



FEDERAL BUREAU OF INVESTIGATION

OSAGE INDIAN MURDERS

PART 4 OF 19

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TITLE AND CHARACTER OF CASE: W. B. SMITH, et als. Osage County, Okla. : Murders of Osage Indians.		
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FACTS DEVELOPED:
 At Pawhuska and other points. (K. C. #10675;
 (O. C. #7060.)
 Continuing, and referring to previous reports, entitled
 as above.

This is joint report for Agents T. F. Weiss and J. R. Burger, who
 are working jointly on cases.

ANNA BROWN MURDER.

June 2nd made investigation at Kansas City through MR. RILLIAN, 4811
 Troost Ave. and the people at 910 E. 13th but got no further trace of
 M. PIKE. Shall try to have PIKE brought to trial by the state on the
 now pending charge of highway robbery against him at Tulsa, Okla.

June 8th, FRED TILLMAN, attorney Pawhuska, informed Agent Burger
 that a certain MRS. NECIA KINNEY, wife of JOHN KINNEY, Osage Indian, is
 probably directly involved in the ANNA BROWN murder, for the follow-
 ing alleged reasons:

MRS. KINNEY is but the common law wife of JOHN KINNEY and now se-
 parated from him; she and JOHN KINNEY were living on his allotment, one
 one-half miles northeast of Belfort Bridge in

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
REFER TO:	COPIES OF THIS REPORT FURNISHED TO: 3 Washington; 3 file; 1 U. S. Atty., Okla. city. -1-	62-5003-90 BUREAU OF INVESTIGATION JUN 26 1924 DEPARTMENT OF JUSTICE ROUTED TO: FILE: RECORDED: JUN 28 1924 CHECKED OFF: JUL 19 1924 INDEXED:

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2 T. Weiss,

May 24 to June 20, 1924.

3 Osage County (note this location) in 1921, when ANNA BROWN was murdered

4 JOHN KINNEY was at that time having undue relations with ANNA
5 BROWN and spending much of his time in her company, both being Osage
6 Indians, while MRS. KINNEY is a white woman.

7 MRS. KINNEY is of a very violent disposition, having personally
8 assaulted different men on a number of occasions for fancied wrongs, and
9 on June 4, 1924 she shot a number of times at FRED TILLMAN at Guthrie,
10 Okla. shooting him from his rear and hitting him three times, twice in
11 the legs and once in the arm, using a pistol. She is also said to have
12 repeatedly horsewhipped JOHN KINNEY and kept him at work with a rifle.

13 TILLMAN states that MRS. KINNEY was insanely jealous of ANNA
14 BROWN and threatened that she was going to kill ANNA BROWN just a
15 short time before ANNA was killed.

16 That this threat was made to a certain woman at Fairfax, Okla.
17 whose name MR. TILLMAN has forgotten, but will procure and furnish to us

18 MR. TILLMAN stated further to Agt. Burger that he was attorney for
19 MRS. KINNEY and on one occasion asked her what she thought of the Fair-
20 fax murders, but did not mention ~~any~~ any particular one; that MRS.
21 KINNEY flew into a rage and asked TILLMAN if he meant to accuse her of
22 the murder of ANNA BROWN; that he pacified her and reminded her he
23 had not even mentioned ANNA BROWN'S name to her.

24 TILLMAN states that MRS. NECIA KINNEY lives at 104 State St.,
25 Wichita, Kans. [REDACTED] B7C

26 That HUGH K. REA, attorney at Wichita, is attorney for JOHN KINNEY
27 and will gladly assist Agents in every way possible.

