

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

SUBJECT: GEORGE BARNES
(AKA "MACHINE GUN KELLY")

FILE: 7-115

PART 20 OF 23



FEDERAL BUREAU OF INVESTIGATION

NOTICE

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GIR 9

C, Albuquerque (7-120)

May 21, 1957

Director, FBI (7-115)

GEORGE R. KELLY, WAS., ET AL.;
CHARLES F. URSCHEL - VICTIM;
KIDNAPING

This matter should be afforded continuous
attention until brought to a logical conclusion. Buairtel
results of inquiry by May 28, 1957.

(4)

b7c

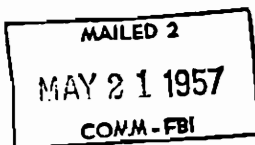
RECORDED - 37

7-115-2333

MAY 22 1957

EX 105

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____



Mail Room ☒

62 MAY 27 1957

DECODED COPY

GIR

Tolson	
Belmont	
Mohr	
DeLoach	
Casper	
Callahan	
Conrad	
Felt	
Gale	
Rosen	
Sullivan	
Tavel	
Trotter	
Tele. Room	
Holmes	
Gandy	

☒ **Radio**

☐ **Teletype**

6- Hughes

DEFERRED 5-24-57
TO DIRECTOR
FROM SAC, DALLAS 242035

*ngR { 6-1
10-1*

GEORGE R. KELLEY, WAS, ET AL, CHARLES F. URSCHER, VICTIM, KIDNAPPING. RE AQ AIRTEL APRIL 25, 1957. CURRENT CITY AND TELEPHONE DIRECTORIES AT FORT WORTH TEXAS CONTAIN NO LISTING FOR EITHER ARMON CRAWFORD SHANNON OR [REDACTED] CHIEF OF DETECTIVES AT FORT WORTH PD HAS NO INFO RE PRESENT ADDRESS OF SHANNON. SUGGESTED THAT EFFORTS BE MADE BY AQ TO SECURE THE PRESENT ADDRESS OF SHANNON THROUGH ADDITIONAL CONTACT WITH [REDACTED] AQ MAILED COPY. RUC

*b7C
Per Cod. Rm*

*b7C
b7D*

RECEIVED: 6:23 PM RADIO
7:36 PM CODING UNIT

*elf
b7C*

7-115-2334

RECORDED-42 MAY 28 1957

Mr. Rosen

59 JUN 9 1957

107

F B I

Date: 5/27/57

Transmit the following message via AIRTEL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI (7-115)

FROM: SAC, ALBUQUERQUE (7-120)

GEORGE R. KELLY, was.;
 ET AL;
 CHARLES F. URSCHER - VICTIM
 KIDNAPPING

ReBuairtel 4/23/57 and Bulet to Albuquerque 5/21/57
 advising this matter should be afforded continuous attention
 until brought to a logical conclusion, and to suaairtel results
 of inquiry by 5/28/57.

b7C b7D

b7C On 5/24/57 [REDACTED], advised
 SA [REDACTED] that ARMON CRAWFORD SHANNON, presently
 residing on Rural Route, Paradise, Texas. Further, that
 SHANNON would be known to Sheriff at Paradise.

Dallas, at Paradise, Texas, will interview ARMON
 CRAWFORD SHANNON concerning information contained in Albuquerque
 teletype to Director 4/20/57 and Oklahoma City teletype to
 Albuquerque 4/23/57, copy of which is enclosed.

RUC

JOHNSON

- ③ - Bureau (7-115) (AM)
 2 - Dallas (Encl. 1) (AM)
 1 - Oklahoma City (Info) (AM)
 1 - Albuquerque (7-120)

RECORDED - 24

7-115-2335

Mr. Tolson _____
 Mr. Nichols _____
 Mr. Boardman _____
 Mr. Belmont _____
 Mr. Mohr _____
 Mr. Parsons _____
 Mr. Rosen _____
 Mr. Tamm _____
 Mr. Trotter _____
 Mr. Nease _____
 Tele. Room _____
 Mr. Holloman _____
 Miss Gandy _____

EX-105

Mr. [REDACTED]

GARY

F B I

Date: 5/29/57

Transmit the following message via AIR TEL.AIR MAIL.

(Priority or Method of Mailing)

TO: DIRECTOR, FBI (7-115)
 FROM: SAC, ALBUQUERQUE (7-120)

GEORGE R. KELLY, was.
 ET AL
 CHARLES F. URSCHER - VICTIM
 KIDNAPPING

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. Nease	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

Re Dallas Teletype to Bureau 5/24/57.

Refer to AQ airtel to Director 5/27/57 setting out
 address of ARMON CRAWFORD SHANNON.

JOHNSON

3-Bureau (7-115) (AM)
 1-Dallas (7-7) (Info.)
 1-Oklahoma City (Info.)
 1-Albuquerque (7-120)
 (6)

RECORDED - 4

EX-117

7-115-2336
12 MAY 31 1957

June 12, 1957

SAC, Dallas (7-7)

Director, FBI (7-115)

GEORGE R. KELLY, WAS., ET AL.;
CHARLES F. URSCHEL - VICTIM;
KIDNAPING

Sublet to reach the Bureau by June 18, 1957.
results inquiry conducted at Paradise, Texas.

CC: 1 - Oklahoma City

b7c (5)

RECORDED - 74

EX-117

7-115-2337
8 JUN 13 1957

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

Mail Room
67 JUN 18 1957
MAILED 6
JUN 12 1957
COMM-FBI

FEDERAL BUREAU OF INVESTIGATION

Reporting Office DALLAS	Office of Origin OKLAHOMA CITY	Date 6/14/57	Investigative Period 6/5,7/57
TITLE OF CASE GEORGE R. KELLY, Was.; ET AL; CHARLES F. URSCHER - VICTIM		Report made by [REDACTED]	Typed By: [REDACTED]
		CHARACTER OF CASE KIDNAPING	

Synopsis: ARMON CRAWFORD SHANNON states he received \$2500 from sale of oil royalty on 4/13/57. SHANNON states on or about 4/19/57, he did telephone [REDACTED] long distance from Ft. Worth, Tex., and not from Portales, N. Mex.; states he was "drunk" at time and does not recall exact conversation, however, is sure he may have mentioned having a large sum of money due to the sale of the oil royalty, and probably mentioned building a house with the money. SHANNON denies any knowledge of ransom money and states he never received any of it.

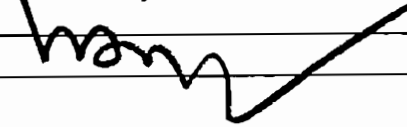
-RUC-

All b7c

DETAILS: AT FT. WORTH, TEXAS

The following investigation was conducted by SAS [REDACTED] and [REDACTED]

On June 7, 1957, ARMON CRAWFORD SHANNON was located at his place of employment, The Day Sales Company, 804 North Throckmorton Street, where SHANNON is employed as a laborer. SHANNON advised he resides on the farm of his late father, R. G. "BOSS" SHANNON, Rural Route, Paradise, Texas.

Approved 	Special Agent In Charge	Do not write in spaces below	
Copies made: ① - Bureau (7-115) 1 - Albuquerque (7-120)(Info) 2 - Oklahoma City (7-6) 1 - Dallas (7-7)		7-115-2338	
		JUN 17 1957	RECORDED - 12
		L-4-07	

DL 7-7.

SHANNON said that on April 13, 1957, he sold 50 acres of oil royalty, at \$50 per acre, to [REDACTED] of Continental State Bank, Boyd, Texas. SHANNON exhibited a deposit slip in the amount of \$2500 to his account at the Continental State Bank, dated April 13, 1957. SHANNON said this acreage was part of his share of the estate of his father, which is farm land at Paradise.

SHANNON said further that on or about the night of April 19, 1957, he telephoned [REDACTED] long distance from a pay telephone booth in Ft. Worth, Texas. SHANNON explained that he was "drunk" at the time he called [REDACTED] and does not recall the exact conversation, but is sure he may have mentioned having a large sum of money as a result of the above mentioned sale, due to the fact this is the first time he has had that amount of money. SHANNON stated he probably did mention building a house with the money because, before his father's death, his father had purchased a quantity of cement tile for him to build a house and the tile is still on the ground on a small farm near the original farm home at Paradise. SHANNON said that he has talked about building a house for some time, but has never done so and it has always been "in the talking stage".

SHANNON said that he has not been in New Mexico for about three years and did not call [REDACTED] from Portales, New Mexico; that the call was made from Ft. Worth.

SHANNON denied having any knowledge of the ransom money in instant case. SHANNON said that he was promised \$1500 by KELLY to guard URSCHER, the victim, but that KELLY never did pay him and that he, SHANNON, never did see the ransom money.

All b7C

-RUC-

DL 7-7

ADMINISTRATIVE

b7C
b7D One copy of this report is being forwarded to the Albuquerque office for information purposes, so that office can evaluate any further information received from [REDACTED] in this matter.

REFERENCE

Albuquerque airtel to Bureau, 5/27/57.

ADMINISTRATIVE PAGE

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 6-18-57

FROM : SAC, OKLAHOMA CITY (7-6-3019)

SUBJECT: GEORGE R. KELLY, WAS., ET AL.;
CHARLES F. URSCHER - VICTIM;
KIDNAPING

Reference is made to AQ teletype to Bureau, Dallas, and Oklahoma City 4-20-57 and airtel to Director, Dallas, and Oklahoma City 4-25-57 and report of SA [REDACTED] 6-14-57 at Dallas.

Since the Bureau has been furnished all information developed and none of the ransom money has been located, this matter is being closed in the Oklahoma City Office and no report is being submitted UACB. - Closed -

[REDACTED]
(3)

All b7C

7-1-2339
RECORDED-89

23 JUN 21 1957

[Handwritten signature]

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (7-115)

DATE: 6/20/57

FROM : SAC, Kansas City (7-8)

SUBJECT: GEORGE KELLY BARNES, Was. ET AL;
CHARLES F. URSCHEL - VICTIM
KIDNAPING

00 - Oklahoma City

Re Kansas City letter to Bureau dated 5/16/57.

On June 18, 1957, [REDACTED]
[REDACTED] U.S. Penitentiary, Leavenworth, Kansas, made
available the file concerning HARVEY J. BAILEY, an
inmate at the institution. A review of the file reflects
there is no change in the status of BAILEY at the
institution.

The Kansas City Office will continue to follow
this matter closely, and will promptly advise the Bureau
of any change in the status of BAILEY.

All b7C

RECORDED-42

INDEXED-42

7-115-2340

JUN 24 1957

2-Bureau (7-115)
1-Oklahoma City (7-6)
1-Kansas City (7-8)

CAX

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 7/16/57

FROM : SAC, KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, was. ET AL;
CHARLES F. URSCHER - VICTIM
KIDNAPING

00-Oklahoma City

Re Kansas City letter to Director, 6/20/57.

On 7/15/57, [REDACTED]
USP, Leavenworth, Kans., made available the file concerning
HARVEY J. BAILEY, an inmate at the institution. A review
of the file reflects there is no change in the status of
BARNES at the institution.

The Kansas City Office will continue to follow
this matter closely and will promptly advise the Bureau
of any change in the status of BARNES.

2-Bureau (7-115)
1-Oklahoma City (7-6)
1-Kansas City (7-8)

(4)

All b7C

RECORDED - 9

1-115-2341
JUL 16 1957

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 8-8-57

FROM : SAC, KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, was.; ET AL;
CHARLES F. URSCHER - VICTIM.
KIDNAPING

OO: OC

Mr. Nichols	
Mr. Boardman	
Mr. Belmont	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

ReKClet to Bureau 7-16-57.

On 8-6-57, [REDACTED]
U. S. Penitentiary, Leavenworth, Kansas, made available
the file concerning HARVEY J. BAILEY, an inmate at that
institution.

Contained in the file was a photostatic copy
of a letter directed to BAILEY from JOSEPH N. MINIACE,
BAILEY'S attorney dated 8-1-57. This letter states:

"Dear Mr. Bailey:

"I just returned from Topeka, Kansas, where a hearing
was scheduled for executive clemency on your behalf.
The board, after hearing the matter, have agreed to
the following:

"They are ready and willing to parole you, your
parole to run concurrently, if and when the federal
government issues you a parole. So that means that
the State of Kansas will release you any time that
we are able to secure a parole for you from the
federal board. I should have a certified copy of
that order within a few days.

"The cost of publication was \$16.50 which I have
paid to the Fort Scott Tribune.

- 2 - Bureau (7-115)
1 - Oklahoma City (7-6)
1 - Kansas City (7-8)

RECORDED-85
INDEXED-85

13 AUG 12 1957

(4) COPIES DESTROYED
MAR 17 1965

7-115-2342

All b7c

DIRECTOR, FBI (7-115)

8-8-57

"When I was there to visit you several weeks ago, you advised me that some relative or relatives were coming into the office to talk to me about your matter, but to date I have not seen them.

"I will try to see you sometime the latter part of next week.

"Yours truly,

"/S/ JOSEPH N. MINIACE"

The file contains no additional information indicating any change in BAILEY'S status.

The Kansas City Office will continue to follow this matter closely and will promptly advise the Bureau of any change in the status of BAILEY.

7-8

Harvey J. Bailey is the notorious criminal who was sentenced on 10/7/33 to life imprisonment for his part in the kidnaping of Charles F. Urschel on 7/22/33. He is presently confined in the United States Penitentiary, Leavenworth, Kansas. The Bureau has opposed his efforts to be paroled. This matter is being followed closely.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 9/12/57

FROM : SAC, KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, was.; ET AL;
CHARLES F. URSCHEL - VICTIM
KIDNAPING
OO: OKLAHOMA CITY

Re Kansas City letter to Bureau dated August 8,
1957.

On September 9, 1957, [REDACTED]
[REDACTED] U. S. Penitentiary, Leavenworth, Kansas,
made available the file on HARVEY BAILEY, an inmate at
the Penitentiary. A review of the file reflects there
is no change in BAILEY's status.

Kansas City Office will continue to follow
this matter closely and will advise the Bureau of any
change in status of BAILEY.

All b7C

2 - Bureau (7-115)
1 - Oklahoma City (7-6)
1 - Kansas City (7-8)

(4)

RECORDED - 26

INDEXED - 26

EX-131

2343
7 SEP 16 1957

Alderson, West Virginia
September 24, 1957

PERSONAL TO:
Mr. J. Edgar Hoover
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. Nease	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

Dear Mr. Hoover:

In 1943, two of your men stated to me here, that as long as any of the money, rightfully belonging to Mr. Urschel, went unrecovered that no Parole or Commutation consideration would be given to anyone sentenced in the case. As the case would be marked "OPEN CASE" in your files. At the time I suggested paroling Mr. & Mrs Shannon who had together applied for Commutation. At the time I felt that if a money changer was holding any part they had no contact whatsoever to turn same in and might contact them if they were at home. As you know Mr. Shannon received a Commutation and was released in early 1944. Mrs Shannon was denied which certainly seems a gross miscarriage of justice, inasmuch as she had no prior knowledge of the crime and committed no crime other than cooking several meals at Mr. Shannons bidding, whereas - he guarded the victim.

Mr. Shannon visited us here several times after his release. I tried time after time to discuss the possibility of locating and returning any money missing that rightfully belonged to Mr. Urschel. He seemed frightened to death--would keep changing the conversation and told me that he was an old man and if he was returned to prison he would not live a week and kept saying " Honey we will discuss this when you and your mother get home, but not here". I then asked him if he could help me in the matter. He nodded his head " Yes" and said " I do not feel I owe Charlie Urschel nor the FBI anything at all- but if you feel differently Daddy will let me take care of the matter."

