

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

**SUBJECT: BARKER/KARPIS GANG
BREMER KIDNAPPING**

FILE NUMBER: 7-576

SECTION : 257



FEDERAL BUREAU OF INVESTIGATION

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SERIALS 14396 - 14430

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**Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.**

EAT:RP

June 1, 1937

MEMORANDUM FOR THE DIRECTOR

I talked to Mr. Holtzoff in his office on the morning of June 1, 1937, concerning the subpoena duces tecum issued for you in Miami, Florida, in connection with the Joe Adams - Duke Randall case. Mr. Holtzoff advised that a subpoena of this type did not require your personal appearance and that as a matter of fact subpoenas duces tecum were received by the Attorney General almost daily, accepted and acted upon without his knowledge. Mr. Holtzoff stated that the wording of all subpoenas duces tecum is such as to contain a personal command, but the subpoena is honored if an accredited representative of the Department or organization concerned appears in answer to the subpoena.

Mr. Holtzoff stated that the proper procedure in this situation would be for Mr. Shivers, as Special Agent in Charge of the Miami Field Division, to appear in court in response to the subpoena, and to have in his possession the files, reports, etc., covered by the subpoena, but to decline to produce them. Mr. Holtzoff stated that by bringing the records into court the witness shows the proper attitude towards the court's authority to issue subpoenas generally. Mr. Holtzoff stated that Mr. Shivers should respectfully decline to produce the documents subpoenaed upon the following grounds:

1. That Departmental regulations forbid the introduction of such records.
2. That it is contrary to public policy to introduce such records.
3. That it is contrary to the public interest to introduce such records and that Mr. Hoover had instructed him to appear and inform the court that the contents of the Bureau records were confidential and that it was contrary to the public interest to disclose them to persons outside of the Government service.

Mr. Holtzoff furnished me with a mimeographed copy of a memorandum which he prepared on November 9, 1936, dealing with the discovery and production of documents. A copy of this memorandum is attached hereto and I have furnished to Mr. McIntire in Miami the citations set forth in Mr. Holtzoff's memorandum. On approximately 11 A.M., I accepted service of the subpoena issued in this case from Deputy United States Marshal Graves.

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BUREAU OF INVESTIGATION

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FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

make proper disposition of the check.

I have instructed Mr. McIntire to appear for me. The subpoena for me has been withdrawn.

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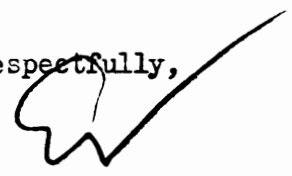
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June 1, 1937

For record purposes, I desire to point out that there was attached to the subpoena a check issued to the United States Marshal for the District of Columbia in the amount of \$135.50, which check had been endorsed payable to your order. Mr. Holtzoff advises me that this is the customary method of serving subpoenas in matters of this kind in that the travel funds for the witness are furnished.

Respectfully,


E. A. Tamm.

DEPARTMENT OF JUSTICE
Washington, D. C.

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November 7, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Re: Rule 4 (b) (1) - Service of Summons
and Complaint on the Government.

Actions against the Government may be divided into two classes; suits in which the United States is named as the defendant; and suits in which the nominal defendant is a Government officer or commission. Since both classes of cases are in essence suits against the Government and are defended by the Department of Justice, either through members of its staff at the seat of Government, or through the United States Attorneys, service of the summons and complaint on the Attorney General and on the United States Attorney should be required.

Where the nominal defendant is a Government officer or commission, service of the summons and complaint should also be made on the nominal defendant, as a personal liability may be involved. The majority of suits in which Government officers or commissions are defendants, consist of two groups: suits for an injunction or mandamus; and suits against a Collector of Internal Revenue to recover a refund of taxes. In the first instance, the defendant should have personal notice in view of the fact that a violation of the court order is punishable by contempt proceedings. In the second group of cases, personal notice is indispensable because, under certain circumstances, a judgment against the Collector becomes a personal liability on his part.

It is understood that after the words "upon the United States" in Rule 4(b) (1) there are to be inserted the words, "or upon an officer, department, establishment, board, commission or other Governmental agency of the United States."

It is suggested that the following clause be inserted after the words "District of Columbia" in the same sentence:

"and when an officer, department, establishment, board, commission, or other Governmental agency of the United States is a defendant, the summons and complaint should also be served on such defendant."

The last clause of that sentence would thereupon become superfluous.

(s) Alexander Holtzoff,

Special Assistant to the
Attorney General.

Lists of Statutes

U. S. Code, Title 28, Sec. 902 (Foreclosure suits
against the United States.)

U. S. Code, Title 28, Sec. 45 (Actions against Interstate
Commerce Commission and Shipping Board).

U. S. Code, Title 15, Secs. 771, 78y, and 79x (Suits
against Securities and Exchange Commission).

U. S. Code, Title 15, Sec. 45 (Suits against Federal
Trade Commission).

U. S. Code, Title 28, Sec. 763 (Suits against the
United States under the Tucker Act).

U. S. Code, Title 38, Sec. 445 (Suits against the
United States on veterans' insurance).

U. S. Code, Title 26, Sec. 1569 (b) (Suit to clear
tax liens).

DEPARTMENT OF JUSTICE
Washington, D. C.

November 7, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Re: Rule 17 - Motions to make pleadings more definite and certain and for bills of particulars.

Paragraph (b) of this Rule requires an amended pleading or a bill of particulars, as the case may be, to be served within five days after it is ordered.

It is understood that this provision has been revised so as to extend the time to ten days. It is requested that it be further amended so as to provide for twenty days' time. This is essential in so far as the Government is concerned, since United States Attorneys have to correspond with the Department of Justice in Washington in connection with the amended pleadings and bills of particulars, and sometimes additional information has to be obtained from the Department out of whose activities the case arises.

Twenty days time is none too long for that purpose, in fact, frequently it is insufficient.

(s) Alexander Holtzoff,

Special Assistant to the
Attorney General.

DEPARTMENT OF JUSTICE
Washington, D. C.

November 4, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE ON RULES OF CIVIL PROCEDURE

Re Rule 18 - Counterclaims

The first paragraph of this rule provides that the answer must assert any counterclaim which the defendant has against a party and which arises out of the transaction which is the subject matter of the action. This rule is similar to Federal Equity Rule 30, which likewise employs the word "must" in this connection. The word "must" in Equity Rule 30 has been construed as making it obligatory on the defendant to assert a counterclaim arising out of the same transaction as that on which the action is founded, failing which the defendant loses his right to assert his claim subsequently, either by an independent action or otherwise. Humble v. Caflisch (C.C.A. 6th), 251 Fed. 1, 5; Krupp v. Bell (C.C.A. 4th), 243 Fed. 157, 161; Marconi Wireless Telegraph Co. v. National Electric Signal Co., 206 Fed. 295; Portland Wood Pipe Co. v. Slick Bros. Construction Co., 222 Fed. 528, 530. Defendants have been penalized in this manner for failing to assert a counterclaim. For example, in Kreitzmeyer v. Baldwin Drainage District, 2 Fed. Supp. 208, affirmed (C.C.A. 5th) 62 F. (2d) 785, a national bank was barred from asserting a claim against a receiver because it could have been asserted as a counterclaim in a prior suit between the same parties.

The obligatory feature of Equity Rule 30 has not created any problem insofar as the Government is concerned, because the United States is not suable in equity and all actions against the Government are brought at law for the recovery of a sum of money. Making this principle applicable to actions at law creates a situation which may adversely affect the interests of the Government. The ramifications of Government activities are such that Government counsel may not always be aware of the existence of a claim against the plaintiff in a suit against the United States, even though the claim arises out of the same transaction as that on which the action is founded. Thus, in a suit on a contract, the Government may have a claim arising out of the same contract. Its existence, however, may not be known to counsel at the time he files his answer, and he may not become aware of the facts out of which it arises until a later date. Such circumstances are neither far fetched nor remote.

It is therefore suggested that the Government should be exempt from the operation of the obligatory feature of the first paragraph of Rule 18. This result can be accomplished by adding the following sentence to the first par. of Rule 18:

"This requirement shall not apply to answers filed on behalf of the United States or any officer, department, establishment, commission or other body thereof sued in his or its official capacity. In such cases the defendant may, but shall not be required to, assert such counterclaim."

Alexander Holtzoff,
Special Assistant to the Attorney General.

Herbert A. Bergson,

Lists of Statutes

U. S. Code, Title 28, Sec. 763 (Counterclaims by
the United States in District Courts.

U. S. Code, Title 28, Sec. 41 (20) (Same.)

U. S. Code, Title 28, Secs. 774 and 775 (Claims
for credit in suits brought by the Government).

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DEPARTMENT OF JUSTICE
Washington, D.C.

November 5, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE.

Re: Rule 22 - Amendments.

While the purpose of Rule 22 is to provide a liberal practice in reference to amendments of pleadings, in one respect it appears to fail of its purpose. The first sentence of paragraph (a) of the rule provides that amendments may be made once as of course before the adverse party has served a responsive pleading. However, since replies are not required unless the defendant interposes a counterclaim, there will be no responsive pleadings to most answers. Consequently, in the great majority of cases, while the plaintiff will have an opportunity to amend his complaint as of course, no such right will be accorded the defendant to amend his answer. It is suggested that some provision be made whereby the privilege be given to amend every pleading once as of course. This is done under the New York practice by permitting the amendment of any pleading within twenty days after its service (New York Civil Practice Act, Sec. 244), and it might be well to adopt such a provision in the proposed rules.

Accordingly, it is suggested that the following be inserted on p. 39, line 3, after the words, "At any time":

"within twenty days after a pleading has
been served or".

(s) Alexander Holtzoff,

Special Assistant to the
Attorney General.

DEPARTMENT OF JUSTICE
Washington, D. C.

November 4, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE ON RULES OF CIVIL PROCEDURE

Re Rule 29 - - Intervention

The proposed Rule relating to intervention permits intervention in the discretion of the court. Intervention is to be granted as of right only in two classes of cases: in any action in which the applicant may be bound by a judgment through being represented by existing parties to the action, if it appears that such representation is, or may be inadequate; and in any action involving property in custodia legis, if the disposition of the property would adversely affect the moving party.

The existing law, however, provides for intervention as of right in other types of cases as well as those mentioned in the Rule in its present form. It would seem desirable that such rights should be preserved rather than abolished. For example, the United States is permitted to intervene as of right in proceedings to review certain orders of the Interstate Commerce Commission (U. S. Code, Title 28, section 48). The Interstate Commerce Commission is permitted to intervene as of right in any suit involving the validity of one of its orders (U. S. Code, Title 28, section 45a). Subcontractors and material men on Government contracts are given the right to intervene in any action instituted by the United States on the contractor's bond (U. S. Code, Title 40, section 270).

While these statutes are referred to in the note to the Rule, the Rule might seem to be subject to the construction that it supersedes all existing law on the subject of intervention. It is suggested, therefore, that an appropriate provision be made in the Rule for the cases to which reference has been made. This can be accomplished by the following amendments:

Page 29, line 11, omit the word "and".

Page 49, line 16, change period to semicolon, and immediately following such semicolon insert the following:

"and (3) in any case in which the right to intervene is granted by statute".

(s) Alexander Holtzoff,

Special Assistant to the
Attorney General.

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

December 11, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Re Rule 30 - Substitution of Parties.

Paragraph (c)

The provisions of this paragraph in a general way follow the existing law as embodied in U.S. Code, Title 28, Sec. 780, and are generally satisfactory. The second sentence of the proposed rule is new and seems to be surplusage and unnecessary.

Paragraph (d)

This paragraph provides that in actions in which the Commissioner of Internal Revenue is a party no substitution of the name of a successor shall be required when there is a change in the incumbent of the office. It is hoped that this provision will be retained. Under existing practice, whenever there is a change in the office of the Commissioner of Internal Revenue, several thousand substitutions in as many cases have to be filed, which constitutes a heavy but an entirely unnecessary burden. In some courts this is obviated by a practice which permits the Commissioner of Internal Revenue to be sued by his title only. The Tax Division of the Department of Justice has for a number of years been advocating the change in the law which is embodied in Paragraph (d), but so far without success. Its adoption would be in the interest of simplification of procedure.

(s) Alexander Holtzoff,
Special Assistant to
the Attorney General.

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DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

November 6, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Re: Rule 31 - Examinations before Trial.

Re: Paragraph (a).

This rule brings into Federal practice, the salutary provisions for examinations before trial which have been in force in a number of Code States. However, the first sentence of this paragraph indicates that such an examination may be had not only after issues are joined, but at any time after the defendant has been served with the summons and complaint. The question arises whether it is desirable to permit such an examination until an answer is served. Prior to that an examination may prove a source of unnecessary annoyance and harassment to the defendant. It would seem that the plaintiff should be required to wait until he is informed through the defendant's answer as to which of the allegations of the complaint the latter is going to admit or deny. Otherwise, he may be in a position to require the defendant to submit to an examination in regard to an allegation in the complaint which the latter will admit in his pleadings. It does not seem that the plaintiff would be prejudiced by being requested to wait until joinder of issue. An exception might well be made in case a deposition is being taken de bene esse, on the ground that the witness is expected to leave the jurisdiction, or is aged, sick or infirm.

The interest of the Government in this matter arises out of the fact that the United States and its officers are named as defendants in thousands of suits. While the Government should not object to the legitimate use of examinations before trial, when employed for the ascertainment of the pertinent facts and expediting and facilitating a decision of the controversy, on the other hand, it is undesirable to take away Government officials and employees from their duties for the purpose of examinations before trial any more than is requisite in the interests of justice. Moreover, on each occasion on which a Government official or employee will be examined before trial, he will be attended by Government counsel, and unless such examinations are circumscribed by appropriate limitations, it is entirely conceivable that Government counsel may be compelled to travel and attend such hearings unnecessarily. This may prove to be a heavy burden on the personnel of the Department of Justice, as well as an unnecessary expense. So far as plaintiffs are concerned, all legitimate purposes of an examination before trial will be subserved if the privilege to undertake such a proceeding is postponed until joinder of issue, except in cases in which the witness is about to leave the jurisdiction, or is sick or infirm. Accordingly, the following suggestion is submitted:-

Strike out the sentence commencing on page 54, line 4, to and including the word "res" in line 6, and substitute the following therefor:-

"at any time after the joinder of issue"

Insert the following sentence on line 11:

"Upon a showing that the person to be examined is about to depart from the jurisdiction of the court, or is--
aged, sick or infirm, the court may direct the taking of such testimony by deposition at any time after jurisdiction has been obtained over any defendant."

Re: Paragraph (e).

This paragraph relates to costs in connection with the taking of depositions and the use thereof at the trial.

As ordinarily the Government is not subject to the payment of costs, it is suggested that the following sentence be added to this paragraph:-

"No costs shall, however, be assessed as against the United States, or any officer, department, establishment, commission or other body thereof sued in his or its official capacity."

(s) Alexander Holtzoff

Special Assistant to
the Attorney General.

November 9, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURERe: Rule 38 - Discovery and Production
of Documents.

The rule providing for discovery and production of documents is broad in its terms and contains no limitations on the scope of the courts' discretion in the matter. In this regard, it is unlike Rule 31 relating to examinations before trial, for the latter expressly limits such examinations to matters "not privileged". This reservation is not found in Rule 38.

This matter is of vital importance to the Government, as will appear by a consideration of the existing law on the subject.

Numerous classes of Government documents are not subject to production in court. In some instances, the prohibition against publicity is for the benefit of individual citizens, as for instance, the privacy of income tax returns, which may not be inspected or produced except under certain limited circumstances (U. S. Code, Title 26, section 55). In other instances, the privacy of confidential Government papers is for the protection of the Government itself.

There are three classes of cases in which Government files are not subject to inspection:

1. Those in which there is an express statutory bar, as in case of income tax returns (U. S. Code, Title 26, section 55).
2. Those in which the prohibition is contained in Departmental rules or regulations, promulgated in accordance with the rule-making power granted by some special statute or by the general enactment found in U. S. Code, Title 5, Section 22. Such rules are respected by the courts. Boske v. Comingore, 177 U. S. 459; Ex parte Sackett, (C.C.A. 9th) 74 Fed. 922.
3. Those in which the head of the department states that the papers in question are confidential and that it is contrary to public policy to produce them. 25 Op. A.G. 322; 15 Op. A.G. 415, 416; Ex parte Sackett, supra.

In the District of Columbia, where there is a large volume of suits against Government officers, the local courts follow the practice of declining to order the production of Government files whenever Government counsel formally states that the files in question are confidential and that it would be contrary to the public interests to produce them. In the Court of Claims, by express statutory amendment, the production of confidential and private documents on the part of the Government may not be required

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(U. S. Code, Title 28, section 272).

This principle is applied in England in spite of the fact that it has a very liberal rule as to discovery in general, Local Government Board v. Arlidge, (1915) Appeal Cases 120, 137, discussing in detail the reason for this doctrine. See also Admiralty v. Aberdeen Steam Co., 46 Scottish Law Reports 254, 257.

It is assumed that it is not intended by the proposed rules to change the basic law relative to the confidential character of certain Government records, and to empower a district judge to order their production under any and all circumstances, if he sees fit to do so. In view of the fact, however, that the proposed rules are more than merely rules of court, but will have the effect of a statute, an appropriate reservation should be made, lest they should be construed as repealing by implication the entire body of existing law on the subject. There certainly should be no misunderstanding on the point.

The necessity for clarifying this point is strikingly illustrated by the case of Ex parte Sackett, (C.C.A. 9th) 74 Fed. 922, cited above. In that case a Special Agent of the Federal Bureau of Investigation of the Department of Justice was served with a subpoena duces tecum issued out of the United States District Court for the Southern District of California, sitting in Los Angeles, requiring him to produce certain official documents in his possession. He appeared in court in response to the subpoena, but declined to produce the documents, on two grounds: first, that he was prohibited from doing so by a specific Departmental rule; and second, that he had communicated with the Department of Justice in reference to the matter in hand, and was informed that the documents sought were part of its official and confidential records, and that it was against public policy to produce them. The presiding judge forthwith summarily adjudged the Agent guilty of contempt of court and directed that he be committed to the custody of the United States Marshal until such time as he complied with the order of the court. A request that he be released on his own recognizance, or at least that he be admitted to bail, pending a review of the court's ruling, was denied by the judge, and the Agent remained in the marshal's custody. An Assistant United States Attorney was dispatched from Los Angeles, to San Francisco, where on the following morning he obtained a writ of habeas corpus from a Circuit Judge, who also directed the release of the Agent on his own recognizance pending a hearing on the return to the writ. After a hearing the Circuit Court of Appeals reversed the order adjudging the Agent in contempt, holding that the court had no power or authority to compel the production of Government documents if their production is prohibited by Departmental regulations, or if the head of the department states that it is contrary to public interest to produce them. However, it should be noted that the Agent remained in the custody of the United States marshal over night much to his own inconvenience and humiliation and to the detriment of the activities of the local office of the Federal Bureau of Investigation.

It seems indispensable that Rule 38 should be clarified in order that no doubt may be raised in anyone's mind that it is not intended to repeal the basic law, which has always applied to the production of Government documents.

Accordingly, it is suggested that the following provisions be added to Rule 38:-

"This Rule shall not apply as against the United States or any officer, department, establishment, board, commission or other Governmental agency of the United States, if the production of the matter in question is prohibited by any statute or regulation, or if counsel states that such production would be contrary to the public interests."

It should be noted that the proposed addition to the Rule is a mere statement of existing law, and would not grant any exemption to the Government which it does not now have.

(s) Alexander Holtzoff

Special Assistant to
the Attorney General.

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DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

November 9, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Re: Rule 40 - Admissions.

This rule would empower a litigant to serve a notice upon his adversary requesting the admission by the latter of any specified relevant fact, or of the genuineness of any relevant document. The rule further provides that unless denial is filed within the period specified in the notice, which may be as short as ten days, the matters listed in the notice shall be deemed admitted.

This rule would be entirely too burdensome in so far as the Government is concerned, as compliance therewith might require extended searches and examination of voluminous and scattered files. For example, different War Department files are located in different Army Posts and a search for a particular document may frequently take weeks, if not months, especially where the matter is no longer current and the document is located in some of the dead files. A ten-day period is obviously too short. This is recognized in allowing the Government 60 days' time to plead, and certainly if the rule is to be applied to the Government at all, a similar period should be granted for compliance with notices under Rule 40.

Accordingly, it is requested that the following provision be added to Rule 40 (a):-

"This Rule shall not apply as against the United States, or as against an officer, department, establishment, board, commission or other Governmental agency of the United States."

If this suggestion is not adopted, then at the very least, provisions should be made for granting the Government 60 days in which to comply with such a notice.

(s) Alexander Holtzoff.

Special Assistant to
the Attorney General.

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DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

November 9, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Rule 41 - Consequences of Refusal
to Answer Questions or to Give
Discovery

This rule relates to the consequences of refusal to answer questions or to give discovery. It provides in paragraphs (b) and (f) that under certain circumstances expenses, including attorney's fees, may be assessed as against the party deemed to be recalcitrant. This provision should not apply to the Government, in view of the general rule that the Government is ordinarily not liable for costs.

Accordingly, it is suggested that the following clause be added to the next to the last sentence of Rule 41 (b): -

" , except that no such expenses shall be assessed as against the United States or an officer, department, establishment, board, commission or other Governmental agency of the United States".

The same provisions should also be added at the end of the first sentence of paragraph (f).

(s) Alexander Holtzoff

Special Assistant to
the Attorney General.

November 13, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURERe: Rules 42 and 43 - Summary Judgments.

Under existing law summary judgments may not be ordered against the United States. It has been held that the Conformity Act does not bring into suits against the United States the summary judgment practice even in those districts which are located in States in which such procedure is recognized. United States v. Lindholm (C.C.A. 9th) 79 F. (2d) 784. In that case the United States District Court for the Southern District of California granted a motion for a summary judgment against the Government in a suit to recover veteran's insurance. The California practice provides for summary judgments. The Circuit Court of Appeals unanimously reversed the judgment, solely on the ground that the summary judgment procedure is not applicable as against the United States.

The court stated in its opinion that the Tucker Act makes it clear that it was not the intent of the Congress that claims against the Government should be treated in a summary manner. The court continues (p. 787):-

28 USCA § 763 requires the plaintiff not only to serve a copy of his pleadings upon the district attorney of the United States but also to mail a copy of the same, by registered letter, to the Attorney General of the United States, and thereupon cause to be filed with the clerk of the court where the suit is instituted an affidavit of such service and the mailing of such letter. Deliberation at Washington and between the Attorney General and the district attorney, not summary action, is contemplated.

It is submitted that the existing law on this point should not be changed.

The basic purpose of the summary judgment procedure is to prevent the interposition of sham answers and frivolous defenses for the purpose of securing delay. The practice is especially adaptable to suits on written instruments for the payment of money, or on other liquidated demands. The reason underlying this procedure does not exist in litigation against the Government. The United States is liable to suit only to the extent to which it has consented to respond to judicial process. It can hardly be contemplated that an answer interposed by the Government is sham, or that its defense may be frivolous, or that it is defending solely for the purpose of securing delay. When the Government tenders an issue, it is proper that such issue receive serious consideration and not be disposed of in a summary manner on affidavits.

From a practical standpoint, the Government would frequently be placed under a serious handicap were it subjected to motions for summary judgment. Cases are not infrequent in which it would be a difficult task entailing the expenditure of a considerable length of time to secure affidavits and files from various Government officers, in order to convince the district judge that the Government should be permitted to defend the suit brought against it. It would often be necessary to obtain affidavits from Government officers stationed in other parts of the country than in which the court is located. Government counsel would be subject to the discretion of the district judge as to whether or not a sufficient continuance would be allowed for the purpose of securing the affidavits. After they are secured and the motion for summary judgment is denied, it would then be necessary to secure the testimony of the witnesses again, either orally or by deposition.

Accordingly, it is urged that the following provision be added to Rule 42 and to Rule 43:-

"This rule shall not apply as against the United States, or an officer, department, establishment, board, commission or other Governmental agency of the United States."

(s) Alexander Holtzoff
Special Assistant to
the Attorney General.

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

November 13, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURERe: Rule 51 - Subpoenas.

This rule relates to the service of subpoenas on witnesses. A number of administrative commissions and executive officers are clothed with statutory authority to issue subpoenas, and provisions are made whereby such subpoenas are enforceable by proceedings brought in the District Courts. In some of these instances, the statute does not place any territorial limitation on the validity of the subpoena, such as is placed by Paragraph (c) of the proposed rule. While, undoubtedly, the intention of the framers of the rule is to regulate only subpoenas issued out of the District Courts in connection with cases pending therein, and not to affect the power and authority of District Courts to aid in the enforcement of subpoenas issued by administrative officers and commissions, nevertheless, it would seem in the interest of clarification that attention be called to this matter in a note. It is not suggested that any additional provision to the rule is needed, but merely that a note would be in the interest of resolving any possible question that may be raised relative to this subject.

Accordingly, it is suggested that the following note be added to Rule 51:

"This rule regulates solely the issuance of subpoenas by District Courts and their enforcement. It does not apply to the enforcement of subpoenas issued by administrative officers and commissions pursuant to special statutory authority. The enforcement of such subpoenas by the District Courts is regulated by appropriate statutes. Many of these statutes do not place any territorial limits on the validity of subpoenas so issued, but provide that they may be served anywhere within the United States. Among such statutes are the following:
U.S.C., Title 7, Sec. 222 (Secretary of Agriculture);
U.S.C., Title 15, Sec. 49 (Federal Trade Commission);
U.S.C., Title 15, Sec. 77 V (b), 78 U.(c), 79 R (c) (Securities and Exchange Commission); U.S.C., Title 19,

Sec. 1333 (Tariff Commission); U.S.C., Title
26, Sections 614, 619 b (Board of Tax Appeals);
U.S.C., Title 45, Sec. 157 (h) (Board of
Arbitration under Railway Labor Act); U.S.C.,
Title 47, Sec. 409 (c) and (d) (Federal
Communications Commission); U.S.C., Title 49,
Sec. 12 (2) and (3) (Interstate Commerce
Commission)."

(s) Alexander Holtzoff,
Special Assistant to
the Attorney General.

(s) Herbert A. Bergson,
Special Attorney.

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DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

November 13, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Rule 63 (e) - Costs

The proposed rule provides that the allowance of costs shall be in the discretion of the court, except in cases in which an express provision therefor is made either by statute or elsewhere in the rules.

The proposed rule would change the existing law as to cases to which the Government is a party.

The existing law is that no costs may be taxed against the United States, except in cases in which a statute expressly authorized such an allowance, United States v. Chemical Foundation, 270 U. S. 1, 20-21. It will be noted that Rule 63 (e) in its present form would reverse the law. It would permit the allowance of costs against the United States unless some statute prohibited it.