28 That JOHN KINNEY is separated from MRS. KINNEY but living at
29 ta, but kept "hid out" because of fear that MRS. KINNEY will kill

30 That HUGH K. REA, however, is in touch with MR. KINNEY and can

2 T. Weiss. ~~From~~ May 24 to June 20 1924. 3

4 have KINNEY meet Agents. 5

6 Agents will investigate this MRS. KINNEY angle thoroughly for the
7 main reason that she and JOHN KINNEY lived near Belfort Bridge at the
8 very location [redacted] states BRYAN BURKHART told [redacted] that BRYAN
9 BURKHART and ANNA BROWN met J. L. BRIDGES, GEORGE JAMES and EDITH
10 DAVIS, about 9 P. M. the night of May 21, 1921 (when ANNA BROWN was
11 murdered) and it now appears possible that MRS. KINNEY and BRYAN BURK-
12 HART may both have had a hand in ANNA BROWN'S murder. MRS. KINNEY,
13 according to MR. TILLMAN, owned a .32 calibre pistol at that time as her
14 husband, JOHN KINNEY, knows. 15

16 June 12th Agents proceeded to Wichita and made appointment with
17 HUGH K. REA for next day re. this case. 18

19 J. H. WILKINSON, Spiritualist at Wichita, Kans. is said to be ad-
20 vising MRS. KINNEY, as she is a great believer in spiritualism. WILKIN-
21 SON is said to have advised her to kill FRED TILLMAN, who, she claimed
22 has laid a "spell" on her. 23

24 June 13th. These Agents at Wichita, Kans. interviewed HUGH K. REA
25 attorney, 205 Fourth Natl. Bank Bldg. MR. REA is attorney for JOHN
26 KINNEY, husband of MRS. KINNEY, named above. 27

28 MR. REA called JOHN KINNEY to the office and instructed KINNEY to
29 talk freely and fully to us and furnished us a room to talk privately in
30

31 JOHN KINNEY is a full blood Osage, about forty years of age, hard
32 of hearing, slow of speech but quite intelligent and speaks English very
33 well indeed. KINNEY however plainly is of weak will power. He impressed
34 us very favorably by his desire to be truthful and just in his state-
35 ments and talked freely with us for three or four hours. 36

37 JOHN KINNEY stated that he and his wife are now separated; that
38 she is a white woman about forty years old; that they have been married
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4 about fourteen years and have no children; that he owns two and one-fifth
5 headrights in Osage Tribe; that he is not restricted and did own about
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8
9 1,650 acres of land in Osage County and a large sum in Liberty Bonds.

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11 That during the last few years he has given said wife, at her re-
12 peated requests and for the alleged purpose of safety of the property,
13 in trust for them both, Liberty bonds and money in the aggregate sum of
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15
16 between \$65,000.00 and \$85,000.00 which she still has; that he has also
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18
19
20 ~~made~~ deeded to her 1,500 acres of his land; that he has also made a
21 will which she has by which she is ~~kin~~ given his entire estate at
22
23 his death.
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25
26 That he and she having not been friendly for several years, though
27
28 living together at times, now have an agreement that she is to get a
29
30 divorce, keep all the lands and other property he has given her and in
31
32 addition get \$100.00 per month alimony from him; that she was peniless
33
34 when he married her, and the property he has and has given her was all
35
36 acquired by him by inheritance and by reason of his Osage blood, and
37
38 Indian rights.

39
40 It will thus be seen that JOHN KINNEY is badly in need of an honest
41
42 guardian and attorney to look after him and his property rights at once
43
44 as his wife is of violent, desperate and erratic character.
45

46 JOHN KINNEY stated further that some years ago he married ANNA
47
48 BROWN who was murdered near Fairfax in May, 1921; that however this
49
50 marriage was annulled because of his then valid existing common-law
51
52 marriage to his present wife, referred to above.

53
54 That his wife appeared jealous of ANNA BROWN and was unfriendly
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56 to her; that on one occasion this wife asked him if he thought more of
57
58 ANNA BROWN than he did of her and he told her "no"; that she replied
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2 T. Miss.

3 May 24 to June 20, 1921

4 that if he did he was liable to be killed some time while out on a drink-
5 ing party with ANNA BROWN, but did not say who would kill him.

6 JOHN KINNEY stated that in May, 1921 he and his wife lived on his
7 farm, about one and a half miles northeast of Belford Bridge in Osage
8 County, but that neither ANNA BROWN nor BRYAN BURKHART was ever at
9 that place, so far as he knew; that he never heard his wife threaten
10 any harm to ANNA BROWN; that his wife did not possess any pistol in
11 1921 that he knew of.

