

Acting Director.

-2-

penitentiary, Lansing, Kansas, being held on the bank robbery charge committed at Sedan, Kansas, and has not yet been tried, and that Dick Gregg and his relatives are willing to furnish them all information that they are able to obtain with respect to these murders. Also, that they have made arrangements with some other law violators and underworld characters to secure certain information for them.

That Grady Drake, who was convicted at Denver of automobile theft, and is now paroled to the Sheriff at Perry, Okla., was propositioned to commit some of these murders, but that to the present time they have not been able to make proper connections with Grady Drake to cause him to tell the truth of what he knows about these murders, and that this matter is now receiving their attention and they hope in a short time to obtain valuable information from Grady Drake.

You will also note that Osage Indian Superintendent J. Geo. Wright and Mr. Woodward, the attorney for the Osage Tribe, have recently been to Washington and have examined the reports of these Agents, and are anxious that the investigation continue, and also have hopes that the investigation will ultimately be successful. Also, that they have agreed to furnish and as a matter of fact have already furnished a Ford car and the upkeep of same for the use of Agents Weiss and Burger as they continue the investigation.

I realize that this has been a very long, drawn-out and extensive investigation, as well as expensive. Agents Weiss and Burger state that they feel confident that they will ultimately be able to secure the evidence which will warrant conviction in some of these cases, but they of course cannot and neither can I state how long it may take them to secure said evidence.

I will state that Agents Weiss and Burger are confident that they can complete this investigation satisfactorily, and I know of no Agents in this service in whose ability I place more confidence than in these two Agents, and will state that I believe if these murders can be solved, that they can ultimately solve them.

Knowing as I do that this has been a long, drawn-out investigation, with the statement above, I leave it entirely to you to state whether or not the investigation should be continued or discontinued.

Very truly yours,

James C. Lindley: Spec. Agt. in Charge.

649

THIS CASE ORIGINATED AT

Director:

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT:

Oklahoma City

DATE WHEN MADE:

July 12, 24

PERIOD FOR WHICH MADE:

July 1 to 10

REPORT MADE BY:

T. F. Weiss.

TITLE AND CHARACTER OF CASE:

W. E. SMITH, et als.

Osage County,  
Oklahoma: Murders of Osage  
Indians.

FACTS DEVELOPED:

At Oklahoma City, Okla.

62-5033 (O. C. #7060.)

REFERENCE: To all previous reports, this file,  
captioned as above.

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

RE: MURDER OF W. E. SMITH, et als.:

On July 1st, interviewed CHAS. JOHNSON, Assistant County Attorney, Fairfax, who stated that JOHN WARD of Fairfax had recently been told by WHITEY TINKER, son of ED TINKER, that he, WHITEY TINKER, was taken home at Fairfax by KELSEY MORRISON the night BILL SMITH'S house was blown up.

This is the first time we have heard of this from WHITEY TINKER and MR. JOHNSON states TINKER did not tell it until a few days ago. We have talked to ED TINKER, father, numberless times during the past nine months and he never mentioned this, though he spent several months co-operating with HERMAN FOX DAVIS, JOHN MORAN, BILL BRACKETT and other detectives on this case, and spent a lot of money.

Arranged with CHAS. JOHNSON that he will

DO NOT WRITE IN THESE SPACES

APPROVED AND  
FORWARDED:

M. D. Bolling

SPECIAL AGENT  
IN CHARGE

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

3 to Washington; 3 file;  
1 U. S. Atty., Okla. City.

-1-

|                         |      |                      |
|-------------------------|------|----------------------|
| 62-5033-96              |      | RECORDED AND INDEXED |
| BUREAU OF INVESTIGATION |      | JUL 21 1924          |
| JUL 17 1924             |      | CHECKED JUL 28 1924  |
| DEPARTMENT OF JUSTICE   |      | INTELLIGENCE         |
| ROUTED TO:              | FILE |                      |
| HOOVER                  |      |                      |

650

T. F. Weiss.

July 1 to 10, 1924.

-2-

see that HITMY TINKER talks directly to us Agents.

MR. CHAS. JOHNSON also stated that some men had come from Bristow to Fairfax, Sunday to try to identify MORRISON as one of the Bristow bank robbers, but had not done so, although they stated the height and voice were similar; that MORRISON was taken to Bristow Sunday night in order to see if anyone there could identify him in connection with the Bristow robbery. MORRISON heard on the 25th of June that the Burns men were claiming he was connected with that robbery and called CHAS. COOK Sheriff at Pawhuska, on that date and went to see him and offered to surrender but was informed by Cook that he did not want him.

July 1st interviewed D. H. at Webb City, who stated that CHAS. QUICK is now staying with JACK HUDDLESTON at Webb City, Okla. and that MRS. HUDDLESTON told [redacted] that CHAS. QUICK is worried, because BLACKIE THOMPSON is out and QUICK suspects BLACKIE is getting evidence on QUICK.

[redacted] states that BURLEY JOHNSON is wanted on a warrant from McAlester, Okla. for auto theft and that he, [redacted], fully believes JOHNSON knows a lot about these SMITH murders, as JOHNSON, in fact told [redacted] on one occasion that he does. [redacted] who has known JOHNSON for years, states that he will go with Agents to JOHNSON, now that JOHNSON has eighteen months to serve in Leavenworth and believes that together we can induce JOHNSON to tell us all he knows.

[redacted] also stated that "SHANTY" mentioned by T. R. is really MERLE KESSLER, and that KESSLER is an outlaw now living at Webb City and was shot last fall by another outlaw known as "The Millionaire Kid". Also that JACK HART was around there at the time (This may be connected

651

with the proposition by HART to T. R. that he and SHANTY are to bump a certain party off.)

[REDACTED] also reiterated that in 1919 BILL HALE proposed to him and WALTER DOOLEN that they highjack BILL SMITH and hi-jack a man at Pawnee out of two fine diamonds, and turn them to HALE, and also proposed they rob a certain widow and kill the negro whom she had working for her at the time; that HALE told them this widow kept \$9,000.00 at her house in the country and they could "cuff her around" till they got it. B7D

On this date, July 1st, Chief of Police HERMAN at Bristow informed Agents that KELSEY MORRISON was identified today as one of the bank robbers and that charges had been filed and MORRISON taken to the Sapulpa jail.

JIM BOWWELL is in Webb City. He is lame from wound received when he was robbing the Grenola, Okla. bank with other men about a year ago. [REDACTED] states he knows this to be a fact, and today offered, in the presence of Agents to MR. SINGULAR, an officer of said bank, to arrest BOWWELL for identification, but MR. SINGULAR, for some reason, declined saying he would see the Sheriff, but at the same time saying he was aware that BOWWELL was shot as stated.

July 2d. Interviewed KELSEY MORRISON in jail at Sapulpa. MORRISON stated that the man, SYMONS, of the robbed Bristow bank has claimed to be able to state positively that MORRISON was one of the men who robbed the bank there June 4th.

MORRISON gave Agent Weiss a complete account of his whereabouts, movements and associates June 3d, 4th and 5th, and this is being

152

T. F. Weiss.

July 1 to 10, 1924.

investigated by BILL BRACKETT for MORRISON and Agents.

MORRISON states that while he was in jail at Fairfax June 26th an automobile theft man informed him confidentially that BILL HALE was also having MORRISON held in jail to get off his bond and he, MORRISON is convinced HALE is framing on him in the Bristow bank robbery.

July 3d. Drove to Oilton to see BLACKIE'S mother-in-law but found her and family gone to Stroud for the Fourth of July, so the neighbors stated.

Agent Burger reports J. H. POWELL was unable because of illness to accompany MR. BURGER to Lansing to see DICK GREGG.

DICK GREGG at Lansing prison on July 2d declined to tell Agent Burger direct but stated that if BLACKIE will even tell DICK GREGG'S father that to clear up these murders will set BLACKIE free, then he, DICK GREGG, will tell his father, who can tell us, and that it will be easy to get it all from what he knows and will tell under these conditions.

[REDACTED]

[REDACTED]

[REDACTED]

### ALL Deletions

DICK GREGG is not acting hostile and remarked when off guard, "If you will get CURLEY JOHNSON and squeeze him hard he will squeal".

[REDACTED]

[REDACTED]

THEODORE ROSELLE stated to Agent Burger that he had written a letter for JACK HART to "SHANTY BESSLER" at Webb, wherein HART demanded money, saying he had taken the fall for them.

ROSELLE stated he also learned that HART had mentioned to CLIDE

653

W. T. F. Weiss.

July 1 to 10, 1924.

-5-

PHILLIPS doing some "jot" to make some money when they got out.

PHILLIPS is ROSELLE'S partner.

ROSELLE stated that he has had very little opportunity to get intimate with HART, having only the noon hour, when others were about, but it was today arranged with Warden BIDDLE to have HART and ROSELLE made cell mates.

J. H. POWELL has promised to influence DICK GREGG'S father to get DICK tell him, the father, and Agents all DICK GREGG knows about these murders.

June 3d. Chief of Police HOWARD at Pawhuska stated to Agent Weiss that one CLARK, a Pinkerton man, from Dallas has been working on the Bristow bank robbery and has talked to KELSEY MORRISON that said CLARK told HOWARD that he, CLARK, has checked MORRISON'S story at Pawhuska, Hominy, Fairfax, Barnsdall and Bartlesville and finds it true, and is convinced MORRISON was not in said robbery but that "seven of those old nesters at Bristow have said they identify MORRISON".

Received letter today, July 3d, from new Special Agent in Charge at Okla. City W. D. Bolling for Agents to meet him for a conference in Okla. City July 5th, which will be done.

B7D

July 4th. Drove to Shidler and learned from [REDACTED]

[REDACTED] that BLACKIE has not been seen there since

June 26th. [REDACTED] stated that about that date BLACKIE was at her place for about two hours, with BURR HEAD GROVER GADY and two young men rather small, whom she did not know (this verifies McFARLAND'S statement)

At Perry Agents arranged with BILL RICKER, Sheriff, and GEORGE FOSTER, Undersheriff, for them to call us when they have gotten GADY

654



T. F. Weiss.

July 1 to 10, 1924.

M. DRAKE in. They have written him a letter to come in and see them, as he is paroled to MR. RICKER and they will try to get DRAKE to tell them all he knows, and hold him in jail if he refuses.

Saw ODE BROWN at Pawhuska but he had no new evidence, but states that JAMES AUTEN is very "high" on Agent Weiss. Will see AUTEN as soon as possible, as he has promised to get some evidence.

FRED TYNDALL, alias WETUMPKA, is the crooks' hangout at Shidler.

July 5th, conferred with W. D. Bolling, Spec. Agent in Charge at Okla. City. re these cases, was also informed at night, over long distance telephone by JOHN MORAN that ~~ALL Deletions~~ <sup>B7D</sup> ~~Confidential Information~~

has just been in Pawhuska to tell us that on July 3d BLACKIE was at Shidler and is evidently staying in Osage County ( )

( ) that BLACKIE still has as his companions the two young fellows, identity not known.

June 6th at Sapulpa, LOREN M. WILSON, police dept., informed Agent Weiss that he had information from Drumright to the effect that BLACKIE THOMPSON was one of the three bandits who robbed the bank at Avery, Okla. about 2:30 P. M. and about an hour later killed a local officer near there and shot JACK AIREY, Chief of Police of Drumright three times, and got away. WILSON was unable to tell how these bandits identity had been ascertained, but did state the three men were dressed in khaki unionalls, and the woman with them in slickers (looks bad; will be investigated). We left word at Webb City, Okla. with an under cover officer there, some five days ago, ( )

1055

No one at ~~his~~ Sheriff's office at Sapulpa, so was unable to see WELSH MORRISON.

July 7th. Had long talk with ABNER BRUCE, Sheriff at Sapulpa, who is quite friendly to Agent Weiss.

MR. BRUCE added, however, that WELSH MORRISON, within the last few days, told MR. BRUCE personally that some time ago MORRISON, BLACKIE THOMPSON and FLOYD JARRETT were talking with BILL HALE, and that HALE remarked to them in substance that as they were all wanted men or fugitives, it looked to him that the thing for them to do was to stick up some banks and leave the country.

Agent Weiss had a long talk today with MORRISON, but MORRISON denied the above statement and denied it was true.