As to the question of allowance of costs against Government officers, the law is in a somewhat confused state. Unlike the United States, a Government officer is not exempt from a judgment for costs. However, U. S. Code, Title 26, section 1670, provides for a reimbursement by the Commissioner of Internal Revenue to Internal Revenue officers of costs that may be recovered against them. U. S. Code, Title 28 section 842 provides that when a judgment is recovered against the Collector, or other Internal Revenue officer, and the court certifies that there was proper cause for his action, no execution issues against such Collector or other officer, but the amount so recovered is paid out of the Treasury. Some courts have construed this section as meaning that where such a certification is issued, the suit is in effect against the United States, and that, therefore, there should be no recovery of costs. The courts are far from unanimous on this point.

As a matter of logic the same reasoning that exempts the United States from a liability for costs would require a similar exemption for Government officers, for after all a suit against a Government officer is in its ultimate analysis a means of securing judicial review of Governmental action.

Accordingly, it is suggested that the following provision be added to Rule 63 (e):-

"No costs shall be allowed against the United States, or an officer, department, establishment, board, commission, or other Governmental agency of the United States."

(s) Alexander Holtzoff
Special Assistant to
the Attorney General.

(s) Herbert A. Bergson,
Special Attorney.

Lists of Statutes

U. S. Code, Title 15, Secs. 77v (a), 78aa, and 79y.
(Suits involving the Securities and Exchange Commission).

U. S. Code, Title 28, Sec. 870 (Cases in the Supreme Court).

U. S. Code, Title 28, Sec. 906 (Foreclosure suits against
the United States).

U. S. Code, Title 28, Sec. 817 (Internal revenue cases).

U. S. Code, Title 26, Secs. 1569d and 1645d (Internal revenue
cases).

U. S. Code, Title 28, Sec. 836 (Suits in forma pauperis).

U. S. Code, Title 28, Sec. 842 (Suits against revenue officers).

U. S. Code, Title 26, Sec. 1670 (b) (2) (Reimbursement of
costs of recovery against revenue officers).

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DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

November 13, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Re: Rule 64 - Judgments by Default.

The last paragraph of the proposed rule relates to judgments by default against the Government. However, the exemption which it proposes to confer on the United States is not sufficiently broad. It is limited to suits in which the United States is a defendant, whereas it would seem that it should extend likewise to actions in which a Government officer is a defendant. Moreover, it requires proof satisfactory to the court before a judgment by default can be rendered in an action to recover a sum of money, while no such proof is to be exacted if some other form of relief is prayed for. There would seem to be no reason for distinguishing the two classes of cases on this point.

Accordingly, it is suggested that the following be substituted for the last paragraph of Rule 64:-

"In an action against the United States, or an officer, department, establishment, board, commission, or other Governmental agency of the United States, no judgment shall be rendered for the plaintiff unless the plaintiff shall establish his claim or his right to recover by proof satisfactory to the court."

(s) Alexander Holtzoff
Special Assistant to the
Attorney General.

Lists of Statutes

U. S. Code, Title 28, Sec. 763 (Suits against the United States under the Tucker Act).

U. S. Code, Title 38, Sec. 445 (Suits on veterans' insurance).

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DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

November 14, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Rule 76 - Stay of Procedure

The second clause of the first paragraph of this rule relates to stays of execution in cases in which appeals are taken by the Government. The statute reference should be Section 1001 of the Revised Statutes and U. S. Code, Title 28, section 870, instead of R. S. Section 1000, U. S. Code, Title 28, section 869.

The following alternative language is suggested by the undersigned, to be substituted for the second clause of the first paragraph:-

"and in cases in which an appeal is taken by the United States, or an officer, department, establishment, board, commission, or other Governmental agency of the United States, a stay of execution shall be granted as of course."

(s) Alexander Holtzoff
Special Assistant to
the Attorney General.

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

November 13, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Rule 78 - Seizure of Person or Property

This rule relates to the remedies of arrest, attachment, garnishment, replevin, sequestration and other provisional remedies. They are not applicable in suits against the Government, or Government officers. Government officers clearly should be free from the molestations of such remedies.

Accordingly, it is suggested that the following provision be added to Rule 78:-

"This rule shall not apply against the United States, or an officer, department, establishment, board, commission, or other Governmental agency of the United States."

(s) Alexander Holtzoff
Special Assistant to
the Attorney General.

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DEPARTMENT OF JUSTICE
Washington, D. C.

November 17, 1933.

MEMORANDUM FOR THE ADVISORY COMMITTEE ON RULES OF CIVIL PROCEDURE

Rule 79 - Temporary Restraining Orders and
Preliminary Injunctions.

I

Injunction bonds.

The third paragraph of this rule provides that no restraining order or interlocutory injunction shall be granted except on the giving of security. An express exception is made for actions instituted by private parties against violations of the anti-trust laws (U.S. Code, Title 15, section 26). No exception is made for injunction suits brought by the United States or by Government officers, yet by U.S. Code, Title 15, § 77T, subsection (b), § 78U, subsection (e), and § 79R, subsection (f), the Securities and Exchange Commission is authorized to institute certain injunction suits without giving bond. Other statutory authority for the bringing of injunction actions by the Government, or by Government officers, is found in U. S. Code, Title 7, §§ 216, 292 and 608a(6); Title 16, § 830; Title 15, § 4; Title 49, § 16, subsection 12.

Moreover the United States and Government officers are frequently plaintiffs in equity suits for injunctions in which temporary restraining orders or interlocutory injunctions may be granted. A bond is never exacted under those circumstances and this is recognized by the authorities, United States v. Jellico Mountain Coal Co., 43 Fed. 898. In fact, under existing law, there is no way by which any Government official can procure an injunction bond if one were required.

Undoubtedly, there was no intention on the part of the Committee to change the existing law in this respect, but since the rules have the effect of a statute, an appropriate exception should be inserted for that purpose in addition to the exception that is already found in the proposed rule.

Accordingly, it is suggested that the following clause be inserted at the beginning of the third paragraph of Rule 79:

"Except in cases in which the application is made by the United States, or any officer, department, establishment, board, commission, or other Governmental agency of the United States, and . . ."

II.

The last paragraph of the rule explicitly states that the rule is not intended to modify the statutory provisions relative to injunctions in labor disputes, or in interpleader actions. A contention might well be made, in view of this reservation, that all other statutes relating to temporary injunctions are to be deemed repealed. Apparently, § 3224 of the Revised Statutes (U.S.C., Title 26, § 1543) which prohibits injunctions restraining the assessment or collection of any tax, was overlooked. This is a statute of vital importance to the Government. It was recognized and applied by the Supreme Court in Bailey v. George, 259 U.S. 16.

In view of the foregoing circumstances, it is urged that the following clause be added to the last par. of Rule 79:

"or the provisions of R.S., § 1543, relating to injunctions restraining the assessment or collection of any tax."

(s) Alexander Holtzoff.

Special Assistant to the Attorney General.

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DEPARTMENT OF JUSTICE
Washington, D. C.

November 17, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Rule 82 - Offer of Judgment

The last sentence of this rule provides for the recovery of costs by a party making an offer of judgment, if the amount recovered against him is not greater than that for which he offered to submit to judgment.

An exception should be made for cases in which the United States or a Government officer is a party, for as shown heretofore in connection with the discussion of Rule 63, no costs are ordinarily recoverable against the United States.

Accordingly, it is suggested that the period at the end of the last sentence of Rule 82 be changed to a comma, and that the following be added to that sentence:

"except if such adverse party is the United States or any officer, department, establishment, board, commission, or other Governmental agency of the United States."

(s) Alexander Holtzoff,
Special Assistant to
the Attorney General.

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DEPARTMENT OF JUSTICE
Washington, D. C.

November 17, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Rule 83 - Execution

Revised Statute 989 (U.S.C., Title 28, § 842) provides that no execution shall issue against a Collector or other officer of the Revenue, if the court certifies that there was probable cause for the act done by him, or that he acted under the direction of the Secretary of Treasury, or other proper officer of the Government.

It is suggested that this provision should be carried into Rule 83, lest any contention should be made that it has been repealed by implication.

Accordingly, it is suggested that the following sentence be added at the end of Rule 83.

"No execution shall issue on a judgment rendered against a Collector or other officer of the Revenue or against the personal representative of his estate, if he is deceased, in any case in which a certificate of probable cause is issued, pursuant to the provisions of R. S. 989 (U.S.C., Title 28, § 842).

(s) Alexander Holtzoff,
Special Assistant to
the Attorney General.

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DEPARTMENT OF JUSTICE
Washington, D. C.

November 18, 1936.

MEMORANDUM FOR THE ADVISORY COMMITTEE
ON RULES OF CIVIL PROCEDURE

Rule 90 (a)

Rule 90 (a) lists certain classes of proceedings to which the proposed rules are not to be applicable.

It is requested that the following be inserted:

"naturalization proceedings, except appeals
in such proceedings".

Naturalization proceedings are sui generis. The procedure in such proceedings is regulated by statute (U.S. Code, Title 8, c.9, especially Sections 379, 380, 381, 382, 383, 393, 396, 397, 398, 399, 400). Of necessity, the procedure is entirely different from that applicable to litigation in general, and it seems that no object would be served in repealing the existing statutes on the subject and bringing naturalization proceedings under the general rules of practice.

The Solicitor of the Department of Labor has informed me that he is in accord with these views.

(s) Alexander Holtzoff,
Special Assistant to
the Attorney General.

936 Raymond-Commerce Building,
Newark, New Jersey.

June 5, 1937.

AIR MAIL
SPECIAL DELIVERY

Special Agent in Charge,
Miami, Fla.

RE: GEORGE TIMINNEY; DR. JOSEPH
P. MORAN, w. a. - FUGITIVE, I. O. #1232,
et al.; EDWARD GEORGE BREMER - Victim.
KIDNAPING; OBSTRUCTION OF JUSTICE;
HARBORING OF FUGITIVES; NATIONAL
FIREARMS ACT.

Dear Sir:

Reference is made to the letter from New Orleans, La., dated June 2, 1937 (7-15) in the above-captioned matter requesting that the original notes of Agent N. D. Wills, pertaining to his interview with Duke Randall, about April, 1936, a copy of the memorandum prepared based upon such notes and a letter prepared by Agent Wills on October 1, 1935 relative to the disposition of automobiles confiscated by the Bureau from Randall and Gregory Codomo, be forwarded to your office for use at trial in the above-captioned matter.

The notes and memorandum mentioned above were forwarded to the Bureau on April 15, 1937 at the request of Special Agent McIntire.

The letter dated October 1, 1935 is being forwarded herewith to your office. Inasmuch as this is the only copy of such letter in the Newark Field Division files, it is respectfully requested that it be returned upon completion of the trial.

RECORDED
&
INDEXED

Very truly yours,

W. S. DEVEREAUX,
Special Agent in Charge.

U. S. DEPARTMENT OF JUSTICE

ES:ML
7-4
Enc.-1
CC-Bureau
CC-Cincinnati
CC-New Orleans

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:DM

11:25 P. M.

June 6, 1937.

MEMORANDUM FOR THE DIRECTOR

Agent in Charge Fletcher contacted me from Omaha, Nebraska, concerning the information previously obtained indicating that a telephone call had been received by Ed Bremer in which he was asked whether he desired to recover some of the ransom funds which he had paid. Fletcher advised that the individual alleging he has information in this case is one C. D. Stickle. Bremer and McGee from St. Paul went to Lincoln, Nebraska, where they contacted the Attorney General of the State, Hunter, who put them in touch with Stickle. Because of Agent Flood's connections at Lincoln, he has been advised by the Attorney General's office of Stickle's identity, it being noted that Bremer and McGee returned to St. Paul after an interview with Stickle and are going to report the results of this interview to the St. Paul office.

Stickle has been interviewed by Bureau Agents and claims to have information to the effect that \$30,000.00 worth of jewelry has been cached by Mrs. Harry Sawyer in a safety deposit box. Stickle claims he has received this information from an informant, whose name he has refused to furnish to Bureau Agents. A further contact will be had with Stickle.

It may be stated that Stickle worked for a short while for the Department of Justice of South Dakota under Walter Conway, who was then Attorney General. Stickle is now a salesman and operates as a private detective as a sideline, his speciality being to check up on employees and clerks in stores to determine whether they are committing any embezzlements.

I pointed out to Mr. Fletcher that care should be exercised in any dealing with Stickle and that under no circumstances should he be promised any money. I pointed out to him that even if we assumed Stickle's story is true, it doesn't appear there is much the Bureau could do if Mrs. Sawyer admitted everything and advised us as to the place it was secreted, since the matter of recovery would appear to be of a civil nature between Bremer and Mrs. Sawyer. I instructed Mr. Fletcher to maintain contact with Stickle and see what we could develop on this situation in order that if we could prevent these people from enjoying further the fruits of the Bremer kidnaping, we should of course do whatever we could.

RECORDED & INDEXED
Respectfully,

E. A. TAMM.

7-576-14398
JUN 8 1937
b

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:MC

June 5, 1937.

Time: 4:30 P.M.

MEMORANDUM FOR THE DIRECTOR

RE: Trials of Joe Adams and Henry "Duke"
Randall at Miami, Florida.

Special Agent K. R. McIntire at Miami called me furnishing information as to the latest developments in the preparation for the above trials in the Bremer case. He advised that Wynona Burdette and Dolores Delaney were interviewed today furnishing complete information in the Government's behalf, definitely implicating Adams and Randall. Mr. McIntire stated that an interesting item came to light while questioning Wynona Burdette. She furnished information as to the killing of Willie Harrison, stating that Fred Barker, Harry Campbell and Alvin Karpis went north for that specific purpose and joined up with others in Chicago, undoubtedly "Doc" Moran and Gibson. Wynona Burdette also advised that Ma Barker told her that Harry Campbell and Fred Barker got into a fight over this shooting affair.

Mr. McIntire further stated that Bolton was interviewed and furnished information for the Government's interest. Mr. McIntire stated the prospects for the trial seem very favorable.

Mr. McIntire stated that at 2:45 P.M. today, Mr. Carr received an anonymous telephone call from an individual who advised Carr that relatives of Joe Adams had been reaching prospective jurors and Carr stated, "Can't you give me your name?" The Man replied, "Say, you know I can't get mixed up in this sort of thing". Carr said, "Well, was it Knight?" (Knight is Joe Adams' father-in-law.) The individual answered "Use your own judgment, relatives of Adams".

I told Mr. McIntire to watch this matter for any evidence of irregularities with regard to the jurors and to forward any information to the Bureau promptly. He stated the check of the jurors had been completed.

With regard to Agent McIntire representing you at the trial in answer to the subpoena, he advised that Mr. Carr suggested someone in the Bureau contact the office of the Attorney General and request advice as to whether he, Agent McIntire, should have a written notice from the Attorney General authorizing him not to produce books and records. He mentioned that such a notice was provided in a previous case in which Mr. Sackett of the Bureau testified. I advised him this would be taken up with the Department.

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189 MAR 25 1965

I am taking care of this. EAT

7-576-14399
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JUN 10 1937
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6/5/37

Mr. McIntire stated he had received a call from Mr. Donegan of the New York Office who stated that Guarante, who is confined in a Brooklyn hospital, has taken a slight turn for the worse and the doctors state it will be impossible to remove him for two weeks. This will prevent his appearance at the trial.

As a matter of interest, Mr. McIntire advised he had seen a letter written by the judge who will try the case to the United States Attorney, in answer to a prior communication from the United States Attorney, in which the latter advised the trial might be prolonged. This statement displeased the judge and he told the United States Attorney in his letter that the trial would not be longer than a week, and if necessary he will have night sessions.

Mr. McIntire stated he will keep the Bureau advised as the trial develops.

Respectfully,



E.A. TAMM.

LMC:TD
7-576

June 7, 1937

Special Agent in Charge,
Little Rock, Arkansas.

Re: GEORGE TIMINEX;
Dr. Joseph P. Moran,
with aliases, FUGITIVE,
I.O.#1232, et al;
Edward George Bremer, Victim;
KIDNAPING; HARBORING OF FUGITIVES;
OBSTRUCTION OF JUSTICE;
NATIONAL FIREARMS ACT.

Dear Sir:

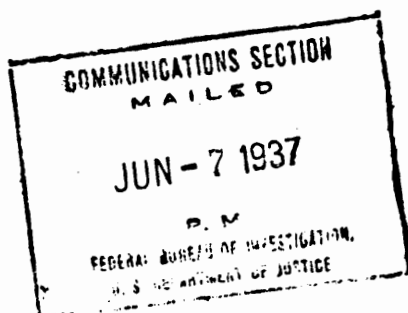
Confirming telephonic conversation had by you with the Bureau on May 22, 1937 this is to advise that authority is hereby granted to expend the necessary amount for the rental of the premises at 207 Laurel Street, Hot Springs, Arkansas, up to and including May 19, 1937, at which time the telephone tap at that address was discontinued.

Very truly yours,

John Edgar Hoover,
Director.

RECORDED

7-576-14400
FEDERAL BUREAU OF INVESTIGATION
JUN 7 1937
U. S. DEPARTMENT OF JUSTICE
Sw



Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Lester
Mr. Quinn
Mr. Nease
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Nease
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington

1 m b

Federal Bureau of Investigation

U. S. Department of Justice

629 First National Bank Building,

Omaha, Nebraska

June 7, 1937

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

RE: ^aBREKID

Dear Sir:-

Reference is made to my telephone conversation with Mr. E. A. Tamm, of the Bureau, on the evening of June 5, 1937, advising of the results of our contact with C. D. Stickle, relative to the Brekid Case.

On the afternoon of June 5, 1937, First Assistant Attorney General Barlow Nye, of the Attorney General's office, Capitol Building, Lincoln, Nebraska, advised that C. D. Stickle was en route from Lincoln to Omaha and he would contact an Agent of this office. Accordingly, Mr. Stickle arrived in Omaha around 8:00 P.M. and contacted Special Agent J. L. Flood. Mr. Stickle seemed very secretive and advised he would prefer meeting Agent Flood away from the office.

Accordingly, Agent Flood met Mr. Stickle, who was driving a 1937 Model Terraplane Sedan, bearing 1937 Nebraska license #1-D-24B. Mr. Stickle advised that he was a car salesman for the Brandes-Campbell Motor Company, 2523 Farnam Street, Omaha, Nebraska, and is also employed as janitor at the Jennett Apartments, 501 South 21st Street, in Omaha, Nebraska.

Mr. Stickle advised that for more than fifteen years, he has been engaged in private detective work and at different times has been associated, as an undercover man, with State and Federal law enforcement agencies. He advised that about two years ago, he was an undercover man for the Alcohol Tax Unit, at Sioux Falls, South Dakota and subsequent to this employment worked for six weeks as an agent in the Department of Justice, State of South Dakota, under Walter Conway, who was then State's Attorney.

Mr. Stickle advised that for a number of years he has employed an operative to assist him in his undercover work, whose name he refused to disclose, advising the latter is a young man, 29 years of age, who during his younger days was an orphan and was raised in an orphan asylum at Tiffin, Ohio. Mr. Stickle also informed that his operative, about eight months ago, met Mrs. Gladys Sawyer on a party in Omaha and became very intimate with her, in fact the operative has stayed over night in the same room with Mrs. Sawyer several times. During the times the operative stayed with Mrs. Sawyer, she exhibited to him, ten unset diamonds, the value of which he

p4c. acky Paul
cc- 6/22/37

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6/7/37

approximated at \$3,000.00. Mrs. Sawyer told this operative that she had between \$30,000.00 and \$40,000.00 more of unset diamonds and from her conversation, the operative inferred that the diamonds were purchased with the ransom money Harry Sawyer received as his share in the Brekid case.

Mr. Stickle advised that he has cautioned his operative not to question Mrs. Sawyer too closely; therefore, at this time the operative has been unable to ascertain where the diamonds are kept but believes Mrs. Sawyer, under an assumed name, has a safety deposit box in an Omaha bank, in which the diamonds are kept.

After Mr. Stickle learned this information, he advised that last week he went to the office of Richard Hunter, Attorney General of the State of Nebraska and informed him of what he had learned and as a result of this conversation, Mr. Hunter telephoned Edward G. Bremer, at St. Paul, and asked him to come to Lincoln. As a result of this telephone conversation, Paul Bremer, accompanied by an Attorney named Magee, from St. Paul, came to Lincoln the morning of June 5, 1937 and a conference was had. Attending this conference were Mr. Hunter and his Assistant, Mr. Nye, Paul Bremer, Attorney Magee and Mr. Stickle. Mr. Stickle advised that at the conference he informed Messrs. Bremer and Magee that if the diamonds were recovered and it was found they were purchased with the ransom money, he would expect a percentage of the recovery.

After the conference, Mr. Magee asked Mr. Stickle if he had any objection to his reporting the matter to the St. Paul Field Division of the Federal Bureau of Investigation. Mr. Stickle advised he agreed this was all right and upon the suggestion of Mr. Nye, he contacted the Omaha Field Division. Mr. Stickle advised that inasmuch as the kidnaping of Edward G. Bremer was a Federal violation, he felt before he and his operative could do any more work it would be well if the Bureau could employ him as a temporary Special Agent, so he could operate more efficiently and ascertain where the diamonds are kept.

Mr. Stickle also suggested that Mrs. Sawyer is desirous of taking his operative to Portland, Oregon to meet some hoodlums, whose names she did not disclose, however, he would not authorize his operative to make this trip without the consent of the Federal Bureau of Investigation, as the operative would probably become involved in a White Slave Traffic Act violation.

It was apparent to Agent Flood that Mr. Stickle is seeking employment with the Bureau and as he has been a professional undercover man

Director,

- 3 -

6/7/37

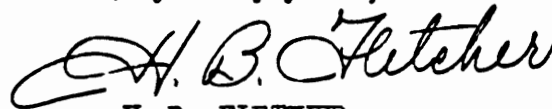
for a number of years, it is believed he is a tricky individual. This Field Division will interview Mr. Stickle again in a few days and elicit what further information he has been able to determine relative to the location of the diamonds.

Under no circumstances will it be indicated to Mr. Stickle that he is working under any commission of the Bureau and in connection with his desire for expenses in this matter, he will be informed in line with my conversation with Mr. Tamm, that no money will be paid to him unless he will give information that will actually produce results and such information as he gives must be furnished an Agent of this Bureau.

The files in this office are incomplete in this case, but it hardly seems probable if Mrs. Gladys Sawyer has in her possession unset diamonds in the amount indicated herein, that they were purchased with ransom money by Harry Sawyer, as his share.

This office will keep the Bureau advised of all developments in this matter.

Very truly yours,



H. B. FLETCHER,
Special Agent in Charge

JLF/TMH
cc St. Paul
AIR MAIL SPECIAL DELIVERY
7-4

LMC:RD
7-576-14401

RECORDED

7-576

June 22, 1937

PERSONAL AND CONFIDENTIAL

Mr. H. B. Fletcher,
Federal Bureau of Investigation,
United States Department of Justice,
629 First National Bank Building,
Omaha, Nebraska.

Re: GEORGE TIMINEX;
DR. JOSEPH P. MORAN, with aliases,
Fugitive, I.O. 1232; et al;
EDWARD GEORGE BREMER, Victim;
Kidnaping; Harboring of Fugitives;
Obstruction of Justice; National
Firearms Act.

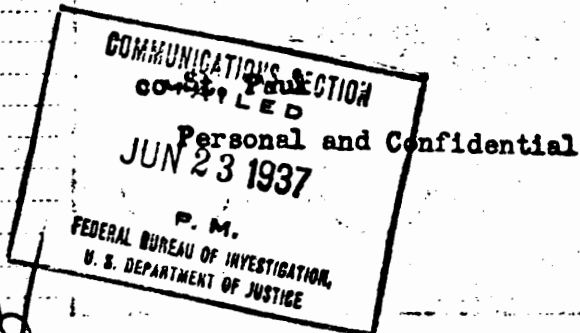
Dear Sir:

Receipt is acknowledged of your letter of June 7,
1937 with reference to your contact with C. D. Stickle
in connection with the above captioned matter.

The Bureau desires that you caution the Special
Agents who contact this individual that they exercise the
utmost discretion in connection with any dealings with him
so that no action will be taken which may later react
detrimentally to the Bureau.

Very truly yours,

John Edgar Hoover,
Director.



CHARGE TO THE ACCOUNT OF

CLASS OF SERVICE DESIRED

| DOMESTIC | FOREIGN |
|----------------|--------------------|
| TELEGRAM | FULL RATE CABLE |
| DAY LETTER | DEFERRED CABLE |
| NIGHT MESSAGE | NIGHT CABLE LETTER |
| SHIP RADIOGRAM | RADIOGRAM |

PATRONS SHOULD CHECK CLASS OF SERVICE DESIRED. OTHERWISE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE COMMUNICATION

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial
Cables



All America
Cables

Mackay

Radio

RECEIVER'S NUMBER

CHECK

TIME FILED

STANDARD TIME

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Miami, Florida

June 5, 1937

6:00 PM

Mr. G. T. Jones,
Federal Bureau of Investigation
U. S. Department of Justice
1216 Smith-Young Tower Building
San Antonio, Texas

REKID REFER LETTER THIS OFFICE TO DENVER OFFICE MAY TWENTY SIXTH AND

ADVISE WHETHER SA J C WHITE WILL BE AVAILABLE HERE MORNING JUNE SEVENTH

RECORDED

McINTIRE

KRM:FLJ

cc: Bureau

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| 7-576-14402 | |
| FEDERAL BUREAU OF INVESTIGATION | |
| JUN 9 1937 A.M. | |
| U. S. DEPARTMENT OF JUSTICE | |
| ONE | FILE |

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:RP

June 7, 1937

MEMORANDUM FOR THE DIRECTOR

RE: JOE ADAMS CASE

Mr. Nathan
Mr. Tolson
Mr. Laughman
Mr. Clegg
Mr. Coffey
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

I talked to Mr. Holtzoff about the attached letter and the present
form has been approved by him.

Respectfully,

EAT
E. A. Tamm.