12 JOHN KINNEY stated that he had no reason to believe his wife impli-
13 cated in ANNA BROWN'S murder and that she told him several times
14 that she believed BILL HALE and the BURKHARTS were responsible for
15 ANNA BROWN'S murder as they wanted her death before LIZZIE Q died, so
16 that ANNA'S property would go to LIZZIE Q, ANNA'S mother, who
17 had a will giving nearly all her property to the ERNEST BURKHART family

18 JOHN KINNEY showed a surprising knowledge of amount and descent of
19 the ANNA BROWN, LIZZIE Q and family property, and stated that he also
20 believed the HALE-BURKHARTS were responsible for ANNA BROWN'S murder
21 but that he had no evidence to that effect, as all the Indians were
22 afraid to tell anything.

23 JOHN KINNEY stated further that his wife is very courageous and has
24 had several fights with white business men such as merchants, guardians
25 and bankers in Osage County; that however he knows that there was jus-
26 tification for her in these affrays as in several of the cases she was
27 trying to prevent Indians being grafted by these men, naming CHAS. ASH,
28 BROOK and others.

29 JOHN KINNEY stated also that during the last year or so his wife has
30 seemed to have a strong belief in spiritualistic mediums and has been
31 telling him some strange and weird things; that she has had employed

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4 J. A. GUSTAFSON detective, Kansas City, Mo. a man whom she called WIL-
5 KINSON another whom she called WILLIAMS and another whose name he did
6 not learn; that she told him these men were detectives and that WILKIN-
7 SON was a Spiritualist, and informed her that FRED TILLMAN and others at
8 Pawhuska were going to lay a spell on KINNEY and have him kill her;
9 that WILKINSON also told her that FRED TILLMAN has put a spell on her;
10 that she told KINNEY that on one occasion she was in TILLMAN'S office
11 at Pawhuska and FRED TILLMAN "mesmerized" her and had her sign a deed
12 by which she conveyed to FRED TILLMAN the $\frac{1}{2}$ 1,500 acres of land JOHN
13 KINNEY had deeded to her, as stated before.

14 KINNEY stated that MRS. KINNEY related that FRED TILLMAN on that
15 occasion told her she could not raise her hands, and when she tried to
16 do so, she could not move; that TILLMAN then commanded her to sign the
17 said deed to said land and she obeyed because of the "spell" TILLMAN
18 had laid on her.

19 KINNEY stated that she kept telling him that he was possessed with
20 a demon and took him to Kansas City to see a noted Spiritualist who
21 would call up spirits from Osage County, and that this Spiritualist
22 would drive the demon out of him, KINNEY.

23 KINNEY stated that he went to Kansas City with his wife to see this
24 Spiritualist whose name is WOODS, and who lives on Paseo Ave., beyond
25 Electric Park; that WOODS told him to keep him, WOODS in mind all the
26 time, etc., and have faith, but that he, KINNEY, did not believe in
27 such foolishness and told WOODS so, and nothing came of it.

28 That he, KINNEY, was in a hospital at Kansas City and his wife had
29 JOHN GUSTAFSON do some work in Osage County for her and GUSTAFSON and
30 wife came to the hospital twice and took him and MRS. KINNEY out riding;
31 that MRS. KINNEY said she had GUSTAFSON hired to see if FRED TILLMAN
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4 had put the deed to the land on record. (This detective "WILKINSON" is
5 said to be the man who advised MRS. KINNEY to shoot FRED TILLMAN.)
6
7

8 JOHN KINNEY states he is afraid his wife will kill him some time;
9 that she has attacked him many times and keeps talking about spirits
10 and demons and "spells" all the time and has him arrested on false
11 charges, etc.; that he wants to be freed from her and is willing to do
12 so even at the cost of letting her keep the 1,500 acres and all the li-
13 berty bonds and money she has gotten from him.
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19 JOHN KINNEY states that his wife seemed to be a good honest woman
20 until a few years ago and made many enemies because she took an interest
21 in numerous cases where the whites were grafting the Indians, she taking
22 the Indians' side, but that she has changed.
23
24
25
26
27