MORRISON is frightened out of his wits, and pretended he could not remember what it was he promised Agents on June 26th to tell regarding these murders. He did tell Agent Weiss today that he, MORRISON, knows FLOYD JARRETT well, and described him, which is significant as MORRISON has twice heretofore claimed he never saw and did not know FLOYD JARRETT. MORRISON will have to come clean with Agents, and we hope he will as soon as he gets over his present scare, and see where his ~~heart~~ ~~is~~ bread is buttered.

ABNER BRUCE stated that none of the four officers in the fight with the bandits June 2d had recognized any of the bandits, but that a farmer named HIRBY, living near there, and near where their abandoned car was found, had stated that three men and a woman, dressed like and answering the description of the bandits, had stayed at his place for four or five days preceding the robbery and had left the morning of

656



July 1 to 10, 1924.

5 the robbery; that these people had a Ford touring and a Ford coupe.

6 Also that KIRBY had positively identified a picture of BLACKIE  
7 THOMPSON as one of these people, and had stated that he was called  
8 "BLACKIE" by the others. That KIRBY claimed to not know the names of  
9 any of the others.  
10  
11  
12  
13  
14  
15

16 MR. BRUCE also stated that he had arrested MRS. GEORGE HOPKINS  
17 (BLACKIE'S mother-in-law) and her 17-year-old daughter, GEORGIA, at  
18 Oilton, and that they both told him that on July 2nd, VIRGIE, BLACKIE'S  
19 wife, had left this mother's home in Oilton between 1 and 2 PM driving  
20 a Ford touring car and that she, HOPKINS, had cried and begged VIRGIE  
21 not to go.  
22  
23  
24  
25  
26  
27

28 MR. BRUCE states that he has ascertained that BLACKIE and these  
29 two young men and BURR HEAD CADY are making headquarters at Shidler,  
30 and that MR. BRUCE has an inside man there watching for them. MR.  
31 BRUCE states he gets no assistance from the county authorities in Osage  
32 county, but expects to catch BLACKIE at Shidler by his, BRUCE'S, own  
33 efforts; that he is convinced BLACKIE was in the gang that killed LEN-  
34 NOX and wounded JACK AIREY near Drumright June 2, 1924.  
35  
36  
37  
38  
39  
40  
41

42 Agent Burger interviewed BILL RICKER, Sheriff, at Perry again on  
43 July 6th but RICKER stated GRADY DRAKE has not come in to report to  
44 him. RICKER promised to get hold of DRAKE at the earliest possible  
45 time and phone Agents at Pawhuska.  
46  
47  
48  
49

50 Confidential Informant from Shidler states that a lot of detect-  
51 ives and officers are looking for BLACKIE at Shidler.  
52  
53

54 July 8th drove to Oilton but found MRS. HOPKINS and GEORGIA gone.  
55 ROY COLGLAZER, 17 years old, who lives with them, informed Agents that  
56  
57  
58  
59  
60

457

T. F. Weiss.

July 1 to 10, 1924.

-9-

MRS. HOPKINS has been held in jail at Drumright since July 3d in connection with the Avery bank robbery. He claimed to not know much about the matter, but stated that he had heard that BLACKIE and VIRGIE were being accused of being in the robbery and being hunted. COLCLAZER indicated that he suspected that BLACKIE and VIRGIE were really in on the robbery.

B7D

B7D

July 5th Agent Weiss interviewed S. J. LAMKINS, HENRY MAJORS and MRS. F. L. POOR and learned that BLACKIE and his wife were seen together by MRS. POOR at Shidler in company with TODD WARD, about 11 PM July 8th, visiting a joint.

HENRY MAJORS states that he knows positively that the Avery bank robbery was framed by two men and a woman at Pawhuska and that they stole a Hudson car in Pawhuska to do the job and that BLACKIE THOMPSON and his wife VIRGIE had no part whatsoever in the Avery bank deal.

MAJORS stated further that he talked to BLACKIE at Shidler about two weeks ago

that BLACKIE did tell him,

458

F. F. Weiss.

July 1 to 10, 1924.

-10-

MAJORS that his, BLACKIE'S slate was cleaned and he was going to keep it clean and positively would not be implicated in any more jobs.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

MAJORS also promised to learn and give us the names of the men and woman who did the Avery robbing and killing (but we do not bank very strongly on MAJORS).

At Pawhuska, Chief of Police HOWARD stated that a Hudson speedster was stolen from DORA NEAL, who lives near Pawhuska, the night of June 23, 1924 and has not been recovered.

July 9th, Agent Burger drove to Tulsa to work on MRS. EDITH DAVIS, 40 N. Yorktown, and on ELSIE MORRISON at Sapulpa.

BILL BRACKETT reported that he had traced KELSEY MORRISON'S movements for June 3, 4, and 5th <sup>per</sup> Agents' instructions, and finds MORRISON was in Bartlesville and Pawhuska June 4, 1924 from 12:20 AM to about 5 PM and that E. W. HAZLETT, police sergeant, stated to him that he, HAZLETT, knows personally that MORRISON was in Bartlesville, Okla. about 3 P. M. June 4th, at the time the Bristow bank was being robbed, so that MORRISON could not possibly have been one of the robbers, etc.

June 9th, A. J. COMSTOCK reported that JIM PARTER had informed him that ELSIE MORRISON had plead guilty to robbery of Bristow bank, June 4th and had been sentenced to thirty-five years. A. G. MATTESON also reported on July 9th, WALTER GRAY attorney of Fairfax, informed MATTESON that MORRISON had plead guilty to this charge.

659

But BILL BRACKETT and Agent Burger saw MORRISON at Sapulpa, in jail, on the 9th and 10th of July and find that MORRISON had not plead guilty and is not guilty. Agent Burger personally saw MORRISON in Pawhuska June 4th about 4 P. M., the day the Bristow bank was robbed at 3 P. M. (This settles that MORRISON is innocent).

HENRY MAJORS states that a tall, medium built man, name not given, told MAJORS that he, said man, had been to see DICK GREGG at Lansing to get some evidence and that DICK GREGG had told him to go to h--l.

July 9th and 10th, Agent Burger tried to get in touch with EDITH DAVIS at Tulsa, but found she was not at home and was informed that she had "gone to the country" for a few days.

Agent Burger also interviewed ELSIE MORRISON in jail at Sapulpa on the 10th, but got no new information on these cases.

## SUMMARY:

July 1st to July 10th.

Agents' time for these ten days mostly occupied in keeping track of ~~XXXXXX~~ [REDACTED] B7D

Dick Gregg, off guard, told Agent Burger that Curley Johnson knows and can be made to tell who committed at least some of these murders (Johnson is now in Leavenworth prison).

Dick Hawkins stated that Bill Hale in 1919 proposed to Hawkins and Walter Doolen that Hawkins hi-jack

660

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
T. F. Weiss.

July 1 to 10, 1924.

-12-

Bill Smith and also a man at Pawnee, and a woman in Osage County and kill a certain negro.

Conferred with W. D. Bolling, Special Agent in Charge at Okla. City re. the high points in these cases, and advisability of continuing investigation.

John Moran, private detective, was discharged from cases by the private persons who have heretofore been employing him.

PENDING.

661

100-28196  
JUL 28 1924

July 23, 1924

Hon. Charles H. Burke,  
Commissioner of Indian Affairs,  
Department of the Interior,  
Washington, D. C.

My dear Mr. Burke:

Further with regard to the case of W. E. SMITH  
et al -- Birdard Osage Indians -- I am transmitting herewith, for your information, copy of a report dated July 12, 1924, made by Agent Weiss of our Oklahoma City office.

Very truly yours,

Acting Director.

RECORDED & INDEXED

Encl. 21730

MAILED  
JUL 24 1924

662



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

Department of Justice,

Bureau of Investigation.  
Oklahoma City, Okla.,

July  
twenty-  
sixth  
1924

Director, Bureau of Investigation,  
Department of Justice,  
Washington, D. C.

ATTENTION -  
MR. HOOVER - 2.

RE: W. E. SMITH, et als.  
Murdered Indians  
O. C. No. 7060.

62-5033

Dear Sir:

In line with a recent letter written you regarding Special Agents Burger and Weiss, who are now on special assignment, investigating the Indian murder case, would be glad to have you advise if the active investigation of this case shall be discontinued on July 31st, as outlined. I believe unless something important develops that this Bureau would be justified in having this case briefed, put in such shape that it could be again taken up if requested to do so by the Department of Indian Affairs, but it appears that further investigation at this time is a waste of time and effort.

If you concur in this arrangement, please advise and will have Special Agent Weiss prepare a short brief of the file, setting out the facts developed and any undeveloped leads which he may have, so that the case can be properly handled if again taken up.

Also advise whether Special Agent Weiss shall be assigned on other cases, and whether Agent Burger shall be returned to his headquarters.

Respectfully,

D. Bolling,  
Special Agent in Charge.

GENERAL INTELLIGENCE  
Special Agent in Charge  
SIGN

RECORDED & INDEXED

62-5033-97  
BUREAU OF INVESTIGATION  
JUL 29 1924 A.M.  
DEPARTMENT OF JUSTICE  
ROUTED FILE

62-5032-97

July 30, 1924

AUG 4 1924

Mr. W.D. Belling,  
P. O. B. 122,  
Oklahoma City, Okla.

Dear Sirs:

Reference is made to your letter of the 26th inst. further with regard to the present assignment of Special Agents Burger and Weiss, who for some time past have been engaged on the investigation of Indian matters.

I appreciate your suggestion and desire that you instruct these agents to get about the preparation of a brief of the file containing the facts and any undeveloped leads and pending a decision that no further action be taken on the case unless an emergency arises which would render inaction against the best interests of the Government. Agent Weiss is not to be given any further assignments as the understanding has been that he was removed on account of his acceptance of a reward which he refused to return and he was reemployed temporarily only for the present case. I want you to see to it therefore, that he completes the brief at the earliest practical moment and advise me sufficiently in advance that I may have the notification sent to him of the discontinuance of service. Mr. Burger is to return to his headquarters.

Very truly yours,

Acting Director.

MAILED  
JUL 30 1924

664

THIS CASE ORIGINATED AT **Director;**

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

|   |                                       |  |  |
|---|---------------------------------------|--|--|
| REPORT MADE AT:<br><b>Oklahoma City</b> | DATE WHEN MADE:<br><b>July 24, 24</b> | PERIOD FOR WHICH MADE:<br><b>July 11 to 21</b> | REPORT MADE BY:<br><b>T. F. Weiss.</b> |
|---|---------------------------------------|--|--|

TITLE AND CHARACTER OF CASE:  
**W. E. SMITH, et als. Osage County, Okla. : Osage Indian Murders**

FACTS DEVELOPED:  
**At Oklahoma City, Okla., and various points. (O. C. #7060.)**

REFERENCE: Voluminous file, captioned identically.

SYNOPSIS OF FACTS:

Arranged with John Goldsberry to force E. M. Pike to trial in September. Had conferences with Sheriff Wm. Ricker as to apprehending Grady Drake. Took J. H. Powell to interview Dick Gregg and reported result of interview. Conferred with Warden, Okla. state penitentiary as to revoking parole of Blackie Thompson. Drove about 1200 miles during past ten days in course of investigation.

DETAILS:

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

RE: MURDER OF W. E. SMITH, MRS. RITA (W.E.) SMITH and NETTIE BROOKSHIRE.

July 10th. Agent Burger arranged with John Goldsberry, County Attorney at Tulsa that he will set E. M. PIKE'S charge of highway robbery for trial and force PIKE'S bondsmen to have him there for trial or forfeit his bond and have a capias issued for him. MR. GOLDSBERRY promised to keep us advised, through our Okla. City office.

DO NOT WRITE IN THESE SPACES

|   |  |   |   |
|---|--|---|---|
| APPROVED AND FORWARDED:<br><i>W. D. Bolling</i> | SPECIAL AGENT IN CHARGE  | 62-5033-98  | RECORDED AND INDEXED<br>JUL 30 1924     |
| REFERENCE:                                      | COPIES OF THIS REPORT FURNISHED TO:<br>3 Washington; 3 file;<br>1 U. S. Atty., Okla. City. | BUREAU OF INVESTIGATION<br>JUL 23 1924<br>DEPARTMENT OF JUSTICE | CHECKED OFF:<br>AUG 4 1924<br>JACKETED: |
| -1-   |  | ROUTED TO: 3  | FILE<br>JUL 30 1924<br>DIVISION 1       |

665

HENR MAJORS was interviewed by Agent Weiss again on the 10th and contradicted his statements of yesterday regarding having seen BLACKIE etc. MAJORS is reliably reported to belong to the BILL HALE faction, and to be very crooked and untrustworthy. He is Chief of Police at Shidler, and knows practically all the many criminals who are being harbored there.

