

Y.

Minneapolis - St. Paul

Edward Breman and others taken into custody on or about August 5, 1933, as aiders and abettors, having exchanged a quantity of ransom money.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **Oklahoma City, Oklahoma.**

FILE NO. **7-1**

REPORT MADE AT Little Rock, Ark.	DATE WHEN MADE 3/8/36	PERIOD FOR WHICH MADE 3/4/36	REPORT MADE BY [REDACTED]
TITLE GEORGE KELLY BARNES, with aliases, ET AL; CHARLES F. URSCHEL - VICTIM			CHARACTER OF CASE KIDNAPING

SYNOPSIS OF FACTS:

[REDACTED] Jonesboro, Arkansas, advise they have received no further word from their daughter or her husband, C. J. Adrienne. Arrangements made through **[REDACTED]** Agent, Railway Express Agency, Jonesboro, Arkansas, to have the Little Rock office notified immediately should any further express packages be received from C. J. Adrienne or wife addressed to the **[REDACTED]** family. Arrangements also made to have mail cover continued.

- P -

REFERENCE: Report of Special Agent **[REDACTED]** dated February 13, 1936, Little Rock, Arkansas.

DETAILS:

All b7C

[REDACTED] Jonesboro, Arkansas, were again interviewed and advised they have received no further information from their daughter or her husband, C. J. Adrienne, since the receipt of the express package from Payson, Utah, in January, 1936. Both, **[REDACTED]** have promised they will immediately notify the Little Rock office should they receive information as to the whereabouts of C. J. Adrienne and their daughter.

Arrangements have been made by Agent through **[REDACTED]** Agent, Railway Express Agency, Jonesboro, Arkansas, to have the Little Rock office notified immediately should any additional express packages be received from C. J. Adrienne or his wife addressed to the **[REDACTED]** family.

[REDACTED] Postmistress, Jonesboro, Arkansas, has been requested

APPROVED AND FORWARDED <i>[Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 Bureau 1 St. Paul 1 Dallas 1 Detroit 1 Salt Lake City 2 Little Rock 1 Kansas City 2 Oklahoma City 1 Birmingham 1 Nashville COPIES DESTROYED 20 JAN 17 1965	7 115 - 1816	MAR 11 1936
	MAR 12 1936	

to continue the mail cover placed on all first-class mail addressed to [REDACTED] and family, [REDACTED] Jonesboro, Arkansas, for an additional thirty-day period and a letter is being addressed to the Post Office Inspector in Charge advising him of the necessity for requesting the extension of the mail cover.

UNDEVELOPED LEAD:

LITTLE ROCK OFFICE at Jonesboro, Arkansas, will report on the mail cover placed on the mail of [REDACTED] and family, [REDACTED] Jonesboro, Arkansas.

- P E N D I N G -

A11 b7C

Post Office Box 1469,
Little Rock, Arkansas,
March 8, 1936.

Answer

[REDACTED]
Post Office Inspector,
Federal Building,
Little Rock, Arkansas.

Re: George Kelly Barnes, w/a; et al;
Charles F. Urschel - Victim;
Kidnaping.

Dear Sir:

This Bureau is at the present time engaged in the investigation of a matter of major importance which makes it extremely desirable that the whereabouts of one C. J. Adrienne be ascertained.

C. J. Adrienne is now married to the daughter of [REDACTED] who is presently residing in Jonesboro, Arkansas, at [REDACTED] and it is known that Adrienne's wife has corresponded with her mother at intervals. Recently a cover was placed on the mail of [REDACTED] for a period of thirty days, through the cooperation of the Postmistress at Jonesboro, Arkansas. The mail cover has now expired without disclosing any information of value and it is felt that an extension of the mail cover for an additional thirty-day period may prove fruitful.

It is respectfully requested that you issue appropriate instructions to the Postmistress authorizing extension of the mail cover.

Very truly yours,

All b7C

7-1

cc Bureau

CHAPMAN FLETCHER,
Special Agent in Charge.

RECORDED & INDEXED

MAR 12 1936

7-115-1817

R

Bureau of Investigation

U. S. Department of Justice
1616 Federal Reserve Bank Building
Kansas City, Missouri
March 16, 1936

Directors
Federal Bureau of Investigation
Washington, D.C.

RECORDED
&
INDEXED

7-115-1818

Dear Sir:

APR 17 1936

On March 13, 1936, [redacted] of the U. S. Medical Center, Springfield, Missouri, telephonically contacted Resident Agent [redacted] and requested that he call at [redacted] Medical Center on an urgent matter.

Agent [redacted] contacted [redacted], who exhibited a letter written to him by prisoner [redacted], who is at present in solitary confinement at the U. S. Medical Center. In his letter [redacted] stated that he would like to get in touch with the American Bankers Association at St. Louis so that a return could be made to several banks of securities stolen in several bank robberies. He stated the robbers who had robbed these banks are now serving sentences and his reason for furnishing the information to the American Bankers Association was so that he may secure any reward which the Bankers Association has offered for the return of the securities. [redacted] letter was dated March 10, 1936.

[redacted] is a transfer to Springfield, Missouri from Alcatraz and at the latter institution was a cook. He is now serving the balance of a sentence imposed in the District of Columbia in October 1932 for "larceny after trust". The sentence imposed at that time was one year and one day to fifteen months, and the record disclosed that he was received at the Washington, D.C. Asylum and Jail on October 6, 1932 and transferred to Lorton, Virginia on December 8, 1932, from which latter place he escaped on December 26, 1932. When apprehended he was sent to Alcatraz. His present release date from the Springfield institution is April 25, 1936. He is listed as a constitutional psychopathic, having arrested tuberculosis and arthritis. He has been a habitual criminal from October 1, 1914 to date.

[redacted] was interviewed by [redacted] and Agent [redacted] and stated when he was at Alcatraz he served as a cook and had as a helper one of the Orschel kidnapers. He would not state his name but said that this man, during the past December, had written a letter to attorney Ben Laska, in Denver, and that Laska was supposed to have \$70,000. worth of bonds which had been stolen in robberies of banks in Texas, New Mexico and Arkansas. [redacted] on his release on April 25, 1936, is supposed to contact Laska, identifying himself

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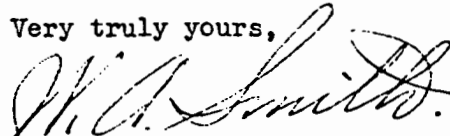
by a deformed thumb on his right hand and secure these bonds for disposal. [REDACTED] according to the plan, was then supposed to take them to two fences, one in Fort Worth, Texas and the other in Dallas, Texas. Both of these fences, according to [REDACTED] are lawyers, and these fences will sell the above mentioned bonds. According to the arrangements, [REDACTED] share of the proceeds was to be about \$5000. [REDACTED] was unable to state the names of the banks from which these bonds were stolen.

[REDACTED] stated that he had thought this matter over since arriving at Springfield from Alcatraz and had decided to now contact the American Bankers Association and if there was a reward in it for him to get the bonds in Denver and then turn them over to the American Bankers Association. He refused to name the member of the Urschel kidnaping gang who had made the proposition to him or to name the two fences in Texas. He stated he is furnishing this information now because he will be released in about a month and this reward will give him and his wife a stake so he can make a fresh start.

~~It is requested that the offices to whom copies of this letter are forwarded advise whether they have any record of any bank robberies in which the Urschel kidnapers participated in which the loot consisted of bonds which have not been recovered to date.~~

It is requested that the Bureau advise whether any arrangements should be made with [REDACTED] for him to go through with the plans to recover these bonds. I am having Agent [REDACTED] recontact [REDACTED] to ascertain just what sort of a proposition he would like to make with reference to recovering these bonds, indicating to him that this office is taking appropriate steps to ascertain whether any rewards have been offered for the return of these securities.

Very truly yours,



W. A. SMITH
SPECIAL AGENT IN CHARGE

WAS [REDACTED]

cc - Little Rock
Oklahoma City
El Paso
Dallas
San Antonio

ALL b7C

9

FEDERAL BUREAU OF INVESTIGATION
Division of Investigation

U. S. Department of Justice
1331 First National Bank Building
El Paso, Texas
March 18, 1936

83
H
91-Q

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

Dear Sir:

Reference is had to letter addressed to the Director by the Special Agent in Charge, Kansas City, Missouri, March 16, 1936, relative to information furnished by [REDACTED] prisoner at the U. S. Medical Center, Springfield, Missouri, concerning stolen bonds which he proposes to assist in recovering.

I think, if [REDACTED] is telling the truth, that the person to whom he refers in Alcatraz Prison as being one of the Urschel kidnapers, can be none other than Albert Bates, for the reason that Laska was Bates' attorney in the Urschel case. It is known, I believe, that Bates and Machine Gun Kelly were implicated in a bank robbery in Colfax, Washington, Blueridge, Texas, and another Texas town, the name of which I do not recall clearly but believe it is San Marcos. The files in the Urschel case will also show that Bates, Machine Gun Kelly and Edward W. Bentz, shortly prior to the Urschel kidnapping, were casing a job of bank robbery in Arkansas.

My recollection at this time as to the details of the information concerning bank robberies in which Bentz, Bates and Machine Gun Kelly were implicated, is not clear and I do not know whether or not there were any bonds missing in any of the bank robberies in which they were involved.

A review of the file in the Urschel kidnapping case will reveal any details concerning the above matters.

Very truly yours,

RHC
R. H. COLVIN
Special Agent in Charge.

*Kansas City, Mo.
cc - Little Rock, Ark.
Oklahoma City, Okla.
Haltom, Tex.
4-3-36
RHC*

RHC
cc - Kansas City
Oklahoma City
Little Rock
Dallas
San Antonio

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INDEXED

APR 7 - 1936

7-115-1819

ONE

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7-115-

April 9, 1936

RECORDED

7-115-1817

Special Agent in Charge,
Kansas City, Missouri.

Dear Sir:

Your attention is directed to the letter from the El Paso Office to the Bureau dated March 18, 1936 and to your letter of March 16, 1936 which concerns the information furnished you to date by one [redacted] who is at the present time in solitary confinement in the United States Medical Center, Springfield, Missouri.

It is noted that [redacted] refers to bonds which were allegedly stolen in bank robberies occurring in Texas, New Mexico and Arkansas. It is requested that the Kansas City Office correlate the information relative to this matter, with particular reference to violations of acts over which this Bureau has jurisdiction.

You should also ascertain the exact proposition which [redacted] has to offer to the Bureau, and determine whether anything can be learned from entering into any arrangement with this person.

It is desired that the Bureau be furnished with this information at the earliest practicable date so that proper consideration may be given the matter which is referred to herein.

Very truly yours,

All b7C

cc-Little Rock
Oklahoma City
El Paso
Dallas
San Antonio

COMMUNICATIONS SECTION
MAILED
John Edgar Hoover, Director.
APR - 4 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION, U. S. DEPARTMENT OF JUSTICE

7
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Federal Bureau of Investigation
U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI
MARCH 21, 1936

Director
Federal Bureau of Investigation
Washington, D.C.

13
over
Dear Sir:

Reference is made to letter from this office dated February 16, 1936, with reference to information supplied by [redacted] U. S. Medical Center, Springfield, Missouri, relative to securities stolen in several bank robberies which he is supposed to handle for some members of the Urschel kidnaping gang, quoted below is a memorandum submitted by Special Agent [redacted] with reference to a further interview with [redacted]

" On March 20, 1936 Agent again contacted [redacted] at the U. S. Medical Center, Springfield, Missouri. After some questioning [redacted] furnished the following information:

" He stated that the member of the Urschel kidnaping gang who had contacted him at Alcatraz relative to the disposal of the stolen bonds was Bates. Before Christmas, 1935, during the month of December, Bates wrote to Laska by mail in Denver. [redacted] stated that in the letter to Laska his, [redacted], name was not mentioned, but Laska was told that he would be released late in April or early in May and that he could recognize [redacted] by the deformed thumb on his right hand.

" [redacted] said that he had not been accurate in naming the two towns in Texas where the "fences" were located. With the bonds in his possession he was to contact in Fort Worth the firm of lawyers, Nays and Nays, or one [redacted] at Eastland, Texas. In the event that there was difficulty in disposing of the bonds through these attorneys, he was to proceed to Los Angeles, California, and there get in touch with a lawyer by the name of [redacted] (spelling furnished by [redacted]). From [redacted] he was to obtain the address of [redacted] wife. [redacted] is now serving a twelve-year term at Alcatraz.) From [redacted] wife he was to learn the address of persons formerly associated with [redacted] in the disposal of "hot" securities in California.

" [redacted] further stated that while Bates and Bailey were together in this matter, he had never talked with Bailey regarding it. He believes this plan for the disposal of the bonds is being carried on unknown to Machine-Gun Kelly.

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20 APR 17 1965

20 APR 17 1936

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7-115-1520
TAMM ONE
THREE

" [redacted] was told that the Kansas City office is endeavoring to ascertain whether or not there are rewards offered in this matter. He stated that he would be willing to go through with the plan for the disposal of the bonds, and would cooperate with the Bureau in every respect. He said he had not thought of what compensation he would ask in the event that there should be no reward, but wanted to be reasonable in the matter. He seems fairly certain that the American Bankers Association has offered or will offer a reward.

" Agent made no offers or promises of any nature to [redacted]"

Very truly yours,



W. A. SMITH
SPECIAL AGENT IN CHARGE

WAS [redacted]

cc - Oklahoma City
El Paso
Dallas
San Antonio
Little Rock
Los Angeles.

ALL b7C

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

March 27, 1936.

MEMORANDUM FOR MR. TOLSON

Re: Rex Collier's Strip on the Urschel Case

Numbers 55 to 60, inclusive, of Mr. Collier's strip on the Urschel case have been reviewed in this section, and the following suggestions are made:

Number 55 -- No suggestions.

Number 56, Scene 1 -- It is suggested that Inspector Woodrow's statement beginning in line 4 be revised to avoid any possible implication of threats if Shannon did not tell the truth. It is suggested that it be changed to read: "Tell us the truth, Shannon -- all you know about the kidnaping of Mr. Urschel."

Scene 4 -- Kathryn Kelly was Armon Shannon's step-sister, and it is suggested that this be changed accordingly.

Number 57, Scene 1 -- I am unable to verify Mrs. Shannon's statement from the file. However, it does not appear to be objectionable.

Scenes 3 and 4 -- In view of the fact that the persons arrested during the raids on the Shannon premises were taken to the Dallas Bureau Office, where they made complete statements, with the exception, of course, of Harvey Bailey, it is suggested that this scene be changed to avoid any impression that might be gained from the wording to the effect that all the prisoners were to be taken to Oklahoma City.

Number 58, Scene 1 -- It is suggested that the name of the Dallas Office be substituted for that of the Oklahoma City Office, in line with the suggestions under number 57. While the conversation appearing herein does not appear in the file, it is not believed to be objectionable.

Scene 4 -- In view of the fact that the first information regarding the apprehension of Albert Bates in Denver was secured by Agents through the Fort Worth Police Department on August 14, 1933, it is suggested that the Director's telephone conversation with Inspector Woodrow be revised accordingly.

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&

INDEXED

MAR 27 1936

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20 MAR 17 1965

MAR 31 1936

TOLSON
JOSEPH

Memo for Mr. Tolson

-2-

3/27/36

Number 59 -- No suggestions.

Number 60, Scenes 3 and 4 -- It is suggested that a reference to the Chief of Police of Ardmore, Oklahoma, might be advisable in the interest of proper recognition and cooperation.

Respectfully,


R. E. Joseph.

mp
3/27

Urshel No. 55

Visiting Old Scenes.

Sub-Title: ~~Arsonist's Confession~~

I. Half-strip scene showing, in foreground, Urshel and Inspector Woodrow at well. Urshel has handle-less tin cup in hand, having just hoisted bucket of water and taken a drink. Urshel is saying: "Yes, sir, Inspector, this is the kidnapers' well. That mineral taste- I remember it distinctly!" In background show several agents handcuffing Armon Shannon near house. Insert wording: Urshel, accompanying agents on their raid of the second hideout of the kidnapers, reminisces--

III. Scene showing Urshel directing Inspector's attention to cracked mirror in bedroom where he was held prisoner. Urshel is saying: "I saw that crack when I shaved, that last day in captivity".

IV. Scene in same room, with agent entering and displaying chain with which Urshel had been bound. Urshel is telling Inspector: "It's the chain I was bound with, all right!" Agent with chain is saying: "We found it in the shed".

Urschel No. 56

Sub-Title: A "Desperado" Talks.

I. Draw half-strip scene showing Urschel, Inspector Woodrow and ~~and~~ several agents questioning Armon Shannon, who, still handcuffed, is seated in a chair ~~in~~ in room, with frightened look on his face. Inspector is saying: "We want the truth from you, ^{on} Shannon. Tell us everything you know about the kidnaping of Mr. Urschel!"

Insert wording: Inspector Woodrow of the F.B.I. questions a cowering prisoner--

III. Closer view of Shannon and Inspector Woodrow. Shannon is saying: "I wasn't in on the actual kidnaping, Inspector. I just guarded him. The real kidnapers made me!"

IV. Close-up of Shannon and possibly part of Inspector in foreground. Inspector is saying: "And who were the real kidnapers?" Shannon replies: "Machine Gun Kelly-he's my ^{step-} ~~step-~~ sister, Kathryn's, ^{on} husband- and Albert Bates!"

Urschel No.57
Sub-Title: A Profitable Round-Up.

I. Half-strip scene showing Inspector Woodrow, Urschel and agents arriving back at "Boss" Shannon's place, where "Boss" Shannon, Harvey Bailey and Mrs. "Boss"(R.G.) Shannon are being guarded by other agents. Mrs.Shannon is shouting to Armon Shannon: "Don't tell-'em a thing, Armon!" Inspector replies: "He's told quite a bit, already!"

Insert wording: Armon Shannon incriminated his parents, his step-sister, Kathryn Kelly, and Harvey Bailey, besides the actual kidnapers of Urschel- Machine Gun Kelly and Albert Bates.

III-IV. Half strip scene showing agents putting their prisoners into automobiles under cover of guns. Inspector Woodrow, in foreground, is telling Urschel: "We'll hurry ^{back} to ~~Oklahoma City~~ ^{Ocala} and then try to catch up with Kelly and Bates!" ✓

Urschel No. 58

Sub-Title: News From Washington

I. Half-strip scene showing Bailey, hand-cuffed, in custody of three agents who have brought him before Inspector Woodrow at his office in ~~Oklahoma City~~ ^{Dallas}. Inspector is saying: "Bailey, you've got a bad habit of breaking jail. Dallas claims to have one that is escape-proof. You're going there!" Bailey replies: "Escape-proof, oh?"

Insert wording: /Harvey Bailey, notorious bank robber, jail breaker and Urschel kidnaping gangster, returns to jail--

III. Scene showing Inspector Woodrow at desk, telephoning. He is saying: "--and we've got the Shannons and Bailey in jail. But Kelly and Bates had gone before we raided the hideouts, Chief."

IV. Close-up of Hoover at telephone, saying: "Good work, Woodrow, and don't worry about Albert Bates--the Denver police just picked him up on a minor charge. He had \$660 of Urschel's ransom on him!"

