

had accumulated such a vast sum of money from the oil business and was connected with so many enterprises and businesses in the State of Oklahoma, his presence at the table worked to the distinct prejudice against the affiant and prevented affiant from selecting a fair and impartial jury.

5. Affiant says at her trial witnesses were intimidated and she was denied compulsory process. Affiant says that Alfred Bates, who was tried with Mr. and Mrs. Shannon, had already been convicted and at affiant's trial was going to testify that affiant had nothing to do with the kidnapping and that in fact affiant had stated that she would have no part in it. Affiant says that her husband George Kelly, who was on trial with her, was going to take the stand and testify to the same effect. Affiant says upon information and belief that when Mr. Keenan ascertained that her husband and Bates would testify for her, he went to her attorney and said if they did testify he would see that they were turned over to the State authorities in Oklahoma for committing a robbery with firearms and that this carried a death penalty. Affiant says that Keenan said in substance, "I hope they do testify. It will give me a chance to burn them and I will burn them." Affiant says that after this statement was made Bates and her husband were afraid to testify in her behalf.

6. Affiant was denied compulsory process for her defense. During the trial the Government put on testimony of a handwriting expert that affiant had written certain ransom notes. Affiant says this is false and that she never wrote any of the ransom notes. Affiant says when this testimony came out she asked her counsel to request the trial judge to delay the trial to permit her to obtain handwriting experts of her own. Affiant says the trial judge stated, "That would be too expensive to delay the trial" and this request was refused. Affiant says that she could have obtained handwriting experts to testify that it was not her handwriting. As to this point affiant desires to emphasize that there was great similarity between the hand-

writing of George Kelly and the handwriting of affiant. At first glance a writing of George Kelly's handwriting and of affiant's placed side by side would indicate that the handwriting was the same. However, a careful examination by a handwriting expert would show that the writing of affiant's was not the writing of Kelly and had the trial judge permitted the handwriting expert to have been called by the affiant it would have been clearly demonstrated that the ransom notes were not written by affiant and therefore this phase of the case would not have gone to the jury virtually uncontradicted. The jury was of course deceived and misled as to this aspect of the case and this was vital and fatal to the affiant. Affiant says further that the present head of the Federal Bureau of Investigation Mr. J. Edgar Hoover, in a recent publication, has stated in effect that the FBI now concedes that the ransom notes were not in the handwriting of affiant. Affiant says that Mr. Hoover attempts to justify it on the grounds that although it was not her handwriting the FBI contends affiant suggested the phraseology.

7. Affiant says that there was a violation of her constitutional rights in that the Government offered testimony that violated her constitutional rights under the Federal Communications Act. Affiant says that at her trial the Government put on a witness, a telephone operator from Paradise, Texas, who testified that she always listened in to Mrs. Shannon's phone calls, Mrs. Kelly's phone calls and George Kelly's phone calls and that she related a conversation that she had overheard in her work as a telephone operator between affiant and her husband and between affiant and other persons and testified at the trial as to the substance of these conversations.

8. The prosecuting officials used false testimony and testimony that they knew to be false. Affiant says that in this case one Luther Arnold played an important part. He

was an important witness against affiant. Arnold, his wife and daughter were hitchhiking in Texas. He was picked up by affiant and was told certain matters of a confidential nature. This Arnold was later arrested for transporting a woman across the State line, for illegal transportation of an automobile and for the unlawful sale of whiskey. When he discovered that the evidence against him was strong, he contacted the FBI and prosecuting officials and made false statements with respect to affiant. His testimony was not only false but he was interested in obtaining certain reward money. When the reward money was not forthcoming, he filed a suit and recovered same. Affiant says Arnold was also told that if he gave false testimony against affiant his charges would be dropped. The charges were dropped. The said Arnold also told affiant that he had been told by Mr. Keenan just what to say on the witness stand and that he did not have to be afraid of perjury as Mr. Keenan had assured him that only the prosecuting officials could have him indicted and that Mr. Keenan would be in charge of the grand jury. Arnold, therefore, was given a green light for testimony of the most perjurious nature. Affiant says, therefore, that Arnold's testimony was false and that the prosecuting officials knew it to be false when they put him on the stand. The prosecuting officials knew also that he had given false testimony and made no effort to rectify it or to prosecute Arnold for perjury.

Affiant says that it is her view that the reward money collected by Arnold amounted to \$15,000. Affiant says further that with respect to Arnold's participation in the case, although an impoverished individual, he was kept in the swankiest hotels, furnished the best of clothing and amply provided for. In addition he was permitted to make personal appearances in theaters for a period of time and one of his acts was entitled "When I Put the Finger on Machine Gun Kelly and Machine Gun Kelly's Wife." He was also assisted by certain

agents of the FBI in preparing certain articles for periodicals and received pay for same.

9. Every effort was made by the FBI and law enforcement agencies to prevent affiant from receiving a fair trial.

Affiant says that she was arrested in Memphis and that 75 FBI men participated in the arrest and 18 members of the Memphis police. Affiant says she was carried to the Memphis jail, held from three to four days and was constantly questioned by the FBI men. When affiant made request for counsel she was advised she could not have counsel or anyone to represent her until after she made a full and complete confession admitting her guilt. Affiant says after three or four days she was handcuffed and taken with her husband — who was not only handcuffed but shackled and chained — to a Memphis Air Port and flown to Oklahoma City. Affiant says the FBI made much ballyhoo as to this trip from Memphis to Oklahoma City and advance statements had been given to the press. The streets were roped off and photographers and newsreel cameramen had gathered. There were perhaps 50 FBI men accompanying affiant and her husband and they were cursed and threatened by the FBI men. Affiant says that when she was in the plane she was told that the Attorney General was personally prosecuting the case and that if she did not make a full confession admitting her guilt the Attorney General would make every effort to see that she was given death in the electric chair. Affiant says that she was also told by the FBI that her mother, Mrs. Ora L. Shannon, would receive no consideration unless affiant admitted to a long list of numerous unresolved crimes, of which she had no participation. Affiant says that she was even told that she and her husband had some part in the kidnapping of the Lindbergh baby. Affiant says that upon arrival in Oklahoma City the FBI had given advance notice to the papers and great crowds had gathered; that when they were moved from the plane about

50 more FBI agents appeared and perhaps 10 of them were carrying shotguns. Affiant says that after she was lodged in jail the FBI men and local police sat in front of her barred, open cell with machineguns across their knees. Affiant says that the FBI and the local police manufactured lurid, sensational statements such as "Kathryn Kelly attacked a matron," and "Kathryn Kelly breaks out light bulbs as fast as they are put in her cell" and "Kathryn Kelly attacks guards" and "Kathryn Kelly scratches eyes of FBI men." Affiant says that this is all false, did not happen and that the FBI knew this was false and did not happen. Affiant says, also, that since she refused to confess she was told by the FBI men that they had ways to make people confess and that the FBI men complained to the Warden that the bulbs were not powerful enough and sent out for very high-powered bulbs and kept them burning day and night to prevent affiant from sleeping. Affiant says that her conduct in jail was exemplary and this can be attested to by the United States Marshal at that time in charge.

10. Affiant was told by the agents of the FBI that if she did not fully and completely admit her guilt and plead guilty it would never be forgotten and that steps would be taken to make her confinement hard, rigorous and difficult. Affiant says that she was repeatedly told by the FBI agents that there was no doubt as to her guilt and that if she insisted on a trial they would see that her imprisonment was made as difficult as possible. Affiant says that when she was transferred to prison she was permitted no visitors. However, E. E. Kirkpatrick, brother-in-law of Charles F. Urschel, was permitted to call upon her at the Milan, Michigan prison soon after affiant's confinement there. The said Kirkpatrick said he was anxious to ascertain the whereabouts of unrecovered ransom money and that if she would not reveal his visit to the Urschels he would pay her 50¢ on the dollar and when affiant told him that she knew nothing of any ransom money he said then that he and Mr. Urschel would bring pressure to bear on the Parole Board to see that she was never paroled.

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

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

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to
Vacate and Set Aside Judgment of Conviction has this ____ day of
March, 1953 been delivered to the Office of the United States
Attorney.

/s/ James J. Laughlin
James J. Laughlin

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

UNITED STATES OF AMERICA

vs.

Criminal No. 10478

ORA L. SHANNON

MOTION TO VACATE AND SET ASIDE JUDGMENT OF CONVICTION

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

1. Her constitutional rights were violated in that she did not have adequate assistance of counsel in that counsel were fearful to properly defend her due to a threat of a criminal prosecution and that in other respects the counsel were serving conflicting interests to the end that the protection of the Sixth Amendment was lost.

2. The prosecuting officials presented testimony that was false and known by the prosecuting attorneys to be false.

3. The defendant was denied compulsory service of process.

4. The atmosphere in the courtroom prevented a fair and impartial trial due to the feeling that had been engendered as a result of the publicity given the case by agencies of the Government.

5. Defendant's constitutional rights were violated in other respects that will be brought to the attention of the Court when this motion is argued.

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

Affiant was not permitted to write to her daughter
nor to receive mail from any of her friends and relatives.
She was denied all commissary privileges. She could not buy
any tooth paste, tooth brushes or any type of medicines or
medications. Affiant says that this persisted for almost two
years when some corrective measures were taken. Affiant rea-
lizes that the matter of confinement after a conviction would
not be considered any greater for vacating a judgment of a
conviction but she refers to it here to support and verify
her contention that every effort was made to deny her con-
stitutional rights and shows the general pattern pursued from
beginning to end and emphasizes again the feeling and venom,
public passion and excitement that had been worked up as a
result of her prosecution.

Affiant says that she has read this affidavit with
care. That what she states as facts are true and what she
states on information and belief she believes to be true,
and she asks that there be a full and complete hearing on
the matter to the end that her testimony be taken in open
court. With this done, affiant is of the view the judgment
of conviction will be voided, set aside and that she will be
awarded a new trial.

/s/ Kathryn Thorne Kelly

KATHRYN THORNE KELLY

Subscribed and sworn to before me
this 6 day of March, 1968.

(SEAL)

/s/ Laura L. Lehman

Notary Public
State of West Virginia

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

UNITED STATES OF AMERICA :

v. :

Criminal No. 10478

ORA L. SHANNON :

AFFIDAVIT OF ORA L. SHANNON

Oral L. Shannon, being first duly sworn on oath, deposes and says unto the Court that her constitutional rights were violated at her trial and therefore the Court could not proceed to judgment and therefore it followed that the conviction and sentence imposed are null and void and that she should forthwith be granted a new trial.

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

1. Affiant says that she was denied effective assistance of counsel. That she at all times maintained that she knew nothing of the kidnaping, had no part in it and was in no way connected with it. She says that she was not given an opportunity to talk with counsel before trial and that there was a conflict of interest in violation of Glasser v. United States, 315 U.S. 457, in that counsel was receiving no compensation from affiant but was receiving compensation from others and that his energies were directed toward the representation of other persons. Affiant says further that the attorneys were intimidated and coerced in that all lawyers having any participation, direct or indirect, large or small, with the Urzchel case were subjected to merciless interrogation by the Federal Bureau of Investigation and there always loomed large the danger of criminal prosecution. In fact one lawyer was convicted and sentenced to prison and another lawyer was indicted and forced to stand trial and that every attorney was forced to reveal the source of his legal fee. Affiant says that on account of these threats and coercion the attorney was afraid to make a vigorous defense on behalf of affiant and was afraid to thoroughly and adequately cross examine witnesses

and was afraid to subpoena witnesses in affiant's behalf.

2. Affiant says that her trial was conducted in a circus-like atmosphere. Affiant says that dozens and dozens of FBI agents were present day by day during the trial and that cameras and newsreel devices were physically present in the courtroom and there was a constant flashing of lights and bulbs during the course of the trial which was disturbing and distracting to witnesses and all of this placed the affiant in the role of a circus star-performer.

As to this circus atmosphere in the courtroom, affiant desires to point out that advance publicity had been given out by the FBI and that several streets were blocked off -- in fact roped off -- and traffic was not permitted within three blocks of the courtroom. The only ones permitted access to the Court House were motorcycles and automobiles containing law enforcement officers. Affiant says that perhaps 40 FBI men surrounded the Court House with shotguns and machine guns and were even standing on the running board of cars. Affiant says she was in a bullet-proof car, heavily guarded, and that all along the street were news boys with extra editions of papers with flaming headlines as to the Urschel kidnaping. People were looking out windows, standing on parked cars, standing on house tops and many persons climbed telephone poles and women held small babies to watch the passing parade. Affiant says that the jam at the Court House was so great that it was very difficult for the law enforcement officers to force their way into the Court House. Affiant says that the courtroom was jammed from the opening of the trial to the closing and that people would bring their lunch.

3. A relative of the Urschel family was permitted to sit at the trial table which worked to the distinct prejudice against the affiant and prevented her from selecting a fair and impartial jury. Affiant was not given an opportunity to select a fair and impartial jury in that Mr. E. E. Kirkpatrick

who was a man of great wealth and a brother-in-law of the victim was permitted to sit at the trial table and confer with the prosecuting officials as to the selection of a jury.

4. Affiant did not receive a fair and impartial trial. Affiant desires to point out that when her trial was in progress the defendant George Kelly was still at large, having not yet been apprehended. The papers were full of news articles detailing the activities of the Federal Bureau of Investigation in the search for Kelly and fully exploited and embellished Kelly's past illicit activities. All of this worked to the prejudice of the affiant and prevented a fair and impartial trial.

5. Affiant says that Mr. Keenan, who was in charge of the prosecution, used false testimony and the testimony was known by Mr. Keenan to be false. Affiant says that her constitutional rights were violated in that Mr. Keenan placed on the witness stand a telephone operator who testified that she had listened to certain conversations of affiant. She particularly recited one conversation where George Kelly had called from a distance and stated that his car had broken down and that he had requested Mr. Shannon to wire him a sum of money (\$400). Affiant says that Mr. Shannon was busy on the farm and directed affiant to proceed to Bridgeport and cash Mr. Shannon's check for \$400 and wire this to Kelly in order that his car could be repaired. Affiant says that the operator at her trial related this conversation and that she in fact had nothing to do with any transactions between Mr. Shannon and George Kelly but Keenan had the operator relay it in such a manner as to give the impression that the affiant was conversant with the whole matter and was a willing partner in the illicit activity. Affiant says that the same operator related other conversations that affiant had over the telephone with various persons and that these conversations brought about her conviction.

6. Affiant was the victim of false testimony offered by Mr. Keenan and known by Keenan to be false. Affiant says that she had nothing to do with the kidnaping. She had nothing to do with the placing of Urschel on the Shannon farm and that actually her only participation in the case had to do with cooking a chicken dinner for Urschel.

Affiant says to the Court that on August 12, 1933 she was awakened by loud talking near her bedroom of their farm home located in Paradise, Texas. She says there were 30 to 50 FBI agents there and that they arrested her, her husband and one Harvey Bailey. Affiant says that the FBI men entered the home and practically tore it apart and all of them were shouting, "Where is that money". Affiant says that this was the first contact she had ever had with the FBI agents and never at any time had she been arrested in her life. She says that one of the agents ran up to her with a drawn pistol shouting, "I ought to shoot your guts out". Affiant says she was not permitted to talk to her children. Affiant says that she was rushed to the Dallas, Texas jail. She says that she was questioned throughout the afternoon. She was told that unless she made a full and complete confession that her children would be sent away and she would never see them again. She says that she asked that she be given an opportunity to get an attorney and she was advised that she could have no attorney until she had made a full and complete confession. Affiant says that she was told by the agents of the FBI that she would be questioned constantly and not given any food and drink until she signed a statement. She says the statement was prepared by the agents of the FBI and she signed it without reading it. She says she only signed it to prevent further interrogation and in order to get food and drink.

7. Statement signed by affiant was obtained under duress and coercion. Affiant says that she was compelled to give testimony against herself and that the statement signed

by her was obtained under duress and that this was known to Mr. Eason, the prosecuting official, and that this fact was suppressed by the prosecuting officials and that the attorneys in the case, fearful of a criminal indictment, were afraid to properly attack the validity of the written statement.

Affiant says that she has read this affidavit with care, that what she states as facts are true and what she states as information and belief she believes to be true. She asks that there be a full and complete hearing and with this done she says that it will be shown that at her trial her constitutional rights were violated and the Court was powerless to proceed to judgment and accordingly the judgment and sentence were void and that she should be awarded a new trial.

/s/ Ora L. Shannon
ORA L. SHANNON

Subscribed and sworn to before me
this 10 day of March, 1968.

(SEAL)

/s/ Laura L. Lehman
Notary Public
State of West Virginia

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (7-115)

DATE: 4/8/58

FROM: SAC, Kansas City (7-8)

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

Re Kansas City letter to Bureau 3/13/58.

On April 7, 1958, [REDACTED] U.S. Penitentiary, Leavenworth, Kansas, made available the file of HARVEY BAILEY, inmate at the penitentiary. A review of the file reflects no change in the status of BAILEY at the institution.

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

All b7c

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

(4)

EX-135

2369
APR 11 1958

[Handwritten signature]

F148
65 APR 15 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (7-115)

FROM : SAC, Oklahoma City (7-6)

DATE: April 10, 1958

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

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

ReBulet 4/2/58.

This file has been reviewed and the United States Attorney, Mr. PAUL CRESS and Assistant U. S. Attorney Mr. H. DALE COOK in Oklahoma City have been advised of pertinent information.

They were advised of the desires of this Bureau to refute all false allegations set forth in the affidavits of ORA L. SHANNON and KATHRYN KELLY.

On April 9, 1958, Mr. PAUL CRESS received a letter from U. S. District Judge WILLIAM R. WALLACE, Oklahoma City, which is also directed to Mr. JAMES L. LAUGHLIN, National Press Building, Washington, D. C. The letter is as follows:

"Several weeks ago, at Mr. Laughlin's request, I set down for hearing on April 29th petitions filed under Section 2255.

