Chicago, Illinois
July 22, 1934

MEMORANDUM FOR SPECIAL AGENT IN CHARGE W. W. PURVIS
AND SPECIAL AGENT S. P. COWLEY

This is to advise you of the activities and observations of the writer in connection with the killing of John Dillinger.

On the night of July 22, 1934, at approximately 8:15 or 8:30 P.M., this Agent was at the office at the time the telephone call was received advising Mr. Cowley that Dillinger had gone to the Biograph Theater, 2433 Lincoln Avenue, and in accordance with previously-given instructions, the writer proceeded to the vicinity of that theater with Special Agents McCarthy, Wallas and Gillespie. Upon arriving within one block of the Biograph Theater, the car was parked and the writer, in accordance with instructions previously given by Mr. Cowley, proceeded to the left-hand side as one comes out of the Biograph Theater on Lincoln Avenue, being accompanied at that point by Special Agent Wallas.

Our instructions were to the effect that we were to be in position to see the four men designated to make the first approach on Dillinger and to cover those four men and assist in the apprehension if necessary, but to also endeavor to keep the crowd back when the grab was made, and to attempt to take the two women that would be with him.

We arrived at this point, which was approximately a half block from the theater, at approximately 8:30 P.M., where, as instructed, our surveillance was begun. From the position we occupied we could quite easily keep Mr. Purvis in direct view, as well as Special Agents Hollis, Hurt and Special Agent Winstead, who later came to that side of the street. This watch was continued up until about 10:45 P.M., at which time Special Agent in Charge Purvis, who was standing just south of the entrance of the theater, was seen to light his cigar, which was the prearranged signal to indicate that Dillinger was coming out of the theater. Simultaneously with that signal, the writer observed a man who answered the description given as to how Dillinger would look and would be dressed who came out of the theater with two women answering the description given of the women who would be with him. It was immediately known to the writer that that party was Dillinger.

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It is believed that as Dillinger came out of the theatre, possibly two other people came out at about the same time, and Dillinger was seen coming south on Lincoln Avenue in the direction of Mr. Purvis and Special Agent Wollee. I observed that as Dillinger passed Special Agent in Charge Purvis, Mr. Purvis started walking in Dillinger's direction. I also observed Special Agents Hollis and Winstead start moving toward Dillinger. At about that time Dillinger and his companions and two other bystanders were immediately alongside the writer and Special Agent Wollee. It was observed that Dillinger looked around in different directions and seemed to realize that he was being closed in upon, at which time he made a motion with his hand indicating that he was reaching for his gun. It was then observed that Special Agent in Charge M. H. Purvis, and Special Agents Hollis, Winstead and Hurt had drawn their guns and were approaching right up to Dillinger. At that time the writer drew his own gun.

Dillinger, then realizing evidently that he was trapped and still trying to get his gun, seemed to take two quick steps toward the alley, and as he did so, one or some of the Agents making the immediate approach on him fired three times and as a result of those shots Dillinger pitched forward on his face into the alley, at approximately four or five feet from the writer. Not knowing whether or not Dillinger would attempt to shoot after he hit the ground, the writer, along with the other Agents, covered him with guns, but it was observed that after he hit the ground he did not move again.

It was unknown to the writer where the two women accompanying Dillinger went, but they evidently made an immediate escape from that vicinity.

Shortly after the shooting took place the writer observed one woman who had been shot standing in that immediate vicinity, and the wound at that time appeared to be only a flesh wound.

Thereafter, the writer assisted in keeping the crowd away from the dead body.

Respectfully submitted,

A. E. LOCKERMAN,
Special Agent.

AEL:EH

26-5685

July 22, 1934

MEMORANDUM FOR SPECIAL AGENT IN CHARGE H. B. FOWLER

Re: Dillinger Case

At approximately 8:30 o'clock the writer stationed himself, Agents Sullivan, Ryan and Wolts at the rear alley of the Biograph Theatre, located at 2433 Lincoln Avenue. The exits at the rear and the northeast side of the Theatre were covered by Agents.

At approximately 10:25 three squad cars entered the alley from three different entrances. The writer approached these squad cars and notified the police sergeant that we were Government men and requested them to remove their cars, which they did.

During this procedure the writer heard two shots and as he was close to the alley a warning was given that possibly they had got him. Shortly thereafter the writer and other Agents in the alley were notified that Dillinger had been taken.

The writer remained in front of the Theatre and assisted Agent Richmond in directing traffic and keeping people away from the body. He returned to the Office at approximately 12:00 o'clock midnight.

Respectfully submitted,

JTM:LJM

J. T. McLAUGHLIN
Special Agent

62-29777-1-14 26-5685-2441

[illegible] July [illegible], 1934.

[illegible] FOR M. E. P. [illegible]

RE: [illegible] CASE

At approximately [illegible] P. M., July 22, 1934, [illegible] in company with Special Agents J. P. McCarthy, A. D. Lechman and E. G. Gillespie proceeded to a point approximately two blocks north of the Biograph theatre located at 4839 Lincoln avenue, where they [illegible] parked.

According to pre-arranged plans, Special Agents R. D. Hollis and E. G. Hurt, and officers Stretch and Sagala, of the East Chicago, Indiana Police, on a signal given by Special Agent in Charge M. H. Purvis, were to raise John Dillinger as he left the Biograph Theatre. Agents Gillespie and McCarthy were to close in towards the theatre from the North side and agents Hollis and Lechman were to close in from the South side, immediately after the two agents and the two officers mentioned above had endeavored to raise John Dillinger.

Special Agent R. D. Brown was sitting in a car approximately three doors South of the theatre and Special Agent in Charge M. H. Purvis was standing in the doorway near to the theatre on the South side. Just opposite Special Agent in Charge Purvis and a few paces South, agent Hollis was standing right the curb. Agent Hurt was standing at the corner of an alleyway approximately 200 feet South of the theatre. Between Special Agent in Charge Purvis and agent Hurt, agent Winstead was standing in a doorway. Directly opposite agent Purvis, standing at the curb, were this agent and agent Lechman.

At approximately 10:40 P. M. John Dillinger, in the company of two women, came out of the theatre and started walking South. As Dillinger passed in front of Special Agent in Charge Purvis, Mr. Purvis lighted a cigar, which was the signal that John Dillinger was approaching. Dillinger looked towards Special Agent in Charge M. H. Purvis but did not appear at this time to be suspicious. He did not appear to look at agent Hollis as he passed him, but as he passed the car in which agent Brown was sitting, he looked at agent Brown. As soon as he had passed Special Agent in Charge M. H. Purvis and agent Hollis, these two agents fell in behind him. As he passed agent Winstead, it appeared as though the shorter of the two women who were accompanying him pulled his shirt or gave him some signal, and he looked quickly around at agent Winstead. By this time he was approximately 25 feet from the alley entrance mentioned above. He appeared to realize that he was trapped, there was a very tense look on his face, and he crouched and pulled his gun. At this point agent Hurt took a step forward towards him and Dillinger

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appeared to be going to [illegible] Dillinger [illegible] this agent had their guns [illegible] Dillinger [illegible] had groups in a trembling [illegible] [illegible] that. He was the only person who [illegible] Dillinger [illegible] been [illegible] wet ground in the [illegible] alley [illegible] that agent finished firing only [illegible] shots. [illegible] number of shots fired, in these [illegible] shots [illegible] been fired by Winstead and another agent as well as [illegible] at the same moment. [illegible] Dillinger was unable to move, agents Lechmann and McCarthy moved the crowd back across the South on Lincoln Avenue, keeping them away from the body. At this time there was one lady who appeared to be wounded, with a man supporting her. However, she was able to walk and she was being escorted by this man. Aid was summoned for her and an ambulance was called by agent McCarthy.

About ten minutes before Dillinger came out of the theatre, three agents of Chicago Policemen, went south on Lincoln Avenue and drove into the alley just this Agent and agent Lechmann. They did not stop on Lincoln Avenue but drove on into the alley, where it was understood they agents at that point informed them who they were and the officers left. These same officers returned about five minutes after the shooting and helped to keep the crowd back. This agent stayed at the scene of the shooting until relieved by Special Agent in Charge H. H. Purvis he proceeded with agents McCarthy and Lechmann to the Cook Hospital and ascertain the identity of the woman who was injured, who was taken to this hospital, and how serious her injuries were. This data will be set out in the report of agent McCarthy.

It might be well to note that from the time Special Agent in Charge H. H. Purvis gave the signal and agents saw the person than they were to apprehend as Dillinger, there was no question in everybody's mind that this was not actually John Dillinger, even though his features had been changed somewhat.

Respectfully submitted,

J. R. WELCH
Special Agent

JRW:AB
26-5665

Chicago, Illinois
July [illegible], 1934

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, [illegible]

RE: [illegible] CASE

At approximately 7:35 P.M. July [illegible], 1934, Agent R.L.Richmond and the writer were assigned by Special Agent in Charge N.B.Purvis to proceed to the Biograph Theatre, 2433 North Lincoln Avenue, Chicago, for the purpose of surveying the neighborhood in order that arrangements might be made by this office to cover all possible exits from that theatre in the event that John Dillinger attended that theatre on that particular evening.

Agent Richmond and the writer surveyed the premises noting about four alleys in the rear of the theatre, two exits on the south side of the theatre in the rear, about 4 or 5 exits on the north side of the theatre extending from the rear to the streets on Lincoln Avenue, adjoining the theatre, and two exits in the rear of the theatre directly on the alley.

These Agents returned to the Chicago office at about 8 P.M. and advised Special Agent S.P.Cowley of the description of the premises whereupon arrangements were made for certain agents to cover certain parts of the neighborhood, and to station themselves in such a manner as to cover the entire surrounding neighborhood.

At about 8:[illegible] P.M. the Agents assigned to cover the Biograph Theatre arrived in the vicinity of 2433 Lincoln Avenue following receipt of telephone call from Special Agent R.D.Brown to the effect that Dillinger had entered the theatre. Special Agents R.L.Richmond, C.G.Campbell, and the writer proceeded together to the Biograph Theatre, and stationed themselves across the street from the theatre in various places in accordance with instructions received from Special Agent Cowley.