July 11th. At Three Sands Agent Weiss learned that one SHORTY MURPHY, said to be SHORTY MORGAN, was recently at Cromwell, Okla. "with a lot of dope, whiskey and Jake" but left there, and that his wife is said to be at the White Way Hotel, Perry, Okla. under the name of ROSE MURPHY.

Interviewed ODE BROWN and MR. and MRS. CHANCE FRAZIER at Ponca, but they stated they have learned nothing new and have not seen or heard of GRADY M. DRAKE for several weeks.

Also worked under cover at Webb and Shidler in effort [REDACTED] and heard a lot of alleged inside information that was absolutely contradictory as to who robbed the Avery Bank. Taking this information altogether, BLACKIE, LEO STURTZ, MARK KILLIAN, GROVER CADY, VIRGIE THOMPSON and three other unidentified men constituted the three men who robbed the bank, which of course is absurd and impossible. Practically all [REDACTED] have their hands out for money, and not much else.

Agent Burger left for Kansas City with J. H. Powell in effort to induce DICK GREGG to tell all he knows, for a consideration.

July 14th. Agents drove J. H. POWELL to Lansing prison, where POWELL had a long talk with DICK GREGG.

2  
3  
4  
5 T. F. Weiss.

July 11 to 21, 1924.

-5-

6  
7 MR. POWELL reported to Agents that DICK GREGG was very wary and  
8 insisted on POWELL bringing GREGG'S father to Lansing, so that DICK  
9 GREGG and father and POWELL would all understand their agreement.

10  
11 That DICK GREGG did state, however, that he, GREGG, knows who  
12 committed these Fairfax murders and who had them done; that a big  
13 stockman had them done and that two men known as bad outlaws (evident-  
14 ly meaning himself and AL SPENCER or BLACKIE THOMPSON) had been pro-  
15 positioned to do the jobs but turned them down.

16  
17 That DICK GREGG stated further that five or six men did all the  
18 killings and all are alive today but some are probably "inside" (mean-  
19 ing in prison); that a storekeeper at Okesa, known as "MAC" was the go-  
20 between in the jobs; that MAC would not tell a stranger anything, but  
21 that GREGG'S father, who is intimate with MAC, can get all the facts  
22 from MAC without MAC suspecting anything.

23  
24 MR. POWELL states that DICK GREGG stated further, "It will be a  
25 short job when I tell you all I know and MAC has been seen. It will  
26 all come at once"; that DICK GREGG also insisted that his name be not  
27 divulged in the case, saying, "My life would not be worth a d--n if  
28 it were known".

29  
30 It was agreed between MR. POWELL and DICK GREGG that POWELL will  
31 bring GREGG'S father to Lansing, as DICK GREGG requires, and then  
32 POWELL will be furnished with DICK GREGG'S information and GREGG'S  
33 father will then go to Okesa and get the information out of MAC and  
34 pass it on to POWELL, who will furnish it to us, in this way keeping  
35 the GREGGS' name out of the case.

36  
37 MR. POWELL has arranged with Agents that he will do his part at  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859  
860  
861  
862  
863  
864  
865  
866  
867  
868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899  
900  
901  
902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919  
920  
921  
922  
923  
924  
925  
926  
927  
928  
929  
930  
931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952  
953  
954  
955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000  
1001  
1002  
1003  
1004  
1005  
1006  
1007  
1008  
1009  
1010  
1011  
1012  
1013  
1014  
1015  
1016  
1017  
1018  
1019  
1020  
1021  
1022  
1023  
1024  
1025  
1026  
1027  
1028  
1029  
1030  
1031  
1032  
1033  
1034  
1035  
1036  
1037  
1038  
1039  
1040  
1041  
1042  
1043  
1044  
1045  
1046  
1047  
1048  
1049  
1050  
1051  
1052  
1053  
1054  
1055  
1056  
1057  
1058  
1059  
1060  
1061  
1062  
1063  
1064  
1065  
1066  
1067  
1068  
1069  
1070  
1071  
1072  
1073  
1074  
1075  
1076  
1077  
1078  
1079  
1080  
1081  
1082  
1083  
1084  
1085  
1086  
1087  
1088  
1089  
1090  
1091  
1092  
1093  
1094  
1095  
1096  
1097  
1098  
1099  
1100  
1101  
1102  
1103  
1104  
1105  
1106  
1107  
1108  
1109  
1110  
1111  
1112  
1113  
1114  
1115  
1116  
1117  
1118  
1119  
1120  
1121  
1122  
1123  
1124  
1125  
1126  
1127  
1128  
1129  
1130  
1131  
1132  
1133  
1134  
1135  
1136  
1137  
1138  
1139  
1140  
1141  
1142  
1143  
1144  
1145  
1146  
1147  
1148  
1149  
1150  
1151  
1152  
1153  
1154  
1155  
1156  
1157  
1158  
1159  
1160  
1161  
1162  
1163  
1164  
1165  
1166  
1167  
1168  
1169  
1170  
1171  
1172  
1173  
1174  
1175  
1176  
1177  
1178  
1179  
1180  
1181  
1182  
1183  
1184  
1185  
1186  
1187  
1188  
1189  
1190  
1191  
1192  
1193  
1194  
1195  
1196  
1197  
1198  
1199  
1200  
1201  
1202  
1203  
1204  
1205  
1206  
1207  
1208  
1209  
1210  
1211  
1212  
1213  
1214  
1215  
1216  
1217  
1218  
1219  
1220  
1221  
1222  
1223  
1224  
1225  
1226  
1227  
1228  
1229  
1230  
1231  
1232  
1233  
1234  
1235  
1236  
1237  
1238  
1239  
1240  
1241  
1242  
1243  
1244  
1245  
1246  
1247  
1248  
1249  
1250  
1251  
1252  
1253  
1254  
1255  
1256  
1257  
1258  
1259  
1260  
1261  
1262  
1263  
1264  
1265  
1266  
1267  
1268  
1269  
1270  
1271  
1272  
1273  
1274  
1275  
1276  
1277  
1278  
1279  
1280  
1281  
1282  
1283  
1284  
1285  
1286  
1287  
1288  
1289  
1290  
1291  
1292  
1293  
1294  
1295  
1296  
1297  
1298  
1299  
1300  
1301  
1302  
1303  
1304  
1305  
1306  
1307  
1308  
1309  
1310  
1311  
1312  
1313  
1314  
1315  
1316  
1317  
1318  
1319  
1320  
1321  
1322  
1323  
1324  
1325  
1326  
1327  
1328  
1329  
1330  
1331  
1332  
1333  
1334  
1335  
1336  
1337  
1338  
1339  
1340  
1341  
1342  
1343  
1344  
1345  
1346  
1347  
1348  
1349  
1350  
1351  
1352  
1353  
1354  
1355  
1356  
1357  
1358  
1359  
1360  
1361  
1362  
1363  
1364  
1365  
1366  
1367  
1368  
1369  
1370  
1371  
1372  
1373  
1374  
1375  
1376  
1377  
1378  
1379  
1380  
1381  
1382  
1383  
1384  
1385  
1386  
1387  
1388  
1389  
1390  
1391  
1392  
1393  
1394  
1395  
1396  
1397  
1398  
1399  
1400  
1401  
1402  
1403  
1404  
1405  
1406  
1407  
1408  
1409  
1410  
1411  
1412  
1413  
1414  
1415  
1416  
1417  
1418  
1419  
1420  
1421  
1422  
1423  
1424  
1425  
1426  
1427  
1428  
1429  
1430  
1431  
1432  
1433  
1434  
1435  
1436  
1437  
1438  
1439  
1440  
1441  
1442  
1443  
1444  
1445  
1446  
1447  
1448  
1449  
1450  
1451  
1452  
1453  
1454  
1455  
1456  
1457  
1458  
1459  
1460  
1461  
1462  
1463  
1464  
1465  
1466  
1467  
1468  
1469  
1470  
1471  
1472  
1473  
1474  
1475  
1476  
1477  
1478  
1479  
1480  
1481  
1482  
1483  
1484  
1485  
1486  
1487  
1488  
1489  
1490  
1491  
1492  
1493  
1494  
1495  
1496  
1497  
1498  
1499  
1500  
1501  
1502  
1503  
1504  
1505  
1506  
1507  
1508  
1509  
1510  
1511  
1512  
1513  
1514  
1515  
1516  
1517  
1518  
1519  
1520  
1521  
1522  
1523  
1524  
1525  
1526  
1527  
1528  
1529  
1530  
1531  
1532  
1533  
1534  
1535  
1536  
1537  
1538  
1539  
1540  
1541  
1542  
1543  
1544  
1545  
1546  
1547  
1548  
1549  
1550  
1551  
1552  
1553  
1554  
1555  
1556  
1557  
1558  
1559  
1560  
1561  
1562  
1563  
1564  
1565  
1566  
1567  
1568  
1569  
1570  
1571  
1572  
1573  
1574  
1575  
1576  
1577  
1578  
1579  
1580  
1581  
1582  
1583  
1584  
1585  
1586  
1587  
1588  
1589  
1590  
1591  
1592  
1593  
1594  
1595  
1596  
1597  
1598  
1599  
1600  
1601  
1602  
1603  
1604  
1605  
1606  
1607  
1608  
1609  
1610  
1611  
1612  
1613  
1614  
1615  
1616  
1617  
1618  
1619  
1620  
1621  
1622  
1623  
1624  
1625  
1626  
1627  
1628  
1629  
1630  
1631  
1632  
1633  
1634  
1635  
1636  
1637  
1638  
1639  
1640  
1641  
1642  
1643  
1644  
1645  
1646  
1647  
1648  
1649  
1650  
1651  
1652  
1653  
1654  
1655  
1656  
1657  
1658  
1659  
1660  
1661  
1662  
1663  
1664  
1665  
1666  
1667  
1668  
1669  
1670  
1671  
1672  
1673  
1674  
1675  
1676  
1677  
1678  
1679  
1680  
1681  
1682  
1683  
1684  
1685  
1686  
1687  
1688  
1689  
1690  
1691  
1692  
1693  
1694  
1695  
1696  
1697  
1698  
1699  
1700  
1701  
1702  
1703  
1704  
1705  
1706  
1707  
1708  
1709  
1710  
1711  
1712  
1713  
1714  
1715  
1716  
1717  
1718  
1719  
1720  
1721  
1722  
1723  
1724  
1725  
1726  
1727  
1728  
1729  
1730  
1731  
1732  
1733  
1734  
1735  
1736  
1737  
1738  
1739  
1740  
1741  
1742  
1743  
1744  
1745  
1746  
1747  
1748  
1749  
1750  
1751  
1752  
1753  
1754  
1755  
1756  
1757  
1758  
1759  
1760  
1761  
1762  
1763  
1764  
1765  
1766  
1767  
1768  
1769  
1770  
1771  
1772  
1773  
1774  
1775  
1776  
1777  
1778  
1779  
1780  
1781  
1782  
1783  
1784  
1785  
1786  
1787  
1788  
1789  
1790  
1791  
1792  
1793  
1794  
1795  
1796  
1797  
1798  
1799  
1800  
1801  
1802  
1803  
1804  
1805  
1806  
1807  
1808  
1809  
1810  
1811  
1812  
1813  
1814  
1815  
1816  
1817  
1818  
1819  
1820  
1821  
1822  
1823  
1824  
1825  
1826  
1827  
1828  
1829  
1830  
1831  
1832  
1833  
1834  
1835  
1836  
1837  
1838  
1839  
1840  
1841  
1842  
1843  
1844  
1845  
1846  
1847  
1848  
1849  
1850  
1851  
1852  
1853  
1854  
1855  
1856  
1857  
1858  
1859  
1860  
1861  
1862  
1863  
1864  
1865  
1866  
1867  
1868  
1869  
1870  
1871  
1872  
1873  
1874  
1875  
1876  
1877  
1878  
1879  
1880  
1881  
1882  
1883  
1884  
1885  
1886  
1887  
1888  
1889  
1890  
1891  
1892  
1893  
1894  
1895  
1896  
1897  
1898  
1899  
1900  
1901  
1902  
1903  
1904  
1905  
1906  
1907  
1908  
1909  
1910  
1911  
1912  
1913  
1914  
1915  
1916  
1917  
1918  
1919  
1920  
1921  
1922  
1923  
1924  
1925  
1926  
1927  
1928  
1929  
1930  
1931  
1932  
1933  
1934  
1935  
1936  
1937  
1938  
1939  
1940  
1941  
1942  
1943  
1944  
1945  
1946  
1947  
1948  
1949  
1950  
1951  
1952  
1953  
1954  
1955  
1956  
1957  
1958  
1959  
1960  
1961  
1962  
1963  
1964  
1965  
1966  
1967  
1968  
1969  
1970  
1971  
1972  
1973  
1974  
1975  
1976  
1977  
1978  
1979  
1980  
1981  
1982  
1983  
1984  
1985  
1986  
1987  
1988  
1989  
1990  
1991  
1992  
1993  
1994  
1995  
1996  
1997  
1998  
1999  
2000  
2001  
2002  
2003  
2004  
2005  
2006  
2007  
2008  
2009  
2010  
2011  
2012  
2013  
2014  
2015  
2016  
2017  
2018  
2019  
2020  
2021  
2022  
2023  
2024  
2025  
2026  
2027  
2028  
2029  
2030  
2031  
2032  
2033  
2034  
2035  
2036  
2037  
2038  
2039  
2040  
2041  
2042  
2043  
2044  
2045  
2046  
2047  
2048  
2049  
2050  
2051  
2052  
2053  
2054  
2055  
2056  
2057  
2058  
2059  
2060  
2061  
2062  
2063  
2064  
2065  
2066  
2067  
2068  
2069  
2070  
2071  
2072  
2073  
2074  
2075  
2076  
2077  
2078  
2079  
2080  
2081  
2082  
2083  
2084  
2085  
2086  
2087  
2088  
2089  
2090  
2091  
2092  
2093  
2094  
2095  
2096  
2097  
2098  
2099  
2100  
2101  
2102  
2103  
2104  
2105  
2106  
2107  
2108  
2109  
2110  
2111  
2112  
2113  
2114  
2115  
2116  
2117  
2118  
2119  
2120  
2121  
2122  
2123  
2124  
2125  
2126  
2127  
2128  
2129  
2130