"Since that time I have carefully gone into the record of each of these two cases and have concluded that such records conclusively show that each of the petitioners is not entitled to any relief.

"These motions are hereby overruled, and of course, there will be no hearing on the 29th.

Very truly yours,
 /s/ W. R. WALLACE"

Mr. COOK is of the opinion this matter will be appealed and states that if the case is remanded for a hearing, this Bureau will be given every opportunity to refute the false allegations.

C.

REC-18

2370
 APR 15 1958

(3) *b7C*

7 (1) MAY 1 1958 *F 10-7 1000 5/12/58* *CC Rosen*

00-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

March 24, 1958

The attached clipping was sent to the Director in an envelope which was postmarked at Oklahoma City, March 20, 1958. Note typewritten notation on clipping: "This is a reflection on the FBI., There was no mistreatment, in Okla City, during that trial."

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

R

Attachment

REC-10

APR 14 1958

EX - 126

All b7C

7-115

ENCLOSURE 126

276
1958

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100-100000-100000

Case Ask Release

new legal effort to free the wife and mother-in-law of the late George "Machinegun" Kelly, convicted kidnaper of Alvin Karpis, was started Wednesday in federal district court.

Motion for the release of Kathryn Kelly, 34, and her mother, Ora Shannon, 71, from the federal reformatory for women at Alderson, W. Va., where they are serving life sentences, were filed in Oklahoma City by a Washington, D. C., lawyer.

Outlaw Barely Misses 'Top 10'

CHICAGO, March 19 (AP)—A 20-year-old youth who was to have been added Thursday to the FBI's most wanted list of fugitives was released Wednesday night, police said, a few minutes after he robbed a loop pawnshop.

Police identified the youth as Ronnie David Rhonemus, a native of San Francisco.

The FBI said Rhonemus was a escapee from a California jail wanted for the shooting of an Alameda, Calif., county deputy sheriff. The FBI charge against him was unlawful flight to avoid prosecution for robbery and attempted murder.

Two patrolmen, acting on a tip, captured Rhonemus as he was leaving the Clark-Lake pawnshop. Harry Levinson, 49, owner of the store, said Rhonemus forced him and another employe into a vault and then robbed a cash box of \$100.

The FBI said Rhonemus favors long hair and a sideburns. His motto, they said, is "Die young and make a good looking corpse."

The bureau said Rhonemus allegedly fired six shots into the California deputy sheriff who attempted to stop him and a companion after a February 22 hold-up.

The motions contend that in the 1933 trials in federal court here the constitutional rights of the women were violated since they did not have proper legal counsel; "false" testimony was used against them; and their trials were conducted amidst publicity which prevented "fair and impartial" hearings.

Kelly Dies in Prison
Machinegun Kelly died in 1954 in the Leavenworth, Kan., federal prison still hoping for a parole.

In affidavits filed with the motions, Kathryn and her mother described their trials in Oklahoma City as "circus-like" and "Raman Holiday" proceedings.

In an affidavit, Kathryn Kelly alleged she was not given ample time to prepare a defense. Her attorneys found it futile to attempt to confer with their client because of insistence of FBI agents that they listen to all conversations between them, she said.

Intimidation Charged
It also alleged that her attorneys were "intimidated" in that "all attorneys" were suspected of receiving ransom money.

Further, she alleged that the trial was held amidst "passion, publicity, excitement and prejudice," since it was the first prosecution under the Lindbergh kidnaping law, and Urschel was a man of great prominence.

In the affidavit, it was claimed that the day she was brought to trial she walked alongside her husband, "Machinegun," who handcuffed and chained her.

There was no... during...

Women in U Case Ask R

said, and surrounded by about 30 FBI agents and Texas Rangers, and at least 10... had "drawn shotguns"

As she was led into the building, the affidavit continued, she was subjected to "hissing, howling and shouting. Many persons tried to strike her."

She then claimed that when she waved to "a close relative" she was "struck in the back by a Texas ranger, causing her to fall to the floor."

She said Machinegun "severely rebuked" the ranger "whereupon her husband was bodily beaten over the head with pistols and clubs" until the cuts and bruises did not heal for at least 20 days.

She specifically denied she wrote the Urschel ransom notes as charged in the trials here, and claimed that J. Edgar Hoover in a recent published article "now concedes the ransom notes were not in the handwriting of affiant."

...of original...
...Katherine...
...affiant...
...handwritten...
...affiant...

7-115-2311

CONFIDENTIAL

Jan

April 11, 1958

PLAIN TEXT

TELETYPE

URGENT

TO SAC, OKLAHOMA CITY

FROM DIRECTOR, FBI

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

DASH VICTIM, KIDNAPING. NEWS STORY IN LOCAL PAPER, DATELINE,

OKLAHOMA CITY, APRIL ^{ELWRN} ~~ONE~~ LAST, INDICATES THE WIFE AND

MOTHER IN LAW OF GEORGE PAREN MACHINE GUN END PAREN

KELLY HAD MOTIONS SEEKING RELEASE DENIED BY THE U. S. DISTRICT

JUDGE. SUTEL DETAILS TO REACH BUREAU BY EIGHT A. M. EST, APRIL

TWELVE NEXT.

~~_____~~ b7c
(5)

ph

REC-13 7-115-2372

13 APR 15 1958

COPIES DESTROYED
848 MAR 17 1965

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

EX-108

APR 12 1958

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

Teletype
LB
By

TELETYPE #304

50 APR 21 1958 344/AM

sk

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

APR 12 1958

TELETYPE

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

URGENT 4-12-58 8-06 AM CST

TO- DIRECTOR , FBI

FROM - SAC, OKLAHOMA CITY 1P

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

DASH VICTIM, KIDNAPING. REURTEL APRIL TWELVE INSTANT. REQUESTED
INFORMATION FURNISHED BY OC LETTER DATED APRIL TEN LAST.

END AND ACK PLS

WA 9-06 AM OK FBI WA

THRU DISC

All b7C

REC-13

7-113-2373

APR 15 1958

Mr. Rosen

cc. Mr. Rosen

EX-108

50 APR 21 1958

7-115

APR 15 1958

SAC, Oklahoma City (7-6)

4/16/58

Director, FBI (7-115)

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

Reurlet 4/10/58.

Continue to follow with the U. S. Attorney,
Oklahoma City, any appeal in this matter. If the
case is remanded for further hearing, the false
allegations must be refuted on the record.

Keep Bureau advised of developments.

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

(4) [Redacted]

Mail Room [Handwritten initials]

APR 18 1958

F257

EX-108

MAILED 8

APR 16 1958

COMM-FBI

REC-17, 7-115-2374

APR 17 1958

All b7C

SAC, Oklahoma City (7-6)

4/17/58

Director, FBI (7-115)

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

Reurtel 4/12/58, and your letter 4/10/58.

Bureau tel 4/12/58, pointed out that a news item appeared in a local paper bearing the dateline 4/11/58, at Oklahoma City. The item indicated that the motions of Ora Shannon and Kathryn Kelly had been denied by the U. S. District Court. You are requested to sutel the details.

Your tel of 4/12/58, was not responsive. The letter of 4/10/58, was located after a special search at the Bureau on 4/16/58. The tel of 4/12/58, from your office containing your reply was charged at the rate of three minutes. An efficient teletype operator in three minutes can transmit 180 words. The information requested in Butel could have been very readily transmitted within the three minute period.

(4) b7C

P

Handwritten notes and signatures, including "KJH" and "2375".

REC-29

20 APR 18 1958

Handwritten initials "LAK" and other marks.

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

64 APR 21 1958

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COMM. FBI

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

APR 22 1958

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John

Mr. Tolson	<input checked="" type="checkbox"/>
Mr. Boardman	<input checked="" type="checkbox"/>
Mr. Belmont	<input checked="" type="checkbox"/>
Mr. Mohr	<input checked="" type="checkbox"/>
Mr. Nease	<input checked="" type="checkbox"/>
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Mr. Rosen	<input checked="" type="checkbox"/>
Mr. Tamm	<input checked="" type="checkbox"/>
Mr. Trotter	<input checked="" type="checkbox"/>
Tele. Room	<input checked="" type="checkbox"/>
Mr. Holloman	<input checked="" type="checkbox"/>
Miss Gandy	<input checked="" type="checkbox"/>

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mem 10-1

URGENT 4-22-58 8-49 AM CST

TO DIRECTOR, FBI

FROM SAC, OKLAHOMA CITY 1P

CHARLES F. ^{OKLAHOMA CITY}URSCHEL - VICTIM- KIDNAPING.

USA, OC, ADVISES THAT BY LETTER TO ATTORNEY JAMES L. LAUGHLIN,

WASHINGTON, D. C. DATED APRIL NINETEEN LAST, USDJ W. R. WALLACE

ADVISED HE HAD RECONSIDERED THIS MATTER AND HAS SET IT FOR HEARING AT

NINE THIRTY-AM ON JUNE NINE, FIFTYEIGHT AT OC. USA ADVISES JUDGE

WALLACE IS ENDEAVORING TO LIMIT THE HEARING TO THE SPECIFIC

ALLEGATIONS OF PERJURY AND DOES NOT CONTEMPLATE HEARING THE

FULL CASE. CONTACT BEING MAINTAINED WITH USA TO DETERMINE

HIS DESIRES. LETTER WITH FULL DETAILS FOLLOWS.

END ACK

WA 9-51 AM OK F BI WA

DISC

REC-99

7-115-2376

APR 23 1958

EX-110

All b7c

7-115

Mr. Rosen

cc. Mr. Rosen

62 APR 23 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (7-115)
 Attention: Identification Division
 FROM : SAC, Oklahoma City (7-6)
 SUBJECT: GEORGE KELLY BARNES, was., ET AL;
 CHARLES F. URSCHEL - VICTIM
 KIDNAPING
 (OO: OC)

DATE: April 24, 1958

This is to advise that ORA L. SHANNON and KATHRYN THORNE KELLY, both convicted in instant case, are serving life sentences in Alderson, West Virginia. They have filed motions to have their sentences set aside and allege that LUTHER WILLIAM ARNOLD, alias JESS AKERS, FBI # 313877, committed perjury during the trial of KATHRYN T. KELLY. (ARNOLD was arrested by the Oklahoma City Police Department on 9/14/33, their number 14839).

The United States Attorney in Oklahoma City is endeavoring to determine the whereabouts of ARNOLD.

Please air mail Oklahoma City the Identification Record of ARNOLD, together with his last known address.

[REDACTED] b7C
 (3)
AIRMAIL

[Handwritten scribbles and a vertical line]

EX-113

REC-65

7-115-2377

24 APR 28 1958

[Handwritten signature]
 70 MAY 1 1958

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ONE COPY

70
4/25/58

Airtel

To: SAC, Oklahoma City (2-6)
From: Director, FBI (7-115)

GEORGE KELLY BARNES, was., et al.;
CHARLES F. URSCHEL - VICTIM
KIDNAPING

Reurairtel 4/22/58.

Identification Division is forwarding copy of identification record of Luther William Arnold, FBI # 313877.

Regarding "recent publication" regarding handwriting on ransom note. Crime Records Section at Bureau maintains article index and FBI Library maintains Reader's Guide index. Both searched for articles relating to Kathryn Kelly and no mention located of such "recent article" by the Director.

Refer Bulet 4/1/58 requesting that court record be reviewed to determine exact testimony given. Buairtel contents court record with respect to above. Also advise details of procedure to be followed by USA with respect to refuting allegations against Bureau on record and details of how he is to proceed in answering "perjured testimony" set forth in letter to James J. Laughlin, 4/19/58.

With respect to Kelly and Shannon proceeding in forma Pauperis, bear in mind that Shannon was the wife and Kelly the stepdaughter of Shannon, who left property at Paradise, Texas. Advise identity witnesses USA desires to use.

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

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REC-10
 EX-101
 7-115-2378
 APR 29 1958

F B I

Date: April 28, 1958

Transmit the following in **AIR-TEL** (Type in plain text or code)

Via **AIR-TEL** (Priority or Method of Mailing)

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

Remyairtel 3-31-58.

On April 21, 1958, [redacted] Federal Reformatory for Women, Alderson, W. Va., furnished SA [redacted] with the following items:

1. Copy of letter from JAMES J. LAUGHLIN to KATHRYN KELLY dated March 26, 1958, with two enclosures. The enclosures are letters from Mr. LAUGHLIN to [redacted] The Washington Evening Star, Washington, D. C., and Sergeant LEONARD BALLARD, Capitol Police Detail, Capitol Building, Washington, D. C.
2. Copy of letter from KATHRYN KELLY to Mrs. H. T. HOPKINS, Asher, Oklahoma, dated March 30, 1958.
3. Copy of letter from JAMES J. LAUGHLIN to ORA SHANNON, dated April 3, 1958, with two enclosures. The enclosures are copies of affidavits in forma pauperis.
4. Copy of letter from JAMES J. LAUGHLIN to ORA SHANNON, dated April 14, 1958, with a letter from U. S. Judge W. R. WALLACE, Oklahoma City, Oklahoma, as an enclosure.
5. Copy of letter from KATHRYN KELLY to JAMES J. LAUGHLIN, dated April 15, 1958.

- ③ - Bureau (Encls. 10)
- 2 - Oklahoma City (7-6) (Encls. 10)
- 2 - Pittsburgh (7)

REC-42

7-115-2079
30
APR 29 1958

All b7c

AIR-TEL

Approved _____ Sent _____ M Per _____
Special Agent in Charge

107
APR 29 1958
EX-135
FX-125

FBI

Date:

Transmit the following in **AIR-TEL** (Type in plain text or code)

Via _____ (Priority or Method of Mailing)

PG 7-10

Copies of the above, which are self explanatory, are enclosed for the Bureau and Oklahoma City. One autostat copy is being retained in the files of the Pittsburgh Division. It is noted that some of the copies furnished by [redacted] are of inferior quality.

Any additional information of value received from [redacted] will be promptly forwarded to the Bureau and Oklahoma City.

All b7C

AIR-TEL

JAMES J. LAUGHLIN
ATTORNEY AND COUNSELLOR AT LAW
NATIONAL PRESS BUILDING
WASHINGTON, D. C.
NATIONAL 8-2881

March 26, 1958

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

Dear Mrs. Kelly:

Many thanks for your letter with the clipping. I completely missed it. Since your letter was dated March 17th I assume it was published sometime prior to that.

Of course I am indignant and we are not going to take this lying down. I am enclosing copy of a letter I sent yesterday to the Washington Star and also to that bird who is supposed to be a Sergeant. Unless there is a complete retraction I will file a suit as I have stated. I will write you further when I hear from the Star.

With kindest regards, I am

Sincerely yours,


James J. Laughlin

Enclosures (2)
JJL:lk

March 25, 1958

[REDACTED]
THE WASHINGTON EVENING STAR
11th and Pennsylvania Avenue, N.W.
Washington, D. C.

All b7C

Dear [REDACTED]

There has been forwarded to me an article appearing apparently within the last ten days written by George Kennedy under his heading "The Rambler". Since I did not see it at the time I am unable to give you the date. It is undoubtedly of recent origin.

I represent Mrs. Kathryn Kelly and Mrs. Ora L. Shannon, now confined in the United States Reformatory, Alderson, West Virginia. In fact I have just returned from Oklahoma where we have filed a motion to vacate and set aside the judgment of conviction on the ground their constitutional rights were violated at the trial. The Honorable W. R. Wallace, United States District Judge for the Western District of Oklahoma, has scheduled a hearing for Tuesday, April 29, 1958.

The article is libelous. Mr. Kennedy in his column states:

"Katherine still has about \$65,000 of that ransom money stashed away somewhere. Machine Gun Kelly is dead, but Urschell isn't. Katherine and her mother have been eligible for parole for 10 years, but every time it comes up Urschell appears before the parole board and opposes it."

Due to the fact I have such a friendly relationship with your paper I have not filed a suit in District Court immediately as I would ordinarily do. Your newspaper has been very considerate and I have enjoyed working with your paper and the members of your staff. Therefore I will withhold the filing of a suit for a matter of 72 hours to give you an opportunity to make a full and complete retraction. It is true that Mr. Kennedy is quoting a Sergt. Ballard. However, your paper made the publication.

b7c

March 23, 1968

I believe I should say to you that this is a situation that we have been encountering for a period of years. I have made a rather thorough investigation here, Alderson and in Oklahoma and Texas and I am firmly convinced that Mrs. Kelly does not have and has not had one dollar of this ransom money. You are dead right in the statement that Urschel has in season and out of season opposed parole. I am sure you will agree that it is hard to combat the man with the bulging pocketbook. He has boasted that he will spend any amount of money to keep both of them in prison. It will be interesting to see whether he attempts to influence the Federal court in Oklahoma. I am not at all sure whether Ballard had information that the proceedings were going to be filed in Oklahoma City and whether he probably gave out this statement in an attempt to lessen the efficacy of our points to be argued there.

I am a little distressed that the Star would publish an article of this kind. Yours is a conservative paper and a real credit to journalism. You boast of your accuracy and reliability. Day after day we hear from the T.V. announcer "And furthermore I have read it in the Star". That of course gives assurance to the reader that what appears in the Star is accurate and correct.

As I said, I will withhold action for 72 hours. However, if there is not a proper and adequate retraction made by 12 Noon Friday, March 23, 1968, suit will be filed within the hour.

With kindest regards, I am

Very truly yours,

James J. Laughlin

James J. Laughlin

JJL:lk

March 25, 1933

Sergt. Leonard Ballard
Capital Police Detail
Capital Building
Washington 25, D. C.

Dear Sir:

The Washington Star recently quoted you as stating with regard to my client Kathryn Kelly the following: "Kathryn still has about \$25,000 of that ransom money stashed away somewhere".

I am assuming you have basis for this statement. Therefore you will be given an opportunity to prove it.

This is to advise you that unless I hear from you at once suit will be filed in the United States District Court for the District of Columbia on Friday, March 25, 1933.