Insert wording: At Washington-

24
31

Urschel No. 59.

Sub-Title: An "Impossible" Escape.

I. Scene showing Harvey Bailey behind bars of cell. He is saying to a guard: "Tell Manion, the night jailer, I want to see him. It's important!" Guard answers: "O.K., Bailey".

Insert wording: Harvey Bailey, held in the "escape-proof" Dallas County jail for the Urschel kidnaping, has a plan--

II. Insert in vertical panel: Meanwhile the G-men intensify the hunt for the last of the gang- Machine Gun Kelly.

Then scene showing agent with machine gun on lap, seated in chair in upstairs room and watching through partly-curtained window a vacant house across the street. Insert: Kelly's old haunts were placed under surveillance.

III. Scene showing Inspector Woodrow in office, giving instructions to two agents. He is saying: "Check those underworld resorts. A little pressure may help--Wait a minute--the phone!"

IV. Scene showing close-up of Inspector Woodrow, with look of surprise, at phone. He is saying: "What's that? It can't be true! Bailey--you say he just escaped?"

Urschel No. 60

Sub-Title: Bailey Is Recaptured.

I. In Opening Panel Insert: Harvey Bailey, held for the Urschel kidnaping, has escaped from the "escape-proof" Dallas jail--

Then scene showing Inspector Woodrow at phone, several agents standing at his desk awaiting orders, guns in hand. Inspector is into phone: saying: "He'll most likely head for the Oklahoma hills, where his friends are. Ask police to block all roads!" ~~Inspector Woodrow~~ Insert wording: Inspector Woodrow of the F.B.I. directs the chase.

II. Scene showing Inspector Woodrow and two or three agents inside automobile, through windshield of which, in distance, can be seen several cars and group of men in middle of road ahead. Inspector, seated beside driver, is saying: "Slow down- look's like a wreck ahead".

III-IV. Half strip scene showing car overturned in ditch, other cars- one with "Police" printed on it- parked nearby. Bailey, hand-cuffed, is standing in road, guarded by several policemen in uniform, while Inspector Woodrow and his agents have just come on the scene. ~~Inspector Woodrow~~ Police Chief is saying to Inspector Woodrow: "Here's your man, Inspector. We chased him through Ardmore and into the ditch." Inspector says: "Fine work, Chief. Come on, Bailey, you're going direct to Oklahoma City this time!"

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT OKLAHOMA CITY, OKLA.

FILE NO. 7-7-

REPORT MADE AT DALLAS, TEXAS	DATE WHEN MADE 3/25/36	PERIOD FOR WHICH MADE 3/20/36	REPORT MADE BY [REDACTED]
TITLE GEORGE KELLY BARNES, with aliases; ET AL CHARLES F. URSCHEL - Victim.			CHARACTER OF CASE KIDNAPING

SYNOPSIS OF FACTS: No information of value received from [REDACTED] Dallas, Texas, regarding alleged statement that one A. A. Long (decd), Attorney, received \$28,000. of ransom money.

R U C

REFERENCE: Bureau letter dated February 20, 1936.

DETAILS:

This investigation is predicated upon information telephonically furnished the Dallas Office February 8, 1936, by one [REDACTED] Dallas, Texas, to the effect that he overheard a conversation in a barber shop that A. A. Long, Attorney, deceased, received \$28,000. of the Urschel ransom money.

The writer went to [REDACTED] where he was advised by [REDACTED] that her husband is working somewhere in Dallas; that he is a house to house canvasser, buying old gold and other trinkets, and would not return home until about 7:00 p. m.

Agent then proceeded to Ervay and Jackson Streets, Dallas, where [REDACTED] had advised he overheard this conversation. A ten and fifteen cent barber shop is located at this address, and is owned and operated by [REDACTED], who works on the second chair of this barber shop, was interviewed, and he stated that soon after Tom Manion was released from the Penitentiary he was in the barber shop for a hair cut; that Manion and several others were talking about the Urschel case, and Manion stated that he believed some of the higher-ups received some of the Urschel ransom money. Manion seemed somewhat disgruntled about serving in the Penitentiary, and he, [REDACTED] did

APPROVED AND FORWARDED: <i>G. J. Beane</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 Bureau 2 Okla. City 2 Dallas		<div style="font-size: 2em; font-family: monospace;">7 1 1 5 4 1 8 2 2</div> <div style="font-size: 1.5em; font-family: monospace;">MAR 28 1936</div> <div style="font-size: 1.5em; font-family: monospace;">MAR 31 1936</div> <div style="font-size: 1.5em; font-family: monospace;">All b7c</div>	
		<div style="border: 1px solid black; padding: 5px; display: inline-block;"> COPIES DESTROYED JUL 17 1965 </div>	

not pay particular attention to the conversation as about all they talked of had been published in the papers. He stated that no specified amount of ransom money was mentioned, and that they did not give the name of any person who might have possession of the money.

[REDACTED] stated that if they had talked about anything of value to the Government he would have reported same, stating that he recently heard a man talking about selling a car which he believed was stolen; that he immediately called the Police, and this man was apprehended and the car found to have been stolen in another State; that this man was tried in Federal Court and sent to the Penitentiary; that he believes it is the duty of any citizen to report any law violations.

Inasmuch as [REDACTED] appears to be reliable, and stated that the conversation between Manion and the other people in the barber shop, whom he does not remember, did not mention anything new in the case, and the conversation was confined to newspaper articles, it is believed that no new evidence can be obtained from this source.

REFERRED UPON COMPLETION TO THE
OFFICE OF ORIGIN

All b7C

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **Oklahoma City, Okla.**

FILE NO. **74-72**

REPORT MADE AT Oklahoma City, Okla.	DATE WHEN MADE 3-25-36	PERIOD FOR WHICH MADE 3-24-36	REPORT MADE BY [REDACTED]
TITLE MRS. MOLLIE O. ^XBERT, with aliases			CHARACTER OF CASE Perjury
<p>SYNOPSIS OF FACTS:</p> <p style="text-align: center;">Mrs. Bert is due to be arraigned when the next arraignment list is called in Federal Court at Oklahoma City. Trial date has not been set.</p> <p style="text-align: center;">P.</p> <p style="text-align: center;">REFERENCE: Report of Special Agent [REDACTED] Oklahoma City, Okla., 1-2-36.</p> <p>DETAILS:</p> <p>Examination of the dockets and arraignment lists in the office of the Clerk of the United States District Clerk and that of the United States Attorney, Oklahoma City, revealed that Mrs. Bert's name appears on the next arraignment list, and that she will probably be arraigned when that arraignment list is called. No trial date has yet been set.</p> <p style="text-align: center;"><u>UNDEVELOPED LEAD:</u></p> <p>OKLAHOMA CITY OFFICE will follow this matter and report arraignment, plea and further Court disposition of this matter.</p> <p style="text-align: center;"><u>P E N D I N G .</u></p>			
APPROVED AND FORWARDED <i>[Signature]</i> SPECIAL AGENT IN CHARGE		DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT		<div style="display: flex; justify-content: space-between;"> 7-115-1823 MAR 28 1936 </div> <div style="display: flex; justify-content: space-between;"> MAR 31 1936 </div>	
2 - Bureau 1 - Denver 1 - U.S. Atty. Okla. City 2 - Oklahoma City		<div style="display: flex; justify-content: space-between;"> R [REDACTED] </div>	

Em
Federal Bureau of Investigation

U. S. Department of Justice

722 Midland Savings Bldg.,

Denver, Colo.

March 28, 1936

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

Re: GEORGE KELLY BARNES with aliases,
et al
CHARLES F. URSCHEL - Victim
Kidnaping

Dear Sir:

There are enclosed herewith articles from the Denver Post, Denver, Colorado, dated March 27, 1936, covering in detail the decision handed down yesterday by the Tenth Circuit Court of Appeals concerning Ben B. Alaska. These newspaper articles correctly cover the Court's decision.

I have attempted to obtain a copy of the Court's decision but find through inquiry from the Clerk, Circuit Court of Appeals here, that only one copy is available in the City of Denver, which he declined to release to me, but advised he is having copies printed and one should be available by Monday or Tuesday, March 30th or 31st, at which time I shall immediately forward three copies to the Bureau.

Very truly yours,

R. D. Brown
R. D. BROWN,
Special Agent in Charge

RDB: [redacted] b7c

Enc. [redacted]

AIRMAIL

7-7

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INDEXED

APR 3

36

7-115-1824

FEDERAL BUREAU OF INVESTIGATION	
MAR 30 1936 A.M.	
SEARCHED	INDEXED
SERIALIZED	FILED

[Handwritten signature]

THE DENVER POST
Denver, Colo.
March 27, 1936

CONVICTION OF BEN LASKA UPHELD BY CIRCUIT COURT

7-115-1924

'Verdict Affirmed,' was the finding Friday of the United States circuit court in a lengthy opinion directed against Ben B. Laska, Denver attorney, who appealed his ten-year prison sentence, imposed on charges of conspiracy growing out of the kidnaping of Charles F. Urschel, Oklahoma oil millionaire. Laska, shown here, announced he would appeal to the United States supreme court at once. He, frankly, had not expected the circuit court's findings and took the blow like a man stunned.



DENVER MAN IS STUNNED BY DECISION

Attorney Will Take Plea to Highest Tribunal

(By JACK CARBERRY.)

The conviction and ten-year sentence of Ben B. Laska, well known criminal attorney, for conspiracy in connection with the kidnaping of Charles F. Urschel, Oklahoma oil millionaire, was upheld Friday by the tenth United States circuit court of appeals, sitting in Denver.

Laska was attorney for Albert L. Bates, one of the Urschel kidnapers.

He was found guilty in the United States district court at Oklahoma City of having accepted a fee of \$10,000 of the \$90,000 which Bates received as his share of the \$200,000 ransom.

The opinion, written by Circuit Judge George T. McDermott of Topeka, Kan., and concurred in by his two fellow jurists, Circuit Judge Sam Bratton of Albuquerque, N. M., and United States District Judge T. Blake Kennedy of Cheyenne, Wyo., was, in the opinion of lawyers, one of the most remarkable documents ever filed in the federal courts.

It upheld the justice of not only the federal antikidnaping act, known as the Lindbergh law, but the more recently passed measure in which it becomes a crime to take, for any purpose, money used as ransom.

LASKA PLANS APPEAL TO U. S. SUPREME COURT.

Laska was informed of the court's opinion at his home, 1164 Cook street. He appeared like a man struck a mighty physical blow.

He cried out: "Oh, God, oh, God, I can't believe it—it can't be true."

Later, after he was calmed by members of his family and his attorneys, Ralph L. Carr and Jean S. Breitenstein, who handled his appeal before the circuit court, he announced he would appeal the finding to the United States supreme court.

Under the usual court practice, the mandate for Laska's arrest and execution of sentence will not come down from the circuit court for ten days. In this period he may ask for a rehearing or file his notice of appeal.

"We will positively appeal," Laska said.

The court, in its opinion, said:

"Appellant's (Laska's) guilt or in-

(Turn to Page 1—Col. 1.)

LASKA LOSES APPEAL TO U. S. CIRCUIT COURT

JURISTS RULE ATTORNEY MUST SERVE TERM ON RANSOM CHARGE

Denver Man Stunned by Decision and Says He Will
Take Case to Highest Tribunal; Judges
Rap Lawyers Who Accept Loot.

(Continued From Page One.)

innocence turns upon a pure question of credibility. That question was determined by a jury after a fair and careful trial."

The court, in this passage, referred to the testimony against Laska by Clara Feldman, wife of Bates, and her son, Edward Feldman.

The two testified that they had paid Laska \$10,000 in ransom money and told how he had counseled with them as to the best methods of disposing of the remaining \$80,000 in bills, which had been Bates' share of the ransom.

So the circuit court found that when the jury believed these witnesses, the fairness of Laska's trial was a settled matter.

But arriving at this conclusion the court took occasion, in the most forceful of language, to speak its thoughts relative to lawyers who, in league with criminals, accept loot as fees.

"We know," said the court, "that lawyers do exist who work hand in hand with criminals and share their loot.

"The revolting narrative here told (the story of Laska's participation in the case) is not inherently incredible.

"No lawyer has the right of abating apprehension of those who are wanted by the authorities either as witnesses or defendants, nor does a lawyer have the right to accept stolen property, or, what is worse, ransom money in payment of a fee."

This phase of the decision has been

discussed by the bar associations of the nation and by jurists everywhere in recent years. It, therefore, is a decision awaited by lawyers not only where Laska is personally known, but everywhere.

The court continued:

"The privilege to practice law is not a license to steal.

"Membership in the bar does not mitigate a crime—it aggravates it."

The court then went into another phase of the same subject, saying: "The conspiracy (the Urschel kidnaping) begins with the plan to abduct and ends when the ransom money is changed into unmarked money. But the conspiracy continues until the object is attained.

"By entering an active conspiracy, Laska became a member of it. The effort to change the marked money (the testimony of the Feldmans at Laska's trial) was an essential part of the conspiracy. And that effort had neither succeeded nor been abandoned when Laska entered the scene.

"If Laska did as (Edward) Feldman testified and the jury so found, it is a quibble to talk about his not knowing what he was doing.

"If he did these things, he deliberately entered as black a conspiracy as was ever hatched and he ought to pay the penalty."

And then the court said:

"The evidence conclusively proved many overt acts in pursuance of the conspiracy, including eight after Laska was alleged to have entered the conspiracy."

Much of the opinion is free of legal

verbiage. It recounts the entire story of the Urschel kidnaping, a national sensation at the time. It speaks of Bates' arrest in Denver at great length, and of the newspaper comment upon it at the time.

Then the decision goes into Laska's trial. Point by point, it takes up the allegations made in Laska's appeal. These included the sufficiency of the indictment, a plea of abatement and other legal phases of the case.

It concludes by saying that, at Laska's trial "the facts were thoroly and fairly explored."

The Laska case has been highly sensational from its inception.

So secretly had the federal government moved in preparing its case and obtaining his indictment in Oklahoma City that there had been the slightest whisper about the matter until department of justice swooped down on his office on 17, 1934, had Laska arraigned, jailed him after he failed to \$50,000 bond.

Laska succeeded in getting

bond cut to \$18,000 on the following day and obtained his release.

Of the five persons jointly indicted, Laska was the only one ordered to prison.

Mrs. Feldman; her son, Edward, and her brother-in-law, Alvin Scott, all of whom pleaded guilty and turned state's evidence, were freed on probation.

James C. Mathers, a young Oklahoma City, Okla., attorney, who was cocounsel in the Bates trial and was alleged to have received \$2,000 of the Urschel ransom money, was freed on a directed verdict.

Bates had been convicted previously and sentenced to life imprisonment for the actual kidnaping. George (Machine Gun) Kelly, another member of the kidnap gang, and his pretty red-headed wife, Katherine, also were convicted. The parents of Mrs. Kelly were found guilty, too.

It was chiefly on the story of Mrs. Feldman and Edward Feldman that the government obtained its conviction of Laska.

Laska became attorney for Bates shortly after Bates' arrest here on Aug. 13, 1933, and before it was discovered Bates was one of the men who kidnaped Urschel, oil millionaire, and extorted \$200,000 from him.

Mrs. Feldman and Feldman told the story that Bates had brought \$90,000 of the ransom money to Denver with him. From this they paid Laska a total of \$10,000, they said.

Of the rest \$75,000 was buried for a year near Laramie, Wyo.

They said that Laska was paid \$8,000 at his home in Denver. He had asked for \$10,000, according to the story, but Mrs. Feldman made a mistake in counting out the money and paid only \$8,000.

The other \$2,000, Feldman related, was paid to Laska in Oklahoma City on Sept. 16, 1933, when the Bates trial opened there.

Mrs. Feldman and Feldman testified Laska had instructed them on how to pass the ransom money, and Mrs. Feldman insisted that Laska

had threatened her life if she did not follow his instructions.

Laska's case came to trial in June, 1935.

His defense was that he received money from the Feldmans as a fee and that it was not ransom money.

He introduced Mollie O. Edison, a young Denver attorney, who had been associated with him, as a witness in his own behalf to show that the money paid him was not in the denominations of the ransom bills.

ATTORNEY EDISON ACCUSED OF PERJURY.

The jury returned a verdict of guilty against Laska on June 14, 1935.

Immediately afterward Attorney Edison was held for perjury as a result of her testimony.

An indictment was returned against her last Nov. 30, and her trial is still pending.

Laska immediately appealed his case to the circuit court.

At the time of Laska's arrest

government agents made extensive search of his home and his office, as well as a bank deposit vault, but never uncovered any ransom bills in Laska's possession, and never traced any of the bills he was alleged to have been given.

THE DENVER POST
Denver, Colo.
March 27, 1938

Decides Against Ben B. Laska



GEORGE T. M'DERMOTT,
Judge of the tenth United States circuit court of appeals of Denver, who wrote the opinion handed down Friday upholding the conviction of Ben B. Laska, Denver attorney, on charges of conspiracy in connection with the kidnaping of Charles F. Urschel. The two other judges who heard the case concurred.

LAWYERS WHO TAKE LOOT AS FEE SCORED IN RULING ON LASKA

(By BERT HANNA.)

The opinion handed down Friday by the tenth United States circuit court of appeals upholding the conviction and ten-year prison sentence of Attorney Ben B. Laska on charges of conspiracy in connection with the Urschel kidnaping is considered by lawyers to be one of the most remarkable in the history of federal courts.

The opinion was written by United States Circuit Judge George T. McDermott of Topeka, Kan.

McDermott directed a scathing attack against kidnaping and any act which aids or abets a kidnaping plot. He gave a new interpretation to the Lindbergh anti-kidnaping law under

which Laska was convicted, holding that a conspiracy to kidnap does not end with the arrest of the principals but ends only when ransom money is exchanged for unmarked money.

The court reviews the Urschel kidnaping, Laska's alleged part in the

(Turn to Page 5—Col. 1.)

RULING CALLED SENSATION

APPEAL COURT HITS ATTORNEYS WHO ACCEPT LOOT FOR SERVICES

Membership in Bar Does Not Mitigate Crime but
Aggravates It, Say Jurists; Lindbergh Law
Given New Interpretation.

(Continued From Page One.)

plot and every shred of evidence produced against the attorney.

Highlights of the opinion follow:

"Ben Laska, an active practitioner at the bar, was convicted of conspiracy to violate the statute prohibiting the transportation in interstate commerce of a kidnaped person.

**URSCHEL TAKEN FROM
OKLAHOMA CITY HOME.**

"Suffice here to say that on the night of July 22, 1933, George Kelly and Albert Bates, armed with a machine gun and a revolver, interrupted a bridge game at the Urschel home in Oklahoma City, abducted him and carried him to the Shannon farm in Texas and there they held him, chained and blindfolded, until July 31. On July 30 Kelly collected \$200,000 ransom in \$20 bills, the numbers of which were kept . . .

"The charge against Laska is that he entered the conspiracy after Aug. 15 and that the part he played was in aiding Mrs. Bates and her son, Edward Feldman, to change the marked money into good money, and in accepting ransom money, knowing it to be such, in exchange for his legal services.

