extortion letter.

The criminal record meant that Waddell's fingerprints were on file in Washington. The single fingerprint was forwarded there and compared; it matched, thus absolutely establishing identity. There remained now the job of setting the trap for the possibility of an arrest somewhere on a different charge. In a few months, Waddell's prints came in

from Hannibal, Mo., where he was being held on a minor charge under the name of Joseph Phillips. The usual telegrams went forth. Waddell, alias Phillips, was taken back to Tennessee, where he was sentenced to fifteen years in prison.

Hannibal had done its job well. The same could not be said for the police of another city who had held Waddell in jail for a number of days -- without taking his fingerprints.

However, even with these obstacles, the work of the Identification Unit progresses daily. There is the case for instance of Joe.J. Cranmer, an escaped convict, whose fingerprint records were turned over to the Identification Unit from the Nevada State Penitentiary at Carson City, Nev., when the unit was organized in 1924. One after another, frayed and torn by the constant use of the files, wanted notices were renewed on Joe Cranmer's record. Finally, more than a decade after the man's escape, a card came in from Redwood, Calif., showing that Cranmer had been arrested there on a charge of assault, thus permitting identification in Washington and a telegraphic notification to the Nevada prison that the escaped convict had been captured. It is the old, old game of waiting, with the trap always set, plus the certainty that it will spring remorselessly, whenever the quarry touches the bait of arrest. Albert C. Carson, for instance, was wanted in Atlanta, Georgia; Cairo, Egypt; San Antonio, Texas; Nice, France; and Mount Carmel, Pa., on charges which ranged from swindling to traffic in narcotics. Under the present system of international exchange of fingerprints, a foreign country immediately communi-

cates with Washington upon the detention of anyone bearing American characteristics. Recently a man who called himself John Leslie Matson, was arrested in Rome, Italy, as an object of suspicion. The Roman police sent his fingerprints to Washington, where they were found to be those of Albert C. Carson. A few years ago, the alias of John Leslie Matson, plus the fallibility of photographs and the inaccuracies of the Bertillon system, might have meant freedom for this man. Fingerprints, however, are inexorable and again there comes the proof that the small town is as important as the large city in picking up suspects:

There had been a series of petty thefts last year in the little town of Pascagoula, Miss. Finally a man was arrested and his fingerprints sent to Washington. Whereupon Pascagoula was amazed to learn that it had arrested not only one person but eighty-seven. The suspect was wanted all the way across the United States. An ex-convict, he had posed his way from city to city pretending to be whomever suited his fancy, from a Lieutenant-Commander in the Navy to a physician in the United States Health Service.

All the knowledge of drugs and medicines he possessed, he had acquired while employed in a drug store in San Jose, California. Yet, as Dr. Edgar A. Mills of the United States Navy, he had performed the dangerous operation of a spinal puncture. He also was Dr. Willard Thompson, Dr. Lester Parker, Dr. J.C.Condon, Colonel Lester Parker, Commander H.P. Reardon, and eightyone other doctors, commanders, colonel

generals and whatnot. The thing he knew best, however, was the stealing of automobiles, and upon the receipt of his fingerprints from Pascagoula, the Division of Investigation tucked all eighty-seven of him away in a Federal penitentiary for four years.

By such care in the fingerprinting of suspected persons, one of crookdom's great avenues of escape, the plea of mistaken identity can be eradicated. In fact it was a matter of resemblance which gave fingerprinting its first true impetus in the United States.

A new convict, a negro named Will West, was being measured and photographed by the record clerk of the United States Penitentiary at Leavenworth, Kas. in 1903. At this time, every police department and penitentiary in the country operated only on the Bertillon System.

This was a complicated combination of photography and anthropometrical measurements which was constantly at the mercy of human trial and exceedingly human error. The idea was a good one, and it worked comparatively well in methodical countries which took their police work seriously. That was not true of America.

In the first place, the rogues galleries, then maintained only by the better organized police departments, were highly fallible. Photographs can aid in establishing identity, but that is all. I have in mind a benign appearing criminal named Moses Harmon. As he moved about in his free state, with long white hair and a flowing white moustache and

beard, his resemblance to the gentle Henry Wadsworth Longfellow was remarkable. Any woman, listening to Mr. Harmon sing a few hymns, speak gently of his family and his love for dumb animals, promptly would have written away the last ten dollars on her savings account to be able to participate in any of his great ideas of making a fortune. But she would not have been so interested if she could have seen him, dressed for prison. With his hair cut and his flowing muffler of whiskers chopped off, Moses Harmon filled that rare role of looking thoroughly like a criminal. He had a face as hard as Vermont granite, eyes which looked like two slits in a piece of salt pork and a mouth which might have been moulded from shark flesh. So much for photographs.

The Bertillon anthrometrical system was just as fallible. The theory was that during certain years of maturity, from twentyone to sixty, there were no changes in the bony structure of the body. Therefore, height, the length of the outer arms, trunk, head, ear, left foot, left middle finger, left little finger and left forearm and the width of the cheek and the head were set down upon a card which also contained a front and side view of the suspect. Then, of course, weight, color of hair, eyes and complexion, as well as location, size and shape of all scars, marks, moles and tattoos were designated as a part of each individual record. The taking of fingerprints requires less than two minutes in experienced hands. The recording of a Bertillon record often consumed an hour, and what some of those old-time cops did to the

complicated system of meters, centimeters and millimeters was astounding.

The Bertillon System has been discarded, now after many years of faithful service, such as it was, and an equal length of time spent in arguments between cops whether it should be pronounced Bertillion or Bertillyon. At the time of Will West's imprisonment, the system was in use in all large police departments and penal institutions. The negro submitted to the various measurements. Then the record clerk asked:

"What was the matter, did you try to escape?"

"Who me?" asked Will West. "No sir."

"Then why are you being measured again?"

The negro stared.

"I'm not being measured again. Nobody never done nothin' like this to me before."

That called for an acrid remark from the record clerk. He left the staring negro and went to his collection of prison photographs. Returning with a picture, he asked:

"Isn't that you?"

The negro's eyes grew larger.

"Yas suh!" he exclaimed. "That sho' is me."

"And your name's William West?"

"Yas suh. That's my name."

"Then why do you try to tell me you've never been here before?"

Will West shuffled uneasily.

"Cause I ain't been here before!" he argued.

This was getting nowhere. The record clerk proceeded with the measurements. He compared them with the measurements upon the card. They tallied. But Will West continued to insist that he never before had been in any penitentiary. At last the clerk dubiously inquired of the warden's office if William West, Convict 2626, under life sentence for murder was being dressed in again.

"He's not," came the reply.

"Then would you mind sending him in here?" asked the record clerk. "I've got a mystery on my hands."

William West was taken from his work in one of the prison factories and told to report to the record clerk. As he entered the room, he halted in amazement. Then these two men merely stood and stared mat each other, William West and Will West; both, it seemed, had been cast from the same mould.

It was not a case of twins meeting after many years. These men never before had seen each other, and were no relation. Yet they were identical; only by the big numerals ~~of the numbers~~ stamped on their prison uniforms could they be told apart, and even thene, coincidence had brought about a similarity. William West was Number 2626. Will West had two of these numerals in his number; he was 3426. Even their crimes were somewhat similar; one had murdered, the other had committed manslaughter.

The prison warden, R. W. McClaughry had become interested in fingerprinting. He ordered that these two men be

thus recorded. This done, William West and Will West were absolutely different. One possessed whorls on the fingers of his left hand while the other had them on the right hand; the same difference applied to loops.

Shortly after this, Warden McClaughry began the building of what was at that time, the biggest fingerprint file in America.

The records of the Division of Investigation show that Will West served his sentence of ten years for manslaughter and went back into the world -- evidently to move along straight lines. He was a young man when he entered Leavenworth; it may be presumed that he still lives.

Wherever he may be, the underworld gives him no thanks for his pilgrimage to the penitentiary. But for him, there might not have been an Identification Unit, catching 365 badly wanted fugitives a month.

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CHAPTER SIX.

It is mandatory that a Special Agent of the Division of Investigation carry certain equipment when his high powered automobile speeds to the scene of a crime. An important part of this, of course, is the armament necessaryto combat the present day criminal. But even more important are certain more peaceful implements. One is a high-powered magnifying glass. Another is a kit of dusting powders, black for white surfaces, silver for metals, dragon's blood for those where pale red will best present a comparative color. Then there is a camera, fitted with flashlight batteries and a small electric globe; it is only necessary to aim it at a nearby object and press the lever; the flashlight attachment makes close-up picture-taking possible without other equipment, even at night. All of this is for fingerprints.

The Special Agent does not always work in municipalities. Many of his cases take him miles from habitation. The same Special Agent who today chases a gangster in a tangle of city streets may be called tonight to hop aboard an airplane for Arizona or New Mexico to investigate a mystery in a region that can be reached only by packtrain. But whether he be in New York or in the desert, his fingerprint equipment is always within reach. It was present for instance, several years ago when Special Agents hurried out of Prescott, Arizona, toward a Navajo Indian camp in Skull Valley.

Viola Jimulla, a squaw, early that morning, had gone to a brush-grown arroya for firewood, only to grunt with fright, then, a speeding lump of agitated fat, turn and run toward camp. She had seen the sprawled form of a dead man, face down in the sandy soil.

Out of the excitement which followed, there at last evolved a pow-wow. This was a white person who lay dead -- all the Indians knew him, A. M. Cavell, an aged man, who for years had driven a Ford sedan about the streets of Prescott as a taxicab. The chief of the camp asked gutteral questions of those about him; no one had heard outcries, nor sounds of struggle. Finally a runner was started for Prescott, to carry the news of murder in Skull Valley.

Crimes on a government reservation come within the jurisdiction of the Division of Investigation; the sheriff's office telephoned immediately for Special Agents. Together they went forth.

The old man's skull had been fractured; the blood stained iron bar which evidently had been used to strike the blows lay nearby. Tire marks on a side road about twenty yards away, and blood stains on the brush, showed that the man evidently had been killed in his car and dragged to this spot. But for the moment the Special Agent dismissed all that. His attention was centered upon what the magnifying glass had revealed on that iron bar. There, plainly outlined in the dried stain of human boood, was a fingerprint.

Carefully the Special Agent dusted the mark, to bring

out more clearly its characteristics. He photographed it. Then he turned to other clues, especially the broadcasting of descriptive data on the stolen car, and a search of all garages and filling stations at which this car might be seen. Prescott yielded nothing. The search broadened. At last, on a road leading toward Kingman, Arizona, the Special Agent found a lead in a filling station proprietor.

"Come to think of it," the gas vendor said, "I believe I did see that car. It was about nine o'clock on the night you say this man was murdered. An Indian drove up in a Ford -- rather he tried to drive up. The car acted like it had engine trouble. Anyway, he asked me to drive the car into the station and fill it up with gas. Said he didn't know much about it yet; he'd just bought it that morning; paid $450. for it, he said. Well, I filled him up, and he pulled out toward Kingman."

So, the beginning of a chase had been made. True, the clues were weak; Fords look alike, and Indians do buy cars. Every side road and gulch was searched; at last, in a tree-filled canyon, the car was found. Now, the officers knew that their trail was hot and that their quarry was somewhere near. It was not long before the Special Agents aided by state officers, working in the comparatively restricted area of the small town of Kingman, picked up an Indian who answered the description given by the filling station man. At the jail, he said he was George Dixon Sujynamie, a Yavapai. Again and again he denied his guilt. At last the Special Agents inter

rupted his story. Out of the various things which had been taken from the Indian's pockets, a Special Agent had selected a small, red tobacco can.

"Look here, Sujynamie," he said. "After you killed Cavell, you were nervous, weren't you? You needed something to brace you up. So you took out your tobacco can and rolled a cigarette. Remember that?"

The Yavapai denied it.

"We'll take his fingerprints," said the Special Agent laconically. Then three things were compared: the photograph of the print from the iron bar, the bloody print on the tobacco can, and the black smudges on white paper. They matched. The state officers turned to begin their questioning -- only to be halted by a warning sign from the Special Agent. He had spent many years among Indians; he knew their ways, their lore. A word spoken at this time, an interrupting movement or sound might ruin everything.

The Yavapai had turned toward the wall. He had straightened, and raised his head for a moment, as if trying to stare out through his confines to the sky above him. His fists doubled. Then slowly, he began to beat upon the wall, the sound reverberating hollowly, while a wailing cry came from his bloodless lips, a Yavapai death chant:

"Tut ju pi nevako -- "

Silently the Special Agents waited, neither moving nor speaking. There was only that slow, ceaseless pound on the wall, and the wailing cry of a distraught man as he called

upon the Great Spirit to hear that he stood ready to die. At last the drum beat ceased. Sujynamie turned. He stood straight and began to speak, as if reciting a rote:

"My name is George Dixon Sujynamie. I hereby testify myself guilty. Trouble has started me back on the month of February, on a girl. She is a fair Navajo. I could marry Yavapai but I want this girl. Navajo Chiefs not permit marriage because me another tribe. So I make plan kill her, kill them. Sheriff at Prescott, Arizona, many months ago arrest me, take my gun. I have no pistol. I think old man who drives car Prescott have pistol. I need it and the car to kill these Navajos. So I make plan in which I wanted to get this taxi driver to take me out to Indian Camp at which I may have opportunity murder him, take gun and car, drive out to Skull Valley, kill girl, kill Navajos who not let me marry her, and commit suicide myself, by myself. No one help me.

"I take with me steel iron which I use to beat him, and Great Spirit forgive! I have done it without failing. I find no gun. I drive car to Skull Valley, find girl and Navajo Chiefs gone other camps. I took the old man and dragged his body into gulley. Then I took car and try to run away. But Great White Father arrest me. Sujynamie ready to die."

One morning about six months later, within the confines of Fort Whipple reservation, the death chant of the Yavapai sounded again -- but this time there was no need for Special Agents to stand silent, lest they halt a confession. Sujyanmie was ascending the scaffold.

So much for fingerprints in the field; they are constantly in use to solve crimes, justas they are invaluable in every police station to establish the only possible infallible method of identification.

The ridge formations of the fingers remain unchanged during the entire life of an individual and until putrefaction sets in after death. The characteristics of these patterns are never identical in any two fingers. It is not possible to erase or change them in sufficient degree to hinder identification, unless the entire skin is removed down to the vascular layer. There was a good deal of expectant excitement in the underworld of Chicago a year or so ago when the word was passed out that Jack Klutas, ~~a gangster,~~ had found a means of disguising his fingerprints, without mutilating the digits in such a way as to provide proof that they had been disfigured for criminal purposes. The detection of Klutas was ordered by the Division of Investigation to look into the rumors; however, gangster guns got there first and Klutas was found dead. It also was found that the man had gone to a great deal of expense and not a little pain, all to no purpose. The fingers had been burnt deeply ~~with caustic soda~~; nevertheless the ridges and whorls and loops had returned sufficiently for identification to be made at once. The same has been true with many other bandits. John Dillinger, as shall be noted later, even risked death in the hope that he might be rid of his tell-tale prints. It was in vain; a criminal carries a potential policeman on every one of his ten fingers. Yet

the battle for the establishment of this means of identity was a long one.

The evolution of fingerprinting started so long ago that there is no true history. On the face of a cliff in Nova Scotia, for instance, can be found an Indian carving of the outline of a hand with ridges and patterns crudely but clearly marked. The Chinese of ancient times also had a custom whereby, on papers of state, there was an impression of the thumb print. As early as 1823, J. E. Purkinje, a professor of anatomy at the University of Breslau, read a Latin thesis, commenting upon the diversity of ridge patterns connected with the organs of touch and even evolving a vague differentiation of these patterns into nine varieties. But no one did much about it.

The slow growth of the system may be gauged by the fact that Dr. Henry Faulds, an Englishman at that time connected with the Tsukiji Hospital at Tokyo, Japan, in 1880, conducted experiments which definitely established that the varieties of the fingerprint patterns were very great, that the patterns remained through life and that, even after the removal of the ridges by the use of pumice stone and acid, they invariably grew out again. He then wrote an article upon the subject and shortly after its publication there came evidence of the theory's worth. Sir William Herschel, chief administrative officer in the Hoogley district of Bengal, India, announced that he had used fingerprints for seventeen years

to identify government pensioners and to prevent impersonations. Later Sir Francis Galton, an English scientist, became interested in the subject through his study of heredity and was the first to devise a method by which fingerprints could be classified. As a result of his work, the British Government appointed a commission to study the subject from a standpoint of identification of criminals. Then Sir E. R. Henry, Commissioner of Scotland Yard devised a simpler system which was introduced in 1901 and which forms the basis of the present classifications employed by identification bureaus in the United States.

According to the Henry System, all fingerprint impressions are divided into loops, twinned loops, central pocket loops, arches, tented arches, whorls and accidentals. A classification is made by utilizing these patterns together with the ridges intervening and surrounding two fixed points, known as the core and the delta.

Mark Twain did much for fingerprinting in America. By his book "Puddin'head Wilson", the story of a man who was looked upon by the entire village as a sort of nitwit, until he obtained the villain's fingerprint and matched it up with one found at the scene of a crime. The book was so popular that a play was made from it, which ran for years throughout the United States. But criminologists laughed at the idea. Previous to this, Gilbert Thompson of the United States Geological Survey had used fingerprints to prevent the forgery

of commisary orders during the supervision of a survey in New Mexico in 1882, and shortly after a San Francisco photographer had suggested the fingerprint method as a practical means for registering Chinese. At last, in 1903, Sing Sing Prison adopted the system, following experiments at Napanoch, Auburn and Clinton prisons by Captain James H. Parke of the office of the superintendent of prisons.

This was followed by the establishment of the idea in St. Louis, due to enthusiasm over Sergeant Ferrier of Scotland Yard who, while guarding the Queen's Jubilee exhibit at the St. Louis Exposition, also talked fingerprinting to anyone who would listen. Four days later, came the request from Leavenworth Penitentiary for an appropriation to make impossible a duplication of the Will West -- William West incident. All this happened more than thirty years ago, and the prints which were taken then are still on file, waiting to trap law violators--or to solve a mystery. Fingerprints never forget:

One night in April 1921, three years before the organization of the Unit, a man was shot in Bristow, Oklahoma; dying, he refused to either name his assailant or give any information about himself. An identification officer, taking a thousand to one chance, made impressions of his fingerprints, and for a time sent them about through the haphazard system which existed at that time. The search brought no results.

A few months ago, someone remembered those fingerprints and forwarded them to the Identification Unit, on the theory that inasmuch as all available collections had been taken over

by this central agency at the time of consolidation there existed a bare hope of solving this old mystery. The theory was sound. Among other collections was that of the Iowa State Penitentiary, which had been missed by the Oklahoma searchers.

There on a card which had come from its records was a set of prints which matched those taken from the dead man. Not only did it give his name, James O'Keefe, but it explained the reasons for his taciturnity. He was an escaped prisoner, sent up from Sioux City on a life sentence for murder. The fear of being returned had held him silent, even when facing death.

Thus mysteries are solved as a mere part of the day's grind. The sheriff of Westchester County, New York, received a letter one day stating that William Sloans, sought by him as a murderer, was safe from any prosecution by the State of New York. The reason was that the fingerprints of Sloans had come to Washington from North Carolina State Prison, where William Sloans was awaiting execution for another killing. The Westchester sheriff hurried to North Carolina and questioned the condemned man. After a few hours of interrogation, Sloans confessed the second murder; a month later, the man expiated both crimes in the electric chair.

Criminal identity often is established for someone killed while resisting arrest, thus forestalling the sob sisters of emotional newspapers which dislike the idea of policemen carrying guns -- especially if the paper is on the outs with the incumbent administration. Or the saving of ~~hundreds of~~

thousands of millions of dollars annually in the settlement of War Risk claims. As an illustration, there is the case of Robert Patton, who had been missing seven years, during which time his relatives had dutifully paid his premiums and then started action to declare Patton legally dead. But the fingerprint files as compared with Patton's wartime prints, established within thirty-six hours that during the seven years which Patton had been "dead", he had been arrested seven times on minor charges. Then to clinch the matter, the Unit placed a wanted notice against Patton's file. Five days later, he was arrested for investigation in Pittsboro, North Carolina -- and the insurance claim was not paid. This is not an unusual case. One of the great functions of the Identification Unit is the nailing of imposters.

Many persons may remember the excitement over the story of an alleged war ace, whose memory had come back to him after many years. Few persons know that it was the Division of Investigation which exposed him.

It began during the retreat of the Bonus Army from Washington during the early autumn of 1932. A detachment reached Charlotte, N.C., and suddenly one member apparently recovered from an amnesia of many years' standing. He now thought he remembered who he had been: Arthur Courtney Campbell, famous member of the Lafayette Escadrille, shot down behind the German lines in 1917.

Immediately, every newspaper in the United States and France took up the story. It became the talk of Paris --

the supposed body of Arthur Courtney Campbell had been removed from its war-front grave in 1929 and placed, with due ceremony, in the Lafayette Escadrille Memorial Mausoleum at St. Cloud, France. Then another angle entered -- the parents.

For years they had grieved for their lost son. Now he had come to life. Or had he? The man seemed to know aviation; he talked of air raids and bombing expeditions with the manner of one who had taken part in them. He asserted his eager desire to go home. But in the meantime, a Special Agent of the Division of Investigation at Charlotte, took his fingerprints and sent them to Washington. The Division handles cases involving Federal imposters.

There was nothing in the files at the Identification Division. Searchers turned to those in the custody of the War Department. A day later, the halo of heroism for Clarence Stephen Wendler, alias James Edwin Wendler, alias Jim Wendler, alias Arthur Courtney Campbell had faded. He had never even seen the Lafayette Escadrille, having enlisted as an apprentice seaman at Richmond, Va. in 1929, after the war was over, and deserting a year later. The cause of his excursion into fiction? Perhaps a friend expressed it:

"Well, Jim always was pretty much of a hot air artist. I guess he just boiled over."

There was one real service in this case -- that to the parents of Arthur Courtney Campbell. Perhaps if more parents thought of the cruelty which can be inflicted by an imposter, there would be more of the voluntary civil fingerprint-

ing which is growing year by year.

There are thousands of families in the United States who fear kidnapping plus murder; fingerprints can authenticate ransom notes, aid in prosecution, and identify the body of a slain person. There are also thousands of individuals who because of prior illness, dread death in some isolated place without identification. There are others who are afraid of amnesia, and still others who, merely cautious, desire that absolute proof of their identity be on file in some safe place. To all of these -- and any other citizen, for that matter -- the Division of Investigation holds forth an invitation to become a member of its "non-criminal" group, where fingerprints are kept on file for protective purposes. The service is free. By this means of education, the Unit hopes to create a civil file even larger than its criminal one, and to good purposes. Today, provided that he has relatives who care enough about him to pay the funeral expenses, a criminal who dies under conditions of non-identity has a better chance of escaping a potter's field than an honest citizen. His records are on file, together with the names and addresses of near relatives. He can be taken home if he suffers from amnesia. And certainly he has a permanent address. It is only necessary to write the Identification Unit, Division of Investigation, Washington, D.C. and a non-criminal identification card, plus instructions on how to be fingerprinted, will be forwarded.

Increasingly, this system of fingerprint identification extends itself into the daily life of the American citizen

and protects him from crooks working under cover of respectability. There was a time when there was no way of telling if the tax assessor was an escaped embezzler, or the cop on the beat an ex-member of a safe-cracking crew. Even now that potentiality exists, and will continue to exist until citizens everywhere insist upon the fingerprinting of all public servants and the forwarding of these prints to Washington for comparison.

If the fingerprints of all law-enforcement officers, holders of public office, judges and counters of ballots at election polls, plus the workers at those elections were to be compared with the 4,700,000 prints on file in Washington, it would cause a national scandal. You may be sure that it will not be done. These persons, excluding of course, the police, control America. Nevertheless, existing statistics are enlightening.

About five years ago, the United States Civil Service Commission adopted the practise of routing the fingerprints of applicants through the Identification Unit and was surprised to learn that one applicant out of every ~~fourteen~~ thirteen had somewhere broken the law; the offenses covered the entire range of misdemeanor and crime, even to murder. These revelations led to the consolidation of the Civil Service Commission fingerprint files with those of the Division of Investigation. News travels quickly in the underworld. Only one person in ~~forty-five~~ 44.2 who now applies for a Civil Service job has a criminal record.

This system, of course, does not apply to political appointees. That there are still plenty of loopholes is evi-

denced by the following:

A check of 544 applicants for police jobs in a mid-western city, showed ten with record of arrests. The checking of a single applicant for an enforcement job in a Michigan city revealed that he was an escaped convict from Texas. A search on 81 fingerprints of applicants for police jobs in a California city brought an average of one in eleven with criminal background. Likewise, out of 299 who applied in an upstate New York town seven had records, one of them a deserter from the Army. Extending its scope, the Identification Unit last year examined 280 fingerprints of persons who had applied for positions in the hotels and resorts of a Florida city. Eighteen of them were found in the criminal files, and the cases ran all the way from the passing of checks to burglary and assault to kill. Going still further into civic life, out of 1735 persons who applied for alcohol licenses in the state of New Jersey following repeal, there were 74 who possessed an unsavory background.

Beyond this, there are other methods of protection. A woman shopkeeper killed a man who was unlawfully entering her store; the reaction from this experience was lessened by word from the Identification Unit that the intruder was not some innocent, driven by hunger to his first offense, but an escaped convict from the North Carolina State Penitentiary.

Through the Unit, for the first time, reliable age figures are being tabulated; sociologists may thus gain a bird's eye view of crime. One finds, incidentally, that the

crime ages are the sex ages, and one finds also that the age of innocence is certainly not that part of youth which approaches maturity; twenty per cent of all the crimes committed in America are those by persons of 20 years and less.

Crime seems truly to start with the male at 18. He steals more automobiles at eighteen, followed closely by nineteen, than at any other time in his life. He robs more at 18 and 19 and 20 than at any other time; burglaries also reach their height at 19. On the other hand, disorderly conduct, drunkenness and vagrancy are only beginning to become apparent; rape is at its height. Criminal homicide, however, does not reach its zenith until the ages between 25 and 29, when, in fact, the more serious crimes occur. Persons like to talk of hardened old criminals, but it is the hardened young ones who give the law-enforcement agencies of the country the most trouble. Crime rises swiftly from 19 to 29; after that, it begins to drop; even the forgers and counterfeiters slow up at thirty; the embezzlers and fraudsters hang on until thirty-nine before slackening.

The female reaches the height of her misconduct at 23. She steals more at nineteen, and aids in counterfeiting and embezzling best at 24. Her sex offenses are greatest at twenty-three, as well as disorderly conduct, drunkenness and vagrancy. She also robs more, and burglarizes more -- and kills more. Murders go up abruptly during that year.

These statistics, as gleaned from fingerprint cards,

give the answer to the American alibi that all our crime is committed by foreigners. The white American exceeds the foreign born by 47 per cent. After all, the really dangerous criminals of the last few years all have borne such names as Nash, Dillinger, Bailey, Bates, Kelly, Sankey, Youngblood, Robertson, Miller, Floyd, Gillis, Phillips, Hamilton, Pierpont, Makley, Green, Underhill, Bird, Bradshaw, Keating and Holden. Only one truly foreign name stands out -- that of Richetti.

More than any other factor, the fingerprint today is bearing the brunt of the fight against lawbreaking. Sometimes it fastens the "signature" of a man's fingers on his crime in spite of elaborate efforts to prevent detection. This was illustrated in the case of Odell Carlysle Boyles.

For nearly three months, Joseph F. Cannon, of Concord, N.C. received letters threatening to kidnap his two-year-old grand daughter, and his eighteen-year-old son, Joseph F. Cannon, jr. After a time, the Division of Investigation was notified and Special Agents entered the case, working in co-operation with the police of Charlotte, N.C.

Evidently this was not the ordinary extortion letter writer. Time after time, the Charlotte police, into whose hands the letters first went, strove to find fingerprints. There were none. Every possible test was applied. The powders ordinarily used to develop prints were of no avail. Evidently the letter writer was covering the paper with some solution or glazing it in such a way as to make contact with the fingers all but impossible. Now and then the Charlotte

fingerprint expert would get a few lines, or the smudge of a whorl or loop, but nothing which he felt could lead to identification.

It was known that a woman was somewhere involved. Once she had called a representative of Mr. Cannon at an Atlanta hotel. At another time she had dictated a telegram of instructions to be sent to the same individual.

At last, negotiations got to the point where the extortioners gave instructions for the handing over of the cash. Twelve thousand dollars was to be placed on top of a built-in-china closet in a certain vacant house in Hopewell, Georgia, and a white cloth attached to the screen door to indicate that the money was waiting. This house had been suggested in a previous letter and Special Agents had anticipated that it would be designated again.

Therefore, days before the final letter of instruction had been sent to the Cannon family, Special Agents had gone quietly into Hopeville late at night, and with flashlights taped until they emitted only a "burglar's beam" of light, familiarized themselves with the premises. More than that, they did a considerable amount of secret electric wiring, connecting from the house to a garage some distance away. This, however, was left unfinished but concealed -- they did not know exactly where the money was to be placed, and therefore where the wiring must be ended.

The final letter told that -- on top of the china closet. Again the Special Agents went secretively to the

house, hooking up their wiring to the designated spot. Then the package of money was planted there.

Never was a place guarded more carefully, nor more discreetly. Only a few neighbors knew that a trap had been laid for extortioners. Nevertheless that vacant house was under surveillance every moment of the night and day. Powerful search lights had been installed in the neighborhood to flood the place with light should the kidnappers come by night. A high-powered automobile with a Special Agent at the wheel and another beside him with a sawed-off shotgun was hidden in a nearby garage, to speed forth and pursue or block the path of the extortioner's car. When these agents could keep awake no longer, others took their place in relief. Police patrolled the neighborhood, without giving evidence that they were watching this house. There was even direct telephone communication between the hidden agents and police headquarters in Atlanta.

Every airplane which flew over the neighborhood was checked for its license numbers; this place was near an airport. Every automobile which passed the house was recorded. For three days and nights the vigil was kept without results. During that time, persons came and went about the vacant house--prospective buyers examined it, strolling through the rooms and wandering about the yard. There was no movement from the many vigilant men who watched them. Two carpenters went there to make repairs and still the Special Agents and police did not betray their presence. Children played there. A tramp wandered into the yard, walked to the door of the house and

ambled in -- but there was no false rush of officers.

Finally, late one afternoon, a slender, well-dressed young woman came up the street, paused in front of the house as though she might be a prospective purchaser, and at last moved slowly to the front door. It had been locked after the visit by that tramp. She looked in the windows, as a woman will do when she has seen a For Sale sign on a place which strikes her fancy. Then casually, she walked to the rear door.

She entered. A few moments later, she opened the door again and stepped forth.

Two Special Agents faced her. The speed car had roared down the street and whirled to the curb, in readiness for action. The woman stared.

"What's all the excitement?"

"Your name please?" asked a Special Agent. "And would you mind telling us just why you happen to have that package of money in your hand? The one you got from the top of the china closet?"

She refused to answer. They took her to a neighboring house for questioning. Shortly afterward, they arrested Odell Carlysle Boyles, her husband, a parachute rigger at the Candler Airport near Atlanta.

That package on top of the china closet had been placed by Special Agents just beneath the ray of what is known as a beam light, installed there as the result of their secret

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wiring. When the hand of the young woman had broken this beam, in reaching for the packet, a signal had sounded in the hiding place of the Special Agents. Now there was still another surprise for Mr. and Mrs. Boyles.