Very truly yours,

James J. Laughlin

James J. Laughlin

JJ:lh

From Yastyn Kelly
Albion W. Va.

3/20/58 (Date)

To Mrs H. F. Hopkins
(Name)

Altoona (Address)

Ma'am: These "first of the month" appear all too soon, when a person works in an office. I have such a "hard week" approaching and as many "long hold" cases this week and to do. I know you are as much busier than I am, I suppose I should grip. Lub?
Do hope all are well. you can't imagine how we enjoyed the picture of your house. It is lovely, you are certainly well lucky in pushing such a bargain. It looks like a \$20,000 home. I know that if you are proud of it. I must agree I've told you of Mr. L. visit etc. I received a letter from him yesterday. Said he would be down here to see us as soon as he could. I before April 29 - I L. was sending notices down to be returned, regarding transportation etc, in case we had to appear. If we do the Marshal in Altoona City comes after us. I don't know Darling what can be done. But I do know Mr. L. is in for "keeps" I L. will take it right to the Supreme Court if he has to, when he says he can win an immed. release. If he has to do that it will take about 12 months as I just figured "for sure" within a year we will be free. we should never have depended on the P. B. they've strung us along 10 flat years I never had any intention of any justice to us, I feel. we are just fine. Had a letter from Mr. Huser. He had talked to J. V. 6 weeks ago. He wrote "I was in Altoona City I went out to the Capital I visited him & her. I don't see why he didn't phone around around P."

to him favorably. He didn't say so, just hinted. we are praying
very hard we can have Lee & I know you all are. just about
everyone Lee is. I suppose I am going to start taking instructions
in the Catholic Church, when I am free. I realize our family is
protestant but I like the Catholic Church & in prison it's the only
church that gives encouragement, help, & true Christianity to prisoners
& the needy. It's something I feel I just have to do & I hope you all
will understand. Mom's just the same, & it's true. I plan to attend
Mass every Sunday when ever I am. The mass & Masses of the
Catholic Church, the Mass I know it's what I want for my church.
Will discuss it further some time. we came with a rig in
being ready to move on to the Shannon place & start drilling. Since
they assign it now as usual as the lease expires in 58 I wish it
in litigation they could not release because men won't sign it.
I think the McCluskey place will get a producer. I got talk from
the drillers & the spot will be on the 73. I hope so. As with you
could have met me. I don't want it too long. just know it will
do his best & he knows law. I a fool knows we had a rotten
unjust, deal. I don't worry about the "it's" the usual big ups
are in the headlines every day with all sorts of schemes and
shell duggery. So one thing certain. "the papers can't say any
thing they haven't already" [Just all of you keep entirely away.]
& there will be no mention of you & shouldn't it. Had a letter
from oliv. I was surprised that he seemed so glad. it's said no
matter what, fight it out. his own party, praying for your
interest. in his own way. He's not a bit of a take spirit.

Alderson, West Va.
April 15, 1958

Mr. James J. Laughlin
National Press Building
Washington, D. C.

Dear Mr. Laughlin:

Your letter and enclosure of April 14th received. I think that Mrs. Shannon wrote you last night. As for me I have been in a state of pure shock every since I read the Daily Oklahoman sunday and learned that the Judge announced " after studying the record, we deserved no relief ". 25 years in prison merits relief. We did not commit a crime in the first place. The crime against us and against justice by Mr. Urrahal and his millions is much worse. I wish that I could talk with the Judge. What record does he refer to? You were advised that the transcript in my case was lost. I think that you should insist and file accordingly to read in full the transcripts in both cases. Perhaps you can find something therein you need. Certainly, it should be your right.

Obviously, the order went out to reverse his decision. Either from Washington connections, or direct from Mr. Gus Jones the advisor that Mr. Urrahal hired from the FBI in 1933.

Mr. Jones came to Okla. City some 5 years ago, called a press interview and stated " I am here to study records to protest paroles for those two women. We do not intend for anyone in this case to ever receive any form of leniency. Moreover we have one million dollars to fight any move in leniency for them, etc. etc " I read this in the Daily Oklahoman.

We were DENIED parole soon after. Likewise when Mr. McGrath was the Atty. General of the U. S. Father Clark flew from Los Angeles to Wash. to talk with him. He and a Washington Priest came on here to tell us that the interview was most favorable that we would be at home within three months on a commutation of sentence to time served. Father Clark even made an appointment to meet us in Dallas he was so sure. Some two weeks later I read in the Washington paper that Mr. Gus Jones was in Wash. & had called at the Justice Dept. Within the next 3 weeks I received a flat denial from Mr. McGrath who stated that " it was the problem of the Parole Board ". I believe with all of my heart that the Parole Board has and is hampered and has been ordered NOT to act in our behalf. It is MOST OBVIOUS.

With all of the Parole help we have had, with perfect records.

Moreover, Judge Vaught wrote Mrs. Shannon some 3 years ago that he had lunched with Mr. Urschal in Okla. City and had told him frankly that he intended to urge immediate parole for her and he asked Mr. Urschal to also recommend same. Mr. Urschal flatly refused to do so, he said but that he had been in Washington two weeks previously and talked with the Board and urged parole for her and he felt it would be granted as his requests had never been ignored. I asked the Parole man appearing here, Dr. Killinger about this and he told me that Judge Vaught dined at his home and did recommend and urge parole for Mrs. Shannon. He added "we do not have to follow his recommendation however. He should not have sentenced you so heavily in the first place". The general opinion is as my opinion. That money has been spent again to thwart any justice.

Mr. Jones I feel talked with the Oklahoma Judge personally, doubtless producing the dossier he has prepared upon me which is one mass of lies. Among other things I am unquestionably a murderer-- a confirmed criminal etc etc. Father Clark read it when he tried to talk to Mr. Urschal-- and I read a part of it that had been sent to Mr. Langer. Aterrible sounding dossier but nothing authentic.

I regret your disappointment very much Mr. Laughlin and our family's heartache as their hopes were pathetic. I truly have no suggestions. You will think of what is best and I am content to leave the thinking entirely to you. I am just too tired of it all to think anymore. I have all faith in you and in God but I regret to say I have no faith in my country's justice. Money controls Justice or it has in our case.

I know that you will eventually get us out. There is no question of that in my mind. You are capable of doing so and with that thought I can make it.

All good wishes and let us hear from you

sincerely

Kathryn Kelly

Kathryn Kelly

COPY

JAMES J. LAUGHLIN
Attorney and Counsellor at Law
National Press Building
Washington, D. C.

April 3, 1958

Mrs. Ora L. Shannon
Federal Reformatory
Alderson, West Virginia

Dear Mrs. Shannon:

I am not sure whether your presence will be necessary at the hearing before Judge Wallace on April 29 th. It depends to a large degree just to what extent the Government will contradict your affidavit and the affidavit of Mrs. Kelly. However, to be on the safe side, I would appreciate it very much indeed if you and Mrs. Kelly would execute the enclosed affidavits and forward to me in the self-addressed envelope annexed hereto.

If I can possibly do so, I will visit you in Alderson sometime next week.

I hope your Easter will be a happy and a pleasant one.

With all good wishes, I am

Sincerely yours,

S/ James J. Laughlin
James J. Laughlin

Enclosures (3)
JLL: lk

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

UNITED STATES OF AMERICA :

vs. :

Criminal No. 10478

KATHRYN THORNE KELLY :

AFFIDAVIT IN FORMA PAUPERIS

Now comes Kathryn Thorne Kelly, defendant herein, who is a citizen of the United States, and asks leave to proceed in forma pauperis.

She says unto the Court that because of her poverty she is unable to prepay the usual costs and fees nor would she be able to defray the cost of her transportation to this Court if the Court deems her presence necessary and if the Court on consideration deems her testimony essential, she asks that all expenses in connection with her removal to Oklahoma City be paid by the United States.

State of West Virginia
County of Summers

Kathryn Thorne Kelly
KATHRYN THORNE KELLY

Subscribed and sworn to before me
this 7 day of April, 1958.

[Signature]
Notary Public

State of West Virginia

My commission expires 4/17/67

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

UNITED STATES OF AMERICA :

vs. :

Criminal No. 10478

ORA L. SHANNON,

AFFIDAVIT IN FORMA PAUPERIS

Now comes Ora L. Shannon, defendant herein, who is a citizen of the United States, and asks leave to proceed in forma pauperis.

She says unto the Court that because of her poverty she is unable to prepay the usual costs and fees nor would she be able to defray the cost of her transportation to this Court if the Court deems her presence necessary and if the Court on consideration deems her testimony essential, she asks that all expenses in connection with her removal to Oklahoma City be paid by the United States.

State of West Virginia
County of ~~Sevier~~

Ora L. Shannon
ORA L. SHANNON

Subscribed and sworn to before me
this 7 day of April, 1958.

[Signature]
Notary Public
State of West Virginia

My commission expires 4/17/67

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

NATIONAL 6-5551

April 14, 1958

Mrs. Ora L. Shannon
U. S. Reformatory
Alderson, West Virginia

Dear Mrs. Shannon:

In order that you may know at once and not obtain it from other sources I was greatly shocked to receive the enclosed from Judge Wallace.

This is difficult to comprehend because he, himself, set the date and said he would give us a hearing for the entire day of the 29th and longer if necessary. No contradictory affidavits were filed against your affidavit or the affidavit of Mrs. Kelly. There is something very, very peculiar in this case. You may rest assured that we will not relax for a moment. I will decide in the next day or two whether I will ask Judge Wallace to reopen it or whether I will promptly appeal his action to the United States Court of Appeals for the Eighth Circuit.

I have had occasion to review the cases and they uniformly hold that if matters are set forth showing a violation of constitutional rights a hearing is required. When there is a hearing you may rest assured I will do my utmost to see that it is not held in Oklahoma City. We will try to have it taken to another District.

I will let you know just what action I will take within the next two or three days.

I realize this is quite a blow to all of us but keep in mind that we have just begun to fight. I can see the hand of Urschel in all of this.

With all good wishes, I am

Sincerely yours,


James J. Laughlin

Enclosure
JJL:lk

COPY

UNITED STATES DISTRICT COURT

For the

Eastern, Northern and Western Districts of Oklahoma

W. R. Wallace
Judge

Oklahoma City 1

April 9, 1958

Mr. James L. Laughlin,
National Press Building,
Washington D.C.

Mr. Paul Cress,
United States Attorney,
Federal Building,
Oklahoma City, Oklahoma.

Re: Ora L. Shannon and Kathryn
Thorne Kelly, No. 10,479
Criminal

Gentlemen:

Several weeks ago, at Mr. Laughlin's request, I set down for hearing on April 29th petitions filed under Section 2255.

Since that time I have carefully gone into the record of each of these two cases and have concluded that such records conclusively show that each of the petitioners is not entitled to any relief.

These motions are hereby overruled, and of course there will be no hearing on the 29th.

Very truly yours,

/s/ W. R. Wallace
W. R. WALLACE

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

APR 18 1958 *pk*

TELETYPE

HOLD FOR TWO MSG PLS

Mr. Tolson	<input checked="" type="checkbox"/>
Mr. Boardman	<input checked="" type="checkbox"/>
Mr. Belmont	<input checked="" type="checkbox"/>
Mr. Mohr	<input checked="" type="checkbox"/>
Mr. Nease	<input checked="" type="checkbox"/>
Mr. Parsons	<input checked="" type="checkbox"/>
Mr. Rosen	<input checked="" type="checkbox"/>
Mr. Tamm	<input checked="" type="checkbox"/>
Mr. Trotter	<input checked="" type="checkbox"/>
Mr. Clayton	<input checked="" type="checkbox"/>
Tele. Room	<input checked="" type="checkbox"/>
Mr. Holloman	<input checked="" type="checkbox"/>
Miss Gandy	<input checked="" type="checkbox"/>

URGENT 4-18-58 5-40 PM CST

TO DIRECTOR, FBI -7-115

FROM SAC, OKLAHOMA CITY 7-9

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

KIDNAPPING. AUSA GEORGE CAMP, WDO, ADVISED TODAY USDJ WILLIAM R. WALLACE, WDO, HAS APPARENTLY REVERSED HIS DECISION OF APR NINE LAST, DENYING A HEARING, AS HE CONTACTED THE USA-S OFFICE APRIL EIGHTEEN AND INQUIRED IF MAY TWO NEXT WOULD BE SUITABLE FOR A HEARING ON INSTANT MATTER. CAMP STATED USA-S STAFF PROTESTED TO JUDGE WALLACE THAT MAY TWO WAS TOO CLOSE TO AN APPROACHING TERM OF GRAND JURY, AND NO DEFINITE DATE FOR HEARING WAS SET. CAMPP STATED IF AND WHEN INSTANT HEARING IS HELD BUREAU WILL BE GIVEN EVERY OPPORTUNITY TO REFUTE FALSE ALLEGATIONS. MATTER WILL BE CLOSELY FOLLOWED AND BUREAU WILL BE KEPT ADVISED OF DEVELOPMENTS. USA-S OFFICE HAS NO FURTHER INFO RE JUDGE-S PREVIOUS DECISION NOT TO HOLD HEARING.

REC-46

7-115-2380

Mr. Rosen

APR 29 1958

END ACK

6-111 100 OK FBI WFO 7-2

EX-135

INVESTIGATIVE DIVISION

70 MAY 6 1958

F125

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *[initials]*

DATE: 4/24/58

FROM : F. L. Price *[initials]*

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

*This should
be filed
4/24R*

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

This memorandum will deal with the affidavits filed by Ora Shannon and Kathryn Kelly in connection with their motions alleging denial of their constitutional rights during their trials in 1933.

James J. Laughlin, Washington, D. C., represents them and the motions were filed 3/19/58. A hearing has now been set for 6/9/58, and the judge indicated the hearing would be limited to possible perjury allegations. The U. S. Attorney has indicated that the Bureau will have every opportunity to refute the false allegations made against Bureau personnel on the record. He also indicated he had intended to ask the court to summarily dismiss the motion, claiming that the allegations set forth should have been brought up at the time of their respective trials.

ALLEGATIONS:

The allegations in both affidavits are similar and relate to (1) the handling of the trial by the judge; (2) E. E. Kirkpatrick; (3) J. B. Keenan, the prosecutor; and (4) the FBI.

Oklahoma City, where the hearing will be held, has been reviewing their files as to witnesses since January, 1958, and have arranged with the U. S. Attorney to refute the false allegations on the record. Bureau assistance has been offered and is available to locate possible witnesses.

The prosecution in this case, with respect to Kelly and Shannon, is as follows. An indictment was returned 8/23/33. Shannon was arrested 8/12/33, at Paradise, Texas, and found guilty after trial 9/30/33. Kelly was arrested 9/26/33, at Memphis, Tennessee, and convicted after trial 10/12/33. Both were sentenced to life imprisonment.

HANDLING OF THE TRIAL BY THE JUDGE:

U. S. District Court Judge Edgar S. Vaught (retired), Oklahoma City, handled the trial. With respect to the judge they claimed (1) the conduct of the trial was a travesty of justice and a "Roman Holiday" atmosphere prevailed with newsreels, reporters, and

REC-46

EX-135

APR 29 1958

66 MAY 7 1958

WTC

1 copy copy

[Handwritten initials and stamps]

Memorandum for Mr. Rosen

photographers all over the place; (2) the judge declined a request for the defense to have a document examiner as a delay was "too expensive"; (3) Kelly claims the defense examination would have shown she did not prepare the notes; and (4) the judge sent word to Kelly to cooperate with newsmen as the judge never had such "good publicity."

JOSEPH B. KEENAN (DECEASED)

Assistant Attorney General Joseph B. Keenan handled the case for the Government. Shannon and Kelly claimed (1) he used false testimony and knew it to be false; (2) knew the signed statements were made under coercion and withheld same from the court; (3) he threatened Kelly's trial witnesses, George Kelly Barnes and Bailey, who were to testify to Kelly's innocence; (4) Keenan told Kelly's attorney if George Kelly Barnes and Bailey testify they would be turned over to the state on a charge of armed robbery, which carries a death penalty; (5) Keenan is alleged to have said "I hope they testify, it will give me a chance to burn them"; (6) [REDACTED] telephone operator, Paradise, Texas, testified to conversations on the telephone between Ora Shannon and Barnes in which Barnes asked for \$400 (Ora sent the money via money order); and (7) other conversations heard by [REDACTED] were admitted as evidence in violation of Title 47, U. S. Code, Section 605, Unauthorized Publication or Use of Communication (this statute passed 6/19/34). b7C b7C

K. E. KIRKPATRICK:

Kirkpatrick is the brother-in-law of Urschel, resides Oklahoma City, and assisted in the ransom negotiations. Shannon and Kelly allege that he was permitted to sit at the trial table during the trial, assisted in selecting the jury, and assisted in the prosecution.

FBI:

Shannon and Kelly claim that they were both denied effective counsel and were not properly represented. Shannon claims she only consulted ten minutes with her attorney and that the attorneys were subject to interrogation by the FBI as to their fees. Also, there always loomed a danger of criminal prosecution to the attorneys. She points out one attorney was convicted by the FBI for handling ransom money. This may refer to Ben Laska, attorney, convicted 6/15/35, and sentenced to ten years.

Memorandum for Mr. Rosen

The attorneys for the defense were Sam Sayers, Walter B. Scott, Grady Woodruff, and Mack W. Berch, all Fort Worth, Texas. John Roberts, Enid, Oklahoma, assisted in the trial.

The attorneys for the Government were Joseph B. Keenan, U. S. Attorney H. K. Hyde, Oklahoma City, and C. Eastus, Fort Worth, Texas.

ALLEGATIONS:

Shannon claims 30 to 50 FBI Agents arrested her and others 8/12/33, at Paradise, Texas. One Agent said "I ought to shoot your guts out. Where is the money." She was held the afternoon of 8/12/33, and told unless she gave a signed statement she would never see her children again; she would not be permitted an attorney; and she would be given no food or drink. She gave a statement under duress and Joseph B. Keenan knew this and suppressed it. She claims that 40 armed Agents with machine guns and shotguns surrounded the courtroom and the publicity over the search for George Kelly Barnes adversely affected her trial.