"The evidence conclusively proved a conspiracy to kidnap Urschel and hold him for ransom, to conceal the ransom money and to exchange it for good money or other things of value. The evidence conclusively proved many overt acts in pursuance of the conspiracy, including eight after Laska was alleged to have entered the conspiracy. It is not disputed that a criminal conspiracy was formed and had, been partially accomplished when the indictment was returned.

DECLARES ONLY ONE ISSUE IS PRESENTED.

"There can be, then, but one issue: Did Laska, knowing of the conspiracy, enter it? It is not necessary that he know all the members or the part each played or was to play. The gist of the offense is the conspiracy; while an overt act by some member must be alleged and proved before the conspiracy becomes a criminal offense, it need not appear that each conspirator performed any overt act, or that the overt act be criminal.

"The Sufficiency of the Evidence—The principal error assigned is that the trial court should have directed a verdict of acquittal.

"If the testimony of Feldman and Mrs. Bates is true, there can be no doubt a crime was committed. It is said that the chief witnesses for the government, having confessed complicity in the offense, were not worthy of belief. Notwithstanding the court's careful charge that accomplice testimony must be received with great caution, twelve qualified jurors accepted their version and rejected Laska's. The trial court approved. In a sense, it is incredible that any lawyer would accept blood money in compensation for his service as an officer of the court, to say nothing of actively aiding in the accomplishment of this nefarious conspiracy. Yet we know that lawyers do exist who band with criminals and share their loot. The revolting narrative here told is not inherently incredible, and this court is without power, even should it be so disposed, to interfere with the jury's decision on this issue of credibility.

LAWYERS HAVE NO RIGHT TO ACCEPT STOLEN LOOT.

"It is argued that to defend a criminal is not to aid him in 'escaping detection, apprehension, trial and punishment.' A proper defense does not. Even as vicious criminals as Bates and Kelly are entitled to counsel whose function is to see that all the pertinent facts are brought to the attention of the jury in a fair trial. But no lawyer, in any case, has the right to suggest means of evading apprehension to those who are wanted by the authorities either as witnesses or as defendants. Nor does a lawyer have the right to accept stolen property, or, what is worse, ransom money, in payment of a fee. It need not be said that a lawyer has no right to aid in concealing the loot of criminals or to assist them in disposing of it. The privilege to practice law is not a license to steal. Membership in the bar does not mitigate a crime; it aggravates it. . . .

"The object of the ordinary conspiracy to kidnap is to possess unmarked money which can be spent. The conspiracy begins with the plan to abduct and ends when the ransom money is changed into unmarked money.

"When Laska entered the conspiracy, efforts to change the ransom money were still going on. Laska aided in that effort in two ways, first by accepting it for his services which in itself is an exchange of the money for a thing of value, and which normally would result in Laska's expenditure of it; and, second, by counseling Feldman and Mrs. Bates how to exchange it for good money. By thus entering an active conspiracy, Laska became a member of it.

"The sentence imposed upon Laska was within the limits imposed by the statute.

"There was no proof of a formal agreement between Laska and his fellow conspirators. Nor need there be. Conspirators do not reduce their agreements to writing, and seldom is the evidence available of their conferences. Proof of a common understanding may be, and nearly always is, adduced from circumstances.

FENCES NECESSARY FOR THIEVERY.

"The average man knows that ransom money is generally marked money, and that it is a part of the original plan to change it for unmarked money or things of value. If there were no fences there would be little thievery. The jury had a right to believe that Laska, a lawyer with long experience in the criminal courts, knew as much as the average man about crime and criminals. If Laska did as Feldman testifies, and the jury so found, it is a quibble to talk about him not knowing what

he was doing. If he did these things he deliberately entered as black a conspiracy as was ever hatched, and he ought to pay the penalty.

"The trial court rightly denied the motion for an instructed verdict."

"Trial Errors Assigned—Was Laska accorded a fair trial? A careful reading of the record has persuaded each member of this court that a fair trial was had. The facts were thoroly and fairly explored; the exceptions taken at the trial to the court's charge were inconsequential and unfounded. . . .

"The Plea in Abatement. Laska verified a plea in abatement in which he alleged that no witness testified before the grand jury to facts set out in the indictment. Laska could not have personal knowledge of the facts so positively verified, for he was not in the grand jury room.

SAYS POST CARRIED DETAILS OF CASE.

"No" one asserts, even now, that Laska was connected with the crime before the ransom was paid. The plea here is frivolous.

"The Newspapers.—Certain pages of THE DENVER POST, widely circulated in Denver, were introduced to bring home to Laska notice that Bates was charged with the Urschel kidnaping, and that ransom money had been found on his person. These papers carried this information with characteristic prominence. Bates was Laska's client and it is incredible that Laska did not read them.

"The papers refer to other crimes that Bates was supposed to have committed, and it is said that these references may have inflamed the jury as to Bates. But Bates was not on trial, and besides, the jury had heard from the stand the story of his kidnaping of Urschel and the inhuman treatment to which he was subjected; the newspapers did not paint him blacker than he was or than he was portrayed by the witnesses.

"In his address to the jury, counsel for Laska argued that the Feldmans testified falsely with the hope that leniency would be extended them in the matter of sentences on their plea of guilt.

"Counsel had the right to argue that the witnesses' testimony was influenced by their hope of reward, but no right to go outside the record to speculate as to the reasons why sentence had been deferred by the court.

"Appellant's guilt or innocence turns upon a pure question of credibility. That question was determined by a jury after a careful and fair trial. The judgment is therefore AFFIRMED."

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

CHICAGO, ILLINOIS

FILE NO. 62-1750

REPORT MADE AT Chicago, Ill.	DATE WHEN MADE 3/24/36	PERIOD FOR WHICH MADE 3/18/36	REPORT MADE BY [REDACTED]
TITLE ABE CAPLAN alias Harry Carper; CHARLES CAPLAN alias Charles Coplan.			CHARACTER OF CASE HARBORING AND CONCEALING PERSONS FOR WHOM WARRANTS HAD BEEN IS- SUED, and CONSPIRACY; KIDNAPING.
<p>SYNOPSIS OF FACTS: This subject matter awaiting date to be set in Federal Court, Chicago, Ill., to hear arguments on motion to quash indictment.</p> <p style="text-align: center;">P.</p> <p>REFERENCE: Report of Special Agent [REDACTED] Chicago, Illinois, dated 2/18/36.</p> <p>DETAILS: <u>AT CHICAGO, ILLINOIS:</u></p> <p style="padding-left: 40px;">Agent conferred with Assistant United States Attor- ney A. Bradley Eben, who stated that a motion to quash the indict- ment had been filed by attorneys representing Subject, and that no date as yet has been set to hear arguments in connection with this motion. However, Mr. Eben stated he felt sure that it would be within the next thirty days.</p> <p><u>UNDEVELOPED LEAD:</u></p> <p><u>The CHICAGO OFFICE:</u></p> <p style="padding-left: 40px;">At Chicago, Illinois, will contact the United States Attorney's Office in connection with the prosecution of this case.</p> <p style="text-align: center;"><u>P E N D I N G.</u></p>			
APPROVED AND FORWARDED:		DO NOT WRITE IN THESE SPACES	
SPECIAL AGENT IN CHARGE		<div style="display: flex; justify-content: space-between;"> 7 | 115 | 1825 MAR 30 1936 </div> <div style="display: flex; justify-content: space-between;"> COPIES OF THIS REPORT APR 2 1936 </div> <div style="display: flex; justify-content: space-between;"> <div> <p>Bureau - 3</p> <p>USA Chicago - 1</p> <p>Chicago - 2</p> </div> <div style="text-align: center;"> <p>PEP</p> </div> </div>	

P. O. BOX 1469,
LITTLE ROCK, ARKANSAS,
MARCH 24, 1936.

Special Agent in Charge,
Kansas City, Missouri.

Dear Sir:

Reference is made to your letter of
March 16, 1936, addressed to the Director and re-
lating certain information provided by [REDACTED]
[REDACTED] an inmate of the United States Medical Center,
Springfield, Missouri. No information is in the pos-
session of this office concerning any bonds that
have been stolen in robberies in the State of Arkansas
or that the subjects of the Urachel case had committed
any robberies in the State of Arkansas, or were plann-
ing to commit such robberies.

Very truly yours,

CHAPMAN FLETCHER,
Special Agent in Charge.

All b7c

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cc Bureau

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POSTAL
MAR 27 1936

Mr. Nathan
Mr. Tolson
Mr. Boardman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tamm
Miss Gandy

W29 30 GOVT COLLECT

DENVER COLO 27 801P

DIRECTOR FEDERAL BUREAU OF INVESTIGATION

US DEPT OF JUSTICE WASHN DC

GEORGE KELLY BARNES ETAL KIDNAPPING U S CIRCUIT COURT OF

APPEALS TENTH CIRCUIT DENVER TODAY RENDERED DECISION UPHOLDING

CONVICTION AND SENTENCE ATTORNEY BEN B. LASKA IN DISTRICT COURT

OKLAHOMACITY

BROWN.

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U. S. DEPT. OF JUSTICE

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Let. Courtney Dyer
3/28
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7-115-1827 March 28, 1936

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Mr. Courtney Ryley Cooper,
1212 Fifth Avenue,
New York City.

Dear Ryley:

I thought you might be interested to know
that the United States Circuit Court of Appeals for the
Tenth Circuit, Denver, Colorado, on Friday rendered a
decision upholding the conviction and sentence of
Attorney Ben B. Laska.

Sincerely,

J. Edgar Hoover

Mr. Nathan
Mr. Tolson
Mr. Loughran
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

COMMUNICATIONS SECTION
MAILED
MAR 30 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

RECEIVED
MAR 30 1936
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

DIRECTOR

PEP

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

March 24, 1936.

Time - 5:40 P.M.

MEMORANDUM FOR THE DIRECTOR

Re: [REDACTED]

Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Foxworth	.....
Mr. Harbo	.....
Mr. Joseph	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

I telephoned SAC Andersen at the Phoenix Office inquiring of him as to the information in his personal possession as to the above named person, the wife of Eddie Doll.

Mr. Andersen said that most of the information which he has concerning the reputation of this woman was furnished to him by Kathryn Kelly, wife of George Kelly, subject in the Urschel Kidnaping Case. Kathryn Kelly told Mr. Andersen that [REDACTED] used to work in a call house.

I asked Mr. Andersen what kind of a woman he would consider this person. He said that while he could not state that she is definitely the criminal type, she is the type who would knowingly live off of the proceeds of criminal activities. Mr. Andersen said that the only time he ever talked with her was one time while Doll was in jail at Tampa, Florida; that during this interview, he gained the impression that this woman was just a "push over". She puts on a good front and "is a simple maiden to talk to", but Mr. Andersen said that he has always had his doubts as to her sincerity. He said that she denied having knowledge of Doll's criminal activities before his arrest, but admitted to Mr. Andersen that she knows the Kellys, and knew them before the Urschel Case.

Mr. Andersen said that he would not say that this woman is a person of character, but is on the contrary, weak; that he would not at all classify her as being a "decent" person, although she tried to give the impression of being one. He said that she dresses very neat, is a sort of a "baby talker", and appears to be a good cook. She used to bring Doll's meals to him while he was in jail at Tampa, Florida.

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17-115-1828

He said he does not believe [REDACTED] was dumb enough to believe that Doll was a narcotic agent making \$700 per month, or that he was a cattle buyer with a ranch in Texas. It is Mr. Andersen's opinion that she as a matter of fact knew what was going on all the time.

APR 2 1936
Respectfully,

P. E. FOXWORTH

TOLSON
ONE

FILE

I gave Mr. Cooper a copy of this memo.
3/24/36

All b7C

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Q9

Federal Bureau of Investigation

U. S. Department of Justice
1216 Smith Young Tower
San Antonio, Texas.
March 30, 1936.

GTJ

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

GEORGE KELLY BARNES, w. a. et al;
CHARLES F. OURSCHEL, Victim
Kidnaping

Dear Sir:

Referring to letter from the Kansas City office dated March 16, 1936, quoting [REDACTED] convict, U. S. Medical Center, Springfield, Mo. regarding stolen bonds in the possession of one of the Urschel kidnapers.

If Bates, Bailey, or Kelly, Urschel kidnaping trio, told informant [REDACTED] what he claims they did and are willing to trust him with any of their bonds they are not running true to form. There is no doubt but what these three individuals participated in many bank robberies during the years immediately preceding their conviction in the Urschel case. I believe the file in the Oklahoma City office will disclose that they were wanted for robbery of a bank at Blue Ridge, Texas, and also for a Colfax, Washington, bank robbery, and were suspected of many other robberies, however, it is not believed that they have any securities left that might have been a part of any of these robberies as they had a ready market for their securities and it is believed that they immediately turned them.

The files of the San Antonio office do not disclose any record of any unrecovered bonds in any bank robbery participated in by these individuals neither does the writer have any personal knowledge of any such robbery.

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INDEXED

7-115-1829

All b7C

Very truly yours,

Gus T. Jones,
Special Agent in Charge.

cc Kansas City
cc Oklahoma City

APR 6 1936

RJ

April 1, 1936

Time: 12:03

b7C

Name: [REDACTED] of Wash. Times tele.

Chad.
Stated she was writing up the Urschel case and "wotta Story"; that she had noticed that Alfred Bates had been placed in solitary confinement when apprehended for the purpose of trying to make him confess where the ransom money had been hidden; that she would like to know if he did confess and if the Bureau recovered any money on the strength of the confession. She requested to be advised.

Mr. Foxworth advises that Bates did not confess to the crime and did not indicate where the money had been hidden and that to date \$123,750 of the ransom money has been recovered. cek

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APR 7 - 1936

7-115-1850

for list

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ONE R

HN

Federal Bureau of Investigation

U. S. Department of Justice
722 Midland Savings Bldg.

Denver, Colo.

April 3, 1936

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

Re: GEORGE KELLY BARNES
with aliases - et al;
CHARLES F. URSCHEL -- Victim
KIDNAPING

Reference is made to my letter, dated March 28, 1936,
in which I advised the Bureau that I would forward as soon
as possible a copy of the decision of the Circuit Court of
Appeals, this district, affirming the conviction of Ben B.
Laska.

There is enclosed herewith one copy of a printer's proof
copy of this decision. I am advised by the Clerk of the Cir-
cuit Court of Appeals, Denver, that additional copies will be
available within the next few days, at which time I shall
immediately forward at least three copies to the Bureau for
your information.

Very truly yours,

R. D. Brown

R. D. BROWN,
Special Agent in Charge

RDB: [redacted] b7C
Enc.
7-7

*Encl. not rec'd attached
to letter at working
desk, S. L. S.
yrd.*

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&
INDEXED

APR 7 - 1936

7-115-1831

ONE R

Federal Bureau of Investigation

U. S. Department of Justice
722 Midland Savings Bldg.
Denver, Colo.
April 6, 1936

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

Re: GEORGE KELLY BARNES with aliases,
et al;
CHARLES F. OURSCHEL -- Victim
Kidnaping

Dear Sir:

Reference is made to my letter of April 3, 1936
transmitting a copy of the decision of the Circuit Court
of Appeals, Denver, Colorado, affirming the conviction of
Ben B. Olaska.

Through inadvertence there was failure to enclose
the copy of this decision, and same is herewith forwarded.

Very truly yours,

R. D. Brown
R. D. BROWN,
Special Agent in Charge

RDB
Enc
7-7

b7C

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FEDERAL BUREAU OF INVESTIGATION	
APR 9. 1936 A.M.	
U. S. DEPARTMENT OF JUSTICE	
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ENCLOSURE

11/25/82

United States Circuit Court of Appeals
TENTH CIRCUIT

No. 1317—JANUARY TERM, 1936.

Ben B. Laska,

Appellant,

v.

United States of America,

Appellee.

Appeal from the District
Court of the United
States for the West-
ern District of Okla-
homa.

[March 27, 1936.]

Ralph L. Carr (Jean S. Breitenstein, John G. Reid, and David
Tant were with him on the brief) for appellant.

F. M. Dudley, Asst. U. S. Atty. (William C. Lewis, U. S.
Atty., and George E. Massey, Jr., Asst. U. S. Atty., were
with him on the brief) for the United States.

Before McDERMOTT and BRATTON, Circuit Judges, and KEN-
NEDY, District Judge.

McDERMOTT, Circuit Judge, delivered the opinion of the court.

Ben Laska, an active practitioner at the bar, was convicted
of conspiracy to violate the statute prohibiting the transpor-
tation in interstate commerce of a kidnaped person. 18 USCA
§ 408-c. The details of the atrocious crime perpetrated on
Charles Urschel may be found in four opinions of this court
on the appeals of other members of the conspiracy.¹ Suffice

¹ Bailey v. United States (C.C.A. 10) 74 F. (2d) 451;
Skelly v. United States (C.C.A. 10) 76 F. (2d) 483, certiorari denied,
295 U. S. 757;
Shannon v. United States (C.C.A. 10) 76 F. (2d) 490;
Kelly v. United States (C.C.A. 10) 76 F. (2d) 847.

it here to say that on the night of July 22, 1933, Kelly and Bates, armed with a machine gun and a revolver, interrupted a bridge game at the Urschel home, abducted him and carried him to the Shannon farm in Texas, there they held him, chained and blindfolded, until July 31. On July 30 Kelly collected \$200,000 ransom in twenty-dollar bills, the numbers on which were kept. The charge against Laska is that he entered the conspiracy after August 15, and that the part he played was to aid Mrs. Bates and her son Edward Feldman to change the marked money into good money and in accepting ransom money, knowing it to be such, in exchange for his legal services.

The Offense Charged. An understanding of the indictment may dispel some confusion which appears in the briefs. It alleges that from July 22, 1933, until the return of the indictment on December 14, 1934, 14 persons, including Laska, conspired to violate the Lindbergh Law. Bates and Kelly and the Shannons, heretofore convicted, were named; their part in the conspiracy—the abduction of Urschel, holding him for and collecting the ransom—was alleged. As an integral part of the original conspiracy it was alleged that the conspirators, including Laska, would proceed to sundry distant places "for the purpose of changing said ransom money for other moneys or securities in order to avoid detection, apprehension and arrest, through the means of marked money."

Twenty-nine overt acts were alleged, 15 of which dealt with the abduction, holding, collection and concealment of the ransom before Laska entered the scene. Eight overt acts of burying or otherwise concealing the ransom by other members were alleged to have occurred during the 15 months after Laska is alleged to have joined the conspiracy. Five overt acts are alleged as to Laska, to wit, the paying to him on two occasions of \$8,000 and \$2,000, and his receipt, possession, and concealment thereof knowing it was ransom money, and his payment of \$1,000 thereof to James C. Mathers, his associate counsel in Oklahoma. One overt act dealt with Mathers, who was acquitted.

Ben B. Laska v. United States of America.

3

The evidence conclusively proved a conspiracy to kidnap Urschel and hold him for ransom, to conceal the ransom money and to exchange it for good money or other things of value. The evidence conclusively proved many overt acts in pursuance of the conspiracy, including eight after Laska was alleged to have entered the conspiracy. It is not disputed that a criminal conspiracy was formed and had been partially accomplished when the indictment was returned.