They both denied the charge of extortion. The woman insisted that she had received an anonymous letter, asking her to go to this house and get a package which would be on top of the china closet. The man denied any knowledge of the plot whatever. In reply to which, the Charlotte police took his fingerprints.

Out of a series of fourteen letters, there had been one in which Boyles had done an imperfect job of glazing. Too faint to be developed through ordinary powders, the letter had been immersed in a bath of iodine fumes, bringing to light one fingerprint. With the full set of Boyle's impressions, a comparison was made. The print on the letter matched one of those out of the newly made impressions. Boyle then confessed.

Thus the signature that men leave behind them in the commission of a crime arise to plague them. And the records of wanted men wait month upon month and year upon year in the files at Washington, ready at an instant's notice to solve a mystery of the past. One spring morning in 1929, a farm boy near Green Bay, Wisconsin, noticed a thin trail of smoke from the chimney of a long abandoned farmhouse. The boy went closer and saw a bearded man walking about the yard. At home, he mentioned the incident; his father told the Sheriff.

Shortly after that, the Sheriff looked in upon what was a typical hermit's dwelling, with improvised stove and furniture. The dishevilled occupant gave his name as Sam Mayo, and classified himself merely as someone tired of the world. But the Sheriff searched the house and found articles which had been stolen recently in Green Bay. He took the hermit to jail.

There Sam Mayo admitted the thefts. They had all been minor ones, conceived and executed he insisted, wholly through necessity. This was his first offense; he swore it. The Sheriff and Judge believed his story. Sam Mayo drew a short sentence in the Wisconsin reformatory.

However, the Sheriff decided to send Sam's fingerprints to Washington where an expert examined the card for classification, then checked the files for a duplicate. Suddenly he halted in his search, and jerked out a card with a pink sticker on it. There was a difference in names and even appearance. But the fingerprints matched.

The man on the indexed card was beardless. The name was Dominic A. Genski. He wore the uniform of a convict. The "Wanted" sticker shouted that he was a fugitive from justice. His record card told of the robbery of the little postoffice at Alpha, Washington, his arrest and sentence to the Federal Penitentiary at McNeil Island. Then, one night he had "gone over the wall", and in a rowboat had made his way across the sound to Tacoma, Washington. There, every trace of him had been lost.

But here he was again, in Sam Mayo, the hermit, weaving his pitiful tale to delude a Sheriff and a Judge. He

could not, however, escape those fingerprint cards, and as a result prison awaited him instead of a soft reformatory sentence.

What the fingerprint does for the living person, it also does ~~has~~ for the dead; the amount of money which the Identification Unit annually saves for the law enforcement bodies of the nation cannot be computed. There is nothing as costly as a long search for a hunted man. Until recently those hunts went on, sometimes year after year, without success, for the simple reason that the man no longer existed. Much of that has been changed.

A good example of this was in the notorious Irene Shroeder case of several years ago -- one of the first of the so-called bobbed-haired bandits. With a man named Glenn Dague and Irene's brother, Thomas Crawford, she had left a trail of banditry, robbery and murder across America, including the killing of a policeman and a sheriff. At last Irene Shroeder and Glenn Dague were captured in the wilds of the Pima Indian Reservation in Arizona. They had been trailed by Indian trackers, airplanes, men on horseback and even bloodhounds. But Thomas Crawford still remained at liberty. He had left them shortly after the first murder. Irene Shroeder upon her capture, said he was dead, that he had been wounded in a fight with a state policeman and that they had buried him in the mountains of West Virginia.

The Pennsylvania police to whom she had been returned, did not believe it. They obtained Crawford's fingerprints

from the War Department and prepared wanted circulars, one of which was sent to the Division of Identification. The search went on, vainly. There was no trace of Crawford -- anywhere.

In January of 1933, four years after the murder, two robbers put their backsto the wall of a building in Cape Girardeau, Mo., where they had been storing the loot from a robbery at Morehouse, Mo. Both were drunk, vaguely they realized that police had trailed them.

"Shoot it out!" said one thickly.

Guns were raised; trigger fingers tensed; red-yellow fire streaked from pistol barrels. Instantly the guns of the police answered; the two robbers staggered forward, strove in vain to raise their pistols for a last shot, and fell dead.

Apparently they were merely two drunken thieves, brave through booze, who had lost their lives in an effort to "fight it out with the cops". Efforts to identify them were vain. Then one day, the Identification Unit received two sets of fingerprints, submitted by the Chief Special Agent of the St. Louis and San Francisco Railway at St. Louis. They were marked:

Unknown No. 1 and Unknown No. 2, killed in battle with police officers, Cape Girardeau, Missouri, January 3, 1933."

Unknown Number One was checked. His only record was that of vagrancy. The expert bent above the finger-marks of Unknown Number Two. At last, after a search of the files, he turned to a fellow worker.

"Say," he asked, "they executed Irene Shroeder and

Glenn Dague, didn't they?"

"Yes, a couple of years ago. The third member of the gang got away."

"No, he didn't," answered the first expert, and tossed over the fingerprint card of Unknown NumberTwo. It matched with another from the files -- that of Thomas Crawford.

While Irene Shroeder shot her way upon the first pages of the newspapers, four men skulked from town to town, watching always against arrest. They felt fairly safe; four other persons had been accused of the crime they had committed. True, these falsely accused men were all criminals. But they had not been guilty of this particular crime. Had they been hanged, the courts would still reverberate to the thunder of criminal lawyers as they threw the fear of a miscarriage of justice into quaking jurors in murder cases everywhere.

But those four men were not hanged, thereby bringing about one of the greatest dramas in the history of fingerprinting. And thereby also starting what is now the file of the nation's ten thousand public enemies.

CHAPTER SEVEN.

Many years ago, a family of mixed backgrounds migrated from Louisa County, Iowa, into the gulley-strewn, short grass country of Western Kansas. The lure was the hope of a homestead, and a chance to grow up with the country. But this was a poor place in which to build dreams of success.

The soil was hard and baked. Tumbleweeds rolled with the incessant winds, sweeping down over the plains from the faraway Rocky Mountains. "Hardscrabble" was the term applied to it by those who settled there. Grasshoppers and rattlesnakes, prairie dogs, jackrabbits and ground-owls were the natural products; crop years were few indeed. Nevertheless, here the Fleagle family settled, and began a fight for subsistence.

There were four boys in this family. One of them was apparently normal in all respects; another was moronic, somonolent. These two appear here only long enough to make this entrance, and this exit. The third and fourth brothers, however, were to play an important part in a nation's fight against crime.

The Fleagle family was classed in the neighborhood as generally "shiftless", if it was classed at all. Beyond that, there was little evidence of anything but poverty -- poverty in their ramshackle home, poverty in the land, poverty

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in brains, for one member at least. But somewhere in the background of this family there may have been a degree of culture -- at least steadiness. The mother gave hint of an interest in the better things of life by calling one of the characters of this recital Ralph Emerson Fleagle and the other William Harrison Fleagle; an essayist and a President were their namesakes. She failed to give them corresponding instincts.

Ralph Emerson Fleagle soon became plain Ralph. William Harrison Fleagle liked the nickname of Jake. Together they grew to manhood; barefoot in this land of rattlesnakes, they tended the scrawny cattle and worked in the fields, there to garner what was left after beating sun, hailstorms, or torrential rains which washed the country into countless gulleys had done their best to ruin the scanty crops. Ralph was tall and angular, slow of speech, and miserly. Jake was smaller, more active, and more eager to spend -- when he had it. His indulgences however, were solely for himself.

At last they left the hardscrabble farm; this was in 1910. Neighbors were glad they were gone; there was none of the pioneer about them, none of the eager hope for the future which is so great a part of homestead country, no matter how fierce the struggle. Both were sullen, except when possessions came their way -- then their greed overcame all other emotions. They went west -- there were good jobs to be had in San Francisco, so it was said; men were needed to take the place of strikers on the street car lines.

The strike over, Ralph wandered East, working as a street car man. Jake moved up and down the Sacramento Valley, taking part in the big crap games which followed the grape and other harvests. Finally he too moved East and became a train butcher working out of St. Louis. He soon learned other accomplishments. Police arrested him in Oklahoma on a charge of second degree robbery. Conviction sent him to Oklahoma State Penitentiary for two years.

In the Fleagle brothers one finds the ingredients present in the story of Wilbur Underhill, of Al Capone, of Harvey Bailey, John Dillinger and every one of the three million potential desperadoes who "graduate" into the file of "The Ten Thousand". Jake Fleagle got out of the penitentiary. His brother Ralph joined him, in what was supposed to be merely a rambling life around the country in which they looked for work. Then, at last, in the early 1920's, they returned to the vicinity of Garden City, Kansas and to the homestead.

It was only a short visit, soon they were gone again, only to return. These were the beginnings of many mysterious trips. Every time they came home, they brought with them from five to twenty thousand dollars for deposit in the local banks. Mrs. Fleagle happily informed her neighbors that her boys, Ralph and Jake, had found a sure way of making money in the stock market.

Naturally, the mother did not know the truth. These sons of whom she was so proud now were the heads of a number of desperate holdup gangs. The acquaintanceship begun by Jake

in Oklahoma State Penitentiary had widened. He knew crooks everywhere and often called upon them for assistance in his wholesale robberies.

Perhaps if the system of obtaining highwaymen practically to order seems mysterious, a reference might be made to the manner in which one found speakeasies during prohibition days. The extension of a criminal's circle of pals follows the same procedure. When a man wanted a drink during the dry era, there was always some friend to tell him where to find it, even in faraway towns. Criminals pass information from one to another with the same freedom. They give telephone numbers, cards of introduction, names of hotels, of lodging houses, of ex-convicts, of hide-outs and the like: as a man travels, his acquaintanceship spreads; it is no more mysterious than that.

The Fleagles, however, did possess one novelty. Usually a bandit gang remains together, commits its crimes together and together divides the loot. The Fleagles, recruited different men for every big job, giving these newcomers a small cut of the proceeds, and reserving the larger portion for themselves.

Thus, with a constantly changing crew, they had for years, moved up and down the Sacramento Valley during the crap game season, making raid after raid on the games. These were not the ordinary gambling contests; stakes often ran as high as ten thousand dollars. Upon such meetings the Fleagles with guns levelled, descended, and scooped up the cash involved

in the play. Then they would pay off their assistants with perhaps a thousand dollars apiece, wait a week, pick up two more desperate men and stage another holdup. Finally with forty or fifty thousand dollars, they would hurry for Kansas and there remain in hiding until the hunt in California had lessened. Or they would move a short distance from home, rob a bank, hurry home and merely be farm-boys again. Ralph saved every cent he stole. Jake would go on long drunks, and sometimes on gambling sprees. But the boys always ended up at home.

The great good fortunes of the Fleagle brothers by 1927 needed another explanation than that of the stock market. Their deposits had grown tremendously, bankers had begun to ask questions. This was especially true after Jake had lost a small fortune in a Pueblo gambling house and found it necessary to withdraw $55,000 in one lump from a Kansas bank, to pay his debt. The jerking out of this amount of money nearly caused a depositors' run. The Fleagles were sorry, they said, but they had gone in the cattle and horse business and needed the cash to make a purchase.

For some time this mythical livestock business was supposedly carried on at quite a distance from home -- California, or Oregon, or in several of the mid-eastern states. It was a matter of trading they explained, buying a big bunch of horses or cattle one day and selling them at a huge profit the next. Of course, deals like these happened seldom, which explained why they made their deposits at infrequent inter-

vals and always for large sums of money. Strangely, no one ever thought to connect the fact that the Fleagles always came home well supplied with cash shortly after a major holdup. It is believed that at one time, these brothers with the various gangs which they recruited, were responsible for nearly half the bank holdups in Kansas, as well as several train robberies in the state of California alone. They were suspected of none.

It was 1928 now. Both had grown old in highly successful crime. Ralph was white-haired, Jake's face was lined from dissipation. No two men ever committed more depredations with less suspicion against them. Perhaps their system of using new men for every robbery was partly responsible; identifications thus were muddled and tracing more difficult.

Life at home became tiresome. The other brothers and the father and mother asked incessant questions. Why did not some of their rich cattle-men friends ever come to see them? And why didn't they spend some of this money on building a nice new home for their father and mother instead of merely letting the money lay in banks? Why must they go so often to Pueblo or Kansas City, or Chicago and St. Paul? Jake and Ralph now were known in all these towns. They had extensive connections with crooked bond brokers, and hot money shovers, hideout owners, crooked doctors and lawyers and all the rest of the cast of criminality necessary to big operators. Ralph and Jake decided to get a place of their own. The brothers pulled out from home and leased a tract of land some distance away. This was to b

a horse ranch, they said. Here they could be to themselves; here they could hide themselves and their accomplices, here they could draw more unto themselves and their private plans. There was an old granary on the place. They cut out one side of it, concealing the aperture under the eaves, so that this side could be raised by means of pulleyed ropes to admit their automobiles and hide them. Their shack of a house was an arsenal. The ranch itself lay in wild, unfrequented country, with poor roads, twisting like a maze across the gulleyed short grass country. Here was headquarters from which they could plan a new series of robberies. After much consideration they decided the initial one to be that of the First National Bank of Lamar, Colorado. They had "cased" it in the parlance, knew that it was a heavy depository of funds, and believed they could rob it easily.

First they must have assistants. Jake Fleagle knew them; Howard Royston who lived at San Andreas, Calif.; and with whom Jake had worked before, and George Johnson Abshier, a former bootlegger of Grand Junction, Colorado. Abshier and Royston were pals, this was their first really big job. They came to the horse ranch where, strangely enough, there was never a horse. The date was set for the robbery. It was postponed, again and again.

The reason was not to be found in the conditions at the bank, in danger, number of people or any other logical cause. It came as a part of Fleagle psychology -- and superstitions of which they had more than a hundred, fearing all of them with the reverence of a Haitian for the black magic of a

voodoo man. Time after time they started forth, guns ready, every plan made, only to turn back. A bird had flown over them, a yellow dog had trotted by, a black cat had crossed their path, a cloud had obscured the sun just as they came into town. On the morning of May 23rd, they even quarreled because of the number.

"You know what day it is," said Ralph. "Twenty-three-skidoo!"

That, however, the gang decided, was reaching too far into the past. Jake said that nobody had thought of "Twenty-three Skidoo" for years. Royston said it wasn't bad luck anyway. Abshier insisted all these fears were silly -- if they were going to get caught, they'd get caught and nothing could stop it. Ralph finally acquiesced. They drove on to Lamar. And the omen held true!

They left their car at the curb and stepped into the bank, four masked men, each with revolvers or rifles. This job had been carefully planned; Jake and Ralph carried grain sacks in which to lug away the loot. Hurriedly the officers and the patrons of the bank were lined up, then while Royston and Abshier held the victims powerless, the brothers turned to garnering the proceeds. A total of $218,000 was scooped into the bags. This done, the bandits began to back out of the building.

With that, A. N. Parrish, the aged president of the bank, leaped toward a concealed revolver, an old forty-five. Now for the first time in fifteen years the gun was levelled

and the trigger pulled; the bullet caught Royston in the jaw, breaking it in three places. Instantly the weapons of the bandits spat flame; Parrish literally died on his feet. J.N.Parrish rushed forward to aid his father. He too was shot down. Then, forcing Everett Kessinger, the assistant cashier and E.A.Lungren, a bank teller, to accompany them, the bandits ran forth to their car and began their getaway.

Pursuit was almost immediate. The sheriff in a faster car began to overtake the heavily loaded bandit automobile. They shoved the cashier half out of the car -- any stray bullet would kill him. When this did not halt the chase, the bandits cooly stopped their car, got out, put their hostage in front of them for a shield and began to fire at the sheriff. They had rifles. The sheriff and his companion had only sidearms; nevertheless they stood game in the battle. At last a rifle bullet tore up the hood of the officer's car, breaking the spark-plugs.

"That stops him," Ralph shouted. "Let's git goin'."

Lungren, the bank teller was freed here, and left standing in the road; he had been one too many in the car. Kessinger was carried on; there yet might be need of a hostage to act as a screen against law enforcement bullets. Royston was groaning constantly with the pain of his wound. Abshier his pal, was insisting that they stop somewhere and even run the danger of capture to get medical aid.

"We'll get a doctor for him tonight," Jake answered. The racing car went onward, deep into the gulleyed regions of

Western Kansas, and at last to the "horseless horse ranch". Here they bound Kessinger. Ralph and Jake hid the loot. George Abshier, still insisting on aid, sought to allay the pain of his wounded comrade. Finally, he began to threaten.

"Oh, shut up," snapped Jake. "I'll get him a doctor."

Night came. Jake and Ralph drove in to Dighton, Kansas, to the home of Dr. W. W. Wineinger. Jake went to the door.

"I hate to ask this, especially on a bad night," he said. "Besides you don't know me. But I've been referred to you. I live out of town here a piece and one of my boys got his foot crushed by a tractor. I can't bring him in very well. I was wondering -- "

The doctor was reluctant to go. Jake argued.

"It's just out of town a ways. You can get right in the car with my brother and me."

"No, I'll drive my own car. Suppose you ride with me."

Ralph went ahead, leading the way. Jake sat beside the doctor.

"Perhaps you'd better raise that window," said the physician. Jake obeyed. The ratchet was loose -- it was necessary for him to press against the glass with his hand. They reached the horseless horse-ranch. The doctor entered the ramshackle house. He looked at the injured Royston and straightened, aware now of his danger.

"This man's been shot," he said, "And you're -- "

He halted, staring into the muzzles of three guns.

"Treat that wound," the bandits commanded. The doctor obeyed.

A day later, the search for the missing Doctor Wineinger began. At last the Sheriff of Prowers county resorted to an airplane. Circling high over the gulleyed district beyond Garden City he looked down upon an automobile, sprawled at the bottom of a small canyon. Something protruded from beneath it. Hurriedly the sheriff signalled for a landing. It was a bumpy one, on the first available clear stretch of ground. The sheriff hurried to the canyon. There beneath his car which had been pushed over atop him, lay the body of Dr. Wineinger. He had been taken from the horseless horse ranch out to this lonely spot, bound and blindfolded.

Then one of the Fleagle gang had shot him in the back with a shotgun loaded with slugs, and kicked his body into the gulley, pushing his car after him. Before that was done, however, Ralph Emerson Fleagle had an idea which all but saved the gang. He had printed a scrawled note and stuck it into a pocket of the dead man's clothing. It read:

"Sweet revenge from Enterprise. Oh you murderers, ye Doctors!"

Shortly after this, Kessinger's body was found in a lonely shack near Liberal, Kas., He too had been bound and blindfolded, and shotgunned to death. Meanwhile, the Fleagles, Jake and Ralph, with their mother, whom they had invited to "take a little trip", were on the way to St. Paul

in the Fleagle family car. Hidden there also were the bonds and negotiable securities resultant from the bank robbery; to be sold to the various bond and money fences who were plentiful in St. Paul at that time. The city was to be used for still another purpose for which it then was well known in banditry. Abshier and Royston followed in the blue sedan which had been used in the robbery; its floor was black with Royston's blood. Whenever they passed through a town, the wounded man was forced to lie on the floor. Otherwise, Abshier supported his pal, and fed him morphine which had been stolen from the murdered doctor. In St. Paul they knew exactly where to go to find a hoodlum physician who would treat the gunshot wound, and a hideout apartment where Royston could be secreted and where Abshier could nurse him back to health.

Doctor Wineinger's car had been wiped with an oiled rag to remove fingerprints before the bandits ran it into the ditch. Nevertheless, one spot had been missed -- the place where Jake's finger had pressed against the pane in an effort to raise it. Here R.S.Terwilliger, fingerprint expert of the Garden City Police Department found a single print. He dusted, developed and photographed it, then sent it to the Identification Unit at Washington for what he felt was a hopeless search.

Indeed, there was little to connect the death of Dr. Wineinger with the robbery of the Lamar Bank. The murder scene was many miles from the Colorado border and far off the road which the bandits would have travelled on a straight get-

away. Then too, there was that note which had been scrawled by Ralph and which was accepted by most law enforcement officers at its face value. Dr. Wineinger once had lived in Enterprise, Ohio, as Ralph Fleagle knew. Therefore he had written the note with the belief that the doctor's death would be laid to the act of some crazed person who had followed him to Kansas from his home town.

I have always felt also that there was a double purpose in this note, escape plus revenge on a former teammate whom Ralph hated -- although the white-haired bandit denied this to me when I later questioned him regarding it. Nevertheless, Ralph Fleagle evidently knew whom would be suspected; Charles C. Clinton, a notorious outlaw. Clinton was an ex-preacher with an insane hatred for doctors because his wife had died following an operation while he was in prison. An ex-preacher, it must be remembered, might use such a phrase as "Ye Doctors".

Only Hugh Harper, chief of police at Colorado Springs, Colorado, insisted that the murder of Dr. Wineinger was a result of the Lamar robbery. He contended that one of the bandits had been shot by Farrish and that the Dighton physician had been called to treat him, and was killed.

Many months passed. Arrests were made slowly. Clinton was caught in Kansas City. Whitey Walker, an Oklahoma bandit, was arrested in New York. Alfred Oliver, an ex-convict was found in St. Louis. Floyd Jarrett, an Oklahoma outlaw, whose sister, Hazel Hudson, later married Wilbur

Underhill, was apprehended in Oklahoma. All were returned to Lamar -- and all were positively identified by citizens of Lamar as the four murderous bandits who had held up the bank.

Here was a perfect case of the mass hysteria which so often has been the cause of miscarriages of justice. These four men had absolutely nothing to do with the Lamar Bank Robbery. None of them truly resembled the Fleagle gang. No one, for instance, looked like Royston, who weighed 235 pounds, and who was so bulky that the forty-five ball which shattered his jaw did not even knock him from his feet. There was no such slope-headed individual as George Abshier, and no gangling, pink and white complexioned, wide-shouldered being with crinkly, upstanding hair like Ralph Fleagle. Jake was the only person out of the four for whom any one of the arrested men might have been confused.

But Lamar only knew that four men had been arrested for the crime. Moreover, they were all outlaws whose records for bank robbery were long and varied. The belief that in catching them, the law enforcement officers had gotten the guilty men worked upon the mentalities of those in a position to identify them until they actually believed they were the persons who robbed the bank, and that they recognized them as such.

There is little doubt that these identifications would have held as strongly at the trial. There could have been only one outcome -- a verdict of guilty, with hanging

sure to follow. That in itself would have been one sort of rank injustice. But there would have been another sort to follow, even as dangerous.

If, after these men were dead, the mystery of the Lamar Bank Robbery had been solved and the innocence of the four dead men established, the case would have been one to instill doubt in the minds of thousands upon thousands of prospective jurors. It would have strengthened immeasurably the alibi dodges by which enough criminals already escape; it would have bolstered the various causes of every criminal attorney in America. Juries, in many other cases, even where there was no doubt of guilt, would have been afraid to convict. It perhaps would have outlawed capital punishment in many states, especially in the West. Only one eventuality intervened to prevent all this. Exact science did what human eyes had failed to do.

During all the months in which these men were being trailed down and arrested, the technicians of the Indentification Unit in Washington searched in vain for the counterpart of that fingerprint found on the window of the murdered doctor's car. It must be explained that at this moment, the single fingerprint was worthless under the special demands of the Lamar case. In the first place, there were many officers who denied a connection between the murder of the doctor and the holdup of the bank. Therefore, the fact that the print matched none of those from the fingers of the four arrested men proved only that they were not present when Dr. Wineinger

was killed. It did not prove that those accused men were innocent of the holdup. Further, at that time, no single fingerprint file existed; the significance of this must be explained.

A single or "latent" fingerprint as it is called, found at the scene of a crime means practically nothing from an identification standpoint unless there is a suspect to match it against. Certainly if someone is arrested, it is possible to compare his prints with the "latent" and thus establish his presence. But certainly, in 1928, there was little to be gained by sending that latent to Washington and hoping for a speedy identification.

All fingerprints were then classified and filed under the ten print system, as is done in practically every fingerprint center in the world. There was no way in which one print could be searched out -- it would have meant a hunt through the entire unit, which then contained about three million cards, each of ten fingers, making a total of thirty five million searches to be made. There was only one way in which to attack the problem.

Mr. Hoover issued orders that this fingerprint become a matter of prime importance in the Unit. He knew the difference of opinion existing between officers; he knew also that if this fingerprint represented a member of the Lamar bank robbery gang, it was possible that innocent men were being held as murderers.

Therefore, the print was magnified. It was thrown

on a screen by stereoptican. Day after day experts studied it, in the hope that they would remember some similar print as having passed through their hands. It was useless.

Time passed. The trial of the four accused men approached. Then one day, in the course of routine, there came to the Identification Unit a fingerprint card from the Sheriff's office at Stockton, Calif.

A man named William Harrison Holden had been arrested on suspicion for train robbery there, and had freed himself by a plausible story. The police had merely sent his fingerprints to Washington as a matter of course.

As a matter of course they were classified and the records searched. Out came a card bearing the name of Jake Fleagle, ex-convict 6591, Oklahoma Penitentiary, back in 1916. In routine manner, the fingerprint expert began his final check, to be sure that William Harrison Holden and Jake Fleagle were the same man.

But as he worked, a queer feeling, almost of apprehension ran through his brain. He went over the prints again--he felt uncertainty, nervousness, as though he were making a mistake. He checked and re-checked. Then suddenly the smudges on the paper beneath the microscope ceased to be such. There was murder in those lines and whorls, the bark of guns, a white-haired old man standing alone against a bandit gang, firing shot for shot until the barking guns of four against one had mowed him down. The expert whirled. He left his microscope and, while other workers stared after him ran

wildly for the photograph of the latent print found on Dr. Winsinger's car. He examined it again. It matched with the prints on the cards. He straightened exultantly. This was a member of the Lamar bandit gang:

That changed the entire case. Four men had been identified and were under arrest. But here was surely a member -- someone was innocent. The wires sang, carrying amazement to Garden City, Kas. Investigations began. The banks were checked, revealing heavy deposits for Jake Fleagle and his brother Ralph.

A posse was formed. It encircled the ramshackle ranch and surrounded the weather beaten old house. The father, mother and two brothers were arrested for questioning. They revealed that they had been writing Ralph at Kankakee, Illinois.

Chief Harper hurried to Kankakee and with local police covered the postoffice there. They caught Ralph. They learned that someone was calling the prisoner by long-distance from Peoria.

"Get that fellow who's calling!" commanded Harper.

The order was obeyed. Peoria police arrested a man named George De Moss in a perfect arsenal of an automobile, just as he was pulling out of town. De Moss asked that his wife be released. The Peoria police made a mistake and granted the request. She is believed to have warned Jake; when police reached his apartment house, the bandit was gone. De Moss was taken to California for questioning into a train-

robbery.

Out of the Fleagle gang, the police now had only Ralph. His chin showed a slight depression. Chief Harper called for the services of an x-ray. It showed a bullet wound, too old to have resulted from the Lamar Robbery. But the fact that the police knew it to be a bullet wound frightened Ralph. He talked, and named Royston as the one who had been shot in the Lamar holdup. Hugh Harper went to San Andreas, Calif. in Calaveras County where once lived the famous Jumping Frog of the Mark Twain tale -- the same Mark Twain who gave fingerprinting its first true publicity in America through Puddin'head Wilson. There, in San Andreas, Harper found Royston living a supposedly exemplary life, the husband of a school teacher and the father of a young baby.

Royston also confessed. George Abshier was arrested. Then began a long chase which ended with the killing of Jake while resisting arrest at Branson, Mo. The four men awaiting trial were freed from this charge, and immediately rearrested on wanted notices from various parts of the country; all of them went to prison on other charges. At least, they did not pay for a murder which they did not commit. However, Ralph Fleagle and Royston and Abshier did pay, all were hanged in the Colorado State Penitentiary at Canon City.

Perhaps I have lingered too long with the Fleagles. That is partly because I knew Ralph -- much of this story came from him, as with chains clanking, he moved to and from his cell in Colorado Springs to the demands of the officers for

another series of questions. Perhaps too, it is because of my friendship for Hugh Harper who laid the trap into which Jake walked at Branson, Mo. But I like to believe the true reason lies in the importance of this case.

Because of the Fleagles, there is now a different procedure when a widely known bandit leaves a latent fingerprint at the scene of a crime. Almost immediately, Mr. Hoover began the building of what now is known as the Single Fingerprint File in the Division of Investigation. Through its development has come the segregation of America's ten thousand public enemies.

To create this file, the Director sent letters to every police department in the country. That there might be better concentration upon his aims, he asked for names by "occupation". First came the kidnappers. Then the bank robbers. Then the stickup men and highwaymen, then the specialists in train holdups and so on down the list. Prison wardens and parole boards were asked to make their nominations. Judges were requested to contribute. From them all came a Who's Who of vicious crime -- the mad dogs of the nation. Moreover, instructions were issued that whenever a new bandit flared up, he too was to join the list.

This done, the regular fingerprint cards of these men were "broken down" into single prints. Each finger was classified separately. Since that time, there have been nearly two hundred major identifications out of this list.

and this in spite of the fact that the file has neared completion only within the last year.

An identification here means that one of the true enemies of society has been spotted in a crime with the possibility of an arrest to follow. Or perhaps I can better illustrate by borrowing an incident from the lives of several men who will be dealt with at more length in a deeper part of this volume:

When machine gunners, nearly two years ago, murdered four officers and a convict, Frank Nash, in Kansas City in their efforts to liberate their fellow criminal, only one thing became certain out of the confusion of eye witness testimony which followed the multiple slaying. This was the evidence that these killers had been led by a professional murderer named Verne Miller, who had lived for some time in one of the better residential districts of the city. Special Agents of the Division of Investigation hurried there, only to find the man gone, and the furniture carted away. Nevertheless, they picked up every discarded bottle, every rag and piece of paper which might produce a scrap of evidence.

Descriptions by witnesses pointed to several of more than a dozen possible suspects. Verne Miller's associates might have been any one of six ex-convicts; all of them knew Nash. Or they could have been a part of the Keating-Holden job of bank robbers; also friends of Nash. Possibilities also existed among the members of the Barker-Karpis gang of alleged

murderers and kidnappers; there was evidence that they had been in the vicinity of Kansas City recently.

Suddenly, however, the chase veered. Now the forces of the Division of Investigation centered upon Oklahoma, and the hiding places of Charles (Pretty Boy) Floyd, and his constant companion, Adam Richetti. Deep in the Cookson Hills, a Special Agent, reverting to a type of life he had known before entering the Department of Justice, posed as a cattle buyer while he asked discreet questions of the hill people. Other agents moved in the underworld, their every attention centered upon Pretty Boy.

Previous to this time, Pretty Boy Floyd had led a pretty soft existence. He had plenty of money or could always borrow from other bank robbers. There was at least one city in which he could buy protection, and dozens of hideouts in the Oklahoma and Arkansas Hills where he and Richetti could rest up in peace, meanwhile getting gloriously drunk and even sending emissaries into town for women with whom to while away the hide-out hours. Withal, it was an existence so safe and so sure that Floyd beguiled the passing hours by filing ten notches on the inside case of his expensive watch, evidently to remind himself of the fact that he had killed ten men.

Then this easy existence for Floyd and Richetti suddenly changed. The hide-out owners told him he'd better move on. Fellow crooks looked the other way when he wanted to borrow money, and insisted that he had to much "G heat" on

him to afford them pleasure. The reason lay in this determined search by the Special Agents of the Division of Investigation.