1  
2  
3  
4  
5 T. F. Weiss.

July 11 to 21, 1924.

6 the earliest possible time and keep Agents posted.

7  
8 DICK GREGG also informed MR. POWELL that he, GREGG, would not deal  
9  
10 with Agents unless they brought BLACKIE THOMPSON to him first, as per  
11  
12 GREGG'S previous statement to Agents.  
13

14 At Leavenworth interviewed T. E. ROSELLE and found he has been  
15  
16 in the hospital and not yet quartered with JACK HART, and this has had  
17  
18 no opportunity to get to HART. Warden BIDDIE stated, however, that  
19  
20 this would be attended to in a few days, as per our previous arrangements.  
21  
22

23 July 15th, at Topeka, Kans. ascertained from MR. SMITH, Chief  
24  
25 Clerk, Mayetta Indian Agency, that JACK HALE is not there. MR. SMITH  
26  
27 promised to learn his whereabouts and advise us by letter.

28  
29 July 16th at Wichita, Kans. ascertained that neither JOHN KINNEY  
30  
31 nor his wife BECIA KINNEY, were in Wichita and their whereabouts were  
32  
33 unknown.

34  
35 July 17th interviewed GEO. ED TINKER, Sr., fully regarding the  
36  
37 recent alleged statements of his son, GEO. ED, alias WHITEY TINKER.

38  
39 MR. TINKER, Sr. stated that he had talked to said son re. the  
40  
41 SMITH home blowup, but his son has never mentioned anything to him  
42  
43 except to state that he, said son, believed he ate lunch with KELSEY  
44  
45 MORRISON in Fincher's restaurant at Fairfax about 11 P. M. the night  
46  
47 of said blowup; that said son stated further he was not sure of this,  
48  
49 but had some records and would look them up and let his father know.  
50  
51 but has not done so.

52  
53 MR. TINKER, Sr. promised us today to see his son today and let us  
54  
55 known what he learned at once.

56  
57 July 18th interviewed KELSEY MORRISON at Sapulpa, who told nothing  
58  
59  
60

1678



2  
3  
4 T. F. Weiss.

July 11 to 21, 1924.

5

6 new, but did state that he is convinced BILL HALE and the BURNHARTS  
7 are responsible for the Fairfax murders and that he is determined now  
8 to get the facts and help us.  
9

10  
11 July 18th, interviewed CLEVE TOLLISON, Deputy Sheriff at Bristow,  
12 Okla. who stated that it appears a certainty that BLACKIE THOMPSON was  
13 in the Avery bank robbery and killing July 2, 1924 and that he and  
14 fellow officers have a line on the bandit who was shot and he will  
15 notify us promptly of all he learns regarding BLACKIE THOMPSON and  
16 his movements.  
17

18 July 19th, COL. WM. C. KEY, Warden, state prison, McAlester,  
19 phoned that the officers of Creek County had informed him that BLACKIE  
20 THOMPSON was one of the bandits who killed an officer and robbed the  
21 Avery bank July 2, 1924 [REDACTED]  
22 [REDACTED] B7D  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]  
29 [REDACTED]  
30 [REDACTED]  
31 [REDACTED]  
32 [REDACTED]  
33 [REDACTED]  
34 [REDACTED]  
35 [REDACTED]  
36 [REDACTED]  
37 [REDACTED]  
38 [REDACTED]  
39 [REDACTED]  
40 [REDACTED]  
41 [REDACTED]  
42 [REDACTED]  
43 [REDACTED]  
44 [REDACTED]  
45 [REDACTED]  
46 [REDACTED]  
47 [REDACTED]  
48 [REDACTED]  
49 [REDACTED]  
50 [REDACTED]  
51 [REDACTED]  
52

53 July 20th interviewed MRS. MAMIE GILL, 911 W. 9th, Okla. City, who  
54 stated that she remembers that about March, 1923 ELSIE MORRISON came  
55 to her house where he and his wife were rooming, about 7 PM one evening:  
56  
57  
58  
59  
60

670

2  
3  
4 T. F. Weiss.

July 11 t 21, 1924.

-6-

7 that she did not see him when he first arrived, but that the neighbors  
8 told her he was drunk; that she did notice he left the car at the curb,  
9 and that his wife (now dead) drove the car down town and put it in a  
10 garage; that she, MRS. GILL, thinks this was the time MORRISON had a  
11 case against him in Federal court at Oklahoma City over some whiskey.  
12

13 MRS. GILL stated that she has no way of fixing this exact date as  
14 March 9, 1923 but she thinks it must have been that date, as this thing  
15 of him coming back drunk leaving the car at the curb and his wife driv-  
16 ing it downtown happened but once, and on or about the day his whiskey  
17 case came up in court in Oklahoma City and that he was there at her  
18 house that following morning, just previous to his going downtown;  
19 that she cannot swear it, but feels sure he was at her house, in his  
20 rented rooms that night, as he was there next morning about 6 A. M.  
21

22 MRS. GILL states that this is the first time anyone has ever ques-  
23 tioned her about this. She seemed to be a reliable, conservative woman  
24

25 (It is a moral certainty that MORRISON was at her house the night  
26 of March 9, 1923 in Okla. City when the SMITH home was blown up at  
27 Fairfax, 120 miles away.)  
28

29 July 21st. Interviewed WM. RICKER, Sheriff, and GEO. FOSTER, Un-  
30 dersheriff at Perry, Okla. and requested them to go with us or get GRADY  
31 DRAKE in, as per our previous agreements, but Sheriff RICKER stated  
32 that GRADY DRAKE left BERT DAVIS some weeks ago and he, RICKER, has  
33 been unable to locate DRAKE or get word from him; that he, RICKER, will  
34 be very busy on official business for a few days, but will locate  
35 DRAKE and have him in to Perry and question him and try to get his  
36 evidence within the next three or four days.  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59

MR. RICKER promised also that when he does get hold of DRAKE he will notify us at once and hold him till we can get there.

(We have been promised by MR. RICKER and MR. FOSTER for the past three weeks that they would get DRAKE in and get his evidence, etc. for us, but they are very negligent in doing so, owing, probably, to the fact that the August primaries are near and RICKER is running for re-election.

Agents do not consider it wise for them to go personally direct to DRAKE, but may have to do so if MR. RICKER and MR. FOSTER delay too long.

July 21st. MR. RICKER also promised to ascertain from MR. BOWDEN who runs the White Way Hotel, Perry, Okla., whether ROSE and SHORTY MURPHY are really ROSE and SHORTY MORGAN? and where SHORTY MORGAN may be found. We advised RICKER that MORGAN is wanted on an old Federal warrant (1921) for possession of whiskey in Osage County (a felony) and RICKER promised to arrest MORGAN and notify us if possible.

July 21st, interviewed J. H. POWELL, Elgin, Kansas, and learned that he has not been to see DICK GREGG, Senior, as per his promise. Arranged that we will get MR. POWELL and drive him to Shidler tomorrow to insure him doing this.

CONTINUED.

472

JWB:EW  
62-5033-98

July 31, 1924.

AUG 4 1924

Hon. Charles H. Burke,  
Commissioner of Indian Affairs,  
Department of the Interior,  
Washington, D. C.

My dear Mr. Burke:

Further with regard to the case of W. E. SMITH  
et al -- Murdered Osage Indians -- I am transmitting herewith,  
for your information, copy of a report dated July 24,  
1924, made by Agent Weiss of our Oklahoma City office.

Very truly yours,

Acting Director.

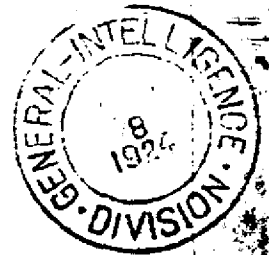
Enc. 22095

MAILED

JUL 31 1924

673

Department of Justice,  
Bureau of Investigation.



P. O. Box 125,  
Oklahoma City, Okla.,  
August 5, 1924.

Re: Agents Burger and Weiss

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

ATTENTION:- MR. HOOVER-

Dear Sir:

In reply to your letter of July 30th, initials WWG/G, I have directed Agents Burger and Weiss to prepare brief on the Indian Murder case, separating the three separate murderers and setting out a brief synopsis of this case, showing the witnesses, and their testimony, also, setting out all undeveloped leads.

Have given Agents Burger and Weiss until August 12th to complete this brief, as they have three or four other leads which they are investigation this week, and may develop some evidence. You can, therefore, notify Agent Weiss of the discontinuance of his services on August 12th, as you suggest.

In connection with Agent Weiss, he advised me that after he received his appointment as Special Agent, and executed Oath of Office, as of July 1st, that he was under the impression that his services with the Bureau would be continued. He talked this matter over with me, and I informed him that I had no knowledge of the intentions of the Director in his case, and could only be guided by instructions.

I trust this arrangement meets with your approval.

Respectfully,

W. D. Bolling,  
Special Agent in Charge.

WDB:GH

62-5033-99  
BUREAU OF INVESTIGATION  
AUG 8 1924  
DEPT. OF JUSTICE

AUG 1 1924

674

Oklahoma City

Aug. 6, 1924

July 22 to 31, 1924

T. F. Weiss

W. E. SMITH, et als.

Osage County, Okla.

: Osage Indian  
Murders.

SYNOPSIS OF FACTS:

62-5033

(O. C. #7060)

Succeeded in getting J. H. Powell, Dick Gregg and Gregg's father together at Lansing, Kans. state prison at which meeting Dick Gregg, in consideration of a promise by Powell, informed Powell as to this case.

DETAILS:

REFERENCE: All previous reports, captioned identically.

At Oklahoma City, Okla.

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

Agents succeeded in getting J. H. POWELL, DICK GREGG and GREGG'S father together at Lansing, Kans. state prison, at which meeting DICK GREGG, in consideration of a promise by POWELL, informed POWELL as follows:

That BILL HALE had propositioned DICK GREGG and AL SPENCER to do the Fairfax Indian murder jobs, but that GREGG and SPENCER had declined.

That BILL HALE had these murders done by and that FRANK NASH, GROVER DURELL, RICHY DIXON, AL SPENCER and a man known as "CURLEY" had done them; that the arrangements had been made between these five men and HALE, through the WILLINGS, of Ocala, Okla.; that HALE had these men camped in his pasture for several weeks before the murders, but

Approved and forwarded:  
*T. F. Weiss*  
Special Agent in Charge.

RECORDED & INDEXED

62-5033-100

AUG 9 1924 P.M.