Now, Mr. Hoover I have no real facts. But I am reasonably sure that if Mrs. Shannon and myself had been released during Mr. Shannon's lifetime I could have had the privilege of returning at least a part of Mr. Urschel's money to him through you. Now much I do not know. I would judge after years of considering-- whatever amount George Kelly and Alfred Bates paid Mr. Shannon. George wrote me once from Leavenworth saying " If your stepfather was not such a cowardly miser he could help you and that is all I have to say".

I know that what George had was recovered so I believe my deductions are just about correct. Mr. Shannon is dead and as of now I figure there is no one living who could know the whereabouts of any part of the money. Other than myself I don't feel that Mr. Shannon would have discussed the matter with anyone.

I think he would have given same to me had I been at home and permitted me to turn same in. Now here is the set up at the moment. He willed seven hundred acres of land and his home etc to his 4 children. Under Texas law Mrs. Shannon will get the homestead or at least her attorney says that she will--however we are badly needed there for Court procedure in order to win the case. The Attorney writes that we can be in the house within 24 hours as legally it is Mrs. Shannons home. With us living on the place I figure I can locate Mr. Shannon's cache. I am 54 years of age. Mrs. Shannon is 70. Neither of us are very well and we are Plain Prison beat.

The men in the case are deceased and I beleive you will agree that we have been punished entirely too much already for the small part we had in the crime. We have spent three fourths of our lives in Government custody for committing no crime except one of love and loyalty. We shall make good citizens and the Government should feel proud of their handiwork in rehabilitation, as far as we are concerned. I beleive that if you will recommend some form of lenienoy for us and give me the chance to try, I can if its humanely possible, try to clear up that one item in the Urschel case. Mr. Shannon did not do one thing toward trying to help either of us, I am gradually learning, and I think Mr. Hoover that you know as well as I know that George Kelly, Alfred Bates and R. G. Shannon actually planned the crime in the first place. My mother and myself only knew it after the crime was committed regardless of how Mr. Shannon tried to save his own neck at the expense of his wife. I tried to get him to go to Texas, to San Antonio and talk to Mr. Urschel in our behalf when he visited us here and he would'nt even do that.

I'll promise you one thing. If my deductions are true and I do have an opportunity, I'll find any cache he may have had if it is humanely possible and I shall show my appreciation and my right way of living by immediately getting in touch with you. I am tired of prison, tired of being loyal to the wrong kind of people and tired of my poor old mother being imposed upon as she has been.

Thank you

Bartyn Kelly

Kathryn Kelly

SAC, Pittsburgh (7-10)

10/3/57

Director, FBI (7-115)

GEORGE KELLY BARNES, WAS., ET AL.;
CHARLES F. URSCHEL - VICTIM;
KIDNAPING

7-115-2344

RECORDED-1

The enclosures are self-explanatory.

Contact Kathryn Kelly at Alderson, West Virginia, advise her that the matter of her release is entirely up to the Board of Parole, and that the Bureau can make no recommendations in connection with her release. If she has any information other than the theory set forth in her letter of 9/24/57, the information should be obtained and furnished to the interested offices as well as the Bureau.

Enclosures (2)

CC: Oklahoma City (7-6) (Enclosures) (Information)

NOTE: Kathryn Kelly's letter of 9/24/57, theorizes that if she is released and could return to the Shannon Farm at Paradise, Texas, she is sure she could locate some of the missing ransom money which she alleges by deduction must have been cashed by Boss Shannon (deceased). Kelly in her letter claims she acted through "love and loyalty." Kathryn Kelly assisted in the abduction of Urschel by driving one of the automobiles, prepared the Shannon home as a place to hold Urschel captive, was active in ransom negotiations, and reportedly played a part in the planning of the kidnaping. All but \$45,000 of the original \$200,000 ransom has been recovered.

COJAM-FBI

OCT - 3 1957

b7C (5)

OCT 3 15 52 PM '57
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Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

60 OCT 10 1957

MAIL ROOM

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 10/14/57

FROM : *CHW* SAC, PITTSBURGH (7-10)SUBJECT: GEORGE KELLY BARNES, was. ET AL;
CHARLES F. URSCHER - VICTIM;
KIDNAPING
OO - Oklahoma City.

Reurlet 10/3/57.

b7C

On 10/9/57, KATHRYN KELLY, inmate, Federal Reformatory For Women, Alderson, W. Va., was advised by SA [REDACTED] that the matter of her release is entirely up to the Board of Parole and that the Bureau can make no recommendation in connection with her release. Mrs. KELLY advised that she appreciated acknowledgement of her letter and, if the FBI would recommend parole for her, she would do all that she possibly can to locate the money that was not recovered. She said she has no knowledge of the location of the money but she has deduced that it may be cached on SHANNON's property and, if she and her mother are released, she will search this property in an attempt to locate the money.

RUC.

- 2 - Bureau
- 1 - Oklahoma City (7-6)(Info)
- 1 - Pittsburgh

[REDACTED] *b7C*
(4)

ES

RECORDED - 21

2345

OCT 15 1957

PI - X3

2 13 1957

71 OCT 16 1957 2211

4/11/57

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 10/9/57

FROM : SAC, KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, was.;
ET AL;
CHARLES F. URSCHER - VICTIM
KIDNAPING
(OO: OC)

Re Kansas City letter to Bureau, 9/12/57.

On October 8, 1957, [REDACTED] U. S. Penitentiary, Leavenworth, Kansas, made available the file on HARVEY BAILEY, an inmate at the penitentiary. A review of the file reflects that an annual review was prepared regarding BAILEY dated September 13, 1957. A copy of this annual review is being forwarded to the Bureau as an enclosure to this letter for information purposes.

The Kansas City Office will continue to follow this matter closely and will promptly advise the Bureau of any changes of BAILEY in the penitentiary.

- 2 - Bureau (ENC: 1)
- 1 - Oklahoma City (7-6)
- 1 - Kansas City

RECORDED - 94

(4) 71 OCT 10 1957 721

All b7C

7-11-2346
15
2
[Signature]

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

- ☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

- ☐ Information pertained only to a third party with no reference to you or the subject of your request.

- ☐ Information pertained only to a third party. Your name is listed in the title only.

- ☒ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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

- ☐ For your information:

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

7-115-2346 enclosure

XXXXXX
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 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXXXXXX

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: November 15, 1957

FROM : SAC, KANSAS CITY (7-8)

SUBJECT: *Butler*
GEORGE KELLY BARNES, was.;
ET AL;
CHARLES F. URSCHEL - VICTIM
KIDNAPING

(origin - Oklahoma City)

Re Kansas City letter to the Bureau, 10-9-57.

On November 12, 1957, [REDACTED] United States Penitentiary, Leavenworth, Kansas, made available the file on HARVEY BAILEY, an inmate at the penitentiary. A review of the file reflected the following:

BAILEY recently took instruction in the Catholic religion and was baptized and received into the Catholic Church.

The file contains a letter dated November 1, 1957, from Mr. E. E. KIRKPATRICK, 114 East 5th Street, Tulsa, Oklahoma, addressed to the Warden, United States Penitentiary, Leavenworth, thanking him for his cooperation during a recent visit to the institution by KIRKPATRICK, JOSEPH N. MINIACE, attorney, Kansas City, Missouri, and one [REDACTED]

The letter indicates that both KIRKPATRICK and [REDACTED] are attempting to assist BAILEY in obtaining a parole and are attempting to obtain a prospective employer for BAILEY should he be released through a Baptist minister in Tulsa, at the Hartley Cabinet Shops in Tulsa.

The records further indicate that the aforementioned individuals visited BAILEY at the institution on October 29, 1957, in the presence of the Warden and discussed at the time how BAILEY would support himself should he be released. During this discussion KIRKPATRICK suggested that BAILEY furnish enough information from the escapades of his past life for KIRKPATRICK to write a book, with BAILEY to receive the income.

2-Bureau (7-115)
1-Oklahoma City (7-6)
1-Kansas City (7-8)

RECORDED - 39 2 NOV 18 1957

INDEXED - 39 2

this is the patch

Mr. Tolson	
Mr. Boardman	
Mr. Belmont	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Trotter	
Mr. Nease	
Tele. Room	
Mr. Holloman	
Miss Gandy	

*Hughes**All b7C*

KC 7-8

It was indicated that should this plan be followed, KIRKPATRICK would provide BAILEY with an income during the period of the writing and publishing of the book, until such time as the income from the book should begin.

The Kansas City Office will continue to follow this matter closely and will promptly advise the Bureau of any changes in the status of BAILEY at the institution.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 12/11/57

FROM : SAC, KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, Was;
ET AL;
CHARLES F. URSCHER - VICTIM
KIDNAPING
OO OC

Re Kansas City letter to Bureau 11/15/57.

On 12/4/57 [REDACTED] U. S. Penitentiary, Leavenworth, Kansas, made available the file of HARVEY BAILEY, an inmate of the penitentiary. A review of the file reflected the following:

A letter dated 11/20/57, was received at the penitentiary from Mr. WILLIAM K. MC DERMOTT, Parole Executive, directed to the Warden at the penitentiary concerning BAILEY. The letter stated in part that the Parole Board in Washington had reviewed the entire record of BAILEY but that "It does not find sufficient justification for change in the parole status, at least at this time."

The Kansas City Office will continue to follow this matter and advise the Bureau of any change of status of BAILEY at the institution.

RECORDED - 24

- ② - Bureau
1 - Oklahoma City (7-6)
1 - Kansas City
[REDACTED]

(4)

7-115-2348
18 DEC 13 1957

All b7C

6-113

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR FBI (7-115)

DATE: 1-13-58

FROM : SAC KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, was;
ET AL;
CHARLES F. URSCHEL - VICTIM
KIDNAPING

OO: OC

Re Kansas City letter to Director 12-11-57.

On January 10, 1958, [REDACTED]
U. S. Penitentiary, Leavenworth, Kansas, made available the
file of HARVEY BAILEY, an inmate at the Penitentiary. Review
of the file reflects there has been no change in BAILEY's
status at the institution.

The Kansas City Office will continue to follow this
matter and advise the Bureau of any change in BAILEY's
status at the institution.

- 2 - Bureau (7-115)
- 1 - Oklahoma City (7-6)
- 1 - Kansas City (7-8)

(4)

✓
All b7c

RECORDED - 68

7-115-2349

JAN 16 1958

F5

FBI

Date: 1/22/58

Transmit the following message via AIR-TEL

(Priority or Method of Mailing)

To: Director, FBI (7-115)

From: SAC, Pittsburgh (7-10)

Re: GEORGE KELLY BARNES, was., Et Al;
CHARLES F. URSCHER - VICTIM
KIDNAPING

ReBuairtel, 1/21/58, captioned as above.

The Bureau is advised that [REDACTED]
[REDACTED] at the Alderson Women's Reformatory. [REDACTED]

The Bureau is also advised that copies of the affidavits have been placed in the file of KATHRYN KELLY at Alderson and, consequently, no attorney-client relationship will be breached if this information is made available to the U. S. Attorney or others.

If the Bureau deems it necessary it will be perfectly in order to disclose [REDACTED] as the source of this information. Normally, however, she has been carried as a confidential source.

- ③ - Bureau
1 - Oklahoma City (7-6)
1 - Pittsburgh

(5)

RECORDED - 33

EX-135

63 JAN 31 1958

7-115-2350
30
11 JAN 22 1958

AIR-TEL

1 /29/58

AIRTEL

RECORDED - 33

To SAC, Oklahoma City (7-6)

From Director, FBI (7-115)-2350

GEORGE KELLY BARNES, WAS., ET AL.; CHARLES F. URSCHEL -

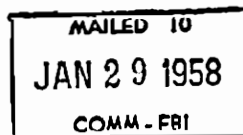
EX-135

Re Pittsburgh airtel 1/22/58.

Your office should immediately review file in captioned case based on information contained in affidavits prepared by Shannon and Kelly. This review will be for the purpose of having readily available information and identity of witnesses for U. S. Attorney in the event a motion is filed in behalf of Shannon and Kelly. Continue to follow court docket to determine if and when such a motion is filed.

Keep Bureau advised.

(4) b7C



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63 JAN 31 1958

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1/21/58

RECORDED

AIRTEL

TO SACs, Pittsburgh (7-10)
Oklahoma City (7-6)

From Director, FBI (7-115)

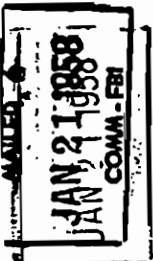
GEORGE KELLY BARNES, WAS., ET AL.; CHARLES F. URSCHEL - VICTIM;
KIDNAPING.

Re Pittsburgh airtel 1/16/58.

Oklahoma City take no action to make the information in reairtel and its enclosures available to the U. S. Attorney. Follow through court records any motions filed in behalf of Ora Shannon and Kathryn Kelly.

Pittsburgh furnish the Bureau the following information with your recommendation in order to determine if the information in reairtel, or part of it as Photostats of the affidavits, may be made available to the U. S. Attorney, Oklahoma City. You indicate the identity of [redacted] Alderson, must not be disclosed. Advise if the information may be disclosed without identifying her as the source. If not, advise if another officer, such as the officer in charge of censoring mail, can make this information available. The information is desired to determine if any attorney-client confidence may be infringed upon. It appears that the reformatory has power by law to censor incoming and outgoing communications of prisoners. From this, the information would be available to a third party and, hence, may not violate the attorney-client relationship. Enairtel.

JAN 21 1958



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NOTE: Pittsburgh airtel of 1/16/58, reports efforts of Ora Shannon and Kathryn Kelly in Aderson to have James J. Laughlin, Attorney, Washington, D. C., effect their release. Pittsburgh furnished Photostats of correspondence between them and affidavits of Ora Shannon and Kelly. These affidavits allege their constitutional rights were violated, they were denied a fair trial due to "panic" of the times, not represented by competent attorneys, wherever they were taken as prisoners were escorted by hords of armed FBI Agents, trial judge was friendly with Urschel, their 24 year incarceration fully pays their debt to society, both George Kelly and Bates (deceased) did the kidnaping, both Shannon and Kelly are innocent, etc. Laughlin tells of his trip to Oklahoma City to review the court records, his visit to Texas to look over the property of Boss Shannon (deceased) that Shannon and Kelly inherit from which Laughlin's fee is to come. Laughlin indicates that Shannon's and Kelly's affidavits help in some points, but he indicates they need revision.

MAIL ROOM

All b7C

486-7105

F B I

Date: 1/16/58

Transmit the following message via

AIR-TEL

(Priority or Method of Mailing)

TO: - DIRECTOR, FBI (7-115)
FROM: SAC, PITTSBURGH (7-10)
RE: GEORGE KELLY BARNES, was., ET AL;
CHARLES F. URSCHEL - VICTIM
KIDNAPPING
(OO: Oklahoma City)

Remylet, 10/14/57.