They tracked down every relative, every friend, everybody who even had known Floyd at other periods of his life. They had catalogued all his likes and dislikes. They knew what kind of clothes he wore, his habits, the persons to whom he had appealed in time of previous trouble. Gleaning a little knowledge here and a little more there, they learned that Pretty Boy Floyd had been in Kansas City on the night previous to the killing of Nash and the officers. They broke down the resistance of the underworld and established the actual connection of Pretty Boy in the massacre.

It became impossible for the hunted man to seek out any of his old hiding places. The search turned eastward; Richetti had relatives in Ohio. Floyd's original crimes were committed in that state.

One day, the break came. A local officer found the two men hiding in a gulley near Wellsville, Ohio; captured Richetti, and sent Floyd fleeing after a pistol fight. Immediately airplanes brought Special Agents into the country from every direction; soon Pretty Boy Floyd lay dead; his body weighted by law enforcement bullets.

What had caused this sudden centering of suspicion, this dogged, never-ceasing search for Pretty Boy Floyd? First, it must be remembered that Floud and Richetti were in-

separable. Secondly that the Special Agents, in searching the house of Verne Miller had not overlooked a single clue. Among the things they had found were several beer bottles, evidently remaining from a last round of drinks before a getaway. Microscopes had gone into action. Then dusting powders had been brought forth. After that, the queer, elongated cameras with their self-contained batteries and shielded electric globes had clicked off their photographic records. Finally, the pictures had been sent to Washington, where a technician had gone to the single fingerprint file, shuffling through it, at last to stop at a classification. There had been comparison, identification -- and a telegram which had set the forces of the Division of Investigation on one of the greatest secret manhunts of recent years.

Upon one of those beer bottles had been found the imprint of a single finger. Technicians had found it identical with that of Adam Richetti. And where Richetti went ---

CHAPTER EIGHT.

The cry goes up constantly these days that the criminal is quick to seize upon every new invention, turning it to a means of crookedness, while his pursuers must plod along, far in his wake, hampered by antiquated methods. The Division of Investigation belies that statement. Through X-rays, the wide use of finger-printing, toxicology, chemistry, ultra-violet rays, improved photography, ballistics, modus operandi files and other scientific methods, crimes are being solved today that might have been unending mysteries twenty-five or thirty years ago.

Not much is heard about it; the drama of a confession, or the human interest element of the capture, often overshadows less melodramatic details. Nevertheless, crime-detective science is the bulwark upon which the work of the Division often rests. A defendant may repudiate his confession, or there may be one chink in an armor of evidence, through which a criminal might slip -- if science did not block him.

Perhaps the case of Richard Conner will illustrate. Certainly, as far as popular belief was concerned, here was an open and shut case for conviction. The Division of Investigation, however, never takes chances. There were definite holes in the Conner case, from a prosecutive standpoint. Science plugged them up.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
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Pearl and Richard Conners of Tacoma had quarrelled frequently; once she had instituted divorce proceedings, petitioning for a division of their property, only to withdraw the suit after her husband had pleaded for one more chance. One evening, Conner took his wife for a ride in their automobile. Neighbors saw them leave, being particularly observant of Mrs. Conner's pronounced limp. She had sprained an ankle the day before and was wearing a borrowed metal brace under her stocking. Several hours later, Conner came home alone.

Days passed and Mrs. Conner did not appear. Neighbors became curious. Conner laughed at their anxiety. She had left the car, saying she was going to her mother's house. She would be home Thursday.

But on Thursday, Conner announced with amazement that his wife had not gone to her parents. Now, he was sure that she had run away with some other man.

It was a thinly-spun story. Searching parties sought the woman's body without success. That angered Conner who insisted that she must have run away; even her clothes were missing. At last Conner was arrested on suspicion. Then searchers found the body in an old well on the Camp Lewis Military Reservation, near Tacoma; with its exhumation, the case came under the jurisdiction of the Division of Investigation. Special Agents were sent there at once, and the job of convicting Richard Conner was begun. Some distance from the well was found an exploded cartridge. Nearby the sod seemed stained.

Special Agents took a sample.

Sifting of the ashes in the stove of Conner's home brought forth many snap fasteners, as well as hairpins, a wire from an artificial flower and a belt buckle. Undoubtedly then, Conner had burned his wife's clothing. Something else found in the home was a Luger automatic pistol.

There was no murder bullet. But there was the cartridge, and it fitted the Luger pistol. More, cartridges fired in the Luger gun bore the same hammer pit marks and ejector scratches as that found at the scene of the murder. A physician-authority on gunshot wounds, after his autopsy, declared that the death bullet had entered the exact center of the back of the head and come out through the forehead.

The sod was taken to a laboratory for examination. A scientist injected the red corpuscles of human blood into a rabbit. Then the rabbit blood was allowed to clot, while a clear, liquod serum slowly formed above it. Carefully this colorless liquid was removed and placed in contact with a solution of the brownish-red stain from the piece of sod. Almost instantly a white ring of precipitation formed. The test was complete. This piece of sod, taken from a point some distance from the well, was stained with human blood.

Of course Conner could plead that his wife shot herself with his gun. But to have done that, according to the scientific evidence, she would have needed contortionistic powers to point the gun at the back of her head, and even

greater powers to have been able to walk from where the blood-stained sod was found, and throw herself into the well. The jury brought in a verdict which sent Richard Conner, still proclaiming his innocence, to McNeil's Island Penitentiary for the rest of his life.

The discovery of a crime nowadays often means the immediate beginning of scientific investigation. No longer does a good law enforcement officer walk upon a murder scene, pick up articles casually, then turn over the body of the victim to see where the bullet entered. Instead, he must forego his every instinct of curiosity, that science first be served.

Up to date investigators immediately rope off or close up the immediate scene of the crime. If, for instance, a murder has taken place in one room and the body found in another, both rooms are protected.

Then, while investigators make notes on every conceivable angle of the crime, the objects nearby, exact distances, perspectives and relations of the body to objects which might have caused death, the official camera man prepares for photographs that will meet the objections of defense attorneys. They must be taken with an accurate regard for perspective, proportion and lack of distortion, and with negatives sensitive to red and other colors to record the detail of special objects. Entrances and exits must be included, disturbance of furniture; stains of any kind must be photographed on separate prints and their position recorded. Weapons, spent bullets and shells, or any other cause of death, are photographed exactly as they are

found -- and before anyone has touched them.

Often, too, drawings are made, on cross-section paper; investigators carry it to the scene of a crime, so that they can make fairly accurate sketches to scale without the aid of mechanical instruments. Sometimes there is a model worker to make moulds of different parts of the body, or of foot prints, using plaster of paris, or a material developed in Europe for this purpose, called moulage. With this it is possible to make wax models of a dead man's face, for instance, reproducing even the fine lines of the skin, and reproducing the natural color.

Then there are the models which must be made to record shoe and tire prints, the mark of a jimmy on a window casing, the break of a door-jamb or lock showing means of entrance. In the annals of crime there is a case in which a murderer was identified by a comparison of his teeth marks with those left in an apple found at the scene of a crime, and accurately moulded with moulage.

Perhaps a bullet has come through a window. Then every piece of broken glass must be carefully gathered, and the pane reconstructed as far as possible, on a table. Thus direction is established, the height at which the bullet entered the window, checked against the height of the victim and the spot where the bullet entered the body. Then the lines are extended -- usually it is possible to check the very spot where the murderer stood when he fired the fatal shot.

Small objects are placed in clean boxes, or small

glass bottles. The murder bullet is handed almost gingerly, so that its exact condition will not change status. Microscopic examination must be made everywhere for fingerprints, a strand of hair, or fibres of flesh against a wall, scraped off there, perhaps during a fight between the murdered man and his slayer. Tiny things like this have more than once forced a confession from a murderer.

James
John Rhesa Adams, a soldier at El Paso, had been arrested by Special Agents for the murder of his wife. Shreds of flesh, scraped from beneath the dead woman's fingers, had been identified as having been scratched from the face of the soldier during a struggle preceding the murdor. Adams was silent as he was returned to his cell. Science had stumped him; soon he made a rambling confession in which he blamed the murder upon the heat of a sudden quarrel. The Special Agents however, were not satisfied. At last they unearthed a $10,000 accident policy on the life of Lillian Adams, issued in favor of James R. Adams, beneficiary. Again science came into play. Specimens of the handwriting of Adams and Mrs. Adams, together with a photostatic copy of the insurance application, were forwarded to Washington. Back came the news that the application was a forgery -- it was in Adams' handwriting. Thus a true motive was established; James Rhesa Adams went to Leavenworth Penitentiary for life.

This matter of questioned documents -- to use a broad term -- daily enters more and more into law enforcement work. For instance, the United States Division of Investi-

gation recently sent out a newly devised "frequency table" to law enforcement officers, that the decoding of cipher messages might be made more simple. A "frequency table" is a compilation of the letters of the alphabet which are used most often. It is nothing new -- code experts have employed the system for years. But the average police chief hasn't a book on code writing at his elbow when a criminal and his partner decide to send each other secret messages. Words containing 220,000 letters were counted on the Division's tabulating machine, and the alphabet revised according to their frequency. By this, it is only necessary to arrange the average hieroglyphics of of the usual cipher message according to their frequency and compare them with letters which occur most often in average usage. After that, the secret letter becomes much more readable.

For that matter, one of the oldest of melodramatic stage devices is fading from use. Unless the villain these days is exceedingly careful in his work, it may not aid him much to "burn the papers". Certain types of fast photographic plates are sensitive to the gases exuded by charred paper. Therefore, the paper is placed in a dark room, with a fast plate in photograph position, quite close to it. They are left in this position sometimes for three weeks. After that, in the successful experiment, the charred paper is still a charred paper -- but the writing is on the photographic plate, placed there by the action of gas during the long period of darkness.

Few persons realize what a tremendous part photography plays in crime detection. In practically every case of erasure and forgery, the camera comes into action, showing through magnification, the shredded surface made by erasure, and the tiny molecules of ink from the forged signature, where they have penetrated the abraised surface caused by the erasure. And ultra-violet rays will bring forth hidden marks or acid writing almost as plainly as though they had been made in ink. A criminal these days cannot even file the numbers from the engine of a stolen automobile and be sure of getting away with it.

In explanation, it might be well to interpose a case from the files of the Division of Investigation. Five years ago, a progressive gang of motor car stealers came into existence near the little town of Wierton, West Virginia. It began as a family affair, a fine, old aristocracy of crookdom. The mother, Eunice Schwertfeger, was a bootlegger. Her husband had been her bartender, and her fifteen-year old daughter, Mary Edith, had married David Peter Yarnell, who recently had matriculated from several of our best reformatories.

Mr. Yarnell was a man of action and ideas. Home from the wedding trip, he sneered at bootlegging. A big shot, these days went in for wholesale stealing of automobiles.

Ignition locks meant nothing to Yarnell; he merely clipped the cable, attached an electric wire with a radio clip at one end, drove away with the stolen car and at the bootleg joint, an old farmhouse, installed a new ignition cable. He

followed this by obliterating the numbers on the motor block, and forged a bill of sale. Then he made an agreement with a used-car dealer to dispose of the product.

That started a big business in stealing automobiles. It grew so fast that there was quarrelling over profits. The old gang split up into several new ones. They all followed the methods originated by Mr. Yarnell. Thievery was so rampant that in one case, a gang actually made a contract to deliver the selling stock of a used-car emporium at $75. a car.

The gang finally numbered nineteen enthusiastic members doing a stealing business of more than 150 cars a year. But at last in 1930, a Ford coupe got in a wreck at Wheeling, W.Va., and an efficient policeman decided that it bore fictitious motor numbers.

That began a chase which lasted nearly two years. Special Agents of state after state took part, information being relayed from office to office, and the chase thus renewed -- for the gangs moved about swiftly. The first car had been traced to the used-car stand where it was said it had been purchased from unidentified bootleggers. So the used car emporium came under suspicion. Other cars were checked and found to have renewed block numbers.

Then the case started backwards. For the information of young men who think they can steal cars and get away with it by changing the block numbers, let it be known that the trick isn't always successful. There are ways of bring-

ing back the original numerals. One is by an etching process. The metal is smoothed. Then a solution of copper ammonium chloride in hydrochloric acid is rubbed into the surface of the metal. In the majority of cases, the faint tracings of the dies responds immediately; a number seemingly erased magically returns. If this fails, heat is applied evenly. By these means and the tracing of secret numbers, more than one hundred automobiles, valued at $50,000 were returned to their owners. To say nothing of the fact that the main members of the gang went to prison.

For that matter, science in the Division of Investigation may take the form of a nickname, based upon the psychology that while a man may have a hundred aliases, his nickname will remain unchanged. Special Agents in chasing down a recent kidnapping case could gain no more than a general description of a man, plus the fact that he was called "Cotton". They sent the information to Washington. A science laboratory worker consulted the files wherein are tabulated the nicknames of practically every known crook in America. There, searching through such soubriquets as the Boston Jew, the Bow-Legged Kid, Canteloupe Kate, Boboat Lulu, Hooknose Rose, Boxcar Annie and Boze the Drummer, he came to fifty or more "Cottons", each denoting a separate personality. This did not bother him at all. He proceeded to another file which contained a corresponding number of oblong cards, dott4d by figures, and each containing punch marks, each hole denoting a detail of description. He took the cards to a queer looking machine, consist-

ing of several drums from which jutted numerous small adjustable knobs. He set these knobs, one for sex, another for age, still another for color of eyes, of hair, still more for height, weight and general appearance. Then he put all the cards into the machine and pressed the button. Instantly the main number of identifications began to drop into a bin beneath the machine, rejected by those carefully set knobs. The second bin remained empty, until at last a single card fell there. It was the one which denoted the particular "Cotton" wanted by Special Agents. Now they could look up his real name, his photograph and his fingerprints.

Or to go farther, the doctor of an eastern penitentiary reported that a certain convict called often for quinine when there were no symptoms that he needed it. Quinine in prison can mean more than medicine. Mixed with water or saliva it becomes an excellent means of writing invisibly.

The convict in question was one of those "model" prisoners for whom parole boards often exhibit such sympathetic concern. The warden, being a practical soul, knew that most convicts when preparing for trouble, are model prisoners. So the next letter written by the prisoner to his dear, faithful sweetheart was intercepted and sent to the Crime Laboratory.

On the plainly lined surface was only the outpouring of a gentle heart, heavy with penitence. The experts did not even read it. They took the letter to the ultra-violet ray and turned on the juice. There under the peculiar greenish light lines of white showed through the regular ink-marks. They read:

"Say listen Girlie, if you've been able to get hold of those guns, don't try to slip 'em in to me without trying to grease the way first. I got a line on a screw who may fall for you slipping him some dough. I'll let you know more later."

He failed in that promise. The next day he went to solitary confinement, without knowing exactly why.

This does not mean of course, that those on the outside who plot with prisoners make use of ultra-violet rays to bring out the secret writings of their co-plotters. Their re-agents are usually heat, or a weak solution of iodine; these are used also in the Crime Laboratory when the ultra-violet fails. But as a general rule, the penetrating rays bring up secret writing sharply and clearly; blood and other stains are revealed in the same manner. Jesse R. Watkins, a stable employee was being questioned about the murder of a fellow stableman on a government reservation -- a matter of Department of Justice jurisdiction. He refused to confess.

"You say there was blood everywhere," he argued. "Well, why didn't I get some on my clothes? Everybody knows I've only got this one suit. Why haven't they got bloodstains on them?"

"Maybe you washed your clothes," said A Special Agent.

"Maybe you could prove that."

"We can," came the answer. "Take off that coat and cap."

Under ordinary light, the clothing was spotless. But there was a different picture once the greenish-blue of ultra-violet drove down upon it. Now the cloth changed in color; flaws appeared, mottles and splotches, as plain as though the blood had not been disturbed. Chemical tests followed. Watkins went to prison for life.

Likewise, in a local case, the Crime Laboratory was asked to tell how far a slayer stood from the victim at the time of firing the fatal shot. Proof of premeditation depended upon whether the slayer had fired from a distance, or from within a few feet. A bullet fired at close range, must have left powder marks. The microscope failed to reveal them. But the ultra-violet ray showed them clearly enough to permit photography.

In fact, one of the main purposes of Mr. Hoover's work in building up this Crime Laboratory is the hope that it will act as an impartial central agency, in the same way that the Identification Unit aids in the speedy identification of captured criminals. Laboratory work at the present time is in much the same position as fingerprinting before its centralization by the government.

Only a comparatively few cities and states have criminal science workshops; others must depend upon local experts. Mr. Hoover looks forward to the time when there will be a steady stream of queries rolling into the Crime Laboratory. An illustration of its efficacy lies in a letter from a sheriff in West Virginia who merely enclosed two strands of fabric, asking

for a comparative analysis. The answer was that these were identical bits of red wool, that the microscope, plus chemical analysis, showed them to be exactly the same size, the same color, the same fibrous structure, the same grade of wool, and tinted by the same dye, which in turn had been analyzed. The reply to this report was one of thanks, accompanied by an explanation. There had been a robbery. On the window ledge of the burglarized place had been found one of these strands of wool. A suspect had been arrested, wearing a red sweater which gave evidences of having been snagged. In other days, this could have led to a prosecution full of loopholes. There are many torn, red sweaters in the world. Because the threads looked alike was no reason they actually were alike. But in this instance, through the work of the Crime Laboratory, which cost the sheriff only stamp and stationery to obtain, he could testify that the threads on the windowsill and the one from the sweater actually were alike, and in an emergency obtain the services of an impartial expert to defend his statements.

Again, in that impartiality is Mr. Hoover attempting to wipe out an age-old deficiency in American criminal procedure. There is a saying in law that too many experts testify for the side which pays them. That cannot happen with the scientists of the Crime Laboratory.-- no one pays them but the United States Government, and it demands the truth. The job of these men is to prove the innocent innocent and the guilty guilty, a dispassionate attitude which often guides the Special Agents in the field to the solution of cases otherwise muddled by cir-

cumstantial evidence. The extortion case of Judge Peagram illustrates this, as well as the methods used in combatting the crime of sending threats by mail. In a little more than two years, since necessary laws were passed, 67 persons have been sentenced to the penitentiary for a total of 445 years, and another was killed while attempting to escape arrest. The story of one is almost the story of all -- innocent suspects eliminated by scientifically fastening the crime upon the one really guilty.

A series of threatening letters were received by T. E. Peagram, a county judge who lived across the Mississippi line, near Memphis, Tenn. Persons suspected were a substitute mail carrier, the sheriff of a nearby county believed to be insane, and the members of a gang of outlaws since sentenced on a charge of stealing government property. In addition to the extortion notes -- they demanded sums from $1000 to $18,000 -- a bomb was exploded near the judge's home, just to inform him, as a note said, that the threats were real.

One after another, samples of handwriting from suspected persons went into the Crime Laboratory; one by one the experts there insisted that they were not identical with the true extortion notes. The investigating Special Agents, so the experts said, should look for a person with imagination, a flair for poetry, someone with a grievance and a certain amount of egotism. All these were qualities which have shown persistly in the writing, such as fullsome descriptions of the judge's threatened death agonies, the low sweep of willows and the

lonely calls of birds over his grave-to-be, the outpourings of vituperation over the failure of a bank with which the judge had been connected, and the constant use of personal pronouns. Special Agents found such a man in Mark Cyril Spencer. Having made a beginning, the slow job of checking every item of the man's life, his acquaintances, friends and associates began. Meanwhile they obtained samples of his penmanship, and got writing material from his house.

The checking process showed that he held a grudge against Judge Peagram. The Crime Laboratory established the writing to be identical; the paper and envelopes matched those taken from his house.

All white paper looks alike to the ordinary eye. It would seem that all paper of standard measurements, granted that it comes from the same manufacturer, should be alike. The reverse is true.

The story of paper, as it is outlined in the Crime Laboratory, is one of never ending variations. There one can find samples of every sort manufactured. Every watermark is on file, first for identification, secondly for the establishment of contested dates. Crooks often age documents in an attempt to defraud. It is only necessary to place these under the ultra-violet ray, study the watermark and go to the files. Often it will be discovered that the watermark shown in the questioned document was not in existence at the time this lette or contract was supposed to have been written. Or there may

have been slight changes in style since that time -- the files will reveal that also.

In the Peagram case, however, it was a matter of similarity, size and weight. The ultra-violet rays testified to the identical texture. Then came the measurements. Due to the setting of cutting knives by different persons at different times, jobs of paper vary from several thousandths to several hundredths of an inch. The same applies to weight. Thus the letters of Mark Cyril Spencer were matched against the stationery taken from his home. The extortion envelope weighed 4.8281 grams. The letter from Spencer's home weighed 4.7669 grams, a difference of .0612 grams. Different? Not at all. The extortion letter contained a stamp which weighed .0573 grams. A fragment had been torn away in opening the letter. There was pencilled writing, plus a postal concellation. These made up the remaining difference of .0038 grams. The envelopes were the same.

The extortion paper was 7.07 by 10.46 inches. So was the paper taken from Spencer's home. Both were .00501 inches thick. The ultra-violet ray showed the same texture. The weight of a clean sheet was 5.0975 grams, of a written one, 5.2239 grams. So the extortion note was written upon the clean sheet with the same grade of graphite pencil, and the difference of .1264 grams eliminated. Mark Cyril Spencer contended innocence until the day of the trial. Then faced by investigative and scientific evidence, he pleaded guilty and took a 20 year term in prison. Thus the job goes on, day after day, impartial

ity in the field, impartiality in the identification and Scientific units. The first training that a Division of Investigation agent receives is not to chase men but to chase facts. Mr. Hoover makes this the subject of endless lectures to his agents, an attitude concurred in by his superior, Mr. Cummings, In fact, it was Mr. Cummings who gave th law annals an historic instance of this kind.

He was State's Attorney at Stamford, Connecticut. A man named Harold Isreal had been charged with murder; there had even been a confession, induced by hysteria. Mr. Cummings turned the murder bullet and Isreal's gun over to six experts, Then with their findings, he went into court and asked the dismissal of the charges. The comparison of the murder bullet with those fired by Isreal's pistol showed no similarity.

That same question comes up a dozen times a month in the Crime Laboratory. The bullets from a suspicioned gun are fired into a box of cotton. Recovered, they are put under what is known as a comparison microscope, which reacts greatly like the old stereoptical glasses in that two objects are brought into the same line of vision. Then the bullets are slowly turned, one after another to match them for the inevitable "fingerprinting" which a rifle barrel leaves upon a projectile. If they correspond, it is possible to make photographs which show the markings of one bullet blending into the marks of the other, twins of lead which cannot be mistaken.

Incidentally, the Division of Investigation chases the facts about guns as hard as it chases the facts about men,

to learn whence they came, where they went, who had them; who sold them.

Here there must be some enlightenment for those trusting souls who believe that crime could be ended by placing a sales embargo on all pistols, or insist upon the registration of all persons buying weapons of any kind. There is no doubt that such a law would prevent revolvers and pistols from falling into the hands of casual criminals. But it would not halt a single activity of the more experienced lawbreakers. Their guns do not come from legitimate sources.

Most persons who are killed by super-offenders come to their death from gunshot wounds inflicted by weapons primarily designed for the defense of this country. They may be automatic pistols or rifles manufactured for the United States Army. Or they may be machine guns which left the factory to go into the possession of law enforcement officers.

In the files of the Department of Justice are innumerable cases regarding the robbery of armories. Here is a tremendous source of supply; the gangster's favorite weapon is the United States Army .45 Automatic Colt pistol. Thousands are in circulation in the underworld. When Clyde and Marvin Barrow, together with their women, Blanche Caldwell and Bonnie Parker, started forth upon the succession of robberies and murders which finally brought death to three of them and prison for a fourth, one of their first acts was to kick in a government arsenal in Oklahoma. From this they stole a half dozen automatic rifles, enough ammunition to supply a company of

soldiers and so many automatic pistols that when finally they were retrieved by Special Agents, a bushel basket was required in which to carry them.

This did not mean that the Barrow brothers had stocked up with guns for all time. True, every human mad-dog likes plenty of weapons. Often, however, those are not so much for the purpose of offence as for trading. Guns are money in the underworld, especially if they have been stolen from an armory. These represent quality, and there has been no original purchaser to confess that he sold the weapons to John Doe who upon being found, admits that he sold them to Richard Roe, who in turn sets law enforcement agencies on the trail of the present holder.

A somewhat different procedure follows in the case of the machine gun. When it can be stolen, that is done -- as happened with the Dillinger gang, especially when they held up the police station at Warsaw, Ind. As a general rule, however, the gun reaches the criminal through several transfers, one of which includes a crooked gun dealer. There are many of these bootleggers of weapons and the Division of Investigation, wherever possible, is doing its utmost to send them to prison. Not until this phase of criminality is wiped out and armories properly protected against theft, will the criminal world be deprived of its weapons, no matter how many laws are passed. The crooked gun dealer keeps no records. Often he gives no evidence that he even deals in guns, hiding this phase of activities under the cover of some legitimate business. One

operated a corner grocery in a most quiet neighborhood. Others use the same secrecy as liquor bootleggers, being known only by a telephone number.

These crooked dealers always manage to know when a sheriff is about to lose his office. Then a confederate drops in to see the sheriff and establishes the fact that he is a guard on a private estate, the owner of a store which has been robbed recently or a rich man afraid of burglars. Any story will do as long as it is convincing. He makes the retiring sheriff a better offer for his machine gun than will be forthcoming from the new incumbent. He generally gets it.

Here is a fallacy of American law enforcement methods. Just why a sheriff, who may be in office no longer than two years, or a patrolman who may be fired in three months, should be forced to buy lethal weapons as personal property is past understanding. Police departments do not insist that an officer supply his own patrol wagon, or his own armored motor cycle, or his own jail. They do insist that he furnish his own gun -- and forget entirely what he does with it after he leaves the service. I know what has happened to many machine guns bought by sheriffs who really could not afford the expense. They sold them and asked few questions.

Once a gangster has gotten his hands on a weapon, be it U.S.Army automatic or law enforcement machine gun, the criminal believes himself safe if he abraises the number with an emory wheel or files it off. Thus he works on the same theory as that by which numbers are changed or mutilated on

automobile blocks. There is a difference however.

The steel in an automobile block runs deep enough for the fractures caused by the original stamping at last to cease, leaving clean metal. This is not true of guns. Here the bed of metal is comparatively shallow, and the blow by which the numbers are cut into the steel breaks up the molecules to a surprising depth; to a certain degree it changes the temper in that portion of the gun. Thus the numbers are in reality stamped entirely through the steel, making methods of restoration highly successful.

Some gun dealers are aware of this. Recently they adopted a desperate means of preventing identification, only to put the Division of Investigation more relentlessly on their trail.

Two days after a notorious criminal was killed in Chicago last year, an automobile was seen to stop near a lagoon in that city. Some men threw several objects into the water. A passerby notified the police. Some children swimming nearby, also had noticed the action.

By the time officers arrived, the children had dived to the bottom of the lagoon and retrieved the objects, which had proved to be an automatic pistol and a machine gun. A great game of copper and gangster was in progress, with the gangster, of course, holding the machine gun. The police interrupted and took the weapons to headquarters, from which place they were turned over to the Division of Investigation.

A cursory examination showed that the registry numbers

had not been removed from the machine gun barrel. They indicated it to be one which the dead criminal had stolen from a jail during his escape. Evidently his pals -- so the belief then ran -- had decided to rid themselves of incriminating evidence and had thrown the weapon into the lagoon. Lakes, reservoirs and rivers are favorite depositories for hot guns, especially after a big robbery or following an arrest which may have repercussions.

As a matter of course, the gun was sent to the Crime Laboratory at Washington, which, also, from a cursory examination gave the same verdict as the field office. That, however, was only the beginning of exhaustive tests.

When a criminal's pistol or machine gun comes to the Crime Laboratory, it immediately becomes suspicioned of every Federal shooting or killing which has remained unsolved.

Bullets and exploded cartridges are carefully picked up whenever possible after a brush with bandits. The same is true during an investigation of a wounded man or a killing. These bits of evidence are held in Washington, upon the same theory which demands that fingerprints be held. They possess certain marks which can be seen under the comparison microscope, some day they may point, through the discovery of a gun, to a guilty person. Again it is the old game of waiting, patiently waiting -- a reservoir of information held for the connecting link.

This Chicago gun apparently presented an alibi in

that it bore numbers which told its history. It had been sold to a midwestern sheriff and loaned by him to another law enforcement officer. It had been stolen from this second person during a jail break. It apparently had been in the possession of the robber since that time, only to be thrown away by his pals after death. But the Division of Investigation questions a suspected gun as thoroughly as it investigates humans.

The usual box of cotton was arranged and the gun fired into it. Bullets were then retrieved and examined under the comparison microscope. They did not match any of the various bullets held for investigation into murder cases, thus again apparently establishing the weapon's innocence. Cartridges were then examined as compared to cartridges found after various shootings. An expert frowned.

"Here's a queer thing," he said. "The bullets don't match. But the cartridges have the same characteristics as those involved in two murders!"

Photo enlargements were made. Now the evidence that these cartridges had been fired from the same gun were even more pronounced. By dividing these enlargements, and fitting half of one to half of another, it was possible to see that the various hammer, breech and ejector indentations flowed, one into the other, as though this were all the same photograph, instead of fitted halves. Again there was mystery. At the time of one of these murders, this gun had not even left the factory.

The weapon was examined for possible evidence that the numbers had been changed. That was proved impossible. Again the gun was fired. Still the bullets failed to correspond with any of the slugs on record. Finally an expert said:

"I've got it -- a rent-a-machine-gun store. And somebody who changes parts from one gun to another."

No other theory is possible. The Government now is searching for the latest of underworld tricks, a dealer or string of dealers who rent machine guns to gangsters, and who, seek to so confuse their mechanism that the scientific work of ballistics experts will count for nothing. With this theory Mr. Hoover is proceeding upon a widespread campaign in an effort to wipe out what has become known as the chain store system in renting guns to murderers, then passing them on to another city, there to be disguised by the use of interchangeable parts.

The history of the machine gun in question probably is this: The weapon was stolen when the bandit escaped jail. Needing money, he pawned it to the rent-a-machine-gun purveyor. That person, knowing it to be a new gun which evidently had not been involved in any underworld killings, removed its bolt and placed this part upon a murder weapon. The bolt from the murder arm, he placed on the new gun. His action, however, was not as brilliant as he had believed.

Now, instead of only one gun displaying evidences of murder guilt, there were two -- the original one which would mark any bullet by its rifling, and this weapon which

would stamp the cartridges with recognizable imprints.

The Division of Investigation is adamant in its desire to place crooked gun dealers in prison. Several went there last year, among them Michael Shine of San Francisco, who, as far as the public knew, merely ran a store called the Sequoia Importing Company. Special Agents, however, dug up the information that Shine's best source of revenue seemed to come from inveigling soldiers to steal weapons and ammunition for sale to the underworld. A long period of surveillance followed. At last the man was caught with more than 4000 rounds of .45 calibre bullets; the most popular type of machine gun cartridge. These had been stolen from Fort Winfield Scott. The soldier involved was court-martialled. Shine and three of his confederates received prison sentences ranging from a year to three years and six months.

This chase after guns and those who sell them goes on relentlessly, even though such a search may mean a nation-wide investigation. A machine gun was left behind during the flight of a midwest gangster. The numbers had been removed by placing the gun against an emory wheel and cutting deeply into the steel. Nevertheless, the Special Agents began the methodical checking that was to lead half around the nation.