FACT: Shannon was arrested 8/12/33, at 4:00 A. M. at Paradise, Texas. The Agents in the arrest were Gus T. Jones, [REDACTED], E. J. Dowd (deceased), and [REDACTED]. The following Dallas police officers were present: [REDACTED] and [REDACTED] Fort Worth police officers were [REDACTED] and [REDACTED]. Also present were the victim, Urschel, and [REDACTED] deputy sheriff, Oklahoma City.

After the arrest, Shannon was confined in the Dallas County Jail, a fugitive complaint was filed, and the hearing on removal was held 8/16/33, on receipt of certified papers. At the jail Ora Shannon furnished a signed statement dated 8/12/33, to former SAs F. J. Blake and R. H. Colvin, both deceased. A supplemental statement was taken 8/21/33, at Dallas by Gus T. Jones and E. J. Dowd (deceased)

ALLEGATIONS:

Kathryn Kelly alleges 75 Agents arrested her at Memphis; she was questioned continuously for three or four days; and gave admission without a conference with her attorney. Fifty Agents accompanied her and Barnes from Memphis to Oklahoma and 200 to 300 Agents were in the courtroom and around the courthouse. George Kelly Barnes was pistol-whipped and clubbed on one occasion. The Government handwriting expert claimed Kelly prepared the ransom note and in a "recent publication" the present head of the FBI claims the FBI now concedes the ransom note was not written by Kelly but the note contained Kelly's phraseology.

All b7c

Memorandum for Mr. Rosen -

FACT: Kathryn Kelly was arrested 9/26/33, at Memphis, Tennessee. The Agents present were W. A. Rorer, [REDACTED], and [REDACTED]. The Memphis Police Department was [REDACTED] and Officers [REDACTED] and [REDACTED].

George Kelly Barnes and Kelly were interviewed at intervals from 9/28/33, to 10/1/33, by former SAs J. M. Keith (deceased), and W. A. Rorer. She admitted her presence at Paradise while Urschel was being held, but denied any knowledge of the kidnaping.

A complaint was filed 9/26/33. They were arraigned the same day and on 9/27/33, waived removal. They were held in the Memphis jail. Four Agents, according to a memorandum in file, accompanied the Kellys from Memphis to Oklahoma City. They were Keith (deceased), G. B. Norris, [REDACTED] and [REDACTED] not otherwise identified.

Kelly claimed the FBI kept Luther Arnold in luxury while testifying. Kelly claimed Arnold was picked up as a hitchhiker, while actually he was known to them and used as their emissary in contacting attorneys. Arnold's last address was 160 Mancke Court, San Antonio, Texas. Gus T. Jones took a lengthy signed statement from Arnold.

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

Kelly claims the Government document examiner testified she wrote the ransom note. C. A. Appel, Washington, D. C., was the document examiner. The actual ransom notes in this case were prepared on a Remington typewriter. A remington typewriter was located at Boss Shannon's farm and Boss Shannon said Kelly and Shannon had access to the typewriter. Oklahoma City has been instructed to review the court record to determine the exact testimony used here.

The location of former SAs who may be expected to testify is as follows: Gus T. Jones, present address as of 9/19/56, [REDACTED] G. B. Norris, [REDACTED] 10/21/56, [REDACTED] W. A. Rorer, as of March, 1948, [REDACTED] C. A. Appel, Washington, D. C.; [REDACTED] as of 11/21/53, [REDACTED]

All b7c

Memorandum for Mr. Rosen

[REDACTED]
[REDACTED] A letter dated 3/26/58, indicates he is very sick
with cancer. Also, [REDACTED], as of 12/20/41 [REDACTED]
[REDACTED] as of
10/15/54, [REDACTED] and [REDACTED]
as of 7/29/57, [REDACTED]
[REDACTED]

All b7C

GHK
[REDACTED]

0/90
[REDACTED]

OK

Standard Form No. 64

OFFICE MEMORANDUM . UNITED STATES GOVERNMENT

TO : Director, FBI (7-115)

DATE: April 29, 1958

FROM : SAC, Oklahoma City (7-6)

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

This is to advise that in 1933 ORA L. SHANNON and KATHRYN KELLY were sentenced in this case to life imprisonment. They are incarcerated in the Federal Penitentiary at Alderson, West Virginia. They have filed motions to have their sentences set aside and allege that LUTHER WILLIAM ARNOLD, alias Jess Akers, FBI #313877, who was a Government witness, committed perjury during the trial of KATHRYN KELLY.

On April 9, 1958, the motions were denied but after considering the matter further, U. S. District Judge W. R. WALLACE, in Oklahoma City on April 19, 1958, set this matter for a hearing on June 9, 1958.

The United States Attorney in Oklahoma City has requested that the whereabouts and availability of ARNOLD be determined in the event he is needed to refute the allegation.

- ② Bureau (AIRMAIL)
- 2- Dallas(7-7)
- 2- Los Angeles
- 2- Salt Lake City
- 2- San Antonio
- 5- Phoenix
- 2- Oklahoma City

(17)

b7C

REC-62

MAY 2 1958

EX-135

K

OC 7-6

Information available reflects that LUTHER WILLIAM ARNOLD, alias JESS AKERS, is described as follows:

Race:	- E. APPROX	White (1/2 Indian)
Sex:		Male
Age:		68 (He was 43 in 1933)
Birth Place:		Paris, Texas
Height:		5'-8"
Weight:		144 pounds
Eyes:		Gray brown
Hair:		Black, mostly bald
Occupation:		Insurance salesman
FBI		# 313877

FPC	18	L	9	000	17
		S	1	OIO	15

In September, 1933 his wife rented a house at 160 Mancke Court, San Antonio, Texas. Before that in about July, 1933, indications are that LUTHER ARNOLD had lived with an uncle, COLONEL ARNOLD "40 miles northwest of Ardmore, Oklahoma, near the town of Tussy and moved because the uncle sold the farm".

Wife's Aunt: Mrs. JOHN HOGAN, Sunset, Texas (1933)

Wife: FLOSSIE MAE ARNOLD, 160 Mancke Court, San Antonio, Texas (1933)

Daughter: GERALDINE ARNOLD, age 12, 1933.

The Identification Record of ARNOLD reflects:

Arrested as JESS AKERS, # 10040 on 8/20/30 by P.D., LONG BEACH, CALIF. on "check" charges, Served 180 days Co. J., 2 cts, 9/8/30 170 days suspended on each count.

Arrested as Jess Akers, #9831, on 9/27/30 by S.O. Riverside, Calif. on Fict. Checks, with no disposition.

Arrested as Luther Wm. Arnold #14839 on 9/14/33 by OCPD, Okla. City charging Vag and Inv. No disposition.

Arrested as Luther Wm. Arnold # 253, on 12/5/35 by SO Lovelock, Nev. charge Inv., and released.

Arrested as L. W. Arnold, #--- on 12/6/36 by SO Holbrook, Ariz. charge bad checks. No disposition.

OC 7-6

Arrested as L. W. Arnold # 103, on 3/6/37 by SO St Johns, Ariz. charge bad checks. No disposition.

Arrested as L. W. Arnold, #9881, on 3/8/37 by SO, Phoenix, Ariz. charge bad checks and returned to St Johns, Ariz.

Arrested as Luther Wm. Arnold #1495 on 3/8/37 by SO Holbrook, Ariz. charge bad checks. Sentenced 18 months to 3 years St. Pr.

In custody as L. W. Arnold #10649, SP, Florence, Ariz. on 3/27/37 as per State Bd. of Pardons & Paroles, Phoenix, Ariz. charge drawing check on insuf. funds. Term. 1½ to 3 years, released by exp 6/18/38.

Arrested as Luther W. Arnold #15292 by PD Las Vegas, Nev. on 9/28/39 charge Drunk. Disposition Deferred.

Arrested as Luther Wm. Arnold #102672, by PD Phoenix, Ariz. on 10/24/39, charge Inv., Disposition on 10/27/39 as deferred sentence on chg of vag.

Each Office to whom this letter is directed, is requested to check the records of the arresting agency and/or penal institution to determine disposition of the arrests and background information on LUTHER W. ARNOLD, as well as his present whereabouts so that efforts can be made to locate him through addresses or relatives. Any information concerning the whereabouts of his wife and daughter should be obtained and leads set out to have them interviewed. In addition to the foregoing investigation, the following is requested:

THE SAN ANTONIO OFFICE - at San Antonio, Texas, will through credit, criminal and usual sources, determine whether LUTHER WILLIAM ARNOLD, FLOSSIE MAE ARNOLD or GERALDINE ARNOLD resides in San Antonio, Texas, so they can be interviewed concerning this matter and the availability of LUTHER W. ARNOLD determined.

THE DALLAS OFFICE - At Sunset, Texas, will through credit, criminal, and usual sources, endeavor to locate and interview LUTHER W. ARNOLD or his wife, FLOSSIE MAE, or daughter, GERALDINE, concerning this matter, and their availability determined. It should be noted that in 1933, Mrs. ARNOLD had an aunt named Mrs. JOHN HOGAN, residing in Sunset, Texas.

AT PARIS, TEXAS, will through local law enforcement agencies, credit bureau, and usual sources, endeavor to locate LUTHER WILLIAM ARNOLD, his wife, FLOSSIE MAE, or daughter, GERALDINE, or other relatives of ARNOLD, so he can be interviewed concerning this matter and his availability determined. It is noted ARNOLD states he was born in Paris, Texas.

MAY 6, 1958

AIRTEL

To: SAC, OKLAHOMA CITY (7-6)
EX-108 REC-21
From: Director, FBI (7-115) - 2382

mlt

GEORGE KELLY BARNES, W.M., Et Al.;
CHARLES F. URSCHEL - VICTIM
KIDNAPING

Reairtel 4/29/58.

All offices should expedite the investigation looking toward the location of Luther William Arnold. Since he is an important witness, leads to locate him should be set out by expeditious means. All offices afford rather continuous attention.

For the information of the Oklahoma City Division, a stop notice has been placed in the files of the Identification Division on Arnold. When he is located, the stop should be removed.

- 1-Dallas
- 1-Los Angeles
- 1-Salt Lake City
- 1-San Antonio
- 1-Phoenix

(9) [redacted] b7C

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

MAILED 11
MAY 6 - 1958
COMM - FBI

[Handwritten signature]

52 MAY 8 1958

MAY 13 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (7-115)(Encl.1)

DATE: April 24, 1958

FROM : SAC, Oklahoma City (7-6)

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

Reference is made to my letter dated April 22, 1958 concerning the fact that U. S. District Judge WILLIAM R. WALLACE of Oklahoma City, had reversed himself and set the hearing of ORA L. SHANNON and KATHRYN THORNE KELLY for June 9, 1958.

On April 24, 1958, there was received from the United States Attorney in Oklahoma City a copy of a letter from Mr. JAMES J. LAUGHLIN, Attorney at Law, Washington, D. C., addressed to Judge W. R. WALLACE. This letter is dated April 14, 1958, and is apparently the reason Judge WALLACE decided to hold the hearing. A copy of this letter is enclosed.

United States Attorney PAUL CRESS of Oklahoma City, has advised that the allegations made are nebulous but that he has received assurances the Court will allow time to develop information needed to refute any allegations of new evidence presented.

This case occurred in 1933 and at that time ORA L. SHANNON and KATHRYN THORNE KELLY were convicted and sentenced to life imprisonment for their participation in the case.

They have filed motion, through their attorney, Mr. JAMES L. LAUGHLIN, National Press Building, Washington, D. C. to have their sentences set aside. They have also filed motions for leave to proceed in forma pauperis due to their poverty.

The hearing has been set for 9:30 A.M., June 9, 1958, in U. S. District Court, Oklahoma City, Oklahoma.

ENCLOSURE

(3)
AIRMAIL

47 b7c

REC-85

7-115-2383
APR 28 1958

W. H. ...
J. R. ...
F. B. ...

PERS. FILES

Handwritten notes and signatures on the right margin, including a large vertical mark and the number 32.

OC 7-6

The transcript of testimony offered in the trial of SHANNON is available in the office of the United States Attorney in Oklahoma City. It reflects the following Special Agents testified:

[REDACTED] GUS T. JONES,
E. J. DOWD and F. J. BLAKE.

The transcript of testimony offered in the trial of KATHRYN T. KELLY, is not available and efforts are being made by the United States Attorney to obtain it from the U. S. Circuit Court of Appeals in Denver, Colorado.

*Seven
pages
single*

The report of Special Agent GUS T. JONES at Oklahoma City, dated September 13, 1933 indicates the following Special Agents were listed as potential witnesses: JOHN A. DOWD, GUS T. JONES, [REDACTED] FRANK J. BLAKE, R. H. COLVIN, VAL C. ZIMMER and R. C. COULTER.

Of the above group it is believed that GUS T. JONES is in San Antonio, Texas, possibly employed by CHARLES F. URSCHEL. RALPH H. COLVIN is dead.

In the motion of ORA L. SHANNON, it is alleged that attorneys for the defense were unable to represent the defendants because they were questioned mercilessly by FBI Agents concerning the source of their fees, and that one attorney was subsequently sent to prison. This latter statement is true, it was BEN LASKA.

Mrs. SHANNON alleges that during the trial a telephone operator was allowed by the Court to "testify in such a manner" that the impression was given that the operator was conversant with all the activities of Mrs. SHANNON. This operator was [REDACTED] Chief Operator for the Southwestern Bell Telephone Company in Paradise, Texas in 1933. (According to the transcript of testimony, she was a somewhat hostile witness during the trial.)

She alleges that "dozens and dozens" of FBI Agents were present in the Court room "day by day" and about 40 FBI men surrounded the Court House with shot guns and machine guns. In this regard, former Assistant Director, HAROLD NATHAN, was in Oklahoma City on September 25, 1933.

Allegations are made concerning inflammatory press releases made by the "FBI".

SHANNON alleges when she was arrested at her farm home near Paradise, Texas, there were from 30 to 50 FBI AGENTS, one of whom threatened to "shoot her guts out".

All b7c

A review of this file reflects that when the SHANNON farm was raided, the following officers were involved:

1. [REDACTED] Dallas PD
2. [REDACTED] " "
3. [REDACTED] " "
4. [REDACTED] " "
5. [REDACTED] Ft. Worth PD
6. [REDACTED] " " "
7. [REDACTED] " "
8. [REDACTED] " "
9. [REDACTED] Deputy Sheriff, Oklahoma City.
10. Special Agent E. J. DOWD
11. Special Agent GUS T. JONES
12. Special Agent [REDACTED]
13. Special Agent [REDACTED]
14. Victim- CHARLES F. URSHEL.

SHANNON alleges that while incarcerated after her arrest she was not given food or drink and the signed statement taken from her was obtained through duress. She states she signed the statement to obtain food and drink.

This file reflects that on 8/12/33 at Dallas, Texas, ORA L. SHANNON executed a signed statement for Special Agents F. J. BLAKE and R. H. COLVIN.

Further that on 8/21/33 at Dallas, Texas, she executed a supplemental signed statement for Special Agents [REDACTED] and GUS T. JONES.

Deputy Sheriff [REDACTED] listed above, is now Chief of Police for Nichols Hills, a suburb of Oklahoma City. It is believed several of the Dallas and Fort Worth officers are still in service with their departments.

In the Motion filed by KATHRYN KELLY it is alleged that a relative of Mr. URSHEL was allowed to sit at the counsel table. This was Mr. E. E. KIRKPATRICK, who is now in Tulsa, Oklahoma, and will probably be available if needed.

The allegation is made that the U. S. District Court of Judge EDGAR S. VAUGHT, was full of news reel photographers and reporters; further that the court had the air of a "roman holiday". In this regard, U. S. District Judge EDGAR S. VAUGHT is retired. He injured himself in a fall, but on April 22, 1958, returned to his desk. He intends to hold a term of Court in San Francisco, California, on June 2, 1958.

All b7C

OC 7-6

It is alleged that LUTHER WM. ~~ARNOLD~~, perjured himself in testifying for the Government. In this regard, efforts are being made to determine from the Identification Division the whereabouts of ARNOLD.

It is further alleged that a handwriting expert was used by the Government to give testimony that was damaging to KELLY. Further, this testimony was perjured and that Mr. JOSEPH B. KEENAN, Assistant Attorney General, who with U. S. Attorney HERBERT K. HYDE, prosecuted the case, knew the testimony was false.

In this connection, JOSEPH B. KEENAN is said to be dead, but his widow resides in Washington, D. C.. Mr. HERBERT K. HYDE is presently available in Oklahoma City where he is engaged in the practice of law.

Mr. D. C. PATTERSON, 2615 N. Francis, Oklahoma City, Oklahoma, is the handwriting expert who testified in the trial. Mr. PATTERSON is said to be 80 years of age, is hard of hearing, in poor health and his mind is failing.

b7C [REDACTED] Oklahoma City, Oklahoma, furnished the Oklahoma City Office the file [REDACTED] maintained concerning this case. He advised it was entirely possible that [REDACTED] could testify if needed.

In a letter to U. S. District Judge W. R. WALLACE, Mr. LAUGHLIN alleges that members of the URSHEL family have recently caused to be printed articles in Washington, D. C. newspapers indicating that KATHRYN KELLY and ORA L. SHANNON have a part of the ransom money hidden.

KATHRYN KELLY alleges that when arrested 9/26/33 at Memphis, Tennessee, with GEORGE "MACHINE GUN" KELLY BARNES, there were numerous FBI AGENTS there. The records disclose that Mr. HAROLD NATHAN, Assistant Director, was in Oklahoma City and called Birmingham and other offices 9/25/33, at which time he gave directions for handling the raid and arrest of both KELLYS.