On 1/7/58, [REDACTED] Federal Reformatory for Women, Alderson, W. Va., whose identity should not be disclosed, advised SA [REDACTED] that KATHRYN KELLY has continued her efforts to obtain a release from the Reformatory and, in September, 1957, she re-engaged JAMES J. LAUGHLIN, Attorney, National Press Building, Washington, D. C., and has promised to give him half of the income received from property of BOSS SHANNON for his efforts. [REDACTED] stated that LAUGHLIN came to the reformatory to see KATHRYN KELLY and ORA SHANNON and drew up affidavits presenting their side of the argument for each of them. [REDACTED] continued that apparently LAUGHLIN is making some progress and intends to file a motion to have the sentences of Mrs. KELLY and Mrs. SHANNON set aside on grounds that their constitutional rights were violated. [REDACTED] said that she has retained in the Reformatory files some of the correspondence between LAUGHLIN and Mrs. KELLY, and that she would furnish copies of this correspondence to the FBI.

On 1/8/58, [REDACTED] furnished SA [REDACTED] with copies of the following:

- 3 - Bureau (Encls.-7)
- 1 - Oklahoma City (7-6)(Info)(Encls.-7)
- 1 - Pittsburgh

(5)

ENCLOSURE

RECORDED-3

AIR-TEL

JAN 16 1958

Approved: _____

Special Agent in Charge

Sent _____

Per _____

F B I

Date:

Transmit the following message via _____

(Priority or Method of Mailing)

PG 7-10

1. Affidavit of ORA L. SHANNON.
2. Affidavit of KATHRYN KELLY.
3. Letter from JAMES J. LAUGHLIN to KATHRYN KELLY, dated 11/18/57.
4. Letter from KATHRYN KELLY to JAMES J. LAUGHLIN, dated 11/23/57.
5. Letter from W. C. GEERS, McAllen, Texas, to JAMES J. LAUGHLIN, dated 11/24/57.
6. Letter from JAMES J. LAUGHLIN to KATHRYN KELLY, dated 11/25/57.
7. Letter from KATHRYN KELLY to JAMES J. LAUGHLIN, dated 12/1/57.

The above items are self explanatory and copies are forwarded herewith for the information of the Bureau and the Oklahoma City Office.

The Bureau is requested to advise if copies of additional correspondence between KELLY and LAUGHLIN regarding action being taken to have KELLY and SHANNON released from prison are desired.

RUC.

Come now, Mrs L. Shannon, petitioner and defendant, being first duly sworn on oath as required by law to make this affidavit, to the best of her memory over a 24 year lapse of time. In her own words:

"I am in my 70th year of age and not in good health but I have proved my memory for the facts herein as all truth and in all honesty."

On August 12, 1933 at daybreak I was awakened by noise and by loud talking by my bedside at my home near Paradise, Texas. Federal men swarmed all over the place some thirty or more. They arrested me and my husband also a friend of George Kelly's a Harvey Raily who had stopped at our home after midnight the same day asking to spend the night. He said he was tired and was on his way to California. He slept on a raised bed in the yard. My husband and I were sleeping on the sleeping porch. The FBI men literally tore everything in my home apart. They said they were looking for the Breckel ransom money and kept confronting me yelling, "WHERE IS THAT MONEY?"

They acted like perfectly wild men. I had never before seen an FBI man to my knowledge, never before been arrested, never before been questioned by any law enforcement officer therefore I was badly frightened and I truly thought they were underworld people of Kelly's friends or some sort of outlaw gangsters. I knew by then that Kelly and Bates were the above outlaw men. One of the FBI men ran up to my husband and he raging mad and said, "I OUGHT TO SHOOT YOUR GUTS OUT." I will never forget that to my dying day. Another one of them said to him "CALM DOWN", and "THERE IS NO MONEY IN THAT". I was terribly scared and fully expected my family to be

7-115-2351

killed and plead to go to my little girls who were being kept in another room (age 11 and 12). I was then separated from my husband. He was handcuffed and led into the yard. Several of them then began talking tough and very rough to me asking me to give them the ransom money of the Urushal crime. I repeatedly told them I had no idea of where any money was, I had never seen any of the money they asked about and I was called a liar among many other things.

After an hour or more they had torn the place apart, questioned our children and frightened them. We were never allowed to speak to our frightened children. When I saw FBI men bringing my stepson Armon Shannon and his wife into our yard, with handcuffs on him and his wife weeping I still thought the FBI herds of men were bad fellows and I yelled to my stepson and his wife to not say anything to these men to wait until we were sure we were before someone in authority who acted sane. The FBI made a real crime of this and accused me of trying to keep Armon Shannon from telling them things. I was even foolish enough to offer to cook our breakfasts. Thinking that breakfast might quiet them some. One officer was left with our children. My stepson, wife and my husband and I were all put into separate cars and rushed to Dallas Texas jail around noon. I never knew why we were taken to Dallas when Fort Worth Texas was our nearest Federal Judge and Court and our district. Most of the afternoon was spent grilling us. I told them where Bates might be found (and was). I was desperately afraid of Alfred Bates. He had hurriedly came into our house to the room that George and Kathryn

kept in our home on one of the days that he and George were holding Mr. Urechel and I had faced him and said, " You ought to be ashamed of your self and you are going to get my husband in trouble and a few other things. He was very angry and told me that I had better KEEP MY LIP -- unless I wanted to see all of my family killed in front of my eyes. About 8 P.M. FBI men took me alone into a small room in the Dallas jail and poured out questions to me. I told them truthfully that I had nothing to do with kidnapping Mr. Urechel, that Kelly and Bates were the guilty ones and I was afraid of them. That the reason I felt that Bates was in Denver as I had overheard him talking of Denver Cole, and felt he might be there. Two agents were writing all of the time. No one advised me THAT I WAS ENTITLED TO AN ATTORNEY. I had never been in Court nor been arrested and I felt like law and order was sincere although I was still scared and frightened of the FBI men, exhausted and in a daze.

They put what they had wrote down in front of me and told me to sign it. I did not read it. I was reluctant to sign but one man jumped up and said YOUR WHOLE FAMILY WILL SUFFER YOU FOOL UNLESS YOU SIGN THIS. He went on to add that they would let me go to bed and give me something to eat when I signed the paper. I would have done anything within reason to get away from them so I signed the paper. In the Dallas jail I was held incommunicado for some time. I cannot remember how many days as I was in a state of shock dazed, worried and upset from worrying about my little girls and all the other. And of my daughter Kathryn somewhere off in the world with Kelly and I was afraid he might kill her.

The news reporters came around often. I hid in a cell and never talked to them. However they wrote their own distorted version of untruths.

Finally Mr. Walter Scott from Fort Worth came to see me (Attorney). Then Senator Brady Woodruff came. We were arraigned in Dallas and placed FOR GUILTY. Although I was in the room then with my husband, Step-son and his wife I was not allowed to speak to them. I was finger printed and photographed the first afternoon I was carried to Dallas.

We were taken to Fort Worth some days later I believe on some kind of a Writ and to contest extradition to Oklahoma City- and to try to arrange bond.

The above hearing was held before Judge James Wilson, Federal Judge in Fort Worth. There were 40 or more Federal, State and City officers in the courtroom--some other people who were going to sign our bond. My husband was in the witness chair being questioned by the Judge--I was sitting nearby- when like a cyclone a cordon of FBI men closed in on us and surrounded us three and four feet deep. They rushed in on a run. They grabbed my arms one pulling me by each arm and walked me fast. I had become separated from my husband but joined him later on the plane. They ran- dozens of them--dragging me fast to the elevator, then to the street, then into a car and to the airport with a screaming motorcycle cordon and cars of Federal agents with machine guns bristling in every direction. The Street was cleared and we drove at a terrible rate of speed to a plane waiting, warmed up. I thought sure I would be killed if not by a gun going off by a car wreck. I was crying so hard and was so frightened when they pushed and shoved me into the plane I did not see my husband right away but soon seen him behind me. A pilot, my husband, myself and Federal men were on the plane, three or four of the latter.

of people. I fully believed that I would soon go home to the little girls that is until a Matron in the jail said to me " YOU'D BETTER BE PRAYING YOU ARE GOING TO GET A LONG SENTENCE" She made this remark from seeing me on my knees praying day and night. As I look back to then, it seems I was a forgotten woman throughout in a way. The Attorneys seemed to be trying as best they were allowed to , to get my husband and his son out and at home and left me very much alone. I was permitted once to see my sister and the children while I was in Okla. City just for a few moments. Later after George and Kathryn were arrested and brought to the Okla. jail where I was they would not let me even SPEAK to my daughter. They kept her strictly solitary. I heard in the jail she was being starved and mistreated. I begged to be allowed to send her up some food as I could order some from the store but they would not let go. When I learned that Kathryn was ill I sent a note to one of the FBI men who had acted more human than the rest and asked him to see me. He did and I cried and begged him to get a Doctor for Kathryn. I think he did because the Dr. came a Govt. Dr. and she had some food afterward. When we went to the Court room for trial the several blocks of street was actually roped off. Traffic not permitted--completely cleared - Just motorcycles and the law. We attracted much attention. Dozens of FBI men bristling with guns and with machine guns -even standing on running boards of cars made up the heavily armed cavalcade carrying us to and from court. We went in a bullet proof car, heavily guarded with newspaper boys on streets shouting of headlines about a pending rescue of us by Chicago gangsters up north. We three hardly knew what they were shouting about as we knew no gangsters except Kelly, Bates and Kellys friends and it would'nt be them. Everything seemed

to be done in a way for publicity and to hurt us. There were thousands of people lining the streets, standing even on parked cars, house tops, & telephone poles. They were even hanging out windows I recall trying to see the people that were portrayed as inhuman. At the Court house there were more thousands—from everywhere—from all over the U. S. A. and from foreign countries. The reporters had free run of the Court Room as well as the photographers. Never has there been such hysteria—acts of people—newspaper headlines—radio re-acting everything done in Court at night. Even the few fairly nice FBI men seemed astounded and told me on a trip to Court that they had never witnessed a like spectacle nor such publicity. One even told me he did not approve of it at all. The Court Room was jammed from opening time to closing. Thousands could not get in and stood for hours to catch a glimpse of us as we were brought into the Court room. People brought their lunches and had a picnic. Hundreds sold their seats to others willing to grab them up from 10.00 to 25.00 each. It was common talk that some families with lots of children held and sold as high as a hundred dollars worth of seats a day. I remember asking Mr. Mack Burch Attorney to do something about it, To report to the Court the black market in seats. He told me it would not do any good. Several weeks before I was arrested my sister-in-law Mrs. Manda Jones had kidded me into dyeing my hair. I tinted it from brown to black. She had her hair dyed so my hair had began to grow out natural when I was arrested. Back in 1933 days I suppose it was taboo to dye ones hair—anyway the Honorable Joseph Kennansent down by the Attorney Generals office as special Prosecutor made a most remark about a woman with dyed hair calling no names outright but

Judge Roberts talked to Mr. Korman about it. He tried to humiliate me and make me a low down woman in the eyes of the public just because I once tinted my hair. None of our Attorneys advised me nor consulted with me in regard to my testimony in Court. They had no idea of what I would say and did not seem to be concerned. They concentrated entirely upon the defense of Mr. Shannon and his son who guarded Mr. Urechal. Mr. Burch in his talk to the Jury only spoke of these two. Referred to one as a sturdy oak in the Paradise Texas community, the other a young ignorant lad who was brought in by the influence of Kelly and of Bates. I finally ask Attorney Burch why he said nothing for me nor gave me no advice whatsoever. He said The Government does not have a case against you and you cannot be convicted because you have not broke a law. Lawyer Woodruff also concentrated upon their case but not one of the attorneys including Scott and Sayers advised me nor helped me. Perhaps it was because they felt I could not draw a conviction. I feel that if I had received good legal help that I would never have came to prison. On the witness stand I was scared --no sleep at night and I had not been eating and I was just sick. I was not allowed to tell anything in my own words. The Judge would say anser " YES " or " NO " and that is all. If I tried to explain why I had cooked a chicken dinner or why several months previously I had wired George Kelly four hundred dollars wghen he wrecked his car he would not permit me to explain. George wired me to wire him the money and my husband was working in the field and asked me to drive 12 miles to Bridgeport and send the money. The FBI and the Prosecution had witnesses to identify me as the person sending the money and they made something big out of it when it was nothing except family routine. They did the same with the letters or the telegrams I kept for either George or my daughter that had came over a period

of years in the past. I even accepted any telephone calls for either of them in their absence. They always kept a room in our home with their clothing etc there. We never bothered their room when they were away. That is normal family procedure I think and nothing to call in witnesses and make a big affair of. And to accept not even an explanation. Several times when they were driving away on a trip George would tell us to accept any phone calls that came for him and we had done that for years. We had always thought George a wonderful person. He had made us think that he sold oil leases. From such minor things the Prosecution made me out as a shrewd woman who was in " cahoots " with George Kelly and his gang. Said I aided him by accepting his phone calls etc and on and on and on.

Mr. Keenan browbeat me--talked to me terrible-- inferred that I was the meanest woman on earth --made fun of me termed me a real gangster woman along with Mr. Herbert K. Hyde the Okla. prosecutor. He kept telling the Jury bad things about me. He kept shouting WE HAVE TO PUT TEETH IN THE LINDBERGH LAW. WE HAVE TO STOP KIDNAPPING. YOU WILL NOT BE SAFE. NO ONE WILL BE SAFE " et cetera .

It was then I knew I did not have a chance for a fair trial. When I knew that I was going to be tried in Oklahoma City in Mr. Urschel's home town within a few blocks of his paternal home and by a Judge who was his friend I felt that my chances were very meager. The newspapers, Mr. Urschel's prestige and wealth and the above contributed to an unfair trial I believe. The Judge was a friend of the Urschel family--a longtime friend of Mrs. Urschel's previous husband (deceased) the late Tom Slick multi-millionaire and even though he might be and try to be a fair minded man, he hardly could help but favor his friends. I feel that we should have been tried before

Judge Wilson in the state that was my home. I had not crossed the Ohio State line from the state of Texas to even visit my kinfolks in over a year. I was charged and I was convicted of WILFULLY KIDNAPPING AND HOLDING FOR RANSOM ONE CHARLES F. URSCHEL. The whole Judiciary world knows that ONLY TWO MEN COMMITTED THIS CRIME. The witnesses in Court swore that ONLY TWO MEN COMMITTED THE CRIME. They swore they went into Mr. Urschel's home and took him and his friend out at gunpoint and with a machine gun. Mr. Urschel swore he had never laid eyes on me before he saw me in the Court room. How could I be convicted for this and charged with kidnapping when only two men kidnapped him? It seems to me the very fairest thing I should have been sentenced for would have been letting George Kelly's friend stay all night at my home and I did not then know that he was an outlaw. If I had he would not have been there. I had no idea of where Charles Urschel lived even. That there was such a man until he was brought to the home I lived in by Kelly and by Bates. We were sent to prison. I was separated from Kathryn and sent to Memphis workhouse. Then we were sent to Milan Michigan in Nov, 1933. We were kept there in unheard of solitary confinement for 8 months in the man's former punishment quarters. No recreation facilities. No commissary. No letters from any one. Like dead and buried people. Our teeth suffered from lack of tooth paste etc. After about a year the Attorney General allowed us to write and to receive ONE letter every 3 months. We could not even know nor hear from legal help for many a month. Through the kindness of the Warden there Mr. John J. Ryan we could occasionally hear from family members-- they wrote him and he would tell us he had heard from them and they were well etc. After some 2 years we were permitted a newspaper after censorship and to receive ONE letter

They had told us they would make it hard for us in prison and they did. That is UNLESS WE PLEAD GUILTY. Looking back I honestly cannot see how I lived through this. Now I know I had Gods strength to help me. The Attorneys told me there was nothing they could do after sentencing. They said nobody could do anything in that hostile setting. I remember asking Mr. Burch why the Attorneys from Fort Worth took no active part in my behalf. He told me that Attorneys Scott and Meyers were simply petrified with fear that they had been threatened with arrest and with being accused of accepting some of the ransom money. This he said, was absolutely untrue but could ruin their law business. Alfred Bates Attorney Mr. Ben Laska of Denver Colo. was arrested, convicted and sentenced to 10 years for same. I do not know if he was guilty. I have doubted it. knowing that accusations were being made to other attorneys. I know that I did not receive the justice of a defendant, in accord with the law of our country.