DEPARTMENT OF JUSTICE

RECEIVED

2 Washington; 2 file;

1 U. S. Atty., O. C. -1-



July 22 to 31, 1924.

they left their camp shortly after the murders, when one FRED RO  
brought them word that "the law had a line on them".

That WENDALL POWELL, of near Nowata, Okla., knows all about these  
facts, and told DICK GREGG so.

That CAMPBELL KEYS, half-brother of AL SPENCER, also knows all  
the facts.

That NORRIS WADKINS also knows all the facts.

JOHN GREGG, DICK GREGG'S father, promised POWELL to see MAX BILL-  
INGS in the very near future and get all the details from him and fur-  
nish same to POWELL (who will furnish same to Agents) and that said  
GREGG'S father will also ascertain the identity, full name and where-  
abouts of said "CURLEY".

That the GREGGS again cautioned POWELL that if it became known that  
he is working on the case and getting any facts, he will surely be  
bumped off.

That the GREGGS also stated plainly that they are doing this sole-  
ly for their own benefit, and that they will not deal with anyone but  
POWELL, and on no other basis; that POWELL told them plainly that any  
favors he might extend them would be dependent altogether upon their  
statements and information proving true in every detail.

POWELL'S connection with Agents must not be known. He is now  
working with said JOHN GREGG to develop this information, for our  
benefit.

From [REDACTED] learned that BECKIE THOMPSON and wife  
were at her mother's place for several days as late as July 21st and  
have apparently no intention of leaving this state.

676

1  
2  
3  
4 T. F. Weiss.

July 22d to 31, 1934.

5  
6 JONH GREGG told POWELL that BLACKIE was innocent of the Avery and  
7 other bank robberies charged to him since his release on parole, but  
8 that BLACKIE will be convicted, nevertheless.  
9

10  
11 WM. RICKER, Sheriff at Perry, Okla., has failed so far to get  
12 GRADY M. DRAKE in~~xx~~ to question him for us, but we ~~attribute~~ attribute  
13 this delay mainly to the fact that RICKER is up for renomination in  
14 the August 5th primaries.  
15

16  
17 Our conviction is that this investigation should continue until  
18 the above indicated and other leads are developed, and that a break can  
19 now be hoped for at almost any time.  
20

21 Drove 1,100 miles by auto.

22  
23 July 22d and 23d Agents drove to Elgin, Kans. and got J. E. POWELL  
24 and drove him to Pawhuska, Bartlesville and Elgin and had him get pro-  
25 mise out of DICK GREGG, Sr. that he, GREGG, will meet us at Lansing  
26 prison July 28th at 10 AM and induce DICK GREGG, Jr. to give us his  
27 evidence and information in these cases.  
28

29  
30 Owing to hot weather, politics, etc. we are experiencing a lot of  
31 delay and trouble in getting people to do things, but keep at it.  
32

33  
34 Ascertained that the "BLACK" at Okesa referred to by DICK GREGG is  
35 MAX BILLINGS, a notorious crook and fence for Osage County bandits, and  
36 who acts as a listening post for them and go-between for disposal of  
37 stolen stuff. It will be a great aid to cleaning these men out if we  
38 can connect and convict BILLINGS in these cases.  
39

40  
41 July 24th. Did under cover work at Webb City and Shidler and as-  
42 certained from ~~confidential informant~~ that BLACKIE is said to be be-  
43 lieved to have been in the Avery bank robbery and killing, and has not  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

2  
3  
4  
5 T. F. Weiss.

July 2 to 31, 1934. -4-

6 been known to have been in Shidler or Osage County for about three  
7 weeks, and that his whereabouts are unknown.

8  
9  
10 July 25th. Interviewed LEE BROWN, CHANCE FRASER and wife, Pecos,  
11 and were informed that they have not seen GRADY DRAKE for several weeks  
12 nor JAMES AUTEN, and do not know where DRAKE is now located. Arranged  
13 for them to learn what they can on these points and for FRASER to go  
14 with us next week to see JAMES AUTEN.

15  
16  
17 S. J. HARRIS, Webb City, also informed us today that he learned  
18 positively that BEAKIE THOMPSON and wife were at her mother's in Cil-  
19 ton about the 21st of this month, went from there to Bristow and do  
20 not intend to leave Oklahoma apparently.

21  
22 July 26th. Drove to Elgin to get J. H. POWELL, as per previous  
23 arrangement, but found MRS. POWELL sick. MR. POWELL agreed to meet us  
24 at Kansas City at 7 AM the 28th and to go on to Lansing and get all  
25 data possible from DICK GREGG and his father.

26  
27 Agents drove to Independence, Kans. and on the 27th arrived at  
28 Kansas City at 3 AM Sunday.

29 July 27th, drove to Kansas City.

30 July 28th. J. H. POWELL had the agreed interview with DICK GREGG  
31 and his father at Lansing Prison, Kansas.

32 MR. POWELL states that the two GREGGS insisted on a short talk  
33 by themselves, after which DICK GREGG stated to MR. POWELL that:

34 ONE WENDALL POWELL, living near Nowat, Okla., told DICK GREGG  
35 all about the Fairfax murders and (apparently referring to the BILL  
36 SMITH murders) stated that the job was done by FRANK NASH, AL SPENCER,  
37 RILEY DIXON, GROVER DURRELL and a man known as GURLEY; that MAX  
38  
39

478

July 22 to 31, 1924.

BILLINGSLEY of Okesa, Okla. acted as the go-between for BILL B. LEE who had the murders done and the five men named who did the murders.

That these five men camped in PALE'S pasture for three or four weeks at the time of the murder and afterward and left there when one FRED ROWE brought them word that the "law" had a line on them just after they did the job.

That DICK GREGG stated further that CAMPBELL KEYS, half-brother of AL SPENCER, knows all about these murders, but will have to be approached under cover to get him to tell; that KEYS loves whiskey and women and can be roped in that way.

That NORRIS WADKINS also knows who did these jobs, but won't tell (we have a possible way to get to WADKINS).

MR. POWELL states that GREGG'S father has promised to get all the facts from BILL BILINGSLEY and turn them over to POWELL (who will furnish them to us).

MR. POWELL stated that DICK GREGG again warned POWELL that POWELL will be bumped off if PALE learns POWELL is working on the case and learning anything.

GREGG'S father stated to POWELL that CURLEY is not in prison and he, GREGG, will learn CURLEY'S right name and whereabouts and give it to POWELL (probably CURLEY JOHNSON).

DICK GREGG told MR. POWELL again today that he, GREGG, was also propositioned to do one of these jobs, but declined.

DICK GREGG also told POWELL that he suspected BLACKIE THOMPSON had misinformed Agents and was involved himself, but gave no evidence to that effect.

1  
2  
3 T. W. Weiss.

4 July 22 to 31, 1934.

5 -5-

6 This information from DICK GREGG does not ring altogether true,  
7 but will be worked out and may be substantially correct. GREGG under-  
8 stands that POWELL will assist GREGG in his present Kansas bank robbery  
9 charge and split the rewards in these murders with him, only on condi-  
10 tion that what GREGG tells proves to be the truth; yet GREGG himself  
11 is reported to be involved in these murders and may be covering himself  
12 by lying to POWELL.

13  
14 MENDALL POWELL is known to Agent Weiss as a criminal and car thief  
15 and CAMPBELL KEYS is personally known by Agent Weiss.

16 The fact that MR. POWELL is working with Agents has to be kept se-  
17 cret from the GREGGS so that we cannot be present to question the  
18 GREGGS further on what they are telling POWELL at this time.

19 July 29th. Drove to Leavenworth and interviewed ~~THE~~ THEO ROSELLE  
20 who stated that JACK HART has not yet been quartered with him there in  
21 prison so that he has had no opportunity yet to rope HART. Warden  
22 RIDDLE has promised to attend to this as soon as possible. Drove on  
23 to Topeka, Kans.

24 July 30th. Inquired from R. SMITH, Chief Clerk, Indian Agency,  
25 Mayetta, Kans. and learned that JACK HALE has not returned there, but  
26 is said to be somewhere in the East, address unknown.

27 July 31st. From CHAS. HUDSON, attorney, Wichita, Kans. learned  
28 that MRS. BECOLL KILNEY is now in Washington, D. C. on business, ~~so~~ so  
29 we could not interview her.

30 July 31st. At Ponca learned that CHANCE FRASER and wife left on  
31 the 30th instant for a several weeks visit in Arkansas. (FRASER had  
32 promised Agents positively to meet them in Ponca today and assist them  
33 in finding JAMES AUTEN and getting all information possible from him.  
34 We will see JAMES AUTEN personally and direct.

35 CONTINUED.

36 670

5033-100

RECORDED INDEXED

August 13, 1924.

Hon. Charles H. Burke,  
Commissioner of Indian Affairs,  
Department of the Interior,  
Washington, D. C.

My dear Mr. Burke:

Further with regard to the case of M. E. SMITH et al.  
Murdered Osage Indians -- I am transmitting herewith, for your  
information, copy of a report dated August 5, 1924, made by Agent  
Weiss, of our Oklahoma City office.

Very truly yours,

Acting Director.

Enc. 24604

FILE  
AUG 13 1924

68



THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT:

DATE WHEN MADE:

PERIOD FOR WHICH MADE:

REPORT MADE BY:

Oklahoma City

Aug. 12, 24 Aug. 9, 1924

J. R. Burger.

TITLE AND CHARACTER OF CASE

W. E. SMITH, et als.

Osage County,  
Okla.

: Murders of Osage  
Indians.

FACTS DEVELOPED:

SYNOPSIS OF FACTS:

(O. C. #7060.)

DIGEST OF FACTS AND EVIDENCE RE. MURDER OF HENRY  
ROAN, FULL BLOOD OSAGE INDIAN, Osage Co., Okla.,  
JAN. 26, 1923.

Henry Roan was a full blood Osage Indian about 40  
years old who at the time of his murder on or a-  
bout Jan. 26, 1923 was living with his wife, Mary,  
also a full blood Osage, and his children, at  
Fairfax, Okla. This report made jointly by Agents  
J. R. Burger and T. F. Weiss.

DETAILS:

Feb. 6, 1923 ROAN'S body was found in the front seat of his  
own car about three miles northwest of Fairfax in a swale, about 200  
yards from the road. He had been shot through the head from the rear,  
and had evidently been dead about ten days. Was evidently murdered  
at the spot the body was found, as the glass of the windshield had been  
shattered by the bullet, which passed through his head and through the  
windshield, was scattered all about the car and pieces still lay on the  
side of the car.

ROAN'S estate vested at his death in his said wife and children.  
He was well liked but drank considerably. He had no enemies with the  
exception of one ROY BUNCH. ROY BUNCH was a worthless sort of white

DO NOT WRITE IN THESE SPACES

APPROVED AND  
FORWARDED:

*J. D. Bolling*

SPECIAL AGENT  
IN CHARGE

62-5033-101

RECORDED AND INDEXED

AUG 12 1924

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO

3 Washington; 1 Comm. of  
Indian Affairs; 4 file.

BUREAU OF INVESTIGATION

AUG 13 1924 A.M.  
DEPARTMENT OF JUSTICE

CHECKED OFF

40

JACKETED

-1-

ROUTED TO  
HOOVER

682

J. R. Burger.

Aug. 9, 1924.

-2-

man, about twenty-six years old, who had been intimate with ROAN'S wife at and for some time previous to ROAN'S murder and who married her a few months after ROAN'S death. However, infidelity and immorality is very common among the younger Osage women. ROAN knew of this intimacy between BUNCH and MRS. ROAN and at one time took his gun and hunted BUNCH with the avowed purpose of killing him and at other times cried and complained to SAM TULK and others that BUNCH was invading his home, etc. ROAN also shot himself twice in apparent attempts at suicide but did not seriously wound himself so that the common opinion is that he was just trying to frighten his wife into doing right.

There was a rumor that SAM TULK and BOB PARKER, officers of Fairfax, had been seen chasing ROAN for whiskey about the time of his disappearance but this was investigated and shown to have been a week or more before ROAN'S disappearance. ROAN took his car and left home about noon, Jan. 26, 1923 went downtown got a little money from his guardian and was not seen again until his dead body was found as related above. Robbery could not have been the motive, as none of his money or valuables were taken, but were still on his body when found.