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| | |
|---------------------------------|------|
| 7-576-14403 | |
| FEDERAL BUREAU OF INVESTIGATION | |
| JUN 9 1937 P.M. | |
| U. S. DEPARTMENT OF JUSTICE | |
| TOLSON | FILE |

JUN 8 1937
TELETYPE

Mr. Nathan ✓
Mr. Tolson ✓
Mr. Baughman
Mr. Clegg
Mr. Coffey
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm ✓
Mr. Tracy
Miss Gandy

Quinn

Revised

RECORDED COPY FILED IN 61-151

FBI LITTLE ROCK 9-38 AM 6-8-37 IN
DIRECTOR
PHONE BREKID REFERENCE MY LETTER DATED MAY FIFTEEN
LAST AUTHORITY REQUESTED TO ARRANGE FOR USE OF
SPACE IN POST OFFICE BUILDING HOT SPRINGS ARKANSAS
FOR USE AS TEMPORARY OFFICE
FLETCHER
END
OK FBI WASHINGTON D C CLR

RECORDED

7-576-14404
FEDERAL BUREAU OF INVESTIGATION
JUN 9 1937 A.M.
U. S. DEPARTMENT OF JUSTICE
TOLSON
TAMM
JEF. CLR.
FOUR
ONE

*Little Rock
6/8/37*

| CLASS OF SERVICE DESIRED | |
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| DOM | FOREIGN |
| TELEGRAM | <input type="checkbox"/> |
| DAY LETTER | <input type="checkbox"/> |
| NIGHT MESSAGE | <input type="checkbox"/> |
| NIGHT LETTER | <input type="checkbox"/> |
| SHIP RADIOGRAM | <input type="checkbox"/> |
| <small>Patrons should check class of service desired, otherwise messages will be transmitted at a full-rate communication</small> | |

Postal Telegraph
THE INTERNATIONAL SYSTEM

Commercial Cables
Mackay
Radio

Send the following message, subject to the terms on back hereof,

which are hereby agreed to

STANDARD TIME

K R MCINTIRE
FEDERAL BUREAU OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
1300 MCKAYNE BUILDING
MIAMI FLORIDA

SEATTLE WASHINGTON JUNE 5 1937 4:30 PM

© BREKID SPECIAL AGENTS C G CAMPBELL AND P C DUNNE PRESENTLY ENROUTE TO MIAMI FLORIDA

Off. Bus. *** Gov. Rate
Chg. Fed. Bur. OF Inv.
800 Joseph Vance Bldg.
RCJ:KB
cc-Bureau ✓

SURAN

INDEXED 7-576-1440

JUN 9 1937 P. M.

U. S. DEPT. OF JUSTICE

ONE 6

DEF. OFF

FILE

| CLASS OF SERVICE DESIRED | |
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| DOMESTIC | CABLE |
| TELEGRAM | FULL RATE |
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| NIGHT LETTER | SHIP RADIOGRAM |

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1206-A

| |
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| CHECK |
| ACCT'G INFMN. |
| TIME FILED |

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Miami, Florida

June 6, 1937

6:00 PM

Mr. R. Whitley
Federal Bureau of Investigation
U. S. Department of Justice
607 U. S. Court House, Foley Square
New York, New York

BREKID CHARLES GARR SPECIAL ASSISTANT TO ATTORNEY GENERAL DOES NOT
DESIRE THAT ANDREW CUARENTE PROCEED MIAMI IN ANSWER TO SUBPOENA

McINTIRE

KRM:FLJ

cc Bureau ✓

RECORDED
&
INDEXED

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| 7-576-14466 | |
| FEDERAL BUREAU OF INVESTIGATION | |
| JUN 8 1937 A.M. | |
| U. S. DEPARTMENT OF JUSTICE | |
| ONE | FILE |

WESTERN UNION GIFT ORDERS ARE APPROPRIATE GIFTS FOR ALL OCCASIONS.

EAT:GH:CDW

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

June 7, 1937.

Time - 7:40 P.M.

MEMORANDUM FOR THE DIRECTOR

Re: Joe Adams Trial.

Special Agent K. R. McIntire telephoned me from Miami, Florida, in connection with the above entitled matter to report that the trial is progressing very well. The judge appears to be favorable, and the jury is at least a fair jury. Eighteen witnesses were called today. The defense attorney intends to use Mr. McIntire and the Bureau records to impeach the testimony of any Agents as to their presence at the hotel in this case, but of course, the Bureau records will not be introduced. The defense intends to bring out through the arrival and departure books of the hotel the names of various persons registered there with names similar to the Agents. Mr. McIntire will be able to refute this testimony, since no Agents were at the Commodore Hotel on these dates.

The defense expects to show through Mr. McIntire that the girls in this case made a signed statement or affidavit refuting the previous signed statement which they had given to the Bureau Agents, but of course, they did not do this. Mr. McIntire advised that the judge is very fast, but the witnesses used today were only elementary witnesses, and the probabilities are that the case will not move so fast tomorrow.

I advised Mr. McIntire that we are sending him tomorrow an air mail, special delivery letter over the signature of the Attorney General instructing him not to produce the Bureau books and records in connection with this matter.

Mr. McIntire will call again tomorrow evening to advise of the developments in this trial.

RECORDED

Respectfully,

E. A. TAMM.

7-576-14407

EAT:RP

June 7, 1937

Mr. Kenneth R. McIntire,
Federal Bureau of Investigation,
United States Department of Justice,
1300 Biscayne Building,
Miami, Florida.

Dear Mr. McIntire:

Confirming the instructions which have been heretofore transmitted to you by telegram, it is desired that you personally appear before the United States District Court for the Southern District of Florida in response to a subpoena duces tecum issued for Mr. John Edgar Hoover, Director of the Federal Bureau of Investigation, United States Department of Justice, in connection with the case entitled United States v. Joseph H. Adams, et al.

Although the subpoena referred to requires the production of certain investigative reports and other documents contained in the files of the Federal Bureau of Investigation, it is desired that you appear before the District Court and respectfully decline to produce the documents described by the subpoena upon the grounds that the reports and other documents referred to are of a confidential nature and that it would be contrary to the public interest to disclose them.

Sincerely yours,

RECORDED
&
INDEXED

Attorney General, DEPT. OF INVESTIGATION

JUN 9 1937 - P. M.

U. S. DEPARTMENT OF JUSTICE

FILE

AIR MAIL - SPECIAL DELIVERY

COMMUNICATIONS SECTION
MAILED

JUN - 8 1937

P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Mr. Nathan
Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Cowley
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm
Tracy
Candy

cc

Post
Bureau file

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:RP
Time - 2:32 P.M.

June 4, 1937

MEMORANDUM FOR THE DIRECTOR

RE: JOE ADAMS CASE.

Mr. Parrish of the Department called and read me the following telegram addressed to Mr. Carr in Miami:

"COUNSEL FOR ADAMS ADVISED TODAY THAT HOOVER'S PERSONAL APPEARANCE UNNECESSARY IN ANSWER SUBPOENA BUT REQUESTED HOOVER DESIGNATE OFFICIAL FROM HIS OFFICE TO APPEAR WITH RECORDS IN ANSWER SUBPOENA".

Mr. Parrish stated that he was sending the Bureau a memorandum quoting that and asking for the name of the person who is to be designated to represent the Director, and that this information should then be furnished Mr. Carr.

Respectfully,

E. A. Tamm.

RECORDED

INDEXED

*This was accomplished
thru no assistance or
efforts of anyone in the
Department or Bureau.*

| | |
|---------------------------------|-----|
| 7-576-14409 | |
| FEDERAL BUREAU OF INVESTIGATION | |
| JUN 9 1937 | |
| U.S. DEPARTMENT OF JUSTICE | |
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| CLASS OF SERVICE DESIRED | |
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| DOMESTIC | CABLE |
| TELEGRAM | FULL RATE |
| DAY LETTER | DEFERRED |
| NIGHT MESSAGE | NIGHT LETTER |
| NIGHT LETTER | SHIP RADIOGRAM |

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1206-A

| |
|---------------|
| CHECK |
| ACCT'G INFMN. |
| TIME FILED |

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Miami, Florida

June 6, 1937

6:00 PM

Mr. R. Whitley
Federal Bureau of Investigation
U. S. Department of Justice
607 U. S. Court House, Foley Square
New York, New York

BREKID CHARLES CARR SPECIAL ASSISTANT TO ATTORNEY GENERAL DOES NOT
X
DESIRE THAT ANDREW GUARENTE PROCEED MIAMI IN ANSWER TO SUBPOENA

McINTIRE

KRM:FLJ

cc Bureau ✓

RECORDED
&
INDEXED

7-576-1440

FEDERAL BUREAU OF INVESTIGATION

JUN 9 1937 A. M.

U. S. DEPARTMENT OF JUSTICE

ON FILE

WESTERN UNION GIFT ORDERS ARE APPROPRIATE GIFTS FOR ALL OCCASIONS.

EAT:RP

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE June 8, 1937

7-576

To: COMMUNICATIONS SECTION.

RECORDED

Transmit the following message to: LITTLE ROCK

BREXID. AUTHORITY GRANTED TO ARRANGE FOR USE OF SPACE IN POST OFFICE
BUILDING HOT SPRINGS AS TEMPORARY OFFICE

HOOVER

RECORDED COPY FILED IN 66-131-1559

| | |
|----------------|--|
| Mr. Tolson | |
| Mr. E. A. Tamm | |
| Mr. Clegg | |
| Mr. Glavin | |
| Mr. Ladd | |
| Mr. Nichols | |
| Mr. Rosen | |
| Mr. Tracy | |
| Mr. Carson | |
| Mr. Coffey | |
| Mr. Hendon | |
| Mr. Jones | |
| Mr. Quinn | |
| Mr. Nease | |
| Miss Gandy | |

WESTERN UNION

SENT VIA _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

LMC:BR
7-576

June 2, 1937

MEMORANDUM FOR THE DIRECTOR

Re: Motions to Suppress the Signed
Statements of Joseph H. Adams
and Henry "Duke" Randall.

On January 29, 1935, at Miami, Florida, Special Agent in Charge J. H. Hanson and former Special Agent R. L. Jones obtained a signed statement from Joe Adams containing information as to his participation in the harboring and concealing of Alvin Karpis in Miami, Florida. Several statements have been obtained by Agents from Henry "Duke" Randall, and they are set out as follows:

Statement dated January 21, 1935, at Miami, Florida, taken by Special Agent in Charge J. H. Hanson and former Special Agent R. L. Jones.

Statement dated January 25, 1935, at Miami, Florida, taken by Special Agent P. C. Dunne and former Special Agent L. J. Metcalf.

Statement dated January 26, 1935, at Miami, Florida, taken by Special Agent P. C. Dunne and former Special Agent L. J. Metcalf.

Statement dated January 29, 1935, at Miami, Florida, taken by Special Agents F. M. Stone and J. W. Going.

Statement dated February 1, 1935, at Miami, Florida, taken by Special Agents F. M. Stone and J. W. Going.

On April 15, 1936, Bart A. Riley filed in the United States District Court at Miami, Florida, motions to suppress the signed statements obtained from Adams and Randall. The allegation with reference to Adams' statement was that it had been obtained by trickery. The allegation as to "Duke" Randall's statement was that it had been obtained through force, duress, intimidation, the display of guns and unbecoming methods, such as handcuffing Randall to the bed and to the chairs in the room in which he was held, alleging further that he was threatened by Agents, and also alleging that he was confined by Special Agents for a period of approximately five

Mr. Nathan
Mr. Tolson
Mr. Baughman
Mr. Clegg
Mr. Coffey
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

COPIES DESTROYED

169 MAR 25 1965

RECORDED

&
INDEXED

7-576-14410
FEDERAL BUREAU OF INVESTIGATION
JUN 8 1937 A.M.
U.S. DEPT. OF JUSTICE

days after his arrest before having been taken to a committing magistrate and without a complaint being filed against him.

This matter came up for a hearing before Judge A. V. Long at Miami, Florida, on April 25, 1936, and at that time Judge Long ruled that the question of the manner in which the statements were obtained went to the admissibility of evidence and in view of the fact that he was not going to hear the case when it came on for trial, it was his belief that the entire evidence in the case should be ruled upon by the court who was to hear the entire case. He therefore declined to hear the motions to suppress, and the matter was continued. The trial of Joe Adams and "Duke" Randall has now been set for June 7, 1937, at Miami, Florida, at which time it is believed that the defense counsel will again raise the question of the admissibility of these statements.

For your information, it should be stated that during the early afternoon of January 25, 1935, Special Agent in Charge J. E. Hanson accompanied by former Special Agent R. L. Jones proceeded to the El Comodoro Hotel where they sought the assistance of Joe Adams, the manager thereof, in obtaining certain records disclosing the residence of members of the Barker-Karpis gang at the El Comodoro Hotel during the Fall of 1934 and January 1935. At that time Hanson told Adams that the Agents were checking the activities of the Barker-Karpis gang and were also interested in any connection which Adams may have had with said gang. Special Agent in Charge Hanson explained that it was the duty of the Agents as officers to report everything and to testify to everything that Adams might tell such Agents; that it was his privilege not to talk, but that anything he might say could and would be used in the criminal proceedings against him. Adams then furnished very meager information and was told that the information furnished by him was not credible. He was then requested to put the information in writing, and he informed that he was without experience in matters of this kind; that he did not wish to discuss the matter until he had had the benefit of the advice of an attorney and his friends. This was agreeable to the Agents, and on the following day, January 26, 1935, Special Agent in Charge Hanson and former Special Agent Jones were to meet Adams at 10:00 A. M. but before this hour they received information from Agent Nichols who was at the El Comodoro Hotel making further inquiries that Adams

desired to see Jones and Hanson immediately, whereupon they drove to the El Comodoro Hotel where they met Adams. Adams thereupon voluntarily accompanied Jones and Hanson to the Halcyon Hotel where Special Agent in Charge Hanson's room was then located. Adams thereupon told Hanson and Jones that he wished to tell everything he knew about Karpis and the Barkers; that he had not told the truth before but that he had now decided to do so; and that "the chips would have to fall where they would". Adams then proceeded to make a full disclosure of his association with the Karpis-Barker gang. Jones and Adams had lunch together on January 26, 1935, and late in the afternoon Adams left to go back to his hotel. At no time was Adams told that he was not going to be arrested. Special Agent in Charge Hanson and former Special Agent Jones returned again that night to the El Comodoro Hotel and inquired of Adams concerning Cassius McDonald. Hanson did not see Adams again until Monday and Tuesday, January 28 and 29, 1935. On these days, Special Agent in Charge Hanson and former Special Agent R. L. Jones arranged to have Adams meet them at the Cortez Hotel. You will note that Special Agent in Charge Hanson had changed his location from the Halcyon Hotel to the Cortez Hotel.

On January 29, 1935, in Special Agent in Charge Hanson's room at the Cortez Hotel Adams completed making an entire statement, whereupon a written statement was prepared. After it had been written, Adams was asked to read it for accuracy. He stated that he had confidence in Special Agent in Charge Hanson and that it would not be necessary for him to read it. Since he declined to read the statement, Hanson read it to him. Adams then suggested that the last two paragraphs be added to the statement whereupon they were added. After Adams had signed the statement on January 29, 1935, Special Agent in Charge Hanson informed Adams that he would have to go over to the United States Commissioner's office and that a warrant had been issued for his arrest. Adams was then given the opportunity to call his father-in-law, Mr. Knight, in order that the bond could be arranged. Hanson, Jones and Adams then proceeded to the office of the Assistant United States Attorney where the hearing was held. Hanson saw Adams on several occasions thereafter at which times Adams never voiced any objections to having given the statement. On or about April 3, 1935, Hanson again saw Adams in the office of the United States Attorney in

Miami, Florida, whereupon Adams told Mr. Walter L. Barlow, Special Assistant to the Attorney General, in Hanson's presence that he, Adams, had told the Agents everything that he knew about the case. Hanson also had occasion to see Adams in St. Paul, Minnesota, during September, 1935 and again in January, 1936, at which times he made no objections to the manner in which his statement had been obtained.

With reference to the allegation of force, duress, et cetera, in connection with the obtaining of statements from Henry "Duke" Randall, this will advise you that at about 8:00 or 9:00 A. M. on January 21, 1935, Special Agent in Charge Hanson and former Special Agent R. L. Jones, together with two police officers of the Miami Police Department, proceeded to the Tamiami Hotel, Miami, Florida, to the room occupied by Randall and Gregory I. Codomo. Jones and Hanson introduced themselves and explained that they were interested in the Karpis matter and desired to talk to Randall. Randall thereupon gave his permission to the Agents to search the room saying "Go right ahead gentlemen." With reference to the Karpis case, Randall said he had been getting ready to go down and tell the police all about it. Randall was then requested to accompany Jones and Hanson to their hotel room for questioning which he did voluntarily. He stated that it would be "O.K." with him and he would be glad to go along. He was not told that he was under arrest. Randall was not handcuffed at any time during the time that he was being questioned but for security's sake he was handcuffed at the time he was being guarded to prevent his escape. Food was brought to Randall at the Alcazar Hotel which was at this time the headquarters of Special Agent in Charge Hanson, but Randall insisted that he never ate breakfast; consequently the Agents waited until lunch time to provide him with food. At the time he was interviewed, Special Agent in Charge Hanson explained to him that he would not have to make a statement and that anything he might say would be used against him. He was also advised that a complaint would have to be filed. After this information had been furnished him, he willingly furnished Hanson and Jones the information which was later incorporated in his signed statement.

At this time Special Agent in Charge Hanson occupied Room 611 in the Alcazar Hotel. The other Agents had a large number

of guns which had been brought from Birmingham to assist in the Karpis and Campbell investigation in Miami. These guns had been securely locked in a closet in Room 611 for safe-keeping. At no time was there any unnecessary display of firearms. The Agents carried pocket firearms and frequently took them off, placing them in the dresser drawers for their convenience and comfort but were always alert against leaving them in the open.

Randall having been taken into custody on the morning of January 21, 1935, he was intermittently questioned until about midnight of the same day. He was then permitted to go to sleep. At night time this room was occupied by former Special Agent R. L. Jones. On the morning of January 22, 1935, Special Agent in Charge Hanson again interrogated Randall at the Alcazar Hotel in Room 611. About half an hour later after this interrogation commenced, Randall asked Hanson to take him to a private room where he could tell the whole story. Randall was unemotional during the entire time that he was giving Special Agent in Charge Hanson and R. L. Jones the entire statement. On the morning of January 22, 1935, the Agents had secured a Browning Automatic Rifle which, as you will recall, was left by Willie Harrison at the El Comodoro Hotel and was later delivered to Randall by Joe Adams. Randall thereafter had tried to dispose of the said gun through Merle Rolfe of the Merle Rolfe Armored Truck Service, and it was through this individual that Agents obtained this gun. During the time that the signed statement was being taken from him, the Browning Automatic Rifle was presented to him, and Randall was asked why he had not told the story concerning this gun heretofore. Randall then commenced to cry. This was the only display of emotion on the part of Randall during the entire time statements were being taken from him. This was likewise the only occasion on which a gun was presented to him during his temporary incarceration. When he commenced to cry, he was told that he would not have to make a signed statement but expressed the desire to make such a statement.

When Agents completed their interview with Randall on the first day, namely, January 21, 1935, Hanson told Randall that he could be taken to a jail and a complaint could be filed against him, whereupon Randall stated that he would rather stay with Agents

and his feeling was that he would be safer with Agents; that he would receive better treatment in the hands of the Agents than in the care of the jail; that he did not desire his name to be in the papers since he did not want his family and friends to learn of his trouble.

Randall's statement was commenced on January 21, 1935, and completed on January 22, 1935. When the statement was completed, he was given an opportunity to read it. He did read it and expressed his understanding of the contents, whereupon he signed it freely and voluntarily.

On January 24, 1935, information was obtained that an unknown airplane carrying men heavily laden with arms had landed in the Everglades near Miami. In the thought that these individuals might be identical with Karpis and Campbell several guns were removed from the closet preparatory to proceeding to the Everglades. These guns were not removed from their cases with but one exception. One of the guns, a .351 caliber Colt rifle, was removed from its case by former Special Agent R. L. Jones for the purpose of examining the firearm to be sure that it was in good working order before it was to be used. It will be remembered that this gun was seized during the raid on the apartment of Russell Gibson in Chicago, Illinois, on the night of January 8, 1935, at which time Gibson was killed. The gun had been altered by a gunsmith making it operate as a machine gun, and for that reason it was closely inspected to be sure that it was in good working order. There was no talk of firearms nor was there any warning given to Randall as to what his conduct should be during the absence of the Agents. During the absence of several Agents, Special Agents L. B. Nichols, and P. C. Dunne were left to guard Randall. Nichols and Dunne assembled a Colt Monitor Rifle and a shotgun and laid these guns on the bed so that they would be available in case of emergency. The muzzles of the guns were turned away from Randall and nothing was done which would in any way give him cause to fear said Agents. At the time Agents Nichols and Dunne prepared the guns, Randall stated, "Hell's fire, give me one of those guns. I'll help you out. I don't want to sit here empty handed." Randall had previously expressed fear that the men might try to kill him. Randall was told that he should have no fear and that no harm would come to him, and that the Agents were there to help him. To the best recollection of the Agents who

guarded and interviewed Randall, food was brought up to Randall during the first day of his temporary detention, to wit, January 21, 1935, but that thereafter he was permitted to accompany Agents to the coffee shop in the Alcazar Hotel. On these occasions, of course, he was not handcuffed.

At the time the Agents were proceeding to the Everglades, former Special Agent R. L. Jones mentioned that it would be a good idea to put Randall in jail so that Agents could be rid of him and would be unencumbered. At that time, Randall expressed his displeasure at being removed to the jail, stating that he would rather remain with Agents and would be better cared for. For this reason he was not taken to jail.

As stated hereinbefore, former Special Agent R. L. Jones at night occupied Room 611 in the Alcazar Hotel with Randall. At night time for precaution Jones used two handcuffs in securing Randall to the bed, one cuff being linked to the other, the extreme end of the second handcuff being linked to the bed. The two handcuffs were used so that Randall would have plenty of room in which to move about during his sleep. It has been explained that the only reason Randall was handcuffed during the first day of his detention was due to the fact that Agents were not familiar with him and did not know what he might do. Every effort, of course, was being made by the Agents to prevent Randall from jumping from the window in an effort to escape or commit suicide.

At about 8:00 P. M. January 25, 1935, former Special Agent L. J. Metcalf, Agent Nichols and Special Agent in Charge Hanson took Randall to the United States Commissioner's office in Miami, Florida, where a complaint was filed and Randall was delivered to the United States Marshal. After Randall had been arraigned, he freely and voluntarily told Assistant United States Attorney W. Sanders Gramling, the United States Commissioner and the Agents present that he had been very well treated by the Agents and that he wished to thank them.

Indicative of the voluntary character of the first statement made by Randall is the fact that on January 29, 1935, and on February 1, 1935, after having been placed in the Dade

6-2-37

County Jail, Miami, Florida, he furnished two signed statements of considerable value, under conditions which would make it impossible for him to allege that these statements had been obtained by force, duress or coercion. The said statements were obtained by Special Agents J. W. Going and F. M. Stone. He shook hands with both of them, stating he would like to meet them under a more favorable situation and would like to have them consider him as a friend and not as having been mixed up in his present difficulties. He also expressed appreciation for the treatment accorded him by the Agents.

On April 17, 1936, "Duke" Randall was interviewed by Special Agent N. D. Wills of the Trenton Office. At that time Randall alleged that he had been held a prisoner for five days, being handcuffed to a bed; that his constitutional rights had been violated; that he was not taken before a magistrate immediately after being arrested and that he was not given the benefit of counsel, and further that the statement obtained from him was obtained by duress, since he was manhandled and threatened. When questioned closely as to the matter of being manhandled and threatened, he stated that he was manhandled by one or two Agents and that the other Agents were fine. Upon further interview Randall retracted the statement alleging that he had been manhandled by saying that no one struck him or abused him physically.

It is quite obvious that prior to this interview, "Duke" Randall had discussed this matter very thoroughly with Bart Riley, particularly in view of the fact that most of the allegations made by Randall to Agent N. D. Wills are allegations which are contained in the motion to suppress of which Bart Riley is the author.

There is attached hereto a copy of the statement of Joseph H. Adams which is dated January 29, 1935. There is also attached one copy each of the various statements made to Special Agents of the Federal Bureau of Investigation by Henry "Duke" Randall.

Respectfully,

E. A. Tamm.

Enclosure.

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There is attached hereto a copy of the statement of Joseph H. Adams which is dated January 29, 1935. There is also attached one copy each of the various statements made to Special Agents of the Federal Bureau of Investigation by Henry "Duke" Randall.

Respectfully,

E. A. Tamm.

Enclosure.

STATEMENT OF HENRY RANDALL:

"Miami, Florida,
Jan 21, 1935.

I, Henry Randall, made the following free and voluntary statement to J. H. Hanson and R. L. Jones, Special Agents, Division of Investigation, U. S. Dept. of Justice, knowing that I need not make a statement and that what I say can be used against me in Court.

About April 15, 1934, I became acquainted with Joe H. Adams at Newark, N. J. I met him thru a Mr. Ariel who is a clerk at the Douglas Hotel in Newark and who lived at the Grant Hotel in Newark where I also lived at that time. Ariel told me if I came by the Douglas Hotel, he perhaps would have a job for me. When I went thru about April 15, 1934, Ariel introduced me to Joe H. Adams and J. D. Passmore who he described as Dog Track Men from Miami, Fla. There was a third man in their party whose name I do not recall for certain altho I know his first name is Charlie and I believe his last name is Sandler or Chandler. He is also from Miami.

Joe Adams offered me a job as a chauffeur to drive his 1933 Lincoln Sedan at a salary of \$30.00 per week. I worked for him for about a month in this capacity. During this time, I drove all three of these men to various places in Newark and vicinity. I gathered from their conversation and what they told me that they were in Newark to promote a race track. I drove these people to many places in Newark and vicinity. I don't know who they contacted except Fred Sholl, Pres. of the New Jersey Building Trades Union State Council, at Newark. I understood from what these men said and told me that thru Sholl, they expected to get the favoritism of "Longie" Zwillman of Newark who is reported to control the gambling in New Jersey. Zwillman is the leader of what is known as the "Third Ward Mob" which organization operates the dog tracks in New Jersey, as well as the slot machines and the "number" racket. I also know that Joe Adams contacted Col. Baumgardner at West Orange, N. J. in connection with establishing a dog track at West Orange. On another occasion I drove Adams and the other two men to a town on Long Island, where this group spent about 4 or 5 hours visiting a man who Adams later told me was a member of the President's "Brain Trust". I believe this man lived at Fort Washington, Long Island.

After I worked for Adams for a month, he told me that he and the party were returning to Miami as it was a waste of time to try to get a racing concession in New Jersey. During the time I worked for Adams, I got very friendly with him as did my pal, Gregory I. Codomo, of Newark. When Adams left he told Codomo and me that if we ever came to Miami, he'd help us get jobs. Adams wrote me a letter when enroute from Newark to Miami after which we corresponded infrequently.

7-576-14410

Statement of Henry Randall, Cont'd:

In the fall of 1934, I wrote Adams telling him that Codomo and I were out of work and that we'd like to spend the winter in Miami if he could help us get work. He wrote me that he could help us when the Dog Racing Season started and that if we came before that time he would see that we got enough money to furnish us with spending money and that he would take care of our room and board until we got steady work.

In accordance with Adams promises and thinking that he was a very wealthy man, Codomo and I drove to Miami from Newark in the latter part of Oct. 1934. We drove in Codomo's 1931 Ford Coupe. When we arrived in Miami we spent the first night at a small hotel where Codomo's sweetheart was stopping. The next day we called on Joe Adams at the El Comodoro Hotel, of which place we had been told by him, he was the manager. He told us to move in the Hotel and that we could stay there until the dog races started on Dec. 1st when we could live in one of the Huts at the Biscayne Kennel Club.