There can be, then, but one issue: Did Laska, knowing of the conspiracy, enter it? It is not necessary that he know all the members or the part each played or was to play. *Marcante v. United States* (C.C.A. 10) 49 F. (2d) 156. The gist of the offense is the conspiracy; while an overt act by some member must be alleged and proven before the conspiracy becomes a criminal offense, it need not appear that each conspirator performed an overt act, or that the overt act be criminal. *United States v. Rabinowich*, 238 U. S. 78, 86. In *Bannon v. United States*, 156 U. S. 464, 468, 469, the Supreme Court said:

"The gist of the offense is still the unlawful combination, which must be proven against all the members of the conspiracy, each one of whom is then held responsible for the acts of all. . . . To require an overt act to be proven against every member of the conspiracy, or a distinct act connecting him with the combination to be alleged, would not only be an innovation upon established principles, but would render most prosecutions for the offense nugatory. It is never necessary to set forth matters of evidence in an indictment."

And in *Chew v. United States* (C.C.A. 8) 9 F. (2d) 348, 353, Judge Booth said:

" . . . If the defendants were all in the continuing conspiracy, it is immaterial by which one of them the overt acts were committed. The overt act of one is the act of all."

No bill of particulars was asked for. No surprise is claimed. If the evidence established that Laska was a member of the

conspiracy charged and proven, it is no defense that each act of his in furtherance of the conspiracy was not set out in the indictment.

The Trial. There was no conflict at the trial over the facts concerning the abduction of Urschel and the collection of the ransom. Likewise it is undisputed that Bates came to Denver on August 10 with \$90,000 of the ransom money in a locked brown grip or bag. He went to an apartment where his wife and stepson, Edward Feldman, lived. On August 12 he was arrested but specific charges were not immediately filed. He had on his person \$660 of the ransom money. He sent a note from the jail to his wife telling her there was money in the brown grip and for her to flee. She and her son immediately left taking with them the ransom money. He retained Laska as his counsel on August 13th or 14th. Bates was then suspected of bank robbery and other offenses, but not of the Urschel kidnaping. Bates told Laska how to get in touch with his wife or stepson who would provide him with money for his fee and expenses. Laska did contact young Feldman. His first conference with Feldman occurred on August 16th or 17th. Laska had learned from the police officers and the newspapers on the afternoon of August 15 that Bates was charged with the Urschel kidnaping and that ransom money had been found on his person. Laska defended Bates upon his trial in September. It is likewise undisputed that Mrs. Bates and Feldman buried the ransom money in various places at intervals during the year ensuing.

What occurred between Laska and Feldman and Mrs. Bates at various conferences is in sharp dispute.

Feldman testified that on his first meeting with Laska, Laska said he knew about the money which Bates left in the apartment, and asked who had it; Feldman said it was at Cheyenne; Laska asked if it was buried and when told it was not, said, "Lord, kid, you should have buried the money. . . . Good Lord, why didn't your mother bury that money? Don't you read the papers? Here is a paper right here." Laska showed him a paper dated August 15, carrying

a picture of Bates, an eight-column headline charging him with the Urschel kidnaping, and a two-column head that ransom money had been found on his person. Laska told him the money was "plenty hot" and gave him explicit instructions as to how to bury it. Laska told them to change their names and suggested that he use the name Axel C. Johnson and his mother Ruth Johnson. Laska asked for and was given Feldman's driver's licenses and identification card so that his use of an assumed name would not be detected in case of arrest; Laska told him to get rid of his dog to escape detection. Laska asked for a fee of \$10,000, and inquired whether Mrs. Bates had any "good money"; when told she had not, Laska said the case was worth \$50,000, and he needed \$10,000 right away. Feldman went back to Cheyenne, got \$10,000, (or as Laska later claimed, \$8,000) of the ransom money, came back to Denver, went to Laska's home at night, gave the name of Axel C. Johnson and was admitted. Laska took him to his bedroom and there received the money in twenty-dollar bills which came from the Bates grip. Feldman then testified as to Laska's instructions as to how to change the ransom bills into unmarked money, as follows:

"He said he advised mother and I to leave Cheyenne because it was getting pretty hot around, and to leave for some big city in the East. He suggested Chicago would be our best bet, and to disguise ourselves, dress as an ordinary class of people, and to take the day coach, ride a day coach instead of a Pullman on the train, and he says, 'When you get to Chicago you can change this hot money. You can change it at department stores, drug stores or clothing stores. Go to the busy vicinity of the town and change it; not to have more than one or two bills on you at a time.' He says, 'After you get some of this changed, to put some of this ransom money in a safety deposit box, rent a safety deposit box and put it in.' He says, 'No one would look in there.'"

Feldman and his mother, following Laska's instructions, changed their names and went to Chicago. Feldman returned

to Denver about the last of August, when Laska told him he needed \$2,000 in "changed hot money"; to get the hot money changed and bring it to Oklahoma City by September 10th or 11th; that he had to pay a local attorney there. Feldman said his mother wanted to give herself up, but Laska vigorously protested. Feldman went to Oklahoma City on September 16th and met Laska in a hotel room. He told Laska he had \$2,000, but it was hot money. Laska told him to go in the bathroom and put it under the rug, which he did.

On November 16th or 17th Feldman and his mother came to Denver and saw Laska at his home at night. Mrs. Bates again wanted to give herself up, but Laska objected. Laska took title to her Buick car and then,

"Laska had advised us to keep away from the west, the northwest, and he says to mother to forget about them children of yours. He says, 'Look,' Laska pointed to me, 'Do you mean to tell me he can't take care of himself?' He says, 'Forget about your children; make new friends; make new acquaintances, but associate with no old friends.' He says if mother buys a home, go east and buy a home, and still cash this ransom money, and that have some kind of plumber come over to the house and fix the pipe there, in the drain pipe, 'so you can put this changed money away' like he does."

On August 7, 1934, Feldman again came to Denver; Laska arranged for him to stay at a hotel under the assumed name of Axel C. Johnson. Laska also arranged for him to put his car in the private garage of a neighbor. Laska wanted \$2,000 of good money which Mrs. Bates had and told Feldman,

"Well, remember, kid, neither you or mother owns that money that is buried out in Wyoming. It don't belong to neither of you.' He says, 'My case is worth \$50,000.' He says, 'I got that in the Sankey case,' or something like that."

Mrs. Bates testified as to Laska's instructions to her in November as follows:

"He told us to go back to the East, to Philadelphia or New York, Chicago, and get us a home there, and when we got settled we should always communicate with him and keep in touch with him, and remove this money from Cheyenne to the place we was going to buy in, the East, where we were located, and to cache this money, and put it under the sink in a small—he says to get a plumber, and have this plumber fix a place underneath the drain pipe to keep the money in. He says that is the way he got his. He said, 'Don't take it to banks,' told us not to cash any of the money at the gasoline stations if we were in a car, but to go to department stores, grocery stores, the Fair at Chicago, clothing stores, and only to carry a few bills at a time and get small articles, and he says if I didn't take his instructions I would get my throat cut; they would follow us, and to never go back to the Coast. I should forget my children, my friends and my people, and don't associate with anybody. He said if we do as he asked, we would be all right, and if the Federals would get us we should not talk; just do as he says, and we would be all right; 'That money is good.' . . . He said if the Federal men would get me, if I gave myself up, I would get what the Kellys got. I would get life, and if the others found me they would cut my throat; they would cut my throat if I wouldn't tell them where this money was, and I should take his instructions and I would be all right."

There was some corroboration of Feldman's testimony. Laska admitted wiring his associate counsel in Oklahoma City, shortly after Feldman's promise to have \$2,000 there in September, that "Bates' friends will have your fee by next Friday or Saturday." But Laska could not remember who "Bates' friends" were and declined to tell who gave him the information on which the telegram was based. In Laska's office was found a message signed "Alex C. Johnson"; Laska disclaimed any knowledge of it. Hotel registers corroborate Feldman's testimony as to his trips to Oklahoma City in September, 1933.

and to Denver in August, 1934. Laska's neighbor testified he took his own car out of his own garage in August, 1934, at Laska's request, in order that one of Laska's friends might use it. Laska, while denying knowledge that the Feldmans had buried any money, nevertheless on cross-examination testified:

"I told them they was a type of character that if they knew a man or woman had a dollar, buried, secreted, hid, or anything on them, that they wouldn't stop at anything; they would cut their throats and kill them to get it, and it wouldn't make any difference if I was there with them."

Feldman's testimony was contradicted by Laska, and in part by Mathers, a co-defendant, and in part by Molly Edison, a Denver lawyer, who testified that Feldman paid Laska a fee of \$3,000 in Laska's office in the presence of Duran. Duran, however, swore to the contrary. Feldman admitted that he gave Laska a false diagram as to where the money was buried, and that he told him Mrs. Bates was in the East, as Laska had directed, when in fact she was in Oregon with her relatives.

Laska categorically denied any knowledge of the ransom money, of knowingly accepting any of it, or of giving any advice concerning it. He testified that in response to Bates' instructions, he asked Feldman to his office; that Feldman was fearful his mother and he would be arrested. Laska testified he told Feldman:

"I says, 'Have they got a picture of you?' He says, 'No.' 'Do they know your name?' He says, 'Yes.' I says, 'Well, then, the only thing you do, to make sure they don't pick you up on some minor offense, like a traffic violation or something, find your name out and put you under investigation and check up on you and get your mother, and your mother has done nothing wrong'."

That the next day Feldman paid him a fee of \$3,000 in currency. Whether that money was deposited in a bank, or placed in a safe deposit box, is not disclosed.

Ben B. Laska v. United States of America.

The Sufficiency of the Evidence. The principal error assigned is that the trial court should have directed a verdict of acquittal.

If the testimony of Feldman and Mrs. Bates is true, there can be no doubt a crime was committed. It is said that the chief witnesses for the government, having confessed complicity in the offense, were not worthy of belief. Notwithstanding the court's careful charge that accomplice testimony must be received with great caution, twelve qualified jurors accepted their version and rejected Laska's. The trial court approved. In a sense it is incredible that any lawyer would accept blood money in compensation for his service as an officer of the court, to say nothing of actively aiding in the accomplishment of this nefarious conspiracy. Yet we know that lawyers do exist who band with criminals and share their loot. The revolting narrative here told is not inherently incredible, and this court is without power, even should it be so disposed, to interfere with the jury's decision on this issue of credibility.

It is argued that to defend a criminal is not to aid him in "escaping detection, apprehension, trial and punishment." A proper defense does not. Even as vicious criminals as Bates and Kelly are entitled to counsel whose function it is to see that all the pertinent facts are brought to the attention of the jury in a fair trial. But no lawyer, in any case, has the right to suggest means of evading apprehension to those who are wanted by the authorities either as witnesses or as defendants. Nor does a lawyer have the right to accept stolen property, or what is worse, ransom money, in payment of a fee. It need not be said that a lawyer has no right to aid in concealing the loot of criminals or to assist them in disposing of it. The privilege to practice law is not a license to steal. Membership in the bar does not mitigate a crime; it aggravates it.

It is claimed there was no proof of any agreement between Laska and the other conspirators; that the original conspiracy terminated when the ransom was collected or when Bates was arrested; that Laska's offense, if any, was of a conspiracy subsequent to the principal conspiracy.

The argument misconceives the charge. The object of the ordinary conspiracy to kidnap is to possess unmarked money which can be spent. The conspiracy begins with the plan to abduct and ends when the ransom money is changed into unmarked money. The study of the victim's fortune, his family, his habits—"fingering"—the abduction, the collection of the ransom, are all but steps leading to the possession of unmarked money or other things of value. The conspiracy continues until the object is attained. Such is the conspiracy here alleged. When Laska entered the conspiracy, efforts to change the ransom money were still going on; Laska aided in that effort in two ways, first by accepting it for his services which in itself is an exchange of the money for a thing of value, and which normally would result in Laska's expenditure of it; and second, by counseling Feldman and Mrs. Bates how to exchange it for good money. By thus entering an active conspiracy, Laska became a member of it. In *United States v. Kissel*, 218 U. S. 601, Mr. Justice Holmes said that if the conspirators "continue such efforts in pursuance of the plan the conspiracy continues up to the time of abandonment or success." In this case, the effort to change the marked money was an essential part of the original conspiracy, and that effort had neither succeeded nor been abandoned when Laska entered the scene. In *Skelly v. United States* (C.C.A. 10) 76 F. (2d) 483, certiorari denied, 295 U. S. 757, this court upheld convictions under an indictment almost identical with this, of men in Minnesota who aided Bates in exchanging part of this same ransom. We need not till that ground again. The sentence imposed upon Laska was within the limits imposed by 18 USCA § 551.

There was no proof of a formal agreement between Laska and his fellow conspirators. Nor need there be. Conspirators do not reduce their agreements to writing, and seldom is there evidence available of their conferences. Proof of a common understanding may be and nearly always is adduced from circumstances. The *Skelly* Case, *supra*, is but one of a myriad of cases so holding. What were the circumstances here? Laska concedes that on the afternoon of August 15 the officers told

him that Bates was one of the Urschel kidnapers, and that the officers had taken ransom money from his person. Either the next day or the day after he called Feldman's attention to the Denver Post which carried the same information all over the front page. Laska did not deny having read the story. He told Feldman he knew about the money Bates had left with his wife, told Feldman it was "plenty hot" and to bury it immediately. It cannot be seriously claimed that this is not enough to support the finding that Laska had ample grounds to know that the money was the fruit of the Urschel kidnaping, and to know that a conspiracy existed which would not be fully accomplished until the money was changed. The average man knows that ransom money is generally marked money, and that it is a part of the original plan to change it for unmarked money or things of value. If there were no fences, there would be little thievery. The jury had a right to believe that Laska, a lawyer with long experience in the criminal courts, knew as much as the average man about crime and criminals. If Laska did as Feldman testifies, and the jury so found, it is a quibble to talk about him not knowing what he was doing. If he did these things, he deliberately entered as black a conspiracy as was ever hatched, and he ought to pay the penalty.

The contention is made that it was no crime to receive ransom money until the Act of January 24, 1936, and that the court charged the jury that receipt of such money was a criminal offense. Again counsel misconceives the offense charged and the instructions of the court. Laska was not charged with the substantive offense covered by the recent act. He was charged with the conspiracy condemned by the Act of June 22, 1932. The court instructed the jury as to what constituted a conspiracy and that unless they found that Laska became part of that conspiracy, there must be an acquittal. He further instructed that if Laska did so enter the conspiracy, they must further find that Laska either accepted ransom money knowing it was such or aided or abetted Feldman and Mrs. Bates in exchanging it.

The trial court rightly denied the motion for an instructed verdict.

Trial Errors Assigned. Was Laska accorded a fair trial? The issue was simple: Did Laska, knowing that a conspiracy existed to kidnap Urschel and change the ransom money into unmarked currency, enter that conspiracy by aiding or counseling in the exchange of money and accepting part of it for a fee? A careful reading of the record has persuaded each member of this court that a fair trial of that issue was had. The facts were thoroughly and fairly explored; the exceptions taken at the trial to the court's charge were inconsequential and unfounded. Under these circumstances, we approach the particular errors assigned in the light of Section 269 of the Judicial Code (28 USCA § 391) which provides that:

"On the hearing of any appeal, certiorari, or motion for a new trial, in any case, civil or criminal, the court shall give judgment after an examination of the entire record before the court, without regard to technical errors, defects, or exceptions, which do not affect the substantial rights of the parties."

The Indictment. It is now claimed that the indictment will not support the judgment, although its sufficiency was not attacked before or at the trial, either by a demurrer or motion for a bill of particulars. The tests of a good indictment laid down in *Berger v. United States*, 295 U. S. 78, and *Hagner v. United States*, 285 U. S. 427, are (1) whether the indictment apprises the accused of the charges against him with sufficient definiteness to enable him to present his defense, and (2) whether it will protect the accused from further prosecution for the same offense. This indictment unquestionably protects Laska against any other prosecution founded on this conspiracy. Does it meet the first test? Section 332 of the Criminal Code, 18 USCA § 550, provides that whoever "aids, abets, counsels, commands, induces or procures" the commission of an offense "is a principal." Reading the indictment in the light of this statute, Laska was advised that he was charged with participating in the conspiracy by changing the ransom money, or aiding or counseling in changing it, and with receiving \$10,000 of it personally. He was thus fully apprised of the charges against him. There is and can be no claim of surprise. The

critical evidence went in without objection; Laska was prepared for the issue, for every witness who appears to have figured in the transactions testified, save Laska's secretary who was ill, and her statement was produced. We think the indictment sufficient.

The Plea in Abatement. Laska positively verified a plea in abatement in which he alleged that no witness testified before the grand jury to the facts set out in the indictment. Laska could not have personal knowledge of the facts so positively verified, for he was not in the grand jury room. Laska swore it was impossible for Feldman or Mrs. Bates to testify before the grand jury as they did at the trial. He neglected to state why it was impossible. When the plea came on for hearing, Laska had no proof at all to support his sworn plea, but asked to call the members of the grand jury, stating that although he had not talked with them,

"that he would expect them to testify that no evidence was placed before the grand jury showing that Laska was in Oklahoma City at the time Urschel was kidnapped from his home, or that he (Laska) at the time Urschel was kidnapped had any knowledge of the matter whatsoever, or that he assisted in transporting Urschel and holding him for ransom, or that he was present at the time or had anything to do with the payment of the ransom money by the intermediaries to the actual kidnapers."

No one asserts, even now, that Laska was connected with the crime before the ransom was paid. Furthermore, this court held, *Cox v. Vaught*, 52 F. (2d) 562, that the proceedings before the grand jury may not be explored without some facts, as distinguished from bald conclusions, that rebut the presumption that indictments are returned upon legal evidence. The plea here is frivolous.

The Newspapers. Certain pages of the *Denver Post*, widely circulated in Denver, were introduced to bring home to Laska notice that Bates was charged with the Urschel kidnaping, and that ransom money had been found on his person. These papers

carried this information with characteristic prominence. Bates was Laska's client and it is incredible that Laska did not read them; while Laska at one place in his testimony said he had not read the articles, yet when asked when he knew Bates was wanted in Oklahoma, he testified, "I think the newspapers came out, whether it was the 15th or 16th of August, I am not sure." Feldman testified Laska showed him the first paper. The court carefully limited their probative value to the question of notice, and for that purpose they were admissible. The whole controversy becomes moot when it is remembered that Laska testified the officers gave him the same information the day the first paper came out.

The papers refer to other crimes that Bates was supposed to have committed, and it is said that these references may have inflamed the jury as to Bates. But Bates was not on trial, and besides, the jury had heard from the stand the story of his kidnaping of Urschel and the inhuman treatment to which he was subjected; the newspapers did not paint him blacker than he was or than he was portrayed by the witnesses. The papers carried weather reports, stories of the progress of the N. R. A., and other items immaterial to the inquiry, but likewise not prejudicial.

The Instructions. Exception is taken in the brief, for the first time, to two paragraphs of the court's charge to the jury. No exception to these paragraphs was taken at the trial, and the case is not one for this court to notice the error, if any. However, the exceptions now taken are unfounded. From these isolated paragraphs counsel draw the unwarranted conclusion that the court charged the jury that a conviction should follow if ransom money was knowingly accepted by Laska for his fee. This overlooks the first part of the charge where the court instructed carefully as to what constituted a conspiracy, and that Laska could not be convicted unless the jury first found he was a part of the conspiracy as alleged. If the jury did so find, the court said, then they must find whether he had aided and abetted in exchanging the ransom money or had knowingly accepted it in exchange for his services. We premit the question of whether a conviction would follow voluntary entry

into a going active conspiracy without an overt act on the part of the defendant so entering; certainly the defendant cannot complain if the trial court charged that such overt act must be found before there could be a conviction.