Shortly after ROAN'S death, W. E. (BILL) HALE of Fairfax, wealthy influential and unscrupulous rancher and stockman, produced an insurance policy in the Capitol Life Insurance Co. of Colorado in HALE'S favor, in the amount of \$25,000.00. HALE has since brought suit as the insurance company refuses to pay, on the grounds of fraud and misrepresentation and said suit is now pending.

J. A. GUSTAFSON and his operatives and WM. BRACKETT and JOHN MORAN also private detectives, were employed for some months on the case by

682

J. R. Burger.

Aug. 9. 1924.

-3-

some of ROAN'S heirs, including his widow. MORAN and BRACKETT readily furnished the Government Agents all information they had, but GUSTAFSON evaded doing so. In April, 1923, Frank V. Wright, a then Special Agent of this Bureau, made a preliminary report but very little investigation. In July, 1923, C. T. Weakley, Special Agent of this Bureau, was assigned to this case and the allied ones of the W. E. SMITH ANNA BROWN and CHAS. WHITEHORN murders. Agent Weakley was called back to Ohio in September, 1923 and the same month Agent T. F. Weiss was assigned to these cases and has been working on them continuously since, with the exception of three and one-half months lost by having to be in Federal court for the Government on other cases. Dec. 16, 1923 Agent J. R. Burger began working jointly with Agent Weiss and has continued to do so with the exception of about six weeks that Agent Burger was in Federal Court on other cases for the Government. One HERMAN FOX DAVIS was employed about April, 1923 by the Attorney General's office of Oklahoma but was taken off after about five weeks and sent to prison on a plea of guilty for bribery and graft practiced by him while ostensibly working on these cases. He apparently secured no evidence in these cases. HERMAN FOX DAVIS was soon pardoned by Governor J. C. WALTON but early in 1924 was tried and convicted for the murder of PAUL McCARTHY, attorney at Oklahoma City, and sentenced to life imprisonment at McAlester, Okla., where he is now serving time. The county authorities have done nothing in this ROAN matter.

#### SUSPECTS AND POSSIBLE MOTIVES OR EXPLANATIONS OF ROAN MURDER:

These Agents have impartially followed out every lead as far as possible to date and will state shortly that the evidence convinces us

684

that ROY BUNCH and MRS. HENRY ROAN had nothing to do with this murder (though this is still remotely possible). That ROAN was not killed by officers as at first rumored, no doubt on this point. We are now convinced that HENRY ROAN was murdered by assassins employed by W. K. HALE for the purpose of enabling HALE to collect the \$25,000.00 on the policy he held on ROAN'S life and this is the general opinion among the better people in the county and among the Osage Indians.

D I G E S T   o f   E V I D E N C E:

'proof of death and its cause; identification of body.

BOB PARKER and JIM RHODES can testify that on Feb. 6, 1923, they received word that an automobile was standing at the side of the road about three miles northwest of Fairfax, in the direction of Burbank; that they suspected it was a whiskey car and went out to investigate; that they found the car standing about 200 yards off the back road between Fairfax and Burbank in a rocky swale, down which a dim trail ran; that the car was HENRY ROAN'S touring car, had all the curtains up and pointing north and a little east; that HENRY ROAN'S dead body was lying on the front seat with a bullet hole through the head; that the bullet showed to have entered just back of the left ear and emerged just over the right eye, breaking the windshield glass; that this broken glass was strewn for about twenty feet back along the car tracks and some pieces were still lying on the hood of the car; that ROAN was lying on the front seat with his feet just off the pedals and his head, with his cap under it, resting on the right edge of the seat; that the position of the body plainly indicated that ROAN had been driving when shot from the left rear; that the back curtain was unbuttoned partly at the top; that there was not much blood but some blood had dripped from the wound in the head, just inside of the right front door and some had dripped just outside the front on the right side and had been blown and lodged along the car on that side back from the front door, showing that a north wind had been blowing at the time and that ROAN had fallen as they found him, and killed at that spot; that PARKER and JIM RHODES got the body back to Fairfax, where DRS. H. B. PRENTISS and J. G. SHOUN performed an autopsy on it. That they, JIM PARKER and JIM RHODES, knew HENRY ROAN well in his lifetime and know positively that it was HENRY ROAN'S body that they found.

DR. H. B. PRENTISS and  
DR. J. G. SHOUN,  
Fairfax, Okla.

Can testify that they performed the autopsy above indicated and that the wound was as stated by Parker and Rhodes and that said wound caused the death of said Henry

685

ROAN: that his body showed to have been dead some ten days as it had been frozen stiff at first but had begun to thaw and decompose at the time it was found; that the weather had been very cold from about Jan. 26th to Feb. 3d or 4th, 1923 at which time a warm spell set in, so that ROAN must have been killed about Jan. 26th; that they, DRS. PRENTISS and SHOUN, both knew HENRY ROAN well in his lifetime, and know it was ROAN'S body that was found as no changes had occurred in the body to hinder an easy identification.

MRS. MARY ROAN, can testify that she last saw her husband, HENRY ROAN, alive on Jan. 24th or 25, 1923; that he left with his car, in which his body was later found, in the forenoon of that date and she never saw him alive again; that she identified his body when it was brought in to Fairfax Mar. 6, 1923 and is sure it was his body.

(NOTE) Agents have made every effort to locate the bullet that killed ROAN, but so far it appears that no one ever found it.

EVIDENCE AS TO WHERE? WHEN and BY WHOM MURDER WAS COMMITTED:

SAM TULK and and a host of others can testify that ROY BUNCH and BOB PARKER ROAN'S wife were intimate for months before ROAN'S murder as BUNCH admitted it and it was of notorious and common knowledge and that ROY BUNCH married her a few months after the murder. But so far not one iota of evidence has been secured by anyone connecting BUNCH with the murder. Both BUNCH and the wife talk freely and BUNCH, when ROAN'S body was found, remarked right away to BILL HALE and others: "Now they will all blame that on me", or words to that effect, but his behavior has been that of an innocent man at all times. ROAN'S ex-widow insists that BILL HALE had ROAN murdered for the insurance, while her present husband, ROY BUNCH, stubbornly contends that he believes SAM TULK and BOB PARKER shot ROAN while chasing him for having whiskey. (Agents are morally certain that neither BUNCH nor his wife have any knowledge as to the real facts. BUNCH is rather dull and slow-witted and has not much nerve.) The notorious relations between BUNCH and ROAN'S wife were calculated to furnish a good screen for some other person to murder ROAN, as suspicion would inevitably fall on BUNCH. HALE immediately spread broadcast what BUNCH had said to him about everybody blaming ROAN'S murder on him, BUNCH.

T. F. WEISS, Okla. City. Can testify that they carefully gathered together some of the pieces of glass from the shattered windshield of HENRY ROAN'S car in the spot where said car and body were found, but a year afterward, and that said glass was heavy plate; that the spot where the bullet had struck was found; that is, pieces of the glass that the bullet had struck, and that said bullet had gone completely through the glass, indicating a high-power gun must have been used; that a careful search failed to discover the bullet; that the caliber was apparently about .38.

186

Aug. 9. 1924.

JOHN McLEAN, Agent for the Capitol Life Insurance, Denver, Colo., can testify that W. E. HALE made application for life insurance in said company through McLEAN for insurance in HALE'S favor on the life of HENRY ROAN in the sum of \$25,000.00; that he, McLEAN, took said application but privately advised the company to reject it, because of the fact that ROAN'S history showed him to have been syphilitic, consumptive and to have made two apparent attempts at suicide.

THE CAPITOL LIFE INSURANCE CO. records at Denver, Colo. will show that HALE afterward got this policy through in collusion with one GREEN, then Agent for said company; that said company refused payment of said policy at ROAN'S death on grounds of fraud, misrepresentation and collusion between said Agent GREEN and HALE; that HALE then sued on said policy, which suit is now pending; that HALE claimed, as the basis for his insurable interest in HENRY ROAN'S life that ROAN owed HALE at ROAN'S death on an open, unsecured, unevicenced and unwitnessed account approximately said sum of \$25,000.; that HALE'S deposition avers that at one time HALE sold and delivered to HENRY ROAN one hundred head of cattle at \$130.00 per head; that no writing of any kind was made or signed to evidence this deal and no one was present to witness either the delivery or the agreement. Said life insurance company made an exhaustive investigation into this, and can furnish the names of the doctors at Fairfax who represented said company at that time and show that HALE took ROAN to Pawhuska to other doctors to get said examination of ROAN by and that the regular doctors for said company at Fairfax would have certainly shown the true facts regarding ROAN'S physican condition, suicide attempts, domestic trouble etc. which would have resulted in the rejection of the application for the insurance by HALE.

DICK STODDER, attorney, Pawhuska, Okla., has informed Agents that confidential informant, of good character and standing, has learned informed STODDER on several occasions that he, informant, has learned through underworld characters that BILL HALE hired the ones to kill HENRY ROAN and that DICK GREGG and JACK HART know all about it; that he STODDER got the impression from his informant that GREGG and HART actually did the murder. STODDER states that his informant refuses to talk to Agents or have his identity divulged for the reason that he, informant, is convinced that he would be murdered in short order if it ever became known that he has told the above. We are patiently trying to overcome informant's objections. We know positively that JACK HART and DICK GREGG are notorious criminals of this county and close to HALE. HART is now in Leavenworth prison, and GREGG in Lansing prison.

DICK GREGG has admitted to Agent Burger and J. H. POWELL that ERNEST BURKHART and BILL HALE propositioned him to do one or more of these Osage murders, but evaded details. GREGG also told BURGER and POWELL that BILL HALE and the BURKHARTS were responsible for these ROAN, SMITH and ANNA BROWN murders, and that MAC BILLINGS, criminal, at Okesa, Osage County, acted as go-between for HALE and the

687

murderers in at least one case. (We are now patiently working GREGG out, through MR. POWELL, who has an agreement with GREGG that will save GREGG from prison if GREGG will furnish us all the evidence. However, this is slow, as GREGG is 100 per cent criminal and will tell as little as he can under the circumstances and is probably involved himself.) DICK GREGG also told IKE OGG about a year ago while GREGG was at liberty that BILL HALE had asked him, GREGG, to do one of the murders, possibly referring to this ROAN murder.

JIM PARKER? ex-convict, Pawhuska, (car theft) can testify that he has known BILL HALE and the BURKHARTS well for years; that shortly before ROAN'S murder he was at Fairfax, broke; that he was wanting money and BILL HALE remarked to him in effect "just how God ~~am~~ a----d tough are you?" intimating he had a "job" he wanted done; that shortly after this ROAN was murdered. (We have not approached JIM PARKER, who is a stick up man and all around robber, but have a confidential informant to work on him for further evidence.)

#### R E M A R K S.

The above and foregoing is a summary digest. We have omitted all evidence and information that we ran down and found to be of no value or unfounded, or proving that others did NOT commit this murder.

We have omitted also a lot of merely cumulative or possibly corroborative information showing for instance other criminal work done or sought to be instigated by BILL HALE and ERNEST BURKHART. Getting on to the case so long after the murders occurred, and after a lot of private detectives have investigated, and talked too much, has handicapped us immensely. The almost ~~universal~~ universal fear of being "bumped off" for telling or assisting in the investigation has kept many persons from telling things that might help us. We believe, however, that when evidence to convict in one of these Fairfax cases is obtained and the guilty persons arrested and held without bond that a lot of persons will come forward with important evidence in all these cases. We have slowly but surely been getting the confidence of the people in general by respecting confidences and keeping our mouths shut, and have now

688



succeeded in getting some connections with the underworld, where the opening evidence will have to come from. To suspend these investigations at this time would be very unwise, in our opinion, as it will cause a great loss of confidence in many persons and handicap further progress.

## UNDEVELOPED LEADS:

DICK GREGG: Still to be worked out, in accordance with his agreement.

JOHN GREGG: Still to be worked out, in accordance with his agreement.

b7D

JIM PARKER: To be worked out at opportune time.

DICK STODDER: To get identity of and in touch with <sup>D.I.</sup> his informant.

GRADY DRAKE: To be questioned under pressure; he is antagonistic to all law.

THEODORE ROSELLE: Is arranged that he will be given good opportunity to "rope" JACK HART in Leavenworth prison where both are confined and are "friends".

WENDALL POWELL: To be questioned at right time, as he is said to know.

CAMPBELL KEYS: To be questioned at right time, as he is said to know.

MAMIE FLETCHER: Osage woman; said to have seen HENRY ROAN killed or dead, about Jan. 25, 1923.

ANGELINA MCKINLEY: Osage woman said to have been told by her now deceased husband, ALFRED MCKINLEY, that he and MAMIE FLETCHER saw HENRY ROAN killed that night, and that "they will kill us too if we tell".

O P E N.

689

ATTENTION - FBI

Oklahoma City AUG. 12, 24 Aug. 9, 1924

J. R. Burger

W. E. SMITH, et als.

Osage County,  
Okla.

: Murders of  
Indians.

SYNOPSIS OF FACTS:

(O. C. #7044.)

DIGEST OF FACTS AND EVIDENCE RE. MURDER OF HENRY  
ROAN, FULL BLOOD OSAGE INDIAN, Osage Co., Okla.,  
JAN. 26, 1923.

Henry Roan was a full blood Osage Indian about 40  
years old who at the time of his murder on or a-  
bout Jan. 26, 1923 was living with his wife, Mary,  
also a full blood Osage, and his children, at  
Fairfax, Okla. This report made jointly by Agents  
J. R. Burger and E. F. Weiss.

DETAILS:

Feb. 6, 1923 ROAN'S body was found in the front seat of his  
own car about three miles northwest of Fairfax in a swale, about 200  
yards from the road. He had been shot through the head from the rear,  
and had evidently been dead about ten days. Was evidently murdered  
at the spot the body was found, as the glass of the windshield had been  
shattered by the bullet, which passed through his head and through the  
windshield, was scattered all about the car and pieces still lay on the  
side of the car.

ROAN'S estate vested at his death in his said wife and children.  
He was well liked but drank considerably. He had no enemies with the  
exception of one ROY BUNCH. ROY BUNCH was a worthless sort of white

3 Washington; 1 Comm. of  
Indian Affairs; 4 file.

J. E. Burger.

Aug. 9, 1924.

man, about twenty-six years old, who had been intimate with ROAN's wife at and for some time previous to ROAN'S murder and who saw her a few months after ROAN'S death. However, infidelity and immorality is very common among the younger Osage women. ROAN was in this intimacy between BUNCH and MRS. ROAN and at one time took his gun and hunted BUNCH with the avowed purpose of killing him and at other times cried and complained to SAM TULY and others that BUNCH was invading his home, etc. ROAN also shot himself twice in apparent attempts at suicide but did not seriously wound himself so that the common opinion is that he was just trying to frighten his wife into doing right.

There was a rumor that SAM TULY and BOB PARKER, officers of Fairfax, had been seen chasing ROAN for whiskey about the time of his disappearance but this was investigated and shown to have been a week or more before ROAN'S disappearance. ROAN took his car and left home about noon, Jan. 26, 1924 went downtown got a little money from his guardian and was not seen again until his dead body was found as related above. Robbery could not have been the motive, as none of his money or valuables were taken, but were still on his body when found.

Shortly after ROAN'S death, W. L. (BILL) HALE of Fairfax, wealthy influential and unscrupulous rancher and stockman, produced an insurance policy in the Capital Life Insurance Co. of Colorado in HALE'S favor, in the amount of \$25,000.00. HALE has since brought suit as the insurance company refuses to pay, on the grounds of fraud and misrepresentation and said suit is now pending.

S. A. GUSTAFSON and his operatives and WM. BRACKETT and JOHN [unclear] also private detectives, were employed for some months on the case by

J. R. Burger.

AUG. 9, 1924.

-3-

some of ROAN'S heirs, including his widow. MORAN and BRACKETT readily furnished the Government Agents all information they had, but GUSCARO evaded doing so. In April, 1923, Frank V. Wright, a then Special Agent of this Bureau, made a preliminary report but very little investigation. In July, 1923, C. T. Weakley, Special Agent of this Bureau, was assigned to this case and the allied ones of the W. E. SMITH ARMA BROWN and CHAR. MITCHELL murders. Agent Weakley was called back to Ohio in September, 1923 and the same month Agent T. Y. Weiss was assigned to these cases and has been working on them continuously since, with the exception of three and one-half months lost by having to be in Federal court for the Government on other cases. Dec. 16, 1923 Agent J. R. Burger began working jointly with Agent Weiss and has continued to do so with the exception of about six weeks that Agent Burger was in Federal Court on other cases for the Government. One HERMAN FOX DAVIS was employed about April, 1923 by the Attorney General's office of Oklahoma but was taken off after about five weeks and sent to prison on a plea of guilty for bribery and graft practiced by him while ostensibly working on these cases. He apparently secured no evidence in these cases. HERMAN FOX DAVIS was soon paroled by Governor J. C. WALTER but early in 1924 was tried and convicted for the murder of PAUL MCCARTHY, attorney at Oklahoma City, and sentenced to life imprisonment at McAlester, Okla., where he is now serving time. The county authorities have done nothing in this ROAN matter.

#### SUSPECTS AND POSSIBLE MOTIVES OR EXPLANATIONS OF ROAN MURDER.

These Agents have impartially followed out every lead as far as possible to date and will state shortly that the evidence convinced

692

that ROY BUNCH and MRS. HENRY ROAN had nothing to do with this murder (though this is still remotely possible). That ROAN was not killed by officers as at first rumored, no doubt on this point. We are now convinced that HENRY ROAN was murdered by assassins employed by W. M. HALL for the purpose of enabling HALL to collect the \$25,000.00 on the policy he held on ROAN'S life and this is the general opinion among the better people in the county and among the Osage Indians.

### D I G E S T   O f   E V I D E N C E :

#### Proof of death and its cause; identification of body.

BOB PARKER and JIM RHODES can testify that on Feb. 6, 1923, they received word that an automobile was standing at the side of the road about three miles northwest of Fairfax, in the direction of Burbank; that they suspected it was a whiskey car and went out to investigate; that they found the car standing about 200 yards of the back road between Fairfax and Burbank in a rocky gulch, down which a dirt trail ran; that the car was HENRY ROAN'S touring car, had all the curtains up and pointing north and a little east; that HENRY ROAN'S dead body was lying on the front seat with a bullet hole through the head, that the bullet showed to have entered just back of the left ear and emerged just over the right eye, breaking the windshield glass; that this broken glass was strewn for about twenty feet back along the car tracks and some pieces were still lying on the hood of the car; that ROAN was lying on the front seat with his feet just off the pedals and his head, with his ear under it, resting on the right edge of the seat; that the position of the body plainly indicated that ROAN had been driving when shot from the left rear; that the back curtain was unbuttoned partly at the top; that there was not much blood but some blood had dripped from the wound in the head, just inside of the right front door and some had dripped just outside the front on the right side and had been blown and lodged along the car on that side back from the front door, showing that a north wind had been blowing at the time and that ROAN had fallen as they found him, and killed at that spot; that PARKER and JIM RHODES got the body back to Fairfax, where DRs. E. B. PRENTISS and J. C. SHOWN performed an autopsy on it. That they, JIM PARKER and JIM RHODES, knew HENRY ROAN well in his lifetime and knew positively that it was HENRY ROAN'S body that they found.

DR. E. B. PRENTISS and  
DR. J. C. SHOWN,  
Fairfax, Okla.

Can testify that they performed the autopsy as above indicated and that the wound, as stated by Parker and Rhodes and that said wound caused the death of said HENRY

493

ROAN; that his body showed to have been dead some ten days as it had been frozen stiff at first but had begun to thaw and decompose at the time it was found; that the weather had been very cold from about Jan. 26th to Feb. 3d or 4th, 1923 at which time a warm spell set in, so that ROAN must have been killed about Jan. 26th; that they, DRS. RENTON and SHOWN, both knew HENRY ROAN well in his lifetime, and know it was ROAN'S body that was found as no changes had occurred in the body to hinder an easy identification.

MRS. MARY ROAN, can testify that she last saw her husband, HENRY ROAN, alive on Jan. 24th or 25, 1923; that he left with his car, in which his body was later found, in the forenoon of that date and she never saw him alive again; that she identified his body when it was brought in to Fairfax Mar. 6, 1923 and is sure it was his body.

(NOTE) Agents have made every effort to locate the bullet that killed ROAN, but so far it appears that no one ever found it.

EVIDENCE AS TO WHERE, WHEN and BY WHOM MURDER WAS COMMITTED:

SAM TULEY and a host of others can testify that ROY BUNCE and BOB PARKER ROAN'S wife were intimate for months before ROAN'S murder as BUNCE admitted it and it was of notorious and common knowledge and that ROY BUNCE married her a few months after the murder. But so far not one iota of evidence has been secured by anyone connecting BUNCE with the murder. Both BUNCE and the wife talk freely and BUNCE, when ROAN'S body was found, remarked right away to BILL HALE and others, "Now they will all blame that on me", or words to that effect, but his behavior has been that of an inn cent man at all times. ROAN'S ex-widow insists that BILL HALE had ROAN murdered for the insurance, while her present husband, ROY BUNCE, stubbornly contends that he believes SAM TULEY and BOB PARKER shot ROAN while chasing him for having whiskey. (Agents are morally certain that neither BUNCE nor his wife have any knowledge as to the real facts. BUNCE is rather dull and slow-witted and has not much nerve.) The notorious relations between BUNCE and ROAN'S wife were calculated to furnish a good screen for some other person to murder ROAN, as suspicion would inevitably fall on BUNCE. HALE immediately spread broadcast what BUNCE had said to him about everybody blaming ROAN'S murder on him, BUNCE.

T. F. WEISS, Okla. City. Can testify that they carefully gathered together some of the pieces of glass from the shattered windshield of HENRY ROAN'S

JOHN MORAN, Tulsa, Okla. car in the spot where said car and body were found, but a year afterward, and that said glass was heavy plate; that the spot where the bullet had struck was found; that is, pieces of the glass that the bullet had struck, and that said bullet had gone completely through the glass, indicating a high-power gun must have been used; that a careful search failed to discover the bullet; that the caliber was apparently about .38.

JOHN McLEAN, Agent for the Capitol Life Insurance, Denver, Colo., can testify that W. E. HALE made application for life insurance in said company through McLEAN for insurance in HALE's favor on the life of HENRY ROAN in the sum of \$25,000.00; that he, McLEAN, took said application but privately advised the company to reject it, because of the fact that ROAN'S history showed him to have been syphilitic, consumptive and to have made two apparent attempts at suicide.

THE CAPITOL LIFE INSURANCE CO. records at Denver, Colo. will show that HALE afterward got this policy through in collusion with one GREEN, then Agent for said company; that said company refused payment of said policy at ROAN'S death on grounds of fraud, misrepresentation and collusion between said Agent GREEN and HALE; that HALE then sued on said policy, which suit is now pending; that HALE claimed, as the basis for his insurable interest in HENRY ROAN'S life that ROAN owed HALE at ROAN'S death on an open, unsecured, unevdenced and unwitnessed account approximately said sum of \$25,000.00; that HALE'S deposition avers that at one time HALE sold and delivered to HENRY ROAN one hundred head of cattle at \$130.00 per head; that no writing of any kind was made or signed to evidence this deal and no one was present to witness either the delivery or the agreement. Said life insurance company made an exhaustive investigation into this, and can furnish the names of the doctors at Fairfax who represented said company at that time and show that HALE took ROAN to Pawhuska to other doctors to get said examination of ROAN by and that the regular doctors for said company at Fairfax would have certainly shown the true facts regarding ROAN'S physical condition, suicide attempts, domestic trouble etc. which would have resulted in the rejection of the application for the insurance by HALE.

DIC. STODDER, attorney, Pawhuska, Okla., has informed Agents that a confidential informant, of good character and standing, informed STODDER on several occasions that he, informant, has learned through underworld characters that BILL HALE hired the ones to kill HENRY ROAN and that DICK GREGG and JACK MART know all about it; that he STODDER got the impression from his informant that GREGG and MART actually did the murder. STODDER states that this informant refuses to talk to Agents or have his identity divulged for the reason that he, informant, is convinced that he would be murdered in short order if it ever became known that he has told the above. We are patiently trying to overcome informant's objections. We know positively that JACK MART and DICK GREGG are notorious criminals of this county and close to HALE. MART is now in Leavenworth prison, and GREGG in Lansing prison.

DICK GREGG has admitted to Agent Burger and J. E. POWELL that ERNEST BUNKHART and BILL HALE propositioned him to do one or more of these Osage murders, but evaded details. GREGG also told BURKE and POWELL that BILL HALE and the BUNKHART were responsible for these ROAN, SMITH and ANNA BROWN murders, and that MAC BILLINGS, of final, at Osage, Osage County, acted as go-between for HALE and the



murderers in at least one case. (We are now patiently working GREGG out, though MR. POWELL, who has an agreement with GREGG that will save GREGG from prison if GREGG will furnish us all the evidence. However, this is slow, as GREGG is 100 per cent criminal and will tell as little as he can under the circumstances and is probably involved himself.) DICK GREGG also told IKE GOS about a year ago while GREGG was at liberty that BILL HALE had asked him, GREGG, to do one of the murders, possibly referring to this ROAN murder.