28 That shortly after GEORGE BIGHEART'S mysterious death in a hospital
29 at Okla. City he, KINNEY, heard ELIZE BIGHEART, the widow of GEORGE,
30 telling MRS. KINNEY that BILL HALE had taken GEORGE BIGHEART to a hos-
31 pital at Okla. City and had induced GEORGE BIGHEART to sign a deed
32 conveying a lot of land to BILL HALE. KINNEY stated that ELIZE BIG-
33 HEART was appealing to MRS. KINNEY for help in this matter, but MRS.
34 KINNEY refused and told ELIZE BIGHEART "I won't do it. You Indians are
35 all cowards. I have taken your parts in many of these cases, and you
36 Indians don't stand by me, and I get myself into trouble".
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47 (No deed to his land has ever shown up, but the rumor persists
48 from many quarters that it was secured by HALE. ELIZE BIGHEART has no
49 principle and is said to be accepting presents from HALE and refusing
50 to tell anything.)
51
52
53
54

55 JOHN KINNEY states that the man at his home when JEFF HUTCHINSON
56 served notice of suit by E. B. SHEPHERD against JOHN KINNEY was F. L.
57
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600

ROBERTS: that ROBERTS is still on KINNEY'S farm near Belford Bridge.

JEFF HUTCHINSON is said to claim that MRS. KINNEY had this man ordered to kill HUTCHINSON at that time, but KINNEY says he knows nothing of that and don't believe it.

That the detective WILKINSON told him, KINNEY, that the spirit talk was all bunk; that WILKINSON is said to work out of the detective office of A. V. STEPHENSON or STEVENS, Fort Worth, Tex.

The rather long account of JOHN KINNEY'S statements are set forth for two reasons.

The main one is that MR. and MRS. KINNEY did live about a mile and a half northeast of Belford Bridge in May, 1921 when ANNA BROWN was killed, which is the location of the place that E. M. PIKE states BRYAN BURKHART told him was where BRYAN BURKHART and ANNA BROWN met J. L. BRIDGES, GEORGE JAMES and EDITH DAVIS the night ANNA BROWN was killed.

There is a possible connection here, that will have to be traced out

The other reason is that H. C. HARGIS, FRED TILLMAN, J. S. SIMPSON ED SCHENCK and others keep insisting that MRS. KINNEY is implicated in ANNA BROWN'S murder, though none of them has produced any evidence to that effect, and the only motive assigned is jealousy.

There is no doubt that MRS. KINNEY is a desperate character and determined to get a small fortune out of JOHN KINNEY by any means she deems necessary.

MRS. JOHN KINNEY has made many enemies among the whites in Osage County. She was not to be found when we were at Wichita on the 13th of June, but we will locate and interview her fully as soon as possible. It is possible that she may be of great assistance to us, if so inclined or persuaded.

June 13th, interviewed ED SCHENCK, 1608 S. Waco, Wichita, Kan.

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5 who was evasive and unsatisfactory in his talk, possibly due to his age
6
7 72 years. He declared the woman WM. SHAW had in mind was LUELLA HALLETT
8
9 but stated that she was unreliable and no account and had told him
10
11 nothing.

12
13 ED SCHENCK has also changed his theory of this murder, so he sta-
14
15 ted, and expressed a belief that MRS. KINNEY was implicated in it, but
16
17 SCHENCK could not or would not give any reason, motive or information
18
19 to support his new theory.

20
21 Interviewed HUGH K. REA, attorney for JOHN KINNEY, but MR. REA had
22
23 nothing to add to what KINNEY told us, but promised to assist us all
24
25 possible.