That method of spreading out is one thing which makes the Division of Investigation different from any other law enforcement agency. This case began in St. Paul, Minnesota. The Special Agent wrote his report, at the end of which he typed:

"Undeveloped Leads: Washington will restore numbers on machine gun barrel."

Washington immersed the gun in acid. The abrasion was deep. Hour after hour passed, with no results. Finally, at the end of half a day, there were the numbers, almost as clearly as the day they were stamped. So Washington, having finished its work, wrote a report which became a part of the one from St. Paul, adding its undeveloped leads as revealed by the restoration of the gun numbers.

Now a Special Agent in another part of the country checked the records of the manufacturer. They showed the shipment of fourteen machine guns for legitimate purposes to a Texas city. Again was there an undeveloped lead: why had this gun, sold legitimately, reached a criminal?

A Texas Special Agent took up the hunt. The legitimate source revealed that all fourteen guns had been stolen. Now the undeveloped leads went back to St. Paul, that the movements of every member of the outlaw crew be traced back through the time of the theft to these machine guns. This brought out other undeveloped leads in a dozen cities, where questioning established the presence of this particular gang of criminals at various times. Every gun shop was investigated. Finally, in a place some six hundred miles from the point of theft, where one of this gang had committed a murder, an unlicensed gun dealer was apprehended. It was established that he had handled five of these fourteen machine guns, selling them to the gang in question. Thus, by passing a case along,

from city to city, Special Agent to Special Agent, in the end each became an integral part of an investigation that led not only to the source of crime guns, but to prosecution.

This chasing of facts by Special Agents applies also to the the modus operandi files now being built up for major crimes, wherein are listed the quirks of criminals. For instance, in the kidnapping of Charles Boettcher II in Denver, Colorado, certain characteristics stood out. Boettcher was held up at his garage door, then walked to a small, dark sedan where his eyes were bound with adhesive tape. As the kidnappers drove away, they handed Mrs. Boettcher a note. In captivity, the victim was forced to write letters pleading with relatives not to notify the police and to pay the ransom. The money was to be brought out on an open road, in a car running about thirty miles an hour and travelling the road at a certain time. It was to keep going until a like signal was received from a parked car. Then the money was to be tossed out and the ransom automobile continue on its way.

Special Agents checked every one of these points. Then they started after the kidnappers of not one man but two. For this modus operandi showed by its similarity of characteristics that the same gang also had been the kidnappers of Haskell Bohn, in St. Paul, Minnesota. More the point was proved when Verne Sankey, and several others were arrested. Sankey killed himself, his conspirators were convicted.

The modus operandi file is neither an invention nor a new conception. The theory has been in use for many years

in Europe. In America, one of its foremost proponents was August Vollmer, widely known criminologist and then Chief of Police of Berkeley, Calif. where he brought modus operandi sharply to the attention of law enforcement agencies. In one case, the Division of Investigation played its part in a startling example of what can be accomplished by an accurate knowledge of criminal methods.

For several years there had been an epidemic of seasonal burglaries in Berkeley. For a certain part of the year, the city would be comparatively free from theft. Then suddenly, night after night, the telephones of police headquarters would jangle to the warning of news concerning a new set of depredations.

Special patrols of detectives and plain clothes men were sent to various districts -- only to find that the burglar had operated in another part of the city. Then suddenly, as quickly as the burglaries had begun, they would cease, and all would be peace again.

Chief Vollmer had kept an accurate check of the modus operandi in every case. In each instance, there were evidences which made him believe that the robberies were being committed by the same person. Beyond this, there was the fact that the depredations inevitably began at a particular time of the year, and ended after a regular period. At last, a latent fingerprint, the first real clue, was found.

Chief Vollmer caused a canvass to be made, during

which time, his detectives ascertained that about thirty persons in Berkeley regularly arrived in the city at a certain period of the year which corresponded to the beginning of the robberies, and left about the time the thefts ended. The names of all these persons were procured. These, together with the one latent print, Mr. Vollmer forwarded to the Identification Unit of the Division of Investigation.

This was a case utterly unlike that of the Fleagle gang described in a previous chapter. There a latent print was forwarded with nothing to give a clue to its ownership. In Chief Vollmer's case, there were thirty names, affording a possibility that one of these might be the guilty person.

A search thereforewas begun in the files, working from the names of recorded persons instead of from the classifications of the ten fingers as is customary. Name after name proved fruitless. Finally an expert pulled the card of William Berger whose name corresponded to that of a man who, according to Chief Vollmer, periodically left ~~him~~ Berkeley with the Alaskan Fishing Fleet, by which he was employed. This was the burglar. A comparison of the fingerprints of the middle fingers of each hand, as left behind at the Berkeley robbery, with the middle fingers of the prints on the card of William Berger ex-convict 27,372 from San Quentin, showed them to be identical. A telegram shot forth to Chief Vollmer. Berger's house was put under surveillance. Shortly afterward, the burglar was killed, while attempting to escape arrest.

Even beyond the modus operandi files are others, a

centralized flare-back to the old methods of the Rogue's Gallery, now efficient because they can be bulwarked by finger-print files, investigation and science. This is the "general appearance" section.

The First National Bank of Marlton, N.J., was robbed by a quartette of holdup men. Three of the robbers were known and captured. The fourth got away and could not be identified. Blocked, the local officers sent his general description to Washington.

Mysterious appearing cards with a multiplicity of punch marks came forth to be run through the machine, some four hundred of the toal of ten thousand public enemies. Of the four hundred, the machine discarded all but 29. The technical expert then went to a photograph file, where no names appear, only pictures and numbers. He picked the 29 photographs which matched the numerals of the cards selected by the machine. These were sent to New Jersey. One was identified as the missing robber.

The efficacy of the system was shown when the number of the photograph was checked against name and address. He was a gangster living in the nearby city of Philadelphia. Nor was he waiting there to protest his innocence. Even gangsters these days know- when to run.

But in running, that gangster must observe one inviolable rule. He must not make a single mistake that will bring him into the hands of police anywhere in the United States

For then his fingerprints will be taken and forwarded to Washington, where, in the Identification Unit, there awaits a pink slip, clipped to his fingerprint file. It bears only one word:

"W A N T E D !"

I do not know what will happen when this man is captured and taken back to New Jersey. Perhaps the Marlton officials will stand on the Identification -- perhaps there will have been confessions that will aid in the attempt to convict the suspected man of bank robbery. But I do know the procedure if the prosecution falls under the work assigned to Special Agents under laws passed last year by Congress and giving Federal authorities jurisdiction in National Bank Robberies.

The photograph, the description and even the identification will count for nothing until a long procedure is undergone. Even a confession must be proved to the satisfaction of Special Agents. Too long ago, it was learned that all these things, unless substantiated, can be false.

The suspect's life will be checked in its every phase. His movements will be recreated. The amount of money he spent will be determined, and if possible in what amounts. His every action on the day of the robbery will be gone over, an action as far to the man's defense as to his prosecution. Even before the suspected man has a chance to detail a possible alibi to his attorney, Special Agents will have satisfied themselves as to whether he had an alibi. When all these

things are done, then will they be ready to prosecute. That is why only one man out of twenty walks out of the courtroom free, once the Division of Investigation has started a prosecution.

A FOREWORD

By

J. EDGAR HOOVER, DIRECTOR,

DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE.

The great problem of a law-enforcement officer is not that of apprehending the men and women who have offended against the statutes of our country. The difficulty lies in reaching a position from which capture is possible.

It is one thing, for instance, to view the fiction picture of a crime chase. There, capture and punishment are inevitable once the proper clue is found. Real life, unfortunately, presents an entirely different story.

Here, a barbed wire entanglement of various factors confronts the man who would hunt down a criminal. Primarily, there is the mass of politics, ranging from the vote-getting influence of a resort owner, which sometimes encompasses life and death, to the man who controls the election destinies of a crime-ridden city. There is the impediment thrown up by well-meaning but non-thinking folk who believe that crime is none of their business, and that it is not their duty to aid those entrusted with the task of law-enforcement. There is the morass of ineffectual laws, many of them created in legislatures by those directly concerned with the fortunes of the criminal. There is the innate urge of human nature to picture the criminal in the role of a hero and his pursuers as powerful villains, when the reverse often is true.

To all this must be added the codes of the underworld, demanding that each enemy of society give aid to the other. There is the uncertainty of punishment, once the cases have reached court, and the definite knowledge that

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even a supposedly heavy prison sentence in reality may amount to only a trifling time spent behind bars.

There is the vast maze of hide-outs, tuck-aways, apartments, hoodlum hotels and hoodlum camps where wanted men may be sheltered for a price and no one be the wiser. There is the tremendous array of crime-supporters, the hangers on who live by pandering to the most vicious enemies of society. And there are the attorneys criminal who not only aid, abett, solace and strive to free the law violator after he is caught, but who often advise him, consort with him and sometimes plan the getaway by which he can avoid being caught. All this is a primary barrier; a handicap which too many honest persons take for granted. Once a law-enforcement officer has struggled through this, he may take up what should be the only true problems of a criminal's pursuit and apprehension.

It is not for me to say what is being accomplished by the Division of Investigation of the United States Department of Justice. I can only tell its aims---and those are to attempt to point the way to a better order of law-enforcement. If our methods are successful, then it stands to reason that they should be successful in greater or lesser degree in all phases of detection and apprehension.

It must be understood that the work of this Division does not signify an attempt to usurp the law-enforcement powers of State, County, or city. There is nothing which can take the place of local forces properly equipped to deal with local crime. However, day by day, crime is laughing at localities. I have in mind an instance in the life of the unlamented John Dillinger, who left a hide-out in Florida one day, robbed a bank in Indiana the next afternoon, tucked a wounded comrade away in a hide-out apartment in Chicago the day following and within twenty-four hours was carousing with his gang in Tucson, Arizona.

To combat such mobility, there must be an equal flexibility of pursuit. This can be accomplished only through absolute coordination of Federal, state and local enforcement agencies, all working to a common purpose and all properly equipped for a grim battle. To this end, the aims of the Division of Investigation are dedicated. The achievement of that result can only be accomplished by a thorough public understanding of this problem and a concerted public opinion which will not tolerate the stagnating influences that so often hamper the thousands upon thousands of honest officers who give long hours of arduous, ill rewarded labor, and sometimes their lives in an effort to combat the protected criminal.

Therefore, I am most happy that Mr. Courtney Ryley Cooper has chosen to tell the story of crime as it exists in America and the efforts of the Division of Investigation to outwit and punish the violators of laws which come within its jurisdiction. Certainly, to my mind, there is no writing man more thoroughly equipped for this task. His interest in the Division of Investigation long antedates the spectacular events which, within the last few years, have brought this enforcement arm more fully into public view. His knowledge of the inner workings of the Division, his personal acquaintanceship with its wide-flung personnel, his familiarity with the methods, aids and purposes are on an equality with that of men who actually form its staff.

Beyond this lies a quarter of a century of studious interest in the crime problem. Naturally, in that length of time, Mr. Cooper has gained opinions which are distinctively his own. It is natural also that there should

arise the differences of viewpoint common to any two men who view a problem from the tense standpoint of actual contact. But in the main, I endorse the deductions which his various studies have produced, and I look upon him as one of the best informed writers on this subject in America.

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Many times, late at night, I have gone home from a long day beset by many doubts. I have wondered for instance, what would happen, if the real people of America could have laid before them the truth about criminality and its many allies. What would be done if the inefficiency which their own inattention has brought about, could be revealed to them, what searching would follow if they realized that in their towns, perhaps in their very neighborhoods, there existed the roots of thistremendous criminal growth which sucks at the strength of our well being. I have wondered if they understood how many times a day they actually rubbed elbows with crime, and what they would do about it if they did know.

It is not for me to say what is being accomplished by the Division of Investigation of the United States Department of Justice. I can only tell its aims---and those are to attempt to point the way to a newer order of law-enforcement.

If our methods are successful, then it stands to reason that they should be successful in greater or lesser degree in all phases of detection and apprehension. ~~If this Division can be of aid to local and State agencies, then indeed it has traveled far.~~

~~Beyond all else,~~ it must be understood that the work of this Division does not signify an attempt to usurp the law-enforcement powers of State, County, or city. ~~That, beyond all doubt, belongs to the place of its nativity.~~ There is nothing which can take the place of local forces properly equipped to deal with local crime. However, day by day, crime is laughing at localities. I have in mind an instance in the life of the unlamented John Dillinger who left a hideout in Florida one day, robbed a bank in Indiana the next afternoon, tucked a wounded comrade away in a hideout apartment in Chicago the day following and within twenty-four hours was carousing with his gang in Tuscon, Arizona.

To combat such mobility, there must be an equal flexibility of pursuit. This can be accomplished only through absolute coordination of Federal, state and local enforcement agencies, all working to a common purpose and all properly equipped for a grim battle. To this end, the aims of the Division of Investigation are dedicated. The achievement of that result can only be accomplished by a thorough public understanding of this problem ~~by the upright citizenry of existing problems~~ and a concerted public opinion which will not tolerate ~~wipe away~~ the stagnating influences that so often hamper the thousands upon thousands of honest officers who give long hours of arduous, illy rewarded labor, and sometimes their lives in an effort to combat the protected criminal.

Therefore, I am most happy that Mr. Courtney Ryley Cooper has chosen to tell the story of crime as it exists in America and the efforts of the Division of Investigation to outwit and punish the violators of laws which come

within its jurisdiction. Certainly, to my mind, there is no writing man more thoroughly equipped for this task. His interest in the Division of Investigation long antedates the the spectacular events which, within the last few years, have brought this enforcement arm more fully into public view. His knowledge of the inner workings of the Division, his personal acquaintanceship with its wide-flung personnel, his familiarity with the methods, aids and purposes are on an equality with that of men who actually form its staff.

Beyond this lies a quarter of a century of studious interest in the crime problem. Naturally, in that length of time, Mr. Cooper has gained opinions which are distinctively his own. It is natural also that there should arise the differences of viewpoint common to any two men who view a problem from the tense standpoint of actual contact. But in the ~~great majority~~ main, I ~~heartily~~ endorse the deductions which his various studies have ~~brought about~~ produced, and I look upon him as one of the best informed ~~men~~ writers on this subject in America.

From Courtney Ryley Cooper Hay Adams House Washington, D.C.

A FOREWORD

By

J. EDGAR HOOVER,

DIRECTOR, DIVISION OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

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The great problem of a law-enforcement officer is not that of ~~catching~~ apprehending the men and women who have offended against the statutes of our country. The difficulty lies in reaching ~~which have been devised for the peace and happiness of this county. It is to reach~~ a position from which capture is possible.

It is one thing, for instance, to view the fiction picture of ~~ozxz~~ a crime chase, ~~where~~ There capture and punishment are ~~the~~ inevitable ~~punishment of law infraction~~ once the proper clue is found. ~~There is quite a different story in real life.~~ Real life, unfortunately, presents an entirely different story.

Here a barbed wire entanglement of various factors ~~enfronts~~ confronts the man who would hunt down a criminal. Primarily, There is the maze of politics, ~~for instance,~~ ranging from the vote-getting ~~xxxxx~~ influence of a ~~man who owns a speakeasy to the extreme night club or resort~~ resort owner to the vast power, which sometimes ~~amounts almost to that of life and death in some cases, belonging to~~ encompasses life and death, belonging to the man who controls ~~the destiny~~ the election destinies of a crime-ridden ~~a~~ city. There is the sodden impediment ~~which is~~ thrown up by well-meaning but non-thinking ~~w~~ folk who believe that crime is none of their business, and that it is not their duty to aid those entrusted with the task of law enforcement. There is the morass of ineffectual laws, many of ~~which have been~~ them created in legislatures by those directly concerned with the welfare of the criminal. There is the ~~desire to~~ innate urge of human nature to ~~revere~~ applaud those who fight against odds, always creating the criminal in the role of a hero and his pursuers as powerful villains, when the reverse often is true. ~~Again Added to this~~

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To all these must be added the codes of the underworld, enemy of society, demanding that each give aid to the other. There is the uncertainty of punishment, once the cases have reached court, and the definite knowledge that even a supposedly heavy prison sentence may in reality amount to only a trifling time spent behind bars.

There is the vast maze of hide-outs, tuck-aways, apartments, hoodlum hotels and hoodlum camps where wanted men may be sheltered for a price and no one be the wiser. There is the tremendous army of crime-supporters, the hangers on, who live by pandering to the most vicious enemies of society. And there are the attorneys criminal who not only aid, abett, solace and strive to free the law violator after he is caught, but who often advise him, consort with him and sometimes plan the getaway by which he can avoid being caught.

All this is a primary barrier; a handicap which too many honest persons take for granted. Once a law enforcement officer has struggled through this, he may take up what should be the only true problem of Criminal's pursuit and apprehension.

Many times, late at night, I have gone home from a long day beset by many doubts. I have wondered for instance, what would happen, if the real people of America could have laid before them the truth about criminality and its many allies. What would be done if the inefficiency which their own inattention has brought about, could be revealed to them , what searching would follow if they realized that in their towns, perhaps in their very neighborhoods, there existed the roots of this tremendous criminal growth which sucks at the strength of our well being. I have wondered if they understood how many times a day they actually

rubbed elbows with crime, and what they would do about it if they did know.

It is not for me to say what is being accomplished by the Division of Investigation of the United States Department of Justice. I can only tell its aims---and those are to attempt to point the way to a newer order of law enforcement. If our methods are successful, then it stands to reason that they should be successful in greater or lesser degree in all phases of detection and apprehension throughout the country. If this Division can be of aid to the local and state agencies, then indeed it has travelled far.

Beyond all else, it must be understood that the work of this Division does not signify an attempt to usurp the law enforcement powers of state, county or city. That, beyond all doubt, belongs to the place of its nativity. There is nothing which can take the place of local forces properly equipped to deal with local crime. However, day by day, crime is laughing at localities. I have in mind an instance in the life of the unlamented John Dillinger who left a hideout in Florida one day, robbed a bank in Indiana the next afternoon, tucked a wounded comrade away in a hideout apartment in Chicago the day following and within twenty four hours was carousing with his gang in Tuscon, Arizona.

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With this background I believe it inevitable that this volume should possess importance for every good thinking citizen. That its authenticity might not be impaired in any degree, sources of information and reference have been opened,

~~available~~ to Mr. Cooper which hitherto have been ~~confined~~ available to few individuals indeed.

John Edgar Hoover.

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CHAPTER NINE.

An escaped convict from a state prison was picked up recently by local police on the Western Coast. His finger-prints were taken as a matter of routine and in the same workings of that routine a telegram flashed back from Washington that he was to be held for the warden of a midwestern prison as an escape.

The man was a life-termer, who had gone over the wall. Inasmuch as the state of his incarceration had no laws providing for the death penalty, he could boast of his exploits after having left the penitentiary. Among other crimes he had committed in that state following the break was the murder of an aged farmer for purposes of robbery. Then the slayer made a strange statement.

"I guess I could have gotten a lot more money if I'd wanted it. I had a chance to steal a mail sack that I was pretty sure had plenty dough in it. Then there was a little National Bank I could have kicked in without any trouble. But I thought I'd better lay off -- those were government jobs."

Apparently here was an utter lack of reasoning. Either of these possibilities for money could have been accomplished with ease and no necessity for taking human life. Yet this criminal had chosen to commit a murder rather than set government agents on his trail. An utter inconsistency

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on the surface, this is the reasoning followed by the majority of lawbreakers.

I have deliberately eliminated the name of the convict, and the name and location of the prison for the reason that in setting forth this murderer's viewpoint, there seems no need to fasten the blame upon one community when the general aspects are so prevalent in many parts of the United States. The convict discussed certain matters freely; he was secretive however, about the prison break.

"I was a little desperate right then or I wouldn't have gone over the wall," he explained. "We won't talk about any part of that."

For this man to "go over the wall" it was necessary ~~for him~~ to get out of his cell, to walk the entire length of the cell block, go through heavily barred doors, travel down another corridor, emerge through other heavily barred doors and finally make the prison yard. Having reached here, he crossed a wide space which is supposed to be clearly lighted at night, then, standing some distance from the prison wall, made several attempts before he finally succeeded in throwing a long rope equipped with a grab hook over the top of the wall so that the hook caught against the stone, thus giving a purchase by which he could climb the rope. The wall at this prison is thirty-five feet high, necessitating a climb of that distance on one side and an equal drop on the other. The report from the penitentiary insisted that he jumped this distance

and disappeared into a field, unhurt. Thirty-five feet is equal to three stories of an average building, so that anyone with ordinary brains can decide for himself whether or not the prisoner jumped. The part of the prison wall which he climbed was midway between ~~Tower Number 2 and Tower Number 3~~ two towers, lighted by flood lights and guarded by men in each tower who were supposedly excellent shots. In the investigation which followed the escape, they testified that they saw the man cross the prison yard, throw the rope over the wall and start to climb; that they shot repeatedly at him both while he crossed the yard and while he climbed the wall, but that he moved so swiftly, they could not hit him. The next time you attend a circus, take note of the length of time it requires for the aerialists, highly trained athletes, to ascend the rope ladders to their trapezes. Then decide for yourself whether those guards lied.

The inner guards testified that the man hid when the prisoners were being counted in to their cells that night, that he later appeared and cowed them with a revolver. Then with his rope he crossed the yard and got out. So now:

The prison siren, wailing its eerie news of an escape, did not sound until after the shooting began. One naturally wonders how long the guards waited after the prisoner had "jumped" that thirty-five feet before they began firing. One also wonders:

How did the convict hide when he was being counted in? Guards are supposed to walk the line of men and see that each

is in his doorway. They are supposed to watch the convicts step into their cells and the doors close behind them. They are supposed to inspect all the walks and corridors and be sure they are clear. They are supposed to guard against the possession of a gun. They are supposed to signal an alarm at the first opportunity in event of a break. And certainly a group of sentinels who cannot hit a man climbing thirty-five feet hand over hand is not competent to guard the walls of any penitentiary. The possession of the rope and the three-pronged grab hook must be filed with the mass of other interesting information about what goes on in some penitentiaries. However, enough of this for the moment; there is much to tell of prison escapes in the recital of the great Leavenworth break which is to come in a later chapter. These few reflections are merely cited to explain why this particular convict did not care to dilate upon the manner of his leaving.

Reverting to his statement that he was desperate, the explanation lies in the fact that this particular prison, like some others, is filled with life termers who are not at all despondent. Each of them knows that his chance of serving a life term is not one in a thousand. The paroles from this state run to an enormous figure. The pardons are almost as numerous. Christmas and Thanksgiving send a perfect flood of murderers, bank robbers, thieves, cut-throats and all-round brigands back to their old lives of law-breaking. It is not at all unusual for a man serving a long term to receive a

sixty-day furlough of freedom upon nothing more than an application citing "business reasons". For that matter, in another state three men who were serving long terms as thoroughly desperate criminals got time off to go fishing -- and they didn't come back. Another desperado recently was given a "leave of absence" so that he could go quail hunting; his pictures were in the newspapers when, as a guest, he attended a barbecue and calf branding. In several other states, hordes of convicts are given Christmas and sick leaves by which they can go home and visit their families; again I refrain from using names for the simple reason that these abortions of justice are potentialities in so many states that a listing would be monotonous. The autumn tours by prison football teams is a matter of public knowledge. It is not so well known that various penal institutions take great pride in the travels of their prison bands. I remember one of several years ago rather vividly; I listened to the concert and observed the warden's dumb amazement that one of his boys should be so thoughtless as to walk out on him, leaving the band without an excellent trombone player. The crime for which this inconsiderate soul had been incarcerated was the murder of his wife, accomplished by the rather neat expedient of burning her alive in a furnace.

The proportion of convictions in these states runs about equal to the number of men who evenserve out three quarters of their sentences, which is an exceedingly small number. In many communities, not more than thirty persons out of ever

hundred are sentenced for the violations with which they have been charged. Therefore, when a man of crime surveys his field of operations, he takes all these facts into consideration. He knows that he possesses a tremendous advantage in committing a state crime, firstly for the reason that he has a greater chance to escape. Secondly, if sentenced, he will go to a state institution the administration of which is as good or as bad as the state's politics. Thirdly he knows that before this can happen there must be a trial in which he has the advantage of family influence and the aid of many citizens who have known him as a "nice fellow" and who would hate to get on a jury and send him to prison since they later must face the man's relatives and sometimes even lose a little business. Lastly there is the power of his attorney, exerted through lines of local politics and acquaintanceship. Let me interpose the viewpoint of another escaped convict as revealed through an intercepted letter written while he awaited extradition proceedings to return him to prison:

"Dear Lee and Tommy:

> Hope you received the letter I wrote you and also hope something can be done for the cause. I was thinking you could get to some one of influence and standing to front for me before the District Attorney or at least keep him from adding another nickel to my present five years for that runaway I pulled from ----------. There may be a possibility of even saving some of my good time if the right kind of pressure is applied. Maybe somebody like Senator--------- or Representative --------- or --------- could do some good.

"Between you and me, I had to take it on high from ---------- because some stuff in ---------- was about to come up against me and if I didn't take sudden action the holds would have been put against me and I'd have been shipped back to the main joint and the raps would have been waiting for me when I finished my bit."

This jargon means that the man had been at a prison camp from which he escaped to avoid being returned to the main prison where a detainer was about to be placed against him, holding him on other charges from another state at the conclusion of his present sentence. His letter continues:

"So I took advantage of my position and went up there and got those charges dropped, and while I was out, of course, I figured on making some dough and had something sweet lined up that would have netted me between $75,000 and $100,000. I was going to take you in on it and give you my connection through my mouthpiece in ----------, he is ----------'s partner there. Mr. ----------, you know, is Judge ----------'s son-in-law; the Judge sits on the bench in ----------.

"Well, to get back to my story; I had things pretty well planned; Charlie and I got together and planned to take care of a few little deals downstate and then we were going to consult you boys on the main issue and count you in if it looked O.K. Too bad someone had to finger me while I was in town because my plans are quite altered now for a few years at least. Write me whenever you get a chance, either to my wife at ---------- or to my lawyer."

Let us dissect this letter. The names are deleted because they are ones of supposedly respectable, honest, high-minded servants of the people -- and after all, this is a letter from a convict, which blandly refers to the following aims and accomplishments:

An effort to obtain the services of supposed representatives of the people in an attempt to defeat justice.

A prison escape evidently accomplished by someone who gave him an opportunity which might not again present itself.

The bribing of persons in power, while a fugitive from justice, to bring about the dismissal of charges in another state.

To embark upon a new series of crimes and assemble his pals for the commission thereof through the efforts of an attorney, employed by criminals because he is the partner of a judge's son-in-law.

Finally, an abjuration to write to a relative or to the attorney above mentioned so that letters would reach him in prison through underground channels and thus be uncensored.

If this letter does no more, it displays the canniness with which a crook plans his law infractions, especially as regards prosecution and punishment. The first escaped convict committed a murder which was a state offense. In doing so, he risked no added punishment because he already had been sentenced to life imprisonment. Moreover, in the state where he was incarcerated, it is as easy to obtain clemency after two convictions for murder as for one. He therefore, as concerned punishment, committed no crime whatever by bribing guards, escaping from prison and then killing a man. But he was careful to avoid offending the peace and dignity of the United States government.

Only one condition brings about this viewpoint -- the

surety of apprehension and retribution. In a way, with the Federal forces, these go together. Federal courts, presided over by men who have no fear of their jobs and selected after a lengthy investigation of their careers, their affiliations and their ability, possess an excellent reputation for fidelity to the principles of justice. Governmental agents, now that the disgrace of prohibition no longer exists, are faithful to their trust. There are no scandals, for instance, in the Postoffice Inspection Division, or the Secret Service. The Narcotics Division is rigorous in its demands upon the men who seek to eradicate the dope menace in America. The various border patrols are, as a rule, free of contamination, and at least one of them, the Border Patrol of the United States Immigration and Naturalization Service, is being rebuilt along the same lines which have been so successful in Mr. Hoover's Division. The record of this latter is a model which can well be patterned after by every well meaning law enforcement agency in the country.

The Division of Investigation follows the precepts of relentlessness, persistence and a determination that not one fact, no matter how small, shall be overlooked in its inquiry into a crime. Somewhere in every case, Mr. Hoover believes, there is a black spot which prevents it from being a perfect crime. This black spot may be the lack of an alibi, it may be a fingerprint, it may be a fad or a foible of the accused person which leads to his apprehension, or it may be

a tiny link such as was presented in what is known as the case of the Economy Wholesale Grocery. This involved one John Orofino, who, with Joseph Randazzo and Rosalino Saputo, evolved a dream of an illegitimate fortune.

They formed the Economy Wholesale Grocery and Baking Company in Toledo, Ohio. This done, they bought in tremendous lots, through fraudulently established credit. After hundreds of thousands of dollars in merchandise had been shipped to the concern, and creditors were pressing for payment, a funeral wreath appeared on the door, with the notice that owing to the death of a partner, the building would be closed for five days.

This caused an investigation. The Credit Men's Association obtained a court order to admit them to the building. It was empty. The thousands of dollars of stock had disappeared; so had Orofino, Randazzo and Saputo. The National Bankruptcy Act had been violated, so the Division of Investigation was called into the case.

Special Agents began a difficult job. Employes suddenly had been struck dumb. Books had disappeared. It was found that carload after carload of merchandise had been shipped to Watertown, N.Y. whence it had disappeared, as well as all other clues. The case seemed dead, beyond the fact that two of the subjects Randazzo and Saputo had fled to Italy where they were safe from extradition.

Herein is presented an excellent example of the difference between the workings of a local law enforcement de-

partment and one under the guidance of the United States Government. Had the local police ~~of Toledo~~ been the only ones assigned to this case, its investigation perforce would have ended with the knowledge that the Economy Wholesale Grocery and Baking Company had been able to conceal its shipments.

For the local ~~Toledo~~ force to have followed this case, a minimum of two detectives would have been necessary on a hundred chases after false clues. Only persons familiar with the setup of the original company were qualified to examine these clues and report upon them. Therefore, the city of Toledo would have been put to the extraordinary expense of sending men to Portland, Ore., Chicago, New Orleans and fully fifty other cities in an attempt to identify stolen goods -- all of which would have been useless, inasmuch as all the shipments had been carefully concealed and sold through an array of fences before investigation truly began.

In the Division of Investigation, however, the knowledge of a case does not rest at the point of origin. Every one of the thirty field offices are fully cognizant of all circumstances, especially if the chase be one of import. New Orleans knows as much about it as New York, and San Francisco as much as Chicago. This is brought about through a system of reports made out by each city in which investigation occurs, and elaborated by other cities as the occasion arises, as was explained in the chase of the stolen machine guns. Therefore, when distant leads developed in the Orfino case, the Special

Agents who worked upon them were as fully qualified as though they had taken part in the original investigation in Toledo. One day, six years after the original failure of the Economy Wholesale Grocery and Baking Company, the Detroit office suddenly became the center of much interest in the missing Orofino.

It was five-thirty o'clock in the morning. Patrolman John Jackson of the Detroit Police force swung his club as he walked down a dingy warehouse street and passed a building occupied by the International Wholesale Grocery Company, run by Joseph Caruso and Samuel Cantalamotta. Suddenly the earth rocked. The patrolman staggered from the impact of a terrific explosion. Then, as he saw the sweep of smoke and flame from the windows and roof of the building, he hurried for a fire box and turned in an alarm.

