

JOHN FACTOR

126 pages

JOHN J. BENNETT, JR.
ATTORNEY GENERAL

HENRY EPSTEIN
FIRST ASSISTANT

WILLIAM J. MAHON
SECOND ASSISTANT

HAROLD P. BURKE
THIRD ASSISTANT

JOHN T. CAHILL
CONFIDENTIAL ASSISTANT



STATE OF NEW YORK
DEPARTMENT OF LAW
901 PRESS BUILDING
BINGHAMTON

C. T. DAWES
SOLICITOR GENERAL

BINGHAMTON OFFICE
CHARLES T. KEANE, JR.
DEPUTY ASSISTANT
ATTORNEY GENERAL

January 19, 1933.

Mr. Edgar Hoover,
Bureau of Identification,
Washington, D. C.

Dear Sir:-

Please forward to me at your earliest possible convenience complete record that you have on [REDACTED] whose identification number we are informed is No. [REDACTED] and his photograph is dated May 29th, 1931. We would like description, fingerprint classification, and photograph. If you do not have this photograph, kindly let us know where we can obtain the same. mc

In the same connection, we would like any information you may have with reference to [REDACTED] alias [REDACTED] and also any information you may have on [REDACTED] or [REDACTED]. We have information to the effect that [REDACTED] b7c

I would also like record of Jacob Factor, alias Jake the Barber who we understand Great Britain has endeavored to extradite from Philadelphia.

Very truly yours,

JOHN J. BENNETT, JR.,
Attorney General

By

CHARLES T. KEANE, JR.,
Assistant Attorney General.

JAN 20 1933

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7-11-85 BY SP4 BJA/TAC

#245759

OTH/gss

b7c

62-25262-209, 26, 1933.

JAN 8 0 1933

Hon. Charles F. Keane, Jr.,
Assistant Attorney General,
901 Press Building,
Binghamton, New York.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-11-85 BY SP4 BJA/TAC
#245,189

Dear Mr. Keane:

Replying to your letter of January 19th, concerning [redacted]
[redacted] I beg to advise that a search of the fingerprint files of the
United States Bureau of Investigation reveals only the record of his ar-
rest as [redacted]

[redacted]

b7c

Color	White
Occupation	Trader
Height	5 feet, 5 1/2 inches
Eyes	Dark brown
Age	53 years
Birthplace	Poland
Complexion	Medium
Weight	165 pounds
Build	Stocky
Hair	Gray mixed
Fingerprint	
Classification	18 21 W I 18 Ref: 21 1 U 00 9.

There is no photograph of [redacted]
however, [redacted]

[redacted]

b7c

BUREAU OF INVESTIGATION
MAILED
JAN 26 1933
F.B.I.
DEPT. OF JUSTICE

[redacted]

b7c

Hon. Charles T. Keane, Jr.

- 2 -

January 26, 1933.

[REDACTED] b7c

With reference to Jacob Factor, you are advised that the fingerprint files of this Bureau contain only the following notation:

[REDACTED] b7c

The investigative files of the Bureau disclose some activity in cooperation with British authorities to bring about the apprehension of John or Jacob Factor. I am enclosing a reproduction of a newspaper photograph of John Factor, alias Jake the Barber. The latest information in the files of this Bureau is in November, 1932, when it was shown that the United States Circuit Court of Appeals for the Seventh Circuit reversed a decision of the United States District Court on October 15, 1932. On October 28th, counsel for Factor filed petition for a re-hearing. On November 15th, 1932, order was entered denying the petition for a re-hearing. On November 16th, Factor filed a petition for a stay of mandate, which was granted.

It is impracticable to identify [REDACTED] alias [REDACTED] by name alone. It is suggested, however, that one of the several conspirators wanted by the British Government, which included John Factor and [REDACTED] held at Philadelphia, Pennsylvania for a number of months and recently ordered extradited. [REDACTED] b7c

It is impracticable to identify [REDACTED] from the names alone, and if it is possible for you to obtain fingerprints of either [REDACTED] and you will forward the same to this Bureau, possibly a search may reveal their records.

Sincerely yours,

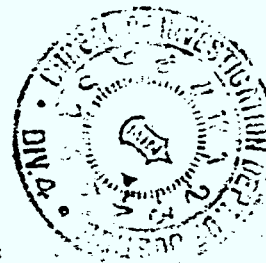
Director.

Enclosure #326250

U. S. Department of Justice
Bureau of Investigation

P. O. Box #1405,
Chicago, Illinois.

MAR 22 1933 PM



RECEIVED

March 20, 1933.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/9/85 BY SP6/ALM
#245,759

Director,
United States Bureau of Investigation,
Washington, D. C.

Dear Sir:

Re: John Factor, with aliases,
[redacted] with aliases;
Extradition to England.

On March the 3rd, 1933, inquiry was made at the office of the Clerk of the United States Circuit Court of Appeals for the Seventh Circuit, with reference to the status of the above captioned case.

[redacted] advised Special Agent [redacted] that on February 15th, 1933, his office had received a certificate from the Clerk of the Supreme Court of the United States, to the effect that counsel for John Factor had, on February the 13th, 1933, filed a Petition for a Writ of Certiorari, to review the decision of the United States Circuit Court of Appeals for the Seventh Circuit, reversing the decision of the United States District Court for the Northern District of Illinois.

[redacted] further stated that counsel for the British Government had twenty days from the date of service in which to make answer to this petition.

On March the 9th and March the 16th, respectively, Agent [redacted] again made inquiry as to the status of this case, and on each occasion was advised by [redacted] that his office had received no further information as to the disposition of the above mentioned Petition for Writ of Certiorari. The Chicago Bureau Office will contact [redacted] again within the next week or two, and advise the Bureau.

Very truly yours,

M. H. PURVIS,
Special Agent in Charge.

RECORDED

MAR 23 1933

62-1401

62-25202-210	
BUREAU OF INVESTIGATION	
MAR 22 1933 A.M.	
DEPARTMENT OF JUSTICE	
Mr. One	Mr. Two

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

Chicago, Illinois.

Chicago File No. 62-4021

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Chicago, Illinois	3/28/33	3/28/33	[Redacted]

with b7c

EXTRA TO [Redacted]

INFORM CONT
HEREIN IS UNCLASSIFIED
DATE 3/28/33 BY [Redacted]

Chicago Office Letter to Bureau dated 3/28/33

DETAILS:

At Chicago, Illinois.

[Redacted text block containing details of the investigation, including a reference to a hearing on March 30, 1933, before the United States District Court at Chicago.]

COPIES OF THIS REPORT FURNISHED TO: S-Bureau S-Washington Field S-Chicago [Redacted] b7c 4-5-33	APR 1 - 1933 A M BUREAU ROUTED TO: Dir. Gen Dir. [Redacted]	APR 1 - 1933
--	---	--------------

Mr. Tolson _____
 Mr. Belmont _____
 Mr. DeLoach _____
 Mr. McGuire _____
 Mr. Mohr _____
 Mr. Parsons _____
 Mr. Rosen _____
 Mr. Tamm _____
 Mr. Trotter _____
 Mr. W.C. Sullivan _____
 Tele. Room _____
 Mr. Holloman _____
 Miss Gandy _____

UPI-116

(TOUHY)
 LOS ANGELES--JOHN (JAKE THE BARBER) FACTOR SAID TODAY HE REGARDED A
 THREAT MADE AGAINST HIM THE WORK OF A "CRANK" AND THAT HE WAS NOT
 CONCERNED ABOUT IT.
 FACTOR SAID THE POSTCARD WARNING "YOU ASKED FOR IT" WAS THE ONLY SUCH
 THREAT HE EVER HAD RECEIVED. "I DIDN'T PAY ANY ATTENTION TO IT," HE
 SAID.
 FACTOR RETURNED BY PLANE LAST NIGHT FROM CHICAGO, WHERE HE SUCCESS-
 FULLY PASSED A LIE DETECTOR TEST YESTERDAY. THE WEALTHY REAL ESTATE
 MAN DENIED ANY KNOWLEDGE OF THE SLAYING OF ROGER TOUHY ON WEDNESDAY.
 12/19--RH1015P

REC-9 9-0-A

DEC 20 1959

JAN 4 1960

WASHINGTON CAPITAL NEWS SERVICE

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET3

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

- ☒ Deleted under exemption(s) b2 b7c b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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

☐ For your information: _____

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

62-103661-295 pgs 1+3 and
62-4296-44-390

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

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 1/29/60

FROM : SAC, LOS ANGELES (92-738)

SUBJECT: Top Hoodlum Program
ACTIVITIES OF TOP HOODLUMS
IN THE CHICAGO AREA
ANTI-RACKETEERING

Re Chicago letter to Director dated 1/20/60, transmitting Chicago daily summary dated 1/19/60.

Reference was made in the enclosure to JOHN ROSELLI. As the Bureau and Chicago are aware, ROSELLI is in Los Angeles only occasionally. He was in Los Angeles on 12/21/59, and departed Los Angeles 12/23/59, for Las Vegas, Nevada, where he spends most of his time. He was accompanied on this trip via plane by [REDACTED] of Las Vegas. NEW CALIF b7C

[REDACTED] b7D

ROSELLI has been selling ice-making machines to hotels in Las Vegas and to restaurants in Los Angeles. He purchases these machines from Ajax West Coast Corporation formerly of Beverly Hills, California, and now having offices at Santa Barbara, California. ROSELLI is currently interested in forming a Nevada corporation to lease these ice-making machines to hotels. This enterprise would take a large amount of capital but should provide a good return on the investment. [REDACTED] b7C

[REDACTED] b7D

ROSELLI is also interested in a company proposing the construction at Las Vegas of a cold storage warehouse. It is known as the Silver State Terminal Warehouse Corporation.

- 2 - Bureau
- 1 - Chicago (92-350)
- 3 - Los Angeles
 - { 1 - 92-113 }
 - { 1 - 92-438 }

REC-75

62-9-26-184

16 FEB 2 1960

51 FEB 25 1960

CR

LA 92-738

Mention is also made in the referenced enclosure to a "Barber John" indicating that person to be a "banker" with "Silver Tongue," who has ability exceeding that of ROSELLI. ~~It~~ is suggested this may be referring to JOHN (Jake the Barber) FACTOR, an extremely articulate person who has a reputation in financial matters and resides in the Los Angeles area. CALIF

The names [REDACTED] and [REDACTED] L.S.
mentioned in referenced enclosure, have been searched through the Los Angeles Office indices and no identifiable record was found. A reference was made in the enclosure to BUGSY SIEGEL. b7c
As an item of information, BENJAMIN SIEGEL was murdered at Beverly Hills, California, on 6/20/47.

The foregoing information is submitted in response to Chicago's request for Los Angeles to analyze information pertaining to Los Angeles in the enclosure to referenced letter.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: December 4, 1959

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago teletype dated 11/25/59.

A review of TOUHY's book, "The Stolen Years" ghost-written by RAY BRENNAN, a crime reporter for the "Chicago Sun-Times", and published by Remington Press, Cleveland, Ohio (1959), reveals several references to the FBI. Some could be classified as innocuous, some as complimentary, and some as allegations against the integrity and fairness of the Bureau. The TOUHY files in this office were reviewed for the purpose of determining the facts, insofar as the files contain them, surrounding the circumstances which TOUHY describes in the book. This letter will concern only the allegations against the Bureau. Each of TOUHY's allegations will be set forth, followed immediately by the information concerning the particular circumstances found in the files.

1. Allegation: Following TOUHY's apprehension as an escapee on December 29, 1942, TOUHY writes "The FBI and the Chicago Police yammered at us for most of two days."

Fact: In the report of SA [REDACTED] dated January 13, 1943, captioned "ROGER TOUHY; ET AL; Escape from Stateville Penitentiary, Joliet, Illinois, 10/9/32; Selective Service", it is reported that TOUHY was apprehended by the FBI at about 5:45 AM on December 29, 1942, and was turned over to [REDACTED] of Stateville Penitentiary at 7:10 PM, December 31, 1942. During the period between these two times and dates, TOUHY was held at the Chicago Office. The report reflects only two interviews. A stenographic transcription of a question and answer interview of TOUHY by the late Assistant Director E. J. CONNELLEY concerning the source of the money found on the subjects' persons and in their apartment fills only two pages; that interview took place on December 29, 1942. On December 30, 1942, TOUHY was interviewed by [REDACTED] and [REDACTED] at which time he furnished no information.

2 - Bureau
1 - Chicago

(3)

DEC 16 1959

EX-135

REC-48

7-86-1099
23 DEC 8 1959

b7c

CG 62-4098

2. Allegation: TOUHY, EDDIE MC FADDEN, WILLIAM SHARKEY, and GUS SCHAFER (commonly known as PETER STEVENS) were arrested on July 19, 1933, by the Police Department at Elkhorn, Wisconsin, after TOUHY's car knocked down a telephone pole. SAC MELVIN PURVIS told him at Elkhorn that he was being held for the HAMM kidnaping. "... within a few hours, I had handcuffs on my wrists for the first time. The cuffs were attached to an escape-proof safety belt around my waist, and a policeman held me on a chain like a dog on a leash. McFadden, Stevens, Sharkey and I went to Chicago that way.

"The removal was an absolute violation of our constitutional rights. We were taken across a state line without a court appearance, without an extradition warrant, without our consent and without a charge against us. We were not taken before a judge or magistrate within a reasonable time, as the law provides. I demanded to see a lawyer, but I was ignored.

"All of those privileges, the rights of any person under the U.S. Constitution and the Bill of Rights, were thrown in the ash can. A suspected kidnaper, no matter how false or skimpy the evidence against him might be, had no rights in those times.

"In Chicago, McFadden, Stevens, Sharkey and I were fingerprinted and photographed in the Bankers' Building FBI offices. Each of us stood in turn before a door with a full length, one-way vision glass in it. A person on the other side of the glass panel could see us, but we couldn't see him.

"Among those who looked at me and the others through the Judas glass was Jake the Barber. But I never saw him. I asked many times to use a telephone to call a lawyer, and the FBI agents gave me those vague, 2,000-yards-in-the-distance stares.

"They brought us bottles of ice cold beer --delicious!-- and I noticed that the glass was smeared with some sort of sticky stuff. I guessed that the stickum would hold fingerprints and that the bottles might be planted in a house

CG 62-4098

where HAMM had been held by kidnapers. That would be evidence against us. I whispered an explanation to the others, and we wiped off the bottles with our handkerchiefs -- except for Sharkey: he had no handkerchief, so he used his shirt tail.

"From the FBI offices, we were taken to Chicago Police Headquarters. In charge of the detective bureau there were two tough, but almost unbelievably honest police officers. They were Chief of Detectives William Schoemaker and his second in command, Lieutenant William V. Blaul."

"We're going to give you a square show-up," Schoemaker said. McFadden, Stevens, Sharkey and I stood handcuffed to each other on a raised platform with bright white lights shining down. Out in front of us in a darkened auditorium were victims of various crimes. They could see us, but we couldn't see them.

"A police officer with a microphone had us turn his way and that to show us both in profile and full face. We answered questions so the witnesses could try to recognize our voices. It was a spooky experience. When it was over, Chief Schoemaker told me: 'You men are clean so far as we're concerned. Nobody fingered you at the show-up.' He added that Factor had been in the audience.

"They chained us up again, put us in cars and took us back to Elkhorn. Stevens remarked glumly: 'They're going to a lot of trouble to get \$22.50 for that telephone pole.'

"In Elkhorn, FBI Agent Purvis read us warrants charging us with kidnaping Hamm. It was a federal offense, he said, because the evidence was that Hamm had been taken across a state line from Minnesota to Wisconsin. We were liable to life terms in prison under the Lindbergh antikidnap law, if we could be convicted in St. Paul."

Fact: The report of SA [REDACTED] dated July 22, 1933, at Chicago captioned, "UNKNOWN SUBJECTS; JOHN (Jake the Barber) FACTOR - VICTIM," reflects that on July 20, 1933, SAs [REDACTED] and [REDACTED] at Elkhorn, Wisconsin, with [REDACTED]

CG 62-4098

[REDACTED] of the Chicago Police Department and [REDACTED] of the Cook County, Illinois, States Attorney's Office, viewed TOUHY, MC FADDEN, SHARKEY and STEVENS. SA [REDACTED] identified SHARKEY. The police officers identified the others. Newspaper photographers took pictures and the four prisoners were fingerprinted. bc

SA [REDACTED] examined the guns, etc., taken from TOUHY's car by the police. bc

On the afternoon of July 20, 1933, TOUHY and his three friends were taken to Chicago by the Chicago Police Department. The agents accompanied the party. Upon reaching Chicago they were confined in the City Hall. They were photographed by the police and again fingerprinted.

The files of this Office fail to reflect that either waivers of custody or removal were obtained from any one of the above subjects. A Western Union telegram from Chicago to the Bureau dated July 24, 1933, reflects in part: "SPECIAL AGENTS THIS OFFICE WITH [REDACTED] AND OTHER POLICE OBTAINED CUSTODY THESE MEN FROM [REDACTED] ELKHORN WISCONSIN AND THEY WERE HELD FOR GOVERNMENT AT POLICE DEPARTMENT CHICAGO STOP ON TWENTY FIRST INSTANT SCOTT STEWART ATTORNEY FOR PRISONERS ENDEAVORED TO HAVE PRISONERS RELEASED ON WRIT OF HABEAS CORPUS STOP STATE COURT REFUSED TO HEAR MATTER DUE TO LACK OF JURISDICTION BECAUSE PRISONERS HELD FOR GOVERNMENT." bc

Further indication that no waivers were obtained appears in the following excerpts from Chicago newspapers:

"The decision to return the gang here was made over protest of TOUHY's attorney WILLIAM SCOTT STEWART of Chicago, who motored into Elkhorn in the wake of Chief SCHOEMAKER and other Chicago authorities, protesting against any proposed infraction of his clients' legal rights. Attorney STEWART's protests went for naught, however, when the Federal Agents, headed by R. T. AMIS of the United States Bureau of Investigation, announced the gang was wanted for violation of the Federal Anti-Kidnapping Statute and that extradition waivers did not figure in the case."

(Chicago Tribune, 7/21/33)

CG 62-4098

"Efforts of attorney WILLIAM SCOTT STEWART, legal representative of the Terrible Touhys, to balk the captives return here pending an extradition fight proved useless when the Government men announced the men were being held for violation of the Federal Kidnapping Statute known as the 'Lindbergh Law'."

(Chicago American, 7/21/33)

In SA [REDACTED] report of July 22, 1933, mentioned above, it is stated that on July 21, 1933, SAC M. H. PURVIS arranged with [REDACTED] of the Chicago Police Department to have JOHN FACTOR and other witnesses view TOUHY and the others. Accordingly, the witnesses viewed the prisoners through a false mirror in a room adjacent to [REDACTED] at Police Headquarters, 11th and State Streets, Chicago. b7c

No logs or references thereto have been found, but it is apparent that the four subjects were in the FBI offices in the Bankers Building on both July 22 and 23, 1933.

Page 77 of the report of Special Agent [REDACTED] (joint report with Special Agent [REDACTED] dated August 11, 1933, at Chicago captioned "WILLIAM SHARKEY; ET AL; JOHN FACTOR - VICTIM; KIDNAPING," contains a paragraph in the statement of victim JOHN FACTOR to the effect that FACTOR viewed the four prisoners July 22, 1933, in the Chicago Office. This statement was witnessed by Special Agents [REDACTED] and [REDACTED]. Also, a portion of the statement of [REDACTED] b7c

identified subject WILLIAM SHARKEY on July 22, 1933, in the Chicago Office. This statement was witnessed by Special Agent M. H. PURVIS and Special Agent [REDACTED]

On page twelve of the report of Special Agent [REDACTED] dated July 29, 1933, at Chicago, Illinois, captioned [REDACTED]; ET AL; WILLIAM HAMM, Jr. - VICTIM; KIDNAPING," appears information that a show-up of the four subjects was arranged in the Chicago Bureau Office on July 23, 1933. b7c

CG 62-4098

b7c

A telegram to the Bureau captioned [REDACTED] ET AL; KIDNAPING; WILLIAM HAMM, Jr. - VICTIM" dated July 24, 1933, advised the Bureau that complaints and warrants in the HAMM case had been authorized by the United States Attorney, Milwaukee, and that TOUHY, et al, "departed Chicago under heavy guard consisting of two squad cars Chicago Police Department and two cars Special Agents, one Special Agent in each squad car with officers and prisoners proceeding to Elkhorn, Wisconsin."

3. Allegation: "The government took us in chains from Elkhorn to the County Jail at Milwaukee. Weeks of hell followed. We were maximum-security prisoners, in separate cells. No visitors; no consultations with lawyers; no visits by families; no radio broadcasts; no newspapers.

"I went into the jail in excellent physical shape. When I came out, I was 25 pounds lighter, three vertebrae in my upper spine were fractured and seven of my teeth had been knocked out. Part of the FBI's rehabilitation-of-prisoners system, I supposed. All of the men who gave me the treatment were strangers to me.

"They questioned me day and night, abused me, beat me up and demanded that I confess the Hamm kidnaping. Never was I allowed to rest for more than half an hour. If I was asleep when a team of interrogators arrived at my cell, they would slug me around and bang me against the wall. I trained myself to sleep for 20 minutes, and be on my feet for the questioners.

"I couldn't have confessed if I had wanted to. I didn't know what Hamm looked like, how the ransom was paid, where he was held, or anything else. Neither did McFadden, Stevens or Sharkey. But that seemingly made no difference.

"On August 13, a federal grand jury in St. Paul indicted all of us for kidnaping.

"Jangle, jangle, jangle, we went in our chains to the Ramsey County Jail in St. Paul. The beatings stopped, but not the maximum security. We were allowed no visitors, including lawyers. Our trial date was approaching, and we were totally unprepared."

Fact: By telegram dated July 24, 1933, captioned [REDACTED] ET AL; KIDNAPING", the Bureau was advised that all subjects were that day brought from Elkhorn to Milwaukee, Wisconsin, after warrants were served on them by a deputy United States Marshal, and that they were being held separately in the County Jail at Milwaukee. b7c

Nothing was found in the files concerning the subjects' visiting privileges or the degree of security enforced. They might well have been held in maximum security inasmuch as they were charged with kidnaping.

Whether or not their attorney was permitted to confer with them is not reflected in the files. However, the newspapers referred to under item 2 above, report that Attorney W. SCOTT STEWART was actively representing them in Elkhorn, Wisconsin, and in Chicago on July 20-21, 1933.

Chicago letter to the Bureau dated July 31, 1933, captioned [REDACTED] ROGER TOUHY, Was.; ET AL; WILLIAM HAMM, Jr. - VICTIM; KIDNAPING" stated: b7c

"I received a call today from Scott Stewart, who is the attorney for Roger Touhy, et al, in connection with the Hamm kidnaping case. He stated that he would be unable to appear at a hearing on August 4th and that he would like to have a continuance for a period of ten days after that. He stated that he was unable to attend this hearing, in view of the fact that he would be engaged in a trial at that time. He stated further that he had talked to Mr. Koelzer, the Assistant United States Attorney at Milwaukee, Wisconsin, who had informed him that this was agreeable to him. In addition, he stated that he planned to submit to me all of his alibi evidence, inasmuch as he was convinced that the prisoners now in custody were not guilty of the Hamm kidnaping."

It would seem that STEWART must have had some conference with his clients in order to have alibi evidence, for his original leads into that evidence would have had to have been suggested by TOUHY, et al.

In Chicago letter to St. Paul dated August 2, 1933, copy to Bureau, captioned "ROGER TOUHY, Was.; ET AL - FUGITIVES; WILLIAM HAMM, Jr. - VICTIM; KIDNAPING" it is stated that Attorney W. SCOTT STEWART was in Milwaukee, Wisconsin, on July 25, 1933, representing TOUHY, et al, in their arraignment before the United States Commissioner.

The files reflect the following prosecutive steps taken between TOUHY's arrest on July 19, 1933, and his removal to St. Paul, Minnesota, on August 19, 1933:

July 24, 1933

SAC WERNER HANNI filed a complaint at St. Paul, Minnesota charging the four subjects with conspiracy to kidnap and with the kidnapping of WILLIAM HAMM, Jr. in violation of Sections 88 and 408A of Title 18. The warrant was non ested by the United States Marshal at St. Paul the same date.

Fugitive complaint filed Milwaukee, Wisconsin, warrant issued, and Deputy United States Marshal took subjects into custody at Elkhorn, Wisconsin same date and incarcerated them in the Milwaukee County Jail.

July 25, 1933

All subjects were arraigned before the USC, Milwaukee, Wisconsin. All pled not guilty. Hearing set for August 4, 1933. (Special Agents [redacted] and [redacted] attended the arraignment.) b7c

July 27, 1933

SAC WERNER HANNI filed a complaint against all subjects at Madison, Wisconsin, charging them with conspiracy to violate an Act of Congress, June 22, 1932, forbidding interstate transportation of a kidnapped person, to wit WILLIAM HAMM, Jr., from St. Paul, Minnesota to Orfordville, Wisconsin on or about June 15, 1933. Warrant non ested by United States Marshal, Madison, Wisconsin, same date.

CG 62-4098

- August 4, 1933 All subjects arraigned before United States Commissioner, Milwaukee, Wisconsin, on complaint of July 27, 1933, and hearing continued to August 14, 1933, in absence of defense counsel.
- August 10, 1933 State complaint filed at Elkhorn, Wisconsin, by District Attorney B. O. REYNOLDS, charging the four subjects with violation of Chapter 164, Wisconsin Statutes, known as the Uniform Machine Gun Act.
- August 12, 1933 Indictment of the four subjects by United States Grand Jury at St. Paul, Minnesota for the WILLIAM HAMM, Jr. kidnapping of June 15, 1933.
- August 19, 1933 Removal hearing waived. Subjects removed by Deputy United States Marshals and Deputy Sheriffs of Milwaukee, Wisconsin, from Milwaukee to St. Paul.

The files reflect that the only interviews at Milwaukee, Wisconsin, of TOUHY and his co-defendants by Agents of the FBI were as follows:

PETER STEVENS (GUS SCHAETEL, GUS SCHAFER) on August 4, 1933, by SAs [redacted] and [redacted] (Report of [redacted] dated August 3, 1933, captioned, "ROGER D. TOUHY; ET AL; WILLIAM HAMM, Jr. - VICTIM; KIDNAPING.") b7c

WILLIAM SHARKEY on August 4, 1933, by SA [redacted] and on August 6, 1933, by SA [redacted] (Report of SA [redacted] dated August 26, 1933, at Chicago captioned, "ROGER D. TOUHY; ET AL; WILLIAM HAMM, Jr. - VICTIM; KIDNAPING.")

EDWARD MC FADDEN on August 3, 1933, by SA [redacted] and later (probably August 6, 1933,) by SA [redacted] (Report of SA [redacted] quoted above.)

8
b7c
ROGER TOUHY on August 3, 1933, by SA [REDACTED]
[REDACTED] (and on August 6, 1933, by SA [REDACTED]) (Report of SA [REDACTED] quoted above.)

Concerning TOUHY's allegation that agents fractured his vertebrae, Chicago teletypes of November 24 and 25, 1959, set out the available facts.

4. Allegation: "My real estate dealer friend, Weany, did get to the stand. He swore that on June 15 he had invited me at my home to attend his daughter's graduation exercise. The prosecution gave him a savage cross-examination, but he wouldn't budge an inch.

"He testified that a Chicago FBI man came to him with this warning: 'If you go to St. Paul to testify for Touhy, you'll be sorry, and maybe you won't come back.'"

Fact: In Chicago letter to St. Paul dated September 12, 1933, captioned "ROGER TOUHY; ET AL; WILLIAM HAMM, Jr. - VICTIM; KIDNAPING" it is stated that [REDACTED] b7c

[REDACTED]

[REDACTED]

5. Allegation: "I never made a good adjustment. I tried to obey the rules and I did my work as long as I had a job assignment. But the thought nagged me constantly that I was innocent, that I had been framed. My souvenirs from the F.B.I. boys --spinal injuries-- gave me hell."

Fact: Chicago teletypes of November 24 and 25, 1959, set out all available facts relative TOUHY's physical condition.

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. ROSEN *R*

DATE: 12-9-59

FROM : [REDACTED] *b7c*SUBJECT: ROGER TOUHY
MISCELLANEOUS INFORMATION
CONCERNING

Tolson	_____
Belmont	_____
DeLoach	_____
McGuire	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

At 6:57 p.m. 12-9-59, ASAC James Handley, Chicago, telephonically advised that [REDACTED] furnished information to the Chicago Office that a suit had been filed for Factor against Touhy, Brennan and the publishers and distributors of Touhy's book. He stated that the suit covered two points, (1) invasion of Factor's right to privacy, and (2) libel contained in allegation that Factor was never kidnaped. *b7c*

Handley stated that [REDACTED] indicated that this might receive considerable press coverage and he was therefore advising the Bureau. *b7c*

[REDACTED] of Crime Records Division was immediately advised of the above. *b7c*

1 - Mr. DeLoach

-7- *b7c*

DEC-56

7-86 1101

7 DEC 11 1959

58 DEC 14 1959

DECEMBER 10, 1959

CODE

RADIOGRAM

URGENT (HOLD FOR NEXT CONTACT)

TO SAC CHICAGO

FROM DIRECTOR FBI

ROGER TOUHY, MISCELLANEOUS DASH INFORMATION CONCERNING
PAREN CRIMINAL SECTION PAREN. REURTEL DECEMBER NINE
LAST. FOLLOW PROGRESS OF SUIT FILED BY FACTOR AND
ADVISE BUREAU PROMPTLY OF DETAILS AND ALL PERTINENT
DEVELOPMENTS. *b7c*

(3)

COPIES UNIT

REC-11 15 28 PM '59

EX 109

REC-74

RADIO

DEC 10 1959

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

1:51 P BTM

Tolson _____
Belmont _____
DeLoach _____
McGuire _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____

MAIL ROOM TELETYPE UNIT ☒

NR. 101824

ENC. *b7c*

CK.

APPROVED BY *b7c*

14 DEC 11 1959

TYPED BY

Re
100

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

DEC 9 1959

TELETYPE

Mr. Tolson	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. McGuire	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Trotter	✓
Mr. W.C. Sullivan	✓
Tele. Room	
Mr. Holloman	
Miss Gandy	

URGENT 11-29-59 6-58 PM JFM

TO DIRECTOR, FBI
FROM SAC, CHICAGO

ROGER TOUHY, HABEAS CORPUS PROCEEDINGS, REBU TELEPHONE CALL
THIS DATE. [REDACTED] TELEPHONICALLY ADVISED b7c

ASAC JAMES L. HANDLEY LATE TODAY THAT HE AND OTHER ATTORNEYS
HAD TODAY FILED A SUIT FOR JOHN FACTOR AGAINST TOUHY AND BRENNAN
AS WELL AS THE PUBLISHERS AND DISTRIBUTERS OF TOUHY-S BOOK.

[REDACTED] THE SUIT WAS BASED ON BOOK BEING.. (ONE) AN b7c
INVASION OF FACTOR-S RIGHT OF PRIVACY., (TWO) THE LIBEL CONTAINED
IN ALLEGATIONS THAT HE, FACTOR, WAS NEVER KIDNAPPED.
COMPLETE DETAILS OF SUIT WILL BE OBTAINED AND SUBMITTED TO BUREAU. R

END AND ACK

8-00 PM OK FBI WA JDS

TU DIC T

REC-27

EX-101

MR. DELOACH

Mr. Rosen

63 DEC 16 1959

CC--MR. ROSEN

and Mr. DeLoach

7-86-1103
12 DEC 14 1959

FBI

Date: 12/10/59

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

TO : DIRECTOR, FBI (7-86)
FROM : SAC, CHICAGO (62-4098)
SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago teletype dated December 9, 1959.

There follows a review of the complaint filed by JOHN FACTOR against Pennington Press, Incorporated, Merrick Lithograph Company, Kroch's and Brentano's, Incorporated, Carson Pirie Scott and Company, The Fair, Easy Street, Incorporated, ROGER TOUHY and RAY BRENNAN. It was filed on December 9, 1959 in the United States District Court in Chicago by Attorneys STANFORD CLINTON, 134 North LaSalle and FRANK J. MC GARR, 38 South Dearborn. MC GARR is a former First Assistant to the United States Attorney in Chicago.

The complaint recites that Pennington Press, Incorporated, is an Ohio corporation; Merrick Lithograph Company is an Ohio corporation; Kroch's and Brentano's, Incorporated is an Illinois corporation; Carson Pirie Scott and Company is an Illinois corporation; The Fair is an Illinois corporation; Easy Street, Incorporated is an Illinois corporation; ROGER TOUHY and RAY BRENNAN are residents of Illinois.

It alleges:

3 - Bureau (Encls. 2)
1 - Chicago

(4)

ENCLOSURE

REC-9F

7-86-1105

6 DEC 12 1959

EX-117

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

62 DEC 21 1959

cc - Bureau

CG 62-4098

Count I

1. That in February, 1934, TOUHY was convicted in Cook County, Illinois, of the crime of kidnaping FACTOR; that in June, 1935, the conviction was unanimously affirmed by the Illinois Supreme Court and that that conviction is still in full force and effect and has never been set aside; that TOUHY's present status is that of a paroled convict; that prior to his parole, he and RAY BRENNAN collaborated in writing and having published the book "The Stolen Years."

2. That the book was published by Pennington Press, Incorporated.

3. That the book was printed by Merrick Lithograph Company.

4. That Pennington Press and Merrick Lithograph Company cooperated in the distribution of the book throughout the United States.

5. That Kroch's-Bentano's, Carson Pirie Scott and Company and The Fair sold large quantities of the book.

6. That Easy Street, Incorporated sold the book in a tavern and lounge.

7. That TOUHY and BRENNAN jointly and severally promoted distribution and sale of the book.

8. That prior to book's publication, JOHN FACTOR enjoyed an excellent personal and business reputation; that he was widely known and universally respected in his community of Beverly Hills, California; that the continued success of his real estate operations and other investments depend upon the widespread reputation for integrity the plaintiff had achieved throughout southern California.

9. That in "The Stolen Years" BRENNAN and TOUHY wilfully, maliciously and knowing its falsity, stated that while in England, FACTOR perpetrated a dishonest scheme from which he made large sums of money.

CG 62-4098

10. That as a foreseeable and natural consequence, FACTOR suffered irreparable and unjustified damage to his reputation.

Prayer for damages: \$1,000,000.00

Count II

1. Paragraphs 1 through 8 above incorporated herein.

9. That TOUHY and BRENNAN wilfully, maliciously and knowing its falsity, state in the book that FACTOR conspired with others to accuse falsely and convict TOUHY of the kidnapping in 1933; that TOUHY and BRENNAN falsely state that FACTOR was never kidnapped for ransom, and falsely state FACTOR gave perjured testimony in testifying that he was kidnapped.

10. That consequently FACTOR's reputation has been injured.

Prayer for damages: \$1,000,000.00

Count III

1. Paragraphs 1 through 7 incorporated herein.

8. That FACTOR in early life engaged in lawful occupations in United States and England - bootblack, barber, investment counselor, and broker.

9. That in 1933 he was prosecution witness against TOUHY in kidnapping case.

10. That in 1943 FACTOR was convicted of illegal use of the mails.

11. That in 1949 FACTOR was released from Federal Penitentiary completely rehabilitated and began a quiet, lawful and exemplary life which he has lived for eleven years. Prior to publication of the book, "The Stolen Years," he was respected and had an honorable reputation. His

CG 62-4098

friends either did not know of earlier incidents in his life or were satisfied that he had been completely rehabilitated and had paid his debts to society.

12. That the defendants have written, published or sold "The Stolen Years" in many states, which book makes detailed references to events in FACTOR's earlier private life.