The file reflects the following Bureau personnel were involved in the raid and arrest:

OC 7-6

SAC W. A. RORER, Birmingham
SA [REDACTED] Birmingham
SA [REDACTED] Memphis

Local Officers were:

Detective Sgt. [REDACTED]	Memphis	PD
Detective [REDACTED]	"	"
Detective [REDACTED]	"	"
Officer [REDACTED]	"	"
Officer [REDACTED]	"	"

Bureau personnel who were enroute to Memphis but did not arrive in time to assist in the arrest were:

D. M. LADD; J. M. KEITHER; G. B. NORRIS; F. F. YEARSLEY; [REDACTED]

Following the arrest, Agents W. A. RORER, G. J. NORRIS, F. F. YEARSLEY and L. B. REED interviewed GEORGE and KATHRYN KELLY at Memphis, Tennessee.

In connection with allegations made by SHANNON and KELLY concerning the number of "FBI AGENTS" involved, the Bureau has pointed out that in 1933, there were only 353 Special Agents in the entire Bureau, and in 1934 there were 391.

The Bureau has further advised that of the entire ransom money, there is unrecovered to date, \$45,205.00.

[REDACTED] was said to be the Special Agent who struck GEORGE KELLY enroute to the Court Room, because KELLY raised his arms to strike [REDACTED]

[REDACTED] is believed to be retired and living at Austin, Texas.

[REDACTED] is believed to be living in Albuquerque, New Mexico.

GUS T. JONES is believed to be in [REDACTED]

[REDACTED] is dead.

There is no indication in this file that LUTHER WM. ARNOLD was paid a reward by this Bureau. If this becomes pertinent, it is believed that either Mr. URSCHEL or Mr. KIRKPATRICK could resolve the issue.

All b7C

OC 7-6

As has been pointed out, Mr. HAROLD "POP" NATHAN was an Assistant Director and was in Oklahoma City, Oklahoma on September 25, 1933. It is not known whether he was in charge of the investigation or not, but it is very probable he would have been thoroughly familiar with the matter of press releases given out by this Bureau and guard assignments.

The Bureau is requested to furnish the last known address of the Agents mentioned herein, and to advise the name of the Agent or Agents to be used in refuting the allegations.

Enclosure to the Bureau:

One copy of letter from JAMES J. LAUGHLIN, dated April 14, 1958, addressed to HON. W. R. WALLACE, USDJ, Oklahoma City, Oklahoma.

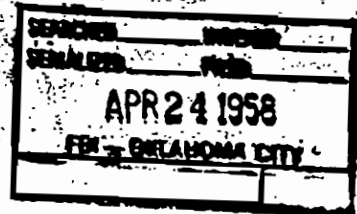
 b7C
(3)

JAMES J. LAUGHLIN
ATTORNEY AND COUNSELLOR AT LAW
NATIONAL PRESS BUILDING
WASHINGTON, D. C.
NATIONAL 8-2001

April 14, 1958

A I R M A I L

Honorable W. R. Wallace
United States District Judge
for the Eastern, Northern and
Western Districts of Oklahoma
Oklahoma City 1, Oklahoma



Re: Ora L. Shannon and Kathryn Thorne Kelly,
No. 10,478 Criminal

Dear Judge Wallace:

Needless to say I was shocked when I received your letter of April 9, 1958.

It was our view that our petition definitely made out a case within the purview of United States v. Hayman, 72 S.Ct. 263; James v. United States, 175 F.2d 769; Tucker v. United States, 235 F.2d 238; Barber v. United States, 227 F.2d 431; Motley v. United States, 230 F.2d 110 and other cases.

It would seem to me that our motions and affidavits conclusively show that Mrs. Shannon and Mrs. Kelly were denied their constitutional rights. While I disagree with your ruling I am preparing a proper motion for reconsideration or, in the alternative, an appeal to the Circuit Court of Appeals. In my judgment it is a monstrous miscarriage of justice to further confine Mrs. Shannon and Mrs. Kelly in prison. I realize that it is difficult for a person without funds to adequately protect himself in the courts. I am also reminded that Chief Justice Hughes in the court-packing fight made this statement:

"Courts must be vigilant to see that the scales of justice do not favor the litigant with the bulging pocketbook."

You probably are not aware that one of the Urschels has made a statement -- quoted widely in the Washington press -- that they will spend any amount of money to continue the confinement of these persons in prison. It may also interest you to know that after I talked with you in Oklahoma City an article appeared in one of the local papers that Mrs. Kelly had some of the ransom money stashed away. That was a deliberate

7-115-2383

Honorable W. R. Wallace

- 2 -

April 14, 1958

falsehood. When I threatened the newspaper with a libel suit a complete retraction was forthcoming.

I am not in the least trying to contend that you have been influenced by anyone. All information coming to me is to the effect that you are an outstanding, learned trial judge with unquestioned integrity. However, I would be very grateful to you if you could point out to me in what respects our notions are deficient. It would seem that the allegations are serious and some contradictory affidavits would have to be filed.

Therefore, I would be very much obliged to you if you will advise me whether or not you will permit both Mrs. Kelly and Mrs. Shannon to appeal to the Circuit Court of Appeals in forma pauperis.

Thanking you, I am

Very truly yours,

James J. Laughlin

JJL:lk

SAC, Oklahoma City (7-6)

4/30/58

Director, FBI (7-115)

REC-85 7-115-2383

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

Reurlet 4/24/58.

You requested advice as to the last known address of the Agents mentioned in relet and the names of the Agents to be used in refuting the allegations. For your information there are listed below the names of the former Bureau personnel, the date they entered on duty, and date of termination, together with the last known address as reflected in Bureau files.

[REDACTED]

[REDACTED]

Gus T. Jones:

[REDACTED]

Val C. Zimmer:

[REDACTED]

R. C. Coulter:

[REDACTED]

COMM-FBI
MAY 1 1958
MAILED 20

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

(9)

SEE COVER MEMO PRICE TO ROSEN, SAME CAPTION, SAME DATE,

MAIL ROOM

4 MAY 15 1958

All b7c

gpp

CRH

Letter to SAC, Oklahoma City (7-6)

W. A. Rorer: [REDACTED]
[REDACTED]

G. B. Norris: [REDACTED]
[REDACTED]

F. F. Yearsley: [REDACTED]
[REDACTED]

C. A. Appel, Jr.: [REDACTED]
[REDACTED]

Harold Nathan: [REDACTED]
[REDACTED]

Of the personnel listed above, [REDACTED] and Jones participated in the arrest of Shannon on 8/12/33, at Paradise, Texas. Jones took a supplemental statement from her. J. F. Blake and E. H. Colvin took the original statement from Shannon. Both are deceased. E. J. Dowd (deceased) also participated in the arrest.

Rorer, [REDACTED] and Fitzsimons (deceased) arrested Kelly 9/26/33, at Memphis, Tennessee. Norris and Yearsley interviewed Kelly after the arrest.

It is noted in Bureau file that C. A. Appel, Jr., conducted document examinations in this case.

If the U. S. Attorney desires members of the police departments of Fort Worth, Dallas, or Memphis to participate in the arrest as possible witnesses, you should consult with the offices covering the territories for information as to the availability of the witnesses and information regarding them. You have not indicated how the U. S. Attorney intends to proceed, so the list above is offered for selection of witnesses who may be used.

All
b7C

Letter to SAC, Oklahoma City (7-6)

It is noted that Zimmer and Coulter were possible witnesses, as set forth in the summary report dated 9/13/33; however, information in file indicates their testimony was confined to matters other than Shannon.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (7-115)
FROM : SAC, Oklahoma City (7-6)

DATE: 4/29/58

SUBJECT: GEORGE KELLY BARNES, was., et al;
CHARLES F. URSCHEL - VICTIM
KIDNAPING

Reurairtel dated 4/25/58, and Oklahoma City letter to Bureau dated 4/24/58.

USA PAUL CRESS, Oklahoma City, Oklahoma, on April 28, 1958, advised the transcript of testimony in the case of KATHRYN KELLY is not available through the Tenth Circuit Court of Appeals in Denver, Colorado, and he is endeavoring to obtain it from the Department. It is requested that Oklahoma City be advised whether this transcript of testimony is available at the Bureau, and if so, whether it is available for use of the Oklahoma City Office and the U. S. Attorney during this hearing.

Mr. CRESS referred to the following statement which appears on page 5 of the motion filed by KATHRYN KELLY. "Affiant says further that the present head of the Federal Bureau of Investigation, Mr. J. EDGAR HOOVER, in a recent publication, has stated in effect that the FBI now concedes that the ransom notes were not in the handwriting of affiant. Affiant says that Mr. HOOVER attempts to justify it on the grounds that although it was not her handwriting the FBI contends affiant suggested the phraseology." Mr. CRESS requested information as to whether Bureau records would reflect whether any publication may have carried an article attributing information to the Bureau or the Director which might lead KATHRYN KELLY to make the above statement.

It should be noted that Mr. CRESS has advised he plans to file a motion with the court to have Mr. LAUGHLIN set forth specific allegations so a determination can be made how best to refute them.

2 - Bureau (AM)
1 - Oklahoma City

(3)

REC-45

24 MAY 1958

Let to SAC OC
5-2-58

All b7c

1-115-2384
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32

OC 7-6

Mr. CRESS has also requested that Mr. E. E. KIRKPATRICK be interviewed concerning (1) whether he is a relative of URSHEL and sat at the counsel table during the trials; (2) whether LUTHER ARNOLD was paid a reward for assisting in the capture of GEORGE and KATHRYN KELLY; and (3) any information in his possession concerning the ransom letters; whether they were handwritten or typewritten; and whether he knows why JOHN CATLETT held one ransom letter allegedly until it was produced at the trial.

Mr. KIRKPATRICK will be interviewed UACB.

This matter is being followed closely with the U. S. Attorney, and the Bureau will be kept advised of developments.

SAC, Oklahoma City (7-6)

May 2, 1958

Director, FBI (7-115)

7-115 - 2384

REC-45

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

Reurlet April 29, 1958.

A check of the Bureau file fails to locate a transcript of the testimony in the trial of Kathryn Kelly. If information in your file indicates such has been forwarded to the Bureau, furnish identifying data to assist in a further recheck of the file.

In your airtel of April 22, 1958, the enclosed letter from Judge Wallace to Laughlin reflects that the judge had reviewed the records, appeals, etc., in both cases. Pittsburgh airtel January 16, 1958, had enclosed a Photostat of a letter from Laughlin to Kelly at Alderson. This showed Laughlin had examined the records of the Appeals Court in Kelly and Shannon's case. You should respectfully urge the U. S. Attorney to expedite the forwarding to him from the Department the transcript of the testimony in order that it may be reviewed with particular reference to the handwriting examination. As an assistance, you should request Denver to check at the Circuit Court of Appeals to determine where the transcript was sent. This should be done in the event the U. S. Attorney at Oklahoma City is not in possession of this information.

Bureau airtel April 25, 1958, advised a negative check was made for the article mentioned in paragraph three of referenced letter. Since the U. S. Attorney requested that E. E. Kirkpatrick be interviewed, his request should be complied with. As a possible assistance in this matter, you may consider contacting H. K. Hyde in Oklahoma City as he may have some recollection of what transpired in the trials of Kelly and Shannon.

- Tolson _____
- Boardman _____
- Belmont _____
- Mohr _____
- Nease _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- Clayton _____

It is your responsibility to insure that this matter is handled promptly and thoroughly and any investigation requested by the U. S. Attorney, such as

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MAY 2 - 1958

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EAD

Letter to SAC, Oklahoma City (7-6)

the obtaining of affidavits, location of witnesses, etc., should be expedited in order that the U. S. Attorney will be fully prepared. All investigation should be completed by May 21, 1958.

All b7C

[redacted] file
Review made perched
Exhibits & files available
sent 7/1/58 [redacted]

May 6, 1958

AIRTEL

To: SAC, OKLAHOMA CITY (7-6)

From: Director, FBI (7-115)

GEORGE KELLY BARNES, was., Et Al.;
CHARLES F. URSCHEL - VICTIM
KIDNAPING

ReBulet 4/30/58.

Immediate investigation should be instituted to locate the former Bureau personnel listed in referenced letter. It is noted that the addresses in the Bureau files of some of the individuals are rather old, and it may be necessary to conduct further investigation looking toward the location of these individuals. When they are located, their availability should be determined, and also their current ability to recall facts that occurred in 1933 as well as their present ability to testify.

If the United States Attorney does not indicate which witness he desires by May 15, next, you should arrange to have affidavits taken from the list of personnel so they will be available to the USA. If the USA desires other witnesses such as former police officers or any former Bureau personnel other than those listed in referenced letter, the location of such witnesses should be expedited.

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REC-13

7-115-2385

EX-117

14 MAY 7 1958

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3 MAY 9 1958

MAILED 11
MAY 6 - 1958
COMM - FBI

[Handwritten signature]

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

FROM : *WJ* ASAC, SAN ANTONIO (7-11)

SUBJECT: GEORGE KELLY BARNES, was., et al;
CHARLES F. URSCHEL - VICTIM
KIDNAPING
(OO: OKLAHOMA CITY)

DATE: 5/7/58

Re Oklahoma City letter to the Director dated 4/29/58, and Oklahoma City airtel to the Director dated 5/5/58.

This will advise that Mr. GUS T. JONES was interviewed on 5/6/58, and Mr. CHARLES URSCHEL was interviewed on 5/7/58. Both advised that they have no knowledge of tentative arrangements to be interviewed with Mr. KIRKPATRICK at Tulsa, Oklahoma, on 5/9/58. They both informed that they will not be in Tulsa, Oklahoma, on that date, but stated that they will be glad to answer any questions in San Antonio or help in any way practical.

Mr. JONES suggested that the court reporter, name not recalled, at the time of the original trial in 1933 made extra transcripts of the testimony and tried unsuccessfully to sell them to Mr. URSCHEL. Mr. JONES suggested that those copies might be located.

Mr. URSCHEL informed that appeals were made on the original trial and he suggested that the subjects' appeal attorneys probably took the transcripts belonging to the court and never returned same. Mr. URSCHEL further informed that he has been in touch with the District Attorney at Oklahoma City and presently has a copy of the motions filed by the subjects. *at*

Results of the efforts of the San Antonio Office to locate LUTHER WILLIAM ARNOLD, FLOSSIE MAE ARNOLD, or GERALDINE ARNOLD will be furnished at an early date.

②-Bureau (AM)
1-Oklahoma City (7-6) (Info) (AM)
1-SA

b7c
[REDACTED]
(4)

REC-10

EX-140

7-11-2386
23 MAY 8 1958

F. J. B.
52 MAY 9 1958

SAC, Oklahoma City (7-6)

5-5-58

Director, FBI (7-115)

**GEORGE KELLY BARNES, was. et al.
CHARLES F. CURSCHEL, VICTIM -
KIDNAPING**
Re: Luther William Arnold

1-1
10-1

As an assistance in your inquiries re Luther William Arnold and your efforts to locate him, the following from Bureau files is offered:

Oklahoma City report of Gus T. Jones dated 10-5-33, contains most of the information concerning him. In addition, you were furnished FBI No. 313877. Consider checking residences shown at time of arrest with particular emphasis on records which may be in possession of the State Board of Pardons and Parole at Phoenix, Arizona.

In 1935 and 1936, the Salt Lake City Office investigated Luther William Arnold under the impersonation caption. Investigation at Lovelock, Nevada, disclosed no direct impersonation by Arnold and the matter was closed based upon the United States Attorney's opinion that sufficient evidence did not exist to prosecute. Salt Lake City may be in possession of information concerning Arnold.

As an assistance in determining if a reward was paid to Arnold, Bufiles reflect correspondence dated 11-7-33 from Mr. C. F. Colcord, president of Oklahoma Biltmore, Oklahoma City, wherein Colcord had under consideration a list of claimants to the reward Colcord offered for "Machine Gun" Kelly and his wife, Kathryn. For possible further assistance, you are referred to the letter to the Director of October 18, 1933, from the then Special Agent in Charge, R. W. Colvin, at Oklahoma City, your file number 7-6.

REC-27 7-115-2387

In view of the importance of locating Arnold, you must have all investigation expedited to locate him. Suairtel by 5-12-58 progress being made.

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

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(4)
F-257
MAY 5 1958
MAIL ROOM

MAILED 4
MAY 5 1958
COMM-FBI

MAY 6 1958

FBI

Date: May 5, 1958

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

AIRTEL

Via _____
(Priority or Method of Mailing)

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

NR
(m)

Re OC Airtel dated 5-5-58. The records of this case in the U. S. District Court Clerk's Office in Oklahoma City contain a letter dated 4-22-55 from the Clerk [redacted] to [redacted], U. S. BOARD OF PAROLE, WASHINGTON, D. C., which grants the Board authority to retain "printed transcript of record on appeal in case of ORA L. SHANNON and the Narrative Statement of evidence in the case of KATHERINE KELLY until after April 19, 1955".

WASHINGTON FIELD is requested to check with the U. S. Board of Parole to determine whether they have this transcript of testimony in the KATHRYN KELLY case above referred to. If located, will immediately obtain it or have them immediately return it to the Clerk in Oklahoma City, and SuAirtel Bureau and OC, since the USA in Oklahoma City needs it for the hearing.

In the file, there is a letter from [redacted] Clerk of the Tenth Circuit Court of Appeals, Denver, Colorado, dated 8-9-34 addressed to Messrs MATHERS & MATHERS, of Oklahoma City, which advises that [redacted] had received a "certified typewritten transcript of the record in the case of KATHRYN THORNE KELLY VS US." AKA by letter dated 8/21/34 [redacted] by letter to MATHERS & MATHERS, Attorneys at Law, Oklahoma City, advised he was transmitting a receipt for \$50 covering a deposit for Clerk's costs in the case of KATHRYN THORNE KELLY vs USA.