In accordance with this offer of Adams' we moved into the El Comodoro Hotel and were assigned room #1102. About 2 or 3 weeks after we moved into this hotel, I noticed 2 men and an old lady in the lobby. I saw these people frequently in the lobby on and off from that time until a week or two before Xmas. I have identified the picture of a woman who I have been told was Kate Barker as this woman. The man who was with her and who I understood was her son was called "Shorty" by the second man who was in that party. I have identified the photograph of a man who I have been told was Fred Barker as the man who was called "Shorty". The photograph of the man who I have been told is Harry Campbell is that of the second man in this party. I don't know what rooms these people occupied in the Hotel. However, I frequently saw Joe Adams talking to these people in the lobby of the Hotel. I never saw him talking to all three at the same time but I have seen him talk to two of them at one time. They never seemed to be talking confidentially but were sitting in the lobby as with other guests. I never saw Bob Knight who is Adams' father-in-law and who I understand owns the El Comodoro talking to these people, nor did I ever see the other members of the staff talk to them except in a casual manner.

These three people walked around the lobby of the Hotel in a very carefree manner and I did not recognize them as anybody I had ever seen before or whose photographs I had seen. However, I did think these men were perhaps in the liquor racket or some other illegal racket since they seemed to have nothing whatsoever to do.

In the first part of November 1934 on an occasion when Adams and I were talking about my working at the Dog Track, I asked him how I was going to travel back and forth to it, and he replied that I couldn't use his Lincoln, but that he perhaps could get a cheaper car for me. A few days later I again spoke to him about this matter. Codomo was with me at this time. Adams told me that a Mr. Bronson had a Ford Coupe stored at the Biscayne Kennel Club and that it could be bought for about \$300.00, that he would see Mr. Bronson about it; further that he would take care of the cost of the car and that I could see him later about it. Fred Barker who I at that time knew as "Shorty" was sitting in Mr. Adams' office located on the 1st floor of the Hotel at the time I had this conversation with Adams. When I walked into the office I heard Adams and Barker talking about dog racing.

The next day I went to Adams' office again and at that time Adams gave me the keys for an automobile, also the registration slip for the automobile showing it had been registered in Ohio by a Charles Bronson. He also gave me a ten dollar bill and told me to get the Ford Coupe at the Kennel Club and buy license plates for it. No one else was present at this time. Adams never told me what he paid for the car nor did he identify Mr. Bronson in any manner. I, however, of my own accord drew the conclusion that Bronson was "Shorty". After I obtained the car I purchased license plates for it in Miami registering it in my own name. It was on or about Nov. 5th 1934, that I registered this car. I registered it in my own name inasmuch as Adams when giving me the money to buy plates told me to go over and get my own plates. Adams used the automobile for the first two weeks after I got it. Thereafter I used it to go back and forth to the Dog track. This automobile that I got thru Adams is the same car that I had in my possession today and which car I have voluntarily given possession of to Special Agent J. H. Hanson.

I saw Shorty in Adams' office on the time when I spoke to Adams about the automobile mentioned above; also one time about Xmas of 1934 when I went to Adams' office to see about a bill the El Comodoro had sent me. At this second time Adams and "Shorty" were eating lunch in the office. I also saw "Shorty" drive Adams' Lincoln Sedan on one occasion. Shorty was alone in the car and drove it into the parking lot in the rear of the Hotel. The next day Adams told me to take the car to the Firestone Service Station, at 13th Ave & Flagler St., saying he loaned it to someone yesterday and they said they wouldn't drive it because it shimmied too much.

Statement of Henry Randall, Cont'd:

During the first two weeks of December 1934, I saw a young woman around the El Comodoro Hotel. She was in a pregnant condition. She appeared to be alone. I never noticed Joe Adams or any men talking to her.

Some time before Xmas, this woman left the Hotel and I never saw her again until a few days ago, as I will explain below.

The photograph of the person who I have been told is of Alvin Karpis I wish to say is that of a man I met in Joe Adams' office at the El Comodoro Hotel on about Dec. 22, 1934. I went to Adams' office at his request and Karpis was there at that time. Adams asked me if I would do a friend of his a favor. I told him I would if I could do it. Adams pointing to Karpis, then said this Mr. Morrison wants you to buy a car for him, and that he had already picked out the car. Karpis then told me the car he wanted was a black two door Buick Sedan standing in the middle of the show room floor. He also gave me a business card of the Ungar Buick Co., which is the same card found in my room today by Special Agents Hanson and Jones and which card I have initialed. Adams at this time told me that he wanted me to do this because they were busy and were expecting a business call. When I asked them in whose name I should buy the automobile, Karpis spoke up saying here's a slip with my name and address. I recall the name to be Leroy Morrison and the address some number on Main St., in Buffalo, N. Y. I then went to the Ungar Buick Co., where I talked to Mr. Bishop and the manager of the place. Before going there, Karpis had told me in Adams' office and in the latter's presence that the car he wanted cost \$1080.00. He also told me to get him license plates for the car. He gave me eleven one hundred dollar bills to pay for this automobile.

At the Buick place I asked Mr. Bishop if the black 2 door Buick Sedan standing in the floor cost \$1080.00 and when he stated that it did, I told him I wanted to buy it. Neither Bishop nor the sales manager said anything to indicate that anyone else had been looking at the car. When I decided to take the car, I told Bishop, who asked for the name of the purchaser, that it was Leroy Morrison and gave the Buffalo, N. Y. address that Karpis had given to me. I also asked Bishop to get license plates for me and when he asked for my local address I told him I had none, as I was intending to move at that time. Bishop then told me I could pick up the title in 15 or 20 days at the Buick Co. -- I never did do that and don't know where the title is now. --

Statement of Henry Randall, Cont'd:

It took me about an hour to get the Buick and when I got it I immediately drove it to the El Comodoro Hotel, parked it in the parking lot at the rear, then walked into Mr. Adams' office and give the keys to the car and the money that was left over to Karpis who was still there. I noticed at that time that Karpis and Adams were drinking beer together. I told Karpis he'd have to go to the Buick Co., for his title papers. Adams said nothing at this time.

I did not see Karpis again until the night of either Jan. 15th or 16th when a woman came to my money-changing window at the Biscayne Kennel Club. She called me Duke and said that Mr. Morrison wanted to see me. I told her I couldn't see him until between 11:30 PM and 12:30 AM when the last race had started. She then said I should come outside in the parking lot and see him at that time. This woman who talked to me is apparently Wynona Burdette whose photograph I have identified. When I got outside she took me to the Buick Sedan parked there and I saw that Karpis and Campbell were in the car. I got in the Buick with Karpis and Campbell. Karpis did the talking. He told me that they had to leave, that they were going up north to Atlantic City or Philadelphia, and he asked if I hadn't lived in Atlantic City. When I replied that I had, he asked me the name of a hotel there. I told him about the Danmor Hotel. I saw him write that name on a card. He also told me to give the girls the address of the Hotel saying further that the girls were going to take the train because his wife was pregnant. At that time I didn't know who his wife was but as I will explain below I subsequently recognized her as the pregnant girl I had seen at the Hotel. He also asked me to take care of his wife and Campbell's wife until train time the next day. He further stated that they would go over and pick them up. We then started to drive out of the parking lot. I was driving my Ford Coupe and Karpis and Campbell were in the Buick Sedan. When we got on Second Ave., the girls were sitting in a Ford Sedan. Wynona Burdette was at the driver's seat and Delores Delaney was in the car with her. I then recognized the Delaney woman as the pregnant woman, I had seen at the El Comodoro Hotel, as I had previously mentioned. When the Buick reached the car in which the 2 girls were sitting it stopped and the two men got out and talked to the girls. I heard them tell the girls that I would tell them where they were going to stop in Atlantic City. The two men then began to drive away but turned around before I got in my car. Karpis told me in the presence of the girls that I should get a thousand dollars from Joe Adams at the El Comodoro the next day and give it to the girls. He also said I should tell Joe to give me two hundred dollars.

The men then drove away down second Ave. which is the Dixie Highway going north. I then drove towards Miami going to the Ta-Miami Hotel. The girls followed me in the Ford Sedan. I parked on the street in front of the Hotel and the girls were directed by me to the parking lot in the rear of the Hotel. The girls then came in the Hotel with me. I took their bags out of the car. They had three womens' bags. They were not very heavy. One of the porters carried the bags in the hotel and put them in the check room. I told the manager of the Hotel that the girls were my sisters and that they were going to use my room for a few hours until their train left. The girls then accompanied me to my room. We talked for a while at that time. They did not mention why the boys were leaving, but they did not mention why the boys were leaving, but they did mention that they were going to Atlantic City where Delores' baby was to be born. They asked me the name of the Hotel the boys were going to stop at there. I told them the Danmor and when I wrote the name of it down and also directed a note to Bill Morley telling him that these people were my friends and that I wanted him to take care of these people. Delores also asked me for the name of a doctor in Atlantic City. I told her that Mrs. Morley could perhaps refer her to a doctor. At this time the girls also asked me to buy railway tickets and a compartment for them to Atlantic City. Delores gave me \$150.00 for this purpose. She gave me this money about 6 AM on Thursday, Jan. 17th. After I had left the girls a few hours earlier to go to Miami Beach, I had gone by the depot to inquire about the cost of these tickets. I bought the tickets shortly after 6 AM at the Florida East Coast Railway depot. After getting the tickets I returned to the Hotel and gave them to Delores, also giving her the change that was left over. She did not give me anything for this. At this time, Wynona Burdette told me that she hated to leave her car in Miami as she liked it. She asked me to put the car in a garage or to park it until she called for it. She gave me the keys for the car, as well as the papers of ownership for it. She gave me no money to store the car, altho she asked what this would cost. I told her I didn't know so she said she'd pay for it on her return. The papers she gave me included the title, registration slip and bill of sale for the car. I then noticed that these papers were made out in the name of G. F. Summers. In order that I wouldn't have to pay storage on the car, I turned it over to my room-mate, Gregory I. Codomo, to drive it to Miami Beach telling him to store it at the Bowery Club parking space. I told him the car wouldn't be used and that he could take the plates off of it. I left the girls in my room which is #517 at the Ta-Miami, about 6:30 AM that date. I remained in the lobby until 10 AM when I returned to my room and the girls were

Statement of Henry Randall, Cont'd:

getting ready to leave. I went back to the lobby and the girls came down in a few minutes. The clerk called a cab and told the porter to get the girls bags. The girls then left.

I should have explained above that at 9 AM, Jan. 17, 1935, I went to the El Comodoro Hotel, where I saw Joe Adams. He was behind the clerk's desk in the office. I went in a private office off of the clerk's room and Joe came in there. I explained to him what Karpis had told me the previous night and asked him for twelve hundred dollars. He left the room and when he returned he said "They ain't got a Hell of a lot of dough left. Give them this and tell them that's all they get." With that he gave me a thousand dollar bill, also saying, "I suppose I'll have to fix that house up." I said nothing but walked back to my hotel, the Ta-Miami Hotel where I asked the clerk if he could get the \$1000.00 bill changed for me. I told him I didn't know anybody in the bank and they perhaps would think I stole it. The clerk got the bill changed giving me twenty \$50.00 bills. I then went to my room and gave Delores sixteen \$50.00 bills. I told her that I took \$200.00 out of the sum.

On Wednesday afternoon, Jan. 16, 1935, when I was the El Comodoro Hotel, I was sitting in the lobby with Joe Adams, he said "That's what you get for doing favors for people." I asked him what he meant. He said "I rented that house at Lake Wier to that old lady and her son. They must have been wanted by the police because there was a terrible shooting match up there this morning." When he mentioned the old lady and her son, I thought of Fred Barker and his mother because Joe had previously told me that he had rented Carson Bradford's house at Lake Wier to Blackburn. I also thought of these people at this time because I had made a trip to Quincy, Florida, about Dec. 1st, 1934. I made this trip at the request of Joe Adams who asked me to drive George Bevis, one of the Florida racing commissioners, to his home as his baby was dying. Adams told me that on my way back I should stop at Bradford's place at Lake Wier where I could pick some oranges and bring them back. He then told me that the old lady and her son who had stopped at the Hotel were living at Bradford's place. He said that their name was Blackburn. When I got there, a negro told me that no one was at home. He said that he didn't know where Mr. Blackburn and his mother were, further that they were gone for a few days. The negro helped me pick some oranges and when I returned to Miami the bell boys at the Hotel took them from the car and put them in the check room. I did not see Joe Adams at that time as I believe he was at the dog track.

Statement of Henry Randall, Cont'd:

The next day Joe asked me if the Blackburn's were at home and when I told them that they weren't, he asked me if the colored boy had told me where they were.

I also wish to say at this time that on Dec. 22, 1934, when I was called to the El Comodoro Hotel in Miami by Joe Adams and when he asked me to buy the Buick Sedan for Mr. Morrison who I have identified as Alvin Karpis, there was also present at this time Fred Barker who I knew was using the names of Bronson and Blackburn. After I had bought the Buick Sedan, Adams again called me to his office in room #210 and asked me to go to a jewelry store to get an assortment of jewelry for a lady. Barker, Karpis and Adams were in the office at that time and they were talking about Christmas presents. In my presence Adams telephoned a jewelry shop and asked if they would prepare an assortment of jewelry for a lady. He said he would send a man to get the stuff and then gave me one of his cards on which he had written the name of the Suttin Jewelry Co. on Flagler St., as I recall, also writing a note for them to give me the jewelry. I went to the jewelry shop where I got a package that the lady was wrapping. I brought the package to Adams' office in the El Comodoro Hotel where Adams with Fred Barker and Karpis looked over the jewelry. They selected 2 diamond bar pins. All three of them took part in the selection. I recall that Karpis and Fred Barker complained about the price of the jewelry whereupon Adams 'phoned the jeweler saying that his friends thought the price was too high. I gathered from the conversation of the three men that the jeweler reduced the price, as the three men were elated. Barker then handed Adams some money from his bank-roll and Adams in turn gave me the money. Adams also gave me the balance of the jewelry. I took it with the money to the jewelry shop. The jeweler gave me the receipt for the money. This is the receipt found in my room and which is made out to Joe Adams. I got no money for running this errand.

About a week before the shooting at Ocala, Fla., Joe Adams called me to his office in room #210 at the El Comodoro. He told me that a friend had left a rifle with him and that he did not want his people to know he had it in case something happened to him. He did not show me this gun at this time. However, he told me to have a box made for it. That night at the Biscayne Kennel Club, I asked Lee Kane, the carpenter, who also works and lives at the El Comodoro Hotel to make a box for a rifle. The next afternoon when I went to the track, Kane had made a box. We tried to put a shotgun in it and when it wouldn't fit, Kane altered the box. Then on the next day I got the box from Kane

and took it to my room at the Ta-Miami Hotel. I then went to Adams' office in room #210 at the El Comodoro when I told Adams that the box for the gun was finished. He then opened his closet door and took out a golf bag. This a big brown leather bag. It has a zipper top to it and the bows in the bag are covered with a darker brown leather. He unlocked the bag and took from it an automatic rifle. I have identified a gun that has been shown to me by special agent Hanson as the gun Adams took from this bag and gave to me on this occasion. Adams and I took the gun apart after which we wrapped it in newspapers. He also gave me four clips for this gun. They were loaded. They also came from the golf bag which also contained some gold sticks. At this time Adams told me to put the gun in the box, put a fictitious name on it and then check it in the check room at the El Comodoro Hotel. Nothing was said about a claim check for the box. After he said this he told me I could sell this weapon or get rid of it in any way that I wanted to. I then took the gun to my room in the Ta-Miami Hotel where I put it and the clips in the box that I had had made at the dog track. I then left the gun in my clothes closet after having painted on the box in ink, the name of the "Hill Hardward Co., Brooklyn, N.Y." as consignee with the "U S Steel Co., of Bethlehem, Pa." as consignor. The gun then remained there until the same day that Delores Delancy and Wynona Burdette left Miami, when on that night I asked Mr. Rolfe at the Biscayne Kennel Club if he would be interested in buying an automatic rifle. I offered it to him for \$150.00. I told him a friend of mine had given it to me and that I knew where he could get 2 more of them. This was a lie as I did not know where any more such guns were located, nor had I heard of anymore. Rolfe told me to bring the gun to his office the next day which I did. At Rolfe's office, Rolfe and I who were alone put the gun together. We also loaded it when it accidentally discharged. Rolfe didn't agree to buy it but said he would see me that night. When I saw him he said that he couldn't use the gun and that I could get it back. I never did get it.

I wish to say that I work for Mr. M. A. Rolfe who operates the Rolfe Armored Service being engaged in transporting money to banks. He also carries the money from the Biscayne Kennel Club to the First National Bank in Miami. It was a part of my duty to accompany the truck to the bank, as well as to act as a guard at the money windows at the Kennel Club. However during the past three weeks I worked in the money change window at the Club. In connection with my position with Rolfe, he had secured for me special officer's commissions in the City of Miami and at Miami Shores, where the Biscayne Kennel Club is located. These permits authorized me to carry a pistol. Rolfe had furnished me the 45 automatic pistol found in my room at the Ta-Miami Hotel.

Statement of Henry Randall, Cont'd:

This gun is a Colts 45 cal. automatic pistol, government model #C112311. He also furnished me the shoulder holster found with this gun, as well as the Special officer's badge found in my room.

My salary with Rolfe is \$42.00 per week. As far as I know Rolfe pays my salary, as his Captain, Ted Bush, paid me.

On Monday morning, January 21, 1935 about one A.M., when I was at the Bowery Club in Miami Beach accompanied by Billie Koreen, I was told by the Cashier that I had received three telephone calls left no name, but told the Cashier to tell me that there had been a shooting scrape in Atlantic City. I thought some one was playing a trick on me. However, I still was worried and I thought of the people I had recommended to the Hotel in Atlantic City. I tried to reach Joe Adams at his home at the El Comodoro Hotel, but he didn't answer the phone at either place. I then asked my girl companion, Billie Koreen, to call Bill Morley at the Morley Cigar Store on Kentucky Ave., in Atlantic City telling her to ask him or whoever answered if there was any trouble there. This she did. After the conversation she told me that she was told that there was a shooting in the Danmor Hotel, that 2 men got away but they had taken 2 women into custody. We stayed at the Club for an hour or two when I took my girl home. I then returned to the Bowery Club, told Gregory I Codomo, my room mate, that I was going to my hotel and that the next day I was going to see Joe Adams, ask him if he made the calls to me at the Bowery Club, and to see what he knew about this, then give myself up to the Miami Police. Before this happened I was picked up by special agents Jones and Hanson and voluntarily went with them for questioning.

I had read in the newspapers of the Bremer kidnaping case. I knew that Bremer was a brewer and that a \$200,000.00 ransom had been paid for his release. I did not know who all was wanted for this kidnaping. As I have said above, I had heard about the shooting at Lake Wier, Fla., at the Bradford home. I read the newspaper accounts of that shooting and then learned that the man I had known at the El Comodoro Hotel as "Shorty" alias "Bronson" alias "Blackburn" was one of the kidnapers and was wanted by the federal government. Joe Adams had also mentioned this shooting to me and that these people were wanted by the authorities. After reading of this shooting and after hearing Adams' talk about it, I knew that the man I had met at the El Comodoro Hotel and who I knew as Morrison, as I have explained above, was a partner of "Shorty's" or of Fred Barker and that he also was a fugitive

Statement of Henry Randall, Cont'd:

from the U. S. Government in the Bremer case.

All the trouble that I have gotten into as a result of running errands for the people mentioned above was done at the instance of Joe Adams and it is only because of him that I got in this trouble.

I have read this statement. It has been given voluntarily by me. No promises have been made to me, nor has any force been used against me.

/s/ Henry Randall

Witnesses:

J. H. Hanson,
R. L. Jones

Special Agents,
Division of Investigation
U. S. Dept. of Justice"

STATEMENT OF DUKE RANDALL:

"Miami, Florida
January 26, 1935

I, Duke Randall, make the following statement to L. J. Metcalf & P. C. Dunne, Special Agents, Division of Investigation, U. S. Dept. of Justice.

On the Sunday before New Years, Dec. 30, 1935, I was in the El Comodoro Hotel, Miami, Fla., eating dinner. Joe Adams came up and said that he wanted me to make a trip for him; he stated that a man named Smith was supposed to make the trip but for some reason or other he was unable to do it. Adams said that he wanted me to go up to Etowah, Tenn. and give a man named Harry, who runs a filling station and garage there, \$50.00; that I should tell Harry that the money was from Joe Adams for the license plates for his car and that he (Harry) should forget about Joe Adams.

I made the trip as requested by Adams; I left Miami at about 9:00 A. M. on Dec. 31, 1934 by plane and flew to Jacksonville, Fla. At Jacksonville there was some question as to whether the plane would go through; I wired Adams requesting advice as to the procedure which I should take if the plane didn't fly to Atlanta. Adams wired me at the Jacksonville Airport that I should use my own judgment but take the quickest way.

The plane did fly to Atlanta and I rented a car in Atlanta and drove to Etowah, Tenn. and there did as Adams requested. I told Harry, as Adams had requested me to, that I meaning (Randall) would be through Etowah again sometime when I would again take care of him. Adams also told me to tell Harry that the reason he did not want his (Adams') name mentioned was that the fellows for whom the plates were for were booze runners and had got in some kind of a jam.

I am unable to recall Harry's last name but his filling station is a large station with garage attached and should be easy to locate in Etowah which is a small town.

Signed:-

Henry Randall.

Witnesses:-

L. J. Metcalf
Special Agents,
Division of Investigation
U. S. Dept. of Justice"

STATEMENT OF DUKE RANDALL:

January 29, 1935
Miami, Florida.

I, Duke Randall, presently incarcerated in the Dade County Jail, Miami, Florida, freely & voluntarily make the following signed statement to Franklin M. Stone and James W. Going, Special Agents, Division of Investigation, U. S. Department of Justice.

My real name is Henry Stern. I am known also by the name of Duke Randall.

My father, Elias Harry Stern and my mother Anna Cecelia Stern are both now deceased. My mother died in 1918 and my father died about two years later. Both of my parents are buried in some lodge cemetery, the name of which, I do not recall, in Newark, New Jersey.

I wish to state that I have never been convicted of a murder charge; that I have never been arrested on a murder charge; that I have never been under suspicion, as far as I know, as being responsible for a murder. I have never had a friend who was mixed up in a murder case.

I have never been arrested for assault and battery. I have never been mixed up in any assault case. I have never tried to help any friend out of an assault charge.

I have never been arrested on any charge in my life. I had never been in jail before I became mixed up in the case for which I am now in jail.

I never went to Joe Adams, wrote to Joe Adams, or had anyone of my friends go to him with a story that I was in trouble because of an assault charge, pending against me and that I needed money to get out of my trouble. I never asked Joe Adams for any money for myself for any reason. I never asked him to help me out of any court troubles as long as I've known him. I never told Joe that I was in trouble and needed money to get me out of it.

I read the above statement and it is true.

Witnesses:

/s/ Henry Randall.

Franklin M. Stone
Special Agent, Division of Investigation,
U. S. Dept. of Justice.
Birmingham, Ala.

James W. Going, Special Agent, Division of Investigation, U. S. Dept. of Justice, Birmingham, Ala."

STATEMENT OF DUKE RANDALL:

"Dade County Jail
Miami, Florida
February 1, 1935

I, Duke Randall, make the following voluntary statement to Special Agents F. M. Stone and J. W. Going of the Division of Investigation of the Department of Justice:

Several days before I made the trip to Etowah, Tenn. for Joe Adams which was on December 31, 1934, he gave me instructions to have a box made for the gun which I later tried to sell to Mr. Rolfe. At the time he gave me the instructions he told me to have a box made for it and put it in the check room of the El Comodoro hotel. At the time he told me to have the box made he told me to put any sort of name I wanted to on the box.

I had the box made and a couple of days later told him the box was ready. At that time he gave me the gun and told me to get rid of it; do anything I wanted to with it; throw it in the ocean but dispose of it in some manner. I then took the gun to my room at the Ta-Miami and when I made the trip to Etowah, Tenn both the gun and the box were in my room.

After I returned from Etowah, Tenn. Mr. Adams later asked me what I had done with the gun and I cannot now recall what I told him at the time the gun was still in my room.

Several days before the shooting at Ocala it occurred to me that Mr. Rolfe might buy the gun as he would have a legitimate use for it.

Before I thought of selling the gun to Mr. Rolfe I remembered what Adams had said about putting any sort of name on the box so I put the writing in green ink on the box which was on it at the time it was recovered from Mr. Rolfe.

On the day that those people left here, the day after the shooting at Ocala, I took the gun to Mr. Rolfe and left it with him.

The above statement is true & correct.

Witness:
James W. Going
Special Agent
Division of Investigation
U. S. Dept. of Justice
Birmingham, Ala.

/s/ Henry Randall.

Franklin M. Stone
Special Agent
Division of Investigation
U. S. Department of Justice
Birmingham, Alabama."

STATEMENT OF JOSEPH H. ADAMS:

Miami, Florida,
January 29, 1935.

"I, Joseph H. Adams, make the following voluntary statement to Special Agents R L Jones and J H Hanson of the Division of Investigation, U S Dept. of Justice. No threats have been made against me. No promises have been made to me. I know that this statement can be used against me in a Criminal Court.

Since about August 1, 1934, I have managed the El Comodoro Hotel in Miami, Fla., for my father-in-law, T. R. Knight. Prior to that time for a period of several years and at the present time I have been also engaged in the grey hound racing business. At present, I am also manager of the Biscayne Kennel Club in Miami Shores Village, a suburb of Miami, Fla.

In about April 1934 when I was at Newark, N. J., for a period of several weeks seeking a dog track location, I met Duke Randall thru a clerk at the Douglas Hotel. I employed Randall to drive my car. I knew nothing about Randall at that time. He worked for me for about 6 weeks during which time we became quite friendly. Before I left Newark for Miami Randall spoke to me about getting work in Miami during this present winter. I told him that if he came down here I would assist him in getting work. From the time I left Newark until the latter part of Oct. 1934, when Duke Randall came to Miami, Fla., accompanied by his friend, Gregory I. Comodo, I had written several letters to Duke telling him that I would get him work in Miami and that if he came to Miami, he could live at the El Comodoro Hotel until the season started. I had also told him I would take care of his hotel bill and that I would see that he got his board. I understood that Randall and Comodo drove down here in an old Ford Coupe. At the time Randall arrived here, he told me that he had been working in New Jersey at the lathing business and that he had a little money. Prior to Duke's coming to Miami he had written to me from Newark that he was in trouble on an assault charge and tried to borrow \$250.00 from me to settle it. I never answered his letters asking for this money. After his arrival this case was never discussed. On Dec. 1, 1934, we opened the Biscayne Kennel Club and Randall was given employment by me as a guard at the track. His salary was \$7.00 per day and while he was carried on the payroll of the Rolfe Armored Service Co., the Biscayne Kennel Club remitted to the Rolfe Co. for Randall's special police commission. On an occasion in about December 1934 when I was

at the Biscayne Kennel Club, Randall attempted to show me some papers which appeared to be legal documents and at the same time he said something about having been convicted of murder and that the papers indicated that everything had been cleared up. I was busy at the time and paid no attention to what he was saying. We never discussed this matter subsequently. On another occasion, a few weeks after Randall came to Miami, I found a note in my desk which was written on the El Comodoro Hotel stationery. The note had not been sent thru the mails. It read to the effect that I had befriended the writer's son, and that the writer who signed the note as "Philadelphia Louie" or some such name, now wanted to do me a favor. The writer then went on to say that the "Kelly Mob" from New York were going "to take" me. I thought nothing much of this note, but showed it to Duke Randall who took a note book from his pocket, looked thru it and then said that there was such a party as the writer of it. Randall, however, said nothing to indicate that he knew who wrote the note.