26
27 June 19th, interviewed LAURA CONN, who now lives with her father,
28
29 SILAS CONN at Washunga, Okla. LAURA CONN stated in brief that she never
30
31 did say that ROSE OSAGE told her that JOE ALLEN, alias JIMMY HICKS
32
33 killed ANNA BROWN and that she, LAURA CONN, never did say that JOE
34
35 ALLEN told her that ROSE OSAGE killed ANNA BROWN.

36
37 LAURA CONN stated that JEFF HUTCHINS took her from Kaw City to
38
39 Fairfax and there another man wrote up a statement in which she pur-
40
41 ported to state that ROSE OSAGE told her, in the Foley Hotel at Fair-
42
43 fax, that JOE ALLEN killed ANNA BROWN and that JOE ALLEN told her,
44
45 LAURA CONN, that ROSE OSAGE killed ANNA BROWN; LAURA CONN stated to
46
47 agents that she told JEFF HUTCHINS and the other man at the time that
48
49 this was not true, but they had her sign the statement anyway.

50
51 LAURA CONN stated further that JOE ALLEN and ROSE OSAGE both did
52
53 tell her that they pawned a ring of ANNA BROWN'S at Wynona, Okla.
54
55 for some whiskey but did not say to whom and did not say how or when
56
57 they got this ring. Also that JOE ALLEN did tell her, LAURA CONN,
58
59

60

6 that he and ROSE OSAGE were in FANNIE LASLEY'S car, had a blowout and
7 stopped SAM TULK and another man for assistance; that ANNA BROWN'S
8 shoe was in the FANNIE LASLEY car at the time and TULK asked about it,
9 and JOE ALLEN told him it was ROSE OSAGE'S shoe and JIMMIE HICKS said
10 he would not have stopped TULK if he had known who he was.

11 Also that ROSE OSAGE nor JOE ALLEN nor anyone else has questioned
12 her, LAURA CONN, since she was at Fairfax as a coroner's witness in
13 1921 and that she has never testified nor told that JOE ALLEN or ROSE
14 OSAGE told her who killed ANNA BROWN.

15 It appears almost certain that there is nothing to the theory that
16 JOE ALLEN or ROSE OSAGE had any part in ANNA BROWN'S murder.
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4 T. F. Weiss.

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10 May 24 to June 20, 1924.

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11 HENRY ROAN MURDER.

12
13 May 28th, DICK GREGG was taken from Pawhuska to Sedan, Kans. by
14 Sheriff BUCKLES of Sedan to answer to a charge of robbing a bank at
15 Elgin, Kans. (DICK GREGG is the man who we have been informed from three
16 separate and unconnected sources to and did murder HENRY ROAN, name-
17 ly, FRANK TERRELL, IKE OGG and DICK STODDER). We will question DICK
18 GREGG and JACK HART as soon as possible.

19
20 June 2d arranged with [redacted] in Leavenworth prison
21 that he will get what he can out of JACK HART and report to Agents when
22 Agents call. [redacted] but very friendly to
23 Agent Weiss and HART has made some talk to [redacted] and evinced a de-
24 sire to be confidential with him for several months past.

25
26 Agents have been trying to get DICK STODDER [redacted] his informant
27 who claims that DICK GREGG killed HENRY ROAN for BILL HALE, and that
28 JACK HART knows it, and heard the deal made between DICK GREGG and BILL
29 HALE, but STODDER declares [redacted] will not consent to meeting
30 Agents or having his name made known through fear.

31
32 June 3d at Ponca interviewed JAMES AUTIN 19 years old who had told
33 CHANCE FRAZIER that he, AUTIN, knew all about who killed HENRY ROAN
34 and the SMITHS and why it was done.

35
36 JAMES AUTIN is intelligent, but shifty. However, Agent Weiss who
37 interviewed AUTIN believes AUTIN'S story is probably true, so far as
38 AUTIN is concerned, but that AUTIN'S informants were just telling AUTIN
39 some boastful lies to impress him. AUTIN'S statement, in material sub-
40 stance, is that:

41
42 AUTIN had some illicit business with one DUFFIELD, alias DUFFEY
43 and BLACKIE and CURLBY in 1923.

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