The fire department worked swiftly -- so swiftly in fact, that evidence was discovered which showed conclusively that the fire had been a "touch off", begun by the explosion of a keg of powder which in turn had ignited trailers of rags and newspapers leading to open barrels of gasoline. A second discovery was that there was no stock in the building -- the place contained bare walls and nothing more. Here was another violation of the National Bankruptcy Act with seemingly no connection, however, to the Toledo affair.

Nevertheless, Special Agents throughout the United States had for six years regarded every suspicious appearing business action as a potentiality in the Orofino case. With

the International fire, Detroit Agents began an immediate checking process. Caruso and Cantalanotta were easily found; it was evident that they were mere figureheads. The brains seemed to rest with one Thomas Toti the general manager who had disappeared.

The books were examined, every record, every scrap of paper. Finally upon a warehouse receipt was found the signature of Toti, which, compared with the signatures in evidence on other bankruptcy cases, showed a remarkable similarity to that of John Orofino. The two samples were submitted to a handwriting expert and declared identical. The chase for John Orofino of the Economy failure therefore was hot again.

The usual procedure of investigation followed. The life of Thomas Toti was dissected and compared against that of John Orofino. His habits were gone into, his likes and dislikes. Special Agents now trailing Toti and Orofino as one man gained the names of clubs to which the quarry had belonged under either name. They went into family history even to the addresses of distant cousins. They gained a knowledge of associates, likes and dislikes in reading, in amusement, in food, in athletics. They looked up any possible insurance policies for what information they might reveal. They checked on persons to whom the fugitive had been in the habit of writing.

They interviewed tradesmen. They enquired the wanted man's preferences regarding automobiles, clothing, hats, shoes, cigars, cigarettes, candy and motion pictures. They

talked to neighbors and even to persons who knew those neighbors, searching for some one fact which might lead on a straight trail to their man. Finally they learned that John Orofino's son had been missing for some time.

This seemed inconsequential, especially since all of John Orofino's family had disappeared with him. Nevertheless a new chase began. The same process was gone through -- questioning of intimates, acquaintances, habitues of the places where that son had frequented. At last someone said he believed the son had been sent to prison for stealing an automobile.

The prisons were searched. The name of Orofino did not appear. Then a comparative quest was made to match a photograph which the Special Agents had obtained. That is a rule also -- to obtain all possible pictures. At last daylight dawned. Paul Grana, serving time in Atlanta Penitentiary, was the missing Orofino's absent son.

His answers to questions were evasive. The Special Agents did not persist, but sought the prison records and found that he wrote often to a Mrs. Cauto at an address in Detroit. The Special Agents went there. No, the motherly Mrs. Cauto never had heard of anyone called Orofino. She was just a friend of Paul Grana, that was all.

So the Special Agents searched the real estate records, and there found the lead they wanted. The Cautos had bought this house. They had moved here from an address on East Congress Street, where they had lived for years, even while the head of the family was operating in another city.

The records of the East Congress Street address showed the occupants to be the family of John Orofino. A week later, the six-year fugitive tried to sneak home to see his wife. The Special Agents and police grabbed him and took him to jail. After a time, he decided, in the parlance, to "blab". So John Orofino and Joe Caruso and Sam Cantalonetta went to jail, and the mystery of the Economy Wholesale Grocery and Baking Company was ended, due to diligence, persistence and the fact that government agents are enabled to work as though the United States were only a city and the officers merely stationed in different wards.

Again in the case of the ~~D'Autremont~~ De Autremont Brothers, there is an illustration of how Special Agents anywhere, may take up a trail on an instant's notice as efficiently as though they had worked on the case since its inception. The D'Autromonts were the Public Enemies Numbers One of their time -- a designation which comes about through the fact that they were twins.

(To be carried thru Just)

On the night of October 11, 1923, southbound Southern Pacific passenger train Number 13 pursued its writhing course through Oregon mountains en route to Los Angeles. On the right side of the cab was Sid Bates, one of the oldest and most reliable engineers on the division; his fireboy was young Marvin Seng. In the mail coach, E. E. Dougherty, the postal clerk, worked at the long racks of yawning bags; the train had just pulled out of the small station of Siskiyou, Oregon, and there was southbound mail to sort for destination. Like a

person tossing rings at a knife board, Dougherty stood before the double rack, one hand full of letters, the other speeding the individual missives into the bags which later would be directed east and south from the transfer office at Los Angeles.

There was grade here; the blasts from the engine stack were deep-throated and coughing; the train moved more slowly as it approached Tunnel 13 -- this double appearance of thirteen in one of the West Coast's major railroad tragedies has caused many a roundhouse argument about superstition.

Out of the darkness of the tunnel, two young men suddenly caught the grab rail of the engine ladder and clambered swiftly to the gangway. Bates turned from the throttle with the knowledge that someone was behind him; he stared into the menace of drawn revolvers.

"Pull 'er down to a stop!" a bandit commanded. "Just inside the other end of the tunnel."

Obedience was necessary; both the engineer and fireman faced death. The train stopped at the tunnel mouth; here a third man was waiting. In his hands was a shotgun; beside him was a collection of dynamite sticks, capped and attached by a long wire to a blasting machine.

The unusual stop brought curiosity to Dougherty, the mail clerk; hurriedly he went to the half open door to investigate. Instantly the bandit raised his shotgun and fired, the charge ripping past Dougherty's head but not striking him. Instinctively the mailclerk recoiled and with a mechanical ac-

tion, pulled shut the door of the mail car, locking it. The man outside shouted for him to open up. Dougherty refused.

"You'll open up all right," the bandit answered. He ran forward and placed the charge of dynamite under an end of the car. Then returning he pushed the plunger of the blasting machine. Instantly there was a roar of detonation; the heavy mail car rose at one end and seemed to poise for a moment trembling before it settled again, one end a mass of wreckage and the body of Dougherty within so badly mangled that identification was later possible only through the metal tag he wore on his wrist.

Now the tunnel was thick with gas and smoke. It was impossible for the bandit to enter the car. He shouted to his two comrades who still held the engineer and fireman powerless.

"We'll uncouple this car and pull 'er out of the tunnel."

Just then a brakeman appeared, his lantern winking an irregular course along the train. The two bandits in the engine cab saw him approaching and took no chances. Their guns flamed. The brakeman fell dead.

"Uncouple that car and let's get going!" the two bandits called to their comrade. The third outlaw leaped over the body of the dead brakeman, squeezed between the cars and performed his task. Guns pressed close to the fireman and engineer.

"Take that baggage car into the clear!"

The engine crew tried to obey. But pistons shuttled and drive wheels spun in vain to the heavy pressure of steam

as the engineer shoved his reverse lever into position and opened the throttle. The explosion had derailed the mail car; it could not be moved.

The three bandits now truly became madmen. Their ghastly plan had miscarried; with flight before them they paused only long enough to kill the defenseless engineer and fireman. Then they leaped from the train and the trio disappeared into the thickness of surrounding forests.

The manhunt which followed was one of the most widespread in the history of America. Sheriffs, police officers, postoffice inspectors and the Division of Investigation all joined in a concerted effort to catch the bandits. At last their abandoned hideout was discovered, deep in the Siskiyou forest; the men, of course, were gone. An effort had been made to burn everything which would give a clue to their identity. One piece of evidence, however, had been overlooked. A pair of overalls had been left behind and in one of the pockets was found a money order receipt which had been issued to a man named Hugh D'Autremont who lived nearby. Investigation then disclosed that Hugh and his twin brothers, Ray and Roy had disappeared about the time of the train holdup.

Here the Government had an opportunity to display what is truly meant when a criminal says that "the Old Guy With the Whiskers" never gives up. In addition to all the local aid in this case, plus the efforts of railroad operatives and large private detective firms which had been hired by the Southern Pacific, the United States embarked upon the hunt for

the three brothers in a manner never before known to the criminal world. Detailed descriptions were obtained together with photographs, and set forth on "wanted notices" which were circulated over the entire world. There were, in fact, more than two million of these posters; they hung in every post-office in the land, in every bank and police station. The descriptions were not limited to the English language; six tongues were used in an effort to thoroughly cover every possible means of identification. They offered, from various sources, $15,000 in rewards.

Naturally, every police force in America picked up suspects; the men arrested, questioned and released ran well above a thousand. At last after nearly four years a United States soldier serving in the Phillipines noticed a similarity between the picture of one of the men on the wanted poster and a soldier who called himself James C. Price. Price was arrested and questioned -- and was found to be Hugh D'Autremont, following which he was returned to Oregon for trial. The trail of the twins, however, remained as vague as ever. Hugh had given no information regarding their whereabouts.

Now new notices were printed and distributed, containing the pictures of Ray and Roy. The stream of false identifications continued. Finally, in June of 1927, a woman called the office of the Division of Investigation in Columbus, Ohio, with what seemed to be a rather vague tale. She told the Special Agent in Charge that she had learned from someone else that two persons resembling the fugitives

had been seen in the vicinity of Portsmouth and Ironton, Ohio, but since had moved to Steubenville.

There had been a thousand tips like this. Every one of them which had come to the Division of Investigation had been carefully followed up, and the same routine applied in this case. The Special Agent obtained the name of the original informant and went to Portsmouth.

Before he started, however, the Special Agent carefully re-read the files in the D'Autremont case, and left upon his assignment mentally equipped for any phase of the case which might arise. At Portsmouth, he found the original informant. ~~His man's story might have appeared rather flimsy to the average person.~~ All he knew was that he had chanced to read a newspaper re-telling the story of the ~~[illegible]~~ Glendale train robbery and remembered that two men with whom he had worked several years before rather resembled the D'Autremont twins.

"They called themselves Elmer and Clarence Goodwin," he told the Special Agent. "One of them said he was older than the other, and their complexions are different. One of them is dark like you say all the D'Autremonts were, but the other is real blonde. Why his eyebrows are as yellow as a canary."

"How's their height?"

"Well, we were all measuring one day, and one was a little taller than the other."

In view of the hundreds of false tips concerning the D'Autremont twins, this information pointed to a cold

trail. Division of Investigation training, however, demands that a Special Agent continue to persist until every lead is proven to be fact or false. The Special Agent began a round of places where Elmer and Clarence Goodwin had been employed in the vicinity of Portsmouth. Records were examined; they listed the men as being of different ages, their height as different and their birthplace as Mena, Arkansas when that of the Twins was known to have been Williamsburg, Iowa. Now the Special Agent had a clue. He knew that Hugh had been born in Mena; this was indication that the so-called Goodwin brothers had allowed their subconscious brains to trick them into using the first familiar name which popped into their head as a fictional birthplace.

Further investigation brought forth a doctor who had examined the men, and taken their height. Stripped, they had measured exactly the same; evidently one was wearing lifts in his shoes. It also was learned that the Goodwins had been employed to tear down an abandoned furnace and that one was familiar with explosives. By this time the Special Agent was determined to have a look at these men. He went to Steubenville.

However, he did no such obvious thing as stroll into the steel mill where they were employed. If Ray and Roy had eluded capture for four years it was because they possessed that strange sense common to so many criminals which allows them to almost feel the fact that they are being watched. This ability approaches a direct throwback to

animal instincts of preservation; wanted men have been known to run when persons about them saw not the slightest cause for suspicion. The Special Agent took no chances. Among other things, he had learned that Elmer Goodwin had married and was living with his wife and baby on a farm near Steubenville, near his place of employment in a steel mill.

The routine of the Division of Investigation regarding occupational disguises here came into play. The Special Agent had been reared on a farm; he now went back to the work of his boyhood and got a job as a farmhand in the locality. He knew how to wear a farmhand's clothes, he knew how to talk like a farmhand, he knew how to pitch hay and yell at horses; no one suspected him for anything except what he appeared to be. Finally he found a chance to furtively observe Elmer Goodwin, he of the blonde hair and pale eyebrows. That night, as the Special Agent secretively wrote his report, he added:

"I feel convinced that Subject Number Two, Elmer Goodwin, has consistently bleached his hair and eyebrows expertly enough to even deceive his wife. An effort will be made tomorrow to take the brothers into custody."

The aid of the police was enlisted in making the arrest. It was planned to pick up Ray and Roy when they reported for work on the night shift at the steel mill. However, Roy showed up an hour early, in an attempt to get a job for a friend. He was arrested, of course, but this brought complications. Now, if Ray sensed trouble when his brother

did not return, a nationwide hunt must begin all over again.

Another phase of the Special Agent's prior life had included experience as a street railway claim agent. Immediately he became such and drove to the supposed Elmer Goodwin's home. Concealed in the big car were armed detectives. With an acquaintance of Roy D'Autremont's, the "claim agent" went into the house. The acquaintance broke the alleged news that Roy had been hurt in a street car accident.

"The Doctor said you'd better come to his office," said the "claim agent", "so that if there's suit over it, we won't have any difference of opinion about the injuries."

The killer did not hesitate -- until he got to the automobile and the detectives had closed in on him. Then he whirled on the Special Agent.

"If I'd known who you were, I'd have killed you!" he snarled. This was not news. The Special Agent had considered all that in making his plans.

The arrest brought confirmation of the fact that Ray D'Autremont, otherwise Elmer Goodwin, had dyed his hair and that he had done it sufficiently well to deceive even his wife. Incidentally, upon their examination at police headquarters, the men were found to be more alike than the average twins in spite of Ray's blonde hair and eyebrows and Roy's scrawny newly grown mustache which gave him a decidedly foreign appearance. Roy D'Autremont was found to have a scar at the tip of the left forefinger, a very faint scar back of the second joint of the right little finger and a decided scar on

back of his head; the right toe nail showed a bad abrasion. These identical marks were also present on Ray D'Autremont's body. A still further coincidence was the fact that in spite of the long lapse of time since the robbery and murders, Hugh had been captured so recently that his trial was only in its third day when the Division of Investigation shot forth the news that it had caught the Twins. All three were sentenced to life imprisonment in Oregon State Penitentiary with three murder indictments and two indictments charging robbery of the United States mail held pending against them to forestall any efforts at clemency.

The use of occupational disguise as exemplified in the D'Autremont case is frequent in Division of Investigation work. The card index containing the past vocations of Special Agents is kept constantly at hand; almost daily Mr. Hoover calls upon his men to revert to the trades or professions which they once knew that they may successfully track a law violator. Perhaps the saddest man in the Division is a Special Agent whose duties in France during the World War ran largely to kitchen police. Only a short time ago, a negro boy attempted to extort money from a restaurant owner. Mr. Hoover called for K.P. as his fellow Special Agents sometimes call him. Back to the old job he went, and peeled potatoes for seven weary days in the kitchen of this restaurant which steamed as only a kitchen can steam during a heat wave. But he got the extortioner.

More varied however, and much more dangerous, are su disguise operations as were necessary in what is known in De-

partment of Justice records as the Osage Murders. This was the investigation of a sudden and strange blight which had fallen on various Indians in Oklahoma about ten years ago. Government payment for oil rights was making the Osage Indians inordinately rich. Then came mystery. Indian after Indian died -- some from morphine poisoning, others from arsenic; a few were merely taken out and shot. The result was the indictment and conviction after four trials of a white man named William K. Hale, a former cowpuncher and cattle thief who had drifted into this country and become a millionaire from his dealings with the Osages. Hale, with his main confederates, was sentenced to prison for life. The plot had been to kill off various relatives of a confederate, Ernest Burkhart, Hale's newphew, who had married an Indian woman, thus bringing the head-right riches under Hale's control, through inheritence. Much has been printed about this. However, little has been said of the means employed to catch Hale.

Never was there a more powerful man in his own locality. This was outlaw country. Here, sooner or later, gravitated every notorious outdoor criminal in the country; bank robbers, train robbers, highwaymen, and lesser crooks. Even among the law-abiding, tongues were stilled. As for the Indians, they did not know whom to trust.

Special Agents went into the country. One, a man who had spent most of his life among Indians, became a medicine man, here in apparent search of lost relatives, gradually to work

his way, through his ability to make medicine, into the confidence of frightened Osages.

Now he was in the inner councils of the tribe. He was the advisor to whom the Indians turned -- they could tell him how Hung Buzzard got drunk and how white men took him to a supposed doctor, and how he never came out of the deep sleep which followed. How Henry Roan rode along one day with John Ramsey, only to be found later with a bullet in his brain.

Or perhaps some night, in the shadows, there would be stealthy signalling, followed by a meeting of Special Agents in disguise, on Dead Man's Hill, where many of the famous robberies and murders of the Southwest had been plotted. Here would come an insurance salesman who had concentrated on selling William K. Hale a life policy. An insurance man can ask personal questions without causing suspicion.

There was also a Texas cowman -- up in this country just to look 'er over. Maybe he might start a ranch here. Then too, there was a shadowy figure who seemingly had no occupation, and who went from place to place, asking no questions and giving no information about himself. After a time he gained an entry to various camps where men lay about, staring at the fire, and saying little about their past or their future.

Meeting after meeting followed on Dead Man's Hill. The derelict drifted through the scrub-oak, getting a handout here, or dropping in at some camp where horses stood saddled and bridled, ready for instant getaway. At last, word came from his hideaway in the hills. A bank robber convict named

Blackie Thompson, then in prison at McAlester, knew a lot about the Osage murders. He was a friend and confident of Burkhart.

Special Agents hurried to the penitentiary. The questioning lasted all day, all night, all day again and then another night. Blackie Thompson broke. He had no connection withthe crimes, but he knew their every detail. Armed with the information, Special Agents brought Thompson and Burkhart face to face. One ~~corrected~~ denials; the other insisted on his story. At last, Burkhart confessed.

It might be added that the case of William K. Hale was a good example of crimes in which the difficulty lies not in catching the perpetrator but in reaching a position where it is possible to arrest him. Hale not only had influence with the varied criminals who abounded in the region at that time, but he occupied a position almost amounting to worship on the part of some honest persons. Many others were certain that he had caused the deaths of these Indians, and all of them refrained from wilfully giving the evidence which they possessed. Some did it through fear. There were still others who looked on Hale as a great spender and a "fine man for the community" on that account; the sight of outstretched hands, reaching for money presents itself along the entire slimy trail of crime. Certainly the tailor from whom Hale often brought eight and ten suits at a time did not come forward with suspicions. Neither did the grocers who filled his heavy orders. And

certainly the hundreds of persons whom Hale had befriended not only were silent but resented the governmental investigation which caused his conviction.

Hale was a politician. He worked in the Osage country in exactly the same way politicians work in crowded tenement districts, through largesse and a reputation for being a kindly man, obsessed with the desire to see the underdog get a break. This old gag has whiskers on it that trail the floor, but it never yet has failed. Hale gave away groceries. He bought a ton of coal now and then for a poor family. He slapped men on the back and told them they were wonderful fellows and that he was going to get them a job. Perhaps the time will come when persons realize that you can't get something for nothing, but I doubt it. Hale was buying votes for the officers he wanted elected and silence and support while he committed murders, and he did it all very cheaply.

The formula varies slightly wherever political power is gained through large masses of people. For some strange reason voters believe that certain men who do not run for office are large hearted because they give picnics to the poor, or provide jobs merely for the asking. Or because they run free athletic clubs or Young Men's Democratic, Young Men's Republican, Young Men's Forward, Young Men's Social or any other kind of young men's clubs where there is always something to eat, or a boxing show on Monday night, or pool tables and other entertainment. They do not realize that this man can be over his head

in politics without desiring office. When election day comes they blandly and blindly go to the polls and vote the way he desires. All of which means that the mainspring of all this generosity is more powerful than merely one candidate -- he holds the whip over all candidates.

In the old days this was only semi-vicious. The man who owned the city's politics merely became rich through graft. Again the popular idea of graft is money which passes directly to a person for favors done. Often no money whatever changes hands in that manner.

Suppose for instance that the political boss owns a ready mixed cement business. Once he is in power, his city inspectors queerly enough, find that any building being erected without this particular brand of cement violates some ordinance and therefore must be condemned. Or if it's a paving job, the trusting contractor who tries to use a better grade of cement finds that inspectors are afraid it cannot withstand the pounding of traffic. Little is said about the Boss's cement. The word merely passes along that the contractors who use the right brand have little trouble from the city hall.

The same is true of plumbing. It exists with haulage -- every old time political boss has some extremely successful form of business. Beyond this is an advance knowledge of city improvements, like the widening of a business street or the creation of a park. With this information, the politician buys buildings at a low price which later are condemned for a high one, or makes land purchases in a part of town that is to

be benefitted by improvements.

So much for the old boss. The new style, bred by prohibition, does not go to all that trouble. He wants only one thing, control of the police department. With that in his possession, he need have no more office than an extra room in his hotel suite. Here he gives permission for gambling houses to run, for crooked dance halls to thrive, for race-book shops to operate and for houses of prostitution to flourish. All he asks in return is that each of these places turn in to his collectors an average of thirty-five per cent of the proceeds. Often too, an extra twenty per cent is collected for campaign expenses so that the next election will be well financed and the same administration continued in power.

Criminals of all degrees are licensed upon the same basis. It is a fact that in many cities which labor under the new spoils system, a percentage of the proceeds of bank robberies, confidence games, holdups, pay roll stickups and the like go to the political boss who owns the police department and who has given these criminals permission to operate. In these cities, the blind citizen believes that the police are taking graft. Often the police get nothing except the chagrin of being called crooked plus the humiliation of being unable to arrest known lawbreakers because the Big Boss would not only front for them but probably "break" the officer who violates his commands to go easy on his friends. These are facts and anyone familiar with police work knows them.

In the Division of Investigation happily, there is none of this. Perhaps some day America will awaken to the fact that the Division is not super-human. It merely is free of entanglements. And perhaps then something will be done about giving the police of boss-ridden cities the same advantages.

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CHAPTER TEN.

Many persons with insufficient knowledge of law enforcement problems believe that what America needs is a Scotland Yard. The fables which persist regarding this police force insist that a migration from the Thames Embankment to the United States would end crime overnight. If Scotland Yard came to America in full control of law enforcement, this entire country would run so wild with lawbreaking that the poor gentlemen from London probably would jump in the ocean through sheer frustration. Scotland Yard as we believe we know it, doesn't exist.

With all deference to a fine old police institution, Scotland Yard has had practically no experience whatever with the American type of vicious lawbreaker and would no more know how to capture a John Dillinger than it could recite the Koran. This necessitates a true picture of this arm of English law enforcement.

19,769

Scotland Yard is the Municipal Police Force of the City of London and nothing more. Of its 20,397 officers, approximately one thousand are detectives, operating wholly within the city limits of London. The various fiction stories which depict the investigators of Scotland Yard as flying here, there and the other place about the British Isles in the pursuit of criminals is merely no much bosh.

A member of Scotland Yard cannot leave London to investigate a case in some other part of England unless the Yard has been specifically requested by the local Chief Constable. Or, to quote from J. F. Moylan's work on Scotland Yard:

"The cases in which Scotland Yard's assistance is invoked by the provincial police are usually murders, and have recently averaged not more than four or five a year; it is only in detective stories that an officer from "the Yard" will be found speeding to the scene of a country burglary or clearing up a country house scandal."

Thus, the world-famous Scotland Yard, reduced to truthful essentials, becomes a far less romantic element than the New York City police department. In an entire year, it does not face the dangers, the difficult cases, the congregated crime and complexity of infractions which the New York department must overcome in a single month. Transplant Scotland Yard to New York using Scotland Yard methods, personnel and experience and within a week, the Empire State Building would be stolen piece by piece and gangsters would be setting up shooting galleries and using bobbies for targets at three shots for a nickel.

Yet all this is written in no disparagement of Scotland Yard. It has merely suffered from too much unrequested glory. Certainly the men are brave, efficient and as honest as any police department; the same petty and sometimes widespread graft obtains there as it does in other metropolitan forces. The crimes with which Scotland Yard must cope, however, are far

less serious than those of any large American city.

Most of the infractions inovestigated by Scotland Yard are those against property. Fully a third of these represent petty theft. Other forms of larceny such as embezzlement, obtaining goods by false pretenses and like offenses, account for another third, and the bulk of the remaining are house breaking and shop breaking offenses. Fully ninety-nine per cent of these are committed by unarmed persons who are arrested by unarmed bobbies and detectives who in most instances need only command the subject to surrender, whereupon there is abject obedience.

As for murders, the years 1931 and 1932 were high marks in homicide with twenty-three cases annually in London. Thirteen of these in 1932 were what are called "M & S" by the police of America, meaning that one person murdered another and then committed suicide. Therefore, they are not to be classed as homicides requiring acumen on the part of the officer who investigates them. In five other instances the murderer was found to be insane. Of the remainder, the police were successful in only two out of five. In other words, Scotland Yard was confronted with five real murders none of which were highly mysterious, and managed to get its hands on only two allegedly guilty persons.

Infanticide is not classed as murder in England. Of these cases Scotland Yard fails in more than fifty per cent. As for the rest of crime, composed of larceny and breaking and entering in its various forms, the Yard meets defeat in more

than 85 per cent of its cases. Therefore, it is easy to guess what would happen to an American Scotland Yard, faced annually with some three thousand kidnappings of various degrees, twelve thousand murders, one hundred thousand assaults, fifty thousand holdups and forty thousand homes burglarized.

Some actual comparisons with the Division of Investigation might be of interest. The area covered by Scotland Yard with its 20,397 men, lies within the city limits of London and covers about 700 square milesin which there is 8,000,000 population. The Division of Investigation with a total field personnel of 769 including clerks, stenographers, typists and messengers, is that of the entire United States and its possessions, an area of three million square miles and a combined population of 126,000,000 persons.

For the year 1932 the indictable offenses reported to Scotland Yard with its excess of 20,000 men was 61,599. During 1932, the Division of Investigation with a maximum of about 300 Special Agents -- the personnel has been increased since that time,completed the investigation of 31,801 cases. I have no figures for the convictions obtained by Scotland Yard in court prosecutions, although, knowing the efficiency of British justice, I should believe the rate to be exceedingly high. I doubt, however, if it is any higher than that of the Division of Investigation which convicts 93.81 per cent of all persons it brings to trial.

In training and personnel, Scotland Yard is woefully behind the Division of Investigation. Not until the spring

of last year was an effort made to bring the Yard up to the standard long ago achieved by Mr. Hoover, in this country. At that time, Lord Trenchard, Commissioner of the Metropolitan Police Department, formulated plans for drastic changes. There would be a fifteen months' course of instruction in a new police college for a class of sixty men, to teach everything from good manners to the fundamentals of criminal investigation and detection. A Special Agent in the Division of Investigation knows all about good manners before he begins his work; he has learned it in college and must display the knowledge in his application blank. He starts with an eight weeks' course of primary instruction and continues to go to school at various times during his entire length of service; men are constantly being called in for new instruction. Dismissal for inefficiency can come at any time a Special Agent fails to live up to the required standards.

For the first time, Scotland Yard is using men with a university degree. The new class of sixty is composed of sergeants and constables who are already on the force, plus twenty recruits between twenty and twenty-six who are college graduates. With the exception of this score of recruits, Scotland Yard's personnel need know only how to read and write with reasonable proficiency from dictation, be generally intelligent, possess a strong constitution and have some knowledge of arithmetic. The preponderance of Special Agents in the Division of Investigation has a college background.

There is only now getting under way in London a

Crime Laboratory, such as is in use at the Division of Investigation. Until last year the English police system has had no laboratories, and has called in scientists only when other means of detection have failed.

The fingerprint file is comparatively small, less than one tenth as large as that of the Identification Unit. There is no single fingerprint file such as that of the Ten Thousand. A great amount of jealousy exists between Scotland Yard and the 136 other municipal police forces throughout England and Wales, and seldom is there a call for co-operation. In four cases C.I.D. men were requested in 1930 by some outlying municipality, in 1931 there were none, and only two for the first ten months of 1933. The Division of Investigation works almost constantly with the various police forces of America and is eager to co-operate even more extensively.

It all sums up into the fact that what America needs is not a Scotland Yard but a power such as that which rests behind Scotland Yard, a freedom from political pressure, courts which dispense justice instead of pandering to the tricks and gags of charlatan attorneys, plus prisons which keep the criminal there after they get him. American inefficiency in this respect is almost unbelievable. The tangled technicalities and repeated instances of clemency in the case of William Donald Mayer form an excellent example of the carefree manner in which dangerous criminals romp, year after year, through the loopholes of our judicial and penal systems.

Shoebox Annie French, who got her name in prohibition years through the fact that she carried her bootleg product in that kind of a package, teethed her rodent son Donald Mayer in crime by writing fictitious checks and allowing him to take the blame. Evidently he was a good student; he soon graduated to burglary for which he was sent in 1912 as C. D. Montaine, to the Whittier Reform School in California. There are no records available to denote whether or not he served his entire sentence. However, if Shoebox Annie's later abilities were then in use, he was paroled. The next time Mayer appears on the records is in 1917 when, under the alias of C. C.Skidmore, he was convicted of stealing an automobile in Bozeman, Montana, and sentenced to serve from four and a half to nine years in the Montana State Prison.

Mother's tears are effective weapons before a parole board. In August of 1920, three years after his sentence, William Donald Mayer was free again. However, he did not hurry home to Annie. There was important business to be transacted in Seattle.

When Mayer, now a tall, angular young man, stole the automobile, he had for an accomplice and paramour a Texas woman whom he had initiated into the use of narcotics. During the years behind bars, Mayer had thought often of her, but not in terms of affection. He had decided that it was she who had set officers on his trail. Therefore, he went to Seattle, where he cornered this woman in a room and beat her severely. That accomplished, he left her bleeding and returned to his

dear mother, now living on East Commercial Avenue in Anaconda, Mont.

Shortly after his arrival in the Montana City, Mayer met a man named Ole Larson. Together they sold some oil stocks and were otherwise associated. One day Mayer learned that Larson had a draft for $750. The cadaverous Mayer invited his friend out to his mother's house to have a nice, home cooked meal.

Only Mayer and Shoebox Annie know what happened after the friend entered their home. Even Larson cannot tell; he never was seen again after he passed through the door. A few days later, Shoebox Annie French forged the name of Larson to the $750. draft and cashed it. There is no record that she was prosecuted for this action. Nor did either Mayer or his mother face charges because of the disappearance. That portion of the law demanding that the prosecution produce absolute proof of the death of a missing person could not be fulfilled.

Mayer and his mother continued to live in the house on East Commercial Avenue. After a time, the lanky son heard that his Texas paramour who had married, possessed some money. He went to see her. They became friendly again. Mayer induced her to come to his home and visit Shoebox Annie. The woman acquiesced. Again the door of the house on East Commercial Avenue opened and closed. Again a human being disappeared.

During the investigations which followed, the police of Anaconda, on searching the house, found possessions of the missing woman. There was jewelry, baggage, furs and even

underwear, with no legitimate excuse for their possession by Mayer and his mother. Neither did this weird pair offer any explanation of the woman's disappearance -- they merely denied all accusations.

Neighbors had noticed an offensive smoke which came from the Mayer chimney about the time of the alleged murder. In one instance, Shoebox Annie had volunteered to a neighbor that she was burning some bones left over from meat which she and her son had eaten and which she did not wish to throw into the garbage can. Even with this evidence, there was no prosecution for the same reason there had been no charge of murder in the Larson disappearance. There was no corpus delicti. The Anadonda and Butte police worked on the theory that both Larson and the Seattle woman had been slain, their bodies chopped up and the flesh destroyed by acid while the bones had been burned or buried. They could not prove it.

In April of 1921, the mother of the missing woman made an attempt to take the law in her own hands. She travelled from Texas straight to the house on East Commercial Avenue. There she demanded an explanation of her daughter's disappearance. Shoebox Annie refused to confess. Mother against mother they screamed invectives. Finally the Texas mother drew a revolver from her handbag and shot Shoebox Annie, inflicting dangerous wounds. However, when Annie got out of the hospital, neither she nor her son deemed it expedient to attempt a prosecution for the assault.

The Texas mother returned home, after collecting the possessions of her daughter which had been recovered from the East Commercial Avenue house by the police. They had overlooked a diamond ring and a watch. These Mayer used as gifts to a girl from Oxford, Idaho, whom he later married. Shortly afterward, however, he changed his mind, and upon leaving the girl also took the diamond ring which he pawned in Salt Lake City. Still there was no prosecution. The ring was located by law enforcement officers, but Shoebox Annie redeemed it before a "stop order" could be placed against it.

During all this time, Shoebox Annie and her son were driving an automobile which they had stolen in Salt Lake City during a trip which they had taken following the disappearance of Ole Larson. Finally they sold the car to a citizen of Anaconda for $365. and disappeared. The purchaser later took the car to a garage for repairs where it was noted that the engine numbers had been altered, indicating that the car had been involved in a theft. A long investigation followed into which Special Agents of the Division of Investigation were called. Through restoration of the original motor numbers, plus further identification, they proved the car to belong to Mrs. E. V. Fritz of Salt Lake City. At a prior time, a young son had mischievously scratched his initials on the top of the gas tank. Mrs. Fritz had caused this to be varnished over. Special Agents removed the varnish with ether, displaying the initials, making identification certain.

This theft and interstate transportation violated the National Motor Vehicle Theft Act. Special Agents started on the trail of Mayer. At last they learned he was living in Pocatello, Idaho. At the same time, the Pocatello police decided to investigate the actions of a woman who peddled toilet articles as a blind, so it was said, for the selling of whisky and abortive medicines. Her son, it was rumored, often appeared in different makes of automobiles. Officers were sent to the house to question them.

It was night when they arrived. The cadaverous Mayer wasleaving the house. In one hand he carried a rifle and in the other a black bag containing stolen automobile plates, keys for every make of car, wire cutters for snipping ignition connections and other accessories of theft. He was arrested and taken to police headquarters, but as he stepped from the wagon at the station, he suddenly whirled and began to run. Police guns blazed in an effort to halt him but the prisoner swung around a corner and disappeared in the darkness.

Suddenly Mrs. French appeared. She carried a small package as she entered police headquarters. Noticing an attorney who had transacted some business for her a short time before, she hurried to him, pushed the package into his hands, asked him to take care of it and then begged him to hurry out to the house, get the car out of the garage and run it over an embankment. For a person who had played a major part in as many exciting events as Mrs. French, she seemed to be rather easily upset.

She was more perturbed when the honest attorney promptly turned over all this evidence to the police. The package contained a number of bonds, the source of which could not be ascertained, thus leading to the belief they had been stolen. However, at that moment, the officers were mainly concerned with Shoebox Annie's desire to get rid of that car. Again they hurried to the Mayer home and found something even more interesting than the automobile.

Upon opening the garage door, their flashlights revealed fresh blood, spattered on the floor and on the running board of the car. Then, in a corner of the building they saw Mayer himself, crumpled on the floor and bleeding profusely; police bullets had taken effect in a shoulder and forearm. The wounded man had come back to the garage, removed the Utah license plates from the stolen car and had attempted to alter the engine numbers before his strength had failed. A search of the house showed much whisky, so Annie was placed in the local jail for bootlegging.

Now Mayer was in the hospital with a detective by his bedside, Tom Roan of the Pocatello force. He decided to attempt a ruse.

"Listen Mayer," he asked confidentially, "do you know they've found the bones of that woman you murdered?"

The wounded man turned white. According to Roan, he begged for aid in an escape and offered a bribe.

"I'm not interested in seeing you escape," Roan answered. "I want to help Jerry Murphy up there in Butte

solve that murder."

J. J. Murphy, chief of police in Butte, Montana, had worked unceasingly on this case. Mayer gulped.

"Jerry can't get my neck," he answered finally. "They can't find the body -- or all of it."

The same sort of story was told to Shoebox Annie in the local jail. She received it calmly and with denials. But that night, according to the matron, she awakened screaming:

"Oh Donald, Donald, they've found it -- they've found it."

None of that however, was to go into evidence. Perhaps it is just as well. Under the comic opera rules by which murder trials in America are conducted, this ruse would have been the signal for charges of third degree, police brutality, police perjury and every other crime in the calendar. All in a few moments, the trial of Shoebox Annie and William Donald Mayer for murder would have been transformed into a trial of the Pocatello Police Department, the deceased woman, and the Butte, Montana chief of police. There also would have been a fervent dissertation upon the sacred name of Mother, and perhaps the recitation of a certain popular Mother's Day poem written incidentally by as putrid a crook as ever polluted a prison cell. And if the contents of the jury box had been the usual hand-picked collection of over-sentimental nit-wits, the news reels later would have shown some interesting movies of Mother French kissing the jurors by way of celebrating the quick acquittal of herself and her darling son.

Mayor himself did much to obviate a trial for murder. This man of the gangling frame, sparse hair and pent-house cheekbones, displayed an excellent knowledge of criminal law. He pointed out the many difficulties which stood in the way of conviction. Then he offered a trade; he would go back to Utah voluntarily and plead guilty to a charge of stealing the car which had been found in his garage. The police, as so often happens in these days of courtroom doors which seem to open so much easier on the way out than on the inbound journey, took what they could get. Mayer went to Utah and was sentenced to a maximum of ten years in the Utah State Penitentiary. About the same time, Special Agents of the Division of Investigation obtained Mayer's indictment in Montana for the theft of Mrs. Fritz's automobile.

Mayer's maximum sentence of a decade in the Utah State Penitentiary lasted exactly three years. Then he was paroled, and probably abjured to go forth into the world and be a fine, upright citizen. However, hopeful Special Agents were waiting at the prison gates to take him to Montana on that automobile charge.

Here was a man who had traded a term in prison rather than face charges of murder. He had robbed and stolen ever since he was a boy. He had used the ring of a mysteriously missing woman to further his amours and then pawned that ring. He had served two prison terms as an automobile thief. And he had been sufficiently desperate on his last arrest to neces-

sitate the use of police revolvers. Now he stood before the bar of ~~a~~ justice, accused of another felony. The judge carefully weighed all the evidence together with the felon's record as judges are supposed to do -- and fined Mayer twenty-five dollars.

Following this, the high minded Mr. Mayer went back to his wife in Oxford, Idaho where he remained until May of 1923. At this time, the bones of an unidentified woman were found in Montana and the police made an effort to identify them as the skeleton of the missing Texas paramour. Mayer did not wait to hear that the police failed in this attempt. He was alleged to have stolen an engine belonging to his father-in-law, inveigled a fourteen-year old boy into forging a note, sold the engine and discounted the note. Then he left the state. The police of Steamboat Springs, Colorado, arrested him on this charge, only to find that a local complaint was also lodged against Mr. Mayer. It seems that he ~~also~~ had stolen a quantity of furniture in Colorado.

So again Mayer was tried and again he was sentenced to prison, the Colorado State Penitentiary at Canon City. Again he was paroled, this time to the Idaho authorities who intended to take him back to answer the charges in Oxford. However, for the night, he was lodged in the local jail.

It was Hallowe'en, so William Donald Mayer felt prankish. He pooled his exhuberant spirits with those of several inmates and all engaged in the diversion of saving the bars of

their cells. Who slipped them the saws and what the jailors were doing while all that rasping noise emanated from hack saws grating on steel is not known. However, once free from their cells, the escaping men lived true to the Hallowe'en tradition by wrapping themselves in sheets, and prancing out of prison. In January of the following year, Mayer was arrested in Kansas and returned to Pocatello to face charges preferred by his father-in-law. The jury lived up to the finest traditions of such bodies. It heard everything the witnesses had to say about the prisoner. Then it listened to the fervent plea of the defense attorney that this young man be allowed to go home to his dear old gray-haired mother, whereupon it acquitted him.

Not long after this the Division of Investigation again entered the life of Mayer. As Earl Montaigne, he and a companion had transported two females from Colorado to Idaho. One was a girl seventeen years old; the other was married, with two small children. Mayer tried to force the seventeen-year old girl to become a prostitute. She refused vehemently and threatened to seek the aid of the police. Mayer became frightened and sent her home. He was more fortunate with the older woman; his threats sent her out on the streets where she engaged in the Oldest Occupation and turned over her earnings to Mayer -- until Special Agents brought a White Slave charge against him. For this he drew three years in Leavenworth. Out of prison, the dutiful son went back to his mother who was living in Seattle.

In the fall of 1928, James Eugene Bassett, a young Maryland naval officer arrived in Seattle in a blue Chrysler roadster. He recently had been appointed secretary to an American admiral in Manila and naturally desired to sell his car before sailing for the Phillipines. Therefore, the young officer placed an advertisement in the newspapers; a potential purchaser appeared quickly. He was William Donald Mayer, this time under the name of De Casto Earl Mayor. He offered $1600. for the car, providing the officer would drive it to the home of Mayor's "aunt", a short distance out of Seattle, so that she might inspect it.

The ship sailed for the Phillipines with one cabin empty. James Eugene Bassett had disappeared. When last seen, he had been in the company of Mayer, and driving in the direction of Bothell, eighteen miles out of Seattle where Mayer and Shoe-box Annie then lived. His body was never found. Seattle police decided that if Bassett had been murdered, the motive was the possession of that blue automobile. They therefore broadcast a description of the car.

A week later, a policeman in Oakland, Calif. saw a blue Chrysler roadster approaching and flagged it to a stop. The occupants were William Donald Mayor and his mother; they were taken to headquarters where they denied any knowledge of the missing naval officer. However, they not only had Bassett's car but they had his wrist watch, his cuff links and a pocket-book. Also in the car were a rifle equipped with a silencer, shells with part of the charge removed so that less noise would

result from their explosion, a gas gun, chloroform and a pair of tongs suitable to breaking bones. Again, however, a murder charge failed. There was no corpus delicti. Mother and son were removed to Seattle where they were tried for the theft of Bassett's property.

Only one thing prevented Mayer from serving a short sentence and again being free to murder and steal. The state of Washington has a habitual criminal law providing for life imprisonment after conviction of three felonies. In spite of the niggardliness of the penalty in Montana for the theft of Mrs. Fritz's car, the fact remained that it was a conviction on a felony charge. Mayer therefore was sentenced to life in Walla Walla Penitentiary while his mother was tucked briefly away for an indeterminate sentence of from five to ten years.

The files of the Division of Investigation show that William Donald Mayer from the time of his first offense under the tutelage of his mother to the time he was put away as a habitual criminal, had been incarcerated in ~~eight~~ eighteen different penal institutions in California, Washington, Montana, Utah, Colorado, Kansas, Idaho and Oregon, ~~and had been given clemency in a majority of instances.~~ Long as his crime record appears to be in this recital, minor infractions were necessarily eliminated in the interests of space. In addition to the three missing persons mentioned, an equal number of others disappeared after they had been seen in his company; however mother and son were not caught with property in these instances.

The sentence to life imprisonment was not for the major crimes he was supposed to have committed. It was for three thefts of automobiles, a poor makeshift indeed. But for that matter, Pretty Boy Floyd was not killed as a defiant murderer, but because he was accused of obstructing justice, a two-year offense. There is something wrong with the jurisprudence of a country which necessitates such subterfuges on the part of law enforcement officials who strive to protect society.

To be changed 1-6-35

A thousand Scotland Yards could have functioned no more efficiently than the police of various cities and the Division of Investigation in various chases of William Donald Mayer. Time after time they caught him, worked against all but insurmountable odds in an effort to convict him, and saw him repeatedly freed, when they must go and catch him all over again.

This would not have happened in England. Firstly, there would not have been a tangle of technicalities to aid and abett Mayer in his career. Further, about the second time he appeared in court, he would have been put away for a long enough period to make him realize that, after all, there was something to the power of the law. There has been a great deal of mush stirred up by the ~~hosts~~ cadres of soft-brained criminal coddlers within ~~the last~~ recent years upon the subject of "the psychology of offense", the "rebellion complex in criminals" and similar drivel. The fact is that men and women commit

crimes because they think they can get away with them. William Donald Mayer and his mother are excellent evidences that the reasoning is entirely justified.

But to continue a comparison with Scotland Yard, Mr. Hoover, in building up the Division of Investigation, used the Yard's mainspring of effectiveness when he centered from the beginning upon the installation of a highly efficient Identification Unit. But for that matter, he borrowed from all large law enforcement bodies, even to the Royal Canadian Mounted Police in establishing the tradition that a Special Agent must always get his man. Again, in this, he proceeded upon the theory that the best way to defeat crime is to impress the surety of apprehension and punishment.

In the North, a criminal raises his hands at the approach of a Red Coat for a very good reason. He knows that if he kills this officer, another will come in his place and another after that, and a dozen following the third man. The first Red Coat is not an individual, he is a symbol of the power of the British Empire. Sooner or later, the criminals of America will realize that the same applies to Special Agents of the Division of Investigation.

In 1925, for instance, a Chicago gunster named Martin James Durkin, who specialized in automobile thievery, drove into a Chicago garage with a car he had stolen in New Mexico. Durkin already had shot and wounded three Chicago policemen, as well as one in California. Through a bad break in luck,

Special Agent Edward B. Shanahan of the Division of Investigation, was without aid. He attempted to arrest Durkin singlehanded. The gunster's right hand swept forward; there was a flash of yellow-blue flame from an automatic pistol, and Shanahan fell, dying almost instantly. Durkin shifted gears, drove his car out of the garage and escaped. That night, J. Edgar Hoover snapped messages to every Special Agent in the key cities of the United States:

"Get Durkin! I don't care how long it takes, get Durkin! If you've got to chase him for the rest of his life, catch Durkin and teach him that he can't kill a Division of Investigation man and get away with it!"

Every field office in the United States took up the hunt. Durkin's characteristics were studied -- how he would pose as a buyer of an expensive car, order it serviced and filled with oil and gas for delivery the next day, then burglarize the salesroom that night and drive the car away. Every automobile agency in the country was familiarized with Durkin, his looks, his actions and his methods. At last, a San Diego automobile company gave notice that a car had been stolen the night before under typical Durkin circumstances. The chase began.

All roads east from California were policed. Shotgun squads patrolled highways day and night. Every police chief and sheriff in the western country had been notified; seven days later a sheriff in Pecos, Texas, stopped a young

man on the street and asked him for proof of ownership of his car. True the wheels were red, instead of green, and the serial and license numbers when the sheriff took them, were different from the numbers sent out on the Durkin car, but the officer just thought he'd investigate. However, the young man was persuasive; the sheriff allowed him to go to his hotel to bring back proof of ownership.

The young man did not return. ~~and the sheriff knew he had been outwitted.~~ He hurried his information to the Field Office of the Division of Investigation at El Paso. Instantly the chase began all over again -- but this time the Division had something to work on. It knew the fake numbers which Durkin had substituted for the true factory ones, as well as the license numbers and other changes made on the car. Agents from El Paso started forth in high powered motor cars to comb the country in the remote western section of Texas, known as the "Big Bend of the Rio Grande."

After two days, Durkin's car was found abandoned, due to a broken wheel. Agents checked at every ranch in the vicinity, at last to find that a young man, accompanied by a woman, had enquired the way to the railroad at Alpine, Tex. There the ticket agent said the pair had gone to San Antonio. Special Agents got on the long distance telephone, and the San Antonio office took up the chase. The pair had checked some baggage at San Antonio those baggage checks had been exchanged for others, bound out on the Texas Special, for St. Louis. The next morning, the Texas Special stopped just outside Webster

Grove, Mo. Police and Special Agents were everywhere in the vicinity, but concealed. Inside the drawing room, Durkin and his woman companion prepared to leave the train; they soon would be in St. Louis. The door bell buzzed.

"There's the porter for the bags, Honey," said Durkin's woman.

The killer opened the door, jerked back as if to reach for a gun, felt the bump of an automatic barrel against his belly, and weakly raised his hands. It was useless to fight; he faced the pistols of three Division of Investigation Special Agents, and also St. Louis, Mo., police officers. Ten minutes later the murderer was handcuffed and on his way to trial and prison.

The same relentless pursuit followed the killing of Special Agent W. Carter Baum by Lester M. Gillis, alias Baby Face Nelson, last spring during an attempt to arrest John Dillinger at the Little Bohemia resort in Wisconsin. The chase for Baby Face was nation wide. At last Inspector Samuel Cowley and Special Agent H. E. Hollis caught up with him. In the fight which followed, the officers gave their lives to do it, but they killed Nelson. One man escaped John Paul Chase; again the hunt led across America and Special Agents got him.

Scotland Yard has no such problems as present themselves in these American killers. In truth, there is little adventure in the life of a C.I.D. man. Most of

England's criminals come from a low strata of humanity and an exceedingly nether plane of mentality. Certainly it would be news in Scotland Yard if ever a C.I.D. man found himself in a situation such as was presented in a southern White Slave Case.

An indictment had been issued in Nashville for a young lumber worker named Howard, accused of a minor violation of the Mann Act, but the lawbreaker could not be found. A Special Agent started after him. He learned that the fugitive's parents lived in a lonely wooded section of the Tennessee Mountains some miles from the nearest town, and off the main road. The son had been seen there recently. The Special Agent went out alone to bring back his man.

It was a clear night. At last the officer saw the faint glow of a kerosene lamp through the grimy windows of a "shake" roofed, unpainted abode. He walked to the door and knocked; there was no need for that; hound-dogs already were barking.

"Come in!" sounded from inside. The Agent entered. The room was smoky. Several high powered rifles leaned against the door. Angular men sprawled about, eyeing the stranger with that calm air which so often precedes lightning activity. A woman sat by the lamp, hands loose in her gingham lap. An elderly man rose and asked the reason for this visit.

"I'm from the Department of Justice," the Agent answered. "I've come to get your son."

Instantly the old man strode forward, his eyes gleaming.

"Well," he shouted, "you ain't goin' to take him -- you nor airy other dam govvament man."

Now a second gangling mountaineer had risen, and reached for his gun.

"Listen," answered the Special Agent. "I think I know mountain folk. If you say your son isn't here, I'll believe you and go away. Is that fair?"

"Well, he ain't here!"

"That's all, then," said the Agent. He turned to go, but a mountaineer had blocked the doorway.

"And you ain't goin' to leave here," the father growled.

Silence followed. The mountaineers merely gawked and spat and said nothing. The Special Agent stood motionless. A long time passed. Then the Agent asked:

"Mind if I look at that fiddle on the mantel?" There was no answer. "I used to play in an orchestra," he added. No one seemed to care. Then: "Do you mind?"

He went to the fiddle and tuned it. Then he swept the bow into the staccato notes of "Turkey in the Straw".

No one gave oral evidence that the music had been heard. He veered into "Arkansas Traveler" and sharply from that into "Pop goes the Weasel". At last a mountaineer wiped the back of a hand across his snuff-stained lips.

"That's danged good," he said.

The Special Agent smiled. Soon he was playing "Carry me Back to Ole Virginny". Finally the old man looked up.

"Say," he asked, "you know that song about the Buffalo Gals?"

After breakfast the next morning, the Special Agent, full of corn pone, hominy and sidebacon, started back to town. The old man followed him to the door.

"I reckon you're right in what you've been sayin'," he announced, "It wouldn't do my boy no good to keep on hidin' out. So you jest leave it to me."

The Special Agent left it. A short time later, the son surrendered.

For that matter, if anything as melodramatic as the case of Indian Charlie ever came to light in England, that weekly purveyor of thrills to chambermaids, known as Reynold's News of the World, would print its edition in blood-colored ink. Yet the case is only one of hundreds in Division of Investigation files.

In a little Texas town, two boys were school mates. One was the son of worth-while parents, the other a youngster who must smart forever under the contumely of the fact that his father, a saloon keeper had been hanged for murder. Other boys reviled him. But the well-bred boy was his friend.

School over, their paths parted. The well-bred boy moved to another town, went to college and entered the service of the Division of Investigation, at last to be stationed in Fort Worth. One day the saloon keeper's son came to see him. He had heard his former acquaintance was in the service here;

would he help him out in a marital matter? The Special Agent acted as a mediator -- and again lost track of his boyhood acquaintance. Years passed.

The last big oil boom came to Texas. Towns arose overnight. Black gold gushed from fields of slimy mud. Trucks rolled and careened along greasy roads; slab-boarded buildings sprang out of the mire to house poolrooms, gambling halls, and worse. Ruffians flooded into the fields from the entire United States. One day the murderer's son appeared again.

"I need advice," he said. "A fellow asked me to help him hold up a train -- the T & P No. 11, with the payroll on it."

"The payroll" meant more than $100,000 in cash, which was carried out monthly on Number 11. Immediately the Special Agent sought ~~advice~~ the district attorney's opinion, which was that men could not be arrested for something which had not happened.

So a grim game began. Other Special Agents were hurried to the first Agent's aid. The saloon-keeper's son was sent forth to gain what information he could and report anew. In the meantime, the heterogenous mob of ne'er-do-wells who had flooded into the East Texas fields was augmented by unshaven fellows who hung around pool halls, leaned vacuously against the wall in gambling parlors or bootleg joints -- and who missed nothing.

At last the surveillance narrowed to three men; J.L.Morris, a half-breed known as Indian Charlie, W.T.Edwards, alias Billie Edwards, and A.K.Jenkins, called Skeets. Skeets

was the man who had first approached the saloon-keeper's son; he was new to crime, and he talked. Not much. Only a hint now and then of what was going to happen. It was sufficient, however, to give Special Agents a line on whom they must watch, and from whom they could learn vital facts about the desperate men involved in the plot.

It is a strange fact that all crimes are not hatched in utter secrecy. Sometimes many persons know it -- or have partial knowledge of it. A keen man working in those surroundings hears more than a person would believe. From here, from there, from the original informant, the plot at last was pieced together:

On the night of September 14th, when Number 11 pulled out of Fort Worth with the payroll, Indian Charlie would leap into the express car from a box car on an adjoining track in the yards. He would cover the messenger with his gun, tie him up, and then, when the train passed the water tank, two and a half miles out, kick out the mail bags containing more than $100,000 in payrolls to be picked up by his two comrades. Then he would close the express car door, cut the messenger's throat, and then, when the train started upgrade a few miles farther on, drop off and join his comrades in the cellar of an old house in the woods near Lake Worth where they would split the loot. Indian Charlie could do all that; the Special Agents were sure of it. He was a giant, with great arms and gorilla-like hands. His face showed the cruelty necessary to slitting the throat of a helpless man.

At 11.30 on the night of September 14th, Number 11 stood as usual on its track in the Fort Worth station. Conductor chatted with engineer, comparing watches and quarreling over a second's difference in time. Passengers grumbled about their accomodations. The train butcher began his bawling journeys up and down the smoker. At last came the highball signal. In the combination mail and express car, the messenger sat as usual, with the door open.

The train gathered speed on its way out of the yards; at last to clatter past a line of empty, black-mawed box cars. Then, out of the night, Indian Charlie leaped straight through the door of the express car, his gun already sliding from its holster.

"Put 'em up!" he shouted. The messenger whirled from his desk, with his hands in the air. The huge bandit worked swiftly.

A coil of rope came from a loop at his waist. He forced the man to the wall of the car, commanded him to put his hands behind his back, and with lightning-like pulls and cruel jerks, bound him, and pushed him impotent to the floor. Then, his swarthy features highlighted by the dim Pintsch lights of the old car, he turned to the mail sacks, swiftly sorting out the ones containing registered mail.

The train had rumbled over a bridge; it was only a few hundred yards to the water tank. Indian Charlie braced himself in the door. Then as the train roared past the tank, with a single push of a great foot, he sent the sacks, contain-

ing $100,000 out into the darkness. That done, he reached for the door.

It slid groaningly to its hasps. Indian Charlie pulled it tighter. Then with a swift glance about him, he slithered a long knife from his belt and with a stealthy crouch, started forward to cut the throat of the helpless messenger.

He did not reach his man. There had been some packing boxes in the end of the car. Magically they had opened. Special Agents of the Division of Investigation, together with other law enforcement officers, had moved swiftly into view. Guns leveled, they shouted for the giant to put up his hands. He chose to shoot it out. But before he could pull the trigger, a burst of yellowish-red flame had come from the other end of the car. The great knees of Indian Charlie caved slowly. His gun hand relaxed; he sank to the floor in death.

Meanwhile at the water tank, the other bandits hurried to pick up the bags of money that they might rush them to the car which would take them to the old house in the woods. But they galvanized at the sound of voices from the darkness -- again there was the call of officers to "put 'em up". Billie Edwards swiftly drew his gun and fired; the bullet missed a Special Agent only by inches. The returning fire was more sure -- Billie Edwards joined Indian Charlie in death. Only one was left, Skeets, the novice. Shaking with fright, he stood with his arms high above his head, in surrender.

Thus ends the story of a Special Agent, who, as a

boy went to school with another boy whose father had been hanged for murder. It alsoproves rather conclusively that the onforcement arms of this country can function without the assistance of a Scotland Yard. What they need is the proper form of support.

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CHAPTER TWELVE.

Perhaps the age of forty-three is not the one to which the teaching of new tricks to old dogs applies. A few months made a tremendous difference in Frank Nash. With a heavy wig of dark hair to cover his baldness and a facial operation by which his nose lost much of its bloom, this old-timer from Oklahoma had become well versed in all the latest usages of gangdom.

He wore tailor-made clothing. He carried a handkerchief in the upper left hand pocket of his coat; it matched his tie and socks. He smoked three-for-fifty-cent cigars, like Jimmy Keating. Better than his comrades, who did no work whatever when their pockets were heavy with bank-loot, Frank covered his periods of inactivity by acting as croupier for a roulette wheel at a night club outside St. Paul. He took frequent vacations, however; often a week or ten days would elapse with a substitute in his place.

This was the summer of 1931, a busy one for Keating, Holden, Bailey, Nash and the rest. Other men now had joined the group, among them tall, husky, slow-spoken Bernard Phillips, an ex-traffic policeman who had been fired for extortion. Following that, he had turned to auto stealing and had just been paroled from a three year stretch in Leavenworth. Already he had plenty of money; associates said that it came from the robbery of a Minneapolis bank. George Kelly also

appeared at intervals; his three year sentence for prohibition violation was over and at last he was out of the record room. However, his visits were only pauses in the eternal movement of crime. Mostly Kelly's interests lay in the South where they centered about a good looking, well dressed, slim young woman who had started her career as a cheap shoplifter in Fort Worth, Texas, and from that had graduated to association and marriage with a bootlegger named Charlie Thorne. Inasmuch as he had killed himself, she now called herself Katherine Thorne Kelly.

Mainly the crowd stayed around St. Paul that summer, or White Bear Lake, Minn. near which place Nash played his part as a gambler between bank and pay-roll robberies. Nevertheless, there was constant movement.

Verne Miller would drop into town from a trip to Montreal, where he was said to have control of lotteries and gambling. Or Harvey Bailey would telephone him in New York or Newark where Miller was connected with big gangsters, that he had located something good. Then Miller would hurry back to meet Nash and Bailey and Shotgun George Zeigler and they all would be absent a week, during which time the newspapers would carry the news of a well-executed bank or payroll robbery. Or perhaps it would be Eddie Green and Frank Nash and Bernard Phillips who teamed up, or Phillips and Keating and Holden and Nash, or Bailey and Nash together -- the gangs split, or intertwined, always pivoting, however, around Frank Nash.

His easy manner, his ability to plot and plan, his generosity and humor all had pushed him swiftly forward, if not to leadership, at least to a highly important advisory capacity. Any gang which got together for an assault upon entrenched money felt better if Nash were along to "case the jug," or to go over the various routes to be travelled. Even Harvey Bailey, who did much to perfect this system of what is known as the "getaway chart" relied on Nash tremendously in the checking up process.

How many banks they robbed, how many payrolls they stole, cannot be determined. Their operations were not confined to the vicinity; it is usually a condition when gangs congregate such as these high-powered criminals centered about St. Paul, that they not embarrass the fixers who provide them sanctuary by committing too many depredations in the immediate territory. So the crowd robbed in Kentucky, it stepped over into/distant parts of Minnesota, it delved into Iowa and even into Kansas and Missouri, often travelling a total of more than a thousand miles to a robbery and back again.

Between holdups there were always parties; parties at the Hollyhock, at the Green Lantern or Harry Sawyer's bar, where a worshipful hanger-on of gangdom ran errands eagerly/or otherwise served them. His name was Pat Reilly, a weak-chested, sallow-featured young fellow who had been convicted of bootlegging, and whom Harry Sawyer, big time liquor seller of St. Paul now and then gave an odd job.

Crooks fascinated Pat Reilly. He felt important

around them. If someone wanted to get the five and ten dollar bills resultant from a holdup changed into the usual gangster's roll of thousand dollar notes, Reilly was only too glad to run the errand.

He was a directory of the underworld; he knew doctors, lawyers, illicit sellers of machine guns, purveyors of stolen money and bonds, contact men, fixers, druggists who sold abortive medicines, hospitals which were supposed to be highly legitimate but which would not report that a woman who had entered under an assumed name might, in reality, be the moll of a gangster. He also was a great believer in going under an assumed name to a widely known clinic. With its hundreds of patients and sixteen diagnositicians, it was an easy matter to slide in and out without fear of recognition. The life of the criminal, male or female, is largely one of surgeons and hospitals.

Charlie Harmon rather dangled around the edge of this dancing, drinking, country club crowd. Some of the women did not like Paula. The more brainy of the men distrusted Charlie, nor did they feel sure of Frank Weber, another ex-convict who had drifted into the throng. Mainly, however, it was Charlie. He was willing. He was faithful to a degree. But he was unimpressive, small time. They did not like the way he played golf; they complained that he was a bad loser and always carried an extra ball which he could pretend to find if his shot went too wildly in the rough. And he boasted that his every club was hand made. Of this entire crowd, there was only one who did not dress in the pull-overs and baggy plus fours pre-

valent at that time. This was Frank Nash. He had been able to assimilate every other integral of his changed existence. But he'd be goddamned if any old Oklahoma two-gun man could ever catch him taking his exercise with an undersized pool-ball.

Sometimes the whole crowd moved en masse to Chicago, taking apartments for short terms, or staying at resort spots nearby. The motives were business and pleasure, a change of centralization for their bank robbing endeavors, and a like break in the monotony of parties. In Chicago, they played the big hotels, spending from their rolls of hundred and thousand dollar bills; this type of criminal may have safety deposit boxes, but no checking accounts.

Or they would run out to the Crystal Ball, some distance from town, where three hundred pound Louie, the proprietor, did most of his work by leaning against the bar while his two hundred pound wife watched after the wants of customers. Mostly, however, they liked to foregather at the O.P.Inn, a sort of cross-roads of the criminal world. There Frank Nash found feminine interest for the first time since he had escaped prison. The object was a slim, dark-haired woman of about thirty-five, a normal school graduate and a former school teacher. The divorced wife of a policeman and the mother of a five-year-old daughter, she also had been a night-club hostess but now worked as the cook for the limited menu of the O.P. Frank Nash, between drinks, spent much time in the kitchen; sometimes he took his drink with him and one for her. When cooking was over, Frances Luce who knew Nash as Jelly, or Frank Harmon, would come out of the kitchen and sit at the

table with the crowd, or make the rounds of snooty night clubs. It was a democratic throng.

Everything that a person of the nether world could desire was here in Chicago. There were hoodlum doctors, out of prison after a sentence for narcotic offenses or abortion. There were hoodlum apartments which asked no questions, or took references and pursued them no farther. There was an automobile company which catered to criminals and their consorts, an investigation showed that the Nash crowd alone purchased eleven cars in twelve months. There was even a woman who specialized in raising Pekinese dogs for the more fastidious of gang females. And there were at least two golf clubs with hoodlum membership.

Here the same life rolled on as in St. Paul. The wives and paramours would be briefly dismissed and the men would go away, returning in a week or ten days heavily loaded with money. Again George Kelly drifted through the picture, only long enough, however, to register. On one occasion, he and Verne Miller hurried down to Texas and robbed a bank which Kelly had cased. Shortly after that, however, the gang with the exception of Bailey and Shotgun George froze him off. Kelly had become implicated in a kidnapping in South Bend, Indiana. Verne Miller was largely responsible for the snub. Outside of gambling, booze, holdups and murder, Verne had his ethics.

Of course, this life was broken by defections as women, singly or in pairs, went away for their incessant

visiting, to the homes of relatives, to see their children, or to stay a few days with the girl-friend of some other gangster. While on these trips, they sent innumerable souvenirs; and postcards which actually said they were having a good time and wished the gang were here. Or, men and women, all this gay crowd would leave Chicago for Harvey Bailey's farm near Richmond, Illinois. Primarily rural from his rearing near Green City, Mo., Harvey Bailey liked it out here in the peace and quiet of the country. So did the crowd he ran with; it was a swell place for parties. But business took them back to St. Paul. There were flaws in this seemingly perfect existence.

One of them was Charlie Harmon. He horned in on jobs, and did not do his work well. However, when one is in the business of robbing banks, one cannot be rid of an associate merely by dismissing him. The mob watched its opportunity. Once that eventuality arrived, there would be no difficulty in providing good substitutes.

"Earl Thayer and Grover Durrill would be glad to get out of the can," said Frank Nash.

Shortly after that, the usual prison intrigue became much more fevered in Leavenworth Penitentiary. A letter had arrived by the underground route, reviving a subject which Nash had mentioned before leaving prison. A new discussion took the place of the timeworn topic of what bums judges, district attorneys and juries were, and why the laws did not allow a person to take anything he wanted.

The men who had found this new engrossment were

Grover Durrill, Earl Thayer, George Curtis and five other convicts including one called Harold Fontaine. It was a contemplated break which could not be accomplished by only a few men; Fontaine, an alien smuggler from Detroit, was to act as the outside contact; he was due for release in a short time. The rest were long-termers. There was to be another assistant, John Kulick, a convict who did not even desire escape. He merely wanted to help.

So letters criss-crossed by the underground route. Perhaps they were carried in by a guard or civilian employee. Perhaps too, they did not come by post, but were unstamped envelopes addressed to the conveyors, with the real message inside, and delivered through the kindness of a Pullman porter. Keating and Holden did not trust the mails; easier to put the rush act on a porter and slip him a dollar to deliver a "letter to a friend about their dead mother."

Terse affairs these messages. They asked guarded questions so innocently worded that they might almost have been in code. The answers were as carefully done. During the preparation period they stated that a fine plan had been designed for a crush-out and getaway, with transportation provided. Fontaine would give the details when he got out; if they would send word where they could be reached. Thus are prison escapes arranged.

Perhaps I have not made this situation sufficiently clear, as ~~it could be.~~ Here were three wanted men, each with a reward on his head. Division of Investigation Special Agents were

searching for them. Every police station had their picture, description and fingerprints. Yet the workings of the underworld were so smoothly oiled that the only persons who could learn their whereabouts were their fellow convicts in the very prison from which they had escaped. Thus it seemed that with everything planned, Durrill and Earl Thayer soon would be on the street again. The rest of the crowd were mere puppets who must shift for themselves once the crush-out had been accomplished. Nash, Keating and Holden only wanted bandits of whom they could be sure. Since these new recruits seemed a certainty, the gang could now dispense with the services of Frank Weber and Charlie Harmon.

No one ever will know whether the gang or mere luck accomplished that dismissal. The gossip of the underworld, as revealed in Division of Investigation files, insists that luck played no part in it. There was a final round of parties in St. Paul, much dancing, great spending, many drinks and trading of kisses. Perhaps it was just as well that there could be a break in the social season; the gang members had some difficulty in readily recognizing each other. Blondes had changed to brunettes. Holden's hair had been dyed red and his wife, Lillian, a former night club entertainer, had come back on the scene to take the place of the blonde cigarette girl who, incidentally, still loved Holden mainly because he had mistreated her and shot a would-be rescuer in the leg the night of their first meeting. Keating also had received a job of hair dyeing. Everybody had changed names. What

Mr. Newby:
What State?
CBS

with all this, plus Frank's bushy wig and his new nose, the social existence had become quite complicated. At last the women were given the usual notice that their men were going away for a few days. Shortly afterward, a group of desperate outlaws, machine guns in readiness, surged into the Kraft State Bank at ~~Menomonee, Minn.~~ MENOMINEE Wisconsin. They stole more than a hundred thousand dollars and kidnapped a vice president as a hostage. Then they crowded into the getaway car which, motor humming, awaited them at the curb and began their getaway.

Swift pursuit ensued. There was the blaze of rifle, pistol and machine gun fire, as posses strove to overtake the fleeing automobile and the bandits returned shot for shot. The underworld also insists that some shots were fired within that bandit car which were not aimed at the posses. The body of the banker was tumbled out upon the road, dead. Then Frank Weber's gangling, lifeless form was sprawled from the car. Two days later, searchers found the blood-splotched body of Charlie Harmon. He had been shot and unloaded in a lonely stretch of woods, while still living. Scratches in the ground, soil under his bloody nails, red stains on the grass and foliage told of his piteous efforts to find aid before he died from loss of blood. Verne Miller, Frank Nash, Harvey Bailey, Tom Holden and Jimmy Keating split the proceeds of a highly successful trip only five ways instead of seven. They gave nothing to Paula, who had read the newspapers and taken a train for Texas. A gun moll's traditions demand

that she start moving when her man is killed.

So now there was truly a vacancy for Grover Durrill and Earl Thayer. Frank Nash insisted that they would be the kind of fellows to do the work which Frankie Weber and Charlie Harmon had failed to accomplish.

It was nearly time to go to Chicago again. An underground letter travelled toward Leavenworth announcing that the gang could be found at the O.P. Inn. But before they went, there was some unfinished business. The gang was beginning to get warm.

As yet they felt that they were not exactly hot. There had only been evidences of a simmering heat, which slowly, but certainly was rising. From here and there had come rumors that young men, polite but insistent, had been asking questions.

Special Agents were months behind these men. Perhaps this must be explained. When the trail of a suspected person begins, there are rarely clues which lead to a direct chase. It is an encircling process. In the case of Keating, Holden and Nash, necessarily there must have been a reconstruction of their lives and habits before they entered prison. Nash's old friends, his hangouts and his enemies in Oklahoma had been found and investigated. The places which Keating and Holden had frequented during their former days of liberty had been visited and checked. Mostly this had resulted in lies and evasions, but here and there a person had been found who weakened under questioning and either offered a shred of evidence or made a conjecture. Inevitably, the thing most

desired by the Agents was slowly beginning to be accomplished -- to make the quarry "hot".

What is known as "G" or government heat is in reality a smoking out process. The idea is to persistently follow every lead of acquaintanceship, to learn where suspected persons have eaten, where they have lived, even if it is a year before, where they have bought clothes, or made any other connections with the world in general. Then these contacts are interviewed, together with all underworld ones possible. The pictures and descriptions of the wanted men are shown, and if the contact be a reliable one, instructions are left that officers be notified if the wanted person again appears in the locality. If the persons interviewed be of the underworld, they are warned that it is possible to bring charges against them for harboring should they protect wanted men. One by one the hangers-on who might otherwise befriend the quarry become frightened. Word is passed surreptitiously along the underground system that the heat is on, and that the fugitives can be given no aid.

Former places of abode are slowly discovered. Meticulous checking results, the questioning of maids, landlords, house telephone records to learn if possible what the contacts were and where the fugitives went when they departed. Thus the heat gets greater, until finally, one day, a direct lead develops which sends the Special Agents driving straight for their men. It may be a telephone number. It may be a sample of writing from a rent application, hotel register or electric

light deposit. Or it may be the confession of some confederate. No Special Agent ever knows how or when this break will arrive. He can only continue to follow every possible lead, hoping that any day, any hour will bring the desired information.

Thus word had come to Keating and Holden that the heat was approaching. In Chicago, there had been several tips from underworld sources that Special Agents had been visiting cafes and night clubs. Every old friend had been questioned, every relative. Gladys sent word that government men had learned of her connection with Holden and had trailed her. From a dozen different directions the two men learned that the Federal men were getting closer, patiently winnowing the chaff that they might find the kernels they sought.

"Somebody's squealing on us," snapped Holden.

"I wish I knew who it is," answered Keating.

Every criminal believes that he is caught solely through the use of stool pigeons. Not being a worker himself, he cannot understand the patience of digging, day after day, and month after month that an address be found, or a telephone call checked from its source to its destination, and then the interviewing begin again from that point. He knows nothing of the shreds of information, picked up from a half-hundred sources which may provide a definite lead. He only realizes that one moment he feels himself safe and the next moment faces the guns of law enforcement officials. His frightened self constantly propounds the question: "How did they find out?"

~~while the trio had hurried to other business in Chicago. They had known it would happen; safe in the belief that the source of government heat had been destroyed, they now could proceed upon big plans.~~

~~The death of Edward Harlow perhaps, better than anything else, shows the frantic state of mind which Federal pursuit engenders in a criminal. He cannot understand it. He will even kill his own kind in an effort to evade it, and do that uselessly. It may be of interest to know that the criminal has never dared to attack an honest person who gives information to Special Agents. And he usually is wrong when he assaults his own kind.~~

(Keating and Holden had no better luck than the usual criminal.

There are no witnesses as carefully protected as those under Federal guardianship. There are no sources of leads so thoroughly concealed as when a Federal man gains confidential information. So stringent are the rules on this subject that in many cases, only two men in the entire Division know the name of an informant, the man who questions him and J.Edgar Hoover, the Director. Not even the supervisors, nor even the inspectors nor assistant directors are given the name. Not even the confidential files are trusted with it -- all are inviolable, but the informer is given a certain promise and that promise is rigidly respected.

Nor do Special Agents ~~ever~~ appear publicly with those they question. They even adopt much strategy in their questioning; thousands of persons have been interviewed by

Special Agents of the Division of Investigation without realizing it. The rule of occupational disguises is enforced here also, that the information may be gained with as much secrecy toward the person giving it as toward the underworld. Thus the gangs proceed upon their ignorant course, like cornered rats, fighting among themselves, killing off their own members and thus saving court costs -- while the information, carefully protected, continues to pile up against them.

When Keating, Holden and Frank Nash conducted quite an inquiry in the underworld, at last assuring themselves that no one was squealing and that the growth of government debt was simply a myth. There was quite a party when at last they met "Monk" Fontaine, lately of Leavenworth Penitentiary, at the O.P.Inn. This person described the details of the projected Leavenworth break as the convicts themselves had conceived it.

If they could only get guns and cartridges and explosives, everything would be easy. Two of the men could present themselves at the warden's office on forged passes; kidnap him, force him to the front gate where other convicts would be armed with dynamite. There threats to blow up the wall would force the warden to produce the keys. They would then take his car and hurry away. Frank Nash leaned back in his chair as all this was recited. This was his idea, talked over at length with other prisoners, long ago, in Leavenworth. Holden ran a hand through his bushy hair, now bright with henna.

"I guess we can get the artillery easy enough,"

he said. That night Harold Fontaine sent a telegram which, in its seeming innocence, passed the censorship and reached Harry Brown, one of the plotting convicts:

"MOTHER AND FRANCES ARE WELL I WILL LEAVE NEXT WEEK.

LOVE.

MARGARET M. BROWN. "

In the code, this meant that the contact between Fontaine and the escaped convicts had been established, and that the guns and dynamite soon would be on their way.

The story of what followed, shall be detailed in some particularity, not because it was a prison escape, but because it was a break from one of the best run penitentiaries in the United States, and therefore is not an exaggeration, but a miniature of the crush-outs from other institutions. Also, in all fairness to penal institutions in general, certain previously stated facts must be remembered; the scheming ability of incarcerated men, the constant plotting and conspiracies, the temptations which constantly confront low-paid guards, the ever-present willingness of one convict to help another, even if he risks his good time to do it. Beyond this, it must be repeated that with the exception of cell blocks and restrictions, a penitentiary perforce is not a prison in the old sense of the word, but a guarded factory where workers are held against their will, performing labor which they do not intend to repeat in civil life. All are, in one way or another, insubordinate, whether or not they evidence the fact.

There cannot be bare walls and uncluttered floors

in any factory. Men cannot be chained to their work. The hum of machinery often is loud enough to drown to other ears the voices of plotters working at a lathe, of men engaged in trucking or carrying issues of work from machine to machine. There are a hundred places where ~~a~~ minute may hide contraband, and there is the actual case on record in which a prisoner manufactured several workable guns during the odd moments when he was free from the surveillance of guards. Therefore a portion of Leavenworth seethed as the news of the telegram was passed along. Other convicts begged to be taken in on the conspiracy, but when they were refused, there was no ill-feeling; only the good wishes of desperate, caged men, who must watch their comrades make a break for freedom, and envy ~~them~~ their luck. That is prison -- any prison.

It was now a matter of smuggling in the guns to make the break possible. Frank Nash said a short goodby to Frances Luce whom he had taken from the O.P. kitchen and set up in an apartment in Cicero where they lived together. There had been a sentimental touch about this -- they had chosen Thanksgiving Day for the beginning of their liaison.

A day later, there was a purbhase of guns and ammunition at a shop in Peoria, Ill., including a sawed-off twenty-guage shotgun, four revolvers and ammunition, seventeen sticks of dynamite and 100 nitro caps and fuses by which this explosive could be fashioned into hand grenades. Strangely enough, the merchants who sold this small arsenal were afflicted by loss of memory. During later investiga-

tions, they failed entirely to identify the pictures of Nash or Holden, Keating or Fontaine. They could not remember the day of the sale, and it is probable that they might have forgotten entirely that they had sold this armament if Special Agents had not aided their recollection by tracing the factory numbers of the guns used in the Leavenworth break and proving that the trail led to their door.

On that same day, a man called at the office of a shoe paste manufacturer in St. Louis and ordered a thirty-gallon barrel of paste to be shipped to Joliet, Ill. This was Harold Fontaine. The barrel was taken from the express office at Joliet to a place of hiding. There the four conspirators wrapped the revolvers in a pillow slip, pushed this into a piece of automobile inner tube, then, after vulcanizing the ends, shoved the parcel deep into the paste. The same procedure followed with the shotgun, the caps and dynamite and cartridges. The barrel was resealed. It was painted the peculiar color of red which containers from this factory bore when they arrived at the penitentiary. Then, early the next morning, the four men started in a truck for St. Louis.

Keating and Holden took turns in the driver's seat. Frank Nash jolted along in the body of the truck that he might watch the precious barrel. Monk Fontaine remained beside the drivers, with a machine gun which Nash had furnished him. He was the guard, not of the barrel, but of these three escaped prisoners, who, rumbling along the road in their truck, were

obsessed with their task of attempting to free other desperate men. Fontaine had his orders; if officers approached, he must kill them. Here they were in unprotected territory. The St. Louis police department is hated in the criminal world for its efficiency.

The truck rattled into St. Louis and to a freight station there. The prosaic appearing barrel was rolled off the rear and into the depot; the shipping tag was made out, the usual receipts given, while, peering from the covered driver's seat of the truck, sat Fontaine and his machine gun, the safety catch off, the ugly, aerated muzzle half-raised. But no enquiring officers appeared. That afternoon, a second telegram travelled into Leavenworth. This one read:

"AUNT EMMA VERY ILL LEAVING ST.LOUIS TONIGHT.

MARGARET M. BROWN."

"Aunt Emma" was the barrel of shoe paste. No wonder she was ill, with that arsenal in her gizzard.

Convicts watched every arrival of the prison truck following that telegram. Already they had obtained three forged passes -- there were still willing souls in the record room. From day to day as they worked, they passed along tight-lipped information. Each was rehearsing his part, each knew where he should hide his gun, and what must be done with the incriminating evidence which would follow the unloading of the barrel.

The duties of John Kulick, the convict volunteer included the receiving of all supplies. Another of the

plotters was a first aid man for the factory who occupied a little office separate from the shoe shop. Still others worked around the plumbing stock room, where there was a stove for the burning of refuse.

The prison was undergoing repairs. There were piles of cement and stacks of lumber -- a dozen places for concealment of highly necessary contraband. At last, on December 9th, the prison truck drove up to the warehouse platform with a red barrel among its other freight. A guard made the usual inspection, necessarily a cursory one and merely to determine that shipments apparently were in the same condition in which they had left the factory. Then the red barrel was dumped off and the truck rumbled on to another part of the factory. Kulick turned the container on its side, and with pushing kicks, rolled it around to what is known as the oil house. Then the word passed, from convict to convict, that the guns were here.

One by one, under various pretexts, they left their work. The oil house was not guarded. Here they dug deeply into the paste and brought forth the heavily loaded pieces of inner tubing. Then, with guns concealed under their convict clothing, they rolled the barrel into the factory, down into the plumbing shop where they emptied it and burned the barrel and tubes in the stove. That done they hid the dynamite and caps and ammunition under a pile of waste materials. Most of the revolvers went into the desk of the first aid man in his little office. But one or two of the inmates clung to

theirs, running the risk of detection that they might lug them to their cells and there, in the dimness following "lights out", caress them. A tough convict loves a deadly weapon. Two days later, the break came.

Under various pretexts, the conspiring inmates left their posts, while a perfect shout of silence wished them well. A little later, three of the convicts followed at a distance by the other four, moved toward the rear gate. There three forged passes were presented, all they had. The guard let them through, only to see one of the convicts suddenly whirl upon him, and press a revolver into his stomach.

"Give me those keys," the inmates demanded. The guard obeyed. Again the gate was unlocked and the four other convicts came through. After that, the gates were locked, to hold remaining guards captive; the one at the rear gate was taken along as a hostage.

The two preceding convicts had leaped into the warden's office with guns leveled and kidnapped the warden. Now they joined the other men at the front gate. Here they commanded the warden to produce his keys. He refused. Dynamite was forthcoming.

"We'll blow the gate, you and everything else to hell!" the men threatened. "Give us those keys!"

At last the warden acquiesced. The gates swung wide. Members of the convict band made a rush for the warden's car, upon which they had planned for their getaway. It was locked. They demanded the keys. The warden replied that they were

in his office.

Herein lay the tiny fault which turned this escape from a prison break to a prison fatality. There was no time to return for the keys; already the siren was screaming its eerie warning of a crush-out. A car filled with negro hunters was passing. The convicts rushed it. White-eyed darkies piled forth, scrambling in all directions, their guns abandoned. Into the car piled the convicts, forcing the warden to accompany them.

The day which followed was one of horror. There had been incessant thaws and freezes; unfamiliar with the thoroughfares, the convicts drove off the main highway and onto a slimy "cat" road, where the car slithered and finally crashed. They commandeered another and wrecked it. Finally, in their madness, as it became evident that posses would soon be up on them, they shot the warden, severely wounding him, commandeered still another car and made a last attempt at liberty.

A dozen posses now had formed. Airplanes took off from nearby fields. Soldiers were rushed from Fort Leavenworth. The sheriff's office sent forth men as well as Local police and the prison. Soon a part of the gang was cornered in a farmhouse, with law enforcement bullets crashing the windows and tear gas bombs flooding the interior with choking fumes. But when at last posse members rushed the place, they found that their shots had been in vain. The guns which Nash and Keating, Holden and Fontaine had shipped in the shoe-paste barrel had been used for suicide. In an upstairs room, their

bodies sprawled one atop the other, lay the inanimate blood-splotched forms of Green, Durrill and Curtis.

Brown, Berta and Underwood, three more of the escapees, had stolen horses from a farm and headed across the fields. Airplanes roared over them, spotting them for the posses. Closer came the pursuers. Berta, who was wounded, wanted to surrender.

"Surrender hell!" shouted Brown and attempted to light the fuse of a dynamite bomb. Dampness blocked him, the fuse spluttered and went out. Soldiers and deputies were approaching from all sides. Meekly the men held up their hands.

Only one man was free; night found him uncaught. But temperature did what posses failed to accomplish. The freakish winter weather of the middle west sent the thermometer toward zero. For three days, Earl Thayer of the old Al Spencer gang stuck it out in corn shocks, desperately striving to discover a method by which he might make his getaway and join his old partner Frank Nash. At last he forewent his dreams. Delirious and half frozen, he staggered into the outskirts of Leavenworth, a thirty-thirty rifle which he had stolen from a farmhouse dragging from one clutched hand. There he surrendered. Back in Chicago, four men made ready for much travelling. Now they knew that they were decidedly hot. Fontaine went to Canada where he was caught, returned and convicted. Nash, Keating and Holden called their wives and women and began a wandering career.

The gang now split, Holden and Keating going in one direction, Frank Nash in another. But finally, in the Spring of 1932, after many miles, they met again. To their minds, the heat had cooled. They could again begin to congregate.

Now they were in Hot Springs, Arkansas, with their wives. Jimmy Keating had married Marge in Wheaton, Illinois, under an assumed name, of course, all which was facilitated by one of the biggest parties of their careers. Frank and Frances were merely living together.

Here in Hot Springs were all the conveniences to which these super-criminals had been accustomed in Chicago. Herb and Esther Farmer ran over frequently from Joplin. There was a constant flow of friends from every part of the United States. Verne Miller and Vivian came and went; Verne was terribly busy now with big things in Montreal and New York and Newark, but Vivian confided that they were thinking of getting a little place in Kansas City for awhile, and that everybody must come up and visit.

Alvin Karpis, the friend of Fred Barker, was out of Kansas State penitentiary. The pair dropped down to Hot Springs and brought Fred's mother. Then there were big gangsters from New York, whom Verne Miller knew. Some of them belonged at the very top and rode in armored cars. Harvey Bailey stopped in ~~Hot~~ for a time to take the baths. There were many confidence men, among them Earl Christman and his woman Helen, who had given up a rather prosaic life as a pickle demonstrator to become the companion and co-worker of a grifter. Earl had ambitions. He wanted to become a bank robber.

Thus new coalitions were formed. Freddie Barker and Alvin Karpis were young, but they were cold, fearless and calculating. Frank Nash always had liked Freddie, ever since that first meeting down at Herb Farmer's. Harvey Bailey liked him too and appraised Alvin Karpis as a deadly man with a gun.

Floating on the outskirts of this mob was a gray-templed man of forty-two who seemed to get a tremendous sense of excitement out of being around big timers. His name was Richard Tallman Galatas, and he ran a garage, which occupation, however, was not what gave him his entry. An Alabaman by birth, he had started life in the banking business, gradually moving north to Chicago and Pittsburgh where, through outside contacts, he had learned the more interesting game of matching coins and cheating at cards. Since then, he had ridden cross-country trains, worked the boats out of Montreal, been arrested at various times without serious consequences and at last come to Hot Springs for his health. Now, so the gang believed, he was tied in with the "interests" and could furnish protection. A social sort of person, he fitted in well with the newly resumed gay life of the crowd. ~~Banks suffered considerably for a radius of five hundred miles.~~ There was money to spend, fresh money, as they called it; one elaborate dinner included fourteen guests, every one of whom was a crook; four were murderers.

Finally the inevitable urge to move hit everybody. They scattered, a part of the crowd. But ~~they all~~ got together again in Kansas returning to Chicago, where on May, third, there was a birthday party for Frances Nash; two murderers personally brought the presents to the Nash apartment. After that the incessant movement began again.

City, where [illegible] bungalow. From this municipal center, Harvey Bailey, Alvin Karpis, Freddie Barker and several others, including, of course, Frank Nash, made numerous forays against banks in Kansas, Missouri and Iowa. Returning, they played golf. Always they played golf. Thus, ironically, they made it possible for Charlie Harmon, in his grave nearly a year, to obtain a posthumous revenge for the agonies of that lonely night in the woods when he had bled to death. Perhaps [illegible] him sometimes at night.

Those patient Special Agents had not relaxed for an instant in their vigilant search. Still checking, still asking questions, they went the rounds. One piece of inevestigation might lead to a dozen other forms, all apparently useless; nevertheless, they continued to interview, to display pictures, to check telephone calls, to send lists of stolen bonds to banks. At last it all brought something specific. A St.Paul bootlegger attempted to sell some bonds at a Minneapolis bank. The numbers were checked, and the collateral found to have been stolen from two messengers of the First-American National Bank of Duluth. This had been a Keating-Holden-Nash-Harmon job, committed only seventeen days before the Kraft robbery in which Charlie was killed.

The Division of Investigation was notified. The bootlegger broke and confessed the names of the hot bond shovers from whom he had received the securities. They also talked, telling what they knew, which was not much. The

bonds originally, it seems, had come from a fellow named Jimmy Stanley, an acquaintance of the golf course.

Where did Jimmy Stanley live? What was his description? With whom was he seen? What was his occupation? On and on went the interrogations. Pictures were shown. Yes, that one of Francis Keating was really Jimmy Stanley. And the photograph of Thomas Holden was a person who called himself Bill McCormick. Another was identified as Charlie Harmon. The holders of the hot bonds did not know exactly where they had lived. But they knew the vicinity.

Again the meticulous checking process proceeded. Special Agents found a drug store where the men and women had traded. They discovered a restaurant where the crowd had eaten. At last they found the apartment where Charlie and Paula Harmon had lived. From there they gained a list of telephone calls. One by one these were checked; finally they found a lead. Kansas City Special Agents, picking up the information which St. Paul had forwarded, visited a manufacturer of hand-made golf clubs. It seems that Charlie Harmon had telephoned this place, long distance, from St. Paul the summer before.

The manufacturer couldn't remember the call; he got so many. They showed the pictures. Most of them he failed to recognize. At last, however, his eyes centered. He was quite sure about Keating and Holden; they had been in only recently. Holden had bought a golf hat only the day before.

Every golf course now became a place of surveillance. At one, the Old Mission, Special Agents got good news. Men who answered the descriptions of Keating and Holden had played here only this afternoon and had said they would return tomorrow.

The next day an expensive automobile stood in the driveway of the golf course. In it were excellently gowned women, chatting pleasantly. Out on the course their men, Jimmy Keating, Thomas Holden and Harvey Bailey moved along the fairway; iron shots had been excellent, laying all three balls on the green. Far in the rear, Bernard Phillips dubbed along; he had been in the rough all afternoon. Suddenly he looked up, his attention centered on a widespread circle of men, converging upon the fairway. Golf lost its interest for Bernard Phillips. Evidently these intruders had not noticed him; the bank robber turned, strolled with head down until he reached a hedge, then ran.

Keating, Holden and Bailey knew nothing of this. They moved blithely on, talking of this shot and that one, a great mashie approach to the seventh green or that long putt on the third. Then they gasped with surprise. That circle of men had closed in. Automatics appeared in the hands of police and Special Agents. The three men raised their hands. A long hunt was over.

Frank Nash knew nothing of the arrest until he read it in the Chicago newspapers. Keating and Holden already were headed back for Leavenworth to serve out the remainder of their sen-

tences, with no time off. The police, who had aided Special Agents in the capture, had found a bond on Harvey Bailey which they had identified as having come from the robbery of a bank in Fort Scott, Kansas. Bailey had taken that excursion with Barker and Karpis.

So Jimmy and Tom were gone. Old Harve Bailey was in for trouble down there at Fort Scott. Frank Nash took many drinks that night. Usually this procedure was because he liked whisky. Tonight it was because he never had liked golf.

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CHAPTER ELEVEN.

Perhaps this is the place to veer from the methods of the pursuer to those of the pursued. Perhaps too, an explanation is necessary of how criminals operate, how they live, how they view life and the manner in which their gangs mesh, one into the other. Seemingly there was little connection between the old Al Spencer crowd of Oklahoma bank-robbers and the arch criminal who fell before Federal gunfire last year as he emerged from viewing "Manhattan Melodrama" at the Biograph Theater in Chicago. Nevertheless, a relationship existed; it played a definite part in the chase and death of John Dillinger.

This intermingling of mobs comes about through a criminal family tree, with affiliations and alliances taking the place of marriages, and partnerships substituting for actual ties of blood.

There was a burglary in Hobart, Oklahoma, twenty-one years ago in which three men were accused. One of them was a town character named Nellie Wartman. A second was a person of the same type, Guy Huber, and the third a tall, slope-shouldered fellow with a big nose, thinning hair and ingratiating grin, called Frank Nash.

Respectable parents had given him something of a

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background and a fair education. Coupled with this was a degree of shrewdness, an ability to plan and a more calculating attitude toward crime than is possessed by the average law-breaker. He drank too much, thus leading to financial troubles which he overcame by the expedient of stealing. At last Hollie Wartman implicated Huber and himself in thefts from three stores and a railway station. The trial, however, resulted in acquittal.

"We ought to do something to Hollie," Frank said after it was over. Guy Huber agreed. They lured Wartman to the outskirts of town where, it was alleged, they shot him through the head, the bullet blinding him and bringing about a lingering death. Nash and Huber were tried for murder and convicted. Here Huber departs from this recital; Frank Nash and his influence will remain for many chapters.

On September 15th, 1913 Nash became, as the sob sisters love to say, only a nameless number, sentenced to spend the remainder of his life behind the cold, gray walls of McAlester Penitentiary. The facts about a criminal and the sentimentalities of a sob column are entirely different. Within five years, there was a tremendous interest in Frank Nash, brought about by a family doctor, a prison physician and other interests. It seems this young man was threatened with death by tuberculosis. The prison doctor stated that the only reason Nash was not hospitalized in the prison tuberculosis ward was because it didn't provide the fresh air and

sunshine which Nash's ailment demanded. This being a bit mixed, I offer it from the records for what it is worth. Action from the governor was speedily forthcoming; he almost immediately commuted Nash's life sentence to ten years. Somewhere along the line, the plea of illness got all tangled up with other circumstances leaving the main reason for the kindly governor's action a belief that Wartman might have lied in his death statement, and anyway, he was the sort of fellow who himself might have been tried for murder. It took a world war to really get all this straightened out. Frank announced that he had applied for enlistment in the United States Army, to fight for his country, whereupon he was almost immediately given a full pardon. It seems that he did go to France. What happened to the threat of death by tuberculosis cannot be determined.

Nash was pardoned about the time the Marines had turned back the Kaiser's offensive at Belleau Wood and begun the Allied defeat of Germany. Therefore he soon came back to America and within little more than a year after his patriotic pardon, was identified as one of three men who had broken into the Corn State Bank at Corn, Oklahoma and blown open the safe. For this offense, he again was convicted and sentenced to become only a nameless number behind the now familiar gold gray stone walls of McAlester Penitentiary. He remained a number for less than three years, during the latter part of which time, he made application for freedom. I observed a photostat of it only recently in Department of

justice files. Among other things, he stated that he never before had been the recipient of clemency -- although he had walked out of this very penitentiary on a pardon.

Some time before this, a friend of the cell-block and mess hall had escaped from McAlester. An ex-cattle rustler, he now operated from a hideout in the Osage Hills with a desperate gang and a consequent heavy toll upon the banks of Oklahoma. Already, the newspapers likened him to the more notorious of the old time outlaws. His name was Al Spencer.

Of course, Nash did not mention Al in his petition, which was a classic in brevity. He merely stated that he wanted to get a sixty-day leave of absence "for business reasons".

Nash got more than he asked. The governor announced that this prisoner "had been offered a fine position with a hay and grain firm", and immediately commuted his twenty-five year sentence to five years, which, with time off for good behavior, meant immediate freedom. On December 30th, 1922, Nash waved farewell to McAlester, proceeding at once to celebrate the birth of a New Year with Al Spencer and his gang at their hideout in the hills. It was not long before he had become Spencer's chief aide. Earl Thayer and Grover Durrell were other important members of the crew which numbered seven men. Now, with Frank Nash as an advisor, the speed and efficiency of bank robbing shot suddenly upward, augmenting Al Spencer's record until it mounted to forty-two looted

banks within two years. Then temptation disturbed the harmony of the bandit crew.

The history of outlaw leaders reveals that they are no bigger than their ability to absorb criticism. Call them bloodthirsty, cruel, vicious and they are complimented. Accuse them of a thousand crimes of which they are innocent, and there will be no denials until such time as necessary to escape punishment. Reflect upon their prowess, however, and one finds them as temperamental as any stage or motion picture star. Al Spencer's name for two years had been on the first pages of every newspaper in the Southwest. He bore such titles as "The Phantom Terror", the "King of the Osage", the "Wild Rider of Oklahoma", all of which pleased him mightily. But when various editorial writers began a spirited discussion as to whether he deserved to carry the torch for such old time outlaws as Bill Doolin, Tulsa Jack, The Dalton and James Boys, the shafts went cruelly deep. Those men, said the editorials, had belonged to a higher strata of law-breaking; they had been train-robbers. Al Spencer had done no more than rob banks. Shortly afterward Spencer told his gang they must hold up a train.

Wily Frank Nash argued against it. Times were changing, he said. The railroads had built up good detection forces. By robbing banks, the gang had scattered pursuit through a diversion of activities which set the sheriff of one county working against another. A train robbery would centralize all this. He was overruled.

An M.K. & T. train, carrying money and mails, was flagged down near Okosa, not far from the Osage hideout. Six-guns beamed, engineer and fireman stood with their hands upraised; a mail clerk was injured. Then to the bellow of their guns and high pitched cries, the gang rode away with its loot, only to find that Frank Nash had councelled wisely.

This was the first Oklahoma train robbery in years. Law enforcement bodies everywhere centered upon the hunt. Methods of pursuit had improved since the old days when the Daltons rode and Bill Doolin chose to fight it out with a posse single handed. Earl Thayer was arrested the day after the robbery at his home near Oklahoma City. Possemen, riding hard through the Osage Hills captured Darrell and Curtis Kelly. George Curtis, a city slum rat out of his element in this hard riding red-dusted Oklahoma crew, was turned up in St. Louis. Riley Dixon, another member was captured in New Mexico, while Al Spencer, the leader was doubled into a trap near Coffeyville, Kansas, where his antecedents in crime, the Dalton Boys, had been shot down. A dozen officers called on Spencer to surrender He chose to fight, and fell dead, slashed by a score of bullets. So the Al Spencer gang was ended -- except for Frank Nash.

For months they sought him in every part of the United States. At last one day, near Sierra Blanca on the Mexican Border, United States Marshal Alva McDonald swerved his horse at the sight of a lone rider, fording his mount across the muddy Rio Grande in the wake of wading cattle. Gun drawn, the Marshal waited until the man was nearly upon

him. Then he shouted his command to surrender. Frank Nash swung from his saddle for the last time. This was the end of old time outlawry; new methods were to be his when next he rode; automobiles rather than horse flesh, automatics and machine guns to take the place of the old-fashioned six-shooters, night clubs, and resorts for hideouts instead of rough camps in the Ozarks or along the banks of the Rio Grande. He was sentenced to the United States Penitentiary at Leavenworth. This also was for twenty five years.

The picture of any prison as a place of silent, sullen submission is largely untrue. Circumstances over which directors and wardens have no control, have made them to a large degree huge factories, efficient only to the extent that their inmates are efficient -- which means an eternal undercurrent of disloyalty, mental rebellion hidden by a superficial attitude of resignation, all of which leads to persistent and widespread intrigue.

Therefore, in discussing penal institutions, one should not discuss the men who run them, but the system by which civilization demands they be conducted. Certainly no one has given the subject greater and more humane study than Sanford Bates, Director of Prisons for the United States. More than study, he has given a great part of his life, reaching eagerly always toward the hope of finding the true means by which men may be rehabilitated. But a thousand men like Sanford Bates cannot beat the system as it now exists. Nor

does this writer pretend to have a better one; this is merely recognition of a terrible canker in our social body which, instead of reforming men, provides an abiding place for more vicious servility.

A penitentiary suffers between two fires. On one hand are labor unions and business men, demanding that markets not be flooded by the output of practically unpaid labor. On the other are budget cutters, state legislatures and those very same business men who insist that prisons should be self-supporting. Between them is the warden or prison director who is faced, not only with the necessity of trying to make his prison pay its way, but with finding some method by which those incarcerated may occupy their time. It is not the purpose of society to drive men and women mad by inaction, simply because they broke a law. Neither should it be the purpose of society to limit a prison to such hopelessly small budgets that the inmates it contains cannot be given the proper surveillance.

To this must be added the psychology of the incarcerated human, who with the loss of liberty, almost instantly reverts to long latent instincts of self-preservation and cunning. The leopard who simulates a love of his trainer, only that he may attack at the slightest relaxation of surveillance is no more shrewd, scheming, patiently dissembling than the average convict. In truth, man is more dangerous than the animal, for he can smile and speak and protest his resignation. And he does not give warning. At least a beast will bare his tooth.

The average prison is necessarily undermanned.

There are too few guards. They are ill paid and faced with constant temptation as are the civilian employees. They know that they can get fifteen per cent of all money they smuggle into the prison from outside contacts. Letters are worth a dollar apiece, either going or coming by what is known as the underground route; urgent messages, especially when an escape is being planned, often bring five dollars apiece.

There is always a tremendous market for cocaine, morphine, heroin and marahuana. A bottle of liquor brings five times its price on the outside. A gun is worth a minimum of a hundred dollars.

Of necessity, there is the trusty system. It forms a basis of cheap labor for the running of errands, the work around offices, yards and administration buildings. Beyond this is the incentive for good behavior. By this same necessary system of stern onjolery, a prisoner has so much time off his sentence for exemplary conduct. He is given retractable privileges which may include anything from library books to a radio, a daily newspaper or playing on the various athletic teams. Law enforcement officers insist that with the steady relaxation of sternness, especially in the last fifteen years, penal institutions are being turned into country clubs. Wardens retort that they are merely trying to treat their charges like human beings. The same lack of an exact science is here apparent as in apprehension and detection methods; it is a sort of grim game, in which the prisoner

attempts to get away with as much as possible and remain uncaught at it.

There are times for silence, of course. There are also times for talking. During exercise periods it is possible for men to congregate and in low-voiced conversation, discuss anything from the weather to an attempt to kill the warden. Persons in durance become highly proficient in paucity; a convict may brush against another in passing and impart information which would require the ordinary individual minutes to express.

Convicts often man the telephone switchboards. They work in the warden's office. Trusties do clerical labor. They even act as sub-bosses in shops, being permitted to move about at will, conversing with whom they please. These occupations are all possible avenues of intrigue.

Thus, when Frank Nash went to Leavenworth for the Okosa train robbery, it was to meet old friends and make new ones. There were members of the old Al Spencer gang, among them Earl Thayer and Grover Durrell. He saw them often. After a few years, during which time Nash's personality had made him known throughout the entire convict body, two new men came into his group of close associates. He was deeply interested in what they had to say about crime methods under the Capone regime in Chicago.

These men also were train robbers. One was named Francis L. Keating, alias Jimmy Courtney. The other was Thomas Holden, alias Bill McCormick. Together, in 1930, they had leaped into the railway postal car of a Port Huron

and Chicago Railway Postoffice train at Chicago, overpowered the mail clerks and at a crossing, tossed out two mail sacks, leaped from the train, jumped into an automobile they had parked at this crossing, and gotten away with $135,000, none of which ever was recovered. They had been convicted in 1928 and had twenty-five years to serve.

Jimmy Keating -- he rarely used the name of Francis-- was the talkative one of the pair. An ex-taxi driver, good looking, full-muscled and with a constant supply of humor even here in the penitentiary, he formed a center to which the Oklahoma convicts gravitated whenever possible. Holden, only slightly older, was more solid and much more dour. He had been an automobile salesman and was well educated. He spoke only at intervals, his silence broken by a queer, restless gesture as he ran his fingers through tousselled brown hair. One day Jimmy asked, in the tightlipped fashion of confidential conversation.

"How'd you fellows manage your stickups down in Oklahoma?"

"They're kind of cracker boxes down there," said Nash. "Usually we just pushed 'em in."

"What'd you get out of it?"

"Oh we'd take whatever we could lay our hands on."

"Money, oh? How about the bonds?"

Grover Purvis shook his head.

"We didn't pay much attention to them."

"Or if we did, we'd burn 'em when we got to camp," Thayer interjected. "Too hard to get rid of."

The moody Holden ran a hand through his hair and smiled. Jimmy Keating lit a cigarette.

"You fellows were a bunch of suckers," he announced. Then he told how they did things up Chicago way.

In the first place, they didn't hole up in any hideout camp in the woods after a robbery. There were too many other places to go -- that hotel in St. Paul for instance, with an ex-convict as the proprietor and ex-convicts as guests. Or a dozen resorts in Minnesota and Wisconsin, some of which were owned by politicians, others by night club owners, still others by ex-convicts, supposedly catering to fishermen and hunters, but in reality, gaining their livelihood from criminals who were willing to pay heavily for the privilege of enjoying themselves while evading the law.

All this went on while guards watched beyond the scattered forms of gray, and while men in the tower turrets stood ready with rifles and shotguns to block an ever-possible rush for freedom. Then Keating said in his usual jubilant fashion:

"So you burned the bonds, eh? What we do is pass 'em over to one of the boys who runs a night club, see? Then he hands 'em on to one of the big bootleggers. The bootle passes 'em up to Canada for liquor and by the time they get back, the banks have forgotten all about them ever being listed as stolen."

Holden added curtly.

"Sometimes you don't have to go to that trouble. I know a couple of bankers who'll use 'em as security for school funds."

"Sure," added Jimmy, "and a few big business men who'll buy 'em up cheap and lay 'em away for a year or so in a safety deposit box."

"What do you get for them?" Nash asked.

"Fifty cents on the dollar -- sometimes only twenty," answered Keating. "But what the hell, it's all money, isn't it?"

All this interested the Oklahoma crowd.

"Or the right kind of attorney will shove 'em for a commission," added Keating. "Didn't you guys have a lawyer?"

"Sure, after we got caught," Durrell said.

"After you got caught?" asked Holden dourly. "The time to have a lawyer's before you get caught."

"I guess things have changed a lot," Earl Thayer ventured.

"Sure they have," agreed Nash. "Say," he looked over his shoulder, "I got a letter underground last week from Herb Farmer. You remember Herb Farmer?" he asked his old gang mates. "He was in McAlester the same time I was. He says he's running a little place down by Joplin now. He'd like to have any of the boys stop in if ---- " Again he

looked over his shoulder.

"I'll set you into some real places when you can use 'em," said Keating, and with alacrity moved away. Gray clad men were shuffling now; the exercise period was over. Frank Nash walked thoughtfully; it seemed he had missed a number of opportunities by merely being an Oklahoma bandit.

After that his always good record became even better. He sought more of the classics from the prison library; wardens like gentle, studious prisoners. There was little need here for Nash to dissemble, he loved the ancients from Milton to Swinburne and could quote them. He obeyed all commands with an eager alacrity, as though grateful for the majesty of the law which had sent him here. Bald now, somewhat fat-tish, ever more genial, he soon was headed for what he sought, the run of the prison.

There was another Oklahoman in Leavenworth who enjoyed extra privileges, a blue-eyed, brown-haired, good looking fellow of thirty named George Kelly Barnes, now known as Machine Gun Kelly -- he gained the gunning ability as a result of the world war. Kelly worked in the photography section of the record room, along with Charlie Harmon, a two-time convict from Texas. Several times Nash, Kelly and Harmon talked over the ease with which a trusty pass could be forged, if a convict had friends in the record room. The bandit later mentioned it to Keating and Holden.

"Don't think it'll work," Holden said and rubbed a hand nervously through his hair. Nash smiled his slow grin

"George Kelly says it's a cinch," he answered.

"Hasn't he got the run of the prison? He'll take you to the gate himself."

Keating eyed him.

"Then why don't you try it?"

The Oklahoman shrugged his bent shoulders.

"I'll go when I'm ready," he answered. Holden grunted.

"Look us up, then." Again he tousselled his hair and glanced about him. "Because we're on our way."

A few weeks later, George Kelly, big, amiable, pleasant-mannered, went into a deputy warden's office on an errand. Everybody liked Kelly; surveillance sometimes suffers under such circumstances. When he left, he carried concealed in his prison uniform several blank trusty passes.

In the record room, Charlie Harmon forged the warden's name. With the civilian head of the record room away, Kelly took photographs of the two convicts, and placed them on their cards. There is no explanation in the records of just how these men got into the record room; pretexts in prison are easily arranged. Nor is it exactly clear just how the two men, the next morning were able to evade surveillance, meet Kelly, be dressed by him in trusty's raincoats to cover their prison uniforms and personally ushered through the main corridor to a gate where a new guard was stationed. Keating and Holden will not tell. George Kelly now doing life on Alcatraz Island, takes a certain delight in concealing details. Charlie Harmon is where he cannot speak.

So Keating and Holden were gone, two men outside a prison wall on a dismal, drizzly day, dressed only in numbered uniforms and prison raincoats. That was no handicap. A few days before, in answer to an underground letter, they had been visited by the owner of a "soft drink emporium" from within Al Capone's beer limits in Chicago. There had been surreptitious conversation, probably by lip reading, which is the safest way of discussing prohibited subjects when a guard is trying to listen. Arrangements had been made for clothing. Keating and Holden went to a haystack in a field near the edge of town and found concealed there complete changes of garments. Following the transformation, they hitch-hiked to Kansas City. There they registered under aliases at a hotel and sent a wire to one of their many contacts in Chicago. The reply was a telegraphic money order for two thousand dollars, waiving identification. The young men took a taxi to the airport. That night they were back in their Chicago night clubs and with their women. Shortly afterward, Frank Nash, who was now a trusty, received an underground letter. It told him that the fields were green outside and many things lying around to be picked off. Some of the old bandit urges still held him however; he was a little chary of Chicago. Another friend was leaving prison soon, his time served. One day he and Frank Nash fell to talking. The friend said he owned an automobile.

"Come by for me some evening," Nash requested and named the day.

"Sure," answered the friend; with eager step and servile mein, he hurried away to show the guards how prison had reformed him. Frank Nash dropped by the prison library and got a book. He had read it before, and didn't intend to remain in prison long enough to read it again. He did, however, possess a highly developed sense of propriotios, even if he did get drunk at times. This was a souvenir.

Freedom came for the convict-friend. Frank Nash worked hard that day; he was assigned to the home of a deputy warden. When evening came, he walked out of the deputy's house, and did not return. He was free, with many new ideas he had gained from prison associations and a number of addresses in Chicago and St. Paul to which Kenting and Holden had referred him. But first he decided to visit his old friend, Herb Farmer, who was running liquor from the Osage hills into Kansas City.

Herb and Esther, his wife, had a nice little place out of Joplin -- cows and chickens and all that. In the creation of this atmosphere of simplicity, however, Herb Farmer, alias Snyder, alias Herb Black, alias Doafy, was not original. With the exception of the more serious charge for which he had served a term in McAlester, Doafy Farmer had spent most of his life as a petty grafter, working for some time in the West, especially around Denver where big-nosed pot-bellied old Lou Blonger had been the dean of confidence men. Lou was the father of the present day type of "cooling off joint". He owned a place far out on the Golden Road,

there, shadowed by the serrated peaks of the Rockies, he puttered about his cherry orchard, apparently an inoffensive old man who loved nature. Here "cooled off" at times, practically every big confidence man in America, from the example set by old Lou Blonger nearly thirty years ago came the spread of rural hideouts which now exist in every part of the country.

Herb Farmer lived like Lou had lived, his only close friends in Joplin another ex-convict and his wife, his main livelihood coming from the pockets of "the boys" who, with their women, periodically dropped in for a quiet stay.

Nash earned his keep during his visit with the Farmers. There was much hauling to be done to Kansas City, where the demands for liquor were heavy. The Osage brand was of better quality than that which came from the alley cookers of Little Italy. Between trips, Nash took quite an interest in a young fellow who also was visiting the farm outside Joplin. Followed by heavy drink, the old bandit felt a certain amount of sympathy for this young fellow who was yet only a novice, just out of Kansas State Penitentiary after his first sentence. The older man liked his cold deliberation, plus that other side of his nature which easily allowed him to become maudlin about his mother. Frank Nash became maudlin with him.

This young fellow was lonely. His name was Fred Barker and he was, in a way, alone in the world. His older brother, Arthur Barker, known as Doc, was serving a life

sentence for murder, having already been in the prison nearly eight years. His other brother Lloyd was in Leavenworth. Prison, Nash remembered having met him there. A good friend, Alvin Karpis, K.S.P. No. 1539, would not be out until the late fall of 1931. Fred mentioned that Alvin's Endurance Kansas State had been for safe blowing.

"I only went in for safe blowing once," said Frank Nash. "And that was unlucky. I like to walk into a bank with a gun in my hand. Something always happens in a case like that."

He told young Barker many experiences of the old Al Spencer gang. One day as he reminisced, he slapped a fattening thigh.

"Al Spencer always had a comeback! Something a fellow could think about afterward. I remember one time when we stepped into a little cigar box of a bank down in the Chikasha district. Al and Grover Durroll and I had moved in with two six-guns apiece, and Al yelled for everybody to lay face down on the floor. Well, all the men did exactly what he told them, but there was a girl, a stenographer, who either didn't hear, or wanted to watch what went on. So, there she lay, staring up at us. Al didn't notice it until I nudged him. 'That girl isn't face down,' I said. Well with that, Al whirled, quick as a flash, and jammed his six-guns toward that stenographer. 'I said for you to lay face down!' he

bellowed. 'Where the hell do you think you are, at a directors' meeting?!"

There was quite a sentimental touch about that visit by the Farmers. It concerned Frank's trip to the prison library. The ex-convict neighbor called one day. He noticed a book on Herb Farmer's living room table, well thumbed, and with an abrasion on its cover, where a large number had been erased, somewhat at the expense of the binding. The ex-convict picked it up quickly, his glance one of familiarity for the type of binding, and the numerals, still faintly to be discerned, in spite of erasure. Doafy smiled proudly.

"Can't they do more things in printing those days?" he asked. "That's a complete set of Shakespeare, all in one volume. Frank brought it to us when he escaped from the penitentiary."

During those pleasant days the matter of his escape, as well as that of Keating and Holden had travelled into the hands of the United States Division of Investigation. Special Agents had started their meticulous checking, working in Chicago on the case of the two gangsters and in Oklahoma on the trail of Frank Nash. It was to be a slow job; trails were well covered. Certainly, Specially Agents did not expect to find Frank Nash, the bandit, engaged in the prosaic task of hauling liquor to the Kansas City market. Thus Herb and Frank strolled down Main Street in the Missouri metropolis one day when a friendly voice called from nearby:

"Hello Jelly!"

Jelly was Nash's nickname. Deafy and the bandit halted, to peer toward a man and woman. It was Charlie Harmon, newly freed from Leavenworth.

"Paula came down from Chicago to meet me," he announced after the introductions. The woman, young, well dressed, pretty, was representative of many of the female companions of present day criminals.

She was born of respectable parents. She attended the public schools, both grammar and high. Her home could not have been one of poverty, for following her graduation, she was sent to a girl's finishing school. Following this, she married the mate of a ship, later divorcing him. Then she took a business course and became a proficient comptometer operator, being employed by two of the largest firms in Texas. So, with this background, with a good education, with a good job, she one day met Charles Preston Harmon, recently released from the Huntsville, Texas, penitentiary, and married him. When he again was sent to prison, this time for a term in Leavenworth, she did what many a woman of high-powered criminals do. She opened a house of prostitution and ran it for a livelihood until her man could be freed to offer a better living through the proceeds of bank robberies.

This was a gay meeting in Kansas City. Everybody was glad to see everybody else, and asked innumerable questions. Where was Bernard Phillips now? Still in Leavenworth? And how were Durrell and Thayer and Kelly getting along? All swell follows. The party grew so jovial that it was de-

cided to go somewhere and celebrate. A stop was made at the farm near Joplin. Then Jelly and the Farmers and the Harmons went to Hot Springs, Ark., where they rented a house and stayed nearly six weeks. One day Charlie and his wife had a spat. She went back to her call house in Chicago. The farm called Doafy and Esther. Frank Nash and Charlie Harmon were left together. So they went out and robbed a bank.

It was good to have real money again. Charlie wanted to return to Chicago and square up with Paula. Frank Nash saw him to the station and then went back to the Farmers and to his bootlegging.

There was a reconciliation in Chicago; Paula Harmon closed her house of prostitution and went to St. Paul with Charlie. St Paul was a grand town in those days; crooks told each other that the booze business had effected certain tie-ups by which a big-timer in any of the tougher rackets could see the right person and be assured of a quiet, undisturbed life. But there was little quiet for Paula and Charlie. Someway, as he expressed it, Paula and he never got along after he left Leavenworth; maybe it was his fault, always accusing her of having stayed with everybody in Chicago. So there was another split-up. Paula packed her bags and went to visit her new friends, the Farmers.

Examine the files in any important case, and one will find a constant element of movement. After all, the proceeds of crime must be spent upon transient things. Ex-

cepting a few instances, there are no such things as the possessions of real estate or places of business. Hunted men cannot buy good homes. They cannot possess much jewelry; there is always the fear of being double-crossed for it, or losing it to the police. They cannot become interested in permanent enjoyment. One cannot even run a hideout joint when he has a bunch of wanted notices against his name.

Such things as homes and country places and places of business must be reserved for the criminator politicians, men in the gambling and slot machine racket and other interests where the offense is wholly local and therefore locally protected. Otherwise, a life which has to do with crime is also one devoted to restlessness.

Thus one reads in the files where a murderer's woman in Chicago calls a racketeer's wife in New York and breaks the news that she is coming on for a short visit, arriving by plane the next day. Or where a crew of bank robbers with their women go on a tour to Hot Springs, Ark., by way of Miami, Fla. Or that a machine gunner and his blonde start out for a round of innocent relatives, staying a week or so at the homes of sisters and cousins or father and mother. Perhaps that is why automobiles are such a passion with crooks; they are a means of motion.

Therefore, there was no surprise in the Farmer home when Paula dropped in, just as there was none a short time later upon the arrival of a tall, sandy-haired man of thirty-five. Narrow featured, nervous appearing, yet rather hand-

some, he had dropped in from the East, with his woman Vivian, giving no reason for his appearance and being asked no questions. He and Frank Nash became great friends.

This man had lived an interesting life. He had left his home in Huron, South Dakota, as a young fellow, to become a showman. For a time he had been a parachute jumper, leaping from smoky balloons above country fairgrounds. He had also been a wrestler and boxer, finally to enlist in the United States Army for service on the Border, followed by an extensive training as a machine gunner in the World War. Then he had gone home and mainly upon his war record, become first a policeman and finally a sheriff, only to be caught in the embezzlement of $2,600 and sentenced to prison. Free again, he too had gone into the liquor racket. Now he was quite a personage in his quiet way. He had alignments with the Chicago mob, and was well tied in with like mobs in Cleveland, Jersey City and New York. At this he made big money -- Frank Nash learned that he got twenty-five per cent of the selling price of every case of liquor he smuggled over the line into the Detroit area.

Beyond this were other accomplishments. His presence was always welcomed in a bank robbery --a machine gun in his hands meant disaster to any avenging posse. He had two other specialities. One was the killing of men to order, so that their wives could collect the insurance. Another was the robbing of banks for the benefit of someone who had defaulted, thus covering up the irregularities. His name

was Verne O. Miller.

All this was highly interesting to Nash. Outlaw that he had been, submachine guns were strange to him; he was eager to hear more about those weapons which shot from the hip and which, in the hands of a man like Miller, with his ability to change drums in four seconds, could rip off five hundred shots in something less than a minute.

For Paula Harmon, a result of the Millers' visit lay in a quick friendship with Vivian, blonde, well-groomed, yet with an indefinable hardness about her which an excellent wardrobe, careful manicure, high-priced permanents and equally expert facials could not discount. It remained apparent in spite of her frequent references to her parents, who owned a little dairy farm up in Minnesota, and to her young daughter by a former marriage, whom she hoped to have with her soon. Verne had promised that he'd get a house in a town where he was "wired in" and cool off for awhile. Paula must visit her.

Paula would. She promised it rather absently; someone else had engaged her attention. It was young Fred Barker, [redacted]. Fred liked to talk about his mother, whom he called Kate -- and Paula encouraged him. Paula was experienced.

All in all, life was very pleasant. Soon however the restless urge hit those visitors. Verne Miller began talking about St. Paul. Frank Nash, with his earnings from bootlegging, had bought a new car and learned to drive it. The itch to move hit everybody but Fred Barker and the

Farmers. Away went the Millers and Paula Harmon and Frank Nash. For three of those persons it was just a trip. It was vastly more for the outlaw. He was saying goodby to old ideas, old customs. The rattle of the sub-machine gun was to take the place of booming six-shooters.

Back in St. Paul, there was little difficulty in reaching old friends. In the jargon, they put out "feelers" and soon were in connection. The gathering of crooks is not mysterious. In every city are hangouts. They may be run by ex-convicts and still maintain an air of respectability; they may be under the domination of a politician, or they may be captained by a supposedly respectable citizen who sees no harm in taking the money of free spenders and remaining blind to its source. These places are the postoffices and information booths of headlums; your own night club may be one of them. Or it may be a cigar store, a tavern, a hotel which caters to what it calls the "sporting" element. It may be a fight headquarters, a beauty shop where the women congregate for their endless round of facials, manicures, hair dyes and permanents, or it can be the barbershop where a crook may doze in his chair safely knowing that no one will call the police. Arriving in a town, a crook merely reaches for a telephone and calls a few numbers. If the rest of the crowd is in town, he is in speedy touch with whom he wants to find. All this was true in St. Paul. After a time the whole crowd, even to Charlie Harmon, got together in one of the city's biggest speakeasies.

Social affairs of this sort were now to Frank Nash--Jolly as everyone now called him. The cullon Tom Holden was at the reunion with a new blonde; he had ditched his wife Lillian for the time being and was running around with a worshipful night club cigarette girl named Gladys. Jolly Jimmy Keating had with him the titian-haired Margo, runaway sister of a Chicago policeman who had fallen for Keating while manicuring his nails in a Chicago barber shop. In the crowd was a grim-featured, serious-faced man of about forty-two, who alternately was called Ben Bloom or Bill Brennan, but who was in reality a personage of prominence, named Harvey Bailey. His exploits were supposed to have included the two-million-dollar robbery of a Nebraska bank and a part in the notorious Denver Mint Robbery of a decade before. Not only was he famous in his circle for this, but for the fact that he had escaped suspicion and capture. He owned two farms on the Illinois-Wisconsin line near Chicago and was tied in with the Capone mob, running a large still, which he operated in partnership with Fred (Killer) Burke, the main murderer of the St. Valentine's Day Massacre.

Contrasting with Bailey was a keen appearing man whom the rest of the crowd called Shotgun George Zeigler. Quietly dressed, close-lipped, this man talked mostly of golf. He too had his woman with him, Irene, as quiet and reserved as he. Charlie Harmon whispered that this man's real name was Hoots, and that he knew more about gangster crime than any man in Chicago, outside of Al Capone. He too had been implicated in the St. Valentine's Massacre of the Bugs Moran

gang, added Harmon, and did his killing with a shotgun. And what a bankrobber!

He was a college man, said Harmon, and one of the best golfers around Chicago. His hobby for years had been landscape gardening and whenever he wanted to take it on the lam, he pretended to be an expert on landscaping in the employ of the United States Government.

Shotgun George only sipped his drink and took but few of them. He remained silent, tight-lipped, for nearly an hour. Then suddenly brushing a napkin to the floor, he whirled, staring at Nash.

"They tell me," he said, "that you've been in some pretty good stickups down in Oklahoma. Well, I could tell you more about --"

"Sh-h-h-h--George!" his woman had laid a hand on his arm. The man glanced about him queerly, as if startled. Then he settled back into his chair, once more monosyllabic. Holden brushed a hand through his hair and leaned toward Harmon.

"Wonder what's getting into George?" he asked. "He acts at times like he can't keep from blabbing everything he knows."

Harmon only shrugged his shoulders. He was too recently out of the penitentiary to know that the gossip that Shotgun George Ziegler was losing his reputation for silence. Besides, two new arrivals had just come, the man rushing forward to shake hands with Jolly. It was Eddie Green, an old friend,

They had known each other in the cell blocks-- Jelly had remembered his address, here in St. Paul, and had written him that he was coming.

"Now I guess we'll show 'em how to case a bank!" said Eddie proudly. He introduced his wife, Rose.

It was a great night. After a time, however, Rita, the speakeasy owner's wife, showed signs of boredom. An intruder named Gus had edged into the party, loud-mouthed, profane, Verne Miller, the machine gun murderer, looked several times in his direction. Then he politely rose, excused himself from Vivian and walked to the table where Gus was leaning over his drink to shout an epithet at the piano player. Verne Miller touched him on a shoulder. Gus followed the slayer away from the table.

"Listen," said the murderer in a quiet tone. "I don't mind you butting in on this party. But cut out your god-damned vulgarity."

There was more attention to the niceties after this. Frank Nash thought to himself that here was aristocracy; Shotgun George Zeigler, for instance, with his college education, his knowledge of flowers and love of beauty. Harvey Bailey was someone worth knowing too; almost distinguished appearing with his firm jaw, his quiet mannerisms, the touches of grey at his temples. Harmon told him too that Harry, the speakeasy owner, was a big shot, and a friend of Leon Gleckman who had made a million out of various prohibition enterprises.

All these personages talked in terms that were

strange to the man from Oklahoma. Verne Miller cursed his luck on the ninth hole out at the club that afternoon and deplored the fact that he had missed a three foot putt. Harvey Bailey told about a new set of clubs he was having made for a trip to Hot Springs. Keating and Holden laughed over some joke of the locker room.

The women talked clothes -- clothes from Chicago, clothes from St. Paul, clothes from New York. They wondered if the men were going to take them to Pimlico for the races.

This was society. After a time Frank Nash, in his rural, Oklahoma way, got very drunk. At last he arose and laid a $100. bill on the bar with orders to serve the house. Pacing excitedly he announced that he'd shout anybody who bought a drink before the last cent of that set-up money was exhausted.