- 3- Bureau
- 2- WFO
- 2- Denver
- 1- Oklahoma City

REC-21

7-115-2388

MAY 7 1958

EX-139

All b7C

F B I

Date: 5-5-58

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

PAGE TWO

The letter states the certified typewritten transcript had been received from [REDACTED] and had been filed that date as Case # 1133. In this letter [REDACTED] estimated the cost of printing at \$90.00.

DENVER is requested to check with the Clerk of the Tenth Circuit Court of Appeals in an effort to determine what disposition was made of the "certified typewritten transcript of the record" referred to, and the name of the printer who printed the order for the Tenth Circuit Court of Appeals, so that an effort can be made to locate this missing transcript. If located, will obtain it or a copy of same for use in this hearing and SuAirtel Bureau and OC.

For the information of the Bureau, the records contain an order dated 10-6-34 issued by U. S. District Judge EDGAR S. VAUGHT in Oklahoma City, directing the then U. S. Marshal, [REDACTED] to "permit and grant a private interview with GEORGE KELLY and CATHERINE KELLY with the said JAMES H. MATHERS in presence of but not in hearing of any other person, according to the instructions heretofore given the officers by the Court".

For the further information of the file there are several handwritten praecipes for subpoenas in behalf of the Subjects.

DOYLE

[REDACTED]
(8)

All b7C

FBI

Date: May 5, 1958

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

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI (7-115)
FROM: SAC, OKLAHOMA-CITY (7-6)
GEORGE KELLY BARNES, was.; ETAL;
CHARLES F. URSCHEL - VICTIM
KIDNAPING
OO: OC

ORA L. SHANNON was tried, convicted and sentenced to a life term in this case during September, 1933. Her daughter, KATHRYN KELLY, was tried, convicted and sentenced to a life term during October, 1933. Both are presently confined in Federal Reformatory for Women at Alderson, W. Virginia.

Through their attorney, Mr. JAMES J. LAUGHLIN, of Washington, D. C., the two have filed motions to have their sentences set aside. They allege, among other things, that the Government used perjured testimony in obtaining their conviction.

On April 9, 1958, the motions were denied, but after further consideration, United States District Judge WILLIAM R. WALLACE of Oklahoma City, Oklahoma, on April 18, 1958 set the matter for hearing on June 9, 1958.

Many of the allegations are nebulous, and the United States Attorney plans to refute many of them with the record, since both cases were appealed to the Tenth Circuit Court of Appeals at Denver, Colorado, and both convictions affirmed.

- 3 Bureau
- 2- Denver
- 2- San Antonio
- 2- WFO
- 1- Oklahoma City

[Redacted] b7c
(10)

REC-42

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[Handwritten signatures and initials]

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

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F B I

Date: 5-5-58

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

Via AIRTEL _____
(Priority or Method of Mailing)

PAGE TWO

The files in this case were moved to storage by GSA, when returned to the United States Attorney, it was found the transcript of testimony in the KATHRYN KELLY case was missing. A subsequent search made by GSA at the request of the U. S. Attorney met with negative results.

Efforts have been made by USA PAUL CRESS, Oklahoma City, Oklahoma, to locate this missing transcript or a copy of same in the files of the Tenth Circuit Court of Appeals in Denver and the Department in Washington. Mr. HERBERT K. HYDE and Mr. D. E. HODGES, United States Attorney and Assistant U. S. Attorney respectively, who prosecuted these cases in Oklahoma, have advised SA [redacted] that they do not have a transcript. The Court reported who transcribed the proceedings is alive but is unable to find a copy of the transcript, and the other agencies contacted are unable to locate a copy of it.

b7C

*Let me
5/7/58
GSA*

The Bureau in Washington has been requested to determine whether a copy of this transcript is available for use in this hearing.

Mr. HYDE and Mr. HODGES have advised that a special assistant to the Attorney General, Mr. JOSEPH B. KEENAN, was sent to Oklahoma City to assist in the prosecution. Many allegations are made in the motions filed by KELLY and SHANNON about Mr. KEENAN, who is now deceased. His widow is reported to reside in an apartment on Connecticut Avenue in Washington, D. C.. Mr. HYDE states it is possible that Mr. KEENAN had a copy of this transcript of testimony. Mr. KEENAN formerly resided in Chevy Chase, Md.

In this connection, Mr. WILLIAM C. LEWIS, a former Assistant to the Attorney General under Mr. HOMER S. CUMMINGS, was also in Oklahoma City and was acquainted with Mr. KEENAN. It is not known whether Mr. LEWIS took any part in the prosecution of these cases, but he was appointed United States Attorney in Oklahoma City following the resignation of HERBERT K. HYDE and argued one or more of the appeals in this case in the Tenth Circuit Court of Appeals. Mr. LEWIS possibly has a copy of the missing transcript. He is now retired from the Military Service

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

F B I

Date: 5-5-58

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

Via AIRTEL _____
(Priority or Method of Mailing)

PAGE THREE

and resides at [REDACTED]

Tentative arrangements have been made to interview Mr. E. E. KIRKPATRICK, Mr. GUS T. JONES, and possibly Mr. CHARLES F. URSCHEL in Tulsa, Oklahoma on May 9, 1958.

For information of the Bureau, efforts are being made to locate the missing transcript and to interview witnesses who may be in a position to refute allegations made in the motions.

Unless advised to the contrary by the Bureau, the results of the interviews will be furnished by letter instead of by report since the investigation is to determine what each witness now recalls and is not an effort to obtain additional or new evidence.

WFO at Silver Springs, Maryland, will interview Mr. WILLIAM C. LEWIS, retired, at [REDACTED] for information concerning the missing transcript of testimony in the KATHRYN KELLY trial. If he has a copy, endeavor to borrow it for use in this hearing.

Will obtain from Mr. LEWIS any suggestions he may have concerning where a copy of this transcript may be found.

Will endeavor to determine the location of Mrs. JOSEPH KEENAN, the widow of JOSEPH B. KEENAN, who assisted in the prosecution of this case, and if located will determine the date of Mr. KEENAN's death, and verify same through official records. Will interview Mrs. KEENAN to determine whether a copy of the missing transcript is available in the library or in the effects of Mr. KEENAN. If same is located, will endeavor to borrow the transcript for use in this hearing.

AT CHEVY CHASE, MARYLAND, will attempt to obtain the information concerning the death of Mr. KEENAN from the Bureau of Vital Statistics in Chevy Chase.

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F B I

Date: 5-5-58

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

PAGE FOUR

THE DENVER DIVISION at Denver, Colorado, will check the Denver FBI file of this case in an effort to locate the transcript of testimony in the KATHRYN KELLY trial since it may have been sent to Denver for use in connection with some part of this case.

Will also check the files of the U. S. Attorney in Denver to determine whether this transcript is among his records.

If located, will forward to Oklahoma City as expeditiously as possible.

Will check the records of the Circuit Court of Appeals, Denver, Colorado, in an effort to determine where the transcript of testimony in the KATHRYN KELLY Case was sent, so that efforts to locate a copy may be made.

THE SAN ANTONIO OFFICE at San Antonio, Texas, will locate and interview GUS T. JONES, former SAC, who is reportedly employed by Mr. CHARLES F. URSCHER, and advise him of the search being conducted to locate a copy of the transcript of testimony in the KATHRYN KELLY case. If he has a copy of this transcript, request him to bring it to Tulsa, Oklahoma on May 9, 1958, and advise this office.

Will advise Mr. JONES and Mr. CHARLES F. URSCHER that if possible for both to accompany Mr. KIRKPATRICK to Tulsa, their presence would be of great assistance to this Bureau on obtaining the information needed to refute the allegations made.

In this connection, since Mr. URSCHER and Mr. JONES were both present at the raid on the SHANNON farm near Paradise, Texas, they can no doubt refute allegations made against Bureau personnel.

DOYLE

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(10)

5/7/58

AIRTEL

FC 42

EX-104

To: SAC, Oklahoma City (7-6)

From: Director, FBI (7-115) - 2389

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

Reurairtel 5/5/58.

All offices expedite efforts to locate transcript of trial Kathryn Kelly, Oklahoma City on receipt of transcript review for pertinent portion of testimony relative to document examinations in both trials. Furnish relevant portions to the Bureau attention FBI Laboratory.

In referenced airtel you indicate the results of interviews will be furnished by letter. It appears more advisable to set forth the results of interviews using Form 302 where applicable in report form as a more permanent record and for future reference as it is possible there will be additional litigation.

- 1 - Denver
- 1 - San Antonio
- 1 - Washington Field

COMM - FBI
MAY 7 - 1958
MAILED 30

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

(8) [Redacted] b7C

52 MAY 12 1958 MAIL ROOM

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

AIRTEL

TO: DIRECTOR, FBI (7-115)

5/8/58

FROM: SAC, WFO (7-19)

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

ReOCairtel dated 5/5/58.

For information of Dallas Division, by separate airtel dated 5/5/58, OC Division advised that ORA L. SHANNON was tried, convicted and sentenced to life term in this case during September, 1933. Her daughter, KATHRYN KELLY, was tried, convicted and sentenced to a life term during October, 1933. Both are presently confined at Federal Reformatory for Women at Alderson, West Virginia.

Through their attorney, JAMES J. LAUGHLIN of WDC, the two have signed motions to have their sentences set aside. They allege among other things that the Government used purged testimony in obtaining their conviction.

On 4/9/58, their motions were denied, but after further consideration USDJ WILLIAM R. WALLACE of Oklahoma City, Oklahoma, set the matter for hearing on 6/9/58.

Referenced airtel informed that records, USDC Office, Oklahoma City, contained a letter dated 4/2/55, from the Clerk [redacted] to [redacted] U.S. Board of Parole (USBP), WDC, which grants the Parole Board authority to retain "printed transcript of record on appeal in case of ORA L. SHANNON and the narrative statement of evidence in the case of KATHERINE KELLY until after April 19, 1955."

Contact was made with [redacted] who replaced [redacted] USBP, WDC, who advised on 5/7/58, that a review of the USBP files revealed there is no indication that the USBP ever possessed the original transcript of the trial in this matter. [redacted] informed that the USBP in

- 3 - Bureau
- 2 - Oklahoma City (7-6)
- 2 - Dallas (Encl 1)
- 1 - WFO

REC-9

EX-117

7-115-2390

MAY 9 1958

(8)

AIRTEL

All b7C

7-115

70

WFO 7-19

April of 1955 had in its possession the printed transcript of record on appeal in the case of ORA L. SHANNON and the narrative statement of evidence in the case of KATHERINE KELLY. [REDACTED] informed the files reflected that on 5/20/55, [REDACTED] returned above-mentioned record to [REDACTED] U.S. District Court Clerk's Office, Oklahoma City, but in 1957 request again made for file of Clerk's Office, Oklahoma City, at which time Parole Board informed file in possession of Federal Records Center, Fort Worth, Texas. [REDACTED] stated printed transcript of record on appeal temporarily in possession USBP early part of 1958 and returned to JOHN B. WATSON, Chief, Reference Service Branch, Federal Records Center, Fort Worth, Texas.

Dallas Division requested to contact JOHN B. WATSON in effort to locate printed transcript of record on appeal and possibly original transcript in case of ORA L. SHANNON and KATHERINE KELLY.

For information of Dallas, there is attached copy of airtel from SAC, Oklahoma City, to Director, dated 5/5/58.

All b7c

F B I

Date: May 6, 1958

Transmit the following in PLAIN TEXT
(Type in plain text or code)

Via A I R T E L A I R M A I L
(Priority or Method of Mailing)

TO: Director, FBI (7-115)
FROM: SAC, Oklahoma City (7-6)
SUBJECT: GEORGE KELLY BARNES, was.; ET AL
CHARLES F. URSCHEL - VICTIM
KIDNAPING

NR pm

(OO: Oklahoma City)

BUDED: INVESTIGATION MUST BE COMPLETED BY 5/21/58

This case occurred in 1933, and at that time ORA L. SHANNON and KATHRYN THORNE KELLY were convicted and sentenced to life imprisonment for their participation in the crime. They are presently incarcerated in the Federal Reformatory for Women at Alderson, West Virginia.

They have, through their attorney, Mr. JAMES J. LAUGHLIN, National Press Building, Washington, D. C., filed motions to have their sentences set aside. They have also filed motions to proceed in forma pauperis due to their poverty. The matter is set for hearing before U. S. District Judge WILLIAM R. WALLACE at Oklahoma City on June 9, 1958.

at

The allegations in the motions to vacate the sentences are nebulous, and the USA in Oklahoma City plans to file a motion to have the allegations be

- 3 - Bureau
- 2 - Albuquerque
- 2 - Atlanta
- 2 - Dallas
- 2 - Kansas City
- 2 - Little Rock
- 2 - Los Angeles
- 2 - Miami
- 2 - Phoenix
- 2 - San Antonio
- 2 - Salt Lake City
- 2 - San Francisco
- 2 - Washington Field
- 2 - Oklahoma City

01-5/11/58 each GAA - 123

REC-36

7-115-2391

MAY 9 1958

WFO (Hunt) 7/14

[Handwritten signatures]

7-115-

b7c
62 MAY 16 1958

made more specific. Further, the U. S. Attorney is making efforts to have the Court restrict the hearing to the allegations pertaining to perjury, rather than having to re-try the entire case.

The transcript of testimony offered in the trial of SHANNON is available in the office of the United States Attorney in Oklahoma City. It reflects the following Special Agents testified:

[REDACTED] GUS T. JONES, E. J. DOWD and F. J. BLAKE.

The transcript of testimony offered in the trial of KATHRYN T. KELLY is not available. Efforts to locate this transcript by the U. S. Attorney in Oklahoma City, at the Tenth Circuit Court of Appeals in Denver, and at the Department of Justice in Washington, have to date met with negative results. The Bureau has advised a copy of this transcript is not available there.

The report of SA GUS T. JONES at Oklahoma City, dated September 13, 1933 indicates the following Special Agents were listed as potential witnesses: JOHN A. DOWD, GUS T. JONES, [REDACTED] E. J. DOWD, [REDACTED] FRANK J. BLAKE, R. H. COLVIN, VAL C. ZIMMER and R. C. COULTER.

Of the above group it is believed that GUS T. JONES is in San Antonio, Texas, presently employed by CHARLES F. URSCHEL. RALPH H. COLVIN is dead.

In the notion of ORA L. SHANNON, it is alleged that attorneys for the defense were unable to represent the defendants because they were questioned mercilessly by FBI Agents concerning the source of their fees, and that one attorney was subsequently sent to prison. This latter statement is true, in that BEN LASKA was sent to prison.

Mrs. SHANNON alleges that during the trial a telephone operator was allowed by the Court to "testify in such a manner" that the impression was given that the operator was conversant with all the activities of Mrs. SHANNON. This operator was [REDACTED] for the Southwestern Bell Telephone Company in Paradise, Texas in 1933. (According to the transcript of testimony, she was a somewhat hostile witness during the trial.)

Mrs. SHANNON alleges that "dozens and dozens" of FBI Agents were present in the Court room "day by day" and about 40 FBI men surrounded the Court house with shot guns and machine guns. In this regard, former Assistant Director HAROLD NATHAN, was in Oklahoma City on September 25, 1933.

Allegations are made concerning "inflammatory press releases made by the FBI".

All b7c

OC 7-6

SHANNON alleges when she was arrested at her farm home near Paradise, Texas, there were from 30 to 50 FBI Agents, one of whom threatened to "shoot her guts out".

A review of this file reflects that when the SHANNON farm was raided, the following officers were involved:

1. [REDACTED] Dallas Police Department
2. [REDACTED] " " "
3. [REDACTED] " " "
4. [REDACTED] " " "
5. [REDACTED], Fort Worth Police Department
6. [REDACTED] " " " "
7. [REDACTED] " " "
8. [REDACTED] " " "
9. [REDACTED] Deputy Sheriff, Oklahoma City.
10. Special Agent E. J. DOWD.
11. Special Agent GUS T. JONES
12. Special Agent [REDACTED]
13. Special Agent [REDACTED]
14. Victim CHARLES F. URSCHEL

SHANNON alleges that while incarcerated after her arrest she was not given food or drink and the signed statement taken from her was obtained through duress. She states she signed the statement to obtain food and drink.

This file reflects that on 8/12/33 at Dallas, Texas, ORA L. SHANNON executed a signed statement for Special Agents F. J. BLAKE and R. H. COLVIN.

Further, on 8/21/33 at Dallas, Texas, she executed a supplemental signed statement for Special Agents EDWARD J. DOWD and GUS T. JONES.

Deputy Sheriff [REDACTED] listed above, is now Chief of Police for Nichols Hills, a suburb of Oklahoma City. The possibility exists that several of the Dallas and Fort Worth officers are still in service with their departments.

In the Motion filed by KATHERYN KELLY it is alleged that a brother-in-law of Mr. URSCHEL was allowed to sit at the counsel table. This individual was identified as Mr. E. E. KIRKPATRICK, who is now in Tulsa, Oklahoma, and will probably be available if needed.

The allegation is made that the U. S. District Court of Judge EDGAR S. VAUGHT, was full of news reel photographers and reporters; further that the court had the air of a "roman holiday". In this regard, U. S. District Judge EDGAR S. VAUGHT is retired. He injured himself in a fall, but on April 22, 1958, returned to his desk. He intends to hold a term of Court in San Francisco, Calif., 6/2/58.

OC 7-6

It is alleged that LUTHER WM. ARNOLD perjured himself in testifying for the Government. Efforts are currently being made to determine his location.

It is further alleged that a handwriting expert was used by the Government to give testimony that was damaging to KELLY. Further, it is alleged this testimony was perjured and that Mr. JOSEPH B. KEENAN, Assistant Attorney General, who with U. S. Attorney HERBERT K. HYDE, prosecuted the case, knew the testimony was false.

In this connection, JOSEPH B. KEENAN is said to be dead, but his widow resides in Washington, D. C. Mr. HERBERT K. HYDE is presently available in Oklahoma City where he is engaged in the practice of law.

Mr. D. C. PATTERSON, 2615 N. Francis, Oklahoma City, Oklahoma, is the handwriting expert who testified in the trial. Mr. PATTERSON is said to be 80 years of age, is hard of hearing, in poor health and his mind is failing.

[REDACTED] Oklahoma City, Oklahoma, furnished the Oklahoma City Office the file [REDACTED] maintained concerning this case. He advised it was entirely possible that [REDACTED] could testify if needed.

In a letter to U. S. District Judge W. R. WALLACE, Mr. LAUGHLIN alleges that members of the URSCHEL family have recently caused to be printed articles in Washington, D. C. newspapers indicating that KATHRYN KELLY and ORA L. SHANNON have a part of the ransom money hidden.

KATHRYN KELLY alleges that when arrested 9/26/33 at Memphis, Tennessee, with GEORGE "MACHINE GUN" KELLY BARNES, there were numerous FBI Agents there. The records disclose that Mr. HAROLD NATHAN, Assistant Director, was in Oklahoma City and called Birmingham and other offices 9/25/33, at which time he gave directions for handling the raid and arrest of both KELLYS.

The file reflects the following Bureau personnel were involved in the raid and arrest:

SAC W. A. RORER, Birmingham
 SA B. F. FITZSIMONS, Birmingham
 SA [REDACTED] Memphis.
 Local officers were:
 Detective Sgt. [REDACTED] Memphis PD
 Detective [REDACTED] " "
 Detective [REDACTED] " "
 Officer [REDACTED] " "
 Officer [REDACTED] " "

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OC 7-6 -

Bureau personnel who were enroute to Memphis but did not arrive in time to assist in the arrest were: D. M. LADD; J. M. KEITHEER; G. B. NORRIS; F. F. YEARSLEY; [REDACTED]

Following the arrest, Agents W. A. RORER, G. B. NORRIS, F. F. YEARSLEY and L. B. REED interviewed GEORGE and KATHERYN KELLY at Memphis, Tennessee.

In connection with allegations made by SHANNON and KELLY concerning the number of "FBI Agents" involved, the Bureau has pointed out that in 1933, there were only 353 Special Agents in the entire Bureau, and in 1934 there were 391.

The Bureau has further advised that of the entire ransom money, there is unrecovered to date \$45,205.00.

[REDACTED] was said to be the Special Agent who struck GEORGE KELLY enroute to the Court Room, because KELLY raised his arms to strike [REDACTED]

[REDACTED] is believed to be retired and living at Austin, Texas.

[REDACTED] is believed to be living in Albuquerque, N.M.

GUS T. JONES is believed to be in [REDACTED] B. F. FITZSIMONS is dead.

With regard to the reward paid to LUTHER W. ARNOLD, a check was made of the Clerk of the District Court, Oklahoma County, Oklahoma City, Oklahoma. It was determined that in case #82061, GERALENE ARNOLD, a minor by L. W. ARNOLD, filed suit against C. F. COLCORD in the amount of \$15,000.00. Mr. C. F. COLCORD, a former mayor of Oklahoma City, offered a \$15,000 reward as the head of the "Citizens Committee" for the apprehension of GEORGE KELLY BARNES and KATHERYN KELLY. The suit filed in behalf of GERALENE ARNOLD was for the purpose of obtaining a legal determination of the amount of money that should be awarded her for the assistance she rendered in effecting the apprehension of the two. She was awarded \$4,000 on 6/18/34 by Judge LUCIUS BABOCK. Payment was made in full on that date.

With regard to the trials of ORA L. SHANNON and KATHERYN KELLY, it is noted that [REDACTED] was a bodyguard for U. S. District Judge VAUGHT. [REDACTED] is now retired as [REDACTED] and is now employed as [REDACTED]

In the ORA SHANNON trial which involved several defendants, the firm of McLEAN, SCOTT, SAYRES and JOE S. MOSS of Fort Worth, Texas represented Mrs. SHANNON. They were assisted by Mr. JOHN V. ROBERTS of Enid, Oklahoma, who is now deceased. They were also assisted by the firm of Burch and Woodruff of Decatur, Texas.

OC 7-6

In the trial of KATHRYN THORNE KELLY, the defense attorneys were JAMES C. and JAMES H. MATHERS of Oklahoma City, who were assisted by Mr. JOHN V. ROBERTS of Enid, Oklahoma. MATHERS and MATHERS now maintain an office at Tupelo, Oklahoma, and one of them is County Attorney at Coalgate, Oklahoma. The appeal to the Circuit Court of KATHRYN KELLY was made by MATHERS and MATHERS.

Mr. PAUL CRESS, U. S. Attorney at Oklahoma City, has requested that these attorneys and/or their records be checked if possible to determine whether a copy of the transcript of testimony in the KATHRYN KELLY trial can be located and borrowed.

[REDACTED] who was U. S. Marshal in Oklahoma City at the time of these trials is said to reside in McAllen, Texas.

The Bureau has furnished the following information concerning the location of the various agents involved.

[REDACTED]

[REDACTED]

GUS T. JONES: [REDACTED]

VAL C. ZIMMER: [REDACTED]

R. C. COULTER: [REDACTED]

W. A. RORER: [REDACTED]

[REDACTED]

G. B. NORRIS: [REDACTED]

F. F. YEARSLEY: [REDACTED]

C. A. APPEL, JR.: [REDACTED]

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OC 7-6

HAROLD NATHAN: [REDACTED]

The leads set forth are predicated on allegations made in the motions filed.

Mr. PAUL CRESS, United States Attorney has requested the following investigation to refute the allegations. He does not desire affidavits or sworn statements. Mr. CRESS has requested the result of interviews be furnished in report form. Each office is therefore requested to designate one copy of their report to the USA, WDO (Oklahoma City).

The Bureau by letter dated May 2, 1958, has advised this investigation should be completed by May 21, 1958.

THE ALBUQUERQUE OFFICE

At Albuquerque or Santa Fe, New Mexico

Will locate and interview [REDACTED] former Special Agent as follows:

During the trial or preparation for trial were the attorneys for the defense interrogated concerning the source of their fees, or did such interrogation begin upon completion of prosecutive action against ORA L. SHANNON and KATHRYN THORNE KELLY?

Were the attorneys for the defense threatened with criminal prosecution during the interrogations?

Was any false testimony used in the prosecution of either ORA L. SHANNON or KATHRYN THORNE KELLY?

Was the atmosphere of the Court Room "circus like" and were dozens and dozens of FBI Agents in the Court Room daily?

Were there newsreel cameras and press photographers operating in the Court Room during the trial of these cases?

Was advance publicity given out by the FBI (Division of Investigation) which resulted in the streets being roped off?

Were there 40 FBI men armed with shot guns and machine guns surrounding the Court House and along the way from the Court House to the Federal Building?

Was Mr. E. E. KIRKPATRICK allowed to sit at the counsel table and assist Government prosecutors in selecting a jury?

OC 7-6

Determine how many agents were in the group that arrested ORA L. SHANNON. (She says 30 to 50.) Determine if any Agent advised ORA SHANNON he would "shoot her guts out".

Determine if any of the Agents can refute the allegation that when taken to the Dallas County Jail ORA L. SHANNON was told unless she made a full and complete confession her children would be sent away and she would never see them again; whether she was allowed to see an attorney until after confession made; and whether she was refused food and drink until she made a confession and signed her name.

Will determine if the Agent can refute the allegation that Defense attorneys were told by Agents they would listen in on all conversations and would not permit confidential conferences, with their clients.

Will determine if any can refute the allegation that KATHRYN THORNE KELLY was allowed to confer with her defense counsel for only ten minutes.

Will determine if he can refute the allegation that 200 to 300 FBI Agents were in the Court room or corridors of the Post Office Building in Oklahoma City during the trial of KATHRYN KELLY.

Whether he can refute the allegation that when taken to court, people tried to strike KATHRYN KELLY but the guarding Agents made no effort to protect her.

Will determine whether the Agent can refute the allegation that enroute to Court, a Texas Ranger struck GEORGE KELLY over the head with "pistol or club".

Can the Agent refute the allegation that the testimony of LUTHER WM. ARNOLD was perjured?

Can he refute the allegation that ARNOLD was paid a \$15,000 reward after testifying? Does he have information concerning the whereabouts of LUTHER W. ARNOLD, FLOSSIE MAE ARNOLD or GERALENE ARNOLD?

Can he refute the allegations that ARNOLD during the trial was kept in good hotels, furnished good clothing and later was assisted in preparing articles for periodicals concerning his part in the capture of GEORGE and KATHRYN KELLY?

Can he refute the allegation that efforts were made to prevent her from receiving a fair trial?

Can he refute the allegation that 75 agents and 18 members of the Memphis Police Department arrested KATHRYN and GEORGE KELLY in Memphis, Tennessee?

OC 7-6

Can he refute the fact that KATHRYN T. KELLY was held in jail at Memphis, Tennessee three or four days and questioned constantly by the FBI? (Check jail records also.)

Can he refute the allegation she was refused counsel until she confessed?

Can he refute the allegation that 50 FBI men accompanied her and her husband to Oklahoma City, during which the Agents cursed and threatened them?

Can he refute the allegation that while enroute to Oklahoma City, KATHRYN KELLY was told the Attorney General was personally prosecuting the case, and would make efforts to see she got the "chair"?

Can he refute the allegation that KATHRYN KELLY was told Mrs. ORA SHANNON would receive no consideration unless KATHRYN KELLY admitted a long list of unsolved crimes?

Can he refute her allegation that guards sat in front of her open cell with machine guns on their laps; or that stronger light bulbs were placed in her cell? Can he refute the allegation of KATHRYN KELLY that she was told if she did not confess, steps would be taken to make her confinement hard, rigorous and difficult?

Can the Agent furnish any information concerning press releases given by the FBI (Division of Investigation); the guard assignments and how many men were used, and can any of them furnish information concerning where there can be located a copy of the transcript of testimony in the KATHRYN THORNE KELLY trial?

THE ATLANTA OFFICE

At [REDACTED]

Will locate and interview former Special Agent W. A. RORER, [REDACTED] for information as requested of the Albuquerque Office in the [REDACTED] interview.

THE DALLAS OFFICE

At Decatur, Texas

Will endeavor to locate and interview the firm of attorneys, BURCH and WOODRUFF, who represented ORA L. SHANNON and/or KATHRYN THORNE KELLY in Oklahoma City during September, 1933. Will determine the same information as that requested from the firm of McLEAN, SCOTT, SAYRES, JOE S. MOSS of Fort Worth, Texas.

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OC 7-6

At Fort Worth, Texas

Will endeavor to locate and interview the firm of attorneys, SCOTT, McLEAN, SAYRES and JOE S. MOSS of Fort Worth, Texas, (SAM SAYRES seemed to be the attorney in charge of the defense) and attempt to determine the following information:

Will determine whether ORA L. SHANNON and KATHERYN THORNE KELLY had adequate counsel, and whether they were serving conflicting interests, to the detriment of ORA L. SHANNON and KELLY,

Determine whether the defense counsel was able to subpoena witnesses in behalf of their clients, and if so, was service made at the expense of the Government.

Will determine whether the Attorney was questioned by FBI Agents concerning the source of his fee. If questioned, will determine whether he was so questioned while the trial was in progress or after prosecutive action had been completed.

Was the atmosphere of the Court room, such that a fair trial was prevented, and did a "circus like" atmosphere prevail?

Was the publicity such that a fair trial was prevented?

Was the rule invoked excluding witnesses from the Court room?

Were flash bulbs used on press cameras in the Court room, and did commentators, newsreel men and radio announcers operate in the Court room while the trial was in progress?

Was a relative of Mr. URSCHEL allowed to sit at the counsel table and assist in the selection of the jury?

Will determine whether the attorneys were afraid to attack the validity of the written statements of ORA L. SHANNON, which she alleges were obtained under duress?

Will determine who was in charge of the Government's prosecution of this case, JOSEPH B. KEENAN or HERBERT K. HYDE?

Will determine if there were numerous FBI Agents in the Court room at all times?

Was KATHERYN KELLY hurried to trial without adequate preparation?

Was KATHERYN KELLY advised by the Court to cooperate with newsmen, commentators and photographers?

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Was the testimony of the telephone operator from Paradise, Texas particularly detrimental to KATHRYN KELLY or ORA SHANNON?

Did ALFRED BATES and GEORGE KELLY BARNES offer to testify in behalf of KATHRYN-KELLY, and were they advised that if they did so testify, they would be turned over to Oklahoma State Authorities on charges of armed robbery which carries the death penalty in Oklahoma?

Was there handwriting testimony that KATHRYN KELLY wrote certain ransom notes?

Will determine whether any of these attorneys have a copy of the transcript of testimony in the KATHRYN THORNE KELLY trial, and if so, endeavor to borrow it for use in this hearing.

If the attorneys handled the appeal of the conviction and sentence of either of these Subjects will determine if any record is maintained which reflects the client agreed to the information set forth in the appeal of her case.

At Paradise, Texas

Will endeavor to locate and interview [REDACTED] who in September and October, 1933, testified for the Government at the trials of ORA L. SHANNON and KATHRYN THORNE KELLY in Oklahoma City. [REDACTED] was at that time chief operator for the Southwestern States Telephone Company in Paradise, Texas and her husband operated a garage there.

Will attempt to determine whether she can refute the allegations made in the motions of ORA L. SHANNON and KATHRYN THORNE KELLY that [REDACTED] perjured herself in testifying for the Government.

Will attempt to determine whether [REDACTED] can refute the allegations that the Federal Communications Commission orders were violated by her testifying as she did at the trial of these two Subjects.

THE KANSAS CITY OFFICE

At [REDACTED]

Will at [REDACTED] interview former Special Agent VAL C. ZIMMER for information as requested of the Albuquerque Office in connection with the interview of [REDACTED]

OC 7-6

THE LITTLE ROCK OFFICE

At [REDACTED]

Will endeavor to locate and interview former Special Agent [REDACTED] former address [REDACTED], for information as requested of the Albuquerque Office in the [REDACTED] interview.

THE LOS ANGELES OFFICE

At [REDACTED]

Will attempt to locate and interview former Special Agent VAL C. ZIMMER as requested of the Albuquerque Office in the [REDACTED] interview.

THE MIAMI OFFICE

At [REDACTED]

Will endeavor to locate and interview former SAC G. B. NORRIS at [REDACTED] for information as requested of the Albuquerque Office in the C. B. [REDACTED] interview.

Will endeavor to locate and interview former Special Agent F. E. YEARSLEY, whose address in 1944 was listed as [REDACTED] as requested of the Albuquerque Office in the [REDACTED] interview.

THE PHOENIX OFFICE

At Phoenix, Arizona

Will endeavor to locate and interview Mr. R. C. COULTER, former Special Agent, for information as requested of the Albuquerque Office in the [REDACTED] interview.

THE SALT LAKE CITY OFFICE

At Reno, Nevada

Will interview [REDACTED] for information along the lines set forth in the leads for former Special Agents. It is to be noted that [REDACTED] was a bodyguard for Judge VAUGHT during the trials, and was later U. S. Probation Officer for the Western District of Oklahoma, from which job he has now retired.

OC 7-6

THE SAN ANTONIO OFFICE

At [REDACTED]

Will locate and interview [REDACTED] as requested of the Albuquerque Office in the [REDACTED] interview.

Will at [REDACTED] locate and interview former SAC GUS T. JONES, as requested of the Albuquerque Office in the [REDACTED] interview, in the event Mr. JONES has not been interviewed at Tulsa, Oklahoma, by the Oklahoma City Office.

Will locate and interview Mr. CHARLES F. URSCHEL as set forth for both the attorneys and the former Agent personnel, if Mr. URSCHEL is unable to come to Tulsa, Oklahoma for interview on May 9, 1958.

At McAllen, Texas

Will interview [REDACTED] former U. S. Marshal from Oklahoma City, for information he may have concerning any restrictions placed on ORA L. SHANNON or KATHRYN T. KELLY while they were in his custody and confined in the Oklahoma County Jail, Oklahoma City, Oklahoma during 1933.

Will determine if stronger light bulbs were used in their cells.

Will determine security measures taken at the time.

Will determine whether defense attorneys were allowed to visit or confer with their clients, while the latter were in his custody. If possible, determine the length of the conferences with the attorneys and the number of conferences. Will determine from [REDACTED] the procedure used in the Court room and whether it was "circus like" with flash bulbs breaking and newsreel cameras operating during the trial.

THE SAN FRANCISCO OFFICE

At [REDACTED]

Will locate and interview former Assistant Director HAROLD NATHAN at the [REDACTED] for information concerning this case. The guide for questioning is set forth under the Albuquerque Office in the [REDACTED] interview, and in the questions to be asked attorneys who represented the Subjects. (In this connection, the Oklahoma City file reflects that Mr. NATHAN checked into an Oklahoma City hotel on 7/27/33; was in Oklahoma City on 9/25/33 and made assignments for the capture of GEORGE KELLY BARNES and KATHRYN T. KELLY at Memphis, Tennessee. The

OC 7-6

indications are that since he was the ranking officer in Oklahoma City, he was probably in charge of the case and can furnish detailed information on many of the allegations.)

THE WASHINGTON FIELD OFFICE -

At [REDACTED]

Will locate and interview Mr. C. A. APPEL, JR. [REDACTED] for information concerning his knowledge of this case and any documents he may have examined in connection therewith. The guide for questioning is set forth under the lead for Albuquerque in the [REDACTED] interview.

THE OKLAHOMA CITY OFFICE

At Enid, Oklahoma

Will attempt to locate the widow of Mr. JOHN V. ROBERTS, deceased, and determine the whereabouts of his law library or personal effects, in an effort to determine the whereabouts of the transcript of testimony in the case of KATHERYN KELLY. Will also determine from the records, if located, whether KATHERYN THORNE KELLY agreed to the information set forth in the appeal of her case.