Other Errors. The witnesses and lawyers at the trial quite naturally referred to the \$90,000 of twenty-dollar marked bills which Urschel paid for his release and which were found in Bates' bag, as ransom money. It was ransom money beyond the shadow of a doubt. The court was careful to say to the jury that the term "ransom" was used as a convenient designation of the bills in the bag, and that calling it so did not make it so. If new trials must be awarded because witnesses speak naturally while on the stand, the effort to punish criminals might as well be abandoned.

In his address to the jury counsel for Laska argued that the Feldmans testified falsely with the hope that leniency would be extended them in the matter of sentences on their plea of guilty. But counsel did not stop there. He undertook to tell the jury that their sentences had been postponed by the court in order, presumably, to influence their testimony. Whereupon the court properly and promptly stopped him and said sentence had been deferred until the law was settled on another appeal. Counsel had the right to argue that the witnesses' testimony was influenced by their hope of reward, but no right to go outside the record to speculate as to the reasons why sentence had been deferred by the court.

Appellant's guilt or innocence turns upon a pure question of credibility. That question was determined by a jury after a careful and fair trial. The judgment is therefore **AFFIRMED**.

A true copy.

Attest:

Federal Bureau of Investigation

U. S. Department of Justice
722 Midland Savings Bldg.
Denver, Colo.
April 7, 1936

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Foxworth	.....
Mr. Harbo	.....
Mr. Joseph	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Schilder	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

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

Dear Sir:

RE: GEORGE KELLY BARNES with aliases;
ET AL; CHARLES F. URSCHEL - Vic-
tim
KIDNAPING

There is enclosed herewith a certified printed copy of the opinion of the United States Circuit Court of Appeals, 10th Circuit, Denver, Colorado, in the case Ben B. Laska vs United States of America. I have already furnished the Bureau a printer's copy. Should the Bureau desire additional copies, I shall endeavor to obtain same from the Clerk, United States Circuit Court of Appeals, Denver, Colorado.

There is also enclosed herewith a clipping from the Denver Post dated April 6, 1936, concerning an appeal for re-hearing by the United States Circuit Court of Appeals, 10th District, by attorneys representing Ben B. Laska.

In his petition for re-hearing, Laska, through his attorneys Ralph L. Carr and Jean S. Breitenstein, has alleged eighteen specific legal errors. It is interesting to note that in the brief filed by Laska through his attorneys supporting his petition for re-hearing, the statement is made "If Laska's conviction is finally upheld, every attorney in the country engaged in a criminal case will be at the mercy of his client".

I shall watch closely any action taken with respect to this appeal for re-hearing by the United States Circuit Court of Appeals here and shall advise the Bureau promptly.

RECORDED & INDEXED

Very truly yours,

R. D. BROWN
Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION

APR 10 1936 A.M.

U. S. DEPARTMENT OF JUSTICE

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APR 17 1936

Y Poma

THE DENVER POST
Denver, Colo.
April 6, 1936

Bureau

Laska Asks Court for Rehearing

Eighteen Exceptions To Findings Set Out in Plea

Alleging eighteen specific legal errors, Ben B. Laska, thru his attorneys, Ralph L. Carr and Jean S. Breitenstein, presented a petition to the United States tenth circuit court of appeals here Monday afternoon for a rehearing on his conviction which the appeal court recently affirmed.

Laska, a Denver attorney, was convicted and sentenced to ten years in prison by a jury in the United States district court in Oklahoma City in June, 1935, for alleged conspiracy in the Charles F. Urschel kidnaping case and the circuit court sustained the verdict. He was charged with having accepted some of the Urschel ransom money to defend Albert L. Bates, one of the kidnapers.

In their brief supporting the petition for a rehearing Carr and Breitenstein contend that if Laska's conviction is finally upheld, every attorney in the country engaged in a criminal case will be at the mercy of his client.

Commenting upon this feature of the case, the brief states:

"This decision is of the greatest importance not only to the bar of this country, but also to every American citizen. If this judgment is affirmed and the rule is upheld on the

(Turn to Page 2—Col. 3.)

BEN LASKA ASKS APPEALS COURT FOR REHEARING

(Continued From Page One.)

uncorroborated testimony of an accomplice, every attorney who undertakes the defense of a criminal case for a fee is at the mercy of the man whom he represents.

"A man is presumed innocent until his guilt is proved beyond a reasonable doubt. Even Bates was presumed innocent at the time Laska convicted because he became the attorney for a man who was later convicted.

"If the rule here announced is sustained, every attorney will hesitate to accept employment in a criminal case because of knowledge that no matter how worthy his motives, by such act he makes himself subject to indictment and conviction of participation in a criminal conspiracy.

"It has been frequently asserted in the last few years that the criminal laws in this country would be better enforced if the defense of criminal cases were conducted by attorneys of highest standing at the bar. The charge has been made that the criminal practice has been taken over by the shyster class of attorneys. If such a rule as the one announced in this decision is permitted to stand, we say that no lawyer who is jealous of his professional standing will accept the defense of a criminal case for a fee."

BATES' WIFE AND SON WERE U. S. WITNESSES.

Bates' wife, Mrs. Clara Feldman Bates, and her son, Edward Feldman, were the principal government witnesses against Laska. They testified that Laska instructed them how to conceal and dispose of ransom money obtained in the Urschel kidnaping.

With reference to their testimony, the petition for a rehearing states: "The circuit court opinion holds that Laska entered into the conspiracy by counseling Feldman and Mrs. Bates how to exchange ransom money for good money. We submit that in holding, the court overlooked the fact that neither Feldman nor Mrs. Bates was a member of the group which planned and executed the kidnaping of Urschel. The most that can be said is that they were accessories after the fact."

The petition of Carr and Breitenstein recited alleged errors by the trial court which were contained in the original appeal to the circuit court. It contends that the trial court's instructions to the jury were prejudicial to Laska.

7-115-10

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

- ☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

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

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

- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

15 Page(s) withheld for the following reason(s): duplicative of 7-115-1832

- ☐ For your information: _____

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

7-115-1833

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

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

Oklahoma City, Okla.

FILE NO. 7-6

REPORT MADE AT Okla. City, Okla.	DATE WHEN MADE 4/8/36	PERIOD FOR WHICH MADE 4/6/36	REPORT MADE BY [REDACTED]
TITLE GEORGE KELLY BARNES, with aliases; et al; CHARLES F. URSCHEL - Victim			CHARACTER OF CASE Kidnaping

SYNOPSIS OF FACTS:

Review of file made in Okla. City office relative to Dr. C. J. Adrienne. Offices receiving copies of this report are requested to review their files for leads as to the location of Adrienne.

All b7C

P

REFERENCE:

Bureau letter dated 11/9/35 addressed to the St. Paul office. Bureau letter dated 4/2/36 addressed to the Oklahoma City office.

DETAILS:

The file in this case at the Oklahoma City office reflects that the name of C. J. Adrienne was first mentioned in connection with this case when Chief Inspector of Police W. T. Griffin, Memphis, Tennessee, advised Special Agent in Charge W. A. Rorer of the Nashville office that Adrienne had told [REDACTED] former employee of Adrienne, that he, Adrienne, had \$2,000.00 of the Urschel ransom money in a safety deposit box under his wife's name at Minneapolis, Minnesota. Adrienne told [REDACTED] that [REDACTED] of the Rogers Redemption Bureau, Minneapolis, Minnesota, had \$10,000.00 of the Urschel ransom money. Inspector Griffin placed confidence in [REDACTED] statement.

The report of Special Agent [REDACTED], dated January 29, 1935 at Birmingham, Alabama, relates an interview with [REDACTED]

APPROVED AND FORWARDED: <i>DeWight Brantley</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 - Bureau 2 - St. Paul 2 - Little Rock 2 - Birmingham 2 - Salt Lake City 2 - Oklahoma City	7 115-1834 APR 11 A.M. ONE	APR 11 1936 APR 13 1936
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[redacted] in which she stated Adrienne wanted to borrow \$500.00 from her, and promised to give her the \$2,000.00 ransom money as security. It appears that was the time [redacted] was told by Adrienne about the ransom money. The same report reveals that Adrienne told [redacted] he was reared in Oklahoma City, and that he was very apprehensive over the prosecution of lawyers and others in the Urshel case.

The report of Special Agent [redacted] dated at Oklahoma City February 12, 1935, shows that Special Agent [redacted] made extensive inquiries, and checked records back as far as 1908, without finding any information concerning Adrienne having been born or reared in Oklahoma City.

Investigation was not active concerning Adrienne from February 12, 1935 until the receipt of Bureau letter dated November 9, 1935 by various offices.

The report of Special Agent [redacted] dated November 14, 1935 at St. Paul, reflects an interview with [redacted] of the Rogers Redemption Bureau, Minneapolis, Minnesota, at which time [redacted] stated that Adrienne worked for the Rogers Redemption Bureau as a salesman from September 1, 1934 until May 29, 1935, at which time Adrienne was at Kingwood, West Virginia. [redacted] said Adrienne claimed to have owned an interest in the Little Rock baseball club. However, the report of Special Agent [redacted] dated at Little Rock, November 27, 1935, showed that Adrienne never had any connection with the Little Rock baseball club.

The report of Special Agent [redacted] dated November 14, 1935 at St. Paul, sets out the names of various firms, most of them being dairies, to whom Adrienne had made sales. Of these companies, fourteen were listed as being located in Missouri, twelve in Tennessee, five in Virginia and one in Maryland. As Adrienne is a free salesman, it would seem inappropriate to make calls upon all of the companies where he has made sales for the purpose of locating him, especially as the Bureau has been unable to obtain any itinerary for Adrienne so far, and further because it is believed his mailing address should be obtained more readily through his home office in Minneapolis, Minnesota.

The report of Special Agent [redacted] dated November 18, 1935 at Little Rock, reflects an interview with [redacted] Jonesboro, Arkansas, father of Mrs. C. J. Adrienne. [redacted] stated that they had last heard from their daughter on August 1, 1935, at which time the Adriennes were in Michigan, and it was believed then by the parents of Mrs. Adrienne that the Adriennes were going to Canada. The Little Rock office has, from time to time, caused a cover to be

placed on the mail of [REDACTED] at Jonesboro, Arkansas.

The Dallas Bureau office has conducted interviews with [REDACTED] at Kilgore, Texas. The report of Special Agent [REDACTED] dated at Dallas November 25, 1935, relates that [REDACTED] had no further information concerning Adrienne's location since she was previously interviewed. She did state that Adrienne told her at one time that he was from Detroit, where he was once police surgeon.

The report of Special Agent [REDACTED] dated at Detroit November 25, 1936, discloses that Kathryn Kelly was interviewed at the United States Detention Farm, Milan, Michigan, and that Kathryn said she had no information or knowledge of C. J. Adrienne, and had never heard of a person by that name.

The report of Special Agent [REDACTED] dated at Dallas December 14, 1935 shows further interview with [REDACTED] nurse at the East Texas Hospital, Kilgore, Texas, at which time she stated she had been unable to secure any further information relative to Dr. C. J. Adrienne's whereabouts. [REDACTED] addressed a letter at that time to the Rogers Redemption Bureau, Minneapolis, Minnesota, for the attention of [REDACTED] asking that she be advised as to the whereabouts of Dr. C. J. Adrienne.

The St. Paul office, as reflected by the report of Special Agent [REDACTED] dated at St. Paul December 20, 1935, has maintained a cover on mail going to C. J. Adrienne at the Rogers Redemption Bureau. It was found impracticable to place a general cover on mail going to the Rogers Redemption Bureau, in view of the volume of mail received by that company.

The report of Special Agent [REDACTED] dated at Little Rock February 13, 1936, revealed that an express package was received on January 13, 1936 by [REDACTED] mother of Mrs. C. J. Adrienne, shipped from her daughter at Payson, Utah. At that time [REDACTED] said she had heard from her daughter on several occasions, but that all letters [REDACTED] mailed to Mrs. Adrienne had been returned unclaimed, and that she had not heard further from her since the receipt of the express package.

The report of Special Agent [REDACTED] dated at Salt Lake City, February 29, 1936 reflects the express agent at Payson, Utah did not remember the shipment of the package from that point to [REDACTED] in Jonesboro, Arkansas. [REDACTED] employed at the Payson express office at the time of the shipment, said that on or about

January 9, 1936 a middle aged man drove up in a large car in front of the express office at Payson, and came into the office with a small package, asking that it be shipped to Jonesboro, Arkansas. She remembered no other details concerning the transaction, and could not describe the man. Other interviews were conducted at Payson, Utah, without ascertaining any information concerning Adrienne.

The report of Special Agent [REDACTED] dated at Little Rock March 8, 1936, reflects that arrangements were made with the Railway Express Agency at Jonesboro, Arkansas to have the Little Rock office notified immediately if any further express packages be received for the [REDACTED] family at Jonesboro. Continuation of the cover on the mail of [REDACTED] was also arranged. [REDACTED] were again interviewed, and stated they had received no further information from their daughter or her husband since the receipt of the express package from Payson, Utah in January, 1936.

It appears from a review of the file in this case, as to C. J. Adrienne, that the most logical sources for information concerning his whereabouts are the offices of the Rogers Redemption Bureau, Minneapolis, Minnesota, and the home of [REDACTED] father and mother of Mrs. C. J. Adrienne, Jonesboro, Arkansas.

UNDEVELOPED LEADS:

Offices receiving copies of this report will review their files in this case with respect to C. J. Adrienne, and set out all leads noted with respect to the location of Adrienne.

P E N D I N G

All b7C

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

April 13, 1936

AR:

MEMORANDUM FOR THE DIRECTOR

Re: Capture of George
"Machine Gun" Kelly.

The apprehension of George R. Kelly and his wife, Kathryn Thorn Kelly, at Memphis, Tennessee on the morning of September 26, 1933, was brought about through information obtained by Special Agents of this Bureau. Members of the Memphis, Tennessee Police Department were asked to assist Agents of this Bureau in the apprehension of Kelly. The following will show the facts leading up to the arrest and the persons who participated therein. In addition thereto, letters of appreciation were written the various police officers who assisted the Bureau in effecting the apprehension of Kelly.

A report of Special Agent [redacted] covering the investigation leading up to the arrest as a result of information furnished the Birmingham Office, reflects that about midnight on Monday, September 25, 1933, Assistant Director Harold Nathan telephonically informed Special Agent in Charge W. A. Rorer from Oklahoma City that George Kelly and his wife, Kathryn, were then at Memphis, Tennessee and that Kelly had dyed his hair yellow, while Kathryn Kelly was wearing a red wig. In addition, the Kellys had with them two revolvers and were living at the home of one J. C. Tichenor, which was located in a small brick house about one block off Speedway Drive at Memphis. It was further related that Tichenor was partially paralyzed and was said to operate a used car department. Instructions were given by Mr. Nathan to Special Agent in Charge Rorer and Special Agent [redacted] to make immediate plans to proceed to Memphis by plane and to effect the apprehension of the Kellys before daybreak. Shortly thereafter [redacted] related that the Director telephonically informed Mr. Rorer, from Washington, confirming the information that the Kellys were in Memphis and instructed that airplanes be immediately chartered for immediate travel to Memphis to effect the apprehension of the Kellys before dawn. The director further stated that Special Agent in Charge D. M. Ladd, of the St. Louis Office, had likewise been instructed to proceed to Memphis, together with Agents of this Bureau.

In accordance with these instructions, arrangements were immediately made at the National Guard Flying Field at Birmingham, known as Robert's Field, for transportation to Memphis, inasmuch as no commercial

Mr. Nathan	✓
Mr. Tolson	
Mr. Baughman	
Chief Clerk	
Mr. Clegg	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Foxworth	
Mr. Glavin	
Mr. Joseph	
Mr. Keith	
Mr. Lester	
Mr. Quinn	
Mr. Nease	
Mr. Nathan	✓
Mr. Tracy	
Miss Gandy	

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&
INDEXED

NATHAN

7-115-1835
FEDERAL BUREAU OF INVESTIGATION

APR 14 1936

P. M.

U. S. DEPT. OF JUSTICE

planes were available at the Birmingham, Alabama airports. Two planes were prepared, piloted by Lieutenants [redacted] and [redacted], upon instructions of Colonel Smith.

Special Agent [redacted] who was then Resident Agent at Memphis, Tennessee, was advised of the plans made by Mr. Rorer to proceed to Memphis and in addition thereto was requested by Mr. Rorer to obtain the necessary assistance from reliable members of the Memphis Police Department to locate Kelly's hideout and to prepare the mode of procedure for the execution of the apprehension at approximately 5:00 A.M., September 26, 1933, when it was expected that Agents Rorer and [redacted] would arrive at Memphis.

Upon receiving these instructions from Mr. Rorer, Agent [redacted] attempted to locate Chief of Detectives W. T. Griffin, of the Memphis Police Department, and being unable to contact him then communicated with Police Headquarters, where [redacted] was unable to obtain immediate assistance; however, Agent [redacted] communicated with Detective Sergeant [redacted] who was known personally to [redacted] as an efficient and reliable police officer. [redacted] immediately contacted [redacted] at a designated time and place and was furnished with the information which had been received from Special Agent in Charge Rorer. Together with [redacted] Agent [redacted] located the Tichenor residence and then proceeded to make arrangements for additional police assistance at Memphis.

Mr. Rorer and Agent [redacted] departed from Robert's Field, Birmingham, Alabama, in two Army planes at approximately 3:20 A. M., September 26, 1933 and landed at the Memphis Airport at 5:30 A.M., where they were met by Special Agent [redacted] and Sergeant [redacted] of the Memphis Police Department. Detectives [redacted] and [redacted] together with uniformed officers [redacted] and [redacted] were requested by telephone to meet the Agents of this Bureau and Sergeant [redacted] at a point between the airport and Kelly's hideout, but were not informed of their mission.

Upon the arrival of Detectives [redacted] and [redacted] and Officers [redacted] and [redacted] in two cars, they proceeded to 1408 Rayner Street, which is located approximately one block from South Parkway. Upon arrival at the house in which Kelly and his wife were supposed to be hiding, Special Agent in Charge Rorer, Agent [redacted] and Detective Sergeant [redacted] entered the house from the front door.