I have known William Harrison for at least 5 years. I first met him when he was selling or cashing tickets at the Miami Beach Kennel Club. I don't recall who introduced me to him. However, since that time I have seen him in Miami frequently and recall that I also saw him 2 or 3 years ago at the Derby in Louisville, Ky. In Miami, I had been told that Harrison was an excellent golf player and on one occasion I played golf with him. I don't recall any of his associates, but I think everybody running the track at Miami Beach, the gambling places and the saloons there know him.

On Sept 1, 1934, William Harrison accompanied by a man whom he called "Sea-Lion" came to the El Comodoro Hotel, after I had met Harrison on the streets in Miami a few days earlier when in a general conversation I informed him that I was at that time managing the El Comodoro Hotel. While I didn't check Harrison in the Hotel, I believe I saw him on that day. He was then accompanied by the man called "Sea-Lion" whose photograph I have identified as Harry Sawyer. On that day I recall Harrison telling me that a friend was coming in on a plane that day from Havana. The next day they brought an elderly man to the Hotel who they introduced to me as Cash McDonald from Detroit. McDonald did not stop at the El Comodoro, but he told me that he was stopping at the McAllister.

Statement of J. H. Adams, Cont'd:

During the period of Sept 1, to the 12th 1934 when Harrison and "Sea Lion" were at the El Comodoro, I saw them frequently in company with McDonald. I understood from general conversation with them that Sea Lion operated a gambling place and saloon in the West; further that he had been in trouble with the U. S. Government having been questioned on numerous occasions in connection with income tax matters. On one occasion I heard "Sea Lion" tell Harrison that he should have registered at the Hotel under his correct name. Practically all of the conversation I had with these men concerned gambling. They frequently referred to the "Big Deal" in Cuba saying they had secured control of the Jockey Club, The National Casino, both in Havana and that they controlled all of the gambling in Cuba and that they expected to open a place in the Plaza Hotel in Havana. They also spoke of operating a place in Miami and I drove them in my Lincoln Sedan to look at several sites for a gambling place in Miami. One of the places I took them to was Broward County, Florida, where I showed them a big white house that had been erected for a Casino and which place is located opposite the dog track. On this trip we returned by the way of Miami Beach and I recall that when getting a sandwich there, that Harrison told the bartender that he, Harrison, formerly operated a saloon on Miami Beach; further that this place was located on Collins Ave and 23rd St. In connection with the proposed gambling site in Broward County we discussed this matter on several times and I even made a trip to Hollywood, Fla., to see a lawyer, whose name I don't recall, but who represented someone having a mechanics lien on this place. No further negotiations were entered by me or these men to my knowledge concerning this particular site.

During this particular period these men also told me that they had a gambling place in the north, as I recall in Ohio.

During this period, I also recall that Harrison and McDonald made a trip by air to Havana. "Sea Lion" stayed at the El Comodoro during the time they were gone.

On Harrison's return to Miami, and as I recall about 2 days before, he and "Sea Lion" checked out of the Hotel, Harrison came to me in my private office at the El Comodoro with a package, wrapped in newspaper. He told me there was a gun in the package and asked me if I would keep it until he returned. He mentioned that he was going back to Havana to close their deal in the Jockey Club and all the gambling. About 2 days after giving me the gun, Harrison and "Sea Lion" checked out of the Hotel unbeknown to me.

Statement of J. H. Adams, Cont'd:

I wish to say at this time also that during the time Harrison and "Sea Lion" were at the El Comodoro Hotel, Cash McDonald made frequent trips by air to Havana. He remarked once during this time that he made enough air trips to Havana to own the ship. He always carried a tan brief case at this time. I never saw the contents of it, but I do recall that whenever Cash McDonald returned from Havana, he with Harrison and "Sea Lion" went up to Harrison's room immediately. They at no time during this period mentioned anything except gambling and whiskey. They at no time mentioned the Bremer kidnaping case, nor the fact that they were exchanging money. They at no time during this period mentioned the names of the Barker-Karpis gang by name or by the aliases that I knew Fred Barker, Alvin Karpis and Harry Campbell, as I will explain below.

With reference to the gun that I mentioned above and which was left with me by Harrison, several weeks after he left the El Comodoro, I spoke to T. C. Blackburn about this package asking him if he knew when Harrison would return to Miami. This was prior to Thanksgiving some time. I did not tell Blackburn what was in the package nor did I tell anyone else about it. Then about the middle of Dec. 1934, I saw Harrison in the lobby of the El Comodoro and I asked him when he was going to take the package he had left with me. He replied that he would call for it the next day, but he never did. From the time I received this gun in Sept. 1934, it remained wrapped in paper in my golf bag which was sitting in my office at the Hotel. Just before Xmas 1934, I had my office located on the main floor at the Hotel repainted. For this reason I moved my office temporarily to room 210 in the El Comodoro. I moved my golf bag up there placing it in the closet and at that time I thought of the gun in the golf bag. I took the package out and opened it when I recognized it as a machine gun of some kind. I also noticed that the manufacturers name on the gun, as well as other marks of identification had been chisled off of it. There were also several clips in the package all of which contained cartridges. The gun that has been shown to me by Special Agents Hanson and Jones appears to be the same gun that was left with me by Harrison. When I saw what kind of a gun this was, I put it back in the golf sack. Several days later, after debating what to do with the gun, I called Duke Randall to my office, showed him the gun after removing it from my golf bag, gave him the gun and the clips and told him to throw the gun and clips in the Bay. I did not tell him to have a box made for the gun or to check it in the check room at the El Comodoro Hotel. After this occasion, Duke Randall told me he had dumped the gun in the bay. I had never registered this gun with the Collector of Internal Revenue and had never taken any steps in connection with it in any manner except as has been described above.

Statement of J. H. Adams, Cont'd:

With reference to the members of the Barker-Karpis gang, I wish to say that I knew Alvin Karpis by the names of Waggoner and Green; that I knew Fred Barker by the name of T. C. Blackburn and Harry Campbell by the name of Summers. I wish to say that at this time that I did not know these men were Alvin Karpis, Fred Barker and Harry Campbell. I believe that these people were referred to the El Comodoro Hotel by Cash McDonald. When he was at Miami as I have explained above, McDonald told me that he would refer his friends to my hotel and that they would stop there enroute to Cuba. When Karpis as Waggoner came to the El Comodoro in about Sept or Oct 1934, he asked me if I knew Cash McDonald. He then introduced himself to me as Waggoner. Likewise when Fred Barker who I knew as T. C. Blackburn and Harry Campbell who I knew as Summers came to the Hotel they also spoke of Cash McDonald asking me if I knew him. As I recall at this time, Blackburn told me that Cash McDonald had sent me to the El Comodoro Hotel. These men when stopping at the El Comodoro Hotel were accompanied by Mrs. Kate Barker who had registered at the Hotel as Mrs. Ryan. She was represented by Blackburn as being his mother. Harry Campbell was accompanied by a woman on some of these occasions but I never saw her. Karpis, who I knew as Waggoner and Green, was accompanied by a young lady who was represented to be his wife and who I later noticed was pregnant. This entire group of people stopped at the El Comodoro at various intervals from Sept 1934 up until January 1935. Some time, some of them stayed as long as several weeks. During their stays I had frequent conversations with the men and they generally discussed gambling. They frequently spoke at this time of Cash McDonald, of how they were hooked up in gambling in Cuba, that Cash was to handle all of the dealings and that they were connected with the gambling in Ohio.

The first of several especial favors that I did for these people was in about November 1934, when I told Blackburn that I was going to Tennessee. He at that time asked me to get some automobile license plates for him there. I told him that I would try to do this. He at that time said he was a bootlegger. He gave me the description of his car which was a Buick Coupe. He also gave me the motor number of the car. When I got to Etowah, Tenn., I spoke to a friend who operates a garage there and whose name is Harry Cook. I gave him a description of Blackburn's car and told him I wanted to get license plates for T. C. Blackburn who was a bootlegger and that they should be mailed to Blackburn in my care at the El Comodoro Hotel. When the plates arrived in Miami, Blackburn was living at Ocklawaha, Fla., and I forwarded the plates to him there. Blackburn gave me three dollars with which to buy

Statement of J. H. Adams, Cont'd;

these plates. I wired him at Ocklawaha that I was forwarding these plates to him.

About the same time that I got Blackburn the license plates or perhaps a short time before that Blackburn came to me saying that he had made several trips over the State of Florida and that he was planning on renting a place at Orlando, Fla. Knowing that Carson Bradford had a place in that part of the State at Ocklawaha, Fla., located on Lake Wier I spoke to Blackburn about it. He appeared to be interested and said that he would go there to look at it. I drew a map for him showing him the directions. This was done a regular road map. After Blackburn, Mrs. Ryan and Summers had been away on a trip they told me they had looked Bradford's place over and that they wanted to rent it. I then telephoned to Mr. Bradford telling him I had some people at the Hotel who would like to rent his summer house at Lake Wier. He replied that he would rent it for \$75.00 per month. Blackburn then agreed to rent it on a monthly basis. No papers were signed, nor was a lease drawn for the rental of this place. To my knowledge Bradford never met Blackburn, Green or Summers. While the Blackburns were at this house, I visited them there on one occasion. I drove up there alone in Duke Randall's Ford Coupe on that occasion and will explain my reason for making that trip below.

When they were at Bradford's place they asked me to have the newspapers sent to them. I never did do that, because I didn't want to be bothered with mailing the papers to them each day.

I also recall that one of my bell boys at the El Comodoro left my service and when he resigned he said he was going to Lake Wier to work for the Blackburns. After about a week this bell hop who is a negro and who is named Johnson came back to the Hotel saying he had left the Blackburn's employment. I gave him his job back.

Another thing that I did for Blackburn was to arrange for the purchase of some jewelry for him. As I recall, a day or two before Xmas, Blackburn with Waggoner was at the El Comodoro. They came to my private office on the second floor in the El Comodoro. I believe that I had met Blackburn and Waggoner in the lobby of the Hotel. Duke Randall was with me on this occasion. After the four of us had been talking for a while Blackburn said something about buying a Xmas present for his mother. I suggested to him that we could have some things sent to the Hotel. The four of us then went to my private office where we talked for a while and drank some beer. I then telephoned the Sutton Jewelry Co., told them who I was and that I was going to send a man down to get some jewelry from which to make a

Statement of J. H. Adams, Cont'd:

selection. I then asked them for some suggestions for a woman about Mrs. Ryan's age. I also asked Duke Randall to go down to the Jewelry Co., to get the samples. I gave him one of my cards or a note to the Jewelry Co., instructing them to give the bearer the samples. When Duke returned with the jewelry, Blackburn selected a couple of diamond bar pins. As I recall the purchase price was less than \$200.00. Blackburn paid for the jewelry giving the money to Duke. I paid no attention to his bankroll. I recall that I telephoned Sutton for a reduction in the price of the jewels selected. Duke then returned the jewels not purchased and so far as I know paid for the articles that Blackburn decided to buy.

As I recall on this same day, Waggoner mentioned that he had been looking at a Buick automobile at the Ungar Agency and that he was going to buy a car. As they left my office I heard Waggoner and Randall talking about this purchase. I heard Waggoner ask Randall if he would buy the car for him. I recall that a purchase price of \$1400 was mentioned. I did not call anyone at the Ungar Buick Co., telling them that Waggoner was interested in the purchase of a Buick Car. Previously, however, Blackburn had told me that he was contemplating trading his Buick Coupe for a new car and at that time I told him that if he was going to buy a car that I would like to see him buy it from Ungar. I at that time telephoned Mr. Arthur Ungar telling him that a friend of mine from up in the country was planning to buy a new Buick and that I would like to have him take care of this friend. He promised to do so, but so far as I know Blackburn never bought a Buick from Ungar.

At this time I would like to say that so far as I know Alvin Karpis never used any names except Waggoner and Green. I did not know that he had used the name of Leroy Morrison nor did I know that he had purchased a Buick from Ungar. I do not know if Duke Randall purchased a car for Karpis. So far as I know Duke Randall knew Karpis by the names of Waggoner and Green.

In the first part of December 1934 when Karpis was stopping at the El Comodoro Hotel with his wife, he asked me to refer him to a physician for his wife who was pregnant. As I recall I telephoned Dr. F. O. Nichols telling him that one of my guests was coming over to see him. I don't recall if I gave him the name of Karpis who I knew as Waggoner at that time. So far as I know Dr. Nichols never called on Karpis.

Statement of J. H. Adams, Cont'd:

wife at the Hotel. I did not tell Dr. Nichols that these people were named Woods. I do not recall any conversation with Dr. Nichols about these people except that when I referred them to him I told him that these people had paid their hotel bills and that I thought they would be a good risk.

About the middle of December 1934 or perhaps shortly prior thereto, Waggoner spoke to me about renting a house saying that because his wife was pregnant, they wanted to get a quiet place. At that time he had several clippings from the newspapers concerning the rental of houses and had asked me about the locations of those houses. About this same time, a Mr. Thomas who races dogs at the West Flagler Dog Track had mentioned to me and Mr. T. R. Knight that he had a house to rent. The occasion for this was at a time when Mr. Thomas had met with us to discuss the purchase of the Biscayne Kennel Club. At that time he spoke about his house. Mr. Knight and I then drove by the place, and looked it over. At that time we had in mind the establishing of Mr. Thomas' financial worth rather than the renting of the home for him. However, when Waggoner talked to me about renting a home I thought of the Thomas place. As I recall I drove Mrs. Waggoner to the Thomas home. I am not certain but I believe Waggoner was also with us. Thomas had offered to rent the house for \$750.00 for the season and Waggoner agreed as to this price. I did not assist in drawing up the lease for the House. Waggoner, however, gave me \$750.00 to pay Thomas for the rent. Waggoner took this money from an envelope that he had in the El Comodoro Hotel vault. This money had been given to me by Waggoner along with some other money and was kept in an envelope in the Hotel vault for safe keeping, as is done with other guests. Waggoner had left this money there a few days prior thereto and had left it in his wife's name. The \$750.00 as I recall was in fives, tens and twenties. I also wish to say that Waggoner on several occasions asked for this envelope and took money from it. Mrs. Waggoner never called for the envelope to my knowledge.

On the day after the shooting at Ocklawaha, Fla., Duke Randall came to me at the El Comodoro with the claim check for the Waggoner envelope and with a note from Mrs. Waggoner. Duke said that Mrs. Waggoner wanted \$1200.00. I got the envelope. At that time I said to him it was a shame about Bradford's house and that I ought to keep the money for repairs to it. At this time I had read in the papers about Blackburn being Fred Barker and that he was wanted for the Bremer kidnaping. I then realized that Waggoner and Summers were also wanted for the same thing. At this time or the next day or so I saw Waggoner's picture in the Miami Beach Tribune and realized that he

Statement of J. H. Adams, Cont'd:

was Karpis. At the time I gave Randall the \$1000.00 note I told him that if he was mixed up with these people he was getting himself in trouble. That night when I talked to Randall he told me he had seen Waggoner and Summers on the night of the shooting with this woman and that he had communicated with a friend in Atlantic City and that they were going up there. He also told me he had bought railway tickets for the girls to Atlantic City. I did not tell the police authorities about this; nor had I learned of Randall's assisting them until this time.

I also wish to say that after Waggoner first stopped at the El Commodore he left the Ford Coupe he was driving in the parking lot in the rear of the Hotel. When he left he turned over to me the key for the car saying the registration papers were in the car and that the owner or Willie Harrison would come down and get the car. He said that if I wanted to use it that it would be OK and that if Harrison or the owner didn't come for it, I could sell it. After the car was on the lot for a few weeks I had it moved to the Biscayne Kennel Club. In the first part of November, 1934, I told Duke Randall that he could use it. I gave him the money for the license plates. I told him the circumstances under which it was left with me and that it might be a stolen car but that if he wanted to use it and buy plates for it that it would be OK. He did this, and I frequently drove the car at this time. After I had turned the car over to Randall, Waggoner came back to the El Commodore on several occasions. He asked about the car and in reply to the questions he put to me, I told him neither the owner nor Harrison had called for the car and that Randall had it. He said that rather than have Randall give it up, he would buy another car. That was all that was ever said about the car. I paid nothing for it.

I wish to say that I never got any money from this bunch of men except the Hotel business that I got from them.

I also wish to say that about the middle of Dec. 1934, I began to get suspicious of this group of men and the way they were acting. Because of this I told Randall to get rid of the gun that had been left with me also of the Ford Coupe. I further had Randall make a trip to Etowah, Tenn., to see Cook for the purpose of having the records fixed there on the license plate that I had secured for Blackburn so that they could not be traced to me. Randall made this trip and told me that this had been done.

Statement of J. H. Adams, Cont'd:

I was also suspicious of them because on a trip that Cash McDonald made to Miami in the latter part of December 1934, about Xmas time, when he came to the El Comodoro to see me and asked for Blackburn's and Waggoner's address, which I gave to him, in reply to my questions as to the identities of these persons, he changed the subject and evaded the questions I asked him. At this time I told Cash that I would telephone Waggoner to come over but he told me he was busy but would go by his place. Cash referred to Karpis as Waggoner. I never saw Cash McDonald, William Harrison or "Sea Lion" in the presence of Fred Barker, Karpis or Campbell, but from their conversations they spoke of each other as partners.

I wish to say here that after Randall got the thousand dollar bill from me as was explained above, there remained another thousand dollar bill. This is the bill that I turned over to Special Agents Jones and Hanson. I kept it to offer it to Mr. Bradford for repairs on his house, but he refused it. I offered it to him a day or two after the shooting at Ocklawaha, but when he refused it, I kept it until last Saturday when I gave it to the Special Agents mentioned above. I saw them put their marks of identification on it.

I also wish to say that on an occasion when I saw Cash McDonald in the latter part of Dec. 1934, after he had asked me where Waggoner was living he told me that he had been by Waggoner's place; at this time he also told me that a friend of his named Art, the last name being Hebebran or some such spelling, would contact me in the near future. He said that Art would stop at the Fleetwood Hotel, that he had been by the Hotel to see a Mr. Brennan or Drennan and told him to have Art get in touch with me. He also described Art as a gambler from Cleveland, that he was coming by plane from California and for me to cable him at an address in Havana when Art arrived. He gave me a cable address that I recall was something like Frederico Shackelford. Cash McDonald referred to Art as his partner and wanted me to meet him so that they could locate a gambling place in this vicinity. I recall that I asked McDonald if he wanted a place on Miami Beach and he told me that he didn't want to compete with the fellows there. He also mentioned having a meeting on South Miami Beach with a dozen or more fellows. I don't know what this meeting was about.

Statement of J. H. Adams, Cont'd:

After having had this statement read to me by Special Agent Hanson, I voluntarily affix my signature hereto, no promises having been made to me, nor any force exercised against me.

I also wish to add that after I got suspicious of these people, in the latter part of December, I made a trip to Oklawaha to observe them at the Bradford home. Everything appeared to be regular there. Blackburn and his mother were there and there was nothing more to arouse my suspicions.

I also wish to say that several months ago when Waggoner was at the El Comodoro Hotel, he asked about a kidney man so I referred him to Dr. John Hall.

I voluntarily affix my signature hereto.

/s/ J. H. Adams

Witnesses:

R. L. Jones

J. H. Hanson,

Special Agents
Division of Investigation
U. S. Dept of Justice."

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

LMC:TD

June 2, 1937

MEMORANDUM FOR THE DIRECTOR

Re: Harboring Charges Against
JOSEPH H. ADAMS and HENRY
"DUKE" RANDALL, MIAMI,
FLORIDA.

Mr. Baughman
Mr. Clegg
Mr. Coffey
Mr. Dawsey
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Harbo
Mr. Joseph
Mr. Lester
Mr. Nichols
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

During the fall of 1934 and the early spring of 1935, Joe Adams was the Manager of the ElComodoro Hotel at Miami, Florida. "Duke" Randall, whom Adams had met several months prior to this time at Newark, New Jersey, was working at a dog track at Miami known as the "Biscayne Kennel Club". Adams had an interest in this club and he arranged for Randall's employment there.

The harboring charges against Adams and Randall are based upon the indictment returned at St. Paul, Minnesota on May 4, 1934 which was the first indictment returned in the Bremer kidnaping case. This indictment charged Alvin Karpis, Arthur "Doc" Barker, Roy Gray (Russell Gibson), Izzy alias Jones (Oliver A. Berg), Phillip Delaney, William Edward Vidler and John J. McLaughlin, Jr. with conspiracy to kidnap Edward George Bremer. On May 4, 1934 a bench warrant was issued against Arthur "Doc" Barker. On May 7, 1934 a bench warrant was issued as to Alvin Karpis. The second indictment in the Bremer kidnaping case, which included all of the subjects, was not returned until January 22, 1935 and, therefore, the Government of necessity must base its harboring charges on the first indictment above mentioned.

Adams apparently became acquainted with various members of the Barker-Karpis gang through William J. Harrison, whom he had known for approximately five years as a result of Harrison's former gambling activities at Miami.

Members of the Barker-Karpis mob resided at the El Comodoro Hotel at various intervals from September 1, 1934 to January 14, 1935. The names they used in registering are as follows:

Alvin Karpis
Dolores Delaney

J. Wagner and H. C. Wagner
Mrs. Wagner and Mrs. E. N. Wagner

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FILE

Harry Campbell
Wynona Burdette
Fred Barker
Kate Barker
Arthur "Doc" Barker
William J. Harrison
Russell Gibson

G. L. Summers
Mrs. G. L. Summers
T. C. Blackburn
Mrs. G. E. Ryan
J. B. Bolton
E. H. Howe
J. Roberts

On September 1, 1934 William Harrison registered into the El Comodoro Hotel with a party of three, among whom was Harry Sawyer, and remained there until September 12, 1934. They were frequently visited by Cassius McDonald, who was making trips to Havana, Cuba, the purpose of which it was later developed was to exchange the Bremer ransom money. Before checking out of the hotel Harrison left with Adams an automatic rifle wrapped in paper. He stated he would call for the gun within a few days, but failed to do so. The gun remained in Adams' possession until shortly prior to Christmas of 1934, when Adams delivered it to "Duke" Randall with instructions to throw it into the bay. This gun was never registered with the Bureau of Internal Revenue and after its surrender to Special Agents of the Bureau by Randall it was determined that it was a Browning automatic rifle and that the serial number had been obliterated.

Alvin Karpis and Dolores Delaney registered at the El Comodoro Hotel under the names of J. Wagner and Mrs. Wagner on September 20, 1934. It appears that they had been referred there either by William Harrison or Cassius McDonald. They departed for Havana, Cuba the following day, but before their departure Adams furnished Karpis business cards on which were written introductions to Nathaniel Heller and George Harris of Havana. Karpis drove to Miami on this trip in a Ford coupe which he had purchased in Cleveland, Ohio during the summer of 1934 under the name of Charles Bronson. He left this car on a parking lot at the rear of Adams' hotel and turned the keys over to Adams, advising that the papers were in the car and that Willie Harrison or the owner would come down and get it. Adams stated later to Agents that Karpis informed him he could use the car and if the owner did not call for it he, Adams, could sell it. This car Adams turned over to "Duke" Randall and furnished Randall \$10.00 with which to buy Florida license plates. It was found in Randall's possession when he was taken into custody by Bureau Agents.

On September 29, 1934 Fred Barker, under the name of T. C. Blackburn, and Harry Campbell, under the name of G. L. Summers, registered at the El Comodoro Hotel, which residence was continued until November 7, 1934. On September 30, 1934 they were joined by Kate Barker, using the name of Mrs. G. E. Ryan. During the early part of November 1934, Joe Adams negotiated with Carson Bradford for the rental of the Bradford home at Oklawaha, Florida, representing that an elderly woman and her two grown sons desired to rent the property. About November 15, 1934 Joe Adams went to Etowah, Tennessee, which was his former home, and enlisted the services of an old acquaintance, one Harry Cook, in securing 1934 Tennessee license plates for a Buick coupe, advising Cook to get the same under the name of "T. C. Blackburne". Adams informed Cook that "Blackburne" was a friend of his and a whiskey runner. Cook had one Frank Jennings obtain the plates and Cook sent them to Adams, who in turn forwarded them to Fred Barker, under the name of Blackburn, at Oklawaha, Florida, where the Barkers had taken up their residence in Carson Bradford's home. In the latter part of December 1934 Adams sent "Duke" Randall via airplane to Etowah, Tennessee to see Harry Cook and gave him \$50.00 to fix things so that Adams would not get mixed up in trouble if anyone should start tracing the license plates. Adams also paid the expenses of Randall's trip, which amounted to more than \$100.00.

It might be noted that from September 1934 to January 16, 1935 Alvin Karpis, Fred Barker and other members of their gang stopped at the El Comodoro Hotel at various intervals. During this period Karpis would spend part of his time in Havana and the gang apparently used the hotel as a meeting place and "hang out" between the various trips.

On about December 14, 1934 Joe Adams assisted Alvin Karpis in renting a house at 1121 N.E. 8th Street, Miami, Florida, by inspecting the house and paying the rent therefor in the sum of \$750.00 in cash, which was supplied by Karpis. On December 22, 1934, "Duke" Randall purchased a Buick sedan for Alvin Karpis, giving Karpis' name as LeRoy Morrison of Buffalo, New York, from the Ungar Motor Company of Miami, paying cash for this automobile, which was given him by Karpis in the private office of Joe Adams. The fictitious name was also supplied which Randall knew was different from that then being used by Karpis.

Wynona Burdette registered at the hotel with Harry Campbell under the names of "G. L. Summers and wife" on November 25, 1934 and remained there on this trip until December 11, 1934.

On or about December 15, 1934 Joe Adams took Alvin Karpis to Oklawaha, Florida to visit Kate and Fred Barker, Wynona Burdette and Harry Campbell. On this occasion, according to Wynona Burdette's statement, she overheard Adams inform Campbell and Fred Barker that there were some Government men in Miami and that Barker and Campbell "had better get out of Oklawaha as the Government men might find out they were there".

While Karpis and Dolores Delaney were at the El Comodoro Hotel, Adams came to their room and informed them that he desired them to remain in their rooms as much as possible; that he did not want them running in and out of the hotel. In order to keep them company he furnished them with a radio. Wynona Burdette also made the statement to the effect that the gang at Oklawaha received a note signed by Joe Adams which stated, in substance, that the gang had better get out of that place and stay out of there since the place was "hot". The statement was also made to the effect that Adams was getting tired of warning the gang. This note was apparently delivered by "Duke" Randall.