Even in the Court room a vast distinction was evident. The defendants in their jail worn wrinkled and dirty clothes were seated directly in front of the space allocated the newspaper reporters from all over the world. In contrast Mr. & Mrs. Urschel were seated in front row seats as near the Jury and prosecution as possible expensively dressed in furs and diamonds and fine clothes etc and seemingly very exhilarated. With my own eyes I saw Mr. Urschel stand up when Court was dismissed and closely scan the Jury. One man on the jury in the front row winked a sly wink at Mr. Urschel and Mr. Urschel smiled at him. I told Mr. Burch about it and he said " Yes I know you are telling the truth but what is your word against Mr. Urschels". The prosecution spared me no heartache. My aged mother and father Mr. & Mrs. T. H. Coleman were brought into the court room. As I had not even seen them in prison since Mr. Urschel's kidnapping they could not have been needed.

My mother was ill, was brought from a hospital bed with a doctor and a nurse in attendance and never entirely recovered from the ordeal before her death. Every dramatic setting and thing was used for publicity. It is a fact that the Urschel case contributed a good deal to the Federal Bureau of Investigation. I have respect for the Bureau. The U. S. made them but I think God they do not treat people as they treated me in 1933 anyway. They have used the Urschel case repeatedly since 1933 in various forms of publicity. In Mr. Hoover's book it is a matter of written record that he states: "The Federal Bureau Of Investigation was severely humiliated prior to the million dollar publicity build up of the Urschel trial in Philadelphia etc etc." My daughter and myself have been steadfastly handicapped, hurt and I feel unlawfully used since our conviction, the years we have been in prison by the FBI and Mr. Urschel and Mr. Kirkpatrick, Mr. Urschel's brother in law. Harsh, unfair and publicity detrimental to us has reigned unchecked over the years. It is a fact that Mr. Gus Jones who was active in my arrest as a FBI agent resigned soon after the Urschel case and took a job with Mr. Urschel. He has worked for Mr. Urschel since then and now does. Several years ago a Priest Father Joseph E. Clark of Los Angeles Calif. flew to San Antonio Texas to talk with Mr. Urschel and to plead with him for a recommendation for us for leniency. Father Clark came on here and he told us that Gus Jones was in the employ of Mr. Urschel and that Mr. Urschel did not even want to talk with him without Mr. Jones present, but finally agreed to do so as Mr. Jones was out of the city. He told us that Mr. Jones had prepared numerous decisions on us two women and that Mr. Urschel absolutely refused to withdraw any protests he may have made or

to recommend any leniency in my request. Shortly after this The Ohio City newspaper carried a front page item stating that Mr. J. was had called in the press in Ohio City to say that Mr. Urechel had one million dollars to keep these two women from making parole. That statement has likewise appeared in various magazines. We have consistently been denied any form of leniency which speaks for itself. Any prisoner after sentencing even who has been discriminated against in any such mannerously has suffered a grave injustice and an infringement of constitutional rights.

Mr. E. E. Kirpatrick (Mr. Urechel's brother in law) has published two books that have been widely read. I saw them advertised in a book section with my own eyes although when a Washington Senator wrote him about it he told the Senator he had never sold a book and would not do so from an ethical viewpoint. I tell and I say that an investigation will show that he has earned thousands of dollars from the sale of these books which have been and are decidedly detrimental to the defendants. And against all human rights. One book is titled " PARADISE" or I believe " CRIME IN PARADISE" the other is " VOICE FROM ALCATRAZ".

I feel that discrimination was shown in sentencing me, Mr. Shannon and Arnon Shannon GUARDED Mr. Urechel. I was not near him. It is a proven fact that Arnon Shannon conspired with Kelly and Bates in the crime, and agreed to guard the captive. He guarded him in his own home yet he was given 10 years probation. In 1941 Mr. Shannon was given a Commutation of Sentence and paroled. We were jointly charged, jointly sentenced and to the same length of sentence. I ask why I was not given the same leniency in parole from the Government. My institutional record is excellent.

Mr. Shannon has guarded the prisoner Mr. Urechel served 11 years. I have

to date served almost 24 years when I never harmed Mr. Wreckel in any way. I was tried with Alfred Bates who had a long prison record as a law breaker. Was refused a separate trial, Any fair minded person knows that was wrong. I should not have received the same sentence as did Bates who kidnapped Mr. Wreckel.

I have served almost 24 flat twelve month years. My suffering has been and is intense and deep. I cannot express it. I believe with all of my heart that a gross miscarriage in Justice blots the record of my country by the continued imprisonment of me and my daughter. We would be assets to society. I pray incessantly for Gods help and for Justice.

I love my country and for some reason I yet have faith in right and in Justice. I have faith in our country's laws which were made for the destitute and the needy such as I as well as for everyone. I humbly ask that my 1933 conviction be set aside and I be extended the due consideration my country is noted for. I am old. I haven't got long in the world.

I have paid ten thousand times over for any small thing I may have done wrong in my life. My crime is really a crime of being a hospitable ignorant farm woman who always had her door open to anyone.

I've worked hard all of my life and I have not merited or deserved what the past 24 years have been.

God bless and guide the Court in careful consideration of my need

Oran L. Shannon

Kathryn Kelly, petitioner, being first duly sworn on oath as required by law, makes this affidavit to the best of her memory.

In her own words:

I was arrested September 26, 1933 at Memphis Tennessee, convicted in the U. S. Federal Court at Oklahoma City, Oklahoma, October 12, 1933 to a sentence of natural life imprisonment.

Although I am charged and was convicted with " wilfully kidnapping and holding for ransom one Charles F. Urechal " I never glimpsed said Mr. Urechal in my entire life until I saw him in the courtroom. His sworn testimony will verify this.

I honestly believe and assert that my constitutional rights were violated, and I did not receive a fair nor an impartial trial accorded by our country.

Some fifty to seventy five Department of Justice men together with Memphis Tenn. police arrested me with my husband, the late George R. Kelly in Memphis. We were carried to the Memphis jail, held from 3 to 4 days and I was constantly questioned and interrogated by FBI men. I was denied my immediate request there throughout my stay for legal representation. After 3 or four days I was handcuffed and together with my husband who was handcuffed with leg shackles and chains driven to a Memphis airport and flown to Oklahoma City. The trip to the airport was a ordeal, streets roped off, crowds of people and with the aspects of a circus in the city. Enroute I was threatened repeatedly by accompanying FBI men, who told me over and over, unless I confessed to kidnapping Mr. Urechal and would assist them in apprehending other gangsters (whom I did not know) that they would see that The Attorney

General's Office personally presented the case and they hoped gave me the chair. They also told me repeatedly that my mother Mrs. Ora L. Shannon would receive no consideration unless I confessed to numerous unsolved crimes. I was accused by them of bank robberies--even told my husband and I had a part in the kidnapping of the Lindbergh baby. I told them I had never seen Mr. Bushell in my life. That I had no previous knowledge of the crime. Leaving Oklahoma City I was taken through the same courts to jail. There I was permitted to talk with Attorney James H. Mathers, Walter Scott and Sam Hayes. These attorneys represented me in Court proceedings.

The sensationalism even in the Okla. City jail is doubtless remembered to this day. Every encouragement was given at creating more and greater lurid stories. I was guarded in a manner a tiger would have been. FBI men & Texas rangers sat in front of my barred but open cell door with a machine gun across their knees. I heard them often telling newspapers reporters through the end door few inch opening sensational untruths to publish, such as "Kathryn Kelly attacked a guard"-- "Kathryn Kelly breaks out light bulbs as fast as they are put in her cell" when the truth of the matter was it certainly was cruel and inhuman treatment to keep the strongest light bulb manufactured burning all night in my face so fiercely that I could not sleep. Through it all I behaved as a lady as the U. S. Marshall at the time will testify. The Federal Court was a veritable arsenal. Everyone was searched-- even attaché cases and attorneys-- The atmosphere was not conducive to a fair trial for any human being.

The Presiding Judge, The Honorable Judge Edgar S. Vaughn should have

ethically disqualified himself from the case, it seems to me since it is an indisputable fact without question that HE WAS, HE IS, AND HE WILL BE a personal friend of The Winstead family and of Mr. Charles F. Winstead. From talking to him privately in his office before I was tried or plead my plea I felt that he was biased against anyone connected in any manner with the case as a defendant. My attorney Mr. James E. Mathers told me that Judge Vaughn wanted to talk with me in his chambers at the Federal Building. He also told me that it was VIRTUAL proceedings, but that I might want to make a deal to help my mother. I agreed to talk with the Judge only in the presence of Mr. Mathers, who was waiting for me to arrive at the Federal Building from jail. We together went into Judge Vaughn's office. In his office were pictures of the Women's prison at Alderson, West Va. He pointed to them and said in substance "This Court has just completed one of the most strenuous cases of its career. The amount of work and strain in the case of your mother and your stepfather was heavy. I am tired and worn out. I have my bags packed for a much needed vacation. Now understand this Court is not promising you anything but if you want to plead guilty it is my belief that the Government will show their appreciation by some consideration for you. If you don't plead guilty we will have to impanel a jury and the cost of trying you and your husband will run into thousands of dollars. I listened carefully and I asked, Judge Vaughn I love my mother deeply. Will you give her protection if I plead guilty to this crime. If so, I will plead guilty to any crime in the world. She does not deserve prison. He said "This Court cannot and will not consider individuals in this case. We are going to put teeth in the Lindbergh law and it being a new law, anyone being tried under it can not be considered.

Your mother has been adjudged guilty and is to be sentenced. Your husband will plead guilty if you do and I will state that in my opinion you will both be found guilty if you go to trial. I arose and said in substance " Judge Vaughn I am not guilty. You will have to wait for my plea in open Court.

I contend that I thus incurred his personal grudge and he did not give me nor see I was given a due, a just and impartial trial. He is a good man I am sure but I feel that his sympathy lay with Mr. Urschel, and overshadowed his fairness. For the first time in the history of a court at that period the Court was literally thrown open to newspaper reporters. They flew in from almost every state in the union. One corner of the Courtroom was assigned for them. Cameras were present and to the best of my remembrance so was equipment for radio broadcast. Entering and departing from the courtroom was a terrible ordeal to sear one's very soul. Any Attorney representing me hardly had a chance. The hostile built up atmosphere prohibited any attorney from properly defending a client. Mr. Urschel swore he had never seen me in his life before. I had never seen him. I was accused of writing ransom notes and notes of threat. A handwriting expert brought by the Court swore that my handwriting was on the notes in question. Decidedly untrue. My husband and I write similar and I think everyone knew I did not write the notes. I am sure Mr. Hoover did as he wrote a few years ago. " Kathryn Kelly did not write the notes, but they were phrased in her terminology ".

Mr Herbert A. Hyde went to Washington on the case. He has been there since. He had a most legitimate reason to disqualify himself from my case as prosecutor. When he was living in Norman Okla. many years previously. I was living in Okla. City and I fell in love with Mr. Hyde

brother-in law , by marriage. In other words Mr. Hyde and Mr. John E. Bernier married sisters. Mr. Bernier left his wife and we were common law married for a two year period as she never would give him a divorce. When she died Mr. Bernier told me that Mr. Hyde berated him terribly. He had reason to truly personally hate me. While I was in jail Mr. Bernier told my attorney that Herbert Hyde would crucify me and asked if I wanted his testimony. I said " No " The testimony of " O'r God " would not help nor could he receive justice in such a set up. I feel deeply that my trial was unfair and my rights were infringed upon from just about every viewpoint. No one could have received due justice. The hysteria and sensationalism voided any degree of a fair trial not to mention personal grudges. The dominant note of handcuffs and uncalled for guarding and circus like appearance of the court prohibited a fair trial also.

I was rushed into trial without sufficient time to prepare an adequate defense. I was starved, Cuffed, pushed about, hit in the back in the foyer of the Courthouse enroute to court by Texas ranger Mr. White-- My husband & co-defendant at the same time was beat with pistols and went into court with 8 or 10 stitches in his scalp not to mention a hen egg in his temple that plainly showed up in current newspapers. Court procedure waited until a Govt. Dr. sewed his wounds. These facts are recorded facts. My rights are anymans rights were infringed upon in such a setting, in such a hostile courtroom. In even being tried in Mr. Urshals home town, Especially by a Judge who was his friend. The Courtroom was filled not with a spirit of Justice but with a spirit of intense fear. The attorneys were even afraid. A witness for the Govt. one Mr. Luther Arnold swore one untruth after another under oath. He was kept hidden in an apartment in Oklahoma City by FBI men and told exactly what they wanted him to say on the stand.

Mr. Arnold slipped a note to Mr. Mathers in the courtroom that I read with my own eyes after he had testified in which he asked my forgiveness, told me he was threatened with being tried for violation of the Mann act and had to testify as he did to escape going to prison and I was going away. In the note he even asked me to give his wife two suitcases full of my clothes.

My husband and co-defendant George E. Kelly and his pal Alfred Bates actually kidnapped Mr. Urrahel. Neither my mother or myself conspired or knew beforehand that the crime was planned. They both were going to take the witness stand and tell the truth and exonerate us if that could have been possible BUT The prosecution told their attorneys--just let them. The minute they take the stand in these women's behalf, the state of Oklahoma will try them for armed robbery which carries the death penalty, and we will give them the electric chair. I chose under these conditions to do without their testimony. This detainer was pending against my husband at the time of his death in 1954 at Leavenworth Prison.

George Kelly and Alfred Bates did immediately upon reaching prison send in notarized sworn statements to the Attorney General's office giving the true facts and admitting their guilt. The statement was ignored even though it truly exonerated my mother and myself.

Even after sentence I was further harassed, hounded and questioned. Every conceivable form of publicity seemed to be requested by the Govt. My husband was carried to Leavenworth in a special train coach, a lone prisoner except for guards--mostly FBI men. The fanfare built him up into a monster. My mother and I were separated. She was taken to Memphis Tenn. workhouse while I was taken to Cincinnati Ohio workhouse by a cavalcade-- FBI men literally entered the hospital at midnight--the

with us where the prisoners were examined. They told us "sign this statement Kathryn--you are already in jail, I finally said "I will sign anything you have if you will put my mother and I together as all we have asked is to be in prison together. They convinced us that we were going to be together and utterly spent, and sick I gladly signed what they requested. I never knew exactly what it was, do not now and doubt if that matters. Thirty days later my mother and I were re-united in Milan, Michigan. We have truly given our lives to the Government. The Govt. has spent thousands feeding and housing us over a 2 1/2 year period. We have continually asked WHY We would be excellent assets to society. We have outstanding records covering five institutions. We love our country. We still hope and we still believe in the justice of our country. We beg that we receive our just rights in a quiet unbiased atmosphere of a U. S. Court and the sentence we received in 1953 be set aside.

The said affiant or defendant says that the matters herein stated as facts are true.

These matters, she states on information and on belief to the best of her memory over a 2 1/2 year elapse of time.

Kathryn Kelly

JAMES J. LAUGHLIN
ATTORNEY AND COUNSELLOR AT LAW

NATIONAL FARM BUILDING
WASHINGTON, D. C.

NATIONAL B-2221

November 18, 1937

Mrs. Kathryn Kelly
Women's Reformatory
Alderson, West Virginia

Dear Mrs. Kelly:

You undoubtedly received my night letter forwarded from Oklahoma City.

I studied the Court records very carefully. Unfortunately the transcripts and all of the papers are in storage in Fort Worth. At my request they are being returned to Oklahoma City so that when I go there again, perhaps within the next ten days, I will have everything in shape. It will also be necessary to amend our motion in order that we may pinpoint the various contentions we make as to the violation of your constitutional rights. The statement you have prepared for us, however, is excellent in that it gives us considerable background. I realize you were cruelly treated and I believe that would be rather uniformly conceded but we probably could not take advantage of that at this stage unless your treatment resulted in statements used against you. I would also like to have more information as to counsel representing you. The Supreme Court has gone a long ways in protecting the rights of a person to counsel and if it can be shown that they did not have effective assistance of counsel the judgment can be vacated no matter how much time intervenes. I will be at a loss to stress a number of the points until I can have the transcript. However, I feel that we are on the right track.

Unfortunately Mrs. Hopkins was ill with the flu and I was not able to talk to her. Therefore, when I make another trip I will have to arrange to spend a week or more and canvass every aspect of the matter.

I had a long talk with Judge Vaught. As you perhaps know, he is very sympathetic towards Mrs. Shannon. It is plain that he did have some feeling toward you although I believe that is largely disappearing. After the motion is filed, the Chief Judge will decide who will hear the motion. It may well be that Judge Vaught will hear it since he is still available but since he is a retired Judge he has no voice in the assignment. He seemed to be quite interested, however, that we were filing something.

Mrs. Kathryn Kelly

- 2 -

November 18, 1957

Please tell Mrs. Shannon that when I go there again I will also explore fully the situation as to her property. I thought it well last week to devote my time to getting your matter in shape as it is uppermost in our minds to get both of you your freedom.

I am delighted that I had the opportunity to meet Mr. and Mrs. Kind and their children. In addition I met Mrs. Horn and her children. Mrs. Horn has a beautiful young daughter. You have every reason to be proud of her. Her son Glenn is a fine young man. We were all at dinner Saturday night and I must say that we were all glad to get together. In fact it is rare for me to see such well behaved children. That they have had excellent training is very apparent.

Before I return to Oklahoma again I think it would be well to visit you and accordingly I will make plans toward that end. I am trying to wind up some matters here that will give me a free hand and you will hear from me again in the next few days.

I am going to make it a point to talk personally to Mr. Geers at McAllen, Texas which is quite some distance from Oklahoma City. I understand that he has strong feelings and in addition has accumulated a terrific scrap book. These clippings will be of considerable help to me.

All in all I am delighted that I made the trip and I feel sure that we are going to get genuine results.

With all good wishes, I am

Sincerely yours,


James J. Laughlin

JJL:K

From Bachman, Sally

Nov 23-1957

Albion, N.Y.

To Mr. James J. Laughlin

Washington D.C.

Dear Mr. Laughlin,

This is to acknowledge your wire of Nov. 15 and your letter of Nov. 18. I appreciate so very much every incident on your trip to Albany City and your thoughtful generosity in advising us promptly. I have always said that I held great admiration for you, in the way you "got your teeth into a case" and accomplished things. Believe me, your way of doing things is admirable and we are truly grateful and happy that we can feel God through you is helping us and it is a wonderful feeling.

You certainly made friends for life. Purch. my family, Alena, Ann, we received letters from all. And I know they could not express to you their enjoyment in talking with you and having dinner with you. To the children, the event was especially outstanding. I shall be long remember it. I am searching my brain in regard to counsel. I saw so little of them after my arrest and they seemingly close less than I could have done myself. We will discuss same when you come down. And I imagine you will in a few days.

As far as I know, one attorney is hiring that supposedly represented us. He is Sam Sayers of Sayers, Scott, and Shaw, Ft. Worth Texas. Gladly would I have truly met him. He is a lawyer that supposedly was not a lawyer. He is a lawyer that supposedly was not a lawyer. He is a lawyer that supposedly was not a lawyer.

(Copy)

McAllen, Texas, November 24, 1957.

Hon. J. J. Laughlin,
National Press Building,
Washington, D. C.,

Dear Sir:--

I have been requested to write you in regard to the trial of Mrs. Shannon and Mrs. Kelly to give you my version of the trial in which Chas. Drachel was kidnaped.

To begin with I was U. S. Marshal at the time of the court proceedings. Albert Bates and George Kelly were the REAL kidnapers, both of them now deceased, died in Prison. Mrs. Kelly and her mother, Mrs. Shannon were convicted as accomplices. (Harvey Bailey, who had no connection with the crime, also received a life term. He was found asleep on the Shannon farm. I only just to show the atmosphere at the trial. It was just after the Linberg episode and sentiment was so strong that it permeated the entire country and court room. Besides, the FBI was making history in the crime field.

I feel that these two accomplices, Mrs. Shannon and Mrs. Kelly, have paid the penalty and should be released. Mrs. Shannon's husband, who was also convicted, was pardoned or paroled years ago. He is now deceased.

The parole board has just announced (through the press) that Roger Touey, a notorious killer will soon be released. These people, Shannon and Kelly, killed no one, but have no money to obtain "legal pull" and, I think, are unduly held after serving more than 24 years. But poor farm people have little chance in these troublesome days. That's the difference.

It is my hope and opinion that these two women should be released and returned to what is left of their ranch or farm. I was present and had charge of ALL the prisoners during this unfortunate affair. Was present at every court proceedings and was instrumental in helping Mr. Shannon's release. At that time, no one charged with kidnaping, was behind the 8-ball from start to finish. It is my earnest hope and prayer that these two women be pardoned or released. TWENTY-FOUR YEARS is a long time. Help these poor unfortunate women and I believe God will reward you.

If I can be of further service, kindly command me.

Sincerely,

H. B. Green
W. O. Green, McAllen, Tex.
former U. S. Marshal
Eastern District,

7-115-235

JAMES J. LAUGHLIN
ATTORNEY AND COUNSELLOR AT LAW
NATIONAL PRESS BUILDING
WASHINGTON, D. C.
NATIONAL 9-8001

November 25, 1957

Mrs. Kathryn Kelly
U. S. Reformatory
Alderson, West Virginia

Dear Mrs. Kelly:

So that you may be conversant with just what is going on I thought it well to write you.

You will recall in my previous letter that the Clerk's office in Oklahoma City was having the files and transcripts returned from Fort Worth where they were in storage. Last Wednesday I received the following telegram from the Clerk:

"James J. Laughlin
Attorney National Press Bldg. Washington, D. C.
Shannon files transmitted to William McDermott
Board of Parole Department Justice Washington
D.C. 8-26-57.

Court Clerk US District Court

Upon receipt of this I immediately contacted the Board of Parole and asked that they make these records available to me so that I could study them before I prepare my motion in final form. The answer was a flat "no". Accordingly I obtained a court order in the United States District Court here requiring this Board to keep the records in the District of Columbia for a period of ten days and permit me to have access to them. That I am now doing within the next two or three days I will be able to give you a better picture of just how we will proceed. In any event I thought this would be of interest to you. As a matter of fact I am enclosing copy of the order I obtained.

We have also examined with care the opinion of the appellate court in your case and Mrs. Shannon's case. While I never like to criticize another attorney, it is simply outrageous that so many points were not taken advantage of on appeal. In the opinion the appellate tribunal recites that many points could not be considered since they were not raised in the court below and not preserved in the bill of acceptance. All of this, of course, will help us in our points. We may argue our motion in Oklahoma City. Since the transcripts are so voluminous and the files so vast, there may be a little delay but I am sure that you will agree

November 25, 1957

Mrs. Kathryn Kelly

- 2 -

with me it is better to have it in proper shape. I will keep you
advised of developments.

With kindest regards, I am

Sincerely yours,

James J. Laughlin

Enclosure
JJL:lk

Dear Mr. Laughlin

12-1-57
Washington, D.C.

Dear Mr. Laughlin:

Thank you for your letter and enclosed. I received Sat. I have no idea why the United States Court should demand the transcript of Mrs. Shaimon's Case, but I trust that you can carefully go through it, via the Court order, so that you can judge your case to the best advantage. I was not present when Mrs. Shaimon's case was heard, but I truly feel I could have represented my own case, much better than the attorney's I had. But Mr. Sayers, & Mr. Martin just told me, since my mother said myself could be adjudged guilty, then after she was sentenced, they said, we would be sentenced but I couldn't stand, I knew we are & honestly do not just dig ourselves to keep us.

I know you are an extremely busy man & I know you will do all possible for us & as soon as you can, because you know, you are in the right, & we should have been released long ago as we have been unjustly punished, so I can only say, "God bless your efforts" at the moment.

Come down to see us when you can, and keep us advised. I think as old as Mr. Dure is, that you should try to see him the earliest possible moment. I give him sworn statements as whatever you will need. He will have endless, accurate information as to facts, that could help. Also - the wire county bond - so I hope you can take care of everything when you go back to Ala. Truly, the attorneys we had were apparently frightened

of the Washington Rep. by this etc etc. It was day of them. I recall
them showing me 2 different western unions from Hollywood, a cable
from London, & numerous U.S. wires requesting a contract, if I was
released, to do everything from making a movie, to personal app. etc
& they said: "If we can release you, we will sign with Metro Mayer
for you to supervise a movie of Kelly's life and I told them I was not
interested - so it was 'fun fun & a picnic' to everyone except me, to
the best of my opinion. I know Mr. Mathus was very elated because
he received huge bunches of roses etc & could pass every few
minutes for pictures etc. all in all "It was quite a deal".

So trust that you are fine & enjoyed a nice thanksgiving
mother sends her "fond, her love & her prayers" to you.
She is a living "doll" truly.
Let us hear from you if anything you wish to do
we are happy to go right ahead we are with you
all the way.

with all good wishes

Sincerely,

Bathya Kelly

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen

FROM : F. L. Price

DATE: 1/29/58

SUBJECT: GEORGE KELLY BARNES, WAS., ET AL.;
CHARLES F. URSCHER - VICTIM;
KIDNAPING

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

The Pittsburgh Division furnished information that Ora Shannon and Kathryn Kelly, serving life sentences at Alderson, West Virginia, have been corresponding with Attorney James J. Laughlin, Washington, D. C. Laughlin is to represent them in court in a new effort to effect their release. The correspondence indicates Laughlin is in the formative stage of preparing a motion in their behalf, based on his review of part of the court records at Oklahoma City and affidavits prepared by Shannon and Kelly.

Pittsburgh airtels 1/16 and 1/22/58, furnished Photostats of correspondence and of the affidavits prepared by Shannon and Kelly. These were obtained from [REDACTED] Alderson. [REDACTED] advised that Kathryn Kelly in September, 1957, re-engaged James J. Laughlin and Kelly has promised to give Laughlin one-half of the income received from property willed her by Boss Shannon (deceased). [REDACTED] related that Laughlin came to the reformatory to see Shannon and Kelly and drew up affidavits representing their side of the argument. [REDACTED] stated it appears Laughlin intends to file a motion to have the sentence of Shannon and Kelly set aside on the grounds that their constitutional rights were violated.

The affidavits prepared by Kelly and Shannon are lengthy and allege denial of their constitutional rights, denial of fair trial, not represented by competent attorneys, improper removal, etc. They allege Bates and George Kelly Barnes, both deceased, did the kidnaping, they are innocent, and 24 years' confinement fully paid their debt to society. The allegations are similar to ones made in the past.

Pittsburgh advised that [REDACTED] and that copies of the affidavits have been placed in the file of Kathryn Kelly. Consequently, no attorney-client relationship has been breached.

ACTION:

The Oklahoma City Division, which received Photostats of the affidavits and correspondence, has been instructed to closely follow the court docket to determine if and when a motion is filed in behalf of Shannon and Kelly. They have also been instructed to review their file based on the present affidavits, so that any information desired at the time a motion is filed will be readily available to the U. S. Attorney.

61 FEB 10 1958

REC-9

7-115-235c

All
b7c

312 1/29/58
[REDACTED] R ✓ SIX 4/28 4/28

F B I

Date: 2-3-58

Transmit the following in AIRTEL
(Type in plain text or code)Via AIR MAIL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI (7-115)

FROM: SAC, OKLAHOMA CITY (7-6)

GEORGE KELLY BARNES, Was.,
ET AL;
CHARLES F. URSCHEL - VICTIM;
KIDNAPING

Re Bureau airtel 1-29-58

This is to advise the records of the USA's office were checked on 1-27-58 and no information had been received concerning a motion to be filed in behalf of SHANNON and KELLY.

This file is in the process of being reviewed in accordance with instructions.

The Bureau will be kept advised of developments.

TULLY (ACTING)

(4)

REC- 77

EX - 131

7-115-2353

FEB 5 1958

Approved:

Special Agent in Charge

Sent _____ M Per _____

2/6/58

AIRTEL

REC-77

7-115-2353

To SAC, Pittsburgh (7-10) -

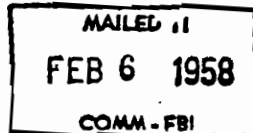
α 131 From Director, FBI (7-115)

GEORGE KELLY BARNES, WAR, ET AL.; CHARLES F. URSCHEL -
VICTIM; KIDNAPING.

For your information there is attached hereto a copy of an
airtel received from the Oklahoma City Division dated 2/3/58.
Through your sources at Alderson, continue to follow this matter.

Enclosure

b7C
(4)



Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

Mail Room

✓ *[Signature]*

[Handwritten signature]

3/2
62 FEB 11 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 2/19/58

FROM : SAC, KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, was.
ET AL;
CHARLES F. URSCHER - VICTIM
KIDNAPPING
(OO: OC)

Re Kansas City letter to Bureau, 1/13/58.

On February 14, 1958, [REDACTED]
[REDACTED] U. S. Penitentiary, Leavenworth, Kansas,
made available the file of HARVEY BAILEY, an inmate at
the penitentiary. A review of the file reflects no
change in the status of BAILEY at the institution.

The Kansas City Office will continue to
follow this matter closely and advise the Bureau of
any changes.

All b7C

2 - Bureau
1 - Oklahoma City (7-6)
1 - Kansas City

REC- 13

(4)

EX-128

7-115-2354
16 FEB 21 1958

61 FEB 25 1958

2/21/58

AIRTEL

REG-78

7-115-2355

EX-126

To SAC, Oklahoma City (7-6)

From Director, FBI (7-115)

GEORGE KELLY BARNES, WAS., ET AL.; CHARLES F. URSCHEL - VICTIM;
KIDNAPING.

Re Pittsburgh airtel 2/18/58.

Oklahoma City continue to follow court docket to determine if affidavits of Kelly and Shannon filed. When filed, obtain copy of completed version as Pittsburgh airtel above indicates revisions. When obtained, review carefully and consult with U. S. Attorney for any desired action or investigation. Furnish Bureau with copy of affidavits and summary content of motion and affidavits.

1 - Pittsburgh (7-10) (Information)

(5)

All b7C

MAILED 11
FEB 21 1958
COMM - FBI

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

65 FEB 20 1958

F B I

Date: February 18, 1958

Transmit the following message **AIR**

(Priority or Method of Mailing)

TO : DIRECTOR, FBI (7-115)
FROM: SAC, PITTSBURGH (7-10)
RE : GEORGE KELLY BARNES, was.;
ET AL.;
CHARLES F. URSCHEL - VICTIM
KIDNAPPING
(OO: Oklahoma City)

Re Pittsburgh airtel, 1-22-58.

On 2-6-58, [redacted] Federal Reformatory for Women, Alderson, W. Va., advised SA [redacted] that on 1-30-58 Mr. JAMES J. LAUGHLIN, Attorney for KATHRYN KELLY, appeared at the Reformatory and complained about the delay of mail to and from his clients, KATHRYN KELLY and ORA SHANNON, and that he was advised by her there is no undue delay in their mail and that their mail is handled the same as any other inmate's. [redacted] was advised that the FBI did not desire that KELLY and SHANNON's mail be delayed in any degree whatsoever in order for copies to be made for the FBI but that in the event the Reformatory made copies of SHANNON and KELLY's correspondence, which may be of interest to the FBI, these copies would be appreciated. [redacted] advised that she was aware that the FBI would not request such a delay and that the FBI's interest in this case had not caused any delay at all but that she was furnishing this information in the event Mr. LAUGHLIN made an issue of it at some future date.

[redacted] further advised that copies of the affidavits prepared by KELLY and SHANNON, which were previously forwarded to the Bureau, were placed in their files after they had been received from KELLY and SHANNON and were not part of Reformatory censorship since KELLY typed the affidavits and furnished copies to the Reformatory but that copies of other correspondence were obtained from censorship.

ENCLOSURE

- 3 - Bureau (Encls. 2)
- 1 - Oklahoma City (7-6)(Encls. 2)(Info.)
- 2 - Pittsburgh

AIR-TEL
(6)

Approved: **CHW**

Special Agent in Charge

Sent

M

Per

REC-78

FEB 20 1958

All b7C

F B I

Date:

Transmit the following message via _____

(Priority or Method of Mailing)

AIR-TEL

PG 7-10

She stated that in the event it is necessary, she can be identified with the information obtained from censored mail but in order to prevent criticism of the Bureau of Prisons, it is most desirable that the source of the information obtained from censored mail not be disclosed unless absolutely necessary.

██████████ furnished SA ██████████ with a copy of a letter from KELLY to LAUGHLIN dated 1-30-58, which has attached to it two pages containing corrections to affidavit prepared by LAUGHLIN. She also furnished a copy of supplemental affidavit of Kelly which has been filed in USDC, WD, Oklahoma. ██████████ stated that she was unable to prepare a copy of the affidavit prepared by LAUGHLIN because of a failure of the Reformatory's photostat machine.

Enclosed herewith are one copy each of letter from KELLY to LAUGHLIN, 1-30-58, with two attached pages and supplemental affidavit of KELLY for Bureau and Oklahoma City.

It is suggested that OC determine if affidavits of KELLY and SHANNON have been filed in USDC, WD, Oklahoma.

All b7C

AIR-TEL

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Jan. 30/38

Mr. Langille

Received affidavit today. Corrected a few items,
on enclosed pages I numbered page 1 and page 2.
Mailing back to you 1/31/38.

see Mrs. Hopkins to verify Judge might acting as
adm. of the sick estate. I might exist help in facts.
The King Back Lot. Also city might furnish you
the address of John E. Bernier. He worked there in
Barber shop 1929 or 1930. Clerk Barber union.
Talk with him if possible. He is Mr. Hyde married
Sisters. He wife probably girl called M. E. M. Hyde.
Certainly, and not expect to hear from you so
soon. you have indeed been busy. I am
very much interested, and write you soon
and all your wishes

Lui Carey

Bailyn Bury

7-115-2355

page 4 no 1

page 1

affairs says on one occasion the trial judge sent word to me, all
should cooperate with news men, commentators, and photographers
in that famous weekly wide writers and reporters are gathered
in skidomas city in the trial. That news is necessary to
the skidomas and now accused since great publicity.
That I should write comments on it is a bit in the way of
the trial. I should not be too far from the trial
intentionally, and write, regarding it as a most delicate
in taking pictures, but not a history of events, pictures
and photographs like in the courtroom, in the Court
Room, when in the jail.

[I told to Mr. Sullivan]

The above is being, could every bit all up of producing.
He says to me "This court say someplace inside and
some connect a copy of a copy with the trial."

page 4 no 2

affairs says in that judge permitted the notes in court ^{of it}
Mr. G. C. Roberts, a man of law and a person
I was acquainted with in the trial. I was told at the
trial that any secret producing officials with the
sentence, a copy.

page 2

page 3 number 3

affiant says that Mr. Hyde stated he blamed affiant for causing Mr. Bernier to separate from his legal wife who was a close relative of Mr. Hyde's wife. and that for many years he has awaited the opportunity to get even with affiant and is now going to do it by the way to use false testimony.

page 10 no. 4

But that Mr. E. E. Kirk's attack began in and of Charles F. Wacker was permitted to call upon her at the Michigan prison soon after her confinement there.

He accused her of knowing the whereabouts of an economy ransom money and offered her fifty percent on the same. after accusations, affiant left the room.

Supplemental affidavit no 5

Mr. Kirk was an old man of great wealth. a part of that wealth earned the Kirk's inheritance, operating the day and the Charles F. Wacker fortune.

Criminal No. 10478

SUPPLEMENTAL AFFIDAVIT OF KATHRYN THORNE KELLY

Now comes the affiant and supplements her affidavit filed in support of her motion under Section 2255 of the New Judicial Code and says unto the Court the following:

1. Affiant says that the trial judge, Judge Edgar S. Vaught, should not have participated in the case. She says upon information and belief that the said Judge Vaught was formerly administrator of the T. B. Slick estate. Mr. Slick was an oil man of great wealth and was also the guiding spirit in the formation of the Slick Air Lines. Mrs. Urschel, the wife of the kidnaped victim, was formerly Mrs. Slick. Mrs. Bernice Urschel was a secretary in the office of Mr. Slick. The office routine of filing papers and taking dictation, etc., blossomed into romance and she later married Mr. Slick. When Slick died she inherited his great wealth. Affiant says that Slick ~~has~~ left an estimated forty million dollars and that Judge Vaught was the administrator for the estate.

Affiant says in ~~xxx~~ view of this great interest Judge Vaught should have disqualified himself and it was a duty on him to make known to all parties in the case that he did have this great interest in the Urschel case. Affiant says in view of this he could not preside fairly, impartially and justly and the matter should have been certified to another judge.

KATHRYN THORNE KELLY

ENCLOSURE 9-115-2355

F B I

Date: February 26, 1958

Transmit the following in PLAIN TEXT
(Type in plain text or code).Via AIRTEL AIRMAIL
(Priority or Method of Mailing)

TO: Director, FBI (7-115)

FROM: SAC, Oklahoma City (7-6)

GEORGE KELLY BARNES, was., ET AL;
CHARLES F. URSCHEL-VICTIM
KIDNAPING

Reurairtel 2/21/58.

The records of the U.S. District Court Clerk's Office in Oklahoma City have been checked regularly and as of 2/25/58 no motion has been filed in behalf of SHANNON or KELLY. This matter will be followed and Bureau instructions executed.

DOYLE

b7C
3-Director
1-Pittsburgh
1-Oklahoma City

(5)

REC-83

7-11-2356

13 FEB 28 1958

Approved: CDB

Sent

M

Per

64 MAR 4

Special Agent in Charge
1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: 3/13/58

FROM: SAC, KANSAS CITY (7-8)

SUBJECT: GEORGE KELLY BARNES, was.
ET AL;
CHARLES F. URSCHER - VICTIM
KIDNAPPING

(00: 0C)

Re Kansas City letter to Bureau, 2/19/58.

On March 10, 1958, [REDACTED]
[REDACTED] United States Penitentiary, Leavenworth, Kansas,
made available the file of HARVEY BAILEY, inmate at the
penitentiary. A review of the file reflects no
change in the status of BAILEY at the institution.

The Kansas City Office will continue to
follow this matter closely and advise the Bureau of
any changes.

All b7c

C

2 - Bureau
1 - Oklahoma City (7-6)
1 - Kansas City

REC- 89

13 MAR 17 1958

(4)

EX-128

MAR 17 1958

F151

F B I

Date: 3/18/58

Transmit the following in PLAIN TEXT
(Type in plain text or code)Via AIRTEL AIR MAIL
(Priority or Method of Mailing)

TO DIRECTOR, FBI (7-115)
FROM SAC, OKLAHOMA CITY (7-6)
SUBJECT: GEORGE KELLY BARNES, Was., ET AL;
CHARLES F. URSCHER - VICTIM
KIDNAPING

Remyairtel 2/26/58.

The records of the U. S. Attorney's Office were checked on 3/18/58 and to date no motion has been filed in behalf of SHANNON or KELLY. This will be followed and if the motion is filed, Bureau instructions will be executed.

DOYLE

(4)

b7c

K

REC-59

EX-126

7-115-2358
15 MAR 20 1958

60 MAR 20 1958

Approved:

Special Agent in Charge

Sent

M

Per

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 3/25/58

FROM : G. A. Nease *gan*

SUBJECT:

Tolson _____
 Nichols _____
 Boardman _____
 Belmont _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Nease _____
 Tele. Room _____
 Holloman _____
 Gandy _____

[redacted] called again today with reference to the libel suit James J. Laughlin is threatening the Star with on behalf of Catherine Kelly. He stated that their libel lawyer is coming by this afternoon and he wondered if there is anything I can tell yet. I told him that, of course, it would take quite some digging to try to come up with helpful information if such was available. He asked if I could tell him off-hand when Catherine Kelly was arrested and what charge she was tried on. I told him that Catherine Kelly was arrested on 9/26/33 on an indictment which was returned on 8/23/33 charging her, among others, with conspiracy to kidnap and she was sentenced to life in prison on 10/12/33. I also furnished him similar dates on Ora L. Shannon. I told him that I would be in touch with him further as soon as it was possible to do so.

GAN *[redacted]*
 (4)

cc - Mr. Rosen
 cc - Mr. Jones

All b7C ✓

REC-69

EX-117

P
crime marks

7-115-2357

12 MAR 27 1958

62-115-2353

217

3/26/58

AIRTEL

To SAC, Oklahoma City (7-6)

From Director, FBI (7-115)

GEORGE KELLY BARNES, WAS., ET AL.; CHARLES F. URSCHEL -
VICTIM; KIDNAPING.

Reurairtel 3/20/58.

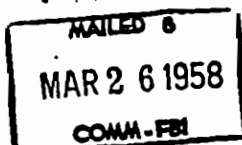
Continue close contact with U. S. Attorney for any investigation he desires and to refute on the record false allegations made against present or former Bureau personnel. Any specific points to be covered in interviews should be discussed with U. S. Attorney. It appears advisable that affidavits be obtained for use of U. S. Attorney. Bureau assistance is available to furnish locations of present or former Bureau personnel.

Keep Bureau advised of progress. Summary of any investigation desired or affidavits requested by U. S. Attorney should be furnished to Bureau with documentation as to specific report covering request.

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

50 APR 1 1958

EX-115-56



APR 5 15 54 PM '58

7-115-2360

MAR 28 1958

MAILED ROOM
HUGHES

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 3/25/58

FROM : G. A. Nease

SUBJECT:

Tolson _____
 Boardman _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Clayton _____
 Tele. Room _____
 Holloman _____
 Gandy _____

██████████ called me today. He stated that the Star has been threatened with a libel suit. He related that in the Rambler column written by George Kennedy on 3/12/58 Kennedy was quoting some Capitol police sergeant reminiscing about the Urschel kidnaping case, and stated that Catherine Kelly had some \$65,000 of the ransom money stashed away. ██████████ now has a letter from James J. Laughlin who states that he is representing Mrs. R. L. Shannon and Catherine Kelly in an action in Oklahoma City to set aside their convictions on the basis their civil rights were violated. Laughlin states that the statement that Mrs. Kelly has \$65,000 stashed away is completely false and if the Star does not run a retraction by Friday of this week, he will enter suit.

██████████ recalled that many years ago when he was writing a column on crime he had done a series of articles on the Urschel kidnaping and that he had been threatened with many suits and at that time the Director told him to forget about them and nothing ever happened. He is inclined to think it might be different with Laughlin. He stated that ██████████ is of the opinion that if there is no evidence indicating Catherine Kelly had any of the ransom money they would run a retraction but if there is an indication she has the ransom money he will tell Laughlin they have no reason to run a retraction but they will print any letter he wants to send to the paper.

██████████ stated they would very much appreciate our checking to see if there is any indication that Catherine Kelly received any ransom money. He also would like to know what she was charged with and what she was convicted of. I told ██████████ the Director would want to help him and ██████████ in any way we could on this matter and that I would do some checking and see if there is anything we could tell him. I have asked Mr. Jones to have someone look into this matter immediately.

GAN ██████████
 (4)

REC-98

cc - Mr. Rosen
 cc - Mr. Jones

52 APR 3 1958

NOT RECORDED
 APR 1 1958

EX-128

6 APR 1 1958

ALL
b7c

*Expedited but he
thorough*

ORIGINAL COPY FILED IN 100-1-10911

4-11 (Rev. 1-6-58)

FEDERAL BUREAU OF INVESTIGATION

3/26

, 1958

TO:

<input type="checkbox"/> Director	<input type="checkbox"/> Mr. Clayton, 5744
<input checked="" type="checkbox"/> Mr. Tolson, 5744	<input type="checkbox"/> Miss Gandy, 5633
<input type="checkbox"/> Mr. Boardman, 5736	<input type="checkbox"/> Mr. Holloman, 5633
<input type="checkbox"/> Mr. Belmont, 1742	
<input type="checkbox"/> Mr. Mohr, 5517	<input type="checkbox"/> Records Branch
<input type="checkbox"/> Mr. Parsons, 7621	<input type="checkbox"/> Pers. Records, 6644
<input type="checkbox"/> Mr. Rosen, 5706	<input type="checkbox"/> Reading Room, 5533
<input type="checkbox"/> Mr. Tamm, 5256	<input type="checkbox"/> Courier Service, 1541
<input type="checkbox"/> Mr. Trotter, 4130 IB	<input type="checkbox"/> Mail Room, 5531
<input type="checkbox"/> Mr. Sizoo, 1742	<input type="checkbox"/> Teletype, 5644
	<input type="checkbox"/> Code Room, 4642
<input type="checkbox"/> Mr. Nease, 5640	<input type="checkbox"/> Mechanical, B-110
<input type="checkbox"/> Mr. McGuire, 5642	<input type="checkbox"/> Supply Room, B-216
<input type="checkbox"/> Mr. Wick, 5634	<input type="checkbox"/> Tour Room, 5625
<input type="checkbox"/> Mr. DeLoach, 5636	<input type="checkbox"/> Stop Desk, 7712
<input type="checkbox"/> Mr. Morgan, 5625	
	<input type="checkbox"/> Miss Lurz
<input type="checkbox"/> Mr. Jones, 4236	<input type="checkbox"/> Mrs. Faber
<input type="checkbox"/> Mr. Waikart, 7204	<input type="checkbox"/> Miss McCord
<input type="checkbox"/> Mr. Eames, 7206	<input type="checkbox"/> Miss Rogers
<input type="checkbox"/> Mr. Wherry, 5537	<input type="checkbox"/> Miss Padgett
	<input type="checkbox"/> Mrs. Dillon
<input type="checkbox"/> See Me	
<input type="checkbox"/> Call Me	
<input type="checkbox"/> For Your Info	

☐ For appropriate action

☐ Note & Return

by a c Denise Terry
[Redacted] b7C

*memo
re: to Mr.
Tolson
3-27-58
Gandy*

[Signature]
G. A. Nease
Room 5640, Ext. 691

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nease

DATE: March 26, 1958

FROM : M. A. Jones

SUBJECT: KATHRYN THORNE KELLY
ORA L. SHANNON
URSCHEL CASE

Tolson	_____
Boardman	_____
Belmont	_____
Mohr	_____
Nease	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
Clayton	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

BACKGROUND:

Reference is made to your memoranda dated March 25, 1958, to Mr. Tolson wherein you related that [REDACTED] had advised you that the Star had been threatened with a libel suit. This threatened suit is a result of an article appearing in the Star on March 1 1958, wherein a Capital Police Sergeant had stated that Kathryn Kelly had some \$65,000 of the ransom stashed away. [REDACTED] wanted to know if there is any indication that Kathryn Kelly received any ransom money, what she was charged with and what she was convicted of.