All b7c

Agent [redacted] remained outside and was assisted by [redacted] and [redacted] to cover the sides of the house. Patrolmen [redacted] and [redacted] were instructed to cover the rear of the house. The front door was found open and Rorer, [redacted] and [redacted] immediately entered the front living room. Upon entering this room it was observed that a door on the right led to a bedroom. Rorer and Sergeant [redacted] reached this door first and Sergeant Raney covered Tichenor and Travis who were asleep in this room. According to Agent [redacted] Special Agent Rorer observed that neither of the men asleep in this room was Kelly and therefore instructed Agent [redacted] to remain at this point. Rorer rushed to the back of the house through the kitchen and as he proceeded to the back of the house, Kelly came into view, having approached from the back bedroom. He was immediately covered by Sergeant [redacted] who was nearest to him and [redacted] had covered Tichenor and Travis. At about this time, Agent [redacted] glanced into the back bedroom and saw Kathryn Kelly in bed, noticing Agent Rorer had entered the back bedroom and was covering Kathryn Kelly. Handcuffs were placed on Kelly and soon thereafter Sergeant [redacted] obtained a .45 Colt automatic which was lying on a sewing machine in the hall and stated to Agent [redacted] that he believed Kelly had placed it there when he realized that the house was surrounded and that he had no chance to escape. Kelly, according to [redacted] did not offer any resistance, nor did he have an opportunity to shoot. However, [redacted] did not observe any firearm on Kelly at the time he took him into custody. Mr. Rorer did not observe Kelly until the time he was covered by Sergeant [redacted].

Information was further obtained after the apprehension of Kelly to the effect that Sergeant [redacted] entered the house immediately after Agent Rorer, Sergeant [redacted] and Agent [redacted] and it was further observed that Sergeant [redacted] placed the handcuffs on Kelly while Kelly was covered by Sergeant [redacted]. At the time the apprehension of Kelly was first reported to the Bureau, there was some discrepancy as to the actual facts relative to the person who took Kelly into custody and the facts were subsequently clarified after the raid and are substantially as set out hereinbefore.

The apprehension of Kelly occurred at approximately 6:45 A.M., September 26, 1935. The prisoners were registered at the Memphis City Jail at approximately 7:15 A.M. Mr. Ladd arrived later in the morning and was not present at the time of the raid. Seymour Travis, who was taken into custody with Tichenor, is a brother-in-law of Tichenor and had been living at this home for the past two years.

All b7C

Subsequent to the apprehension of Kelly, numerous correspondence was had with persons who were interested in the reward offered for the apprehension of the Kellys and in addition thereto, letters of appreciation were written the various police officers who assisted the Bureau in effecting the apprehension of Kelly.

A letter was addressed to Mr. C. F. Colcord on November 17, 1933 under personal and confidential cover, relating the facts relative to the apprehension of Kelly and in addition to the facts concerning the apprehension of Kelly, a statement was made to the effect that the apprehension of the Kellys was effected with the assistance of Detective Sergeant [redacted] of the Memphis, Tennessee Police Department, together with the assistance of Detectives [redacted] and [redacted] and uniformed officers [redacted] and [redacted]. Colcord is President of the Oklahoma Biltmore Hotel, Oklahoma City, Oklahoma and on November 7, 1933 had furnished the Bureau with the names of the claimants to the reward which he had offered for the apprehension of "Machine Gun" Kelly and his wife, Kathryn.

In answer to a letter addressed by the Bureau under date of October 2, 1933 to Chief Inspector W. T. Griffin, of the City of Memphis, Tennessee, expressing the appreciation of the Bureau for assistance received relative to the apprehension of Kelly and his wife, Kathryn, Mr. Griffin took this occasion to thank the Director for the Bureau's expression of the assistance and performance which were rendered by members of his police department. Griffin said "I beg to assure you it was a genuine pleasure to have an opportunity to work with your Agents in this case and trust we may again be in the position to serve you".

Under date of September 30, 1933 a letter of appreciation was addressed to [redacted] Detective Sergeant [redacted] W. T. Griffin, [redacted] and [redacted] for the splendid and courageous assistance which they had rendered to Special Agents of this Bureau.

On the same date a letter was addressed to Mr. Will D. Lee, Chief of Police, Memphis, Tennessee, wherein the Bureau's appreciation was expressed to him for the assistance which members of his police department had rendered to the Bureau.

Respectfully,

A. Rosen

A. Rosen

EW

All b7C

Federal Bureau of Investigation

U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI
APRIL 13, 1936

Director
Federal Bureau of Investigation
Washington, D.C.

Dear Sir:

Reference is made to letters from this office dated March 16, 1936 and March 21, 1936, and to Bureau letter dated April 3, 1936 (Bureau file 7-115) relative to information furnished by one [REDACTED] who at the present time is confined in the U. S. Medical Center, Springfield, Missouri.

It is noted from previous letters that [REDACTED] claims that Albert Bates contacted him while he was confined in Alcatraz Penitentiary with a proposition that he was to call on Ben Vaska at Denver, Colorado after [REDACTED] release, at which time Vaska would supply him information with which he was to recover certain stolen bonds belonging to the Urschel kidnapers and dispose of them to certain "fences" located in Texas.

It is noted from letters received from the Little Rock, Oklahoma City, San Antonio, El Paso and Dallas offices that there are no records of any bank robberies perpetrated by this gang in which some of the bonds stolen have not been recovered. Although it appears that this gang engaged in a number of bank robberies there is nothing to indicate that there are at the present time any bonds which were stolen which are outstanding. It is also noted that any robberies in which this gang engaged would have been committed prior to the passage of the National Bank Robbery Act, and consequently would not come under the investigative jurisdiction of this Bureau.

It is also noted in letter from the San Antonio Office to the Bureau dated March 30, 1936, that Special Agent in Charge Gus T. Jones states he does not believe that either Bates, Bailey or Kelly would be running true to form if they were willing to trust [REDACTED] with information concerning the location of any bonds stolen by them. 4-21-36
W.H.S. [REDACTED]
1(R)

RECORDED & INDEXED

On April 9, 1936, [REDACTED] was again interviewed by Special Agent D. L. McCormack, of this office. At this time [REDACTED] could add little to the information previously reported. 7-115 - 18361
FEDERAL BUREAU OF INVESTIGATION
APR 13 1936 P.M.
U.S. DEPT. OF JUSTICE
It is his belief the bonds came from the Lincoln, Nebraska Bank Robbery; however, Bates told him they were from banks in the Southwest.

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█████ stated he had given up the idea of trying to get the bonds to one of the "fences" named unless the Bureau should want him to do so, with the Bureau's protection from any charge arising out of the deal. He stated he will go through with the plan in any manner and will do his part with no expense to the Bureau except train fare, with the understanding he is to get the reward from the Bankers' Association, if any is offered. If the Bankers' Association does not offer a reward he will be content to receive nothing. He states that he will, of course, have to be furnished his actual expenses of such a trip from Springfield, Missouri to Denver, Colorado, for the purpose of contacting Ben Laska, and then to the point where the bonds are supposed to be concealed. He states he is willing to accompany an Agent of the Bureau on this trip, or a representative of the Bankers' Association, or any other plan which the Bureau might desire to make.

With reference to the letter which Bates was supposed to have written to Laska and smuggled out of Alcatraz, as is mentioned in letter from this office dated March 21, 1936, █████ refused to give the name of the guard at Alcatraz who mailed this letter, but stated it is possible to get anything done at Alcatraz if one has the money.

After obtaining the money from the bonds █████ was to buy a Hydroplane boat and take it to a certain place on the island, which is a blind spot on the east side. This spot, according to █████ cannot be seen by the guards but can be seen by Harvey Bailey from a bathroom window where he sometimes works.

█████ stated that he has never met the "fences" which Bates told him about and knows nothing about them.

It is Special Agent McCormack's opinion that █████ is one of the "smoothest" smartest criminals he has ever talked with. Agent McCormack points out that most Agents who have talked with Harvey Bailey and Albert Bates know them to be men who rarely tell anything, which makes the story of █████ sound unreasonable. However, Agent McCormack believes that █████ is their type and is the kind of man Bates would have picked to do the job for him if he picked anyone. Agent McCormack observed that it is impossible to catch █████ in a falsehood because he never allows himself to get into a position from which he has to retreat.

█████ is scheduled to be released on April 24, 1936, and consequently any arrangements which are made with him would have to be made before that date.

It is requested that the Bureau advise whether arrangements should be made with █████ for the payment of his expenses to recover such bonds as he alleges he can recover, and whether an

Agent should accompany [REDACTED] on this trip to Denver and any other point where the bonds may be stored.

In this connection it is noted that apparently no Federal violation is involved in connection with these particular bonds. It is also to be remembered that [REDACTED] is somewhat of a psychopathic case inasmuch as he is now confined in the U. S. Medical Center and therefore the story which he is telling may be a figment of his imagination, but, as indicated above, [REDACTED] might be the type of individual Bates might confide in with reference to a matter of this kind.

Very truly yours,



W. A. SMITH
SPECIAL AGENT IN CHARGE

WAS [REDACTED]

All b7C

Post Office Box 1469,
Little Rock, Arkansas,
April 12, 1936.

Special Agent in Charge,
Oklahoma City, Oklahoma.

Re: GEORGE KELLY BARNES,
with aliases, ET AL;
CHARLES F. DURSCHEL - VICTIM.
KIDNAPING.

Dear Sir:

Reference is made to the report of Special Agent [REDACTED] in the above entitled matter dated February 13, 1936, with which was forwarded to the Oklahoma City office a wrapper received by [REDACTED] containing the handwriting of C. J. Adrienne.

I am enclosing herewith four tracings obtained as a result of mail cover placed on the address of [REDACTED] Jonesboro, Arkansas, to be compared with the above mentioned sample of the handwriting of C. J. Adrienne.

Very truly yours,

CHAPMAN FLETCHER,
Special Agent in Charge.

All b7C

CAJ [REDACTED]
Enc.
7-1
cc-Bureau

RECORDED
&
INDEXED

APR 16 1936

7-115-1837

Wm.

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

OKLAHOMA CITY.

FILE NO. 7-10

REPORT MADE AT: Salt Lake City.	DATE WHEN MADE: 4-14-36	PERIOD FOR WHICH MADE: 4-12-36	REPORT MADE BY: VAL C. ZIMMER - [REDACTED]
TITLE: GEORGE KELLY BARNES with aliases, et al. CHARLES F. URSCHEL - Victim.			CHARACTER OF CASE: KIDNAPING.

SYNOPSIS OF FACTS: No information in files this case at Salt Lake City concerning whereabouts or contacts C.J. Adrienne.

R.U.C.

REFERENCE: Report of Special Agent [REDACTED] Oklahoma City 4-8-36.

DETAILS: AT SALT LAKE CITY, UTAH.

An examination of the files contained in the Salt Lake City Bureau office with reference to C.J. Adrienne indicate the same do not contain any information that would assist in the location of Adrienne and the only facts relative to him are set up in the report of Special Agent [REDACTED] which is reviewed in report of reference.

DETAILS:

All b7C

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: 	SPECIAL AGENT IN CHARGE	7-115-1838	RECORDED AND INDEXED: APR 18 1936
COPIES OF THIS REPORT FURNISHED TO: 3 - Bureau 2 - Oklahoma. 2 - Salt Lake City 1 - Little Rock. 1 - St. Paul. 1 - Birmingham.		UNITED STATES APR 18 A.M. BUREAU OF INVESTIGATION ROUTED TO: [REDACTED] FILE	CHECKED OFF: APR 21 JACKETED:

COPIES DESTROYED
20 APR 17 1965

CT:

April 14, 1936.

**Fletcher College,
University Park, Iowa.**

All 67C

Dear [REDACTED]

I have been advised by Mr. Clyde Tolson, Assistant Director, of his conversation with you at Oakaloosa, Iowa, on April 3rd and your request for a copy of a memorandum dealing with the kidnapping of Mr. Charles Urschel of Oklahoma City. I am very glad indeed to enclose herewith a copy of this memorandum together with the following-listed booklets dealing with various phases of the work of the Federal Bureau of Investigation:

**Fingerprints
Uniform Crime Reports, Volume VI, Number 4
The Federal Bureau of Investigation**

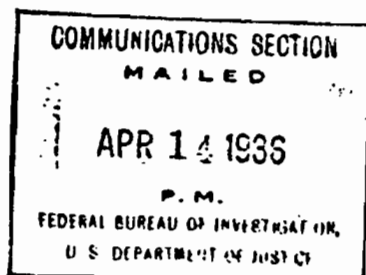
Sincerely yours,
RECORDED & INDEXED
[REDACTED]

**John Edgar Hoover,
Director.**

7-115-1839	
FEDERAL BUREAU OF INVESTIGATION	
APR 20 1936 A. M.	
U. S. DEPARTMENT OF JUSTICE	
	FILE

Enclosure #821249.

Mr. Nathan
Mr. Tolson
Mr. Baughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Sullivan
Mr. Tamm
Mr. Tracy
Miss Gandy



gib
placed on
investigative list
4-15-36
A. J. Jones
Joseph
my

OT: [REDACTED]

April 13, 1936.

9
[REDACTED]
Oskaloosa, Iowa.

All b7C

Dear [REDACTED]

I have been advised by Mr. Clyde Tolson, Assistant Director, of his conversation with you in Oskaloosa on April 3rd, and of your request to receive a copy of the story of the Urachel kidnapping case. I am very glad indeed to send a copy of this memorandum to you herewith. I am also enclosing the following-listed booklets concerning the work of this Bureau

Fingerprints
Uniform Crime Reports, Volume VI, Number 4
The Federal Bureau of Investigation

Sincerely yours,

RECORDED & INDEXED

John Edgar Hoover,
Director.

7-115-1840

FEDERAL BUREAU OF INVESTIGATION

APR 13 1936 A.M.

U. S. DEPARTMENT OF JUSTICE

FILE

Enclosure #21245.

Mr. Nathan	.....
Mr. Tolson	.....
Mr. E. A. Tamm	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Foxworth	.....
Mr. Glavin	.....
Mr. Joseph	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

placed in
mailing list
4-13-36
J.P. [initials]

COMMUNICATIONS SECTION
MAILED
APR 14 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

gjh

✓

Joseph
rey

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Okulora
Ja



Wissel *Booklet*
7 mailing
lists

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **Oklahoma City, Oklahoma**

FILE NO. **7-10**

REPORT MADE AT: Birmingham, Ala.	DATE WHEN MADE: 4-17-36	PERIOD FOR WHICH MADE: 4-14-36	REPORT MADE BY: D. O. SMITH
TITLE: GEORGE KELLY BARNES, with aliases; et al; CHARLES F. URSCHER-VICTIM.			CHARACTER OF CASE: KIDNAPING

SYNOPSIS OF FACTS:

Review of Birmingham file indicates information concerning C. J. Adrienne, with aliases, can possibly be obtained at Montgomery, Alabama, Detroit, Michigan, Kansas City, Mo., and Oklahoma City, Oklahoma. Leads set out for Bureau offices covering above cities.

P.

All b7C

REFERENCE:

Bureau letter to Oklahoma City Office dated 4-2-36.
Report of Special Agent [REDACTED] Oklahoma City, Oklahoma, dated 4-8-36.

DETAILS:

AT BIRMINGHAM, ALABAMA

Pursuant to instructions and suggestions contained in letter and report of reference, the Birmingham file was reviewed for the purpose of setting out leads that may assist in locating C. J. Adrienne, with aliases. Some of the leads so set out may have received attention heretofore by the Office of Origin or auxiliary offices and the results of such investigations are not reflected in the incomplete Birmingham file. Such leads, if previously handled, should not be duplicated unless sufficient time has elapsed since they were last developed to warrant subsequent investigation.

DETAILS:

The Birmingham file reflects that the alleged doctor C. J. Adrienne, reportedly of French extraction, who claims he has a brother who is also a doctor in Detroit, Michigan, has three additional aliases, as follows:

Fred Brudernich
C. J. Clifford
Fred Green

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: 	SPECIAL AGENT IN CHARGE	7-115-1841	RECORDED AND INDEXED: APR 21 1936
COPIES OF THIS REPORT FURNISHED TO: 3 Bureau 2 Oklahoma City 2 Detroit 2 Kansas City 2 Little Rock 1 St. Paul 1 Dallas 1 Nashville 1 Salt Lake City 2 Birmingham		APR 20 1936	APR 22 1936
		BUREAU OF INVESTIGATION ROUTED TO:	FILE

The most recent medical directory, edited in 1934, was searched for the above names under Index of Physicians, and Physicians whose Addresses are Unknown, with negative results. It is noted that the Detroit office heretofore has made inquiry endeavoring to identify Dr. Adrienne, with negative results. However, it is believed that further check should be made by the Detroit office under all the known aliases of Adrienne with a view of identifying and locating this man.

The report of Special Agent [REDACTED] submitted at Little Rock, Arkansas March 5, 1935, reflects that Adrienne under the alias of C. J. Clifford was arrested with [REDACTED] supposedly of Kansas City, Missouri, by the police of Jonesboro, Arkansas about April 9, 1934 on a charge of swindling, and the fingerprints of both men forwarded to the Bureau. The Birmingham file fails to indicate that the Office of Origin has placed a wanted notice for Adrienne in the Identification Unit of this Bureau. It is believed such a notice should be placed by the office of origin in the event such action has not been taken previously. The same report of Special Agent [REDACTED] indicates that [REDACTED] met Adrienne through newspaper advertisements published at Denver; that after Adrienne and [REDACTED] were arrested and released at Jonesboro, Arkansas, [REDACTED] remitted a check in the amount of \$21.00 to [REDACTED] of Corning, Arkansas, the person defrauded, from Booneville, (does not mention whether Booneville, Arkansas or Missouri), and apparently no effort has been made to establish Adrienne's true identity through [REDACTED]

The report submitted by [REDACTED] Special Agent, Little Rock, Arkansas dated November 27, 1935, reflects that [REDACTED] of Little Rock, Arkansas assisted Adrienne's wife, or paramour, in pawning her fur coat, probably in the Spring of 1934, to assist Adrienne who was then in jail at Jonesboro, Arkansas. This woman apparently is not with Adrienne at the present, inasmuch as the Birmingham file indicates that Adrienne married one [REDACTED] of Jonesboro, possibly in the summer or fall of 1934. No effort apparently has been made to ascertain if the fur coat was redeemed or to establish the identity of the owner. It is possible that if the owner of the fur coat is located, she could furnish information regarding Adrienne, if interviewed. The report of agent [REDACTED] also reflects that Adrienne was once engaged in the sale of gaming devices and the concern he represented was owned by his alleged wife's father, who apparently resided in Kansas City, Missouri.

All b7C

Birmingham file 31-3170 entitled [redacted] with aliases; [redacted] with aliases-Victim, White Slave Traffic Act, which investigation is carried under Oklahoma City file 31-2743, reflects that [redacted] and his associate, [redacted] of [redacted], Oklahoma City, Oklahoma, were alleged doctors engaged in venereal and abortion cases, both having resided in Oklahoma City at intervals for years, and both having served sentences in Oklahoma State Penitentiary. Inasmuch as Adrienne has alleged he was a doctor from Oklahoma City where he made money handling abortion cases, it is possible that appropriate inquiries through sources of information developed by the Oklahoma City office during the investigation of the latter case may assist in obtaining some information relative to the identity and location of Adrienne, with aliases. If he is an imposter or swindler, the Oklahoma Board of Medical Examiners or the Oklahoma Police will probably have some record of him.

[redacted], above mentioned, entered plea of guilty to an indictment charging him with violation of the White Slave Traffic Act at Huntsville, Alabama on April 7, 1936 and was sentenced to serve four months in jail. The U. S. Marshal at Birmingham, Alabama advised that [redacted] was committed to Federal Prison Camp #8, Maxwell Field, Montgomery, Alabama on April 11, 1936. An agent from the Birmingham office will interview [redacted] discreetly for all information he can furnish relative to the identity of Adrienne, with a view of causing the latter's location and interview.

For the information of the Kansas City office, and other offices who have not received previous information relative to Adrienne, it is stated that Adrienne, using the name of Dr. C. J. Adrienne appeared at Memphis, Tennessee about November of 1934, as a representative of the Rogers Redemption Bureau of Minneapolis, Minn. He had a scheme whereby he induced milk and truck farm producers to give coupons to customers and when the customers had accumulated a certain trust value in the coupons, they would be redeemable for alleged Rogers silver-plated silverware. Adrienne employed one [redacted] a nurse, as one of his solicitors in and around Memphis, Tennessee, but she left his employ sometime in December, 1934 and thereafter took an agency for the LaBalle Cosmetics Company and proceeded to Florence, Alabama to demonstrate these cosmetics.

All b7C

During the period that [REDACTED] was working for Dr. Adrienne, he told her that he had bought \$2,000 worth of the Urschel kidnaping ransom money for \$500.00 and indicated that this money was cached in a safety deposit box at Minneapolis, Minnesota, adding that [REDACTED] of this concern had \$10,000 of the Urschel money in a safety deposit box at Minneapolis. Efforts have been made to locate Dr. Adrienne in order to interview him concerning his alleged statement that he had some of the Urschel ransom money, or to determine if he could furnish the identity of other persons who have a portion of the ransom money. He has not been located to date.

The Bureau has instructed that the leads pertaining to the location and interview of Dr. Adrienne should receive concentrated attention. Apparently Dr. Adrienne is traveling throughout the country and he was last heard from at Payson, Utah, January 13, 1936, at which time he and his wife mailed a package to his wife's mother, [REDACTED] of Jonesboro, Arkansas.

[REDACTED] was interviewed at Florence, Alabama where she reported the information previously furnished by Adrienne to the effect that he had a portion of the Urschel ransom money, and [REDACTED] has since proceeded to Kilgore, Texas where she is employed as a nurse and in which city she was interviewed by an Agent of the Dallas office, and reiterated the information previously furnished to her by Dr. Adrienne concerning the ransom money involved in this case.

Following are descriptions of Adrienne, [REDACTED] and Adrienne's wife, as obtained from the Birmingham file:

Name	Dr. C. J. Adrienne, aliases: Fred Brudernich C. J. Clifford Fred Green
Age	40 (1934)
Height	6' 2"
Weight	241#
Build	Heavy
Hair	Black
Eyes	Black
Complexion	Dark
Race	White
Nationality	American

All b7C

Residence
Fingerprints

Alleged to be Detroit, Mich.
Arrested & fingerprinted by the
Jonesboro, Ark. Police Dept. on
charge of swindling 4-9-34.

In 1934 Adrienne drove a Packard automopile, about 1930
model, with white wheels, and claimed that he had interned in hospitals
previously in Des Moines, Iowa.

Name	[REDACTED] Adrienne
Age	27 (1934)
Height	5' 5"
Weight	130#
Build	Heavy (has very prominent hips - seem to hang down)
Hair	Blonde
Eyes	Blue
Race	White
Nationality	American
Occupation	Waitress in cafe prior to marriage
Residence	Jonesboro, Arkansas
Parents	[REDACTED] Jonesboro, Arkansas.

Name	[REDACTED]
Age	30 (1934)
Height	5' 11"
Weight	200#
Build	Stocky
Hair	Light brown
Eyes	Blue
Complexion	Fair
Race	White
Nationality	American
Residence	Luimont Apartments, Kansas City, Missouri

It should be noted that [REDACTED] apparently was an associate
of Adrienne's and there is no information available indicating that
[REDACTED] has made any allegations relative to the ransom money in-
volved in this case.

All b7C

The St. Paul office has previously been instructed by the Bureau to review its file and set out appropriate leads, inasmuch as Adrienne previously has been employed by the Rogers Redemption Bureau of Minneapolis, Minn.

UNDEVELOPED LEADS:

THE BIRMINGHAM OFFICE at Federal Prison Camp #8, Maxwell Field, Montgomery, Alabama, will interview [REDACTED] to ascertain if he can furnish any information relative to the identity and possible location of C. J. Adrienne, as suggested in the body of this report.

THE DETROIT OFFICE, at Detroit, Michigan, will ascertain if C. J. Adrienne, with aliases as set out in his description in this report, is known as a physician or an alleged physician in medical circles, or if he is known to the Detroit Police.

THE KANSAS CITY OFFICE, at Kansas City, Missouri - The Luimont Apartments, will ascertain if [REDACTED] resided there in 1934; obtain all information available relative to [REDACTED] for the purpose of locating and interviewing Adrienne through this source; will conduct inquiry through the police, sales agencies and other sources, to ascertain if Adrienne can be located and interviewed.

THE OKLAHOMA CITY OFFICE, at Oklahoma City, Oklahoma, will conduct appropriate inquiries through the State Board of Medical Examiners and local police, for information concerning C. J. Adrienne, with aliases as suggested in the body of this report; will place a wanted notice for C. J. Adrienne, with aliases, with the Bureau, noting that his prints apparently were forwarded to the Bureau by the Jonesboro, Arkansas police on or about April 9, 1934.

PENDING

All b7C

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

7-115
KRM:
4/21/36

To: COMMUNICATIONS SECTION.

Transmit the following message to: KANSAS CITY

CODE

URSCHEL KIDNAPING CASE. REFERENCE YOUR LETTER APRIL 13. BUREAU APPROVES HAVING AGENT ACCOMPANY [REDACTED] TO DENVER AND OTHER POINTS IN EFFORT TO RECOVER STOLEN BONDS. AUTHORIZATION GRANTED TO EXPEND NECESSARY SUMS FOR ACTUAL EXPENSES OF [REDACTED] FROM SPRINGFIELD, MISSOURI, TO DENVER, COLORADO, THENCE TO POINT WHERE BONDS ARE CONCEALED. THESE EXPENSES MUST BE REDUCED TO MINIMUM.

HOOVER.

All b7C

Mr. Nathan
Mr. Tolson
Mr. Clegg
Chief Clerk
Mr. Glavin
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

SENT VI

RECORDED & INDEXED

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7-115-1842
FEDERAL BUREAU OF INVESTIGATION
APR 22 1936 A. M.
U. S. DEPARTMENT OF JUSTICE

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

April 18, 1936

KRM

7-115

b7C

MEMORANDUM FOR THE DIRECTOR

Re: Ben Laska;
Urschel Kidnaping Case.

You will recall that approximately two weeks ago, the Tenth Circuit Court of Appeals denied the appeal on the part of Ben Laska from his conviction in the lower court. Press dispatches have been received by the Bureau indicating that on April 13, 1936, the Tenth Circuit Court of Appeals denied a motion on the part of Ben Laska for a re-hearing on his appeal from his conviction of conspiracy in the Urschel kidnaping case.

Respectfully,

K. R. McIntire
K. R. McIntire.

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Baughman	
Chief Clerk	
Mr. Clegg	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Foxworth	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Miss Gandy	

RECORDED
&
INDEXED

7-115-1843

FEDERAL BUREAU OF INVESTIGATION

APR 22 1936 P.M.

U. S. DEPARTMENT OF JUSTICE

TOLSON

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FILE

HAG

EPTs

Rosen

King

LASKA LOSES REHEARING PLEA IN URSCHER CASE

by the Associated Press.

WICHITA, April 14.—Motion of Ben Laska, Denver attorney, for rehearing on his appeal from conviction of conspiracy in the Urschel kidnaping case, was denied by the tenth district United States Circuit Court of Appeals here yesterday.

The Circuit Court denied his appeal two weeks ago while in session at Denver. Laska was convicted in the United States District Court at Okla-

homa City after members of the gang that kidnaped Charles F. Urschel, Tulsa oil man, two years ago were convicted.

Laska was convicted of accepting money from Albert Bates as attorney fees for representing him.

4-18-36
Memo Director
KRM

WASH. STAR

7-115-1843

APR 14 1936

APR 14 1936

FEDERAL BUREAU OF INVESTIGATION
Division of Investigation

U. S. Department of Justice
Post Office Box 1276,
Oklahoma City, Oklahoma,
April 22, 1936

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

Dear Sir:

RE: GEORGE KELLY BARNES, with
aliases; et al;
CHARLES F. URSCHEL - VICTIM
KIDNAPING.

With reference to the report of Special Agent D. O. Smith dated April 17, 1936 at Birmingham, Alabama, it is presumed a wanted notice has been posted in the Bureau's files for Dr. C. J. Adrienne, with aliases. If such wanted notice has not been placed, it is requested that same be done.

Yours very truly,

Dwight Brantley
DWIGHT BRANTLEY,
Special Agent in Charge.

CC Birmingham

RECORDED
&
INDEXED

MAY 21 1936

7-115-1844	
FEDERAL BUREAU OF INVESTIGATION	
APR 25 1936 A.M.	
U. S. DEPARTMENT OF JUSTICE	
IDENT. DIV. ONE	FILE

7-115 -1844

May 14, 1936.

MEMORANDUM FOR THE IDENTIFICATION DIVISION

Re: GEORGE KELLY-BARNES, with aliases,
et al; CHARLES F. URSCHER - Victim;
KIDNAPING.

All b7c

In accordance with the request of [redacted] concerning the wanted notice which has been requested by the Oklahoma City Office on April 22, 1936, for Dr. C. J. Adrienne, with aliases, please be advised that the investigative file discloses that Adrienne has used the following aliases:

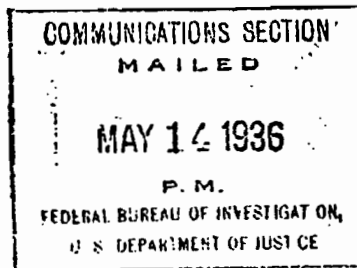
Fred Brudernick; C. J. Clifford; Fred Green;
Jacques Gerhardt; J. W. Gerhardt; Jacques
Gehardt; Harry Rick; Jack J. Gerard; Jacques W.
Gerhardt; Jacques Gehardt.

According to the investigative file, the criminal record of this individual is carried under your number FBI-228980.

Very truly yours,

John Edgar Hoover,
Director.

Mr. Nathan
Mr. Tolson
Mr. Baughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy



Federal Bureau of Investigation

U. S. Department of Justice
722 Midland Savings Bldg.
Denver, Colo.
April 22, 1936

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

7
Re: GEORGE KELLY BARNES with aliases,
et al -
CHARLES F. URSCHEL - Victim
Kidnaping

Dear Sir:

There is enclosed herewith a clipping from the Denver Rocky Mountain News, dated April 22, 1936, relative to a stay of execution for appeal granted by the United States Circuit Court of Appeals here yesterday to Ben E. Laska.

This delay was granted by the Court with the understanding that Laska through his attorneys, Ralph L. Carr and Jean S. Breitenstein, would file a certificate showing that Laska's case had been docketed with the Clerk, United States Supreme Court, Washington, D. C., within a period of thirty days.

Very truly yours,

R. D. Brown

R. D. BROWN,
Special Agent in Charge

RDB

Enc. 8

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RECORDED
&
INDEXED

APR 28 1936
HW

7-115-1845	
APR 28 1936	
TAMM	ONE JOSEPH FILE

THE DENVER ROCKY MOUNTAIN NEWS
Denver, Colorado
April 22, 1936

Ben Laska Granted Stay Of Execution for Appeal

The U. S. Circuit Court of Appeals, Tuesday granted a stay of execution on the 10-year prison sentence given Ben B. Laska, Denver attorney, convicted on a conspiracy charge in connection with the Charles F. Urschel kidnaping case.

Laska sought the delay to enable him to appeal his case to the U. S. Supreme Court.

The delay was granted on condition the circuit court, which recently denied Laska a rehearing on his appeal from the conviction, receive a certificate showing the case to have been docketed with the nation's highest court within 30 days.

Laska's attorneys, Ralph L. Carr and Jean S. Breitenstein, have announced they would appeal to the U. S. Supreme Court.

7-115-14-

U. S. Bureau of Investigation

Department of Justice

P. O. Box 1276
Oklahoma City, Oklahoma
April 23, 1936

7-6

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

Re: George Kelly Barnes, with
aliases, et al;
Charles F. Urschel - Victim,
Kidnaping.

Dear Sir:

Kindly furnish the known criminal record of the following:

Name (inc. aliases)	City, Police Arrest, or Other Number.	Approximate Date Fingerprints for- warded Bureau of Investigation.	Fingerprint Classifica- tion.
---------------------	---	---	-------------------------------------

✓ 28 L

Doctor C. J. Adrienne, Arrested Jonesboro,
alias Fred Brudernich, Ark. PD, 4-9-34.
alias C. J. Clifford,
alias Fred Green

RECORDED
&
INDEXED

7-115-1846

Kindly furnish the Oklahoma City Office with two copies
of Adrienne's photograph, if available in the Bureau's files.

MAY 5 1936

Very truly yours,

Dwight Brantley
DWIGHT BRANTLEY
Special Agent in Charge.

Ref
5-1-36

oh

LCS

67C

May 1, 1936.

RECORDED

7-115-1846

Special Agent in Charge,
Oklahoma City, Oklahoma.

Re: GEORGE KELLY BARNES, with
aliases, et al.; CHARLES F.
URSCHEL - Victim.
Kidnaping.

Dear Sir:

In reply to your communication dated April 23, 1936, regarding DOCTOR C. J. ADRIENNE, alias Fred Brudernich, alias C. J. Clifford, alias Fred Green, I am transmitting herewith a copy of the criminal record, together with two copies of a photograph of one Jacques Gerhardt, alias C. J. Clifford, our file #FBI-228980, as reflected by the fingerprint files of the Federal Bureau of Investigation, whose fingerprints were received here from the Police Department, Jonesboro, Arkansas, on April 12, 1934.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
Enclosure #1306613
MAY 2 1936
P. M.
FEDERAL BUREAU OF INVESTIGATION, U. S. DEPARTMENT OF JUSTICE

E (H)

Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

March 13, 1936.

The following is a transcript of the record, including the most recently reported data, as shown in the files of the Federal Bureau of Investigation concerning our number

FBI-228980.

J. E. Hoover

J. E. HOOVER, Director.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SO, Des Moines, Iowa.	Jacques Gerhardt, #2167	2-6-29	vio. Sec. 215, U.S.C.C.	
SO, Chariton, Iowa.	J. W. Gerhardt, #39	2-14-29	forgery	
SO, Kirksville, Mo.	Jacques Gehrard, #—, alias Harry Rick	Inquiry 7-3-30		
PD, Indianapolis, Ind.	Jack J. Gerard, #19856	4-23-31	vagrancy	
SF, Greencastle, Ind.	Jacques W. Gerhard, alias Jacques W. Gehrard, #53940	7-17-31	issuing a fraud check	90 days, \$1 fine and \$10.35 costs.
PD, Jonesboro, Ark.	C. J. Clifford, #—	4-9-34	false pretenses	sent to Clay Co. Ark.
*	Geo. W. Zimmerman, alias George Washington Zimmerman, #—, arrested PD, New York, N. Y., 2-22-24, charge grand larceny. WANTED: As George Washington Zimmerman, (charge not given) per inf. rec. from PD, New York, N. Y. Notify PD, New York, N. Y. (Prints received 2-16-34). WANTED: As Jacques W. Gerhard, alias Jacques W. Gehrard, location desired. Notify The Prudential Insurance Co. of America, Newark, N. J., per inf. rec. therefrom 3-10-36.			

* Represents notations unsupported by fingerprints.

For completion of our records, please supply dispositions to this Bureau in any of the foregoing cases where they do not appear.

FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

Kansas City, Missouri,
April 18, 1936.

Personal and Confidential.

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Washington, D. C.

Dear Sir:

RE:

██████████
652 D. D. U. S. Medical Center,
Springfield, Missouri.

During the interview with the above named in connection with the securing of information from this prisoner, which has been the subject of correspondence between the Kansas City office and the Bureau, certain information was imparted to Special Agent D. L. McCormick that it is believed the Bureau should know for any action the Bureau would desire to take.

██████████ advised that there is a "blind spot" on Alcatraz Island, located on the east side, where small vessels might land and not be observed by the guards. As you know from the correspondence covering the information previously secured from ██████████, he was to purchase a speed boat and place it on this blind spot in order that Albert Bates and others now incarcerated in Alcatraz could use it in an escape plot. ██████████ was questioned concerning the plans to get out of the prison proper and stated that it is well known to the convicts that iron oxide and aluminum dust will eat thru the bars covering the windows of the prison. He advised that iron oxide is available at the refrigerating plant of the prison; and that aluminum dust was available by grinding the aluminum knives and forks used in the mess hall. He stated that Harvey Bailey is employed in the prison at a place where he can observe the "blind spot" on the island, and that if the boat is so placed at this spot an escape will be made by removing the bars of the prison windows after they have been eaten with this compound of iron oxide and aluminum dust. ██████████ further advised that the interior guards at Alcatraz can be bribed very cheaply, and it is a very common practice to get letters mailed outside the prison, or special favors done at a reasonable figure.

RECORDED
&
INDEXED

MAY 8 1936

All b7C

7-115-1846X
FEDERAL BUREAU OF INVESTIGATION
MAY 8 1936 P.M.
U. S. DEPARTMENT OF JUSTICE

It is, of course, unknown whether [REDACTED] is giving a fantastic tale, or whether it is really true. It is also unknown to this office whether the compound of iron oxide and aluminum dust will have the effect on iron bars that he claims. The information is being forwarded with the idea that the Bureau might desire to transmit it to the Bureau of Prisons; keeping the name of the informant confidential.

Very truly yours,

/s/

W. A. SMITH
Special Agent in Charge.

All b7C

DLMcC- [REDACTED]

Post Office Box 1469,
Little Rock, Arkansas,
April 24, 1936.

Special Agent in Charge,
Oklahoma City, Oklahoma.

RE: GEORGE KELLY PARKES,
with aliases, ET AL;
CHARLES F. UNSCHEL - VICTIM.
KIDNAPING.

Dear Sir:

I am forwarding for your information an additional tracing submitted to this office by the Postmaster at Jonesboro, Arkansas, in accordance with the request made of him by this office to cover the mail of [REDACTED]

This tracing indicates that a letter post-marked Erie, Pennsylvania, April 9, 1936, 4:30 P.M., and bearing the return address of [REDACTED] Erie, Pennsylvania, has been received by [REDACTED] Jonesboro, Arkansas.

Very truly yours,

CHAPMON FLETCHER,
Special Agent in Charge.

CF: [REDACTED]
7-1
cc Bureau

RECORDED
&
INDEXED

APR 28 1936

7-115-1847

APR 27 1936 P.M.	U.S. DEPT. OF JUSTICE
SEARCHED	FILE

AM

WASHINGTON TIMES

WASHINGTON, D. C.

April 24, 1936.

My dear Mr. Quinn;

Enclosed please find the Urschel Kidnapping story for which you may take part of the glory inasmuch as you were kind enough to send me the release.

I am not completely satisfied with it but some of these days when I get to be a really good reporter will be able to write sizzling stories despite lack of space and other handicaps.

And thanking you so much for your never failing courtesy - which I surmise folks sometimes take advantage of, I am,

Faithfully yours,

Elizabeth C. G. G. G.

RECORDED & INDEXED

MAY 15 1936

7-115-1847	
FEDERAL BUREAU OF INVESTIGATION	
MAY 11 1936	A. M.
U. S. DEPARTMENT OF JUSTICE	

JOSEPH R.

act 7/11/36
chb

R. J.

no pass around here

1 enc mg
4/25/36

Men Unravel Urschel Kidnap Case, Capture Desperate Gang

Machine guns, pistols, a woman's titian-haired wig and a thermos jug that once contained \$72,000 in \$20 bills can be seen any day in the reception room of the Federal Bureau of Investigation, Department of Justice, on Pennsylvania Avenue and Tenth Street, Northwest.

If only they could talk—what a story they'd tell!

A thrilling story of hate, of fear, of death stalking in the offing, of man's greed for gold and the love of a Texas bad man for his attractive wife.

Rated as one of the greatest kidnaping cases in criminal history—second only to the famed Lindbergh kidnaping and murder—the story of the Oklahoma oil man who was "snatched" from a quiet bridge game under the eyes of his wife and friends is more thrilling than a novel.

Before the files on the case were marked "closed" special agents of the Department of Justice had traversed 23 States throughout the West and Middle West in their hunt for the kidnapers; 20 persons were tried and convicted for the roles they played in the crime and more than half of the \$200,000 ransom money was returned to its original owner.

The "Snatch"

It was on the night of July 22, 1933, that Charles F. Urschel, Oklahoma multimillionaire, his wife and two friends, Mr. and Mrs. Walter Jarrett, were enjoying a quiet game of bridge on the Urschel's screened front porch.

Suddenly two men appeared out of the darkness.

Cradeling a machine gun on his right arm, one opened the screen door and stepped swiftly onto the porch. He was followed by a second man armed with a revolver.

The first man spoke:

"Just keep quiet folks and nobody will get hurt. This is a snatch. Which one of you gentlemen is Mr. Urschel?"

Taken by surprise, neither Urschel nor his companion answered.

"O. K. We'll take you both. And ladies—just a word of warning. Don't telephone and don't notify police—if you want to see your husbands alive again."

Prodded by guns, Urschel and Jarrett were marched out to the rear of the house and forced into a Chevrolet sedan the kidnapers had parked in the driveway. A minute later the car was driven rapidly away.

Mrs. Urschel, remembering the warning given the public by the Attorney General, promptly called "National 7117," the "kidnap number" of the Department of Justice.

J. Edgar Hoover, chief of the G-men, went into action. In less than an hour picked special agents familiar with the country were speeding by plane, train and

motor to the palatial Urschel residence in Oklahoma City.

And so began one of the greatest man hunts in the history of crime.

About two hours after he had been forcibly driven away, Mr. Jarrett returned to the Urschel home. He said that he had been put out of the car about 12 miles from Oklahoma City as soon as the kidnapers learned his identity. But first they robbed him of his wallet containing \$50. They also cautioned him about giving out any information.

For three harrowing days, days filled with anonymous telephone calls, telegrams and letters, there was no authentic word from the kidnapers.

Mr. Hoover had notified the Urschel family that his first concern was the safe return of Mr. Urschel and that his bureau agents would do nothing to interfere with negotiations between them and the kidnapers.

Driving high-powered, bullet-proof cars equipped with machine guns, side arms and radios, the agents scoured the neighboring countryside. They searched abandoned farm houses and questioned suspicious characters. They flew over the city, scanning the ground below with powerful field glasses. And just two days after the abduction the "undercover men" obtained information which directed suspicion towards George "Machine Gun" Kelly and his wife, Kathryn Thorne Kelly.

An extensive investigation was immediately begun into the Kelly history.

Agents learned that Kathryn, the daughter of Mrs. Ora Shannon, whose second husband, "Boss" Shannon, owned a farm near Paradise, Texas, had married George Kelly Barnes, under the name of George R. Kelly, shortly after her husband, Charlie Thorne, was found dead under suspicious circumstances.

Machine-Gun Kelly

Kelly, they learned, had served time in the New Mexico State prison; he was known to be engaged in illegal activities. He enjoyed many luxuries, including costly automobiles, expensive clothing and jewelry without having any visible means of support. Kathryn's mother had a reputation that was not too good.

Then on July 26, three days after the kidnaping, J. G. Catless, wealthy oil man from Tulsa, and an intimate friend of the Urschels, received a package from the Western Union office in that city.

7-115-1547A

APRIL 22, 1936

WASH. TIMES

In it was a personal letter from Mr. Urschel to his wife, a letter to Mr. Catlett asking him to act as intermediary for his release and a typewritten letter to the kidnapers themselves to E. E. Kirkpatrick, of Oklahoma City, another friend of the family.

Mr. Catlett's letter asked him to proceed at once to Oklahoma City and to communicate with the Urschel family. It explicitly warned him not to communicate with them from Tulsa either by telephone or telegram, but to get in touch with them personally. The letter to Mr. Kirkpatrick, heavily underlined and written, part in capital and part in small letters—to throw investigators off—instructed him to insert a dummy advertisement in the Daily Oklahoman if he wished to help Mr. Urschel secure his release. It also warned him against "any double cross."

Mr. Kirkpatrick inserted the dummy ad and two days later received another typewritten letter from the kidnapers reading in part:

"In view of the fact that you have had the Ad inserted as per our instructions we gather that you are now prepared to meet our ultimatum.

"You will pack two hundred thousand dollars in used genuine Federal Reserve notes of twenty dollar denomination in a suitable light colored leather bag."

It instructed Mr. Kirkpatrick to take a train to Kansas City, Mo., to watch for signal fires, and at the second one, which would be attended by the victim, to throw the bag from the observation platform in the direction of the second fire. The letter ended with more threats against Urschel in the event instructions were not carried out.

Kirkpatrick, accompanied by Catlett, who carried a dummy Gladstone bag filled with magazines in case of hi-jacking, took the designated train but failed to see any signal fires. Still following instructions the two men went to the Meuhlebach Hotel in Kansas City where Kirkpatrick registered under the name of E. E. Kincaid.

About 5 o'clock that evening he received a telephone call:

"This is Moore? You got my telegram?"

Kirkpatrick answered that he had. He was instructed to drive to another hotel and then get out and walk. This he did. He had gone half a block when a man approached:

"Mr. Kincaid, I will take that bag."

"I want some instructions." "Don't argue with me. I will take that bag. The deed will be delivered in 12 hours."

And 12 hours later, the kidnaped multimillionaire, haggard and exhausted from his nine days in the abductor's hands walked into his home.

He told G-men he had been forced to lie on the floor of the kidnaper's sedan for 14 hours, his eyes and mouth taped, his ears stuffed with cotton.

He said they appeared to be travelling over dirt roads most of the time; that they passed two large oil fields. He could smell the oil and hear the pumps working, he said, adding that with the exception of a brief stop for gasoline and transfer to a larger car they drove all night.

About 10 o'clock the next morning, Urschel said, it started to rain and the roads became so slippery the kidnapers had to get out and push the car as the wheels were in the mud.

The next time they stopped, Urschel said he asked what time it was and was told it was 2:30. The car was driven into a garage or barn where it remained until dark. Then for the first time the kidnapers gave their victim food—a sandwich and a cup of coffee.

The prisoner was then led into a house and put in a room where there were two beds. He was told he might use either. He said he heard the voices of a man and a woman.

Used His Wits

He stayed at this house until the next day, the oil man stated, when he was taken in a small coupe to another house, about 20 minutes drive away. He heard dogs barking, chickens cackling and cows mooing and judged he was on a farm. He was fed and given water to drink from a tin cup and the water tasted as if it had minerals in it.

He said that in addition to the two men who kidnaped him, he was guarded by an elderly man and a younger one. One of the

men freely discussed his past saying he had been stealing for 25 years. He mentioned the Barrow brothers, notorious outlaws whom he described as "just a couple of cheap filling station bums."

Urschel said he noticed that a plane passed over the house regularly every morning about 9:45 and another at 5:45. He managed to get a look at his watch when the kidnapers removed the tape from his eyes so he could see to eat.

His abductors, the oil man stated, freely discussed the ransom with him and calmly informed him that if it was not paid he would be "bumped off."

On Sunday, July 31, they told him he was to be freed. They took him to within 10 miles of his home, gave him \$10 and let him go.

Acting on Urschel's statement that he had heard planes at specific times, Federal agents checked all plane schedules within a radius of 600 miles of Oklahoma City. They learned that the Fort Worth-Amarillo Line of the American Airways had a plane leaving Fort Worth daily at 9:15 a. m. and at 5:40 p. m. Reports showed the ships flew over Paradise, Tex., about 9:45 a. m. and 5:45 p. m. every day with the exception of Sunday when it rained. Sunday, Urschel said, was the only day he hadn't heard the morning plane.

Meteorologists' reports showed that rain was recorded in the vicinity of Paradise, Tex., July 3. Previous investigation had shown that "Boss" Shannon and his wife lived on a farm near Paradise.

A Federal agent strolled casually onto the farm early on the morning of August 10. He asked for a drink of water and was given some from a tin cup. He noticed the mineral taste, Urschel had said the pump squeaked. The Shannon pump not only squeaked but the chickens cackled, the cows mooed and the dogs barked just as Urschel had described them.

Two days later, acting from orders given by J. Edgar Hoover, Federal agents accompanied by State police walked into the Shannon home. They found Harvey J. Bailey, a notorious criminal, escaped convict and wanted murderer, sound asleep in one of the bedrooms. A machine gun lay just within reach of his right hand, a rifle lay on his left side and he had a pistol under his pillow. But a sawed-off shotgun prodding his midriff as he blinked sleepily convinced him resistance was useless.

Agents found more than \$1,000 on Mr. Bailey's person and \$700 of it turned out to be part of the ransom money.

The Shannons, "Boss," Ora, his wife, and Armon, Shannon's son, were also taken in custody.

They loudly proclaimed their innocence and charged that Machine Gun Kelly, Shannon's son-in-law, had thought up the plot. They admitted guarding Mr. Urschel at the command of Kelly. They named Kelly and Albert Bates, Denver desperado, as the actual kidnapers.

Mr. Urschel, who visited the Shannon farm at Paradise, identified it as the place where he had been held captive for nine days. He also identified the Shannons, father and son, as the pair who had guarded him when the kidnapers were away negotiating for the ransom.

With the arrest of Bailey and the Shannons the case "broke."

Picked up in Denver by local police on a minor charge, Bates was held when handbills which flooded the city identified him as one of the kidnapers. Police found \$600 in cash, later identified as part of the ransom money—and a machine gun fully loaded in the gangster's possession.

Then a truck driver attempted to purchase a cashier's check for \$1,800 at a Minneapolis, Minn., bank, but the alert cashier called police. Seven more men, termed "little fellows," who were trying to float the ransom bills, were arrested and charged with conspiracy to kidnap. This made 12 people, directly or indirectly connected with the crime, in custody. All were promptly indicted by the Oklahoma City Grand Jury and imprisoned pending trial.

But Machine Gun Kelly, considered the most dangerous of them all, and his 29-year-old wife were still at large. In fact, Kelly spent part of his waking hours terrorizing witnesses at the trial, sending threatening letters to Mr. Urschel and to John B. Keenan, Assistant Attorney General sent from Washington to prosecute the kidnapers.

The Trial

Bailey, who had successfully escaped from the Kansas State Penitentiary several months before and who had slain a Federal agent, three policemen and a prisoner when he attempted to rescue the latter in what was known as the "Kansas City Massacre," escaped from the Dallas County Jail after locking several jailers in the cells. He took a deputy along as a hostage. But his freedom was short-lived. He was captured that same day at Ardmore, Okla., and returned under heavy guard to jail.

On September 15, less than a month after the kidnaping, 12 defendants were brought to trial in Oklahoma City.

The courtroom looked like an armed camp. Located on the ninth floor of the Post Office Building, it fairly bristled with State troopers, sheriffs, local police and Federal agents armed to the teeth. The elevators stopped at the seventh floor and those who had business in the courtroom were searched by deputies before they were even permitted to pass the guards stationed on the stairways with machine guns.

Bailey and Bates were surrounded by 10 Special Agents carrying side arms and machine guns. Even the jury and the judge were heavily guarded.

Deputies, Federal agents and local police, all expert marksmen, sat in the audience and lined the walls.

Bates, who whiled away the first days of the trial by making threatening asides every time Prosecutor Keenan questioned witnesses was rewarded by having a Special Agent stand directly over him with a gun trained on his head and orders to shoot at the first move.

The prisoners attempted to intimidate witnesses, especially Mr. Urschel, by glaring at them as they testified.

Though Machine Gun Kelly's letters must have shaken the multimillionaire, already upset by his abduction, he insisted on going through with his part.

Some of Kelly's letters were read in open court. One, typical of the man said:

"Just a few lines to let you know that I am getting my plans laid to destroy your so-called mansion, and you and your family immediately... Are you so ignorant that you think the government can guard you and your family forever?...

"In the event of my arrest I've already formed an outfit to destroy you and yours... I am spending your money to have you and your family killed—nice eh? You are living on borrowed time, Sap. If the Shannons are convicted you can get you another rich wife in hell. I am signing this with my finger-

prints so you won't think this is a crank letter."

His fingerprints were at the bottom.

Two weeks after the trial had begun, Bates, Bailey and the Shannons were sentenced to life imprisonment. Armon, Shannon's son, was given 10 years in the Federal penitentiary. The "seven little fellows" who assisted in passing the ransom money received sentences of from five to eight years each.

In the meantime, Federal agents had never given up the search for Kelly and his wife. With a help of a mysterious "X" whose identity has never been disclosed, agents captured Kelly and his titian-haired wife in a ramshackle house on the outskirts of Memphis, Tenn., shortly before dawn on September 26.

The thug, his black hair dyed yellow in an attempted disguise, his eyes weary with sleep, struggled to his feet when agents prodded him awake. He tugged at a .45-caliber revolver, but found himself staring down the muzzle of a sawed-off shotgun. Other heavily armed men stood near by, guns trained in his direction. At the grim command:

"Stick 'em up, Kelly!"

The Western bad man, who had sworn he would never be taken alive, grinned sheepishly, allowed the revolver to slip to the floor, and muttered:

"Okay, boys. Yuh got me—and I'd been waiting for you all night."

Clinging tearfully to his arm, his slender, pretty wife, clad in a flaming negligee, looked on without a word.

Kelly was taken into another room. There, surrounded by conspiring Federal agents, stenographers and deputies, he was questioned.

For hours he refused to say a word. Questions were fired at him in rapid succession, and the questioners worked in relays of four hours each.

AT ALCATRAZ

At noon, John M. Keith, special agent sent on from Washington by Mr. Hoover, came out for a drink of water. Mopping his face, Mr. Keith said:

"Kelly was just a punk until he went to Leavenworth and met Verne Miller and other machine gunners who have been terrorizing the Middle West.

"His wife still carries a scar on her face from a blow he gave her with a pistol. That's the kind of a man he is. He might kill in a jam, but he's only a coward and a fourflusher."

Shortly after, on a Texas farm, owned by Case Colman, uncle of Kathryn Kelly, agents found a thermos jug buried in a cotton patch and containing \$73,000 of the ransom money.

Kelly and his wife, whose titian hair turned out to be a wig, were tried and convicted of the kidnaping of Charles F. Urschel and sentenced to life imprisonment. The sullen bandit aroused titters of amusement among spectators when he appeared in the courtroom his blond hair already turning back to its natural dark hue. To make his appearance more grotesque, a streak of red, caused by a blow from a Federal agent when the gangster tried to escape, mingled with the yellow.

When he was sentenced Kelly whispered to his wife. He promised to get her and himself out of prison by Christmas. He even boasted to newspaper men about it. No jail could hold him, he swore. And Kathryn believed him. Serving time now in the women's prison at Cincinnati she is beginning to doubt it. And Kelly, now at America's Devil's Island, is finding out that there is one prison from which he cannot escape.

Federal Bureau of Investigation

U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI
APRIL 28, 1936

Director
Federal Bureau of Investigation
Washington, D.C.

Dear Sir:

RECORDED
&
INDEXED

MAY 8 1936

RE: GEORGE KELLY BARNES with aliases, ET AL
GEORGE F. URSCHEL - VICTIM
KIDNAPING

7-115-1548
APR 30 1936
TAMM ONE FILE

Reference is made to previous correspondence from this office and from the Bureau with reference to [REDACTED]

In accordance with Bureau teletype dated April 21, 1936, arrangements were made for an Agent of this office to accompany [REDACTED] to Denver in an effort to recover the stolen bonds. As the Bureau was advised by telegram dated April 26, 1936, Special Agent D. L. McCormack, of this office, left for Denver, Colorado, at 5:30 P.M. on that date in an effort to recover these bonds.

It is noted that [REDACTED] was released from the U. S. Medical Center, Springfield, Missouri, on April 25, 1936, and according to the rules of the Bureau of Prisons he was entitled to receive transportation from Springfield, Missouri, to Baltimore, Maryland. However, such transportation can only be supplied by the prison authorities on the date of the release for transportation on that date and cannot be given for transportation on any other date without specific authority from the Bureau of Prisons. It is contemplated that at the conclusion of the present trip [REDACTED] will return to Kansas City, Missouri with Special Agent McCormack.

It is requested that the Bureau endeavor to arrange with the Bureau of Prisons to authorize the Superintendent of the U. S. Medical Center, of Springfield, Missouri, to supply [REDACTED] with transportation from Springfield to Baltimore, Maryland on such date as he may return to Springfield, Missouri after he has completed his present trip with Agent McCormack.

Very truly yours,

W. A. Smith

W. A. SMITH
SPECIAL AGENT IN CHARGE

WAS [REDACTED]

All b7C

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Miss Gandy

POSTAL

** DECODED COPY **

W17 22/21 GOVT COLLECT

APR 29 1936

RG KANSAS CITY MO 206P APR 29 1936

DIRECTOR FEDERAL BUREAU OF INVESTIGATION

check URSCHER KIDNAP CASE RE MY TELETYPE YESTERDAY ADVISE IMMEDIATELY
IF AUTHORITY OBTAINED FOR [REDACTED] TRANSPORTATION FROM SPRINGFIELD
MISSOURI TO BALTIMORE

b7C

SMITH

RECORDED
&
INDEXED

MAY 7 1936

7-115-1849	
FEDERAL BUREAU OF INVESTIGATION	
APR 30 1936	
U. S. DEPARTMENT OF JUSTICE	
TAMM	ONE R FILE

AK

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

EAT: [REDACTED]

75
X
April 29, 1936

To: COMMUNICATIONS SECTION.

SAC, Kansas City

RECORDED
Transmit the following message to:

7-115-1349-

URSCHEL BUREAU UNABLE EFFECT ARRANGEMENTS BUREAU PRISONS FOR
TRANSPORTATION OF [REDACTED] SUGGEST YOU FURNISH HIM WITH TICKET TO
BALTIMORE AND SUFFICIENT MONEY FOR NECESSITIES SUBMITTING ITEM
ON BLUE SLIP

ga
HOOVER

All b7C

SENT VIA SCOTT

8:13 M

Per

CLP