In connection with the raid at Oklawaha, Florida on January 16, 1935, which resulted in the deaths of Kate and Fred Barker, Randall made the statement that on the afternoon of that date while he was at the El Comodoro Hotel, Adams informed him of this shooting which had occurred at Oklawaha. Later that evening Randall was contacted by Alvin Karpis and was asked to obtain for Dolores Delaney \$1,200.00 from Joe Adams. He stated that on the morning of January 17, 1935, at his request, Adams furnished him with \$1,000, which was taken from the envelope of Alvin Karpis which was kept at the hotel desk. At that time Randall advised Adams he had had a meeting with Karpis and Campbell on the evening preceding and had directed the girls, namely, Dolores Delaney and Wynona Burdette, to proceed to Atlantic City, New Jersey where they would be joined within a short time by Karpis and Campbell. On the night of January 16, 1935 Randall gave Karpis and Dolores Delaney a certain piece of paper carrying the address of the Danmore Hotel, Atlantic City, New Jersey, at the request of Karpis when inquiring for a place to stop there. This resulted in Karpis and Campbell taking flight via automobile to that place, at which location they were joined later by Dolores Delaney and Wynona Burdette, who proceeded there by train on January 17, 1935.

On the night of January 16, 1935 Wynona Burdette also contacted "Duke" Randall at the dog track for the purpose of having him come out and confer with Alvin Karpis. It was at this meeting that the address at Atlantic City was furnished Karpis. Randall that night took Dolores

6-2-37

Delaney and Wynona Burdette to his room at the Tamiami Hotel where they spent the night.

In addition to the above definite acts of harboring, Adams arranged for the attendance of doctors on Karpis, who was treated for a venereal disease, and Dolores Delaney, who was expecting to give birth to a baby. He also arranged for the inspection of jewelry and the Government has proof indicating a close association between Adams and Fred Barker through telegraphic communications and similar evidence of contacts between them. Adams has further admitted that Karpis placed an envelope in his hotel safe containing large quantities of money, some of the bills being of \$1,000 denomination.

During the period that the Barkers were residing at Oklawaha, newspapers were being furnished them through the services of Joe Adams. This was denied by Adams, but the fact is borne out by a telegram which was sent by Adams to T. C. Blackburn at Carson Bradford's home, Oklawaha, on November 24, 1934, as follows:

"I am sick Stop Papers will start today sorry for delay
Stop Mailing plates today Stop Thanks for fish did
enjoy them so much Stop Regards to all"

Signed "Joe Adams"

As to Adams' guilty knowledge, Andrew Gurante made the statement while Karpis and Campbell were still at large that Adams had informed him, in referring to members of the Barker-Karpis gang living at the El Comodoro Hotel, that they were responsible for a kidnaping in the middle west and that he could get anything out of them he desired. This statement was unsigned and there are indications at the present time that Gurante will be an unwilling witness. It will be further noted that Adams furnished Randall with \$1,000 belonging to Karpis after he was informed and had notice of Karpis' connections with the Barkers who had been killed at Oklawaha. Signed statements were obtained from Adams and Randall, in which they admitted their various activities with members of this gang. The defense is endeavoring to suppress these statements, particularly those obtained from Randall and the facts pertaining to this phase of the case are the subject of a separate memorandum which is being furnished you, together with copies of the statements obtained from Adams and Randall.

Indictments were returned against Joe Adams and "Duke" Randall

at Jacksonville, Florida on February 7, 1935. The first indictment charged conspiracy to harbor Alvin Karpis from about September 1, 1934 continuously at all times thereafter up to and including the date of the indictment. The second indictment charged them with harboring Alvin Karpis on December 22, 1934.

The case is set for trial at Miami, Florida on June 7, 1937.

Respectfully,

E.A.Tamm

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:RP

June 3, 1937

MEMORANDUM FOR THE DIRECTOR

I am attaching hereto a memorandum dated June 2, 1937, which sets forth the facts in connection with the harboring of members of the Barker - Karpis Gang by Joe Adams and Duke Randall in Miami during 1934-35.

There is also attached hereto a memorandum dealing with the allegations of irregularities on the part of Special Agents of the Bureau in taking statements from Randall and Adams.

Attached to this memorandum is a brief memorandum dated March 11, 1937, which sets forth in summary form the allegations and results of the investigation concerning bribery of Walter Barlow, former Special Assistant handling these cases, and also a copy of the report of Agent Loeb dated at Washington, D. C., March 3, 1937, which sets forth the complete investigation of these allegations.

Respectfully,

EAT
E. A. Tamm.

RECORDED

7-576-14410
JUN 3 1937 A. M.
U. S. DEPT. OF JUSTICE
FILE

1 ENCL W
YMB

Alvin Karpis
1/1
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| | |
|-------------|--|
| Mr. Tolson | |
| Mr. Clegg | |
| Mr. Glavin | |
| Mr. Ladd | |
| Mr. Nichols | |
| Mr. Rosen | |
| Mr. Tracy | |
| Mr. Carson | |
| Mr. Egan | |
| Mr. Gurnea | |
| Mr. Harbo | |
| Mr. Hendon | |
| Mr. Jones | |
| Mr. Quinn | |
| Mr. Nease | |
| Mr. Gandy | |

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:DM

Time -

June 8, 1937.

MEMORANDUM FOR THE DIRECTOR

RE: Joe Adams Trial.

Mr. K. R. McIntire called me from Miami, advising as to the progress of the trial of the above case during the day.

Mr. McIntire stated that after the preliminary witnesses were disposed of, Wynona Burdette and Dolores Delaney took the stand. Mr. McIntire said that they both made very excellent witnesses for the Government and stood up remarkably well. SAC Hanson was called to the stand and testified all during the remainder of the afternoon as to the statements which were obtained from Joe Adams and Duke Randall. The examination of Hanson has not yet been completed and will be continued tomorrow.

I told Mr. McIntire that the letter from the Attorney General authorizing him to appear in place of the Director was sent out air mail special delivery about eleven o'clock this morning.

Respectfully,

E. A. TAMM.

RECORDED
&
INDEXED

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| 7-576-14411 | |
| FEDERAL BUREAU OF INVESTIGATION | |
| JUN 10 1937 P. M. | |
| U. S. DEPARTMENT OF JUSTICE | |
| TOJ SON | ONE |
| FILE | |

**Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.**

EAT:DM

Time - 7:30 pm

June 8, 1937.

MEMORANDUM FOR THE DIRECTOR

RE: Joe Adams Trial.

Mr. K. R. McIntire called me from Miami, advising as to the progress of the trial of the above case during the day.

Mr. McIntire stated that after the preliminary witnesses were disposed of, Wynona Burdette and Dolores Delaney took the stand. Mr. McIntire said that they both made very excellent witnesses for the Government and stood up remarkably well. SAC Hanson was called to the stand and testified all during the remainder of the afternoon as to the statements which were obtained from Joe Adams and Duke Randall. The examination of Hanson has not yet been completed and will be continued tomorrow.

I told Mr. McIntire that the letter from the Attorney General authorizing him to appear in place of the Director was sent out air mail special delivery about eleven o'clock this morning.

Respectfully,

E. A. TAMM.

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| 7-576-14411 | |
| FEDERAL BUREAU OF INVESTIGATION | |
| JUN 10 1937 P. M. | |
| U. S. DEPARTMENT OF JUSTICE | |
| TOJ SON | FILE |

Federal Bureau of Investigation

U. S. Department of Justice

1300 Biscayne Building
Miami, Florida

RLS:rd

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

June 1, 1937

PERSONAL and CONFIDENTIAL

Dear Sir:

I wanted to write you about the subpoena which has been issued by the defense in the Adams case, for your appearance here on June 7, 1937.

RECORDED & INDEXED

7-576-14412

The preparation for trial is, of course, as you know, being handled by Mr. McIntire and Special Assistants Carr and Waters. It is my understanding at this writing that Mr. Carr was told that you will be required to answer to this subpoena personally. He contacted the attorney who caused the subpoena to be issued and requested advice as to whether it was the records called for in the subpoena that were desired and whether he would insist on you answering the subpoena in person. Mr. Carr was informed that the defense wanted you as a witness to testify personally on behalf of Randall and Adams and that he would let Mr. Carr know Thursday the date they desired you to appear. Carr told the attorney he wanted to know this information as it was desired to substitute for you an official or employee of the Bureau to answer the subpoena.

While I have not been kept informed of everything that has transpired in this connection, and while I do not know your wishes in this regard, nevertheless I am primarily interested in you and do not want you subjected to what I feel is a deliberate plan of the defense counsel to try to embarrass you. I am sure there are a number of decisions which will support the Bureau in its refusal to produce these records. I also think I know the attitude of Judge Akerman in this regard and I do not believe he would ever issue an order directing you or the Bureau to produce these records. I think I could ascertain the Judge's attitude toward this subpoena before it came to his attention as a part of the trial proceedings and I also believe I could ascertain just what position he would take with respect to the necessity for you personally appearing in response to this subpoena. It is my thought that if this could be determined beforehand there would not be the possibility of any embarrassment to you as we would know just what to expect from the court.

I do not think proper interest or effort was made to clarify this situation. Shivers seems to have used his head & the only one who really showed a continued interest & then he was withdrawn at very time the

*John Edgar Hoover
If my wasn't some attention given to this when it was received? It came in Wednesday morning when I was out of town. Shivers should have been left at Miami to handle this situation. Instead he is taking out; no word of this letter is given to me & nothing is done.*

should have been left at Miami to handle this situation out. It.

RLS:rd

Director
6/1/37

Furthermore, I believe Bart Riley could be induced to waive your personal appearance. I believe this could be done through G. A. Worley, without any embarrassment to anyone concerned and with no detriment to the case. I would like to know your personal views, as there may be something I could do to see that they are carried out. If there is any suggestion herein which you would like for me to act on, please have Mr. Tolson or Mr. Tamm call me and it will be done immediately.

Very truly yours,


R. L. SHIVERS
Special Agent in Charge

AIRMAIL-SPECIAL DELIVERY

JOHN EDGAR HOOVER
DIRECTOR

EAT:CDW

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

June 4, 1937.

MEMORANDUM FOR THE DIRECTOR

Relative to the attached letter addressed to you under date of June 1, 1937 by Mr. Shivers concerning the possibility of approaching Bart Riley through G. A. Worley in an effort to avoid the necessity for personal appearance on your part at Miami, you are advised that I believed it desirable to defer any action upon this suggestion until the steps which were being taken by the Department to accomplish the same result had completely failed. I considered it undesirable for you to approach a drunken shyster like Riley through anything other than the most formal channels except as a last resort, in order that you would not become directly or indirectly obligated to him.

Respectfully,

E. A. TAMM.

RECORDED & INDEXED

7-576-14412

JUN 10 1937

TOLSON
TAMM

I see no obligation incurred by merely presenting facts & ascertaining whether he still intended to insist upon personal appearance. At least letter should have been called to my attention & allowed to pass upon it. Certainly nothing else was being accomplished & Shivers was the only one suggesting a way to handle it effectively & showing any real interest.

**Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.**

EAT:MC

June 9, 1937.

Time: 1:30 P.M.

MEMORANDUM FOR THE DIRECTOR

RE: Trial of Joe Adams and Henry "Duke"
Randall at Miami, Florida.

Special Agent K. R. McIntire at Miami called me and advised that the statement of Adams and Randall had been ruled out this morning. He stated that the judge was very emphatic, briefly saying he would not put up with any third degree methods and that he had definite ideas as to a man's being held, whether this is called temporary detention or not, and under the circumstances would not permit the statement to be used in evidence.

Mr. McIntire advised he believes it is a very bad ruling on the part of the judge, and he has no reason of understanding why the judge ruled out Adams' statement, but the judge seems to feel that merely talking to a man is tantamount to arrest without taking him before a committing magistrate. Mr. McIntire further advised he had talked to Mr. Carr about the continuance of the case and appealing to the Circuit Court, but Mr. Carr says this cannot be done under any circumstances by the Government as this is only open to the defense.

RECORDED & INDEXED

I asked Mr. McIntire if we can make the case without the statements, and he replied that he has talked to bystanders who would be impartial in the matter and nearly everyone is convinced of the guilt of Adams and Randall. He stated that Mr. Carr will not be able to get any oral statement from Adams under the above ruling.

An interesting event occurred which Mr. McIntire thought might be of interest to the Bureau. He advised that Mr. Wilcox, of the defense counsel, made an open statement in favor of the motion to suppress the statement speaking of the highly publicized and highly advertised G-Men, referring to the "Federal Bureau of Information". Mr. McIntire stated that Mr. Carr replied that if the Honorable Congressman would spend his time in Washington on official business instead of defending criminals, he would know the names of these organizations. Mr. McIntire stated he would secure a copy of Wilcox's statement and forward it to the Bureau. He also advised he has received a letter from the Attorney General authorizing him to act in your stead and not to produce books and records, as referred to in a prior memorandum.

Respectfully,

E. A. TAMM.

*Typical
of the cheap
system!*

7-576-14413
TIGATION
U. S. DEPT. OF JUSTICE
FILE

ROBERT M. MCMANUS
ASSISTANT ATTORNEY GENERAL

Department of Justice
Washington

April 20, 1937.

MEMORANDUM FOR THE ATTORNEY GENERAL

I wish to refer to Mr. Hoover's memorandum to you under date of April 16, 1937, in which he calls your attention to the fact that certain information regarding proposed indictments at Toledo "leaked" from this Department.

The facts are these: At three o'clock on April fourteenth Mr. Hawthorne, who represents the Associated Press in the building, called on me and stated that he knew we were going to proceed to indict in the Karpis harboring case at Toledo. I did not deny it, but stated that there would be no comment from me. As a matter of fact, I have since learned that he did get his information from Toledo, although I cannot prove it, I believe that it was a result of the District Attorney's efforts to get a retired Judge, Judge Millits, to sit on the grand jury in the case.

I am indeed happy that Mr. Hoover's statement "such action certainly defeats the ends of justice" has not had that effect in this case. When Mr. Hoover called me on the phone and asked me whether I knew who had given out the story and I told him that I did not, he stated that his agent in Toledo had phoned in and said that four persons who had been investigated had "snipped" town. I told Mr. Hoover who they were, but he stated that he did not know their names. As a matter of fact, the ten persons who were indicted at Toledo are all property owners and are, according to the information given to me by the District Attorney, in Toledo right now.

You will perhaps be correct that when Mr. Hoover was called at the time of the capture of Campbell, he was in a position to know that everyone who was in the neighborhood of Karpis would be arrested. This was a year ago and if they

RECORDED & INDEXED

7-576-14414

JUN 12 1937

TOLSON

FORBES

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were going to flee, it is reasonable to presume that they would have done so long before this. The Toledo newspapers have been full of stories during the past year, according to my information, in which they stated that the "G-man" have been busy investigating to find out who was guilty of harboring Karpis.

I note further that Mr. Hoover states that the Bureau submitted last November all the information that it could gather on this matter. This is true - It consists of over a thousand pages and was not digested or briefed as it affected each individual involved. It was necessary to index all this information and to separate the "sheep" from the "goats." This has now been done and it is our plan to present the matter to the grand jury on the fifteenth of May.

Brien M. Mahon
BRIEN McMAHON.

7-56
CGC

P. O. Box 1276
Oklahoma City, Oklahoma
June 8, 1937

W
p
s
George L. Watkins,
Postmaster,
Tulsa, Oklahoma.

Dear Sir:

RE: BREKID

Edward G. Bremer

By letter dated March 29, 1937 you were requested to place a cover on all mail addressed to Grover H. Keady, 250 Kyler Street, Tulsa, Oklahoma, and forward tracings to this office.

Please be advised that this mail cover may now be discontinued.

Very truly yours,

C. W. STEIN,
Special Agent in Charge.

cc Bureau

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7-576-14415

JUN 11 1937

DEPT OF JUSTICE
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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

16830

#

CAA:DMS

Laboratory Report
~~June 10, 1937.~~

Case: ^o Brekid

Number: 7-576-14120

Specimens: 7-576-14120 Q13 One page containing several impressions.

Examination requested by: Little Rock

Date received: May 20, 1937

Examination requested: Document

Result of examination:

Examination by: Appel

There are being transmitted with this report photographic prints of negatives made in an effort to determine the nature of the impressions indented in the paper. These show the impressions as clearly as it was possible to develop the impressions.

1-Bureau
2-Little Rock
1-Cincinnati
1-Laboratory

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| 7-576-14416 |
| FEDERAL BUREAU OF INVESTIGATION |
| JUN 14 1937 |
| U. S. DEPARTMENT OF JUSTICE |

one 6

June 11, 1937.

RECORDED 7-576 ¹⁴⁴¹⁶~~14120~~

Special Agent in Charge,
Little Rock, Arkansas.

Re: Brekid.

Dear Sir:

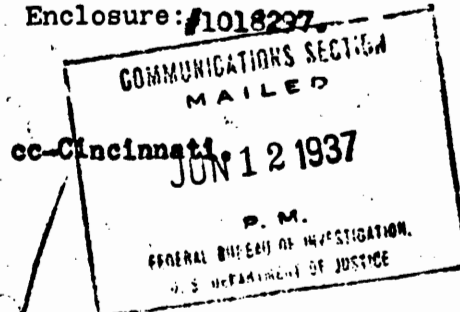
There is transmitted herewith the laboratory report covering the examination of specimens submitted by your office in connection with the above entitled matter and received in the Bureau May 20, 1937.

Very truly yours,

J. E. Hoover

John Edgar Hoover,
Director.

Enclosure: #1018297



Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:MC

June 9, 1937.

Time: 5:05 P.M.

MEMORANDUM FOR THE ~~DIRECTOR~~ *July*

RE: Trial of Joe Adams and Henry "Duke"
Randall at Miami. *Henry*

M
Special Agent K. R. McIntire at Miami called and advised that Bolton had appeared on the witness stand and testified to the effect that the gang had a contact in Miami, Florida and that the contact was Joseph Adams, the manager of the El Comodoro Hotel. Mr. McIntire also advised that he had testified in your place, as the first witness, and was not asked to produce reports and records but merely to testify from his own knowledge.

Mr. McIntire stated he had been asked to show when the Agents were in the hotel, and he advised there was no objection to this as the defense had the records of when the Agents were in the hotel anyway. He stated he believes this will act as a boomerang upon the defense as Mr. Carr is going to point out that the gang never moved into the hotel while the Agents were there but moved in immediately after the Agents left. He stated the hotel records were produced and the case will rest until tomorrow.

Respectfully,
EAT

E. A. TAMM.

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| 7-576-14417 | |
| FEDERAL BUREAU OF INVESTIGATION | |
| JUN 21 1937 A.M. | |
| U. S. DEPT. OF JUSTICE | |
| FILES <i>7/2 CFS</i> <i>CNE 6</i> | FILE |

Post Office Box #1469,
Little Rock, Arkansas,
June 8, 1937.

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

Dear Sir:

You are advised that Special Agent D. P. Sullivan arrived
at the Little Rock Field Division at 6:45 P. M. on June 5, 1937
from Cleveland, Ohio. This agent is engaged on a special assignment
in connection with the Brekid case.

Agent Sullivan is presently residing at the McGehee Hotel,
Little Rock, telephone number 5141.

Very truly yours,

CHAPMAN FLETCHER,
Special Agent in Charge.

DPS:atb

RECORDED

7-376-14418
FEDERAL BUREAU OF INVESTIGATION
JUN 11 1937 P.M.
U. S. DEPARTMENT OF JUSTICE
ONE FOUR FILE

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

June 3, 1937.

LCS:AMP.

MEMORANDUM FOR MR. TAMM.

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[REDACTED]

[REDACTED]

Respectfully,

Res

L. C. Schilder.

*Grooms is brother
in law of Karpis.*

Ear

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&
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7-576-14419

FEDERAL BUREAU OF INVESTIGATION

JUN 31 1937 A.M.

U.S. DEPT. OF JUSTICE

WILSON LAB.

IDENT. DIV.

FILE

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

LRP:MC

June 10, 1937.

Time: 1:00 P.M.

MEMORANDUM FOR THE DIRECTOR

RE: Trial of Joe Adams and Henry "Duke"
Randall at Miami, Florida.

Special Agent K. R. McIntire at Miami called and spoke to Mr. Pennington in my office and advised with regard to the progress of the above trial that when the Government rested its case today, a motion was made for a directed verdict and after lengthy argument, the court granted the motion for a directed verdict against the Government on the grounds that the Government has not introduced any evidence which would prove conclusively, or beyond a reasonable doubt, that Adams and Randall knew the person involved was Alvin Karpis, for whom a Federal warrant had been issued.

Mr. McIntire advised he would call the Bureau later and make definite arrangements as to when he will return to Washington, although he expects to be back tomorrow.

Respectfully,

E. A. Tamm
E. A. TAMM.

RECORDED
&
INDEXED.

7-576-14420
FEDERAL BUREAU OF INVESTIGATION
JUN 12 1937 A.M.
U. S. DEPT. OF JUSTICE
FILE

**Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.**

CT:ACS

Date June 10, 1937.

MEMORANDUM FOR THE DIRECTOR

RE: ADAMS TRIAL AT MIAMI.

Mr. McIntire telephoned from Miami at 2:30 P. M., today stating Judge Akerman had ordered a directed verdict against the Government in the Adams trial. McIntire states the agents have talked to ten jurors who were very much surprised at the verdict and McIntire's understanding is that the jury would have convicted if the case had gone to the jury. He says four of the jurors stated they would have stayed all summer to have secured a conviction in this case. McIntire states the verdict is "a dirty deal" as we had the law with us and the presentation of the evidence clicked beautifully as everyone testified as we thought they would and there was plenty of corroboration. He states Judge Akerman gave no reason for his verdict except to say that the evidence had not established the fact that Adams knew who he was dealing with. McIntire points out this is really a matter of fact for the jury to determine and not for the Judge to decide.

RECORDED
&
INDEXED.

*Well you can't beat
a situation like this
when politicians are in
all key positions.*

7-576-1442

RECEIVED
JUN 13 1937 A.M.
U.S. DEPT. OF JUSTICE

CNE

Signature

Mr. Tolson _____
Mr. Baughman _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Cowley _____
Mr. Egan _____
Mr. Foxworth _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Joseph _____
Mr. Lester _____
Mr. Nichols _____
Mr. Quinn _____
Mr. Schilder _____
Mr. Tamm _____
Mr. Tracy _____
Miss Gandy _____

ac

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CINCINNATI, O.

FILE NO. 7-3

| | | | |
|---|----------------------------------|--|--|
| REPORT MADE AT HUNTINGTON, W. VA. | DATE WHEN MADE 6-15-37 | PERIOD FOR WHICH MADE 5-18-37 | REPORT MADE BY F. G. TILLMAN |
| TITLE GEORGE TIMINEY; DR. JOSEPH P. MORAN with aliases - FUGITIVE I. O. #1232, ET AL; EDWARD GEORGE BREMER - Victim | | | CHARACTER OF CASE Kidnaping; Obstruction of Justice; Harboring of Fugitive; National Firearms Act. |
| SYNOPSIS OF FACTS: <div style="text-align: right; padding-right: 50px;"> <p>May T. Gates advises Dr. Moore not identical with Dr. Joseph P. Moran and has no information of value. Purpose apparently to secure Bureau position.</p> <p style="text-align: center;">-P-</p> </div> | | | |
| REFERENCE: Bureau letter dated May 3, 1937. | | | |
| DETAILS: AT CHARLESTON, WEST VIRGINIA | | | |
| <p>May T. Gates, 21½ Capital Street, Charleston, West Virginia, a nurse, advised that while her son was at a summer camp at Indian Lake, Ohio, they came in contact with a man, who stated he was Dr. Moore, a retired surgeon, who, in her opinion, was a suspicious character as he claimed to be wealthy and an expert marksman. Mrs. Gates has never come in contact with this doctor and bases her suspicions on the statements of her son whom the doctor invited to his cabin at Cook, Montana, but upon the arrival of her son and his friends was not at this cabin as he advised he would be prior to their departure from Ohio.</p> <p>It is observed that Mrs. Gates stated that she was present at Indian Lake, Ohio at the time Dr. Moore was visiting there and had spoken to him, however, later in the conversation, and after viewing the photograph of Dr. Moran, she stated that she had never seen Dr. Moore. She described Dr. Moore as being elderly, tall, grey hair, fine looking and excessively using liquor. Mrs. Gates also felt that a man accompanying Dr. Moore may be Dr. Moran after being advised that</p> | | | |
| APPROVED AND FORWARDED: <i>J. D. Reynolds</i> | | SPECIAL AGENT IN CHARGE | |
| COPIES OF THIS REPORT | | DO NOT WRITE IN THESE SPACES | |
| Bureau Cincinnati Chicago St. Paul Huntington | | 7 576 14422 JUN 18 1937 JUN 17 P.M. | |
| COPIES DESTROYED 169 MAR 25 1968 | | | |

the description of Moore did not fit that of Moran.

It appears that Mrs. Gates' purpose is to secure employment by the Bureau to check on the activities of this alleged Dr. Moore or other persons in order to secure traveling expenses, and it is not believed that she has any valid reason to believe that the supposed Dr. Moore is a fugitive from justice.

Mrs. Gates stated that about a year ago she wrote a letter of similar nature to the Bureau and was visited by an Agent. She was reluctant, at first, to talk to the writer, insisting that she had no real information. She also could not furnish any information leading to the identity or address of Dr. Moore.

P E N D I N G

Federal Bureau of Investigation
United States Department of Justice

739 Insurance Exchange Building
Des Moines, Iowa
June 9, 1937

Director
Federal Bureau of Investigation
Washington, D. C.

RE: WILLIAM ELMER MEAD, with aliases;
NATIONAL STOLEN PROPERTY ACT.

Dear Sir:

In compliance with instructions contained in Bureau letter of March 8, 1937 (File 7-576), Special Agent B. D. Rice of the Des Moines Field Division interviewed Mrs. C. Louise Clausen, 300 North 5th Avenue, Clear Lake, Iowa, on June 3, 1937, concerning the swindle which William Elmer Mead allegedly perpetrated against a Clear Lake citizen.

RECORDED & INDEXED

7-576-14423

It was ascertained from Mrs. Clausen that her brother's widow, Mrs. Henry Clausen had married H. H. Remore in February 1934, who later obtained a power of attorney from the widow. In April 1934, according to Mrs. Clausen, William Elmer Mead and three of his associates worked the pocketbook swindle on the Remores, enriching themselves by \$6,700.00 of the Remore's money. Mrs. Clausen furnished Agent Rice with a newspaper clipping from the April 21st, 1934 issue of the Des Moines Register, and with a copy of the Attorney's Brief, which gave the modus operandi of Mead who used the alias of McDonald in this instance.