CHARGES AND CONVICTIONS:

The Interesting Case memorandum on the Urschel Case reveals that on August 23, 1933, at Oklahoma City an indictment was returned charging George R. and Kathryn Thorne Kelly, Albert Bates, Harvey J. Bailey, Ora L. Shannon, R. G. Shannon and his son, Armon, with conspiracy to kidnap Charles F. Urschel. Bates, Bailey, R. G. and Ora L. Shannon were sentenced to serve life imprisonment on October 7, 1933. George R. and Kathryn Thorne Kelly were arrested on September 26, 1933, at Memphis, Tennessee, and on October 12, 1933, at Oklahoma City they were convicted and sentenced to serve life imprisonment. George Kelly died of a heart attack on July 17, 1954, while incarcerated at Leavenworth, Kansas.

DISPOSITION OF RANSOM MONEY:

Of the \$200,000 in \$20 bills paid as ransom in the Urschel Case, \$123,394.50 was recovered.

Albert Bates, one of the principals, has stated that he received \$94,250 of the ransom money and that George Kelly was given \$11,500 for expenses in connection with the kidnap in addition to his share of \$94,250. Of the Kelly money, \$95,337.50 is accounted for as follows: \$73,337.50 was recovered from a ranch at Coleman, Texas. This sum has been buried by Earl Coleman who had assisted George Kelly in caching this sum on the ranch. Ten thousand dollars of the money was reportedly given to Mrs. Shannon and \$12,000 more of the ransom was reportedly given to unnamed individuals in Minneapolis, Minnesota, and Kelly was supposed to have received \$10,000 in "good money" of this sum.

cc - Mr. Rosen
cc - Mr. Nease

MC

6 APR 1 1958

EX-135

64 APR 7 1958

Jones to Nease memo

Forty-nine thousand, two hundred and fifty-seven dollars of Albert Bates share of the ransom was recovered and it was ascertained that \$200 was paid by Clara Feldman, Bates' alleged wife, to an individual who advised her of Bates' arrest in Denver. Ten thousand dollars of the unrecovered money was also paid by Mrs. Feldman to Attorney Ben B. Laska for the defense of Bates. (Laska became a subject in the case too) Considering all of the above figures, \$45,205.50 has never been accounted for. This information was current as of March, 1950, and is believed to be current today. [REDACTED] (The File Review Unit went through the many volumes of this file and tabbed every reference to the recovery of the money in the Urschel Case.) (7-115-2206)

The file contains information indicating that George and Kathryn Kelly were short of funds when they fled to Memphis just prior to their apprehension and that they were attempting to obtain some of the \$73,000 buried on the Coleman ranch which is mentioned above.

When interviewed in 1934 while incarcerated at the Federal Detention Farm at Milan, Michigan, Kathryn Kelly advised that she and George Kelly had left over \$30,000 of the ransom money with Tommy Banks in Minneapolis and that Banks had received 5% of the face value of the money for having it exchanged. She related that subsequently she accompanied Kelly to Banks' place where an additional sum of the ransom money was left with Banks and Banks was to pay Kelly \$12,000 in exchange. She did not recall how much was left with Banks. She further said that Banks never paid them the \$12,000 as "it got ho in the Twin Cities, and she and Kelly had to leave without collecting the money. She further related that on one occasion while they were with Banks, Albert Bates arrived with \$40,00 and asked Banks to have this exchanged. Kathryn Kelly did not know the disposition of this \$40,000. (62-28915-1394)

Kathryn Kelly was interviewed on July 5, 1944, while incarcerated at the Alderson Reformatory, Alderson, West Virginia, at which time she indicated a belief that some of the ransom money was still in existence, but she said that George Kelly and Albert Bates, who were inmates at Alcatraz, were the only ones to her knowledge who can give information as to the whereabouts of this money. She stated that in 1943 she had written to George Kelly at Alcatraz and suggested to him the desirability of disclosing the whereabouts of the unrecovered ransom money. She said that George Kelly had replied with a letter wherein he severely criticized her for even suggesting that he divulge this information but inferred to her in his letter that if he was out he could recover the money and turn it over personally to the "Federals." This exchange of correspondence had previously been substantiated through information provided by the Warden at the Alderson, West Virginia, Reformatory. (7-115-2155)

In 1950, [REDACTED] an ex-convict who served time in Alcatraz with both Bates and Kelly, reported that he believed he could locate a portion of the missing Urschel ransom money. On the basis of this information, it was ascertained that Bates and Kelly had been friendly on first being incarcerated in Alcatraz but that for a period of about eight years prior to Bates' death they did not associate with each other there. [REDACTED] reported that just prior to Bates' death Kelly called on him on several occasions in the hospital and [REDACTED] believed that this was for the purpose of ascertaining where th

All b7c

Jones to Nease memo

money was located. According to [REDACTED] Bates ^{did not} divulge this information to Kelly, and [REDACTED] further related the night before Bates' death, Bates sent for him, [REDACTED] for the purpose of advising [REDACTED] as to the location of the money. Because of a work assignment [REDACTED] did not get to see Bates on this last occasion as Bates died before he was able to arrange a visit with him. (7-115-2206 and 2214)

The latter two paragraphs would indicate that Kathryn Kelly was not in possession of information as to the location of the missing ransom money. However, it is noted by her own admission that she and George Kelly did have joint possession of some of the money at the time they had it exchanged in Minneapolis. It would appear that we cannot substantiate the statement appearing in the Star that Kathryn Kelly had some \$65,000 of the ransom money stashed away, especially in view of the fact that all but \$45,205.50 has been accounted for although only \$23,394.50 was actually recovered.

RECOMMENDATION:

You may desire to furnish [REDACTED] with some of the above information so that he may be guided accordingly.

All b7C

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: March 27, 1958

FROM : G. A. Nease

SUBJECT: KATHRYN THORNE KELLY
ORA L. SHANNON
URSCHEL CASE

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Clayton _____
Tele. Room _____
Holloman _____
Gandy _____
M.C. _____

I called [REDACTED] last night and briefed him on Kathryn Kelly's activities as reflected in the attached memorandum. He said this was about as he expected and that [REDACTED] was sending a letter to Mr. Laughlin advising the Star in publishing the "Rambler" column had no knowledge that Kathryn Kelly had ever received any of the ransom money or that any of it was stashed away by her. He stated they planned to run a retraction today.

[REDACTED] called again this morning in quite a rush. He stated [REDACTED] was working on a retraction and he wanted to say something generally to the effect that, at the time Kathryn Kelly was apprehended by the Bureau, she had no money in her possession and that the FBI has no evidence at this time to indicate that Mrs. Kelly knows the whereabouts of any of the outstanding ransom money. He wanted to know if this was confidential and if it could be used.

After checking the file and checking with you, I told [REDACTED] that it was true Mrs. Kelly had no ransom money in her possession at the time of her apprehension although she did have \$65 which was not identified as ransom money; therefore, it would be satisfactory to state that at the time of her apprehension she had no ransom money in her possession. I told him, however, that if he injected the FBI into the matter indicating we had no evidence or information at this time that she knew the whereabouts of the missing money, there was a strong possibility that we could be accused of furnishing confidential information and we would be injected into the appeal which Laughlin is presently handling for Mrs. Kelly in Oklahoma City and that we did not want this done. He stated he thought this might be the case but that it was not going to satisfy [REDACTED]. He said he would probably be in touch with me later since it was then too late to get the retraction in today's paper.

It was suggested to him that they might want to state that the Evening Star has no information that Mrs. Kelly has any current knowledge of the outstanding ransom money. [REDACTED] stated that this had been [REDACTED]

Enclosure

cc - Mr. Boardman
cc - Mr. Rosen

cc - Mr. Jones

GAN: (5)

64 APR 7 1958

REC-75

APR 1 1958

CRIME REC.

EX-135
All 67C

Memorandum to Mr. Tolson

March 27, 1958

first idea but that their attorneys felt they should tie it in to the official records. I told [redacted] that, of course, there was no official record pertaining to this particular item and that we could not be put in the position of making this statement.

[redacted] subsequently called back. He stated [redacted] understood our position and had remarked that we were apt to be drawn into any appeal on this matter anyway; that he would make no reference to us in the paper; and that he is simply going to state the Star regrets having published the reference to Mrs. Kelly's having knowledge of the ransom money in the "Rambler" column and there is no evidence to indicate she has any of the money stashed away at this time. I told him this was fine and I thought it accomplished their purpose as well as ^{not} bringing us into it.

All b7C

*We most certainly
should not be drawn
in in any private suit.*

FBI

Date: 3/27/58

Transmit the following in _____

(Type in plain text or code)

Via _____

AIR-TEL

(Priority or Method of Mailing)

Mr. Tolson
Mr. Boardman
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. Clayton
Tele. Room
Mr. Holloman
Miss Gandy

TO : DIRECTOR, FBI (7-115)
FROM : SAC, PITTSBURGH (7-10)
SUBJECT: GEORGE KELLY BARNES, was.; Et al.
CHARLES F. URSCHER - VICTIM
KIDNAPPING

ReBuairtel, 2/21/58.

On 3/24/58, [REDACTED]
Federal Reformatory for Women, Alderson, W.Va., advised
SA [REDACTED] that on 3/19/58, KATHRYN KELLY
received a telegram from JAMES J. LAUGHLIN, which reads
as follows:

"Motions filed. Hearing before Judge W. R.
Wallace, U. S. District Court, Okla City 9:30 AM
April 29th. You will be advised later whether
your presence will be required. Will write fully
upon return Washington."

Any additional information which may be received from
[REDACTED] will be forwarded.

- ③ Bureau
2 - Oklahoma City (7-6)
2 - Pittsburgh

All b7c

P90

cc: Wick

AIR-TEL

7-115-2367

63 APR 4 1958

90

REC-24

14 APR 1 1958

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

EX-110

FBI

AIR-TEL 3/31/58Transmit the following in _____
(Type in plain text or code)Via **AIR TEL** _____
(Priority or Method of Mailing)TO: DIRECTOR, FBI (7-115)
FROM: SAC, PITTSBURGH (7-10)GEORGE KELLY BARNES, was.;
ETAL; CHARLES F. URSCHEL -
VICTIM
KIDNAPPING
OO: OC

Remyairtel, 3/27/58

On 3/27/58 [REDACTED] Federal Reformatory for Women, Alderson, W.Va.; furnished SA [REDACTED] with copies of one letter from KATHRYN KELLY to JAMES J. LAUGHLIN, dated 3/23/58, and one letter from JAMES J. LAUGHLIN to KATHRYN KELLY dated 3/24/58.

Copies are being forwarded herewith to Bureau, and copies are also enclosed for Oklahoma City. One autostat copy is being retained in files of Pittsburgh Division. It is noted that the copies furnished by [REDACTED] are of inferior quality.

Any additional info of value obtained from [REDACTED] will be forwarded to the Bureau and Oklahoma City.

- 3 Bureau (Encl.2)
- 2 Oklahoma City (7-6) (Encl.2)
- 2 Pittsburgh

(7)

REC-65

7-115-2365

All b7c

EX-136

12 APR 2 1958

2 ENCLOSURE
65

EX-136

[Handwritten signature]

Approved: [Handwritten signature]

AIR-TEL

Sent

M

Per

64 APR 8 1958

Special Agent in Charge

From Yachin 1500 March 2 1945
edition used va.
To Mr. James J. Laughlin Washington D.C.

Dear Mr. Laughlin:

Thank you, for your piece of March 14th. You are the "very most" there you know. We truly think that the Daily Okean issue of March 14 carried the story I am not going to let that worry me. After all, having been so said, that hasn't already been said. If the front page story went at all against us.

What needs to be brought before the public is the fact that Mr. Welch, & undoubtedly put some sort of an injunction, giving him permission to be present at every public Board hearing. The fact is you to oppose any power that, even partly ran to me, not to mention his quoted of "I have one million \$ to spend to keep these two women from making protest that is as important & necessary."

But we fear that your money & efforts are very happy for all "and going to rest."

all your work

James I. Loughlin
Attorney at Law
Washington, D.C.
Loughlin & Loughlin

March 24, 1960

Mrs. Kathryn Kelly
Box No. A
Alderson, West Virginia

Dear Mrs. Kelly:

You have probably received one or more
clippings from your relatives.

I had a very good reception in Oklahoma
City. Just as soon as it is convenient I will make
another trip to Alderson and talk with you and Mrs.
Shannon. It will be determined later whether you will
be brought there to testify. I believe this would
hinge as to what extent the Government contradicts
the allegations in your affidavit. In any event in
the next few days I will prepare an affidavit for
each of you that we can utilize, if necessary, to per-
mit your transportation to Oklahoma City at the expense
of the United States in the event the Court authorizes
it.

I had a very fine evening with your re-
latives and was greatly impressed with them.

With kindest regards, I am

Sincerely yours,

James I. Loughlin
James I. Loughlin

7-115 - 2365

ENCLOSURE

SAC, Oklahoma City (7-6)

4/2/58

Director, FBI (7-115)

GEORGE KELLY BARNES, WAS., ET AL.;
CHARLES F. URSCHEL - VICTIM;
KIDNAPING

Re Pittsburgh airtel 3/27/58, and your
airtel 3/20/58.

A review of the affidavits filed by
Ora Shannon and Kathryn Kelly reflect the allegations
in both are similar and relate to (1) the handling
of the trial by the judge; (2) E. E. Kirkpatrick; (3)
J. B. Keenan; and the FBI.

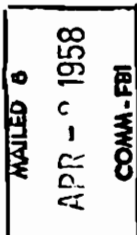
With respect to the handling of the court
by the judge, they allege newsreels, cameras, and
a "Roman Holiday" atmosphere prevailed. With respect
to E. E. Kirkpatrick, they claimed he sat at the trial
table and assisted in the selection of the jury.
With respect to J. B. Keenan, they claimed that he
threatened witnesses for the defense in the persons
of Bailey and George Kelly Barnes and that he used
perjured testimony, knowing it to be false.

With respect to the FBI, they complained about
the armed Agents, varying in number from 30 to 300, who
caused their arrest, acted as guards to and from the
trial, and were present in the courtroom. They claimed
they were denied the right of counsel and the signed
statements or admissions made were under coercion.
Ora Shannon complains that the publicity dealing with
the FBI's efforts to locate George Kelly Barnes
prejudiced her trial.