JIM PARKER, ex-convict, Pawhuska, (car theft) can testify that he has known BILL HALE and the BURNHARTS well for years; that shortly before ROAN's murder he was at Fairfax, broke; that he was wanting money and BILL HALE remarked to him in effect "just how God say d----d tough are you?" intimating he had a "job" he wanted done; that shortly after this ROAN was murdered. (He have not approached JIM PARKER, who is a stick up man and all around robber, but have a confidential informant to work on him for further evidence.)

#### REMARKS.

The above and foregoing is a summary digest. We have omitted all evidence and information that we ran down and found to be of no value or unfounded, or proving that others did NOT commit this murder.

We have omitted also a lot of merely cumulative or possibly corroborative information showing for instance other criminal work done or sought to be instigated by BILL HALE and ERNEST BURNHART. Getting on to the case so long after the murders occurred, and after a lot of private detectives have investigated, and talked too much, has handicapped us immensely. The almost universal fear of being "bumped off" for telling or assisting in the investigation has kept many persons from telling things that might help us. We believe, however, that when evidence to convict in one of these Fairfax cases is obtained and the guilty persons arrested and held without bond that a lot of persons will come forward with important evidence in all these cases. We have slowly but surely been getting the confidence of the people in general by respecting confidences and keeping our mouths shut, and have now

196

J. R. Burger.

Aug. 9, 1924.

-3-

succeeded in getting some connections with the underworld, where the opening evidence will have to come from. To suspend these investigations at this time would be very unwise, in our opinion, as it would cause a great loss of confidence in many persons and handicap further progress.

UNDEVELOPED LEADS:

DICK GREGG: still to be worked out, in accordance with his agreement.

JOHN GREGG: Still to be worked out, in accordance with his agreement.

KELSEY MORRISON: is now out of jail and working with some underworld men and women under cover for us.

JIM PARKER: To be worked out at opportune time.

DICK STODDER: To get identity of and in touch with his informant.

GRADY DRAKE: To be questioned under pressure; he is antagonistic to all law.

THEODORE R. WELLS: Is arranged that he will be given good opportunity to "rope" JACK HART in Leavenworth prison where both are confined and are "friends".

VERDALL POWELL: To be questioned at right time, as he is said to know.

CAMPBELL KEYS: To be questioned at right time, as he is said to know.

MAMIE FLETCHER: Osage woman; said to have seen HENRY ROAN killed or dead, about Jan. 25, 1923.

ANGELINA MCKINLEY: Osage woman said to have been told by her now deceased husband, ALFRED MCKINLEY, that he and MAMIE FLETCHER saw HENRY ROAN killed that night, and that "they will kill us too if we tell".

O P H H.

1697

Oklahoma City Aug. 13, 24 Aug. 9, 1924

J. R. Burger.

W. E. Smith, et al.

Osage County,  
Okla.: Murders of Osage  
Indians.

## SYNOPSIS OF FACTS:

(O. C. #7060.1)

Biggest of facts and evidence re. murder of Charles  
Whitehorn, full blood Osage Indian, Osage County,  
Okla., May 15, 1921. This is joint report of  
Agents J. R. Burger and T. F. Nelson.  
SPECIAL REPORT.

## DETAILS:

CHARLES WHITEHORN was a full blood Osage Indian, living at Paw-  
huska, Okla. with his wife, EATTIE WHITEHORN, now Mrs. EATTIE WHITEHORN.  
CHAS. WHITEHORN was about thirty years of age, well liked, but  
quite a drinker of whiskey. His wife was a half-breed Cheyenne woman  
who had been twice married before and of a very [redacted] and  
[redacted]. They had no children, but she had a  
daughter, named WYEMA, seven years of age, by her first husband.  
The WHITEHORNS in May, 1921 were living in a house with one MINNIE SAV-  
AGE, divorced wife of one EARL SAVAGE. MINNIE SAVAGE was [redacted]  
[redacted] Her ex-husband, EARL SAVAGE,  
was also hanging around this house, bootlegging whiskey. One DECKY  
SUTTON, of poor character, was staying at said house, bootlegging. EVA  
LOCKLIN, sister of MINNIE SAVAGE, and wife of ROY LOCKLIN, both of the

3 Washington; 4 file;  
Comm. of Indian Affairs.

J. R. Burger.

Aug. 9, 1924.

poorest character, were also around said house a lot of the time. [REDACTED] DANIEL HUGHES, brother to MINNIE and RYAN, whose maiden names were also HUGHES, lived close by, and were also logging. One ROY SMITHERMAN, a painter, was an associate of MINNIE SAVAGE, living in Pawhuska at the time. He and WHITEHORN'S widow, RATTIE, were married at Tulsa a few weeks after WHITEHORN'S murder, as MINNIE SAVAGE'S suggestion.

On Friday, May 14, 1921 CHAS. WHITEHORN attended a ball game at Pawhuska and was slightly drunk. He was seen that evening about six P. M. on the streets of Pawhuska. His wife, RATTIE, declares that he accompanied her from a doctor's office to the stairs leading up the hill to their said residence about 9 P. M. that evening; that she went on up to the house and he went down in the direction of the post office stating that he was going to Pershing, seven miles away, that night with some fellows; that this was the last time she ever saw him alive. And this is the last time that the evidence shows, thus far, that any one saw him alive.

On Saturday, May 22, 1921 EARL FOWLER, a pumper at Pawhuska, found WHITEHORN'S dead body in the thick brush on Trial Hill, on the northern outskirts of Pawhuska, with two bullet holes, small calibre, in his forehead, between the eyes. The body was badly decomposed, but readily identified by his widow and others. No powder burns appeared around the wounds. The bullets were extracted from the brain and preserved by L. C. JOHNSON, undertaker, who has them in his possession.

WHITEHORN'S estate, worth about \$80,000.00, was inherited by said widow, RATTIE, and she a few weeks later married a man ROY

699

J. R. Burger.

Aug. 9, 1924.

SMITHMAN and moved to Arkansas City, Kans. where they lived together for about two years, at which time SMITHMAN took her high priced car, \$1,500.00 of her money and other valuables and went to Los Angeles, Calif. in company with a girl from Arkansas City about nineteen years old named MAUDINE WILLIAMS, and with whom he lived in California as man and wife for some months.

J. A. GUSTAFSON, JOHN MCKIN and other private detectives were employed soon after the murder by WHITEHORN'S heirs, including EATHE, the widow, but developed no evidence of value as to who the guilty persons were.

Some investigation of this case was made by C. T. Weakley, who was assigned this case, along with other Osage murders, in July, 1923. Weakley discontinued in September, 1923 and Agent Weiss took the case up, along with three other Osage murders, at the same time. Agent Burger joined Agent Weiss on these cases Dec. 16, 1923.

### D I G E S T   o f   E V I D E N C E.

Proof of death and its cause. Identification of Body.

EARL POWLER, Pawhuska, Okla. can testify that on Saturday, May 31, 1921 he discovered the body of Charles Whitehorn lying on the ground in the brush on Dial Hill, just north of Pawhuska; that death had occurred some days before, as the body was swollen and decomposed to a certain extent; that there were two holes, evidently bullet holes, between the eyes and that death evidently had occurred and the body fallen where he found it; that he notified the authorities at Pawhuska at once.

L. G. JOHNSON, Underfaker, Pawhuska, Okla. can testify that he was called, examined the body where found and the surrounding ground and prepared the body for burial; that he is convinced that Whitehorn was shot and killed where the body was found and not transported there from some other spot as the position of the body, condition of the clothes and ground all indicated this; that there were two bullet holes in the forehead, between the eyes, and he

700

and the doctors he will have extracted these bullets from the brain; that he has these bullets in his possession and they are of small calibre, about .32 calibre; that no other marks of violence or wounds existed, and death must have been caused, instantaneously, by these bullet wounds; that there was no powder or powder burn around said bullet wounds; that ~~there was no~~ death must have occurred, evidently, about one week before the body was found. (Mr. Johnson has had wide experience in cases of this kind.)

MATTIE WHITEHORN, can testify that she positively identified said body as that of her husband, Chas. Whitehorn, and many others can be named who did this.

#### SUSPECTS, and POSSIBLE MOTIVES OR EXPLANATIONS FOR MURDER.

CHARLES WHITEHORN'S had frequently quarreled with him and he has occasionally beaten her. She had also threatened on one or two of these occasions to kill him. By his death she inherited quite a valuable estate from him. She had no love for him or apparently any particular man. Her character was extremely low and degenerate. She is rumored to have told the facts of the murder to a certain attorney. She did marry Leroy Smitherman a few weeks after Whitehorn's murder (but the evidence is that she did not know Smitherman at the time Whitehorn was killed.) Agents have become well acquainted with her during this investigation and believe her easily capable of having the murder done if she desired.

MINNIE SAVAGE is known to be a shrewd, immoral, capable woman. She had the widow marry Smitherman, with whom Minnie Savage was intimate and very friendly at the time of the murder, a few weeks after the murder. One theory is that Minnie Savage planned to have Whitehorn murdered then marry Mattie to Smitherman then have Mattie murdered and marry Smitherman herself, thus getting into possession of the Whitehorn property, which yields the widow about \$500.00 a month, besides some lands.

EARL SAVAGE, is known to have been still infatuated with his divorced wife, Minnie, and is suspected of having lured Whitehorn to the spot, under pretense of getting whiskey for him, and there murdered him, at the instigation of Minnie Savage, and possibly that she assisted in this.

BRYAN GRIFFIN, a worthless young man, working for S. J. Margis as clerk at the time, but infatuated with Minnie Savage, and bootlegging for her, is suspected of having found her and Whitehorn at the spot for a clandestine meeting, and to have shot Whitehorn in a jealous rage, but this is hardly reasonable.

Then there is the possibility that Whitehorn was shot in a drunken quarrel, as he was quarrelsome at times when drunk, but this is also a remote possibility. It is almost a certainty that Minnie Savage,

J. R. Burger.

Aug. 9, 1924.

Hattie, the widow, Earl Savage, Eva and Roy Locklin, Dandel Ruggles, Roy Smitherman and Bryan Griffin, all or most of them know all about this.

EVIDENCE AS TO WHEN, WHERE AND BY WHOM MURDER WAS COMMITTED.

DELILA MASHUNKASHE is reported to have told Mrs. John McKinley and Hattie Smitherman, some five or six months ago, that she was talking to Bryan Griffin when he took a pistol out of his pocket, twirled it on his finger, and remarked to her, "This is the gun that killed Charley Whitehorn."

EVA LOCKLIN told A. W. Comstock, soon after the murder that Earl Savage killed Whitehorn and that her husband, Roy Locklin, knows all about it and Minnie Savage also knows, but is protecting Earl Savage. (These persons named afterward denied this.)

ROY LOCKLIN told A. G. Matteson that he, Locklin, brought Whitehorn home from Pershing about 2 A. M. Saturday May 31, 1921; that Whitehorn was paralyzed drunk and Locklin and Minnie Savage had carried him into her house between them that morning. (Locklin afterward denied this to Agents.)

CHAS. KEIGLEY told Mr. Warren, of the Agency at Pawhuska, that he, Keigley, heard some of the above named suspected women talking to an attorney in Pawhuska and telling him about who did this murder; that suspects and said attorney did not know he, Keigley, was hearing this.

HATTIE SMITHERMAN has always denied to Agents that she had any knowledge of who committed the crime or why, but one day, off guard, remarked earnestly to Agent Weiss, "I am as smart as you are. I have been warned about you. He says you are just getting into my confidence, into my confidence, and if I tell you you will send me to the electric chair" (She named the man that she claimed warned her.)

REMARKS:

Agents have not pressed this investigation very far as yet, for the reason that it is an isolated murder and not a part of the systematic series of murders committed at Fairfax, to-wit: W. T. SMITH, NITA SMITH, ANNA BROWN, HENRY ROAN and NETTIE BROOKSHIRE, all of whom were murdered apparently with the expectation of benefiting the BILL HALE and ERNEST BURKHART fortunes. Most of our time, in fact nearly

762