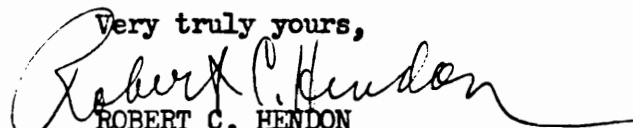
According to this information and further information furnished by Mrs. Clausen, William Elmer Mead called upon the Remores, expressing a desire to purchase the Remore home for a millionaire whom he represented. Several days later one of the men called from Fort Dodge, Iowa, and told the Remores that they would like to include some lots in Fort Dodge in trade for the house. The Remores accordingly proceeded to Fort Dodge where they met Mead, and during the course of a dinner found a pocketbook containing several thousand dollars. As is usual in these cases, when a pocketbook is opened a card of the alleged owner was found and they accordingly contacted an individual giving the name of F. B. Winn, who supposedly was this owner. In order to reward them, Mr. Winn let them in on a horserace bet and through the usual ruse swindled the Remores out of \$6,700.00, which they had raised after

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a visit to Clear Lake and to Chicago.

Inasmuch as the Statute of Limitations has run in this case, and in the absence of instructions to the contrary no further action will be taken and the case will be considered closed.

Very truly yours,

ROBERT C. HENDON
Special Agent in Charge

RCH/mg

Federal Bureau of Investigation
United States Department of Justice

1448 Standard Building,
Cleveland, Ohio

PERSONAL and ~~CONFIDENTIAL~~

June 5, 1937

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

Re: BREKID

Dear Sir:

You will please find enclosed herewith three copies of a self-explanatory memorandum submitted by Special Agent S.K. McKee, dated June 2, 1937, addressed to the writer, wherein Pauline Jackson, a witness in this case, is quoted as alleging that Fugitive Anthony Amersbach had told her that he had received information from someone allegedly connected with this office to the effect that she was to be picked up and questioned and that his "stooge" contacted him at Akron, Ohio, on April 22, 1937.

A careful review of the expense vouchers and daily reports of all agents assigned to this division was made, which examination failed to reflect that an agent of this division was in Akron, Ohio, on April 22, 1937. The field office register was also examined for April 22, 1937, and it did not appear thereon that any agent had checked out for Akron, Ohio, on the said date.

It is believed, in view of the observations submitted on this matter, as are reflected in the enclosed memorandum, that the allegation is without foundation, in view of the fact that no agent or other official knew of the identity of the Jackson sisters until the night preceding the morning on which they were located in the Fall of 1936, and no official not connected with the Bureau was in possession of the information concerning the identity of the Jackson sisters and their connection with this case at that time.

No agent connected with this office was in possession of any information on, or prior to April 22, 1937, relative to the probable date on which arrests would be made in this case.

It is quite possible that Anthony Amersbach made this statement to Pauline Jackson for the purpose of covering up his relationship with the Hanson girl, whom he is presently believed to be with, so that when he disappeared, she, Pauline Jackson, would believe that he was hiding out away from everybody and had not gone away with the Hanson girl, with the objective in mind of

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FEDERAL BUREAU OF INVESTIGATION
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keeping her friendly disposed toward him, which he, Amersbach, knew would not be the case if Pauline found out that he was with the Hanson girl.

It is believed that the allegation is without foundation.

Very truly yours,



J.P. MacFARLAND,
Special Agent in Charge

JPM/lrl
Enclosure (1)

PERSONAL and CONFIDENTIAL

Cleveland, Ohio
June 2, 1937

MEMORANDUM FOR SPECIAL AGENT IN CHARGE J.P. MacFARLAND:

Re: BREKID

Pauline Jackson was interviewed at this office by the writer and Special Agent A.P. Kitchin on May 31, 1937, at which time she furnished a signed statement in connection with the harboring case in the Brekid file. During the course of this interview Pauline Jackson stated that some three or four days prior to the date she was picked up last Fall, which was on October 2, 1936, Tony Amersbach had told her that he had received information from someone connected with this office to the effect that she was to be picked up and questioned. The Jackson girl stated that Amersbach at no time told her anything which had to do with the identity of his source of information. She stated, however, that his "stooge", as he referred to him, was loathe to make contact with him in Cleveland and because of this situation, all contacts had been made at points other than Cleveland.

Pauline Jackson advised that the last time she saw Tony Amersbach was on Sunday, April 25, 1937, and at this time, he told her that his "stooge" had given him information that arrests in this case were to be made in the near future. This girl advised that the only other statements in this regard made by Amersbach at the time were that he had contacted his "stooge" at Akron, Ohio, on the preceding Thursday, which was April 22, 1937, and that this information had been obtained at the time of that contact.

It is the observation of the writer and of Agent Kitchin that Pauline Jackson would have no purpose in furnishing false information in this regard. It is also the observation of the writer and of Agent Kitchin that the situation as described by the Jackson girl is almost unbelievable and that if there is any foundation to it whatsoever, that the so-called "stooge" referred to by Amersbach is possibly located in some official capacity other than this office. You will recall the the writer and Special Agent Kitchin have advised that at the time Pauline Jackson and her two sisters were picked up for questioning last Fall that no one connected with this office knew of their identity until the night preceding the morning on which they were located. Attention is also invited to the fact that in the Fall of 1936, when the Jackson girls were interviewed, the office of the United States Attorney was not in possession of any information

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concerning their connection with this investigation. It is also to be stated that in the two contacts which the writer and Special Agent Kitchin have had with Tony Amersbach, the first of which was the occasion of his interview at this office in the Fall of 1936, and the second of which was a contact at the tavern operated by Pauline Jackson at 7403 Denison Avenue, on the morning on which she was picked up, both the writer and Agent Kitchin received the impression that Amersbach is of a boastful and egotistical make-up and that the remarks which he has allegedly made to Pauline Jackson may have been actuated by his desire to impress her. In connection with the alleged information obtained by Amersbach on April 22, 1937, it is to be recalled that no person connected with this office was in possession of any information as to the probable date on which arrests would be made in this case other than that such arrests would possibly take place prior to the running of the Statute of Limitations in May or June 1937 in the event prosecution would be decided upon by the Department.

This memorandum is submitted for your information and for any action which you deem fit.

Very truly yours,



S.K. McKee
Special Agent

SKM/lrl

1300 Biscayne Building
Miami, Florida
June 12, 1937.

~~PERSONAL & CONFIDENTIAL~~

Director
Federal Bureau of Investigation
Washington, D. C.

RE: BREKID.

Dear Sir:

For the information of the Bureau, on June 10, 1937, after the Court had directed a verdict for defendants Adams and Randall in the above entitled case, Mr. Harry Wachter, Village Hotel, Miami Beach, contacted SAC J. H. Hanson, advising the latter that what had taken place in the court room was "cut and dried".

Mr. Wachter said that he had met the Director last March when he was in Miami, and at that time had indicated to him that it was his opinion that unless a Judge was brought into Florida from some other State it would be impossible for the Government to secure a conviction in this case. Mr. Wachter continued by stating that what had taken place was exactly what he thought would happen, and, further, that the public in Miami was convinced of the guilt, and that on the evening of June 9, 1937, the public was betting ten to one that Adams would be convicted.

For your further information, on June 11, 1937, prior to the departure from the City of Mr. Charles Carr, Special Assistant to the Attorney General, who prosecuted this case, he called SAC Hanson and advised that he had just learned from the United States Marshal that Judge Alexander Akerman had received through the United States Mails on the 11th instant a letter of a threatening nature, and that the writer referred to Judge Akerman as a "hoodlum and racketeer". According to Mr. Carr, Judge Akerman requested the United States Marshal to determine who had written the letter, and the Marshal stated he was referring it to the United States Post Office Inspectors.

Very truly yours,

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7-576-14425
R. L. Shivers
Special Agent in Charge.

JHH:G

Cc: Cincinnati.

U. S. DEPARTMENT OF JUSTICE

FAMM

FNE

NATHANIAL H. HELLER was arrested on the night of January 31, 1935 by Cuban authorities in Havana, Cuba, as an undesirable alien, on the basis of information which had been obtained by Special Agents of the Federal Bureau of Investigation, U. S. Department of Justice. He remained in the custody of Cuban officials until February 12, 1935 when he was released on the understanding that he would voluntarily proceed to Miami, Florida. Upon his arrival in Miami on February 12, 1935, he was arrested by the United States Marshal and was immediately placed in the Dade County Jail, Miami, Florida, in default of \$25,000.00 bond.

On February 7, 1935 at Jacksonville, Florida, Heller had been named in four indictments returned by a Federal Grand Jury. The first indictment charged him with Harboring and Concealing Alvin Karpis. The second indictment charged Heller with Misprision of a Felony, in that he did not disclose that Karpis was a person who had fled in interstate commerce to avoid prosecution for a crime cognizable under the laws of the United States. In the second count of this indictment Heller was charged with the same offense for failing to disclose that Karpis was a person who had fled in interstate commerce to avoid prosecution for a crime cognizable under the laws of the State of Minnesota. A third indictment was returned charging Heller, Duke Randall, Joseph Adams, Dolores Delaney, Wynona Burdette, and Cassius McDonald with Conspiracy to Harbor and Conceal Alvin Karpis. A fourth indictment was returned against Heller charging him with Conspiracy to Commit Misprision of a Felony, in that he and others conspired to conceal the fact that they knew Karpis was wanted for prosecution of a certain crime cognizable under the laws of the United States and had fled in Interstate commerce.

Heller is now at liberty on bond.

7-576-

SPECIAL AGENT R. D. BROWN,
Federal Bureau of Investigation,
U. S. Department of Justice,
1443 Standard Building,
Cleveland, Ohio.

SPECIAL AGENT S. K. McKEE,
Federal Bureau of Investigation,
U. S. Department of Justice,
426 U.S. Custom House and Post Office,
Cincinnati, Ohio.

These witnesses will advise that on the morning of January 31, 1935 they interviewed Nathaniel Heller at the Park View Hotel in Havana, Cuba, at which time he made certain free and voluntary oral admissions which are noted below.

Heller advised that he was born October 23, 1891 in New York City; that he first entered Cuba in January of 1915; that he became interested in the Park View Hotel in 1930 and that he is presently Manager and Coproprietor of the Park View Hotel; that on September 21, 1934 a man and a woman (Karpis and Dolores Delaney) registered at his hotel under the name of E. M. Wagner and wife and brought with them a calling card from Joe Adams, Manager of the Hotel El Comodoro, Miami, Florida, on the back of which card was written - "This man is all right" or words to that effect. Heller has identified the photograph of Alvin Karpis as being E. M. Wagner and a photograph of Kate Barker as being a Mrs. Ryan, who was a guest at the Park View Hotel and who later visited the Wagners at Varadero Beach. He has also identified the photograph of Dolores Delaney as being identical with Mrs. E. M. Wagner. Heller advised that Wagner (Karpis) stated his health was bad and he wanted to obtain a place on a beach somewhere; that Heller suggested Varadero Beach and advised Wagner to get in touch with Mr. and Mrs. Bermudes who operated the Playa Azul Hotel at Varadero. Heller stated that Wagner asked that he be allowed to place an envelope containing money in the hotel safe; that he, Heller, looked in the envelope and saw eleven \$1,000 bills which he placed in the safe. At this point Heller admitted that it was most unusual for a tourist guest to have such a large amount of money in \$1,000 bills.

Heller stated that about four days after the arrival of the Wagners and after the Wagners had rented a home at Varadero Beach, Wagner came to him, Heller, requesting Heller to accompany Mrs. Wagner to a Ford dealer to purchase a car for him, Wagner. Heller admitted that he complied with this request, receiving a commission of \$50.00 from the dealer and that Mrs. Wagner paid for this car in bills of large denomination.

At first Heller staunchly denied that he had ever rented a safety deposit box for Wagner, advising that he had his own safety deposit box in the Royal Bank of Canada, Havana Branch. He later admitted, however, renting a safety deposit box during September of 1934 in his own name, but for the sole use of subject Karpis alias Wagner.

Heller also admitted that a short time after Wagner had moved to Varadero Beach, Wagner asked him, Heller, to recommend a place where he, Wagner, could purchase a motor for his boat; that Heller took Wagner to the Bassalo Sporting Goods House on Obispo Street, where a motor was purchased by Wagner for \$175.00, same being a Johnson Seahorse. Heller also admitted that he had purchased a radio for Wagner. Heller further admitted that he had carried on several long distance telephone conversations with Wagner from Havana, Cuba to Varadero Beach. He advised that several letters were received for Wagner at the Park View Hotel. He also stated that Wagner received and sent three or four cablegrams while at the Park View Hotel; that when the cablegrams would arrive for Wagner, he, Heller, would telephone the information to Wagner at Varadero Beach. He further stated that Wagner made frequent visits to Havana and admitted that he, Heller, would order Wagner's groceries for him, in order that Wagner might take them back to Varadero with him. At this point Heller was questioned as to whether this was a usual custom with him, to go to such great inconveniences for a guest, to which he replied that he would have done the same for any guest.

Heller further admitted that after Wagner had departed from Varadero Beach he personally went to the Wagner home and secured certain property for them, stating that when Mr. and Mrs. Wagner left Havana they left with him their Ford sedan and told him to keep it until they returned, giving him permission to use same. He stated that shortly after the Wagners left Havana, he received a letter from Mrs. Wagner written on Hotel El Comodoro stationery, requesting him to close the house at Varadero Beach and to remove their effects to the Park View Hotel and to hold them until they returned to Havana; that in reply to this request he drove, using the Wagner's Ford sedan, to Varadero Beach; stored the said property in the Park View Hotel, which property he advised consisted of the motor to the boat, a radio and a small suitcase containing wearing apparel.

(It should be noted that when the Cuban authorities seized the car of E. M. Wagner (Karpis) in Havana, Cuba, the car was found to bear 1935 Cuban license plates AM 755).

During the interview with Special Agents Brown and McKee, Heller admitted that he had personally purchased the new license plates. In this connection he stated that he had purchased said license on January 22, 1935 and that this purchase had been made after he had read a newspaper article concerning the gun battle in Atlantic City; further, that the

license was purchased on his own initiative and without any request from Karpis or his wife. He was asked why he had purchased the new license and he replied that he wanted the car to be ready for operation in the event either Karpis or his wife returned to Havana, Cuba. He was asked if he would have turned the car over to either Mr. or Mrs. Wagner in the event they called for same and he replied that he would have done so if they had paid the storage charges. Heller was asked if he would have notified the police in the event Karpis called for this car and he said that he would not, informing in this connection that he was not a policeman. Heller was then asked if this was his idea of American citizenship, after knowing that Karpis was being sought by every law enforcement agency in the United States and that he was badly wanted and Heller stated that he did not care about that.

(In connection with the purchase of the 1935 Cuban license by Heller, attention is invited to the fact that Dolores Delaney (Mrs. E.H. Wagner) was in custody in Atlantic City, New Jersey at the time this license was secured, while subject Karpis was still a fugitive. The gun battle at Atlantic City, New Jersey, in which Karpis and Campbell escaped and as a result of which Dolores Delaney and Wynona Burdette were captured, occurred during the early morning hours of January 20, 1935).

Heller also informed that on one occasion he introduced Karpis' wife to a Doctor Agramonte, who happens to be the hotel physician at the Park View Hotel and that this doctor was consulted on several occasions by her because of her pregnant condition. Heller advised that Karpis and his wife took by far the greater percentage of their meals in their hotel room on all occasions while they were guests at the Park View Hotel. He stated that their meals were brought to them and was unable to explain the reason for this, but did advise that he did not know of any other guests who had followed this procedure.

Heller advised that he did not have knowledge of Karpis' identity and stated that he did not know the identity of this man until the newspaper publicity following the Atlantic City affray on January 20, 1935. He also stated that he was ignorant of the reason for the sudden departure of Mr. and Mrs. Wagner; that he did not know the nature of Karpis' business or the reason of his visit to Cuba, but did admit that Karpis told him he, Karpis, was a bootlegger and that Heller believed Karpis was "hot", but that he did not know the reason why Karpis was "hot".

Heller advised that he did not know how Mrs. Wagner left Havana when she departed so suddenly early in December of 1934, but that Karpis traveled to Miami, Florida via P. & O. Steamship to Key West, Florida, thence to Miami by train. Heller stated that he happened to go to Miami on the same boat, but that he did not make the trip with Karpis.

(In this connection, attention is directed to the records of the

Steamship Company disclosed in this report showing that Karpis and Heller traveled on the same boat having the same destination on December 5, 1934. The steamship records also show that Dolores Delaney (Wagner) proceeded to Florida from Havana, Cuba on December 4, 1934.)

Heller was questioned with particular regard to three cablegrams which were addressed to Joe Adams, El Comodoro Hotel, Miami, Florida and signed by Heller. Heller denied that he had sent any cablegrams to Adams but stated that on several occasions Karpis, alias Wagner, came to him with a message addressed to Adams and requested that he cable the same. Heller explained his name being signed to these messages by saying that Karpis advised he had several friends at the El Comodoro Hotel who were "broke" and that if they knew where he was then located, they would try to borrow money from him.

(Attention is also directed to one cablegram which was sent to Heller by Joe Adams. Heller could not account for Adams having addressed a cablegram to him and Heller was asked how Adams would understand that the cablegrams signed "Heller" were from Wagner and not Heller and he was totally unable to explain this).

Heller was questioned concerning the identity of the persons referred to in the cablegrams by the names of Ryan and Willie and he stated that after the arrival of Kate Barker at the hotel he realized she was the person referred to as Ryan. He stated that he at no time was aware of the identity of the party Willie.

Heller advised that he was absent from the hotel when Kate Barker, as Mary Ryan, registered at the Park View Hotel in Havana, Cuba; that upon his return to the hotel he found she had left a message for him to the effect that she wanted to see him. He stated he did not know she was coming to the hotel and said that upon his return following her arrival, one of the bellboys told him that a woman had been inquiring for the young married couple who were living in the country. He stated that he went to the room of Mary Ryan, as she had requested, and she asked that she be put in touch with the young couple whose name, according to Heller, she did not know.

(See report of Special Agent R. D. Brown, Jacksonville, Florida, February 25, 1935, page 41 et seq.)

S. K. McKEE,
Special Agent,
Federal Bureau of Investigation,
U. S. Department of Justice,
426 U. S. Custom House and Post Office Building,
Cincinnati, Ohio.

This witness will advise that he interviewed Nathaniel H. Heller at the Hotel Parkview on the night of May 11, 1935, at which time Heller admitted that it was his custom to read all Spanish newspapers published in Havana, Cuba and in this connection the papers "El Avance", "Havana Post", and "Diario de la Marina" were among the papers which he admitted it was his practice to read. (This is mentioned because it will be recalled that on December 4, 1934 the photograph of Alvin Karpis and several other persons whose apprehension was then being sought by American authorities appeared in the "El Avance", with a narrative stating that the arrest of these persons was being sought by American authorities).

This witness will further advise that Heller admitted to him that on January 29, 1935 he, Heller, was shown the photograph of Karpis by one of the Econimedes brothers (co-proprietors of the Hotel Parkview) and that this picture appeared in one of the New York papers of several days previous and was in connection with Karpis' escape from Atlantic City on January 20, 1935; that he recognized the photograph as being that of Mr. Wagner; that he tried to telephone the American Consul General, Cameron, at the Consulate, but learned that the American Consul was away from the city.

(See report of Special Agent S. K. McKee, dated at Jacksonville, Florida, May 23, 1935, pages 37 and 38.)

"EL AVANCE"
A Newspaper,
Havana, Cuba.

Officials of this newspaper will produce an issue of "El Avance" dated December 4, 1934, in which there appeared a two column group of photographs approximately four inches in height showing the photographs of Alvin Karpis, Arthur Barker, John Hamilton and Thomas Robinson. A literal translation of the Spanish under this group is as follows:

"GENTLEMEN OF GANGLAND."

These four individuals are on file with the Justice Department of the United States as public enemies, and orders have been issued for their arrest wherever they can be found. Their names from left to right, Alvin Karpis, Arthur Barker, John Hamilton and Thomas J. Robinson, Jr."

There is only one copy of the issue of December 4, 1934 in the files of the above mentioned paper and the officials declined to turn this over to Agents, however, it is noted that Mrs. Lenora Bernudes, seen earlier in this report, also has a copy of the above mentioned photographs as they appeared in "El Avance". (Particular attention is directed to the witnesses who were employed by Alvin Karpis and Dolores Delaney at Varadero Beach, who advised that after burning numerous papers, Karpis and Dolores Delaney hurriedly departed from Varadero Beach, giving no explanation for their hurried departure. Attention is also directed to the records of the steamship company seen in this report showing that Dolores Delaney left Havana, Cuba on December 4, 1934 and that Alvin Karpis and Heller departed from Havana, Cuba on December 5, 1934 on the same boat for the Florida mainland.)

(See report of Special Agent S. E. McKee, dated at Jacksonville, Florida, May 23, 1935, page four)

JOSEPH H. ADAMS,
El Comodoro Hotel,
Miami, Florida.

This witness will produce books and records of the El Comodoro Hotel, Miami, Florida, which will show that Mrs. E. M. Wagner (Dolores Delaney) and Nathaniel Heller registered at that hotel on November 14, 1934; that Mrs. Wagner was assigned to Room 1005, where she remained until November 18, 1934; and that Heller was assigned to Room 1004, where he remained until November 20, 1934.

The records will further show Heller's registration at said hotel on December 5, 1934, where he remained until December 7, 1934 as a guest.

(See report of Special Agent J. H. Hanson, Jacksonville, Florida, February 20, 1935, page 102.)

L. E. GRAY,
Room Clerk,
El Comodoro Hotel,
Miami, Florida.

This witness furnished a signed statement to Special Agents S. K. McKee and J. H. Hanson of this Bureau at Miami, Florida, on April 12, 1935.

The witness will state that Nathaniel Heller and Dolores Delaney were guests at the El Comodoro Hotel for several days about the middle of November, 1934; that the Delaney woman was using the name "Wagner"; that he saw them together a few times and on one occasion Heller expressed a wish that he had a car as he and the Wagner girl wanted to look at some apartments and houses; that the witness loaned Heller his personally owned Oldsmobile Sedan; and that the witness knows that Heller and Mrs. Wagner used this car for two or three hours one day, the date being after this couple had been in Miami for two or three days. The witness will also state that he saw Heller and Mrs. Wagner (Dolores Delaney) eating together in the dining room of the El Comodoro Hotel about this time; that on the same day Heller borrowed the witness' car Heller asked him if Mrs. Wagner could use said car alone; that as the witness recalls Heller told him that Mrs. Wagner wanted to look at some furniture; and that the witness gave Heller permission for Mrs. Wagner to use said car.

The witness will also state that he recalls registering N. H. Heller of Havana, Cuba, on December 5, 1934 at the El Comodoro Hotel, Miami, Florida, assigning Heller to Room 1005.

(See report of Special Agent J. H. Hanson, Jacksonville, Florida, April 23, 1935, pages 29 and 31.)

MRS. LEONORA CALDWELL BERMUDEZ,
Playa Azul Inn,
Varadero Beach, Cuba.

This witness will advise that the Wagners (Alvin Karpis and Dolores Delaney) were sent to her some time during the latter part of September, 1934 by N. H. Heller, Manager of the Park View Hotel, Havana, Cuba; that Mr. Heller had told them to see her and enlist her cooperation in attempting to locate a house; and that through her efforts the Wagners rented a house from Mr. Pedro Acebo, who resides at Carbanes, Cuba. Mrs. Bermudez will advise that she rented the house as an Agent of Mr. Acebo to Mr. Wagner (Karpis), and that the rental period was to extend from October 1, 1934 to February 15, 1935 and for this rental period Mr. Acebo collected from Wagner (Karpis) \$500.00 in large bills. This witness will identify Kate Barker as being a visitor of the Wagners during this period, and will state that Kate Barker was using the name Mrs. Ryan.

She will advise that Wagner advised her Mr. Heller had purchased a motor for his boat, and also stated Heller brought towels and linens from his hotel for the use of the Wagners. This witness will advise that she received a letter from Mr. N. H. Heller, dated December 18, 1934, in which Mr. Heller advised her after the departure of the Wagners that he had decided to close the house at once, as his wife and children could not make the trip to Varadero, and in this letter Heller requested that Mrs. Bermudez express to him a quantity of sheets, pillow cases, blankets, and a Hot-point iron which belonged to him and which had been used by the Wagners, also to place one of the Wagners' dogs in his grip and send it to the Park View Hotel. (This letter is in the possession of the Jacksonville Office of the Bureau.) In this letter Mr. Heller also requested that Mrs. Bermudez return the keys of the house to the owner.

The witness will state that a short time prior to the receipt of this letter Mr. Heller had called personally at Varadero Beach, driving Mr. Wagner's Ford Sedan, and took from the Wagner home the motor for a boat, a radio, and two suitcases, and advised that Mrs. Wagner had instructed him to do this. She will advise that during the first few days of December, 1934, the Wagners departed hurriedly and unexpectedly, giving no notice of their departure.

(The above information is found in the report of Special Agent R. D. Brown, Jacksonville, Florida, February 25, 1935, pages 21 through 25.)

Mrs. Bermudez furnished a signed statement to Special Agents S. K. McKee and W. E. Peters at Varadero Beach, Cuba, on May 16, 1955, in which all of the above information is found, and in which she furnished certain additional information.

This witness will advise that at the request of the Wagners (Alvin Karpis and Dolores Delaney) she furnished them with a cook, namely, a Korean named Juan Lee Park; that the Wagners became dissatisfied with Juan's services and fired him; and that on two occasions the Wagners secured new cooks through Nathaniel Heller. She will advise that shortly after the Wagners left, Mr. Heller came to the Beach in the Wagners' Ford car and secured some of their personal effects; that at this time the witness told Heller his friends (the Wagners) were very rude, as they had left without saying good-bye; that upon making this statement Heller's face flushed noticeably; that the witness then asked Heller if he knew the address of the Wagners, and at this point Heller replied that Wagner had only told him that he (Wagner) was "Number One in the U. S. A." The witness will further advise that after the Wagners departed she personally inspected their house and found they had burned all papers with the exception of a few magazines.

This witness will also advise that she received a letter from Nathaniel Heller on the stationery of the Hotel Park View, Havana, Cuba, dated December 29, 1954. This letter is in the possession of the Jacksonville Office and is quoted as follows:

"Mrs. Julio Bermudez,
Varadero, Cardenas, Cuba.

Dear Mrs. Bermudez:

I have your letter of recent date regard that rumor about the Wagners. I have not heard anything since they left here, only a Christmas card which arrived yesterday. I have been expecting to hear from them, therefore delayed writing to DuPont and also to Dr. Alcebo. However, I wrote them both yesterday a letter advising that I would communicate with them as soon as I heard from Mr. Wagner. You know, that he ask me to make a claim for a refund of rental from Dr. Alcebo. I wrote to Mr. Wagner and told him that that was out of question. Dr. Alcebo is making a claim for Elec. Light for \$25.84. I am waiting for an answer, also for him to send me the money. There were bath towels and other things left there as I do not know exactly how many they were we had best forget about it.

I received the spreads, but I thought that you might have kept them as you said in your letter, however, if you need any I will be glad to have the El Encanto send you some.

"The price for the seventy-one was \$1.95 and eighty-one \$2.25.

With kindest personal regards and wishing you and Mr. Bermudez a Happy New Year,

Very truly yours,

(signed) N. H. Heller
Manager,
Hotel Park View.

Her baby was due about 15 of Jan."