At approximately 10:30 P.M. or shortly thereafter, the writer observed two or three agents across the street turning and walking south on Lincoln Avenue towards the alley situated about 4 or 5 doors south of the main entrance to the theatre, and the writer observing that these agents were quickening their pace, [illegible] immediately darted across the street, and when about half way across heard the revolver shots, which

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It was later learned, [illegible] John Dillinger. The writer then stationed himself beside the body of Dillinger, assisting the police officers and in keeping the crowd of curious people from the scene of activity. In accordance with the instructions of Special Agent in Charge Purvis, the writer then notified the Cook County Coroner's office by telephone, and thereafter returned to the place where Dillinger was lying in the street, and remained there for approximately 15 minutes until the Agents were instructed to return to the Chicago office, whereupon the writer in company with Special Agent Val C. Zimmer and other Agents, returned to the Chicago office.

Upon arriving at the Chicago office, the writer was instructed to accompany Special Agent H. Chaffetz to the Alexian Brothers Hospital, 1800 N. Halsted Avenue, Chicago, at which place the body of Dillinger had been taken according to the police, and upon arriving at the Alexian Brothers Hospital, it was learned that Dillinger was dead, and that his body was still in the patrol wagon, and that he was about to be taken to the Cook County morgue.

The writer then left with Agent Chaffetz to accompany the body to the Cook County morgue for the purpose of taking the fingerprints of Dillinger, and the writer then returned to the Chicago office.

The writer was present at the time the body of Dillinger was removed by the Chicago Police just about 15 or 20 minutes after the shooting, the body being placed in a Chicago Police Patrol wagon.

Respectfully submitted,

J.J.MEROALFE
Special Agent

JJM:FB

Chicago, Illinois
July 22, 1934

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, S.A. [illegible]

RE: DILLINGER CASE

Upon receipt of information that John Dillinger was at the Biograph Theatre, Agents McLaughlin, Ryan, Selva, and the writer took up their designated positions in the rear of the above theatre, covering the emergency exits on the north side of the theatre bounding the rear.

At 10:50 P.M., July 22, 1934, Agent heard what sounded like two shots, and upon receiving notice from the front of the theatre, Agent proceeded to the front where John Dillinger was seen lying on the pavement of Lincoln Avenue immediately adjacent to the alley near 2429 Lincoln Avenue, Chicago. Agent remained on duty beside Dillinger's body until approximately 11 P.M., and, accompanied by several others, proceeded in the patrol wagon with the dead body to the Alexian Brothers Hospital where a staff doctor pronounced Dillinger dead. The body of Dillinger was thereupon taken in Chicago Police Patrol to the County Morgue, where the body was stripped and searched, and examined by the Coroner's office.

The following personal possessions were found:

1 pair white buckskin Bunn-Bush shoes, bearing size 9-D, manufacturer's No. 560...100731.

1 pair black silk socks - No Mfrs. name

1 pair Red Paris Garters

1 pair shorts (Boxer) white, with blue stripes, size 34 - bearing Mfrs. identifying No. 136A-50029-34.

1 pair grey pants, containing laundry mark in pocket, No. 565(40

1 black belt with silver buckle - no monogram thereon.

1 white broadcloth shirt - Kenilworth Brand. Manufacturer's No. not obtained.

1 red printed neckties, bearing tag of Paul Beldt & Sons, 2724 North Clark Street, Chicago, Illinois.

The following possessions were taken from Dillinger's pockets:

A yellow gold, [illegible] Hamilton watch, [illegible], case No. [illegible]. This watch contained in the rear case a picture of a young woman, which was identified by Officer Searcy of the East Chicago Police Department, as that of a young woman by the name of Billie, reported to be the wife of an East Chicago policeman, and a woman with whom Searcy is personally acquainted. Searcy stated this information was highly confidential. The above photograph was obtained from the Coroner's office by Agent McKinnon, and turned over to Agent V.E. Peterson.

In addition, there was found $7.70 in bills and change.

Two keys, one manufactured by the Independent Lock Company and the other appeared to be a door key.

A loaded automatic clip of .380 calibre, Remington U.M.C. cartridges found.

White handkerchief with a brown border.

The above property was taken into the custody of the Coroner's [illegible]

The body when viewed disclosed what appeared to be an old gun [illegible] wound above the left knee, and two fresh wounds on his chest, one just below his heart, and a third bullet wound in the lower rear portion of his neck. This bullet appeared to have pierced the skull and emerged from the lower portion of his right eye, just above the upper lip. The body contained a yellow gold ring with a ruby stone. No initials or monograms were found thereon, and it was noted that small scars appeared in the dimple of Dillinger's chin, and approximately 1½" below the left [illegible] right temples, and a scar between the eyebrows, apparently made for the purpose of altering his facial characteristics. The eyebrows apparently had been dyed, and had been plucked, and the hair apparently had been dyed dark brown, and there was a long narrow mustache.

At the time [illegible] Hagerstrite from the body, [illegible] to the fingers had been whipped with, and examination of the fingers disclosed that appeared to be small [illegible] were of the large formation on each finger.

At approximately 2:00 A.M. a squad of 10 Chicago policemen were stationed at the morgue to watch the body.

Upon instructions, Agents returned to the office.

Respectfully submitted,

D.F.SULLIVAN
Special Agent

DFS/S

JEH:HCB

July [illegible], 1934.

MEMORANDUM FOR MR. TOLSON

Mr. Cowley telephoned from Chicago this morning. He stated that they had gotten in touch with the Commissioner last night at 10:45, who said he would call Captain Stege, after which he called Mr. Cowley back and informed him that the Captain said it was our case and that he no longer desired to hold the informant. I remarked that I felt the Commissioner would be all right on that. Mr. Cowley said it was just connivance on the part of the newspapers to use the Police Department to obtain what information they could. Mr. Cowley said he thought it was the Chicago Daily News which promoted this scheme.

I asked Mr. Cowley why the woman wasn't removed before this action took place. He said he talked to her yesterday, insisting that she leave immediately on the trip to Detroit. However, she said she could not go until she saw her son, who was at the beach and wouldn't return until about 5:30 or 6:00 o'clock. Mr. Cowley stated that the officers questioned her quite a bit, and according to her statement to Mr. Cowley, she told them everything except that she knew who Dillinger was and that she was the informant. Mr. Cowley remarked that he thinks she is a very smart woman. I stated that I noticed that her story was rather fully carried in the morning papers here, and that it was indicated that the other woman told the officers where he was.

Mr. Cowley further stated that when they took the informant to the office last night, newspaper men followed her out of the Police Station. Several of them came to the office and asked what we were going to do. Mr. Cowley informed them that we would prosecute her for harboring if we could make a case, and that would be dependent upon whether we establish that she knew the identity of Dillinger. In addition, they inquired if she was the "finger" woman, and he denied it emphatically. They then asked if this would not indicate that the other girl was the one responsible, but he also denied this. Mr. Cowley said that after they brought the informant to the office, they had her go to get in touch with the other girl. They then brought her in about 2:00 o'clock, but the newspapers do not know this.

Mr. Cowley said they have been questioning the other girl all night and he is positive that she knows no more than the informant. She has been working as a waitress. When she went out with him they went to theaters, but had never stayed overnight with him at any place, although she did stay with the informant a number of times. Mr. Cowley believes that she is telling the truth. He said that last night the informant called the girl, told her where she was, and told her to come down and tell the whole truth except that she knew who Dillinger was.

I asked Mr. Cowley what action he felt we should take, that I see little use in prosecuting the girl, because to do so would put the

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Gawler
Mr. Lester
Mr. Leach
Mr. Harbo
Mr. Nichols
Mr. Berry
Mr. Quinn
Mr. Tamm

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DIVISION OF INVESTIGATION
AUG 3 1934
U. S. DEPARTMENT OF JUSTICE

FILE

informant "on the spot." Mr. Cowley agreed with this, and remarked that the way it is now, we are being "put on the spot" for not prosecuting the informant. Mr. Cowley said he still thinks both of these women should get out of town, and the informant says she will do anything we want her to. I told him I felt they should be removed because of the newspaper situation. I asked Mr. Cowley if the East Chicago Police Department knows that we have the second woman in custody. He said he didn't think they did know this, and I suggested that he not inform them because there is indication in the press that both O'Neill and Zarkovich have done quite a lot of talking.

I referred to the story in the press by Zarkovich to the effect that he watched the Biograph Theater and saw Dillinger go in two or three times during the previous week or so. Mr. Cowley said there is no foundation to this and that Zarkovich never saw Dillinger before that night. I also referred to the story by Zarkovich to the effect that they could have picked up "Baby Face" Nelson and Hamilton any time during the last few weeks, but to have done so would have scared Dillinger away. Mr. Cowley said there is likewise no foundation for this.

I remarked that I felt that the two women should be taken away from Chicago without anybody knowing about it, until the present excitement dies down. I suggested that he make a general statement to the effect that we are making an investigation to determine whether there is any grounds for prosecuting the informant, and if they finally learn that we also have the second woman he might make a similar statement as to her. I told him I felt Detroit would be a good place to take them because the police there are more cooperative than at Chicago. The informant said that the Chicago Police questioned her for two hours, their chief objective being to find out why she hadn't given the information to them.

With reference to the "Dutchman" Mr. Cowley stated that the woman found in his apartment is a very bitter enemy of Piquett. She contends that Piquett has robbed her of several thousand dollars. I told Mr. Cowley to take this woman into custody and keep her in proper quarters in an effort to obtain information concerning Piquett. I directed that particular attention be given to this angle, as well as the Dr. Cassidy and O'Leary angles. Mr. Cowley stated that according to the "Dutchman," O'Leary is a contact man for the most notorious criminals in the world; that some time ago O'Leary had contacted a certain party to see if he would kill the principal witness in a certain case. I told Mr. Cowley to check definitely on O'Leary's background. I stated that I had talked to the Attorney General along this line, and he is very much interested in making an example of one of these lawyers, having Piquett in mind. I suggested to Mr. Cowley that if he needed additional help he might use some of the Agents leaving Indianapolis. He didn't feel this would be necessary, however.

Very truly yours,

John Edgar Hoover,
Director.

JEM:MCB

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DIVISION OF INVESTIGATION
AUG 13 1934
U. S. DEPT. OF JUSTICE

RECORDED & INDEXED

August 1, 1934.

MEMORANDUM FOR MR. TAMM.

During telephonic conversation this afternoon, Mr. Cowley stated that he had a long talk with the informant in the Dillinger case this morning. Her purpose in returning to Chicago, she stated, was to take care of some property, and her son is also in Chicago. She understands, however, that we are not going to go to her rescue any more if she stays there. Mr. Cowley told her we would be glad to send her wherever she wanted to go, which would keep her out of reach of the police, as well as the newspapers. She denies any implication with Zarkovich, but admits that she has known where Dillinger was for approximately seven weeks, and that Dillinger has slept at her place on many occasions, with the Hamilton woman, usually leaving about 5:30 or 6:00 o'clock in the morning; that the keys which he had to her apartment were keys which he had taken, during the show, from Polly Hamilton. She denies ever having seen Dillinger prior to that time, which would make it impossible for her to have visited him at Crown Point.

I inquired as to how the informant first met Hamilton. Mr. Cowley said she stated that she has been a friend of Polly Hamilton for some time; that Polly Hamilton was in the habit of visiting her frequently, and told her one day that she had a big bad friend. She was invited to "bring him up." Polly replied that she had invited him several times but he didn't want to come. Finally Polly called the informant on the telephone and said that "Jimmie" would be up with her, and asked her to prepare something to eat. They then came up, and she immediately recognized him as Dillinger, and told him so. Finally Dillinger admitted it. He went to her place regularly after that time. I asked if the informant knew where he lived. Mr. Cowley stated that both of the women deny knowing where Dillinger lived. Mr. Cowley said he has no reason to believe that the informant does know where he lived; that he sees no reason why she would withhold it if it implicated any of the other members, because he didn't know why she would have been willing to turn in Dillinger and not the others. She said that he had about $3,000 on him when he was shot. Mr. Cowley said this was not true, however. The informant said he had 65 20-dollar bills, $1,000 in ten-dollar bills, and $1,000 in five-dollar bills. She said he had counted it before they went to the show. Mr. Cowley stated he had no coat on and this much money would have caused his pockets to bulge a great deal. I remarked to Mr. Cowley that of course much depends upon the impression which she conveyed to him; that if she conveyed the impression of honesty and frankness I think it is all right. I suggested that he get this all in writing, however, so that we would have a record on it. Mr. Cowley stated that he thinks she is telling the truth in so far as the gangsters are concerned, but she won't admit any intimate relations with Zarkovich, although Mr. Cowley stated he doesn't think there is much question

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Ba
Chief C
Mr. Co
Mr. Co
Mr. Ed
Mr. Er
Mr. H
Mr. Ke
Mr. Le
Mr. Qu
Mr. Tamm

FILES SECTION
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DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

but that they have been rather intimate. I stated that I didn't see much use of our pressing this angle since it is immaterial to us as to what her relations with Barkovich are.

Mr. Cowley stated that he would have all of the details prepared in the form of a sworn statement.

He said that the informant intends to stay in Chicago now, at the home of her parents. She denies ever having been in New Jersey.

Mr. Cowley also stated that the Pierponts have returned to Chicago and are out now looking for Piquett. I told Mr. Cowley to continue to follow this angle closely so that we could bring it to a conclusion. He said the Pierponts still feel quite confident that they will be successful, though they are basing their belief primarily upon their past experience. I remarked that I am somewhat dubious about this angle. Mr. Cowley indicated that he is also, though he feels they are in a better position than any one we know. I stated I thought so too, and wanted to give them a fair opportunity of getting it from Piquett, and if they can't, I felt we should given our attention to Piquett.

Very truly yours,

John Edgar Hoover,
Director.

JOHN EDGAR HOOVER
DIRECTOR

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Tamm

# Division of Investigation

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

EAT-eg

August 3, 1934.

MEMORANDUM FOR THE DIRECTOR

I called Mr. Cowley and advised him that we had an article from the Chicago American for July 30th entitled "Though Dillinger is dead, their faces are red", stating that Dillinger visited the police building at 1121 S. State St. four times while he was living in Chicago accompanying Polly Hamilton Keele. I asked whether this had been taken up with the Keele woman and Mr. Cowley stated this had not been done. I told Mr. Cowley to take it up with her and see whether Dillinger actually was or was not there. I advised Mr. Cowley that in one of the other papers there was a statement to the effect that Mrs. Keele, being a waitress, had to go there for a health examination and Dillinger used to go with her and sit in the waiting room at the police station while she was examined and passed upon. Mr. Cowley stated they will check this.

I also advised Mr. Cowley that the Chicago Tribune on July 30th has a photograph of Mrs. Anna Sage sitting on the steps with Sergeant Martin Zarkovich and states that snapshots of the pair were found in Mrs. Sage's flat following her hasty departure after the Dillinger killing. I further told Mr. Cowley that in the same edition of the paper there is published a photograph of Zarkovich with Mrs. Sage's son. I told Mr. Cowley to get an explanation on this, if possible. Mr. Cowley stated that this has been admitted; that these photographs were found in her apartment and were taken several years ago; that Mrs. Sage has known Zarkovich for fourteen years and from 1920 until about 1928 they were on very intimate terms; that she does not admit living with him and neither does he but this is probably the case; that she was married in 1928 to Sage and her contention is that from 1928 until the present time she has seen but very little of Zarkovich and Zarkovich says the same thing; that Zarkovich told Mr. Purvis that he wanted him to believe him when he said that he had had nothing to do with her during recent years. I asked if Mrs. Sage had told us about her relations with Zarkovich before we found the pictures and Mr. Cowley stated that she had and I told Mr. Cowley this would take care of it then.

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Mr. Cowley advised that some time ago a man named Jack DeWitt, who stated he was going to write an article for the American Detective magazine, came to see him; that DeWitt has now written this article and submitted it to Mr. Cowley and wants it returned immediately; that Mr. Cowley is going to send it to the Division for approval. Mr. Cowley requested that it receive prompt attention when it arrives at the Division and I told him we would get it out the same day. Mr. Cowley stated he will send it air mail, special delivery tonight and I told him if we get it in the morning we will send it back to him tomorrow night. Mr. Cowley asked that we mail it direct to DeWitt and I stated we would do this.

RECORD & INDEX

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Cowley advised 8/4/34

I told Mr. Cowley that it was my impression that the American Detective magazine was about to publish a rather disparaging article

It is the "Real America" & not the "American Detective". J. E. H.

TOLSON TAMM

about the Attorney General, the Director and various Departmental officials, written by a man named Austin, who was formerly an investigator for the National Association of Credit Men. I asked Mr. Cowley if he knew about this and he stated he did not know a thing about it. I told Mr. Cowley that this fellow met an agent recently in St. Louis and told him he had written this series of articles which are supposed to be very derogatory and accuse the Department and the Director of hushing up and stopping prosecution in bankruptcy cases and things of that kind and the American Detective magazine is going to publish these articles; that Austin is a no good cad; that he had a contract with one of these investigating agencies some time ago for a certain period of time at a specified salary and they would not let him do any work; that they kept on paying him but would not let him come near the office; that he sued them for libel and is generally a trouble maker. Mr. Cowley stated that this article by DeWitt as it is written now is very favorable; that DeWitt is sort of a free lance writer and Mr. Cowley does not know whether it will be accepted verbatim; that he, Mr. Cowley, is making a few changes; that the big objection is too many I's and Cowley's; that this article concerns an interview with Mr. Cowley; that DeWitt has magnified Cowley's importance two or three hundred fold and Mr. Cowley is cutting this down and expects the Division to cut it down still more.

Mr. Cowley stated that if the American Detective magazine is going to publish a series of derogatory articles, this article would be something to counteract it considerably. I told Mr. Cowley that I had that idea last night when I saw the memorandum on Austin but I wanted him to know about it and the Director will probably take it up with Mr. Purvis. Mr. Cowley stated that he understands that this magazine is published by the American Magazine and although they control it, it is not generally known that they publish it and it looks like a very good magazine.

Respectfully,

E. A. Tamm.

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Tamm

# U. S. Bureau of Investigation

Department of Justice

1900 BANKERS BUILDING
CHICAGO, ILLINOIS

August 2, 1934

Director,
Division of Investigation
U.S.Department of Justice,
1001 Vermont St.N.W.
Washington, D.C.

RE: JOHN HERBERT DILLINGER with aliases, (Deceased), FUGITIVE, I.O. 1217; JOHN HAMILTON with alias, I.O. 1220; HOMER VAN METER with aliases, I.O. 1222; LESTER M. GILLIS with aliases, I.O. 1223; MARIE MARIONO COMFORTI with aliases, FUGITIVE; MRS. HELEN GILLIS with aliases, FUGITIVE, et al - NAT'L MOTOR VEHICLE THEFT ACT; OBSTRUCTION OF JUSTICE AND CONSPIRACY TO HARBOR FUGITIVES.

Dear Sir:

PERSONAL AND CONFIDENTIAL

Reference is made to my letter dated July 31, 1934, in which mention is made of Confidential informant [redacted]

For your information please be advised that the individual known as [redacted]

b7D

Very truly yours,

S. P. Cowley

S. P. COWLEY

VWP:JMS

26-5685

RECORDED & INDEXED

AUG 7 1934

62-29777-1-18

DIVISION OF INVESTIGATION
AUG 6 1934 A.M.
U. S. DEPARTMENT OF JUSTICE

TAMM | FILE

JOHN EDGAR HOOVER
DIRECTOR

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

July 22, 1934.

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr. Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Tamm

MEMORANDUM

Mr. Cowley called at 12:30AM with further reference to Dillinger. He stated that Dillinger's fingerprints have been taken and Dillinger attempted to disguise each one by destroying the center but they have been compared and found to be identical. Acid was used but a positive identification has been made.

Mr. Hoover asked Mr. Cowley if the two women had been located and he replied that they have not been located. Dillinger's place of residence has not been located.

RECORDED & INDEXED
AUG 9 - 1934
62-29777-1

Mr. Hoover advised Mr. Cowley to see that the informant is taken care of properly and thoroughly protected. Mr. Cowley stated that she was very hysterical at that time. Mr. Hoover also advised Mr. Cowley to get a line on the rest of the crowd.

Mr. Cowley stated that there were twenty agents and five members of the East Chicago, Indiana, Police. Only one Agent (Winstead) did the shooting. It is not known that Winstead did the shooting and Mr. Hoover advised Mr. Cowley not to give it out and that it was not being given out here.

Mr. Cowley stated that he was in the group surrounding the theatre but that he did not witness the shooting. Mr. Cowley further stated that the Chicago Police were not in on it. Mr. Hoover stated that he wanted the East Chicago, Indiana, Police to get credit and no one else. Mr. Cowley stated that he would see that it was done.

Mr. Hoover advised Mr. Cowley to find out just who is entitled to the reward as a lot of claims will be filed for it. Mr. Hoover again advised Mr. Cowley to take care of the informant, take her any where she wants to go, and anything else that she might ask for.

Mr. Cowley stated that Dillinger's girl friend and the informant were friends. All of the contacts were made through Dillinger's girl friend and the informant. Dillinger did not contact the informant at all.

Mr. Hoover advised Mr. Cowley to get a line on the doctor who operated on Dillinger. Mr. Cowley stated that they will do that shortly as they already have some information on him.

Mr. Hoover advised Mr. Cowley not to make any celebration over this because there is still plenty of hard work to be done. Mr. Cowley was advised to contact Ladd, Larson, and Connelley and have them concentrate on Nelson, Van Meter, and Hamilton.
Mr. Hoover advised Mr. Cowley to sit in on the press conferences with Mr. Purvis and to have Winstead remain silent.

C O 3

DIV INVEST CGO 7-22-34 -12-20 PM CLE

JODIL

DIRECTOR

LATE YESTERDAY AFTERNNON CAPTAIN ONEAL AND SERGEANT ZARKOVICH, OF THE EAST CHICAGO INDIANA POLICE DEPARTMENT, CALLED MR. PURVIS AND MADE AN APPOINTMENT TO MEET MR. PURVIS AND MYSELF AT THE GREAT NORTHERN HOTEL. AT WHICH TIME SERGEANT ZARKOVICH ADVISED THAT HE HAD A CONFIDENTIAL INFORMANT WHO HAD MET AND GONE TO THEATRES SEVERAL TIMES WITH DILLINGER AND HIS GIRL FRIEND. CAPTAIN ONEAL STATED THEY WOULD LIKE TO GIVE THE INFORMATION TO THE DIVISION BUT REQUESTED TO WORK WITH US WHICH ARRANGEMENT WAS ACCEPTED. SERGEANT ZARKOVICH HAD AN APPOINTMENT WITH THE INFORMANT LAST NIGHT AT 9 O CLOCK AND MR P PURVIS WENT WITH HIM. THE INFORMANT PROVED TO BE A MRS. SAGE A FORMER PROSTITUTE OF EAST CHICAGO AND WHO HAS BEEN ORDERED DEPORTED. SHE IS ANXIOUS TO OBTAIN REWARDS AND NOT BE DEPORTED. SHE WAS ADVISED THAT SHOULD HER ASSISTANCE BRING ABOUT THE APPREHENSION OF DILINGER WE WULD DO ALL WE COULD FOR HER. SHE DOES NOT KNOW WHERE DILLINGER LIVES AND HAS NO WAY TO GET IN TOUCH WITH HIM BUT HAS TO WAIT FOR HIM TO CONTACT HER THROUGH HIS GIRL FRIEND, BETTY KEEL, OF FARGO, NORTH DAKOTA. SHE STATES DILLINGER HAS HAD HIS FACE OPERATED ON. REMOVING THE MOLE FROM BETWEN HIS EYES AND THE DIMPLE FROM HIS CHIN AND THAT HE HAS ALSO HAD HIS FINGERS OPERATED ON. INFORMANT [redacted] HAS ALSO ADVISED THAT HE HAS HAD HIS FACE AND HANDS OPERATED ON. [redacted] STATED THAT HIS FACE HAD BEEN OPERATED ON.

b7D

RECORDED 62-29777-1-19

HOLD MIN INDEXED

OPERATION ON HANDS UNDOUBTEDLY FOR PUR[illegible] CHANGING FINGER PRINT

WJBrps
91-35

October 18, 1934

MEMORANDUM FOR THE FILE

59967

RE: [illegible], with aliases, et al.
Peoples National Bank, South Bend,
Indiana.
Bank Robbery.

A review of the above file was made for the purpose of ascertaining the number and identity of the witnesses who had identified various members of the Dillinger gang as being the robbers in this case. Set forth below under the names of each of the persons who have been identified as the robbers are the names of the witnesses who have identified them.

[illegible] HILLEBRAND

F. G. Staley, Vice President of the victim bank was positive when viewing a photograph of Dillinger that he was the leader of the robbers who stood in the bank lobby shooting a machine gun. After Dillinger's death he viewed his body in the morgue at Chicago, Illinois and stated that Dillinger was the leader of the bandit gang.

B. H. Coon, cashier of the victim bank, partially identified Dillinger from a photograph as the leader of the bandits in the bank. When viewing Dillinger at the morgue in Chicago, he stated that Dillinger was not the leader of the gang.

G. W. Coon, Vice President, positively identified the photograph of Dillinger as being the bandit leader.

Officer E. F. Hanson of the South Bend Police Department identified the body of Dillinger as "a very good likeness both in face and in stature" of the man he saw coming out of the bank with a machine gun.

62-29777-20

LESTER E. GILLIS

62-29777-1

Miss Clementine Chlebowski of the Kentucky Bakery identified Gillis as the man standing in front of her store with a rifle.

OCT 18

U. S. DEPARTMENT

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INDEXED

OCT 20 1934

[illegible], Rexall Drugstore, positively identified Gillis as a man who entered the drugstore three or four days before the robbery and purchased glass bottles, or cylinders.

Mrs. William Kaufer partially identified Gillis as the man who stood on the streetcorner and shot and killed the policeman.

L. F. Smith, a passer-by who "absolutely swore" that Gillis is the man who stood on the corner and killed the policeman.

Ben Yates who was next door to the bank at the time of the robbery tentatively identified Gillis as the man who was standing in front of the Kansas Hatchery Shop.

Mrs. Edith Chiodini, Peoples Store, stated that the photograph of Gillis was similar to the the bandit which she saw.

Paul A. Zebeck, Peoples Store, stated there was a considerable resemblance between Gillis' photograph and a bandit she saw enter the get-away car.

## ROBERT VAN ETEN

Alvin W. Shank, Paying Teller, partially identified a photograph of Van Eeter as a man who was in the bank three or four days before the [illegible]

Miss Helen Chiodini, Hinsley's Shoe Store, partially identified a photograph of Van Eeter as a man who ordered her and several other individuals out of the store at the time of the robbery.

Arthur Dillon identified Van Eeter as a man who stopped him in front of the Hinsley's Shoe Store.

E. Thompson, Rexall Drugstore, positively identified Van Eeter as the man who came in the drugstore three or four days before the robbery.

H. Cleland, a customer in Hinsley's Shoe Store tentatively identified Van Eeter as a man who ordered him and others out of the shoe store.

Kenneth Cooper, employee Hindley's Shoe Store, stated the picture of Van Meter was similar to the bandit who forced him and others out of the store.

Charles E. Ballard, attorney, partially identified Van Meter as the man who stood guard south of the bank.

G. M. Mink, employee, Sublay's Shoe Store, partially identified Van Meter as a man who stood guard near the bank.

Ray North, customer in Hooks Drugstore, partially identified Van Meter as the man who stood in front of Sublay's Shoe Store.

JOHN HAMILTON

Miss Ruth Campbell, Hooks Drugstore, identified Hamilton as a man who came in the drugstore two days before the robbery and stood around the cigar counter fifteen minutes.

Miss Irene Ream, bank employee, stated that the photograph of Hamilton "looks something like" one of the bandits who went back of the cages in the bank and gathered up the money.

THEODORE BENTZ

Harry Henderson and Nels P. Hansen, members of the South Bend Police Department tentatively identified Bentz from photographs as one of the bandits who came out of the bank. Subsequently they viewed Bentz in the jail at Grand Haven, Michigan, and positively identified him.

P. S. Staley, Vice President of the bank, stated that Bentz' photograph looks more like the man who went behind the counters in the bank than any other photograph shown to him.

Fred Dattle, bank teller, stated that the photograph of Bentz looks something like the big man who went behind the counter in the bank.

FRED TOSSER

Edward McCormick, a South Bend Detective, identified Tosser

as being the driver of the bandit automobile.

Mrs. William Weaver, partially identified Parrish as one of two men who passed her car and who were going in the direction of the bank.

Edwin V. Tucker, a passerby, partially identified Parrish as the first bandit who came out of the bank.

WILLIAM PERRIN

Alvin V. Shank, Paying Teller, partially identified Perrin as one of the men who went behind the cages and gathered up the money.

JOHN PERKINS

Miss Irene Bean, bank employee, stated that the photograph of Perkins is similar to the bandit who went behind the counter and gathered up the money.

Albert Reese, bank employee, made a statement the same as Miss Bean.

JOHNNY BURNS

D. M. Dean, bank cashier, stated that the photograph of Burns resembled the leader of the bandit gang in the bank.

H. A. SMITH.

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baughman
Chief Clerk
Mr Coffey
Mr. Cowley
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr Keith
Mr. Lester
Mr. Quinn
Mr. Tamm

# Division of Investigation

U. S. Department of Justice

1900 Bankers Building

Chicago, Illinois

PERSONAL AND CONFIDENTIAL:

AIR MAIL--SPECIAL DELIVERY:
REGISTERED

July 28th, 1934

Director
Division of Investigation
U. S. Department of Justice
1001 Vermont Avenue, N. W.
Washington, D. C.

Dear Sir:

There are enclosed herewith three copies of an Affidavit made by myself and Mr. S. P. Cowley. There are also attached hereto three copies of a drawing showing the location of the Biograph Theatre and the positions occupied by the various persons attached to the detail which covered this matter on the night of July 22nd, 1934.