Ora Shannon was arrested 8/12/33, and found
guilty after trial 9/30/33. Kathryn Kelly was arrested
9/26/33, and convicted 10/12/33. The indictment was
returned 8/23/33.

For your information, in fiscal year 1933
there were 353 SAs in the entire Bureau. In fiscal year
1934 there were 391 SAs. The arrest and signed statement

NOTE: 353 Agents in fiscal year 1933
and 391 Agents in fiscal year 1934
obtained from Crime Records.



Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Rm. _____
Holloman _____
Gandy _____

55 APR 9 1958
MAIL ROOM

to SAC, Oklahoma City (7-6)

furnished by Ora Shannon are set forth in the report dated 8/18/33, at Dallas. Four Agents, nine police officers, and the victim comprised the arresting party of 8/12/33. The report dated 9/2/33, at Dallas, sets forth a supplemental signed statement from Shannon.

The arrests of Kathryn Kelly and George Kelly Barnes are set forth in the report dated 10/6/33, at Birmingham. It appears the arresting party consisted of three Agents and five police officers. Oklahoma City report dated 10/2/33, sets forth interviews of Kathryn Kelly and George Kelly Barnes.

The report of 8/28/33, sets forth the counsels for the defense and the Government and relates the removal proceedings of Ora Shannon. The summary report dated 9/13/33, may be of assistance.

With respect to testimony from the Laboratory examiner regarding the ransom note, it appears advisable that the court record be reviewed to determine the exact testimony given. Information regarding Luther Arnold is set forth in the report dated 10/5/33.

67C Where Kathryn Kelly refers to George Kelly Barnes being pistol-whipped, it appears that this incident occurred on 10/9/33. While Kathryn Kelly and George Kelly Barnes were being escorted to the courtroom, Kathryn Kelly stopped apparently to wave or talk to a friend. She was urged forward. George Kelly Barnes raised his handcuffed hands in an effort to bring the handcuffs down on the head of an Agent. Former SA [REDACTED] hit George Kelly Barnes on the head with the butt of his revolver.

The above is offered for whatever assistance it may be in helping your office prepare to refute on the record the false allegations made against Agents or former Agents. It is not intended to be all inclusive. It is noted that Pittsburgh airtel 3/27/58, indicates that the hearing before the U. S. District Court, Oklahoma City, is set for 4/29/58.

Shannon and Kelly, convicted in Urschel kidnaping case, are attempting to effect release from prison. Their latest effort takes the form of an attack upon legality of their conviction.

Oklahoma City airtel 3/20/58, forwarded copies of affidavits, motions of Ora L. Shannon, and Kathryn Thorne Kelly, filed in U. S. District Court, Oklahoma City, 3/19/58, containing wild allegations of misconduct on part of Bureau Agents. Matter being closely followed with U. S. Attorney.

Pittsburgh airtel 3/27/58, advises Kathryn Kelly received telegram from her attorney, James J. Laughlin, that hearing would be held before U. S. District Judge Wallace, Oklahoma City, on 4/29/58.

F B I

Date: 3-31-58

Transmit the following in AIRTEL
(Type in plain text or code)Via AIR MAIL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI (7-115)
FROM: SAC, OKLAHOMA CITY (7-6)
GEORGE KELLY BARNES, WAS.,
ET AL;
C HARLES F. URSCHER - VICTIM;
KIDNAPING

Re Bureau airtel 3-26-58

AUSA H. DALE COOK, WDO, Oklahoma City, Oklahoma on 3-31-58 advised this matter set for hearing before the Court 4-29-58. He advises he plans to ask the Court to summarily dismiss the motion, stating he sees no reason to re-try this case since most of the allegations set forth in the motion should have been brought up at the trial of the case. Mr. COOK advised he intends to confer with the Court some time this week and will immediately notify this office should additional information be needed. He at this time has requested information concerning LUTHER R. ARNOLD and has requested information concerning the filing of WSTA charges against ARNOLD which were filed 9-14-33 and which case was closed 3-24-34.

Mr. COOK also requested to be advised whether this case was dismissed and whether ARNOLD was paid a reward. This information is being determined and will be furnished Mr. COOK.

On receipt of additional information, the Bureau will be advised.

DOYLE

(4)

AIR MAIL

REC-98

7-115-2367
APR 2 1958
11 7

EX-110

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

April 4, 1958

AIRTEL

b
TO: SAC, OKLAHOMA CITY (7-6)
EX-110 REC-98
FROM: DIRECTOR, FBI (7-115) - 2367

GEORGE KELLY BARNES, WAS., ET AL.; CHARLES F. URSCHEL -
VICTIM; KIDNAPING.

Reurairtel 3/31/58.

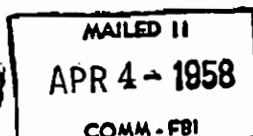
It is pointed out that the affidavits of Shannon and Kelly contain false allegations against Bureau, present and former personnel, will be made a part of the official record and the record should contain refutation of such allegations. This matter should be discussed with the U. S. Attorney and Bureau advised of action being taken.

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(4)

NOTE: The affidavits of Shannon and Kelly contain allegations against Bureau personnel. The U. S. Attorney intends to ask the court to summarily dismiss the motion to which the affidavits are attached. Oklahoma City did not indicate action being taken to refute allegations.

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Belmont _____
Mohr _____
Parsons _____
Rosen _____
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Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

90
26 APR 10 1958



✓ R
MAIL ROOM

FBI

Date: 3-20-58

Mr. Tolson	
Mr. Boardman	
Mr. Belmont	
Mr. Mohr	
Mr. Nease	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Trotter	
Mr. Clayton	
Tele. Room	
Mr. Holloman	
Miss Gandy	

Transmit the following in _____

(Type in plain text or code)

Via AIRTEL

AIR-MAIL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI (7-115)

FROM: SAC, OKLA. CITY (7-6)

GEORGE KELLY BARNES, Was., Et Al
 CHARLES F. URSCHER - VICTIM
 KIDNAPING

ReOCairtel 3-18-58.

Enclosed herewith are photostatic copies of Affidavits and Motions of ORA L. SHANNON and KATHRYN THORNE KELLY, obtained from copies filed in United States District Court, Western District of Oklahoma, Oklahoma City, on 3-19-58. It will be noted that these Affidavits and Motions contain wild allegations of misconduct on the part of Bureau Agents.

This matter is being followed closely with the USA, WDO, and any investigation requested by him will be conducted.

DOYLE

3 - Bureau (Enc. 4) AM
 1 - Okla. City

(4) b7C

REC-82

7-115-2368
 Crime Records Unit to locate such an article mentioning on attached slip.
 4/10
 sent to Mr. Rosen
 3/26/58
 b7C

APR 1 1958

Approved: _____

Special Agent in Charge

Sent _____

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Per _____

CC Rosen
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attached airtel advises that Ora L. [redacted] Kelly, through their attorney [redacted] Washington, D. C., have [redacted] Oklahoma City alleging both [redacted] trial and their constitutional rights were [redacted]. Shannon's affidavit maintains her innocence, claims she was denied effective assistance of her attorneys because the attorneys were subject to interrogation by FBI Agents and there always loomed the danger of criminal prosecution. One attorney was convicted and the attorneys had to reveal the source of their legal fee. There was publicity at the trial, cameras and newsreels were permitted in court, advance publicity given out by FBI, and newspapers exploited the search for fugitive George Kelly Barnes. Keenan, the prosecutor, used false testimony and knew it was false. Shannon gave a statement to FBI Agents under duress. FBI Agents told her she would be questioned continuously and given no food or drink until she signed a statement.

Kelly's affidavit makes similar allegations to the above. She claims Agents were present at all interviews of her attorneys and herself, and the trial was a "Roman holiday" with 200 to 300 FBI Agents in and about the courtroom. She and Barnes were followed by 20 to 30 FBI Agents and Texas Rangers with shotguns. E. E. Kirkpatrick, Urschel's brother-in-law, sat at the trial table, assisted in trial, and the selection of jury. The Government put on testimony of a handwriting expert concerning the ransom note and the Judge refused a delay to permit the defense to get a document examiner. Kelly states the present head of the FBI in a recent publication "has stated in effect the FBI now concedes the ransom note was not written by Kelly but the recent article attempts to justify it on the grounds that the ransom note contained Kelly's phraseology. She also claims the Government used false testimony and knew it to be false.

The motions were filed on 3/19/58. Oklahoma City has previously been instructed to follow the matter closely with the U. S. Attorney and any investigation requested will be immediately conducted to refute false allegations.

7-115-2368
ENCLOSURE

Ora Shannon and Kathryn Kelly, through their Attorney, James J. Laughlin, Washington, D. C., filed motions on 3/19/58 at Oklahoma City to have their sentences set aside, alleging denial of their constitutional rights. Their affidavit made false allegations against the judge, the then U. S. Attorney, J. B. Keenan, E. E. Kirkpatrick, Urschel's brother-in-law, and the FBI. Oklahoma City made arrangements with the U. S. Attorney to have the false allegations against the Bureau refuted on the record. A hearing was set for 4/29/58.

On 4/9/58, U. S. District Judge William R. Wallace, Oklahoma City, directed a letter to the U. S. Attorney and Attorney Laughlin. The letter advised "I have carefully gone into the record of each of these two cases and have concluded that such records conclusively show that each of the petitioners is not entitled to any relief. These motions are overruled and there will be no hearing on the 29th." The U. S. Attorney is of the opinion that the matter will be appealed and states if the case is remanded for a hearing the Bureau will be given every opportunity to refute the false allegation Oklahoma City has been instructed to continue to follow the matter with the U. S. Attorney, so the false allegation will be refuted on the record.

IN THE UNITED STATES DISTRICT COURT
FOR THE TENTH DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

vs.

Criminal No. 10478

KATHRYN THORNE KELLY

MOTION TO VACATE AND SET ASIDE JUDGMENT OF CONVICTION

Now comes Kathryn Thorne Kelly, defendant, and says that she invokes the jurisdiction of this Court pursuant to Section 2255 of the New Judicial Code. She says that at her trial her constitutional rights were violated and as a result of the violation the Court was without power to proceed to judgment and the resulting conviction and sentence that followed were null and void and that she is entitled to a new trial. The following are the grounds:

1. Her constitutional rights were violated in that she did not have adequate assistance of counsel in that counsel were fearful to properly defend her due to a threat of a criminal prosecution and that in other respects the counsel were serving conflicting interests to the end that the protection of the Sixth Amendment was lost.
2. The prosecuting officials presented testimony that was false and known by the prosecuting attorneys to be false.
3. The defendant was denied compulsory service of process.
4. The atmosphere in the courtroom prevented a fair and impartial trial due to the feeling that had been engendered as a result of the publicity given the case by agencies of the Government.
5. Defendant's constitutional rights were violated in other respects that will be brought to the attention of the Court when this motion is argued.

Counsel says there is annexed hereto and made a part hereof affidavit of defendant setting forth in detail the various

aspects of the violation of her constitutional rights as contended
by her.

/s/ James J. Laughlin
James J. Laughlin
National Press Building
Washington, D. C.
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to
Vacate and Set Aside Judgment of Conviction has this ____ day of
March, 1968 been delivered to the Office of the United States
Attorney.

/s/ James J. Laughlin
James J. Laughlin

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA
UNITED STATES OF AMERICA
vs.

KATHRYN THORNE KELLY

Criminal No. 10478

AFFIDAVIT OF KATHRYN THORNE KELLY

Kathryn Thorne Kelly, being first duly sworn on oath, as required by law, deposes and says that she was a defendant in the above-entitled cause and says unto the Court that at her trial her constitutional rights were violated and therefore the Court could not proceed to judgment and the verdict and judgment entered against her is null and void and that she should forthwith be granted a new trial.

Affiant says that her constitutional rights were violated in many particulars and as to the main ones she lists them as follows:

1. Affiant was denied proper assistance of counsel. Counsel was not given ample time to prepare for her defense and was not given an opportunity to confer with her. Affiant says that the amount of time that her counsel conferred with her did not exceed ten minutes. She says further that her attorneys advised her that it would be futile to attempt to confer with her as the Federal Bureau of Investigation agents advised that they would have to listen in on all conversations and would not permit her to confer with her counsel in a confidential manner.

Affiant says further that all attorneys in the cause were intimidated by the agents of the Federal Bureau of Investigation and by the prosecuting officials in that all attorneys were suspected of receiving ransom money and there was held over their heads a threat of criminal indictment if they prepared a vigorous defense for the affiant. Affiant says at least two of

the attorneys participating in the various cases growing out of the Brechel kidnapping were in fact indicted and one was sent to prison.

2. The affiant was hurried to trial and the trial was held in the midst of passion, public excitement and prejudice. As to this point it must not be overlooked the so-called Lindbergh kidnapping aroused the country and there were great demands throughout the country that Congress legislate on the matter. As a result of this, the so-called Lindbergh Law was passed. Affiant is of the belief that their prosecution was perhaps the first prosecution under the Lindbergh Law. The victim in the instant case, Brechel, was a man who had accumulated great wealth by marriage and was socially prominent. A number of persons were involved. The trials were held in the atmosphere of a Roman Holiday. At the first trial Mr. E. G. Shannon, Mrs. Ora L. Shannon and others were tried. On the day that Mr. and Mrs. Shannon were sentenced to life imprisonment affiant was arraigned. Although affiant requested that she be given ample time to prepare for trial and that the trial be delayed while the feeling and prejudice subsided, she was forced quickly to trial without having proper time to prepare for her defense.

3. The trial was a mockery of justice. Affiant says there were constantly 200 to 300 agents of the Federal Bureau of Investigation in and about the courtroom, in and about the corridors and outside the courtroom. Affiant says further that every day when she was brought to trial she walked alongside her husband George Kelly who was handcuffed and chained and followed by about 20 FBI agents and Texas Rangers and at least ten of the agents and Rangers had drawn shotguns. Affiant says further that as she was led into the building from the street she was subjected to hissing, hooting and shouting and that many persons tried to strike her and that the FBI agents made no effort to protect her and added

to the insults, humiliation and injuries inflicted upon her. Affiant says further that on one occasion when she waved to a close relative she was struck in the back by a Texas Ranger, causing her to fall to the floor. Affiant says when this was done her husband George Kelly severely rebuked the Ranger whereupon her husband was badly beaten over the head with pistols and clubs and that the injuries, cuts and bruises did not heal for at least twenty days.

Affiant says further that moving picture cameras and photographers were posted at various parts of the courtroom and there was constant flashing of bulbs and all of this detracted from the ordinary decorum of a courtroom. Affiant states that perhaps the presence of cameras and photographers and operators of newsreel devices in the courtroom would not ordinarily present a constitutional question. However, when the whole setting is taken into consideration and since the publicity was so all-embracing and so comprehensive that it was unheard of in Oklahoma history, it worked a distinct prejudice against the affiant and the atmosphere was whipped up to such an extent that a jury would have been afraid not to convict.

Affiant says on one occasion the trial judge sent word to her that she should cooperate with the newsmen, commentators and photographers in that the trial judge stated he had never had such fine publicity in his life and that his photograph was appearing in more magazines than he had ever anticipated and that it was his hope that his picture would also appear in the movies and if the affiant would cooperate it would be helpful to everyone.

4. Mr. E. E. Kirkpatrick, a brother-in-law of the victim and a man of great wealth in the oil industry and a person of wide acquaintanceship in Oklahoma and Texas, was permitted to sit at the trial table and assist the prosecuting officials in the selection of a jury. Since Mr. Kirkpatrick