13. That by the writing, publishing and sale of this book, the earlier events have become the subject of public discussion and FACTOR's right of privacy has been unlawfully invaded.

14. That by all of this FACTOR has been subjected to humiliation and public scorn, causing loss of business, mental anguish and physical suffering.

Prayer for damages: \$1,000,000.00

Enclosed are two newspaper clippings describing the filing of this complaint, one from the Chicago American, the other from the Chicago Daily News, both of December 9, 1959.

b7c

\$3 Million Libel Suit Hits Touhy

Factor Accuses Parolee on Book

Jake "The Barber" Factor filed a \$3 million libel suit in U.S. District court here Wednesday against Roger Touhy.

Factor, now a California real estate man, charges that he was libeled in Touhy's recently published biography "The Stolen Years."

NAMED defendants in the suit are Ray Brennan, Sun-Times reporter who helped write the book; Pennington Press Inc., 400 N. Michigan, publishers; Merrick Lithography Co., 400 N. Michigan, printers, and Kroch's & Brentano Inc., Carson Pirie Scott & Co., The Fair, and Easy Street Inc., 1535 N. Dearborn, who distributed the book.

The book was published simultaneously with Touhy's parole from prison after serving 25 years for the kidnaping of Factor.

In the book, Touhy says Factor's kidnaping was faked so that Factor could avoid extradition to England, where he faced confidence game charges.

CHICAGO DAILY NEWS

RED STREAK Editio

Date DEC 9 - 1959

Chicago, Illinois

Page 1 Col. 6

Part -

Editor EVERETT NORLANDER

CHICAGO OFFICE

ROGER TOUHY
HABEAS CORPUS PROCEEDINGS
CG 62-4098

CLOSURE

7 85 1105

Factor's Suit Filed Over Touhy's Book

An ex-convict today said his reputation was damaged to the extent of \$3,000,000 by publication of another ex-convict's memoirs.

John [Jake the barber] Factor, once convicted of mail fraud, has sued Roger Touhy, who was convicted of kidnaping Factor for ransom in 1933.

Factor's libel suit names as defendants, in addition to Touhy, a Chicago newspaperman, two printing firms and three Loop stores.

The suit was filed today in Federal court here. It is based on the writing, publication and sale of Touhy's book, "The Stolen Years."

Touhy was in prison from the time of his conviction, with the exception of one brief escape and one brief release, till his recent parole.

Factor was represented, in the filing of the suit, by Attorneys Frank J. McGarr and Stanford Clinton.

Named as defendants, besides Touhy, are:

Ray Brennan of the Chicago Sun-Times, named as actual author of the book; Pennington Press Inc. and Mer-

rick Lithograph Co., named as publishers; and as book-sellers, Kroch's and Brentano's Inc., Carson Pirie Scott & Co., The Fair Store, and a night club named Easy Street Inc.

Factor, frequently named as one of Chicago's veteran hoodlums, is now a real estate dealer in Beverly Hills, Cal.

McGarr said he will file a similar libel suit in California, naming Tom Duggan and TV station KCOP in Los Angeles.

The suit filed here said that the book injured Factor's name and business reputation by alleging:

1—That Factor was in a dishonest scheme, regarding a multi-million dollar swindle in England, and invented the "kidnaping" to avoid being extradited to that country.

2—That Factor gave false testimony at the kidnaping trial.

Touhy has consistently complained that Factor's charge of kidnaping was a hoax, that it never occurred and that Factor gave perjured testimony to send Touhy to prison.

THE CHICAGO AMERICAN

DIAMOND FINAL Edition

Date DEC 9 - 1959

Chicago, Illinois

Page 1 Col. 6

Part -

Editor HARRY REUTLINGER

CHICAGO OFFICE

ROGER TOUHY
HABEAS CORPUS PROCEEDINGS
CG 62-4098

7-26 - 1105
ENCLOSURE

Office Memorandum • UNIT S GOVERNMENT

TO : Mr. DeLoach *p*

DATE: December 17, 1959

FROM : M. A. Jones

SUBJECT: DEATH OF ROGER TOUHY
PRESS AND RADIO COVERAGE

Tolson	_____
Belmont	_____
DeLoach	_____
McGuire	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Gandy	_____

Today's issue of "The Washington Post" contains the banner headline, "Roger Touhy Slain in Street." Touhy was killed last night as he entered the apartment of his sister on the west side of Chicago. Five shotgun blasts were fired from ambush, and Touhy and his companion, retired police sergeant Walter Miller, were critically wounded. Touhy died later in the hospital. Miller remains in critical condition. *b7c*

The article furnishes additional information regarding this killing and assault and quotes Ray Brennan, the co-author of Touhy's book, "The Stolen Years," as stating, "I wish I had not written the stinking book. Roger would be alive today."

A copy of the article is attached.

The 8:00 a.m. World News Round-Up broadcast this morning also gave wide coverage to this killing. The recorded remarks of Ray Brennan were broadcast. Brennan sobbed and made the statement quoted above.

RECOMMENDATION:

None. For information.

- 1 - Mr. DeLoach
- 1 - Mr. Rosen

Enclosure

EX 109

REC-50

18 DEC 22 1959

62 DEC 29 1959

ENCLOSURE

F157

CRIM

*Received by Postal
12-21-59
10*

Roger Touhy

Slain in Street

Tolson _____
 Belmont _____
 DeLoach _____
 McGuire _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Gandy _____

Ambushed in Chicago Friend Is Wounded

CHICAGO, Dec. 16 (AP)—Roger (The Terrible) Touhy was ambushed and killed by five shotgun blasts on the West Side tonight by two assassins who reportedly posed as policemen.

His companion, retired Police Sgt. Walter Miller, a principal defense witness at Touhy's trial, was critically wounded.

Touhy, 61, tough prohibition era gangster who attracted wide attention by his sensational breakout of Stateville Penitentiary in 1942, was paroled only 23 days ago after serving nearly 26 years for

kidnaping John (Jake the Barber) Factor.

Ironically, Factor of Beverly Hills, Calif., was in Chicago pressing a libel suit against Touhy.

"I am very broken up about it—I hope they get the killer," said Factor.

"I was sitting in a restaurant eating when the manager came over and said he heard over the radio Touhy had been shot," Factor told the Associated Press. "I didn't learn he had died until I got

See TOUHY, A3, Col. 2.

The Washington Post and Times Herald A-1
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 Date _____

DEC 17 1959

ENCLOSURE

*Jones to DeLoach
 12-17-59*

brc

file 81

7-8

back to my hotel room about 11:15 p. m. (CST).

"This really breaks me up and I'm very sorry to hear it. I just hope they find the killer."

The diminutive Touhy had devoted most of his time since his release to his recently published book, "The Stolen Years," his story of his life.

Touhy, Miller, and Ray Brennan, a reporter for the Chicago Sun-Times and a co-author of the book, had discussed the works earlier in the evening at the Chicago Press Club in downtown Chicago.

Touhy and Miller left the Press Club and were returning home when the shooting occurred.

They walked from Miller's car to the home of Touhy's sister, Ethel Alesia at 125 Lotus st., and were climbing the steps when five shotgun blasts rang out.

Touhy pitched forward on his face. The pellets tore a large chunk of flesh from his thigh. Miller, who is permitted to carry a pistol, whirled and fired five shots before he collapsed.

The blasts tore out the glass front of the door, the transom over the door and riddled the hallway ceiling.

Touhy's sister and her husband, Henry, rushed out but said they didn't see the gunmen.

Touhy mumbled that he was shot by two men who said they were policemen, his sister told newsmen.

All available squads of police ringed the neighborhood in an attempt to trap the gunmen.

Touhy was semi-conscious when police rushed him to a hospital in a squad car. He died on the operating table a short time later from loss of blood.

[Touhy died in an oxygen tent in St. Anne's Hospital as Detective Chief John Ashcher stood by in hope of questioning him, the Chicago Tribune Press Service reported.

[Police were unable to question Miller.

[Miller, who recently had been working for a racing publication, is a long-time friend of Touhy. He was a witness in Touhy's behalf in a habeas corpus hearing before the late Federal District Court Judge John P. Barnes in 1954 which resulted in Touhy's temporary release from prison. He was back behind bars in 49 hours after the U.S. Court of Appeals reversed Barnes' decision.]

Miller was taken to a different hospital, where his condition was reported critical.

Factor has filed a 3-million-dollar libel suit against Touhy and others on the basis of Touhy's book.

Brennan hurried to the hospital where Touhy died. He told a reporter:

"I wish I had not written the stinking book. Roger would be alive today."

Brennan said Touhy never felt better. "He was cheerful and he had no premonition that this was going to happen."

Brennan said he and the representative of the book's publisher, Richard Brown, met Touhy and Miller at the Press Club about 6 p. m. He said Touhy had three bottles of beer and some appetizers and that they chatted until



ROGER TOUHY

... blasted by shotgun

around 9:15 p. m., when Touhy and Miller left.

Touhy was sentenced to 99 years for the Factor kidnapping and was given another 199 years for his part in the mass prison escape that gave him short-lived freedom before FBI agents recaptured him in Chicago.

Clemency action by Gov. William G. Stratton made his parole possible.

Touhy maintained he was innocent of the Factor kidnapping, contended he was convicted on perjured testimony.

Touhy was one of six sons of a Chicago policeman. He was a leader of the Touhy gang that waged a vendetta with the more powerful Al Capone syndicate during prohibition days.

Three of Touhy's brothers were shot to death and one died of natural causes.

One brother, James Jr., was shot to death in a robbery attempt in 1917. Another, John, was fatally shot 10 years later in one of the numerous gun battles between the Touhy gang and the Al Capone mob. A third brother, Joe, was slain in 1929.

Eddie Touhy died in 1945. Tom Touhy was paroled in 1947 from Leavenworth Prison after serving 11 years for Minneapolis bank robbery, last was reported in Arizona, a partial invalid.

FBI

Date: 12/17/59

Transmit the following in _____
(Type in plain text or code)Via **AIRTEL**

(Priority or Method of Mailing)

Mr. Tolson	✓
Mr. Belmont	✓
Mr. DeLoach	✓
Mr. McGuire	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Trotter	✓
Mr. W.C. Sullivan	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

TO : DIRECTOR, FBI (7-86)
 FROM : SAC, CHICAGO (62-4098)
 SUBJECT: ROGER TOUHY
 HABEAS CORPUS PROCEEDING

Re Chicago teletype 12/17/59.

Chicago Police Department, today advised that the Police Department has no leads in the murder of TOUHY. As of today, they are certain only that two men attacked MILLER and TOUHY as they mounted the stairs to TOUHY's residence, that at least one shotgun with Double O buckshot was fired at them 5 times and that TOUHY died of loss of blood from a wound in leg. The retired officer, WALTER MILLER, was apparently struck by the edge of the pattern of buckshot. He fired five shots at the fleeing assassins before falling on top of TOUHY.

Although it has not been positively determined that the WALTER MILLER of last night's incident is identical with the MILLER who testified for TOUHY in his habeas corpus hearing in 1949 as to FACTOR's identification of TOUHY, such identity is highly probable. JAKE FACTOR, who arrived in Chicago yesterday afternoon, is quoted in the papers as identifying him as having testified for TOUHY in the hearings before Judge BARNES.

② - Bureau
 1 - Chicago

REC-79

EX 109

11 DEC 28 1959

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

CG 62-4098

[REDACTED] b7c
[REDACTED] b7D

[REDACTED] b7c
[REDACTED] b7D

past three weeks, although he presently has no evidence of this.

The progress of the police investigation of this murder will be followed and reported as developments occur.

With reference to FACTOR's civil suit against TOUHY et al, there have been no developments to date. The defendants have 20 days in which to file an answer but no appearances for them have yet been entered.

FRANK MC GARR, FACTOR's attorney, is taking the position that since Judge BARNES was reversed in his finding that TOUHY was not guilty of kidnapping FACTOR on the grounds that BARNES had no jurisdiction, the only judicial finding of record is that of TOUHY's conviction. He intends to proceed in this action despite TOUHY's death.

[REDACTED] b7c

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

DEC 17 1959

TELETYPE

Mr. Tolson _____
Mr. Belmont _____
Mr. DeLoach _____
Mr. McGuire _____
Mr. Mohr _____
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Trotter _____
Mr. W.C. Sullivan _____
Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

URGENT 12-17-59 12-26 AM RLS

TO DIRECTOR, FBI

FROM SAC, CHICAGO 1-P

ROGER TOUHY HABEAS CORPUS PROCEEDING. RE CHICAGO TELEPHONE CALL TO
BUREAU DEC SIXTEEN LAST. HOMICIDE BUREAU ^{Chicago Police Department} CGPD ADVISES THAT ROGER TOUHY
AND A RETIRED CGPD ^ESERGEANT., WALTER MILLER WERE SHOT FROM BEHIND
WHILE ASCENDING STAIRS AT ONE THREE ZERO NORTH LOTUS AVE. CHICAGO,
BY UNKNOWN PERSON OR PERSONS. REPORT RECEIVED AT CGPD AT TEN ZERO FIVE
P. M. DEC ONE SIX LAST. TOUHY DIED AS RESULT OF WOUNDS AT ST. ANNE-S
HOSPITAL, CHICAGO. MILLER REPORTEDLY CONFINED IN CRITICAL CONDITION AT
LORETTO HOSPITAL, CHICAGO. SIX SHOT-GUN SHELLS FOUND AT SCENE. ANOTHER
CGPD OFFICER REPORTEDLY SHOT IN SAME INCIDENT ACCORDING TO PRESS REPORTS
BUT THIS NOT CONFIRMED BY CHICAGO PD AS YET. MEMO IN CHICAGO FILE IN
INSTANT CASE DATED JUNE THREE, ONE NINE FOUR NINE MAKES REFERENCE

BUREAU WILL BE ADVISED OF FURTHER DEVELOPMENTS

END AND ACK PLS

1-31 AM OK FBI WA DI

TU DSCO

Mr. Rosen

EX-135

15 DEC 30 1959

CC--MR. ROSEN

b7
b7

Office Memorandum • UNITED STATES GOVERNMENT

DATE: December 28, 1959

TO

DIRECTOR, FBI (7-86)

FROM:

SAC, CHICAGO (62-4098)

SUBJECT:

ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago airtels dated December 17, 1959, and December 10, 1959.

On December 22, 1959, a review of docket number 59C1961 in the Clerk's Office, United States District Court, in the case entitled, "JOHN FACTOR versus Pennington Press, Incorporated, ET AL," revealed that on December 17, 1959, Attorney ROBERT JOHNSTONE filed his appearance for defendant RAY BRENNAN. No other defendant has yet filed an appearance. The Clerk advised that the defendants have twenty days from the date they are served notice in which to file.

Chicago police are still pressing their investigation of TOUHY's murder.

② - Bureau
1 - Chicago

(3)

REC-23

7-86-1110

1-4-60

DEC 30 1959

EX-117

EXP. PROC.

b7c
b7D

37

b7c

b7c

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.

- ☒ Deleted under exemption(s) b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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

☐ For your information: _____

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

7-86-1110 pg 2

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

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-86)

DATE: January 8, 1960

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago letter dated 12/28/59 and Chicago airtel dated 12/10/59.

On January 5, 1960, a review of Docket Number 59C1961 in the Office of the Clerk of the United States District Court reflected the following developments in the case entitled, "JOHN FACTOR vs. the Pennington Press, Incorporated; ET AL":

On January 4, 1960, Attorneys HOWARD P. ROBINSON and GEORGE M. BURNEY entered their appearances for the defendant Carson Pirie Scott and Company.

On January 4, 1960, FACTOR's attorney, FRANK MC GARR, filed a notice of deposition for discovery from the President of Pennington Press on January 25, 1960, and from the President of the Merrick Lithograph Company on January 27, 1960.

On January 4, 1960, Attorney THOMAS CERNAK filed a "Suggestion of Death" of ROGER TOUHY, lately a defendant in this matter. (Attorney CERNAK is the attorney for ROGER TOUHY's estate.)

On January 4, 1960, Attorneys BERNARD H. SOKOL (a former Assistant United States Attorney) and ROBERT B. JOHNSTONE filed an answer on behalf of Merrick Lithograph Company and the Pennington Press and incorporated in this answer a motion to dismiss the complaint on the grounds that Count 1 fails to state any claim upon which relief may be granted in that on the face of the complaint it is apparent that the plaintiff was, in fact, a swindler, convicted of using the mail to defraud and had served more than five years in a United States penitentiary; and that from the face of the complaint it appears that the plaintiff, a convicted swindler, had no personal or business reputation susceptible of making plaintiff a subject of actionable defamation or libel.

- ② - Bureau
① - Chicago

(3)

F460

bc

JAN 14 1960

①

②

7-86-111
RECEIVED
JAN 11 1960

On the same grounds Merrick Lithograph and Pennington Press moved to dismiss Count 2 and answered Count 2 by saying that it denies that the plaintiff is a citizen of the United Kingdom and avers that there is no separate entity as the Pennington Press, Incorporated, but that actually Pennington Press is a division of the Merrick Lithograph Company.

These defendants deny that TOUHY at all the times alleged in paragraph 1, Count 2 of the complaint was serving any purported sentence for allegedly kidnapping the plaintiff because he was discharged from such sentence on October 28, 1959; and they deny this judgment or conviction was in full force and effect and had never been set aside. In support of this the defendants referred to Judge BARNES' Findings of Fact and Law at the Habeas Corpus hearings dated August 9, 1954.

The defendants admit the allegations of paragraphs 2, 3, 4 and 5 of Count 2 of the complaint but deny that the defendant "Easy Street" sold large quantities of the book entitled "The Stolen Years" but admitted that defendant sold some. Paragraph 7 of Count 2 does not refer to these defendants but denies paragraph 8 and aver that at all times he was mentioned in the book the plaintiff was an internationally known and notorious swindler, con man and gambler and was at all times mentioned a fugitive from the United Kingdom. The defendants deny the falsity of any statement against the plaintiff in the book avering that such statements were and are true. The damage to the plaintiff's reputation is also denied. The answer alleged that not only were all things said about "Jake the Barber" FACTOR true but they were published in good faith in reliance upon Judge BARNES' Memorandum Opinion which was filed in the United States District Court at Chicago On August 9, 1954. The answer follows this by stating that the statements referring to the plaintiff were privileged as a fair and accurate report and comment upon facts found and evidence adduced in a judicial proceeding.

The defendants moved to dismiss Count 3 on the grounds that no unauthorized use of a photograph of "Jake the Barber" FACTOR was made and hence under both common law

and the statutory law of Illinois no cause of action for violation of privacy exists. As to this Count 3 JOHNSTONE ended his motion with the following paragraph:

"It affirmatively appears from the face of said complaint that the plaintiff, "Jake the Barber" FACTOR, is not the type of person with respect to whom any right of privacy is or could be recognized or lawfully invaded."

On January 4, 1960, Attorney ROBERT B. JOHNSTONE, in behalf of defendant RAY BRENNAN, filed a motion to dismiss an answer to the complaint and a counterclaim in which BRENNAN demands damages in the amount of \$150,000.00. The motion to dismiss is based upon the same grounds as the same motion filed by JOHNSTONE in behalf of the Merrick Lithograph Company. The counterclaim alleges that BRENNAN's reputation for accurate and excellent reporting is of the highest caliber. It goes into the description of the publicity given the book, "The Stolen Years" and the fact that he was a co-author. Because of this publicity the public knew that he was responsible for things stated in this book with reference to the plaintiff, FACTOR. The counterclaim alleges that FACTOR on November 23, 1959, willfully and maliciously with the intent to ruin BRENNAN's reputation as a reporter and his character and integrity, threatened to sue all who had any hand in distributing this book. A similar threat was made by FACTOR against NBC, CBS and ABC, inferring that BRENNAN had libeled FACTOR and thus damaging BRENNAN's reputation and depriving him of substantial royalties which otherwise might have been received from the sale of this book. Because of the threat against NBC, CBS and ABC several television appearances in behalf of the book that had been scheduled by BRENNAN were cancelled by the networks. BRENNAN, in his counterclaim, estimates that this resulted in a loss of the sale of approximately 100,000 copies of the book which in the contracted royalty payable to BRENNAN totaled \$25,000.00

The counterclaim makes malice the gist of this action and the prayer sets damages in the amount of \$150,000.00 and in the event these damages are not paid requests an order by the court taking custody of the person of FACTOR.

CG 62-4098

On January 5, 1960, the "Chicago Sun-Times" reported that THOMAS TOUHY, ROGER's 33 year old son of 62 Forest Boulevard, Park Forest, Illinois, was appointed administrator of his father's estate. The petition for probate asserts that TOUHY had no assets of any consequence at the time of his death except the anticipated royalties of his book, "The Stolen Years". Attorney THOMAS P. CERNAK is acting for the estate.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-86)

DATE: 1/14/60

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago letter dated 1/8/60.

On January 11, 1960, [REDACTED]

[REDACTED] all
defendants, save one, have filed their appearances.
The defendant "Easy Street" was to have filed by
January 11, 1960, [REDACTED] had not checked out
whether or not it did. b7c

The Fair is represented by Attorneys ROBERT
JOHNSTON, LESLIE H. VOGEL, CHARLES BARNHILL and DAVID
L. DICKSON.

Kroch's-Breutano's is represented by Attorneys
JOHNSTONE and BERNARD H. SOKOL.

Easy Street will be represented by JOHNSTONE.

All of the defendants have adopted JOHNSTONE's
motion to dismiss. This motion is described in referenced
letter.

Motions to quash the deposition notices
(described in referenced letter) were denied on January
8, 1960. On that same date Pennington Press was dismissed
as a party defendant by agreement upon Attorney JOHNSTONE's
representation that Pennington Press no longer existed
as a separate legal entity.

[REDACTED] FACTOR
is estopped from proceeding against TOM DUGGAN, the
West Coast TV Commentator, because of his own action.
The papers had already been prepared to file a suit b7c

2 - Bureau
1 - Chicago

EX - 124

REC-85 7-86-1113

23 JAN 18 1960

(3)

b7c

53 JAN 21 1960

CG 62-4098

invasion of privacy when FACTOR's counsel learned that about a week after DUGGAN's offensive TV program, FACTOR had purchased TV time and had appeared in rebuttal of DUGGAN's remarks. Under California law, such an act by the plaintiff deprives him of a cause of action for invasion of his privacy.

Office Memorandum • UNITED STATES GOVERNMENT

TO DIRECTOR, FBI (7-86)

FROM SAC, CHICAGO (62-4098)

DATE: February 18, 1960

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago letter dated 1/14/60.

73c

b7c

The "Chicago Daily Tribune", on February 10, 1960, reported that WILLIAM STEWART, one of the six convicts who escaped with TOUHY from the Joliet Prison in 1942 had had his 199 year sentence commuted to 27 years effective February 9, 1960. He is now eligible for parole in May, 1960. Governor STRATTON, in commuting his sentence, stated that he was doing so because "of the inequality and great deviation of penalties".

16

EX-130

REC- 82

7-86-1114
15 FEB 23 1960

② - Bureau
1 - Chicago

(3)

*b7c**b7c*

4221

52 MAY 17 1960

[Redacted]

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (7-86)

DATE: 1/17/61

FROM: *[Signature]* SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Remylet dated 11/7/60.

On 1/13/61 a review of the docket and the file in JOHN FACTOR's civil suit against TOUHY, ET AL, disclosed that the only development of possible interest since relet was the plaintiff's notice of 12/27/60 that a second oral deposition of PETER STEVENS was to be taken in San Francisco on 1/5/61. On the defendants' motion the court ordered that this second deposition be sealed, to be opened only upon the order of the court.

As of 1/13/61 this deposition had not been filed.

② - Bureau
1 - Chicago
[Redacted]

(3)

b7c

REC-113

7-86-1123

17 JAN 24 1961

b7c

1443
51 JAN 30 1961

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (7-86)

DATE: 3/28/61

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Remylet 1/17/61.

On 3/17/61, a review of the docket and the file in JOHN FACTOR's civil suit against TOUHY, ETAL, reflects that the second deposition of PETER STEVENS which was scheduled on 1/5/61, apparently was taken, for the docket showed that on 2/15/61 the court entered an order permitting Attorney MC GARR (for plaintiff) to remove the deposition for copying.

2 - Bureau
1 - Chicago

(3)

b7c

REC-93

7-86-1124

MAR 29 1961

b7c

68 MAR 31 1961

UNITED STATES

ENT

Memorandum

TO : DIRECTOR, FBI (7-86)

DATE: May 26, 1961

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago letter 3/28/61.

On May 17, 1961, a review of the docket and the file in JOHN FACTOR's civil suit against TOUHY ET AL, reflects that the second deposition of PETER STEVENS also known as GUS SCHAEFER was filed on April 3, 1961. This deposition concerned an affidavit made by STEVENS on February 14, 1938, which is set out in full in Note 6 of Judge BARNES' opinion of 1954, a copy of which is in possession of the Bureau. There is nothing in the deposition of any interest to the Bureau.

2 - Bureau
1 - Chicago

(3)

EX-116

REC-64

17 MAY 31 1961

JUN 1 1961

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (7-86)

DATE: October 10, 1961

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago letter to Bureau dated 5/26/61.

An examination of the docket and the file in the United States District Court Clerk's Office, Chicago, on October 3, 1961, revealed that although numerous motions and answers have been filed by all parties to the civil suit of FACTOR against TOUHY, ET AL, there is nothing to involve or interest the Bureau.

On June 2, 1961, a deposition was taken from BASIL BANGHART in Stateville Penitentiary. It was continued on June 12, 1961. On June 16, 1961, the court authorized its resumption on September 21, 1961. Each session was limited by the court to a couple of hours with long recesses because of BANGHART's heart condition. This deposition has not yet been filed.

2 - Bureau
1 - Chicago

(3)

b7c

DEPT. OF JUSTICE
OCT 11 1961

EX-116

REC-126

7-86-1127

OCT 18 1961

b7c

55 OCT 19 1961

Memo. *Adum*

TO : DIRECTOR, FBI (7-86)

DATE: 3/21/62

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Remylet 10/10/61.

A check of the docket and of the file in the office of the U.S. District Court Clerk on March 13, 1962 reflects that the deposition of BANGHART has not yet been filed.

On December 18, 1961, the Court authorized the taking of a deposition from ISAAC COSTNER in the U.S. Penitentiary at Atlanta. On January 24, 1962, this deposition was filed, but the file jacket does not contain it. A deputy clerk was unable to locate it and suggested the possibility that Judge ROBSON's office had taken it out.

The "Chicago Sun-Times" on March 1, 1962, described this deposition from COSTNER with headlines that COSTNER changed his story and now states that FACTOR actually was kidnapped. A prosecution witness at the trial, the paper went on to say, COSTNER gave an affidavit used at TOUHY's habeas corpus hearing before Judge BARNES to the effect that he knew nothing about the kidnapping and that he had been in Tennessee during the period that FACTOR was missing. He explains that he swore falsely in the BARNES affidavit because he was about to be released from prison and he feared TOUHY's friends would seek revenge against him if he told the truth. Now, the paper relates, he admits that he helped kidnap FACTOR along with ROGER TOUHY.

At such time that his deposition comes back to file in the U.S. District Court Clerk's Office, it will be reviewed as a check against the newspaper description of its contents.

2 - Bureau
1 - Chicago

(3)

REC-14

7-86-1128
13 MAR 23 1962

58 APR 5 1962

UNITED STATES

INMENT

Memorandum

DATE: May 23, 1962

TO : DIRECTOR, FBI (7-86)

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago letter dated 4/23/62.

The docket in captioned matter was reviewed on May 15, 1962. No action has been docketed since February 19, 1962.

A review of the file disclosed that the deposition of ISAAC COSTNER had been returned. This deposition was taken in the United States Penitentiary at Atlanta, Georgia on December 29, 1961. The FBI was not mentioned in any way.

It will be recalled that COSTNER gave a deposition in the habeas corpus proceeding before the late Judge JOHN BARNES in 1948 in which he deposed that his testimony in 1933 at the kidnapping trial of TOUHY, and others, that TOUHY had kidnapped FACTOR was false.

In this 1961 deposition he now states that the original 1933 testimony was true and that the 1948 deposition was false. He made the false 1948 deposition because he was about to be released from Leavenworth Penitentiary and he feared for his life if he were to depose that TOUHY was guilty.

In this deposition he denied having a recollection of any of the questions and answers in the 1948 deposition.

REC-27
DEPT. OF JUSTICE

ST-104

7-86-1130

18 MAY 28 1962

2 - Bureau
1 - Chicago

(3)

JUN 1 1962

bnc

UNITED STATES

GOVERNMENT

Memorandum

TO :

TO : DIRECTOR, FBI (7-86)

DATE: 10/5/62

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

Re Chicago letter dated 5/23/62.

The docket in the case FACTOR vs. TOUHY (deceased), et al was reviewed on October 2, 1962. Since referenced letter, there have been no developments of interest to the Bureau. The only action in the matter has been the filing of notices, orders, replies, etc.

Chicago will continue to follow and report developments in this case.

EX-100

REC-5

7-86-1131

U.S. DEPT. OF JUSTICE 10 OCT 8 1962

E.B.T.

OCT 11 3 08 PM '62

2 - Bureau
1 - Chicago

RECEIVED
GENERAL INVESTIGATIVE
DIVISION

(3)

b7c

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (7-86)

DATE: June 23, 1964

FROM : SAC, CHICAGO (62-4098)

SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDINGS

The docket in the case FACTOR vs. TOUHY (deceased), Et Al, was reviewed on June 17, 1964. There have been no developments of interest to the Bureau. It has not yet reached trial.

Chicago will continue to follow and report developments in this case.

2 - Bureau
1 - Chicago

(3)

*o-lt cy 12/7/64
b7c re status & report
audit*

EX-114

7-86-1132

REC-16

15 JUN 24 1964

U.S. DEPT. OF JUSTICE
FBI

JUN 24 10 32 AM '64

DIVISION
GENERAL INVESTIGATIVE
RECEIVED

58
JUN 26 1964

b7c

F B I

Date: 2/2/65

Transmit the following in _____
(Type in plaintext or code)

Via A I R T E L _____
(Priority)

TO: DIRECTOR, FBI (7-86)
FROM: SAC, CHICAGO (62-4098)
SUBJECT: ROGER TOUHY
HABEAS CORPUS PROCEEDING

The docket in the case FACTOR vs TOUHY (deceased), et al was reviewed on 2/1/65. On a motion of the defendants, the complaint was ordered dismissed with prejudice by the court on 12/23/64, after an enter of findings of fact, conclusions of law and judgment ordered. On 1/15/65 a notice of appeal was filed by the plaintiffs.

③ - Bureau
1 - Chicago
[REDACTED]
(a)

b7c

REC-1 7-86-1133

21 FEB 4 1965

C C - Wick

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN LOS ANGELES	DATE 5/24/61	INVESTIGATIVE PERIOD 5/1 - 22/61
TITLE OF CASE JAMES RIDDLE HOFFA; FIRST BERKELEY CORPORATION OF NEW YORK		REPORT MADE BY [REDACTED]	TYPED BY [REDACTED]
CHARACTER OF CASE MISCELLANEOUS - INFORMATION CONCERNING (ACCOUNTING AND FRAUD SECTION) (ACCOUNTING INVESTIGATION)			

REFERENCES: Report of SA [REDACTED] 4/28/61, at Los Angeles.
New York teletypes to Bureau, 5/1, 3, 9, 10, and 5/11/61.
Miami tels to Bureau, 5/2 and 3/61.
Los Angeles tels to Bureau, 5/2, 3, 9, and 5/10/61.
Los Angeles airtels to Bureau, 5/3, 4, 9, 11, 12, 15, 16, and 17/61 (2).
Los Angeles telephone call to Bureau, 5/3/61.
Report of SAA [REDACTED] dated 5/3/61, at Miami.
Bureau airtels to Los Angeles, 5/8 and 11/61.
Report of SAA [REDACTED] 5/11/61, at New York.
Bureau radiogram to Los Angeles, 5/15/61. *b7c*

- P -

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:		63-6666-55 REC-80	
3 - Bureau (63-6666) 2 - Chicago 2 - Las Vegas 2 - Miami (62-4573) 2 - New York (62-12556) 2 - San Francisco 3 - Los Angeles (62-5008)		MAY 29 1961 [REDACTED]	
Dissemination Record of Attached Report		Note	
Agency	1 RAB - Cum Ltr. O-6-D	[REDACTED]	
Request Recd.	att. Walter [REDACTED]	[REDACTED]	
Date Fwd.	1 utams by [REDACTED]	[REDACTED]	
How Fwd.	5/31/61	[REDACTED]	
By	[REDACTED]	[REDACTED]	

58 JUN 13 1961

LA 62-5008

LOS ANGELES

At Los Angeles, California

1. Will determine if [REDACTED] will agree to be reinterviewed. b7c

2. If after it is determined whether or not [REDACTED] will be reinterviewed and [REDACTED] is still unexplained satisfactorily, will interview [REDACTED] b7c b7d

3. Will interview [REDACTED] b7c b7d

4. Will conduct investigation at [REDACTED] b7d

5. Will conduct any appropriate investigation that results from outstanding leads.

- C* -

COVER PAGE

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET4

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

- ☒ Deleted under exemption(s) b7c b7D b3 with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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

- ☒ For your information: b3 - Rule 6E Federal Rules of Criminal Procedure
- ☒ The following number is to be used for reference regarding these pages:
63-6666-55 pp 1a, 19, 29-30

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

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SAA [REDACTED]
Date: 6/9/61

Office: CHICAGO

Field Office File No.: 62-5832

Bureau File No.: 63-5008

Title: JAMES RIDDLE HOFFA; [REDACTED]
FIRST BERKELEY CORPORATION OF
NEW YORK

Character: MISCELLANEOUS - INFORMATION CONCERNING
(ACCOUNTING AND FRAUD SECTION)

Synopsis: [REDACTED]

- RUC -

DETAILS: AT CHICAGO, ILLINOIS

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET2

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



Deleted under exemption(s) b7c b7D with no segregable material available for release to you.



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



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



Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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



For your information: _____



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

63- 6666- 66

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

FEDERAL BUREAU OF INVESTIGATION

Reporting Office LOS ANGELES	Office of Origin LOS ANGELES	Date 6/16/61	Investigative Period 5/26-6/16/61
TITLE OF CASE JAMES RIDDLE HOFFA; FIRST BERKELEY CORPORATION OF NEW YORK		Report made by [REDACTED]	Typed By: [REDACTED]
		CHARACTER OF CASE MISCELLANEOUS - INFORMATION CONCERNING (ACCOUNTING AND FRAUD SECTION)(ACCOUNTING INVESTIGATION)	

SECRET

REFERENCE: Report of SAA [REDACTED] dated 5/24/61 at Los Angeles.

Miami airtels to the Bureau 5/23, 24, 26, 29; 6/2 & 9/61.

Report of SA [REDACTED] dated 5/24/61 at Las Vegas.

Chicago airtels to the Bureau 5/26 and 6/5/61.

San Francisco airtel to the Bureau 5/29/61.

New York airtels to the Bureau 5/31, 6/1 to 6/8 & 6/12/61.

Bureau airtels to Chicago 5/31 and 6/8/61.

Los Angeles airtels to the Bureau 6/1 & 13/61.

Approved: <i>[Signature]</i>	Special Agent In Charge	Do not write in spaces below	
Copies made:		63-6666-76	REC-2
③ - Bureau (63-6666) 1 - Miami (62-4573) (INFO) 1 - New York (62-12556) (INFO) 3 - Los Angeles (62-5068) 1 - AAG - Crim. Div. att: <i>Walter J. Sheridan</i>		JUN 19 1961	EX-113

58 JUN 27 1961