Very truly yours,

M. H. Purvis

M. H. PURVIS
Special Agent in Charge

MHP:LJM
3 enc. Inland file

RECORDED & INDEXED

AUG 6 1934

62-29777-1-21
FEDERAL BUREAU OF INVESTIGATION
AUG 5 1935
U. S. DEPARTMENT OF JUSTICE
TAMM ONDR FILE

Mrs Gandy
8-7-34
Ent

1900 Bankers Building

[illegible]

AFFIDAVIT OF SPECIAL AGENT [illegible] CHARLES [illegible] PURVIS AND [illegible] COWLEY

The following affidavit is hereby made by [illegible] Purvis and [illegible] Cowley of the Division of Investigation, United States Department of Justice, Chicago, Illinois:

On Saturday, July 21st, 1934, at about 4:00 o'clock P. M., affiant Purvis received a telephone call from Captain Timothy O'Neill of the East Chicago, Indiana Police Department, at which time he stated that he had information concerning the possible location of John Dillinger. They stated that they desired to confer with the Chicago Office of the Division of Investigation as early as possible and requested that affiant Purvis meet them at a hotel in a room. Affiant Cowley was with affiant Purvis at the time this call was received and arrangements were made for both affiants to meet Captain Timothy O'Neill and Sergeant Martin Zarkovich in Room 712 of the Great Northern Hotel, which is the room which was being occupied by affiant Cowley.

Arrangements were made for the two above-mentioned officers to proceed to Chicago as quickly as possible and at about 6:00 P. M. on the same date they were met at the above-mentioned hotel room, at which time they informed affiants that they had information which they believed to be reliable, to the effect that John Dillinger had been to the Marbro Theatre, which is located at 4124 West Madison Street, Chicago.

These two officers of the East Chicago, Indiana Police Department stated that an informant by the name of Anna Sage, personally known to Sergeant Zarkovich, had stated to them that John Dillinger and another woman by the name of Polly Hamilton Keele had recently called at her home for the purpose of having her accompany them to the Marbro Theatre. They stated that they desired to furnish this information to the Division of Investigation inasmuch as they were positive that the Division of Investigation of the United States Department of Justice operates more secretly than any other organization and they felt that by so doing there would be no possibility of any information as to any proposed plan for the apprehension of John Dillinger becoming known publicly, which might thwart any plans made. It was agreed by and among the affiants and Sergeant Zarkovich and Captain O'Neill that Sergeant Zarkovich and affiant Purvis would proceed to a point diagonally across the street from the Children's Memorial Hospital located at 707 West Fullerton Street, Chicago. Therefore, affiant Purvis and Sergeant Zarkovich proceeded to this point in order to reach same by 9:00 o'clock P. M. on Saturday, July 21st, 1934, and were followed by affiant Cowley and Captain Timothy O'Neill.

[illegible]

[illegible]

At about 9:30 P. M., the informant mentioned above had [illegible] the car in which Affiant Purvis and Sergeant Zartovich were seated [illegible] into the automobile and immediately Affiant Purvis and Sergeant Zartovich, together with this informant, drove to a [illegible] and parked the car, on the north side of Chicago.

This informant stated that she had seen John Dillinger [illegible] at her home accompanied by Polly Hamilton Keele. This informant stated that this person had not admitted to her that he was John Dillinger but that she had accused him of being the same and that in order to prove same she found a newspaper in her apartment in which his photograph was contained and showed it to him and that henceforth she had positively known that this person was John Dillinger. The informant was hazy as to the dates on which she had seen him last but stated that it was recently, within the past several days. The informant stated that it was possible that she would be contacted the following day by John Dillinger's friend and that it was possible that John Dillinger, Anna Sage and Polly Hamilton Keele would attend a moving picture show on the night of Sunday, July 22nd, 1934, and that this would probably be at the Marbro Theatre. This informant stated that she would keep in close touch with Sergeant Zartovich and affiant Purvis. She was given the telephone numbers of the latter.

During the above discussion with the informant, affiant Purvis was informed that she, Anna Sage, was having some difficulty with regard to a deportation charge against her and that in the event she were successful in aiding the Government in this matter she desired that something be done for her in order to allow her to remain in the United States. At that time she stated that she had a son who had served in the United States Navy for two years and while, according to her statement, her record was not absolutely clear, she having previously operated houses of prostitution in Northern Indiana, she felt that if she performed a service of this nature she would be entitled to a reward and also to consideration with regard to the deportation proceedings. She was informed that affiant Purvis would do everything in his power to prevent her from being deported. Affiant Purvis also informed her that he would do all in his power to see that she received the proper amount of reward which had been offered by the United States Government.

Mrs. Sage also informed affiant Purvis as to the manner in which she would be dressed in the event she attended a picture show with John Dillinger and Mrs. Keele.

On Sunday morning, July 22nd, 1934, affiant Cowley instructed all Agents in the Chicago Office of the Division of Investigation to stand by and be available on short notice.

After several immaterial calls, Mrs. Sage called at 9:00 P. M. on July [illegible], stating that John Dillinger and [illegible] were [illegible] the Marbro Theatre or to the Biograph Theatre, [illegible] Theatre and its surroundings [illegible] Purvis and Cowley and Captain [illegible].

Immediately upon receipt of said information [illegible] were [illegible] in to the Office of affiant Purvis for the purpose of informing them as to the full details of the manner in which this matter was to be handled and also for the purpose of allowing them to [illegible] and recognize the officers from the East Chicago, Indiana Police Department [illegible].

On the afternoon of July 22nd, Captain O'Neill informed affiants that he was having officers Peter Bopsio, Walter Conroy and Glen Stretch of the East Chicago, Indiana Police Department come to Chicago for the purpose of aiding in this matter.

The Biograph Theatre and its surroundings were immediately surveyed and the information concerning such survey was returned to the Chicago Office immediately by the Special Agents making the survey in order that they would be fully informed as to the layout of the Biograph Theatre and immediate surroundings.

Affiant Purvis and Special Agent R. D. Brown proceeded to the Biograph Theatre, arriving there at about 7:57 o'clock. The car in which affiant Purvis and Special Agent Brown proceeded to this point was parked at a point on the same side of the street with the Biograph Theatre and in a southeasterly direction therefrom. Frequent calls were made to the Office by Special Agent Brown for the purpose of determining whether any information had been received indicating that Dillinger and these two women had proceeded to the Marbro Theatre.

Sergeant Zarkovich and Special Agent Charles Winstead had proceeded to the Marbro Theatre at about the same time that affiant Purvis and Special Agent Brown had proceeded to the Biograph Theatre and it was planned that constant communication would be maintained between the persons observing the Theatres and the Chicago Office of the Division of Investigation.

After observing the Biograph Theatre until [illegible] P. M., affiant Purvis noted Mrs. Sage, John Dillinger and Mrs. Keale entering the Theatre, along with several other patrons of the Theatre. Agent Brown immediately made a 'phone call to affiant Cowley and informed him of these facts and affiant Cowley immediately instructed all of the men detailed to this matter to proceed to their positions for the purpose of covering all exits, they having been previously instructed as to the positions to be maintained by them. The Theatre was immediately covered and the persons attached to this

Selelli maintained this position in the most inconspicuous manner possible under the circumstances. [illegible] about 10:40 P. M., on Sunday Night, July 22nd, 1934, [illegible] Dillinger, Mrs. Beale and Miss Frechette [illegible] foot in a southeasterly direction [illegible] house door in a northwesterly direction [illegible]

Upon identifying Dillinger, [illegible] to the gun to close in. Special Agents E. B. Selelli, Charles Winstead, Clergance Hurt, E. G. Brown and [illegible] John Dillinger, all being [illegible] Theatre. Officers Sopsic and Stretch of the East Chicago, Indiana Police Department had assumed a position at a point in a northwesterly direction from the Theatre and at the time the signal was given, Sergeant Zerkovich, who had been stationed at a point diagonally across the street from the Biograph Theatre, ran across the street and notified officers Sopsic and Stretch, who had not seen the signal. Captain O'Neill and officer Conroy of Captain O'Neill's squad had assumed swing positions during the entire covering of this patrol.

John Dillinger was seen to draw his gun, which was later found to be a .380 caliber Colt automatic pistol, from his right trouser pocket. He assumed a dodging, semi-crouching position and drew his gun from his pocket and at that time he was shot by Special Agents E. B. Selelli, E. G. Hurt and C. B. Winsted, who fired one shot each, except the last-named, who fired three shots. Immediately after the shooting the above-mentioned automatic pistol was taken from his hand and an ambulance was called, inasmuch as it appeared that he was not dead. He was taken to the Alexian Brothers Hospital where, prior to effecting his entry into same, he was announced dead at 10:50 P. M. by Dr. Walter Pruscit. He was then taken to the Cook County Morgue, Chicago, Illinois, where he was fingerprinted by Special Agent Earnell Shaffets, and although an effort had been made to change his fingerprints, his prints were promptly identified as being those of John Dillinger.

M. H. Burns

S. P. Conley

Subscribed and sworn to before me

this 28th day of July, 1934.

Helen Dunkel
Notary Public

RECORDED

62-29777-1-21

[illegible] August 7, 1934

Personal and strictly confidential.

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

In order that you may have complete data available when considering the payment of any reward or rewards for information leading to, and the subsequent capture of, John Dillinger, I am setting forth hereafter, in narrative form, a complete statement of the facts leading up to and surrounding the capture of John Dillinger.

On Saturday, July 21, 1934, at about 4:00 P.M., Special Agent in Charge Melvin H. Purvis of the Chicago Division Office received a telephone call from Captain Timothy O'Neill of the East Chicago, Indiana Police Department, at which time Captain O'Neill stated that he had information concerning the possible location of John Dillinger. Captain O'Neill requested that Mr. Purvis meet him outside of the Division Office and accordingly Mr. Purvis, together with Special Agent S. P. Cowley, met Captain Timothy O'Neill and Sergeant Martin Zarkovich in Room 712 of the Great Northern Hotel in Chicago on the afternoon of July 21, 1934.

Captain O'Neill and Sergeant Zarkovich advised Mr. Purvis and Mr. Cowley that they had an informant known by the name of Anna Sage, personally known to Sergeant Zarkovich, who had stated to them that John Dillinger and another woman named Polly Hamilton Keale had recently called at her home for the purpose of having her accompany them to the Marbro Theatre. During this conference it was agreed that Mr. Purvis and Sergeant Zarkovich would contact this informant in order that Mr. Purvis might obtain the benefit of any information which she possessed. Thereafter Mr. Purvis and Sergeant Zarkovich proceeded to a point diagonally across the street from the Children's Memorial Hospital, located at 707 West Fullerton Street, Chicago in order to make a contact with the informant Anna Sage. Captain O'Neill and Special Agent Cowley followed Mr. Purvis and Sergeant Zarkovich to this point.

At about 9:30 P.M. Anna Sage, the informant mentioned above, contacted Mr. Purvis and Sergeant Zarkovich at this point and these three proceeded to a secluded spot on the north side of Chicago where Anna Sage advised that she had seen John Dillinger when he came to her home accompanied by Polly Hamilton Keale. Anna Sage advised that Dillinger had not admitted his identity but that she had recognized him. She further stated that it was possible that she would be contacted the following day by Polly Hamilton Keale and John Dillinger and that it was probable that John Dillinger,

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Ba
Chief C
Mr. Co
Mr. Co
Mr. Ev
Mr. F
Mr. Ha
Mr. Ke
Mr. Li
Mr. Quinn
Mr. Tam

COPY DESTROYED

Put Exit Behind File

NOV 1 1934
U.S. DEPARTMENT OF JUSTICE

Polly Hamilton Keele and the informant, Anna Sage, would attend a picture show on the night of Sunday, July 22, 1934, probably at the Marbro Theatre. The informant, Anna Sage, advised that she would keep in close touch with Sergeant Zarkovich and Mr. Purvis and was furnished with the office and residence telephone numbers of Mr. Purvis. Anna Sage at this time informed Mr. Purvis as to the manner in which she would be dressed in the event she attended a picture show with John Dillinger and Polly Hamilton Keele on Sunday night, July 22, 1934.

Anna Sage called the Chicago Office of the Division of Investigation at 7:00 P.M. on the night of July 22nd, stating that John Dillinger, Mrs. Keele and herself would attend the Marbro Theatre or the Biograph Theatre, the latter being located at 2433 Lincoln Avenue, Chicago. Immediately upon the receipt of this information, Mr. Purvis and Mr. Sowley detailed a detachment of Special Agents for the purpose of conducting appropriate investigation at these theatres. Captain Timothy O'Neill of the East Chicago, Indiana police assigned Officers Peter Sopsic, Walter Conroy and Glen Stretch, all of the East Chicago, Indiana Police Department, to participate with the Agents of the Division in effecting the apprehension of Dillinger. Captain Timothy O'Neill and Sergeant Martin Zarkovich also participated in the planning and subsequent apprehension of Dillinger.

At 8:35 P.M. Special Agent in Charge Purvis observed Mrs. Anna Sage, Polly Hamilton Keele and John Dillinger entering the Biograph Theatre. Immediate steps were taken to concentrate the Special Agents assigned to this matter in the vicinity of the Biograph Theatre and the five officers of the East Chicago, Indiana Police Department were also stationed at the Biograph Theatre.

Officers Sopsic and Stretch of the East Chicago, Indiana Police Department were assigned to a position at a point in a northwesterly direction from the theatre. Sergeant Zarkovich was stationed at a point diagonally across the street from the Biograph Theatre. Captain O'Neill and Officer Conroy of the East Chicago, Indiana Police Department were assigned to roving positions during the entire period. About fifteen Special Agents of the Division were also stationed at various points in the vicinity of the theatre.

All exits were, of course, covered and all men maintained their positions in as inconspicuous a manner as possible until about 10:40 P.M. when John Dillinger, Mrs. Anna Sage and Polly Hamilton Keele left the theatre and proceeded on foot in a southeasterly direction. It may be here stated that Lincoln Avenue runs in a northwesterly direction. Special Agent in Charge Purvis identified Dillinger and gave a prearranged signal for the men to close in.

Four Special Agents in addition to Mr. Purvis immediately surrounded Dillinger. As the Agents closed in around Dillinger, he attempted to draw an automatic pistol from his right trouser pocket. He assumed a dodging, semi-crouching position in attempting to draw his gun and at that time five shots were fired by the Special Agents. Immediately after the shooting, the automatic pistol was taken from Dillinger's hand and an ambulance was called inasmuch as it appeared that Dillinger was not dead. He was taken to the Alexian Brothers Hospital where, prior to allowing his entry into the hospital, he was pronounced dead at 10:50 P.M. by Dr. Walter Prusait. Dillinger was then taken to the Cook County Morgue, Chicago, Illinois where his fingerprints were taken by Special Agent Maxwell Chaffets. Although an effort had been made to change Dillinger's fingerprints, it was possible to absolutely identify Dillinger through his fingerprints.

In order to properly protect Mrs. Anna Sage, the informant in this matter, who furnished the initial information leading to Dillinger's whereabouts, it is respectfully suggested that the payment of any reward in this case be made in cash.

I desire to recommend that the sum of $5,000 be paid to Mrs. Anna Sage for the information furnished by her which led to the apprehension of John Dillinger. It is further recommended that the sum of $2,500 be paid to Captain Timothy O'Neill of the East Chicago, Indiana Police Department and the sum of $2,500 to Sergeant Martin Zarkovich of that Police Department.

It will be observed that the rewards recommended total $10,000. I believe that, if the payment of the rewards to the persons indicated is approved, it might be well to expedite the payment as much as possible since the prompt payment of this reward, particularly to police officers, will augment the possibilities of future cooperation from police departments in matters of this kind.

Very truly yours,

John Edgar Hoover,
Director.

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

# Division of Investigation

## U. S. Department of Justice

Post Office Box 812,
Chicago, Illinois.

PERSONAL AND
CONFIDENTIAL

July 29, 1935

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

Dear Sir,

I beg to respectfully submit for your attention the following.

On Saturday evening, July 27, 1935, Mrs. Anna Sage, who you will remember furnished the information which led to the apprehension of John Dillinger on July 22, 1934, called me and stated that she desired to talk with me about her deportation. It appears that she is to be deported from the United States to Roumania sometime during the middle of August, 1935. She desires that any action possible be taken in her behalf in order to prevent her deportation.

I informed Mrs. Sage that I did not know what could be done about the matter and she requested that I write to you about it. While the service performed by Mrs. Sage to the Federal Bureau of Investigation was one of immense value in many ways, I fully appreciate the fact that this might not be such an act as to have any bearing upon any action which might be taken by the Bureau in Washington in order to prevent her deportation.

I likewise am not entirely aware of the action which the Bureau has previously taken in this matter in Washington. I remember our several discussions about the matter but whether any actual step was taken I do not know.

If anything can be done by the Bureau I will appreciate it if you will advise me in this regard.

Sincerely yours,

Melvin Purvis

MHP:mwc

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RECORDED

EAT:TAK August 5, 1935

62-29777-1-2 IX

Mr. M. H. Purvis,
c/o Federal Bureau of Investigation,
U. S. Department of Justice,
Post Office Box 812,
Chicago, Illinois.

Dear Sir:

I have received your letter of July 29, 1935, advising of the inquiry made of you by Mrs. Anna Sage on July 27, 1935, concerning what if any action this Bureau would take for the purpose of preventing her deportation to Roumania. Since deportation matters are solely within the jurisdiction of the Immigration and Naturalization Service, there is no action which can be taken in this matter by the Bureau.

Very truly yours,

John Edgar Hoover,
Director.

FEDERAL BUREAU OF INVESTIGATION
AUG 18 1935
CHICAGO, ILL.

JOHN EDGAR HOOVER
DIRECTOR

# Federal Bureau of Investigation

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

EAT:TAM

August 10, 1935

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

MEMORANDUM FOR THE DIRECTOR

I am attaching hereto a memorandum relating to the shooting of John Dillinger in Chicago, Illinois on July 22, 1934, which summarizes the information contained in the Bureau's files, quotes information taken from the statements obtained from the various Agents, and gives the actual occurrences on the night of July 22, 1934, without mentioning the names of any of the participants, other than Mr. Purvis and Mr. Cowley. The identity of the various Agents is indicated by letters and the following key is quoted for your information in ascertaining the identity of the Agents involved:

A. V. W. Peterson
B. R. D. Brown
C. C. B. Winstead
D. C. O. Hurt
E. H. E. Hollis
F. A. E. Lockerman
G. J. R. Welles
H. E. L. Richmond

Respectfully,

E. A. T.

E. A. Tamm

66-29777-1-22

FEDERAL BUREAU OF INVESTIGATION
AUG 19 1935 P.M.
U. S. DEPARTMENT OF JUSTICE

NATHAN TOLSON CLEGG ONE FILE

RECORDED

AUG 20 1935

August 10, 1935.

MEMORANDUM

The following memorandum is prepared for the purpose of setting forth the facts in connection with the shooting of John Dillinger on the evening of July 22, 1934, at Chicago, Illinois by Special Agents of the Federal Bureau of Investigation, accompanied by officers of the East Chicago, Indiana Police Department. In view of allegations that instructions were issued by the Director of the Bureau that Dillinger was not under any circumstances to be taken alive and that Dillinger was not armed at the time he was shot, did not reach for his pistol or make any other move which necessitated his shooting, and that he was to be killed rather than apprehended, only those sections of statements obtained from various Agents, which pertain to these specific matters are set forth.

The files of the Federal Bureau of Investigation contain absolutely nothing indicating that any instructions were issued at that time to Agents of the Chicago Office or of any other office of the Bureau that Dillinger was to be "shot on sight" or any similar instructions. It does not appear from the files of the Bureau that any instructions were issued by the Director with reference to the manner in which Dillinger's apprehension was to be effected.

The report of Special Agent A, dated at Chicago, Illinois, August 4, 1934, outlines previous contacts of the Chicago Office with representatives of the East Chicago, Indiana Police Department and states that on the afternoon of July 21, 1934, Sergeant Martin Zarkovich and Captain Timothy O'Neil of the East Chicago, Indiana Police Department contacted the then Special Agent in Charge M. H. Purvis and Inspector S. P. Cowley and advised that a confidential informant had in the recent past been attending theatres in Chicago, accompanied by the informant's girl friend and John Herbert Dillinger. The informant stated that her girl friend was "keeping company" with Dillinger and that Dillinger was in the habit of attending the Marbro Theatre in Chicago.

The report states that about 5:30 P.M. on July 22, 1934 the informant advised the Chicago Office that she had received word from her girl friend that Dillinger, the girl friend and informant would attend either the Marbro or Biograph Theatre in Chicago on the evening of July 22, 1934, the party proceeding to the theatre about 8:00 P.M. Agents of the Chicago Bureau Office were called to the office where former Inspector Cowley, and former Agent in Charge Purvis outlined the plans for effecting the apprehension of Dillinger at the theatre on that evening, it being unknown at the time the plans were made which theatre Dillinger would attend. At approximately 7:30 P.M. on the night of July 22, 1934, Mr. Purvis and Special Agent B proceeded to a point near the Biograph Theatre and Sergeant Zarkovich of the East Chicago, Indiana Police Department and Special Agent C proceeded

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to a point near the Marbro Theatre. The balance of the Agents assigned to this investigation remained at the Chicago Office, awaiting advice as to the identity of the theatre which Dillinger would actually enter. At 8:50 P.M. Dillinger and two women companions were observed entering the Biograph Theatre, 2433 Lincoln Avenue, Chicago, Illinois, by Mr. Purvis and Special Agent B. This information was immediately telephoned to the Agents of the Chicago Office, who proceeded to the vicinity of the Biograph Theatre and covered all exits, in accordance with plans previously laid. In this regard it may be noted that both theatres had been visited earlier in the evening and detailed information obtained concerning the various exits and possible avenues of escape. Agent A's report states that: "Special Agents D and E were assigned, together with Agents Sopsic and Stretch of the East Chicago, Indiana Police Department, to seize Dillinger as he was leaving the theatre". The report then names other Special Agents who were "to close in towards Dillinger from the north", while other specifically named Agents were "to close in towards Dillinger from the south". Special Agents were stationed on the opposite side of the street from the theatre, in addition to those immediately surrounding the theatre. Special Agent B remained in a car near the theatre at a point close to that where Mr. Purvis was stationed. In the meanwhile, Special Agent C and Sergeant Zarkovich, who had proceeded to the Marbro Theatre, were notified by telephone that Dillinger had entered the Biograph Theatre, and proceeded immediately to that point. Captain Timothy O'Neil and Sergeant Conroy of the East Chicago, Indiana Police Department, were also at the Biograph Theatre, while Inspector Cowley of the Federal Bureau of Investigation maintained a roving position about the theatre, keeping in touch with all Agents, to assure proper functioning at all exits.

Agent A's report states: "About 10:30 o'clock on the night of July 22, 1934, Dillinger, accompanied by two women companions, was observed emerging from the Biograph Theatre. They walked south on Lincoln Avenue from the theatre. Special Agent in Charge M. H. Purvis gave the pre-arranged signal of lighting a cigar. Agents immediately began to close in slowly towards Dillinger from all sides. Dillinger apparently became apprehensive. He glanced over his shoulder at Agents and started to run, grabbing for his gun simultaneously. As Dillinger grabbed for his gun, five shots were fired by three Agents, one Agent firing three shots and two Agents firing one shot each. Dillinger fell face downward near an alley, a .380 calibre automatic pistol was in his hand when he fell. No shots were fired from Dillinger's pistol. An extra clip for his pistol was found in his pocket."

Under date of July 28, 1934, former Special Agent in Charge M. H. Purvis and the late Inspector S. P. Cowley executed an affidavit sworn to before Helen Dunkel, a notary public of Cook County, Illinois, which sets forth the facts surrounding the shooting of Dillinger. The affidavit sets forth the preliminary contacts with representatives of the East Chicago, Indiana Police Department, and the informant, describes the stationing of Agents about the theatre, mentioning the fact that Special Agent B accompanied Mr. Purvis to the Biograph Theatre at about 7:37 P.M. on the night of July 22, 1934, states that Mr. Purvis observed John Dillinger and two women enter the theatre and that the Chicago Bureau office and Sergeant Zarkovich and Special Agent C were notified, and that the entire theatre was immediately covered. This affidavit states that the various Agents maintained their positions in as inconspicuous a manner as possible until about 10:40 P.M. on the night of July 22, 1934, at which time John Dillinger and the women companions left the theatre and proceeded on foot in a south-easterly direction.

The affidavit of Mr. Purvis and Mr. Cowley then states "Upon identifying Dillinger, affiant Purvis gave the pre-arranged signal for the men to close in. Special Agent E, C, D, B and affiant Purvis immediately surrounded John Dillinger, all being stationed on the south-east side of the Biograph Theatre. Officers Sopsic and Stretch of the East Chicago, Indiana Police Department had assumed a position at a point in a north-westerly direction from the theatre, and at the time the signal was given Sergeant Zarkovich, who had been stationed at a point diagonally across the street from the Biograph Theatre, ran across the street and notified Officers Sopsic and Stretch, who had not seen the signal. Captain O'Neil, Officer Conroy of Captain O'Neil's squad, had assumed roving positions during the entire covering of this matter. John Dillinger was seen to draw his gun, which was later found to be a .380 automatic pistol, from his right trousers pocket. He assumed a dodging semi-crouching position and drew his gun from his pocket. At that time he was shot by Special Agent E, D, and C, who fired one shot each, except the last named, who fired three shots. Immediately after the shooting, the above mentioned automatic pistol was taken from his hand and an ambulance was called, inasmuch as it appeared he was not dead."

After the shooting of Dillinger, statements were taken in the Chicago Office from all of the Special Agents who participated in any manner in the shooting of Dillinger. Pertinent parts of the statements taken are set out hereinafter.

Special Agent C, under date of July 23, 1934, submitted a memorandum in which he states: "Agent stepped in a doorway, where Special Agent D was standing, and it was agreed that when Mr. Purvis gave the signal, that Dillinger was leaving the theatre, if he had gone south,

D was to take the right side and this agent the left side, and endeavor, to apprehend Dillinger, before he reached an alley about 40 or 50 feet from where we were stationed. When Mr. Purvis gave the signal a few minutes before 11 o'clock, D turned to this Agent and stated, "That is Dillinger with the straw hat and the glasses". Special Agent D stepped across the sidewalk and Dillinger passed us. Just after he passed where this agent was stationed, Agent stepped from the doorway to the sidewalk, falling behind him and at that point, Dillinger turned his head, looked squarely at agent, and reached for his gun. Agent then pulled the Division .45 automatic, with which he was armed, and shot Dillinger as nearly as he could tell in the right side, from the rear. Just as this shot was fired, Dillinger, who was then beginning to run, struck a woman who was walking in front and a little to his right, with his body and Agent fired two more shots as he turned. He staggered to the mouth of the alley and fell on his face."

Mr. C. further sets forth in this statement the fact that a local police officer had begun systematically searching the body of Dillinger. He states: "I requested that they look for a gun, as he had reached for one. Mr. Purvis stated that he had already taken a gun out of his hand, and that it was a .380 calibre Colt automatic."

In a statement executed on July 23, 1934 by the late Special Agent E, he stated: "About 10:30 P.M., John Dillinger, accompanied by two women, came out of the theatre and walked south on Lincoln Avenue. Mr. Purvis lighted a cigar, which was the signal to all Agents that Dillinger had come out of the theatre. Dillinger, just before passing this Agent, glanced in the direction of Agent, and then took about two more steps, and again glanced at Agent. At this time, this Agent approached Dillinger on his right rear side. Agent observed Dillinger draw from his right hand trousers pocket a pistol and he then made an effort to run. There were three or four shots fired and Dillinger fell."

It may be noted in this regard that Special Agent E fired one of the shots at Dillinger.

Former Special Agent F, in a statement executed on July 23, 1934, stated, "* * *Special Agent in Charge Purvis, who was standing just south of the entrance of the theatre, was seen to light his cigar, which was the pre-arranged signal to indicate that Dillinger was coming out of the theatre. Simultaneously with that signal, the writer observed a man who answered the description given as to how Dillinger would look and would be dressed who came out of the theatre with two women, answering the description given of the women who would be with him. It was immediately known to the writer that that party was Dillinger. * * * I observed that as Dillinger passed Special Agent in Charge Purvis, Mr. Purvis started walking in Dillinger's direction. I also observed Special Agents E and C start moving toward Dillinger. At about that time Dillinger and his two

companions and two other bystanders were immediately alongside the writer and Special Agent G. It was observed that Dillinger looked around in different directions and seemed to realize that he was being closed in upon, at which time he made a motion with his hand, indicating that he was reaching for his gun. It was then observed that Special Agent in Charge M. H. Purvis and Special Agents E, C and D had drawn their guns and were approaching right up to Dillinger. At that time the writer drew his own gun. Dillinger then realized, evidently, that he was trapped and still trying to get his gun, seemed to take two quick steps toward the alley and as he did so, one or two of the Agents making the immediate approach on him, fired three times and as a result of these shots, Dillinger pitched forward on his face into the alley, at approximately four or five feet from the writer. Not knowing whether or not Dillinger would attempt to shoot after he hit the ground, the writer along with the other Agents, covered him with guns, but it was observed that after he hit the ground, he did not move again."

Special Agent G, under date of July 23, 1934, submitted a statement, from which the following pertinent statements were taken: "As Dillinger passed in front of Special Agent in Charge Purvis, Mr. Purvis lighted a cigar, which was the signal that John Dillinger was approaching. Dillinger looked towards Special Agent in Charge M. H. Purvis, but did not appear at this time to be suspicious. He did not appear to look at Agent E, as he passed him, but as he passed the car in which Agent B was sitting, he looked at Agent B. As soon as he had passed Special Agent in Charge M. H. Purvis and Agent E, these two Agents fell in behind him. As he passed Agent C, it appeared as though the shorter of the two women who were accompanying him, pulled his shirt or gave him some signal and he looked quickly around at Agent C. By this time he was approximately 25 feet from the alley entrance mentioned above. He appeared to realize that he was trapped, there was a very tense look on his face, and he crouched and pulled his gun. At this point, Agent D took a step towards him and Dillinger appeared to be ready to spring into the alley. Agent F and this Agent had their guns ready, but Dillinger had only taken about two steps in a crouching position towards the alley, when Agent C fired.

In a signed statement submitted by Special Agent B, he states, "* * * Dillinger immediately fell, but just before Special Agent E took his place immediately in front of Dillinger, I saw Dillinger reach in his right rear trousers pocket. I did not see him pull a gun out of this pocket as my view was then obstructed, but immediately after that Dillinger fell to the sidewalk, and I immediately walked to the body and saw in Dillinger's right hand a .380 calibre automatic pistol."

Special Agent D, under date of July 25, 1934 submitted a statement concerning his participation in this shooting from which the following

statements are taken:"* * * Mr. Purvis gave us the suggested signal and we waited until Dillinger and the two women walked down the street toward us. When they were within about five feet of us, I stepped across in front of them to the curbing and Agent C stood where he was. As I did this, Dillinger looked back over his shoulder at Agent C, and gave one of the women a shove, and grabbed his pistol, all about the same time. As he started to run, Agent C fired one shot. Then Agent C and the writer each fired one shot about the same time. Then Agent C fired another shot. By this time Dillinger was falling."

It may be noted that the inventory of the property in the possession of Dillinger at the time he was taken to the County Morgue, included one loaded clip of .380 calibre Remington U.M.C. cartridges. This clip was of the type which would fit the gun which Dillinger had in his hand at the time he was shot.

With reference to the instructions which were issued by Mr. Purvis and Mr. Cowley prior to the shooting of Dillinger, (the instructions were issued at a conference held in the Chicago Bureau Office late on the afternoon of July 22, 1934,) Special Agent D, under date of August 1, 1935, submitted the following signed statement:

"I, D, Special Agent, Federal Bureau of Investigation, U. S. Department of Justice, hereby state that I was present in the offices of the Bureau at Chicago in the early evening of Sunday, July 22, 1934, at which time plans for the capture of John Dillinger were outlined and discussed. Those in charge of the discussion were Inspector Sam P. Cowley and Special Agent in Charge Melvin H. Purvis.

"We were instructed to seize Dillinger bodily and under no circumstances to fire a shot unless compelled to do so in self defense. I was one of those delegated to seize Dillinger when he came out of the Biograph Theatre, but the plans did not work out as contemplated, and it became necessary in self defense to use firearms to subdue Dillinger.

"Our instructions were to fire no shots whatsoever if same could be avoided. These instructions were issued jointly by Mr. Cowley and Mr. Purvis, and they were in accord upon the instructions, and each took an equal part in outlining the plans and issuing the instructions. It was even suggested at one time during the conference that no firearms of any nature should be taken to the scene. This suggestion was not advanced by either Mr. Cowley or Mr. Purvis, and was not adopted."

Special Agent A, under date of August 1, 1935 submitted the following signed statement:

" I attended the conference which was held in the Chicago Bureau Office on the afternoon of July 22, 1934, at which time all Agents of the Chicago Bureau Office were informed by Mr. Cowley and Mr. Purvis that positive information had been received that John Herbert Dillinger would attend either the Biograph Theatre or the Marbro Theatre that night, in company with confidential informant Anna Sage, and another woman companion. The greater part of the conference consisted in explaining the nature of the various assignments to be taken care of by the Agents. At approximately 8:00 o'clock, information was received by telephone from Mr. Purvis and Mr. B to the effect that Dillinger had entered the Biograph Theatre. At that time, Agents E, D, together with two officers of the East Chicago, Indiana Police Department, were instructed to place themselves on both sides of the entrance to the Biograph Theatre for the purpose of effecting the apprehension of John Dillinger as he emerged from the theatre. All Agents present were aware of the dangerous character of Dillinger, and were instructed that no chances should be taken at the time the attempt would be made to effect his apprehension. I do not recall any instructions having been issued to the effect that under no circumstances should Dillinger be taken alive. In view of the desperate character of Dillinger and also because of his past reputation, it was probably the opinion of all Agents present that Dillinger could not be taken alive, but no instructions were issued that he was to be killed, regardless of the fact that he might not offer any resistance."

Special Agent C, under date of August 1, 1935, submitted the following signed statement as to his present recollection of the instructions issued at the Chicago Office on the afternoon of July 22, 1934:

"On Sunday afternoon, July 22, 1934, the agents were called into the private office of Special Agent in Charge M. H. Purvis in Chicago and present, in addition to the Bureau personnel, were Captain Tim O'Neil and Sergeant Zarcowich and, to the best of my recollection, two other members of the East Chicago, Indiana Police Department. At that time agents were told that John Dillinger was expected to appear at one of two picture shows that evening. A description and the kind of clothes which would be worn by one of his women companions on that evening was furnished to the agents assembled. According to my recollection, Mr. Purvis gave the instructions to the Agents and these instructions were confirmed by Mr. Cowley. The general instructions were as follows:

> "Gentlemen, you all know the character of John Dillinger. If he appears at either of the picture shows and we locate him and he effects his escape it will be a disgrace to our Bureau. It may be that Dillinger will be at the picture show with his women companions without arms - yet, he may appear there armed and with other members of his gang. There of course will be an undetermined element of danger in endeavoring to apprehend Dillinger. It is the desire that he be taken alive, if possible, and without injury to any agent of the Bureau; yet, gentlemen, this is the opportunity that

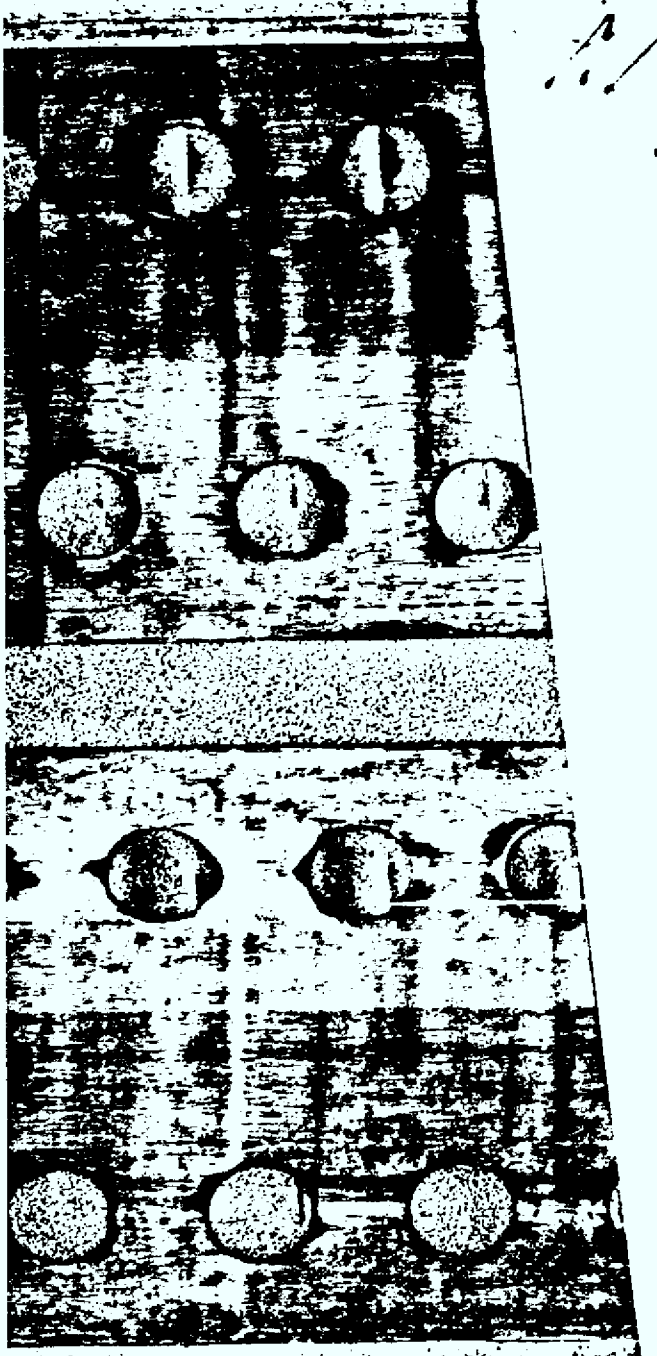
we have all been awaiting and he must be taken. Do not unnecessarily endanger your own lives and if Dillinger offers any resistance each man will be for himself and it will be up to each of you to do whatever you think necessary to protect yourselves in taking Dillinger."

"After specific instructions were given to the agents by Mr. Purvis, someone asked "What type of guns shall we take?" and Mr. Purvis stated, "Your pistols, only." No agent had at the scene any other kind of gun.

"The above were the instructions as given by Mr. Purvis as spokesman and concurred in by Mr. Cowley - maybe not verbatim, but to the same intent and purpose as nearly as I can recall at this late date."

Special Agent H, under date of August 2, 1935, submitted a signed statement outlining his recollection of the incidents surrounding the shooting of Dillinger and states with reference to the instructions issued by Mr. Cowley and Mr. Purvis: "At this conference no instructions were given to shoot Dillinger, nor were any instructions given that he was to be taken alive. It was the understanding of this Agent that Dillinger was not to escape, and that he was to be taken alive, if possible. This understanding was based on the fact that instructions were given that when the signal that Dillinger had been spotted was given, the Agents were to close in around Dillinger. If it had been the intention to shoot Dillinger, the writer does not believe that instructions would have been given to close in around Dillinger, inasmuch as the Agents participating in effecting his apprehension would be in the line of fire from the pistols of the other Agents."

Special Agent B, under date of August 1, 1935 submitted a signed statement from which the following excerpt is taken: "The instructions given by Inspector Cowley and Special Agent in Charge Purvis were to the effect that no undue chances should be taken in connection with the apprehension of Dillinger. No instructions were given at that time, by anyone during the conference, to the effect that Dillinger should not be taken alive under any circumstances. Neither was this mentioned by officers from the East Chicago, Indiana Police Department."



FEDERAL BUREAU OF INVESTIGATION
FROM: DIVISION #1 & DIVISION #2

_____ 1935.

TO: ___ Director
___ Mr. Nathan
___ Mr. Tolson
___ Mr. Edwards
___ Mr. Quinn
___ Mr. Clegg
___ Division Three

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___ Mechanical Section
___ Chief Clerk's Office

___ Identification Division
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File in Sub one
Section of Kellogg file

E. A. Tamm - 510.

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August 3, 1935

MEMORANDUM FOR THE DIRECTOR

I am attaching hereto a memorandum relating to the shooting of John Dillinger in Chicago, Illinois on July 22, 1934, which summarizes the information in the Bureau's files relating to the question of whether Dillinger had a gun on his person at the time he was shot by Bureau Agents, and relating to the instructions which were issued in the Chicago Office as to whether Dillinger should be taken dead or alive.

Respectfully,

E. A. Tamm

Summary

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62-29777-1-23

EDERAL INVESTIGATION
AUG 29 1935
U.S. DEPARTMENT OF JUSTICE

NATHAN

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