At Tupelo and/or Coalgate, Oklahoma

Will interview JAMES C. and JAMES H. MATHERS, Attorneys-at-Law, in an effort to develop information similar to that requested of the Fort Worth attorneys.

At Oklahoma City, Oklahoma

Will obtain from the Clerk of District Court, Oklahoma County, a certified copy of the journal entry of judgment in the law suit filed in the name of GERALENE ARNOLD by L. W. ARNOLD, against C. F. COLCORD, Case #82061.

DOYLE

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TELETYPE

URGENT

5/9/58

Handwritten: 1-10-1

TO: SAC, DALLAS
FROM: SAC, SAN ANTONIO (7-11)

GEORGE KELLY BARNES, WAS., ET AL; CHARLES F. URSCHEL DASH
VICTIM; KIDNAPING. OO DASH OKLAHOMA CITY. RE OKLAHOMA CITY
AIRTEL TO BUREAU, MAY SIX, LAST. [REDACTED]

[REDACTED] MC ALLEN, TEXAS, ADVISED THIS DATE HER
HUSBAND DEPARTED BY AUTO SIX A.M. TODAY FOR DALLAS WHERE MAY
BE CONTACTED AT PLAZA HOTEL. WILL BE IN DALLAS SEVERAL DAYS.
FOR INFO DALLAS, [REDACTED] STATED HER HUSBAND, WHO IS
EIGHTFIVE YEARS OLD, BELIEVES ORA L. SHANNON AND KATHRYN T.
KELLY SHOULD BE FREED AND HAS LOANED ATTORNEY LAUGHLIN OF
WASHINGTON, D. C., HIS SCRAPBOOK CONCERNING URSCHEL KIDNAPING.
[REDACTED] HAS HAD CORRESPONDENCE WITH KATHRYN KELLY. DALLAS
INTERVIEW [REDACTED] IN ACCORDANCE WITH LEAD SET OUT FOR SAN
ANTONIO AT MC ALLEN, TEXAS, IN REFERENCED AIRTEL. BUREAU AND
OKLAHOMA CITY ADVISED AIR MAIL.

END AND ACK PLS.

- 1 - SA 7-11
- ① - Bureau (AM)
- 1 - OC (AM)

(3)

32 MAY 9 1958

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NOT RECORDED
MAY 12 1958

Handwritten signatures and stamps:
C. H. [Signature]
[Signature]
[Signature]

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

5/9/58

AIRTEL

TO: DIRECTOR, FBI
 FROM: SAC, WFO (7-19)

GEORGE KELLY BARNES, was.; et al;
 CHARLES F. URSCHEL - VICTIM
 KIDNAPING
 (OO:OC)

ReOCairtel to Director, 5/5/58.

For info of Charlotte, ORA L. SHANNON was tried, convicted and sentenced to a life term in this case during September, 1933. Her daughter, KATHRYN KELLY, was tried, convicted and sentenced during October, 1933. Both are presently confined Federal Reformatory for Women, Alderson, W. Va.

Through their attorney, JAMES J. LAUGHLIN, of Washington, D. C., the two have filed motions to have their sentences set aside. They alleged among other things that the government used perjured testimony in obtaining their conviction.

The Oklahoma City Division informed that a Special Assistant to the Attorney General, Mr. JOSEPH B. KEENAN, was sent to Oklahoma City to assist in the prosecution.

Many allegations are made in the motions filed by KELLY and SHANNON about Mr. KEENAN who is now deceased.

The USA, Oklahoma City, desires that a death certificate of JOSEPH B. KEENAN be obtained. The Morgue files of "The Evening Star," Washington, D. C., reflect that JOSEPH B. KEENAN, former Assistant to the Attorney General under HOMER S. CUMMINGS, died 12/8/54 at Ashboro, N. C.

- 3- Bureau
- 2- Charlotte
- 2- Oklahoma City (7-6)
- 1- WFO

REC-91

7-115-2392

MAY 13 1958

EX-135

(3) [Redacted]

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AIRTEL

66 MAY 16 1958

50 MAY 19 1958

7-115

c.c. to [unclear]

WFO 7-19

Mrs. JOSEPH B. KEENAN, 4545 Connecticut Ave., N. W., Washington, D. C., advised that her husband was taken ill while on a trip in North Carolina and was taken to a hospital in Asheville, N. C., where he died.

Charlotte, in Ashboro, N. C., will verify death of JOSEPH B. KEENAN 12/8/54 and through Bureau of Vital Statistics will obtain photostatic copy of death certificate for forwarding to the Oklahoma City Division.

For additional info of Charlotte, hearing set in this matter for 6/9/58, Oklahoma City.

FBI

Date: 5/10/58

Transmit the following in PLAINTEXT
(Type in plain text or code)

Via AIRTEL AIRMAIL
(Priority or Method of Mailing)

TO DIRECTOR, FBI (7-115)

FROM SAC, DALLAS (7-7)

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

OO : OKLAHOMA CITY

Re Oklahoma City let to Bureau, dated 4/29/58.

Investigation at Sunset, Texas, reflects Mr. and Mrs. JOHN HOGAN are now deceased.

[redacted] of Mrs. JOHN HOGAN, [redacted] Bowie, Texas, advised WILLIAM LUTHER ARNOLD died about 1944 near Long Beach, Calif. and FLOSSIE MAE ARNOLD died some years later. [redacted] is unable to furnish more specific information or name anyone having such information.

Los Angeles at Long Beach, Calif. will check vital statistics and credit records in order to verify ARNOLD's death if possible.

Report follows.

BOYLE

ml

- 3 - Bureau
- 2 - Oklahoma City (7-6)
- 2 - Los Angeles
- 2 - Dallas

REC-91 7-115-2393

[redacted]
(9)

EX-117

MAY 12 1958

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F257

50 MAY 16 1958

[Handwritten signature]

FEDERAL BUREAU OF INVESTIGATION

Reporting Office MIAMI	Office of Origin OKLAHOMA CITY	Date 5/13/58	Investigative Period 5/9/58
TITLE OF CASE GEORGE KELLY BARNES, was.; ET AL CHARLES F. URSHEL - VICTIM		Report made by [REDACTED]	Typed By: [REDACTED]
		CHARACTER OF CASE KIDNAPING	

Synopsis:

Former SAC G. B. NORRIS, [REDACTED] arrived Memphis, Tenn., 8:20 A.M., September 26, 1933, from St. Louis, Missouri. GEORGE and KATHRYN KELLY apprehended Memphis prior to his arrival. Assigned guard duty of KATHRYN KELLY with former SA F. F. YEARSLEY. No other law enforcement officer assigned to such duty. KATHRYN KELLY in Memphis for four or five days when escorted by plane to Oklahoma City, Oklahoma, by NORRIS and YEARSLEY along with GEORGE KELLY. KATHRYN KELLY not interviewed by NORRIS. KATHRYN KELLY, while confined jail Memphis and en route Oklahoma City; received every consideration and was not mistreated. Cannot recall her being constantly interviewed or threatened in any manner. NORRIS did not witness trial of KELLY and SHANNON. Has no information concerning allegations allegedly occurring at trial. Refreshed memory from newspaper articles in his possession. Former SA F. F. YEARSLEY now located [REDACTED]

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All b7C

Approved Copies made: <ul style="list-style-type: none"> 1-Bureau (7-115) 3-Oklahoma City(7-6) <li style="padding-left: 20px;">(1-USA, WDO) 2-Jacksonville 1-Miami (7-7) 	Special Agent In Charge <i>[Signature]</i>	Do not write in spaces below
		7-115-2394
		MAY 15 1958
		REC-86 EX-121

[Handwritten initials]

ME 7-7

DETAILS: AT [REDACTED]

Former SAG G. B. NORRIS, [REDACTED], was interviewed on May 9, 1958, and advised that during 1933 he was a Special Agent of the FBI assigned to the St. Louis Division. On September 26, 1933, he, accompanied by D. M. LADD, F. F. YEARSLEY, and JOHN BRENNAN, all employees of the FBI assigned to the St. Louis Division, left St. Louis by chartered plane for Memphis, Tennessee. He recalls that inclement weather held up their departure for about three hours, arriving in Memphis at about 8:20 A.M., after which they went directly to the police station where they learned that GEORGE and KATHRYN KELLY had been apprehended prior to their arrival.

Mr. NORRIS stated that he and former SA F. F. YEARSLEY were assigned to guard duty of KATHRYN KELLY. To the best of his recollection, his tour of duty was during the daytime and cannot recall any detectives or other Bureau employees' being on duty with him other than YEARSLEY and they were not relieved by any law enforcement officers. While on guard duty, both he and YEARSLEY were armed with machine guns. He stated that it was his understanding that such an assignment was not solely to guard KATHRYN KELLY, but was to prevent any attempt that might be made to liberate her.

According to Mr. NORRIS, both he and YEARSLEY were stationed in a corridor about 15 feet from the cell of KATHRYN KELLY during which time he had very little contact with KATHRYN KELLY, and at no time did he interview her. Also, during the time that KATHRYN KELLY was confined in Memphis she was attended by a matron.

Mr. NORRIS stated that his assignment was for a period of four or five days when he and YEARSLEY escorted KATHRYN KELLY from the jail to the airport and then by chartered plane from Memphis to Oklahoma City, Oklahoma. GEORGE KELLY also was on the plane escorted by former SA J. C. WHITE. Upon arrival in Oklahoma City, the plane was met by a small group of law enforcement officers and he and YEARSLEY escorted KATHRYN KELLY to the jail, after which he was relieved of his assignment. NORRIS claims that he departed for St. Louis, Missouri, shortly after his arrival in Oklahoma City.

With reference to the specific issues involved in this matter, Mr. NORRIS stated as follows:

He advised that he was not in Oklahoma City during the trial of KATHRYN KELLY and CRA L. SHANNON as he was not a witness in the case.

All b7c

MM 7-7

Therefore, he is not aware of any of the allegations that are supposed to have transpired prior to or during the trial of these individuals.

He stated that KATHRYN KELLY, to the best of his recollection, was in jail at Memphis for a period of approximately four or five days, during which period he was on guard duty. KATHRYN KELLY was never questioned in his presence and knows that she was not constantly removed from her cell for interview and there was no agent or law enforcement officer constantly interviewing her while he was on guard duty.

Cannot furnish any information concerning the allegation that KATHRYN KELLY was refused counsel until she confessed.

While en route to Oklahoma City from Memphis, Tennessee, Mr. NORRIS claims that to the best of his recollection there were approximately seven or eight persons aboard the plane. He stated that he cannot recall each person by name but believes that some of the group were [REDACTED] D. M. LADD, F. F. YEARSLEY, [REDACTED] and JOHN KEITH. During the trip both GEORGE and KATHRYN KELLY were shown every consideration and no person cursed or threatened them. He also advised that during the trip he cannot recall KATHRYN KELLY being informed that the Attorney General was personally prosecuting the case, and that efforts would be made to see that she got the "chair."

KATHRYN KELLY was not interviewed by NORRIS, and he claims that while in was in the presence of KATHRYN KELLY no statement was made that Mrs. ORA SHANNON would receive no consideration unless she admitted a long list of unsolved crimes.

Mr. NORRIS was on guard duty as to KATHRYN KELLY during their stay in Memphis, Tennessee. Both he and YEARSLEY were stationed in a corridor about fifteen feet from the cell of KATHRYN KELLY, and at no time was the cell door left open, and no guard was stationed in front of her cell. Cannot recall any incident in which stronger light bulbs were placed in her cell. Never heard any statement made to KATHRYN KELLY that if she did not confess, steps would be taken to make her confinement hard, rigorous, and difficult. Recalls that while KATHRYN KELLY was in the Memphis jail she was shown every consideration and there was no incident in his presence to indicate that KATHRYN KELLY was receiving any treatment to make her confinement hard and difficult. Recalls that KATHRYN KELLY was attended at all times by a matron.

All b7c

MM 7-7

Mr. NORRIS cannot furnish any information concerning the press releases in this case. With reference to the guards assigned, he claims that he and YEARSLEY were assigned to KATHRYN KELLY and cannot recall any other law enforcement officer being assigned to this individual. He is not familiar with any guard assignments concerning GEORGE KELLY.

He is not aware as to the location of the transcript of testimony in the KATHRYN KELLY trial.

During this interview Mr. NORRIS refreshed his memory through the use of the following newspaper clippings which he maintains in a scrapbook:

1. Article, "Memphis-Press-Scimitar," dated Tuesday, September 26, 1933, which reports the apprehension of both GEORGE and KATHRYN KELLY. Noted this article reflects that the following officers participated in the apprehension of these individuals:

Detective Sergeant WILLIAM RANEY, Memphis Police Department.
Detective A. O. CLARK, Memphis Police Department.
Detective FLOYD WIEBENGA, Memphis Police Department.
Patrolman A. B. RANDLE, Memphis Police Department.
Patrolman S. T. WATERSON, Memphis Police Department.
W. A. RORER, FBI.
B. F. FITZSIMMONS, FBI.
R. E. PETERSON, FBI.

2. Article in "Memphis-Press-Scimitar," date not shown, however, from contents of article appears could have been published on September 26, 1933. This article reflects that Bureau Agents D. E. LADD, F. F. YEARSLEY, G. B. NORRIS, and JOHN BRENNAN, chartered plane from Robinson Airlines, St. Louis, and flew to Memphis, arriving at 8:20 a.m.

3. Article, apparently in "Memphis-Press-Scimitar," date not shown, which reflects that NORRIS, YEARSLEY, and two members of Memphis Police Department were guarding GEORGE KELLY. Article written by VIRGIL FULLING. NORRIS claims that he and YEARSLEY were assigned to guard duty as to KATHRYN KELLY and does not recall any member of the Memphis Police Department being on duty with them.

4. Associated Press photograph, name of newspaper not shown, showing two men armed with machine guns watching outside the cell of GEORGE KELLY while in Memphis, Tennessee.

MM 7-7

5. Photograph appearing in a New York newspaper, name unknown, of G. B. NORRIS and YEARSLEY escorting KATHRYN KELLY from the Memphis jail to the airport.

6. Article, "Memphis Commercial Appeal," entitled "KELLY Confesses to Kidnaping," dated September 28, 1933, which relates that KELLY will not be taken to Oklahoma City until the trial of the alleged accomplices, of the URSHEL kidnaping now under way, reaches the jury.

7. Picture appearing in the "Daily Oklahoma," October 2, 1933, showing group meeting plane bearing GEORGE and KATHRYN KELLY. Comments under photograph indicate plane arrived October 1, 1933.

On May 9, 1958, inquiry of secretary of former SA [REDACTED] disclosed that former SA F. F. YEARSLEY can be located through [REDACTED]

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Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (7-115)

DATE: May 13, 1958

FROM : SAC, MIAMI (7-7)

SUBJECT: GEORGE KELLY BARNES, was.; ET AL
CHARLES F. URSCHEL - VICTIM
KIDNAPING
(OO: Oklahoma City)

Enclosed is report of SA [REDACTED], dated May 13, 1958, at Miami.

REFERENCE

Oklahoma City airtel 5/6/58.

ADMINISTRATIVE

It is suggested, that if not already done, consideration be given to reviewing all articles appearing in the newspapers in Memphis, Oklahoma City, and areas of Paradise, Texas, which might be of benefit in refuting the allegations in this matter, and also serve to refresh the memory of the personnel who participated in the apprehensions and who attended the trial.

Copy of Oklahoma City airtel, May 6, 1958, is being furnished Jacksonville

LEAD

JACKSONVILLE:

AT [REDACTED]

Will immediately locate and interview former SA P. F. YEARSLEY, who can be contacted at [REDACTED] in accordance with referenced airtel.

- 1-Bureau (Enc. 1)
- 2-Oklahoma City (7-6) (Enc. 3)
- 2-Jacksonville (Enc. 3)
- 1-Miami

(6)

ENCLOSURE

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REC-86

7-115-2575

MAY 15 1958

70 MAY 27 1958

EX-121

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PERS. FILES

FBI

Date: 4-22-58

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

Via AIRTEL AIR-MAIL
(Priority or Method of Mailing)

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

TO: DIRECTOR, FBI (7-115)
 FROM: SAC, OKLA. CITY (7-6)
 GEORGE KELLY BARNES, Was., et al;
 CHARLES F. URSCHER - VICTIM
 KIDNAPING

Moore
Moore

ReOctel to Director, 4-22-58.

On 4-21-58, the USA at Okla. City advised that USDJ WILLIAM R. WALLACE has reversed his earlier opinion and has set this matter for hearing at 9:30 a.m., 6-9-58, at Okla. City. This decision was said to be based on the fact that an allegation of perjury was made and if the matter is appealed to the Circuit Court of Appeals, it would in all probability be remanded to the District Court for hearing.

There is enclosed a copy of a letter from USDJ WALLACE to Attorney JAMES L. LAUGHLIN of Washington, D.C., dated 4-19-58. The USA states Judge WALLACE does not intend to "retry" this case but in fact hopes to limit the hearing as much as possible to the allegations of perjury. In this regard the USA desires to know the whereabouts of LUTHER WILLIAM ARNOLD, FBI 313877. ARNOLD has used the name of JESS AKERS. He was arrested 9-14-33 by the Okla. City Police Department. The Identification Division is being requested to furnish Oklahoma City a transcript of LUTHER WM. ARNOLD and his last known address.

On 4-18-58, ORA L. SHANNON and KATHRYN THORNE KELLY filed a motion for leave to proceed in forma pauperis requesting the Court to pay their transportation costs to Oklahoma City if the Court deems their presence necessary at the hearing. The USA, OC, desires to know whether ORA L. SHANNON and KATHRYN KELLY have any money credited to their accounts in the institution at Alderson, West Virginia. Pittsburgh is being requested to determine this information.

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

EX-102 AM

REC-83

7-115-2396

EX-102

11 APR 24 1958

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ENCLOSURE

5/15/58

PK