CONSTANTINO ECOMINEDES,
Coproprietor, Park View Hotel,
Havana, Cuba.

This witness will be able to produce books and records of the Park View Hotel disclosing the following registration record of Kate Barker and Alvin Karpis, Alvin Karpis using the alias E. M. Wagner and Kate Barker using the alias Mary Ryan:

Kate Barker - October 25, 1934 - Room 404,
Account number 9858, checked out same day.

Alvin Karpis - September 21, 1934 - Room 408,
Account number 9755, departed September 25, 1934. (This covered room for Karpis and wife).

Alvin Karpis - October 18, 1934 - Room 508,
Account number 9815, departed October 20, 1934.

Alvin Karpis - October 30, 1934 - Room 409,
Account number 9849, departed October 31, 1934.

Alvin Karpis - November 2, 1934 - Room 408,
Account number 9858, remained until the following day.

Alvin Karpis - November 12, 1934 - Room 506,
Account number 9884, checked out November 15, 1934.

Alvin Karpis - November 18, 1934 - Room 408,
Account number 9898, checked out November 19, 1934.

Alvin Karpis - November 26, 1934 - Room 412,
Account number 9919, checked out November 27, 1934.

Alvin Karpis - December 2, 1934 - Room 408,
Account number 9945, checked out same day.

The same witness will be able to produce a telephone book maintained by the Park View Hotel, showing that two long distance telephone calls were made from the Park View Hotel to Varadero, Cuba on October 1, 1934 and call on November 19, 1934; that the charge in each instance amounted \$1.55; that the first two calls were charged to cash, while the third was charged to Wagner.

(See report of Special Agent R. D. Brown, Jacksonville, Florida, February 25, 1935, pages 49 and 50).

RENALDO GONZALES VILA
c/o Hotel Park View,
Havana, Cuba.

This witness will advise that Heller had been very friendly with Karpis and his wife on the various occasions they stayed at the hotel; that Heller was always going to and from Karpis' room and that his intimacy with Karpis caused the various hotel employees to be suspicious of Karpis, who was known in the hotel as Wagner. This witness will furnish a narrative of Heller's various transactions with Karpis, which are in line with the story furnished by Heller himself. This witness will be able to identify the photographs of Alvin Karpis and Kate Barker. The witness will further advise that on one occasion Heller was absent from the hotel for a period of about three days; that upon his return he was sunburned and remarked that he had been down to Varadero Beach fishing with Wagner. According to this witness, he will advise that Heller received a registered letter on one occasion from Varadero Beach. The witness will state that Heller had in his possession the following property belonging to Karpis:

A Ford sedan
An outboard motor
A radio
One dark brown suitcase
One large black suitcase and
Two bulldogs.

The witness will advise that when Karpis and his wife first came to the hotel, Karpis had a very large suitcase which was extremely heavy and also one other bag; that the large, heavy bag was taken away from the hotel by Karpis; that one night Mr. Heller took a large, heavy black bag out of the hotel; had a bellboy take it to his car and cautioned the boy to be careful of the bag at the time.

(If this person is to be used as a witness, he is reported to be working for a brother in a cigar stand located somewhere on 23rd Street in New York City).

(See report of Special Agent R. D. Brown, Jacksonville, Florida, February 25, 1935, pages 47 and 48).

ALBERTO GALAN,
Sales Manager,
Auto Universal de Cuba,
171 Belasconia Street,
Havana, Cuba.

This witness will be able to introduce records showing that on September 24, 1934 Dolores Wagner purchased from said Agency a 1934 Ford sedan, motor No. 18-918995, color, black with cream wheels, car containing a radio, sold for \$1,077 in cash. The witness will further advise that this car was sold through the salesroom at Twenty-fifth and Mariana Streets by Augusto Dominguez.

(See report of Special Agent R. D. Brown, Jacksonville, Florida, February 25, 1935, page twenty-four)

AUGUSTO DOMINGUEZ,
Auto Universal de Cuba,
Twenty-fifth and Mariana Streets,
Havana, Cuba.

This witness will advise that on September 24, 1934 Dolores Wagner, accompanied by a large Jewish man who spoke good Spanish, appeared in the Ford Agency at the above address and purchased the automobile noted under the testimony of Alberto Galan. He will advise that \$1,077 in silver pesos was paid for the car immediately and that delivery was made at once. 1934 Cuban license No. FK 212 was purchased by Dolores Wagner for this automobile.

(It is confidently stated that this witness will positively identify Nathaniel Heller as the large Jewish man who accompanied Dolores Wagner at the time of the purchase of this car. It will be noted that Heller has admitted having assisted in the purchase of this car).

(See report of Special Agent R. D. Brown, Jacksonville, Florida, February 25, 1935, page twenty-four)

ESTEBAN JUNCADELLA,
Administrador, Royal Bank of Canada,
Prado 79-A,
Havana, Cuba.

This witness will produce bank records disclosing that safety deposit Box #39, which uses key #13, was rented to M. H. Heller, Park View Hotel, Havana, Cuba, on September 26, 1934, at a yearly rental of \$5.00; that two keys were given to Heller at the time and the arrangements were such that only Heller had access to the box.

(It should be noted that when Heller was interviewed by Agents McKee and Brown he informed said Agents that he did not know the number of this box but that he had key #13 for this box, which had been given to him by the bank).

This witness will be able to produce records of the bank which will show the following record of entries to Box 39 during the period September 26, 1934 to February 4, 1935:

October 5, 1934
October 15, 1934
October 20, 1934
October 27, 1934
November 13, 1934.

(No information is available as to the type of property which Heller kept in this box).

(See report of Special Agent R. D. Brown, dated at Jacksonville, Florida, February 25, 1935, page 51)

MRS. TORRES,
Cuban Telephone Company,
Varadero Beach, Cuba.

This witness is employed by the above mentioned telephone company and will advise that Nathaniel Heller of the Park View Hotel, Havana, Cuba, made numerous telephonic calls to Mr. Wagner (Karpis). These calls are particularly recalled because it was necessary for someone to go from the Torres Hotel to the Wagner home to advise Wagner to come to the telephone.

(See report of Special Agent R. D. Brown, Jacksonville, Florida, February 25, 1935, page 20.)

A. HOWARD SOLER,
Superintendent of Traffic,
Cuban Telephone Company,
Havana, Cuba.

This witness will produce records of the above mentioned company extending from September 15, 1934 to December 10, 1934, which will disclose long distance telephone calls between Havana, Cuba and Varadero Beach, Cuba, as follows:

September 28, 1934, Havana to Varadero Beach - Mr. Heller talked from telephone M-6904 (Hotel Parkview) for four minutes at a cost of \$1.65, to central office in Varadero Beach. Operator #22-B handled the call.

October 1, 1934, Havana to Varadero Beach - Mr. Heller talked from telephone M-6904 (Hotel Parkview) for three minutes, at a cost of \$1.55, to Mr. Wagner at central office telephone. Operator #28-A handled the call.

October 1, 1934, Havana to Varadero Beach - Mr. Heller talked from telephone M-6904 (Hotel Parkview) for three minutes, at a cost of \$1.55, to Mr. Wagner at central office telephone. Operator #29-A handled the call.

November 18, 1934, Havana to Varadero Beach - Mrs. Wagner talked from telephone M-6904 (Hotel Parkview) for three minutes, at a cost of \$1.55, to Mr. Wagner, at central office telephone. Operator #28-A handled the call.

(Mr. Soler advises the procedure to follow in the event it becomes desirable to use these calls as evidence in the United States is to have the American Ambassador in Havana secure an order from the Judge of the proper Cuban court to the telephone company, describing the above calls and demanding that the records relating to the calls be produced before the court.)

(See report of Special Agent S. K. McKee, dated at Jacksonville, Florida, May 23, 1935, pages 29 and 30.)

MR. CARY,
Manager, Western Union Cable Company,
Havana, Cuba.

This witness will produce records of the said company disclosing that cablegrams signed by Heller were directed to Joe Adams at the El Comodoro Hotel, Miami, Florida under dates of October 16, October 18 and November 2, 1934 respectively and will show a message received by Heller from Adams under date of October 25, 1934. The cablegrams are set forth as follows:

*1934 NOV 2 PM 8 18 17 2.65

FULL RATE
JOE ADAMS
COMODORE HOTEL
MIAMI FLA

DID ANYONE COME OVER IF NOT WHEN ANSWER IMMEDIATELY COLLECT

HELLER

C A S H
ROOM 408 HOTEL PARKVIEW

*OCT 16/34 25 1.85

LC JOE ADAMS
EL COMODORO HOTEL
MIAMI FLA

WHEN DOES PARTY EXPECT TO COME OVER HAVE YOU HEARD FROM WILLIE
ANSWER COLLECT

HELLER
HOTEL PARKVIEW

C A S H
HOTEL PARKVIEW HAVANA, CUBA.

*1934/OCT 18th/ 10 0.85

LC ADAMS
EL COMODORO HOTEL
MIAMI FLA-

CAN WILLIE COME TO-MORROW

HELLER.

CASH
HOTEL PARKVIEW HAVANA.CUBA"

1934 OCT 25 AM 12 55

MZB13 11 CABLE-MIAMI FLO 25 244A

TO MR KELLER
PARKVIEW HOTEL HAVANA CUBA

RYAN ARRIVES THURSDAY PLANE

ADAMS."

(See report of Special Agent R. D. Brown, Jacksonville,
Florida, dated February 25, 1935, pages fifty-
seven, fifty-eight and fifty-nine)

MANUAL DuPONT,
Varadero Beach, Cuba.

This witness will advise that he was employed at the Wagner (Karpis) home on Varadero Beach, Cuba, from approximately October 1, 1934 to December 12, 1934. He will identify the photograph of Alvin Karpis as being E. W. Wagner, Kate Barker as being Mrs. Ryan, and Dolores Delaney as being Mrs. E. W. Wagner. He will advise that Mrs. Ryan (Kate Barker) came to the Wagner home during either October or November, 1934, and remained for approximately three or four days. This witness will also advise that the Wagners left very suddenly early in December; that he was not advised of the reason for the departure; and that shortly after the Wagners departed a hotel man (Heller) from Havana, Cuba, came to the Wagner home driving the Wagners' Ford Sedan and took away a motor which had been used by Karpis in a motor boat, a radio, and other property belonging to the Wagners. He will further advise that Wagner (Karpis) received frequent telephonic calls from someone in Havana, Cuba. He will also state that the Wagners had two small, white bulldogs in which Heller showed considerable interest at a later date.

(See report of Special Agent R. D. Brown, Jacksonville, Florida,
February 25, 1935, page 19.)

JUAN LEE PARK,
Velazque 128,
Cardenas, Cuba
(This witness cannot speak
or understand English. Will
need a Spanish interpreter.)

This witness will advise that he was hired by Alvin Karpis and Dolores Delaney to act as a cook for them while they lived at Varadero Beach. He will identify the photographs of Alvin Karpis, Dolores Delaney and Kate Barker, the latter having used the name Mrs. Mary Ryan while visiting Alvin Karpis and Dolores Delaney in October, 1934 at Varadero Beach.

This witness will state that one day Karpis left Varadero Beach early in the morning, stating he was going to Havana to purchase groceries and would be back the following day; that about midnight on that night Karpis returned, bringing no groceries or other packages with him; that Karpis and Dolores Delaney arose on the following morning at about 6 o'clock and instructed this witness and Ramona Saures, another servant, to have everything packed as they were leaving at 9 o'clock; that before leaving Dolores Delaney came into the kitchen and burned numerous papers and letters; that upon their departure Karpis informed the servants that he was going to take a ten day trip to Santiago de Cuba, and that Karpis and Delaney left at about 9 o'clock, as planned.

This witness will advise that he and Ramona Saures remained at the Karpis home, expecting Karpis and Dolores Delaney to return; that about ten days after the departure of Karpis and Delaney, Heller came to the cottage and informed them that the Wagners had sailed; that at this time Heller secured the remainder of the clothes which Karpis had not taken with him and also secured a dog which Karpis had left behind.

(See report of Special Agent S. K. McKee, dated at Jacksonville, Florida, May 23, 1935, pages 62, 63 and 64).

RAVONA SAUREZ,
Central Tinguaro, Cuba
(This witness may also be
located at the Palya Azul
Inn, at Varadero Beach, Cuba)

This witness will testify to substantially the same facts
as are expected from Juan Lee Park.

(See report of Special Agent S. K. McKee, dated at Jacksonville,
Florida, May 23, 1935, pages 64 and 65).

AMERICAN VICE CONSUL EDGAR,
Havana, Cuba,

This witness will advise that during the time subject Heller was under arrest in Havana, Cuba, Heller informed him, Edgar, that several days prior to his, Heller's, arrest, he, Heller, learned of Karpis' identity and that he considered the advisability of communicating with the Consul and then decided he did not desire to become involved in the matter and, therefore, took no steps to report his knowledge concerning subject Karpis.

(See report of Special Agent S. K. McKee, dated at Jacksonville, Florida, May 23, 1935, page 56.)

MARIA XIQUES,
Telephone Operator,
American Consulate General,
Havana, Cuba

This young lady will advise that she is positive Heller made no call to the Consulate on January 29, 1935 inquiring for Mr. Cameron. She will state that she is well acquainted with Heller and would know his voice in case he called, and for this reason she is positive that she received no such call from Mr. Heller.

(See report of Special Agent S. K. McKee, dated at Jacksonville, Florida, May-23, 1935, page 56.)

C. R. CAMERON,
American Consul General,
Havana, Cuba.

This witness will advise that he was not absent from the American Consulate on January 29, 1935 when Heller alleged that he made efforts to contact Cameron to furnish Cameron with information regarding Karpis. This witness will state that only on January 31, 1935 was he absent from the American Consulate, on which date he made a trip to Matanzas, Cuba. This witness will state that he received no call from Mr. Heller with regard to this matter.

(See report of Special Agent S. K. McKee, dated at Jacksonville, Florida, May 23, 1935, page 56.)

JOSEPH H. WALLIS,
District Director,
Immigration and Naturalization Service,
U. S. Department of Labor, Room 444,
U. S. Post Office and Court House Building,
Jacksonville, Florida.

This witness will produce inward manifests of persons entering the United States of America in District No. 6, which includes Florida, which will disclose that on November 14, 1934 Dolores Wagner (Dolores Delaney) and Nat Heller, age 22 and 42 respectively, embarked at Havana, Cuba, for Key West, Florida, on the SS. Cuba, occupying Staterooms 240 and 216 respectively, the ticket furnished Dolores Wagner being Number 29157 and the ticket issued to Heller being Number 14473.

He will also produce records showing that on December 5, 1934 Nathaniel H. Heller and Edward M. Wagner (Alvin Karpis), male, age 42 and 28 respectively, embarked at Havana, Cuba, for Key West, Florida, sailing on the SS. Cuba, and occupying Staterooms 234 and 105 respectively, J. L. Ley being purser and A. R. Wiggin the immigration officer, Havana tickets Number 46919 and Number 29179 respectively.

(NOTE: It is significant to observe that it was on or about December 5, 1934 that Alvin Karpis and Dolores Delaney suddenly departed from Cuba without giving notice of their departure. It is also significant to note that on December 4, 1934 the photograph of Alvin Karpis and other American public enemies appeared in a Cuban newspaper called the "El Avance".)

The witness will also be able to produce records showing that on December 4, 1934 Dolores Wagner (Dolores Delaney), female, 22 years of age, embarked at Havana, Cuba, for Miami, Florida, travelling on Pan-American Airways plane (Number NC-81-V.R.), O. D. Sullivan being pilot and Paul H. Gray being the immigration inspector.

(See report of Special Agent J. H. Hanson, Jacksonville, Florida, February 20, 1935, pages 154 and 155.)

ROY RAINEY,
Auditor, P. & O. Steamship Company,
Florida National Bank Building,
Jacksonville, Florida.

This witness will be able to produce records
of the P. & O. Steamship Company which will show
the travel of subjects in this case mentioned under
the witness Joseph H. Wallis.

(See report of Special Agent J. H. Hanson,
Jacksonville, Florida, February 20, 1935, page 135.)

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Nathan _____ ()
 Mr. Tolson _____ ()
 Mr. Clegg _____ ()
 Miss Beahm _____ ()
 Mr. Coffey _____ ()
 Mr. Patterson _____ ()
 Mr. Egan _____ ()
 Mr. Foxworth _____ ()
 Miss Gandy _____ ()
 Mr. Glavin _____ ()
 Mr. Harbo _____ ()
 Mr. Joseph _____ ()
 Mrs. Kelley _____ ()
 Mr. Kleinkauf _____ ()
 Mr. Lester _____ ()
 Mr. Quinn _____ ()
 Mr. Renneberger _____ ()
 Mr. Schilder _____ ()
 Mr. Tamm _____ ()
 Mr. Tracy _____ ()
 Miss White _____ ()
 Files Section _____ ()
 Personnel Files _____ ()

For Your Information _____ ()
 Note and Return _____ ()
 File _____ ()

Orig retained
Note copy to Cincinnati
is attached
RT → sent to Mail Clerk

KANSAS CITY, MISSOURI,
June 12, 1937.

Special Agent in Charge,
Little Rock, Arkansas.

Dear Sir:

RE: BREKID.

b7c
Please refer to your letter dated May 17, 1937, in which it was requested that the location of M. F. Gilstrap, [redacted] be ascertained, and that also you be advised as to the location of his wife, Greta Swanson, a former prostitute in the establishment of Grace Goldstein at Hot Springs, Arkansas, as it was believed an interview with her would be desired at some future time.

[redacted] was requested discreetly to ascertain the present location of Gilstrap; and also to learn the present whereabouts of Greta Swanson.

Advices have been received from [redacted] to the effect that M. F. Gilstrap is presently [redacted]; that he is registered as a married man and the address of his wife is: [redacted]

It does not appear that an interview with the Gilstrap woman, who apparently is Greta Swanson, is desired at this time.

Very truly yours,

RECORDED & INDEXED

DWIGHT BRANTLEY

Special Agent in Charge

15 1937 A.M.

DB-cc

cc-Bureau - Cleveland -
Cincinnati - Memphis

7-57-

ONE

FILE

1448 Standard Building
Cleveland, Ohio

June 11, 1937

Special Agent in Charge
Detroit, Michigan

Re: BREKID

Dear Sir:

On this date warrants were issued for several individuals as material witnesses in the above entitled case. Among these individuals subpoenaed were Marie Barley who works in the Ainsworth Manufacturing Company, Detroit, Michigan, and Thelma Holst who now resides at 3017 Frankford, Philadelphia, Pennsylvania and works at Kelly's Sea Food Restaurant in Philadelphia. Non est returns were made on the subpoenas for these two individuals by the U. S. Marshal at Cleveland, Ohio and subpoenas were sent by the U. S. Attorney at Cleveland to the U. S. Attorneys at Detroit and Philadelphia respectively with the request that the U. S. Attorneys in these cities give the subpoenas to agents of this bureau for service.

These subpoenas were issued to the above named individuals in order that the Bureau might have more obvious jurisdiction in the event either of them is intimidated. Mr. K. B. Freed, U. S. Attorney for the Northern District of Ohio at Cleveland, Ohio, has suggested that a \$500.00 bond be placed on each of these individuals named above and that they be released upon their own recognizance.

The Detroit office is being requested to explain to Marie Barley at the time the subpoena mentioned above is served upon her that she does not have to appear in Toledo immediately; that she will be notified as to the time of the trial at a later date; and as mentioned above the purpose of the warrant is to give the Bureau immediate investigative jurisdiction in the event she is intimidated. She should also be requested to notify Bureau agents immediately in the event any person or group of persons approaches her with the view of intimidating her with reference to this case.

RECORDED & INDEXED

The Philadelphia office is being requested to make the same explanation to Thelma Holst at the time the above mentioned subpoena is served on her.

Very truly yours,

J. P. MacFARLAND
Special Agent in Charge

HBD:rh
cc Bureau cc Cincinnati
cc Chicago cc Philadelphia
cc E. J. Connelley, Newark

June 14, 1937

LMC:DC
7-576

Special Agent in Charge,
Kansas City, Missouri.

Re: BREXID

Dear Sir:

Reference is made to Bureau letters dated February 4 and April 6, 1937, requesting investigation concerning the activities of Hugh Larimer, an attorney at Topeka, Kansas, which information was furnished by Preston Leroy Padon.

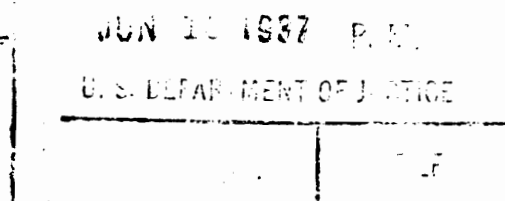
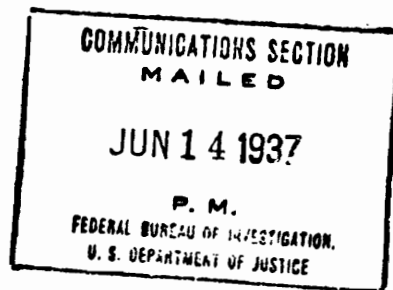
In view of the fact that this matter has been pending for a considerable length of time the Bureau desires that the same receive attention at an early date and be brought to its logical conclusion.

Very truly yours,

John Edgar Hoover,
Director.

RECORDED

7-576-14428



DEPARTMENT OF JUSTICE

BUREAU OF PRISONS

WASHINGTON

May 28, 1937

MEMORANDUM FOR MR. TAMM,
FEDERAL BUREAU OF INVESTIGATION:

You will remember that sometime ago you discussed with me the difficulty one of your investigators had in obtaining an interview with one Cassius McDonald, now a prisoner at the Leavenworth Penitentiary. I inquired of the Warden about the matter, and in his response he says:

The instant case regarding Cassius McDonald, about two or three months ago, Mr. Medalie of the Louisville office of the Federal Bureau of Investigation requested that McDonald be called for an interview. When McDonald arrived in the outer office, he immediately saw Mr. Medalie and turned on his heel and strode from the office. The secretary followed McDonald into the hallway and made him return to the office and be seated until such time as he was dismissed. McDonald advised my secretary that he refused to talk to any investigator and this information was conveyed to Mr. Medalie, who did not press the matter any further, and McDonald was then excused. McDonald was reprimanded by my secretary for his leaving the office before receiving permission, but on account of the fact that he was obviously agitated and his action was not premeditated and he had no previous misconduct reports on his record, he was not reported to the disciplinary officer. A few weeks ago, Mr. McIntyre of the Federal Bureau of Investigation called at the office and requested permission to interview McDonald. Mr. McIntyre was advised by my secretary of McDonald's previous action and the added comment, that he did not believe, McDonald would consent to be interviewed. When McDonald arrived in the office, he seated himself and was advised by my secretary that a representative of the Federal Bureau of Investigation wished to interview him. McDonald declined to be interviewed and the agent, Mr. McIntyre,

This is not as bad as represented by Agents. I am sick & tired of protesting conditions of Leavenworth & Alcatraz & then finding out later that we have spread to Warden's great apprehension for McIntyre's stupidity. It makes me look foolish.

| | |
|--------------|--|
| Mr. Clegg | |
| Mr. Coffey | |
| Mr. Egan | |
| Mr. Foxworth | |
| Mr. Glavin | |
| Mr. Harbo | |
| Mr. Joseph | |
| Mr. Lester | |
| Mr. Nichols | |
| Mr. Quinn | |
| Mr. Tracy | |
| Miss Gandy | |

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DELETED
THIS COPY
7/26/37

RECORDED & INDEXED
7-576-14429
COPIES DESTROYED
169 MAR 25 1965
TOLSON
Cub
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

Department of Justice
UNITED STATES PENITENTIARY
Leavenworth, Kansas

May 19, 1937

1937 May 21 AM 11:01

TO: DIRECTOR - BUREAU OF PRISONS

RE: CASSIUS McDONALD - REG. NO: 48370-L

REF. NO: 726

The complaint made to you by Mr. Tamm of the difficulty they had in obtaining an interview with Cassius McDonald, is the first I have ever known to have been made by an investigator because the prisoner declined to enter the room where private interviews of this kind are held. It has always been understood, both by the Warden and the investigators that if a prisoner declined to be questioned, nothing could be done about it. The prisoner may feel very bitter to the investigator and show a disrespectful attitude towards him. This seldom occurs, but there are some prisoners who may have a personal dislike for some investigators, or all investigators in general, who may show an antagonistic attitude when brought before the investigator. The average investigator expects this and considers this all in his day's work, hoping that possibly some other time the prisoner may decide to talk.

Every investigator knows that a man has a right to refuse to talk. It has been my experience that most of them will listen to a proposition submitted by an investigator, if requested to do so by the warden, but at this institution, it has been the custom to call the prisoner to my outer office and the interview is held in a private room in back of the outer office. We cooperate to the fullest extent with all law enforcement agencies and I have had both, verbal and written expressions of appreciation from such agencies for the courtesies and co-operation extended, and especially from the Federal Bureau of Investigation's representatives.

* * * * *

*the missing part is
quoted in Bennett's
memo of 5/28/37.*

H

/s/ Robert H. Hudspeth

ROBERT H. HUDSPETH,
Warden.

7-576-14429

May 15, 1937.

Warden Robert H. Hudspeth,
U. S. Penitentiary,
Leavenworth, Kansas.

Sir:-

Per your request, in reference to a letter, as to writer showing disrespect for a F.B.I. agent here April 19, 1937. When writer entered reception room to your office, I seated on the left. Mr. Eckholdt, Sec., came over to me and stated an agent wishes to speak with me. Agent moved to left into small reception room. Writer seated again on bench large room. Mr. Eckholdt went into room with agent, returned in about 2 min to where I was sitting. "Quote": Agent knows you McDonald and wishes to speak with you to ask one question. My reply to Mr. Eckholdt, I refuse to converse with agent. Mr. Eckholdt offer to go into room with me, which I declined his offer. He return to room where agent was looking out the window and talked with him. Writer seated himself and started to read my supreme court brief, which I had just received. Mr. Eckholdt came out and spoke, agent said he knows you by reputation. My reply, if Attorney General wishes to ask me any questions to submit questions in writing to my attorney for consideration. The word reputation, Mr. Eckholdt, is originally vagueness normally in two directions; 1st towards relationship, 2nd towards words, that stands for traits. In psychology abstract thinking. That ended conversation. Agent came out small room, stood at Mr. Eckholdt's desk. He dismissed writer, taking my pass from desk, I departed in rear of agent from large reception room. Duration whole time approximate 8 minutes.

CASSIUS McDONALD #48370.

LMC:DC
7-576

Re: BREXID

A review of the above captioned file fails to indicate that a report has been received from your office since the submission of the report of Special Agent F. E. Hurley, dated November 4, 1936.

Very truly yours,

RECORDED

7-576-14430

FEDERAL BUREAU OF INVESTIGATION

JUN 16 1937 P. M.

U. S. DEPARTMENT OF JUSTICE

FILE

COMMUNICATIONS SECTION
MAILED

JUN 15 1937

P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE