

CHARLES "PRETTY BOY" FLOYD  
KANSAS CITY MASSACRE

62-28915

SECTION 27

CHARLES "PRETTY BOY" FLOYD  
FRANK NASH  
VERNE MILLER  
ADAM RICHETTI  
KANSAS CITY MASSACRE

SUBJECT

FILE NUMBER 62-28915

SECTION NUMBER 27

SERIALS 926 - 940

TOTAL PAGES 135

PAGES RELEASED 135

PAGES WITHHELD 0

EXEMPTION(S) USED NONE

REN:CSH

December 5, 1933

RECORDED

62-28915-926

Mr. Ford Monroe,  
Chief of Police,  
Poplar, Montana.

DEC 7 1933

My dear Chief:

This is to acknowledge receipt of your letter dated November 27, 1933, written on a letter dated October 21, 1933, addressed to you by John A. Miller, of Huron, South Dakota, wherein you request to be advised whether John A. Miller is related to the outlaw Sheriff, Vern Miller.

Please be advised that the files of this Division do not contain information relative to any possible connection between the two.

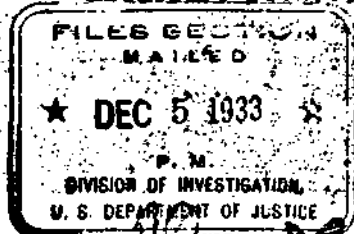
As requested in your letter, I am returning the original of the letter addressed to you by John A. Miller.

Thanking you for your interest in this matter, I am,

Sincerely yours,

Director.

Enclosure #692789.



COPY

JOHN A MILLER - THE LAND MAN  
Improved and Unimproved Lands  
in South Dakota  
Huron, South Dakota  
October 21, 1933

Mr. Ford Monroe  
Poplar, Montana

Dear Sir:

You will remember you called at my office a year or so ago asking where Mrs. Monroe lived and now I wonder if you can give me the information I am after.

There is a ranch of around 6000 acres located about 12 miles south or southwest of Poplar and I would like to get the owner's name and address of it.

I would appreciate this information as soon as you can get it for me.

Enclosed find stamped envelope for your convenience in replying.

Yours very truly

/s/ John A. Miller

JAM:WM

11/27/33, Poplar, Mont.

Department of Justice,  
J. E. Hoover, Director,  
Washington, D. C.

Is there any chance to connect this letter with the outlaw Sheriff Vern Miller of Huron? The 6000 acre ranch here at Poplar is owned by M. S. Gunn of Helena Mont, Gunn is an Attorney for the Great Northern Railroad, if you will return this letter I will forward it to Mr. Gunn.

RECORDED Yours very truly,

INDEXED Ford Monroe, Chief of Police, Poplar, Mont.

/s/ Ford Monroe

DEC 7 1933

62-28915-12	
DIVISION OF INVESTIGATION	
DEC 6 1933	
DEPARTMENT OF JUSTICE	
FILE	

*Original returned*



Room 1408  
370 Lexington Avenue  
New York, N.Y.



TEH:SH  
62-4949

November 20, 1933

Special Agent in Charge  
Division of Investigation  
U. S. Department of Justice  
1420 Enquirer Building  
Cincinnati, Ohio

62-28915	
DIVISION OF INVESTIGATION	
NOV 21 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
DR	FILE

Re: Kanno

Dear Sir:

Receipt is acknowledged of copy of your letter dated October 18th, addressed to the Division, covering your interview with Katherine Kelly Barnes.

On page 8 of your letter it is noted the Barnes woman makes mention of a Sammy from New York City.

The New York City office in its investigation looking towards the prosecution of those who have given comfort and protection to fugitive Miller, has ascertained that one Sammy Schragar alias Samuel Martin alias Louis Cohen alias Sammy Sax alias Ross has been a companion of Miller for some time past.

A photograph of Schragar, which is New York City FD #51868, is attached hereto and it is requested the next time that your office interviews the Barnes woman to exhibit this photograph to her to determine if he is the Sammy referred to. Schragar is not married, so far as is known, but goes around with a girl called "Pigeon." Kindly return the photograph to this office when it has served its purpose.

Very truly yours,

T. F. CULLEN  
Special Agent in Charge

Encl.  
cc: Division  
Washington  
Kansas City

1900 Bankers Building  
Chicago Illinois

December 1, 1933

Special Agent in Charge  
Division of Investigation  
U. S. Department of Justice  
370 Lexington Avenue - Room 1403  
New York, New York

Re: **VERNON C. MILLER** with aliases - FUGITIVE,  
**L. O. 1195, et al. - OBSTRUCTION OF JUSTICE**

Dear Sir:

Reference is made to your letter of November 20, 1933, requesting this office to furnish more detailed information concerning the abandonment and recovery of Ford V-8 Coupe, motor No. 1836196, which was abandoned by Verne Miller at Chicago, Illinois when he made his escape here on November 1, 1933.

In order to give you a better picture of the events surrounding the Ford of Miller, I will relate in chronological order by witnesses, each step concerning the Ford Coupe.

At approximately 7:00 P. M. on the night of October 31, 1933, Special Agents Jay C. Newman and W. A. Smith, with Police Officers Starr and Garvey of the Chicago Police Department, presently attached to this office, were parked in a police car on Galt Avenue near the Galt Avenue entrance of the Sherone Apartments, and they observed a woman whom they will identify as Bobbie Moore approach a Ford V-8 Coupe, open the door and take therefrom a heavy, brown valise and carry same into the Sherone Apartments. The license plates on this Coupe were not discernible from the automobile in which agents Newman and Smith, and the officers were seated, so Special Agent Newman went over to the Ford Coupe and observed that same carried New York license plates No. S-L-1469. A short time later Newman, Smith and the officers referred to above again saw the woman whom they will identify as Bobbie Moore approach the Ford Coupe carrying the above mentioned license plates, unlock the door of same and drive this car in an easterly direction. Agent Newman will further be able to testify that he later made a search of several garages and parking lots and later found the above described Ford parked in a parking lot at Sheridan Road and Galt Avenue, which parking lot is directly opposite the Sherone Apartments.

62-1649

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DIVISION OF INVESTIGATION	
DEC 4 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
<i>[Signature]</i>	FILE

Agent Newman will further testify that he kept this car under surveillance during the entire night of October 31 and the morning of November 1, 1933, and also that the car was kept under observation in the parking lot during the entire day of November 1st.

No one saw Miller in this Ford Coupe while he was in Chicago. It will be noted that Bobbie Moore admitted that this Ford belonged to Verne Miller, and that she took his valise out of the car at his instructions, but when requested to further amplify her statement specifically concerning the language used when Miller told her to get his valise, she refused to say anything further.

The Ford Coupe remained in the parking lot opposite the Sherons Apartments during the entire day of November 1st and until approximately 2:00 A. M. on November 2d, at which time a police officer, name unknown, telephoned the Fair Oaks Garage, 925 Fair Oaks Avenue, and requested Tony Greco, the night man there, to move the car from the parking lot to the garage, stating that the car should be held for the Department of Justice.

Tony Greco, night attendant at the Fair Oaks Garage, can testify that on November 2, 1933, at about 3:30 A. M. he received instructions from someone, either in the Department of Justice or the Chicago Police Department, to tow a Ford Coupe from a parking lot at Sheridan and Calt Avenue to the Fair Oaks Garage, and to keep same for the Department of Justice; that he went to the parking lot and towed the Ford Coupe carrying New York license plates, No. 8-L-1489, to the Fair Oaks Garage, and upon arrival at the garage he removed all of the property in the car, which included a trunk, a set of golf bags, a Corona typewriter, and a brief case, to the office of the garage for safe keeping, and that later that same morning Special Agents Mahagan and Lockerman came to the garage and checked this property. Greco will be able to identify the luggage described above, which is now in custody of the Chicago Division office.

Special Agents A. D. Mahagan and A. E. Lockerman were instructed to proceed to the parking lot at Sheridan and Calt Avenue at about 2:00 A. M. on November 2, 1933, for the purpose of maintaining surveillance on the Ford, and upon arrival there they found that the Ford of Miller's had been towed to the Fair Oaks Garage about ten minutes before that. They proceeded to the Fair Oaks Garage and found that 1932

- 3 -

Ford Coupe, bearing New York license plates No. S-L-1469, had been towed to the garage by Tony Greco and as he had received instructions to hold same for the Department of Justice, had removed from the car one trunk, a typewriter, a brief bag and golf sticks, and had placed them in the office of the garage for safe keeping.

Agents Mahagan and Lockerman will testify that they immediately examined the property which had been removed from the Ford by Tony Greco, which property is specifically described in the memorandum of Special Agent A. D. Mahagan, dated November 15, 1933, a copy of which has been previously forwarded to your office. Agents Mahagan and Lockerman can further testify that they removed the property which had been taken from Miller's Ford to the Chicago Division office, where same is now being held.

On the morning of November 2, 1933, Special Agent E. P. Guinane examined Miller's car in the Fair Oaks Garage, together with Police Officers Arthur Conley and William Fogerty of the Auto Detail, Chicago Police Department, and found the Ford to be a Ford V-8, brown with white stripe, 1932 model, motor No. 1836196, and carrying 1933 New York license plates, No. S-L-1469. Agent Guinane can also testify that this is the same Ford which was parked on the parking lot opposite the Sherone Apartments on the night of October 31 and during the day of November 1, 1933. It will be noted that there is no motor number on the Ford engine, the motor number of same being found on the frame of the car, directly opposite the steering wheel housing. Officers Conley and Fogerty also examined this number and can testify that same was 1836196.

It was decided on November 2, 1933, to replace the Ford Coupe of Miller's in the parking lot, and Special Agent J. E. Hartin replaced the baggage and belongings above described of Miller's back in the Ford Coupe, and the Ford was towed from the Fair Oaks Garage to the parking lot on Sheridan and Calt Avenue, where same remained under surveillance of Special Agent H. A. Knittle from November 2 to November 4, 1933, at which time he supervised the removal of same from the parking lot back to the Fair Oaks Garage, at which time he removed one small wardrobe trunk which was found in the rumble seat, six cases containing eyeglass frames, lenses and eyeglasses, one brief bag which was found directly in back of the driver's seat, one dark suit of clothes which was found in the rumble seat, and one golf bag which was found in the rumble seat, and brought them to the Chicago Division office, where they are now being held.

The card of Mason Optical Co., RX service, 451 - 18th Avenue, Newark, New Jersey, with the name Stephen J. Cross, Jr. appearing thereon, and with a pencil notation on the reverse of the card, "Dr. Irwin R. Silvers", as well as a prescription for eyeglasses for one Richner, the original of which had been previously forwarded you, were found in the brief case which was removed from the Ford of Miller's.

The double breasted suit with the label of Saks - Fifth Avenue, and the white shirt labeled R. H. Macy and Co., with the laundry mark of G, which were forwarded to your office and which are referred to in my letter of November 14, 1933, were found in the baggage of Miller, which was taken out of his car.

The clothing which was contained in the brown valise taken into the Sherone Apartments by Bobbie Moore had been removed by Miller from the valise and was hanging in a clothes closet in the apartment of Vivian when same was raided. There was also found in Vivian's apartment a trunk containing clothing of hers and other clothes with the initials, W. G. M., and at this time it cannot be definitely stated exactly what clothes were carried in the valise by Bobbie Moore.

Very truly yours,

M. H. PURVIS  
Special Agent in Charge

KFO:AB  
CC-Division ✓  
62-1649



U. S. DEPARTMENT OF JUSTICE  
DIVISION ONE  
DEC 5 1933 AM

Suite L Federal Building  
Kansas City

December 1, 1933.

Mr. Rex W. Mc Millan,  
Superintendent, Bureau of Identification,  
Office of Sheriff of Klamath County,  
Klamath Falls, Oregon.

Dear Mr. Mc Millan:

I am in receipt of your letter of November 21,  
1933, wherein you inquire as to the probability of Charles Arthur Floyd,  
Identification Order No. 1194, being in Merrill, Oregon, which is in  
your county.

Indications are that Floyd has been transient most  
of the time since the beginning of 1932. His home was formerly at Allisaw,  
Oklahoma, and he has a wife and son, who presumably reside at the present time  
at Fort Smith, Arkansas. His wife's name is Ruby Floyd, and his son, who is  
a small child, is named "Jackie." It is indicated through confidential  
sources that Floyd has visited his wife and son at Fort Smith frequently dur-  
ing the past year. However, no officer in that vicinity has ever reported  
that he has personally seen Floyd, altho the informants who report the infor-  
mation are considered reliable.

A copy of your letter has been forwarded to the Port-  
land office of this Division, and a personal call will be made on you by  
a Special Agent from that office in the near future.

Thanking you for your kind interest and cooperation,

I am

Very truly yours,

T-0  
cc-Portland - Division  
62-780

E. E. CONROY  
SPECIAL AGENT IN CHARGE

DEC 4 1933 A.M.

U. S. DEPARTMENT OF JUSTICE

FILE

OFFICE OF  
SHERIFF OF KLANATH COUNTY  
KLANATH FALLS, Oregon.

Tue. November 21, 1933.

Special Agent in Charge,  
U. S. Bureau of Investigation,  
905 Federal Reserve Bank Bldg.,  
Kansas City, Missouri.

Dear Sir:

RE: Charles Arthur FLOYD, Your  
Identification Order No. 1194.

Information has come to this office to the effect that a man bearing close resemblance to the above subject has been living in or near Merrill, this county. He is also known to have been in this vicinity during the summer of 1932. Our informant stated that the man in question also has a tattoo corresponding to the one mentioned in your above circular.

I am desirous of obtaining a late photograph of FLOYD and all possible information as to his activities in 1932 and since June 17, 1933, and if it could have been possible for him to have been here in 1932. Also information as to his financial condition and if he would be liable to be working on a ranch. The party thought to be FLOYD has been employed as a harvest hand and also has been working in the potato fields.

It is doubtful if this is the man you want but we do not want to pass up an opportunity to pick up a wanted man.

Trusting this information will be of interest to you and assuring your Bureau the utmost cooperation of this office at any time, I am

Very truly yours,

L. L. LOW, Sheriff

By (Signed)

Rex W. McMillan, Supt., Bureau of  
Identification.

RAM:CP

C C P Y

REN:LN

**AIDING AND ABETTING IN THE ESCAPE OF A  
FUGITIVE FROM FEDERAL JUSTICE**

**VIVIAN MATHIS, ALIAS VIVIAN MILLER  
MARTHA WILLIAMS, ALIAS BOBBIE MOORE**

Within one month after the massacre at Kansas City, Missouri, the Chicago Office of this Division had located a woman named Martha Williams, residing at the Sherone Apartments, Chicago, who was understood to be very friendly with Miller. She was placed under surveillance, and investigation disclosed that Martha Williams was using the alias of Bobbie Moore; that she was friendly with the entire Miller gang, and is reported to have put her former husband, Jack Harris, "on the spot". Harris, who was killed in New York City about eighteen months ago, was formerly an associate of Miller's, both being members of the Uptown Masonic Lodge, Chicago, Illinois, during the years 1929 and 1930. Miller is alleged to have killed Harris at the request of Harris' wife, as she expected to collect a large sum of insurance on the life of her husband.

During July and August, 1935, the New York City Office of the Division picked up the trail of Vivian Mathis, who was associated with Betty Buchalter, wife of Louis Buchalter, one of the leading gangsters and racketeers of New York City. Vivian, during this time, accompanied Betty Buchalter to Montreal, Canada, Atlantic City, New Jersey, and other resorts, and left New York City on August 7, 1935. Shortly thereafter, she was located at the Sherone Apartments in Chicago, and was found to be associating with Bobbie Moore.

On the afternoon of October 31, 1935, Vernon C. Miller arrived in Chicago and went to the apartment of Bobbie Moore, who immediately notified Vivian that Miller was in her apartment. Miller later went to Vivian's apartment where he remained until the evening of November 1, 1935, at which time he eluded the trap which had been set for him by Agents of the Division. It appears that Miller had become aware of the fact that he was under surveillance, and arranged with Miss Moore to meet him at the entrance to the apartment in her car, with the motor running, and accordingly when he departed from Vivian's apartment, instead of taking the elevator, ran down the steps and entered Bobbie's car, and successfully escaped the gun fire trained on him by Agents of the Division and members of the Chicago Police Department. The car was found abandoned three blocks from the apartment.

Vivian Mathis was taken into custody on November 1, 1935.

On November 6, 1935, Bobbie Moore called at the office of the United States Marshal at Chicago and requested a permit to see her associate,

NOT RECORDED

62-28915

ORIGINAL FILED IN 66-3800-A

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Vivian Mathis, at which time she was taken into custody.

On November 8, 1933, indictments were returned against both women, charging them with aiding and abetting in the escape of a fugitive from Federal justice, under Section 246, Title 18, of the United States Code, and also with conspiracy to violate this Section of the Code. On November 29, 1933, both entered pleas of guilty to both indictments, and were sentenced to six months on the first indictment and to one year and one day on the second, sentences to be concurrent.

On the evening of November 29, 1933, Vernon C. Miller was found murdered on the outskirts of Detroit, Michigan. Agents of the Division are pursuing an investigation relative to this angle of the case.

Division File 62-28915

RM:LL

**FUGITIVES**

During the week ending December 1, 1933, the Division of Investigation completed investigative activity in cases involving 19 fugitives. Of this number, 27 fugitives were apprehended, a detainer was filed against one, and prosecution was dismissed against one.

Suite L Federal Building,  
Kansas City



DIVISION ONE

DEC 4 1933 PM

December 1, 1933

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
Room 1403,  
370 Lexington Avenue,  
New York, N.Y.

Dear Sir:

RE: VERNON C. MILLER, with aliases, FUGITIVE,  
I O #1195, ET AL  
OBSTRUCTION OF JUSTICE (Endeavor to Deliver  
Federal Prisoner Frank Nash).

Reference is made to your letter of November  
9, 1933, transmitting a photograph of William Weisman, with the sug-  
gestion that Weisman is probably identical with the individual driv-  
ing the Packard Sedan, who engineered the moving of the personal ef-  
fects of Miller from the residence at 6612 Edgevale Road, Kansas City,  
Missouri.

Investigation by the Kansas City office, as  
previously reported, has developed that the man who drove the Packard  
Sedan at the time in question was Subject Frank B. Pulley. In this con-  
nection, reference is made to the summary report dated October 12, 1933,  
rendered by the Kansas City office.

Very truly yours,

E. E. DUNROY  
SPECIAL AGENT IN CHARGE.

MT-9  
cc-Division  
62-760-

62-28915	
DIVISION OF INVESTIGATION	
DEC 4 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
Let. O. <i>jh</i>	FILE

Suite 1 Federal Building,  
Kansas City



December 4, 1933

DEC 4 1933 PM

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
Post Office Building,  
Dallas, Texas.

Dear Sir:

RE: VERNON G. MILLER, with aliases, FUGITIVE, IO #1195,  
ST AL.  
OBSTRUCTION OF JUSTICE (Endeavor to Deliver Federal  
Prisoner Frank Nash)

Reference is made to your letter of November 25, 1933, request-  
ing that you be furnished with a photograph of Mrs. Ester Farmer, Subject  
of this case, which is to be shown to Detectives Ed Weatherford and J. W.  
Sweeney of the Fort Worth, Texas, Police Department.

The photograph of Mrs. Farmer is herewith enclosed.

Very truly yours,

E. E. CONROY  
Special Agent in Charge.

WFT-c  
Encl.  
cc-Division  
62-760-

62-78915	
DIVISION OF INVESTIGATION	
DEC 4 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
Let One	FILE



SUITE 1 FEDERAL BUILDING  
KANSAS CITY



December 1, 1933.

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
224 Federal Building,  
Oklahoma City, Oklahoma.

Dear Sir:

RE: VERNON C. MILLER, with aliases, FUGITIVE, et al  
ET AL  
OBSTRUCTION OF JUSTICE (Endeavor to Deliver Federal  
Prisoner Frank Nash)

There is enclosed a letter written by one A. T. Crawford  
of Healdton, Oklahoma, wherein he makes reference to Subjects Davis, Under-  
hill, Brady, Clark and Bailey in the instant matter. His letter is illegible  
and it is suggested that when you again have an Agent in Healdton, Oklahoma,  
contact be had with this individual, who labels himself "A Detective."

Very truly yours,

E. B. CONROY  
SPECIAL AGENT IN CHARGE.

ECB-c  
Encl.  
cc-Division  
62-780-

62-78915	
DIVISION OF INVESTIGATION	
DEC 4 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
SEARCHED	FILE

1900 Bankers Building,  
Chicago, Illinois.



December 1, 1933.

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
625 Lafayette Building,  
Detroit, Michigan.

Dear Sir:

Re: Vernon C. Miller, with aliases,  
Fugitive, I. O. 1195, et al; Ob-  
struction of Justice.

Transmitted, herewith, is a clip for a Colt 45 Automatic  
Pistol, as telephonically requested by you. This is the clip which  
was found in the apartment at the Sherone Apartments, Chicago, Illinois,  
which was occupied by Vivian Mathias and in which Verne Miller stayed  
prior to his escape.

Very truly yours,

M. H. PURVIS,  
Special Agent in Charge.

WAS/RMM  
Enc.  
CC Division.  
62-1649

62-25915	
DIVISION OF INVESTIGATION	
DEC 4 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
<i>[Signature]</i>	FILE

Suite L Federal Building  
Kansas City.

December 4, 1933.

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
201 Liberty National Life,  
Birmingham, Alabama.

Dear Sir:

RE: VERNON C. MILLER, with aliases, FUGITIVE, IO #1195,  
ET AL  
OBSTRUCTION OF JUSTICE (Endeavor to Deliver Federal  
Prisoner Frank Nash)

At the time Special Agent L. G. Turrou departed from  
Kansas City on 11-13-33 for Memphis, Tennessee, he had in his possession  
reports from the Kansas City file in this case as follows:

Report by W. P. Trainor, Kansas City, Missouri, dated 7-15-33.  
Do 7-28-33  
Do 10-12-33.

It is understood that these reports were placed in pos-  
session of Special Agent R. E. Peterson at Memphis, Tennessee, by Agent  
Turrou. When they have served their purpose, kindly return them to the  
Kansas City office.

Very truly yours,

R. E. CONROY  
Special Agent in Charge.

WPT-c  
cc-Division  
62-760-

62-78915	
DIVISION OF INVESTIGATION	
DEC 4 1933 A.M.	
U. S. DEPARTMENT OF JUSTICE	
<i>RR</i>	FILE



Room 1608  
570 Lexington Avenue  
New York City

RECEIVED  
DEC 4 1933 AM

November 29, 1933

62-28915	
DIVISION OF INVESTIGATION	
DEC 7 1933	
U. S. DEPT. OF JUSTICE	
	FILE

Special Agent in Charge  
Division of Investigation  
U. S. Department of Justice  
Federal Building, Suite 1  
Kansas City, Mo.

Dear Sir:

In connection with the investigation in the matter of **VERNON E. MILLER** with aliases, **FUGITIVE**, I.O. #1195, et al, please be informed as follows:

On the afternoon of November 20th Louis Beckalter was interviewed in the presence of his attorney, J. Arthur Miller, by four agents attached to this office. He said that he has known Vernon E. Miller for about five years, first meeting him in New York City about five years ago, but he could not or would not recall just who it was who introduced him, or the circumstances under which they met. At that time, he said, Miller was engaged in some alcohol enterprise out of St. Paul and/or Minneapolis. When asked whether Arthur Wickler introduced him, he said he does not recall but it might have been Wickler or it might have been anyone who arranged the meeting. As to Wickler, he said that the last time he saw him was about a year ago at the hockey matches at Madison Square Garden, New York City. He said that he first met Vivian about three years ago in New York City, Miller bringing her over and that during the two year period between the time he first met Miller and the time he first met Vivian, he saw Miller a few times in New York City. Subsequent to the time he first met Vivian, he said he saw Miller and Vivian a few times in New York City and entertained them in night clubs, so forth.

He said that a little over a year ago Miller came to New York City with Gus Wickler and at that time, as he understands it, Wickler and Miller had some sort of a contract or commission agreement with the Sioux Walker Distillery, Walkersville, Ontario, whereby they were to receive a certain amount of money on each case of liquor they would run into this country and that Wickler and Miller came east for the purpose of lining up some new customers and he was instrumental in introducing them to certain bootleggers. He refused to mention names or notes in this connection and point blank refused to state whether he made the connection between Wickler



SAC - Kansas City

82-4949

and Miller and the New Jersey mobs. He also said that on Thanksgiving, 1932, he recalls Miller and Vivian coming to New York and visiting him and his wife and that Frank Nash and his wife were along and that Sammy Schragger and his girl, Pigeon, were likewise up to his apartment. He said that at no time did he know that Miller was the Vernon G. Miller and that he knew him only as Clarence Allen. He said that he knew Clarence Allen was Vernon G. Miller only when he recently saw his photograph in a New York City newspaper and identified it as being Clarence Allen, whom he has known for the past five years. He said that the photograph of Miller in the newspaper was a very good likeness of Allen. In this connection, it should be borne in mind that Miller did not use the alias Clarence Allen until the early part of August, 1933. He said he did not recall the name which Frank Nash used but when asked how he knew it was Frank Nash, then implied that Nash must have been introduced to him under his correct name. He said that as far as he recalls Miller at that time lived at the Hotel Lexington.

As to Sammy Schragger, he said he has known him all his life, they being brought up together in the lower east side. As to the present whereabouts of Sammy Schragger and his occupation, he said that he understands Schragger is running a little liquor and that only a few days ago he made inquiries respecting his whereabouts and was informed that he was due back in New York City in a few days. He was asked why he made inquiries for Sammy Schragger and said that he felt as though he might be able to help him out. He was requested to have Sammy Schragger come to this office as soon as he arrives in New York City. He would neither admit nor deny that Sammy Schragger was the one who introduced Miller to him. He also denied knowledge as to the alias that Schragger is now using.

He said that around the first of this year, he, Longie and Intley went to Los Angeles, California. It is recalled that the departure of Longie was due to the ballot scandal in Newark, New Jersey. He said the three of them were in Los Angeles, going there by train, and they then went to Hot Springs where they stayed at the Arlington Hotel. He admitted that after they were there a short time Mike Goppela joined the party. He also said that a few days before they departed Hot Springs, Miller and Vivian were there and remained at the hotel a few days and then left and he took care of their bill at the hotel. He also said that Frank Nash and his wife were in Hot Springs at this time. As to the identity of the persons who occupied the cottage, he said he did not know, but one of them was an Italian from Brooklyn named Joe. (Undoubtedly this is Joe Sayer previously referred to as the owner and driver of the armor plated Cadillac car). He admitted that during the period of

SAC - Kansas City  
62-4949

their stay at the Arlington Hotel there was a large dinner party attended by all of his group, Miller and Vivian, Nash and his wife, so forth. He said that Longie, Kutlow and the rest - he refused to name any of the others who were there - left before he did and his wife joined him and he and his wife remained at the hotel about ten days and then they came east by train. He admitted that while at Hot Springs he met a man named Dutch but said he did not know whether this was Dutch Aikers, the Chief of Detectives. He said he played golf with Miller there and that Miller played a good game. He said that the last time he saw Miller was in Hot Springs the latter part of February or the early part of March, this year, but in the latter part of June Vivian came east and called on them and he took her into his home as a guest. He admitted that during the month of July he "had to be out of town" and did not know a great deal as to what went on between Vivian and his wife but Vivian did keep his wife company and they travelled together to various places such as Montreal, Vermont, Atlantic City, so forth. He admitted being in Atlantic City, N.J. a few days prior to August 7th and admitted paying the hotel bill for Vivian and, as a matter of fact, admits he paid all of Vivian's expenses while she was east and that upon leaving Atlantic City on August 7th Vivian advised she was going home, which was at some small town outside of St. Paul, Minnesota, but she was going to stop off at Chicago and that Vivian asked to be let off at the Robert Treat Hotel. He said he did not see Vivian off at the depot but he let her off at the Robert Treat Hotel and before he left her gave her "a few hundred dollars." Of course, he denied that he was under obligation to Miller in any respect and said that it was merely out of the goodness of his heart that he entertained Vivian in the manner in which he did. He denied making any telephone call within forty-eight hours subsequent to the departure of Vivian which had reference to her departure or to Miller or directing anyone else to make such a call. He strenuously denied knowledge of the fact that he hid himself of Vivian because she was 'hot.' He also denied seeing Vivian at Burlington, Vermont "why he (Miller) did not give himself up."

He advised he has known William Weisman for many, many years but that he has neither seen nor heard of him for three years. He admitted he knew Albert Silvers or Silverman, as a matter of fact, knowing him a long time and said that Silvers was a liquor operator. When asked as to what mob Silvers was affiliated with, he would only say that Silvers got along well with all the boys. Bearing in mind that Silvers was murdered at Somers, Connecticut on November 30th, he was asked where he was the week-end of November 19th. He bluntly refused to say but finally admitted that he was in the State of Connecticut that week-end. He then said that he spent that week-end at the home of some respectable people

SAC- Kansas City  
62-4949

in Connecticut and that it was a week-end pinochle game and he did not want these respectable people bothered. His attorney, however, advised that this office could secure the name of the week-end host if necessary and desirable.

He said that he went to Europe this fall, taking the Mauretania out of New York City on September 22nd and that he went to Carlsbad for kidney cure and that he was accompanied by three others. He would not name these three but did admit that Dimple Wolinsky was one of the three and said this office could learn the identity of the other two. He also said that he travelled on his own passport issued to him under his true name, Louis Buchalter.

He was advised in the presence of his attorney that Miller was a fugitive from justice and that there was a warrant outstanding for his arrest. He then said that "No one will have anything to do with Miller now." He said "If Miller shows up in New York you will know about it." He was then asked whether there was a possibility of Miller being "kumped off" within the next thirty days. To this he gave a knowing smile and said he did not know about that but would have to make some inquiries around town in order to find that out.

You will recall that a few days ago this office communicated with the Chicago office and informed it as to the nature of confidential information received at this office recently to the effect that Miller and Winkler had a 25% interest in the Hiram Walker distillery. In view of the corroboration as furnished by Buchalter, it is believed the Chicago office should, as soon as possible, conduct the investigation requested with respect to the estate of Winkler to determine just what interest he did have in the distillery, although you will note that Buchalter advises it was not precisely an interest but more or less a commission agreement on sales in this country. As soon as the Chicago office completes its investigation in this connection, it is believed desirable that the information developed be forwarded to the Detroit office for appropriate investigation at Walkersville, Ontario, where the Hiram Walker distillery is located.

Very truly yours,

J. L. PAT  
Special Agent in Charge

cc - Division  
Chicago  
Detroit  
Okla. City

Suite L., Federal Building,  
Kansas City, Missouri,  
November 30, 1933.



62-28915	
DIVISION OF INVESTIGATION	
DEC 2 1933 A.M.	
U.S. DEPARTMENT OF JUSTICE	
<i>MB</i>	

Special Agent in Charge,  
Division of Investigation,  
U.S. Department of Justice,  
625 Lafayette Bldg.,  
Detroit, Mich.

Dear Sir:

Re: Vernon C. Miller, with aliases,  
et al. OBSTRUCTION OF JUSTICE  
(Endeavor to Deliver Federal  
Prisoner Frank Nash;  
K.C. file 62-760

This is to confirm telephonic communications with you from this Office on November 29, 1933, at which time it was learned that the body of Vernon C. Miller was found, mutilated, near Detroit, Michigan, stripped of clothing and wrapped in a blanket and deposited in a ditch beside the road. It is understood that the body was discovered on November 29, during the evening, and that positive identification has been made by means of fingerprints.

In view of the fact that a determination of the identities of the persons responsible for the murder of Miller might have an important bearing upon the solution of the instant case you were furnished telephonically with information recently secured from the Southwestern Bell Telephone Company in Kansas City, Mo. that a woman believed identical with Vivian Mathias, paramour of Miller, had made, during the Spring and early Summer of 1933, long distance telephone calls from the Union Railroad Station at Kansas City to some party at Dearborn, Michigan, telephone number #0815-W. This is no doubt a recent connection in the vicinity of Detroit, with whom Miller might have been associated while eluding arrest.

Also reference was made to reports in the file of Thomas Holden, Francis L. Keating and Frank Nash, former Escaped Federal Prisoners, as follows:

- Report of Special Agent L. D. Boney, Detroit, Mich., 12-30-31;
- Report of Special Agent R. D. Brown, Detroit, Mich., 3-4-32.

These reports furnish names and addresses of connections in the vicinity of Detroit, with which Miller was evidently associated.



It is evident from recent investigation in Chicago, Ill. that Miller had recent connections in Detroit, Mich. as shown from the fact that a telephone call was made from the apartment of Vivian Mathias in Chicago, Ill. on October 21, 1933 to a person believed to be Vernon C. Miller at a pay station telephone at the Royal Palm Hotel, Detroit, Mich. which is reflected by the report of Special Agent in Charge, J.R. Keith, dated at Detroit, Mich. November 1, 1933.

Possibly at this time, in view of the death of Vernon C. Miller, Vivian Mathias, sentenced in Chicago, Ill. November 29, for Harboring a Fugitive (Miller), might be willing to divulge the identities of his most recent connections in Detroit and other vital facts relative to the instant massacre which occurred at Kansas City on June 17, 1933.

A telegram was addressed to the Director on November 30, 1933, 12:05 P.M., advising that the Kansas City Office had communicated with the Detroit Office, furnishing that Office with pertinent facts to show the Detroit connections of Miller as known to the Kansas City Office.

Very truly yours,

E. E. Conroy,  
Special Agent in Charge.

wit-  
cc-Division  
Chicago

1420 Enquirer Building  
Cincinnati, Ohio

RECEIVED  
NOV 29 1933  
DEPT. OF JUSTICE  
DIVISION OF INVESTIGATION  
RECORDS SECTION

EX-117  
#62-765

November 29, 1933

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
Suite 1, Federal Building,  
Kansas City, Missouri.

Re: Vernon C. Miller, with aliases - FUGITIVE,  
Et al, I. O. #1198.  
OBSTRUCTION OF JUSTICE (Endeavor to deliver  
Federal Prisoner Frank Nash).

Dear Sir:

On November 22, 1933, the Cincinnati Office received a telephone call from Special Agent L. G. Turron talking from Memphis, Tennessee, in which he stated that information had been received from Louise Conner to the effect that fugitive Richard Talman Galatas is a close friend of one John Rumer of Indianapolis, Indiana, and that Rumer is supposed to have an unlisted telephone at 1821 North Harding Street, Indianapolis. Agent Turron requested that the unlisted telephone at that address be checked for calls during the last three or four months, and that other inquiry be made with view to determining whether or not fugitive Galatas could be located through that source of information.

In this connection, it may be pointed out that 1821 North Harding Street has been known for several years to the Cincinnati Office to be the address of one Bert Rumer, who manages Fighter Tracy Cox, and is well known in sport circles. John Rumer is a brother to Bert Rumer. It will be recalled that approximately two years ago, John Rumer married a girl who had been released by Rumer and his first wife from the time she was 13 years of age. Later, this girl and John Rumer were held at Redbank, New Jersey, for killing a man in their home. During the past summer the woman was committed to the asylum. John Rumer, since that time, has been usually going under the name of J. E. Thill. He is believed to be a bootlegger and gambler.

Special Agent J. S. Johnson, of the Cincinnati Office, found that no telephone was listed for 1821 North Harding Street, and that the name of John Rumer was not contained in the Indianapolis City Directory. On inquiry at the Telephone Company, he found an unlisted telephone at 1821 North

COPIES DESTROYED

10 AUG 31 1954

62-28915

SEARCHED	INDEXED
SERIALIZED	FILED

NOV 29 1933

Harding Street in the name of Edith Elder, the telephone number being Talbot 2151. He obtained a list of the calls charged to this number for the past four months and these are given, as follows:

<u>DATE</u>	<u>FROM</u>	<u>TO</u>
8-31-33	Talbot 2151	#314, Anderson, Indiana.
9-2-33	" "	" "
9-8-33	" "	" "
9-19-33	" "	#100, Anderson, Indiana
10-2-33	" "	" "
10-4-33	" "	" "
10-8-33	" "	John Harris, Jefferson Hotel, South Bend, Ind.
10-8-33	" "	Walbridge 1800, Toledo, Ohio.
10-9-33	" "	#100, Anderson, Indiana, Harry Kelly
10-17 & 18-33	" "	" " " " " " T. H. Kelly
10-17-33	" "	#H-557-J, Anderson, Indiana.
10-11-33	" "	Cherry 2182, Dr. Goodrich, Goodrich Sanitarium, Minneapolis, Minn.
11-7-33	" "	(Same as above)
11-4-33	" "	#3464-B, Anderson, Indiana.
11-4-33	" "	#4919, Anderson, Indiana.
9-27-33 (TO)	" "	[in collect] From Pay Station, Canton, Ohio, to John Rumer, Talbot 2151, Indianapolis.

Through an arrangement with the telephone company the following telegrams were charged to Talbot 2151, Indianapolis, by the Western Union:

<u>DATE</u>	<u>FROM</u>	<u>TO</u>	<u>SIGNED</u>
8-9-33	Talbot 2151	Terre Haute, Ind.	Edith
8-18-33	" "	Dallas, Texas	Edith
9-16-33	" "	Dallas, Texas	Bert Rumer
9-27-33	" "	Dallas, Texas	Opal
10-4-33	" "	Dallas, Texas	Mrs. Rumer
9-8-33	" "	Chicago, Ill.	John Rumer
9-16-33	" "	Ft. Wayne, Ind.	Bert Rumer
9-21-33	" "	Ft. Wayne, Ind.	Mrs. Rumer
9-21-33	" "	Omaha, Nebraska	Edith Rumer
10-19-33	" "	Toledo, Ohio	John Rumer
10-19-33	" "	Ft. San Houston, Texas	Slotki

The two telegrams signed by John Rumer, read as follows:

"W. N. McKay,  
 Radisson Hotel, Chicago, Ill. Sept. 8/ 1933  
 Just arrived home and received wire if business still open would be glad to have it wire immediately Western Union  
 (Edith Elder) John Rumer"



William Karp,

Phone Talbridge 1600, Toledo, O. Oct. 9, 1933

Kate very ill will you call Saturday night at 8:30 want business if possible

John Rumer,

The Cincinnati Office will make further check on the Anderson telephones, mentioned above, and will continue to watch and report on other telephone messages going to Talbot 2151 at Indianapolis, Indiana.

The Cincinnati Office is setting forth no leads to other offices in this letter, believing that the Kansas City Office may wish to direct any further inquiry.

Very truly yours,

BLISS MORRIS,

Acting Special Agent in Charge

CC: Division (3)  
New York (2)  
Chicago (2)  
St. Paul (2)  
Dallas (2)  
Detroit (2)





1216 Smith Young Tower  
San Antonio, Texas.  
November 29, 1933.

077/ML

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
224 Federal Bldg.,  
Oklahoma City, Okla.

VERNON G. MILLER with aliases,  
Identification Order No. 1195,  
Fugitive, et al - Obstruction of  
Justice (Endeavor to Deliver  
Federal Prisoner Frank Nash)

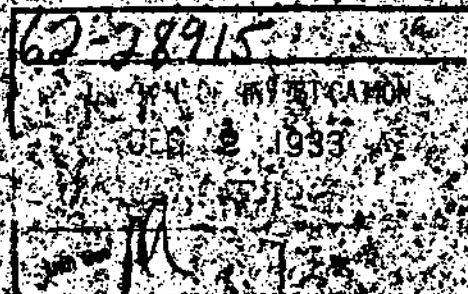
Dear Sir:

I am attaching hereto eight copies of the photograph  
of Wilbur Underhill, which photograph is an improvement over the  
one appearing on Identification Order No. 1191.

Very truly yours,

cc Division  
cc Dallas  
cc Kansas City

W. T. Jones,  
Special Agent in Charge.





Room 1403  
370 Lexington Avenue  
New York City

THT:SH  
62-4949

December 1, 1933

Re. Kameo

Mr. Norman H. Wille  
Postmaster  
Orange, New Jersey

Dear Sir:

This is to advise that you  
may immediately discontinue the cover on the  
mail of Dr. Irvin R. Silvers.

Very truly yours,

J. E. RAY  
Special Agent in Charge

cc: Division

62-28915-  
DIVISION OF INVESTIGATION  
DEC 2 1933  
[Signature]



BUREAU OF INVESTIGATION  
DEPT. OF JUSTICE  
DEC 1 1933  
62-4749

Room 1403  
370 Lexington Avenue  
New York City

Re: Kanno

December 1, 1933

Mr. J. J. Kiely, Postmaster  
General Post Office  
33rd Street and 8th Avenue  
New York, N.Y.

Dear Sir:

This is to advise that you  
may discontinue the cover on the mail of Ben  
Kutlow, 363 Central Park West, New York City.

Very truly yours,

F. I. FAY  
Special Agent in Charge

ccy Division

62-28915  
DIVISION OF INVESTIGATION  
DEC 2 1933  
U. S. DEPT. OF JUSTICE

RECEIVED  
DIVISION OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
NOV 20 1935  
OFC. RECORDED  
82-486

224 Federal Bldg.,  
Oklahoma City, Okla.,  
Nov. 20, 1935.

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
Federal Building,  
Dallas, Texas.

Dear Sir: RE: Vernon C. Miller, with aliases, FUGITIVE  
at all Obstruction of Justice.

Lately we have been receiving information that Charles Arthur (Pretty Boy) Floyd and perhaps Wilbur Underhill have been dropping in at Forrest City, Arkansas, for a day or two at a time and stopping at a cheap rooming house run by a Mrs. Manning. Yesterday we received information that six men, one of whom was recognized as Charles Chapman, who is a fugitive from the New Orleans district, had spent Sunday and Monday nights at the above place and it was thought by the informant that possibly among the others were Floyd and Underhill. These parties were driving a Lincoln Sedan, carrying Texas tags number 118-549, which investigation has developed is registered in Texas to J. E. Rolfe, Holman Hotel, Texarkana, Texas, under motor number 24822.

This is to request that when next you have an Agent in Texarkana, Texas, some effort be made to ascertain the true identity of J. E. Rolfe and any other information which may be pertinent to this case.

I am furnishing the New Orleans office with a copy of this letter since they have a file on Charles Chapman and it is known that Chapman previously operated considerably in the vicinity of Texarkana.

Very truly yours,

cc-Division  
cc-Kansas City  
cc-New Orleans.

2-28915  
H. A. COYNE,  
Special Agent in Charge.  
NOV 20 1935  
U. S. DEPARTMENT OF JUSTICE  
FILE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	WEEK END LETTER

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

# WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

1206-A

CHECK
ACCT'G INFMN.
TIME FILED

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

**BIRMINGHAM ALABAMA**

**L. E. BONROY**  
**SPECIAL AGENT IN CHARGE**  
**DIVISION OF INVESTIGATION**  
**U. S. DEPARTMENT OF JUSTICE**  
**SUITE L FEDERAL BUILDING**  
**KANSAS CITY MO.**



VERNE C MILLER ET AL LOU CONNER LEFT MEMPHIS TENN FOR KANSAS CITY SEVEN FIVE PM VIA FRISCO OCCUPYING DRAWING ROOM A CAR SIXTY FIVE WILL ARRIVE EIGHT TEN AM ACCOMPANIED BY MARSHALL BERT BATES AND WIFE AND AGENT MORTON

RORER

RE: Gov. Rate  
 Charge to Division of Investigation  
 201 Liberty National Life Bldg.  
 Birmingham, Ala.

cc: Division ✓

62-28915

for file

FILE

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE.



REC'D  
62-224

U.S. DEPT. OF JUSTICE  
F. O. R. O. N. E.  
DEC 1 1933

201 Liberty National Life Bldg.,  
Birmingham, Alabama,  
November 27, 1933.

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
Exit L, Federal Building,  
Kansas City, Mo.

Re: Verne D. Miller, with aliases -  
Fugitive, I. O. #1185, et al.  
Obstruction of Justice (Endeavor  
to Release Federal Prisoner Frank Nash).

Dear Sir:

I am forwarding to you serials in this case,  
which belong to the Kansas City file, and which were turned over  
to Special Agent R. E. Peterson at Memphis, Tennessee by Special  
Agent L. D. Turner.

Very truly yours,

W. A. RORER,  
Special Agent in Charge.

WAC

CC: Division

62-28915  
DIVISION OF INVESTIGATION  
DEC 1 1933  
U. S. DEPARTMENT OF JUSTICE

1900 Bankers Building,  
Chicago, Illinois.

December 2, 1933

Special Agent in Charge,  
Division of Investigation,  
U.S. Department of Justice,  
Suite 1, Federal Building,  
Kansas City, Missouri.

Dear Sir:

RE: VERNON C. MILLER, with aliases, FUGITIVE,  
I.O. #1195, et al.  
OBSTRUCTION OF JUSTICE (Endeavor to deliver  
Federal Prisoner Frank Nash)  
Chicago File No. 62-1649.

Reference is made to your letter dated November 24, 1933,  
in which you requested that long distance telephone tickets be obtained  
of all long distance calls which were made from Chicago, Illinois, to  
Kansas City, Missouri, on June 16, 1933.

J. R. Harmon, who is in charge of the Investigation  
Division of the Illinois Bell Telephone Company, Chicago, Illinois, ad-  
vised that it would be impossible to get a list of all long distance  
calls made from Chicago, Illinois, to Kansas City, Missouri, on June 16,  
1933, due to the fact that these calls are charged within twenty-four  
hours to individual accounts. He further advised that daily records are  
not kept by the telephone company; that when a long distance telephone  
call is made a toll ticket is made out and then forwarded to the Accounting  
Division the next morning and charged to the account of the individual  
subscriber. If the information was requested within twenty-four hours  
after a long distance call is made it would be possible to pick up the  
ticket at the Accounting Division. According to Mr. Harmon, to obtain  
a list of all calls made from Chicago, Illinois, to Kansas City, Missouri,  
it would be necessary to check individually the accounts of  
approximately 750,000 telephone subscribers at Chicago, Illinois.

Very truly yours,

NJK:GVP

cc: Division

62-21915
DIVISION OF INVESTIGATION
Special Agent in Charge
U.S. DEPARTMENT OF JUSTICE
Chicago, Illinois

RECEIVED  
DIVISION OF INVESTIGATION  
U.S. DEPARTMENT OF JUSTICE  
DEC 5 1933 AM

203 Post Office Building,  
St. Paul, Minn.

December 5, 1933.

Special Agent in Charge,  
Division of Investigation,  
U.S. Department of Justice,  
Suite L, Federal Building,  
Kansas City, Missouri.

Dear Sir:

Re: VERNON C. MILLER, with aliases,  
I.O. #1195, et al, FUGITIVES.  
OBSTRUCTION OF JUSTICE (KIDNAPOR TO  
DELIVER FEDERAL PRISONER FRANK NASH).  
St. Paul File No. 62-888.

With reference to the machine gun found by the author-  
ities in a stream near Cannon Falls, Minnesota, which gun is now  
in the possession of the State Criminal Apprehension Bureau at St.  
Paul, Minnesota, please be advised that there is being forwarded to  
you, under separate cover, ballistic specimens obtained from the use  
of this weapon. The specimens were secured by Ray Harrington, super-  
intendent of the Identification Division, Minneapolis Police Depart-  
ment.

Very truly yours,

WENGER HARRI,  
Special Agent in Charge.

OOH:TC  
CC Division ✓

62-28915-  
DIVISION OF INVESTIGATION  
DEC 5 1933  
U. S. DEPARTMENT OF JUSTICE  
FILE



ae  
HH:DSS

December 5, 1933.

RECORDED

62-28915-927

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL KEENAN.

DEC 7

31

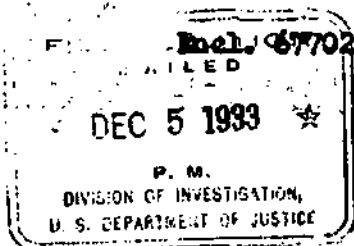
With regard to the communication addressed to the Attorney General by United States Attorney Besson, of Trenton, New Jersey, dated December 1, in the matter of Dr. Irwin R. Silvers, et al, I beg to state that I fully agree with the thought expressed in your memorandum attached thereto. There would appear to be no reason why those who aid and abet well-known fugitives to keep out of the clutches of the law should not be prosecuted to the fullest possible extent. Apparently this man knew the identity of Verne Miller and that he was a fugitive and took steps to aid him in remaining a fugitive.

I believe that any prosecution possible should be instituted.

The original letter from United States Attorney Besson is returned herewith.

Very truly yours,

Director.



To  
**OFFICIAL INDICATED BELOW BY CHECK MARK**

**MEMORANDUM**

- Mr. Nathan
- Mr. Tolson
- Mr. Clegg
- Mr. Edwards
- Mr. Egan
- Mr. Hughes
- Mr. Quinn
- Mr. Lester
- Mr. Locke
- The Attorney General
- The Solicitor General
- Assistant to Attorney General
- Assistant Attorney General Wideman
- Assistant Attorney General Stephens
- Assistant Attorney General Sweeney
- Assistant Attorney General
- Mr. Stewart
- Director Division of Investigation
- Mr. Bates, Director Bureau of Prisons
- General Agent and Chief Clerk
- Appointment Clerk
- Division of Supplies
- Mail and Files
- Mr. Finch, Pardon Attorney
- Mr. Key
- Mr. Ridgely
- Mr. Wixson
- Mr. Fisher
- Mr. Ramsey
- Mr. Morrison
- Mr. Kiefer
- Mr. Norris
- Mr. Monarch
- Mr. Conner
- Mr. McEvers
- Miss Brookley

Have you any objection against the dismissal of this case?  
 Parrish

Please let me know what you think about this. I see no reason why we should "forget" about the Silvers if he knowingly aided Vernon Miller to effect a disguise over the Miller is dead! What difference does that make?  
 1/17/33  
 JPH

*Handwritten notes:*  
 covered  
 1/17/33  
 1037

**RECORDED**

62-24915-927  
 DIVISION OF INVESTIGATION  
 DEC 6 1933  
 U.S. DEPT. OF JUSTICE  
 NATHAN  
 FILE

COPY

DEPARTMENT OF JUSTICE  
OFFICE OF THE UNITED STATES ATTORNEY  
FOR THE DISTRICT OF NEW JERSEY

Trenton, H. J.,  
Dec. 1, 1933.

U. S. v. Dr. Irwin R. Silvers  
et al

Honorable  
The Attorney General  
Washington, D. C.

Sir:

On November 15, 1933, the above named defendant was arrested by operatives of the Bureau of Investigation, and held under \$10,000 bail by a United States Commissioner on a charge of conspiring with his brother, Albert Silvers, to harbor a fugitive (Vernon C. Miller).

I understand that Dr. Silvers bought optometrist supplies and had cards printed for Vernon C. Miller, who was a fugitive from Kansas City, Missouri. The name of Stephen J. Gross, Jr., was printed on the letter-heads, prescription blanks and cards. These were very obviously intended to be used by the fugitive Miller to prove a good alibi for him in case he was arrested by officers of the law.

Since then, however, both the fugitive Miller and the co-conspirator Albert Silvers, brother of Dr. Silvers, have died.

No good, of course, can come of the prosecution of Dr. Silvers, except punishment for the crime which he has committed and of course the usual deterrent feature to others who are likely to commit the same or other crimes. The case against Dr. Silvers does not seem to us to be any too strong, and the possibilities of a conviction accordingly do not seem to be any too likely. Under all the circumstances in the case, we question whether it would be advisable to proceed any further in the matter.

Won't you kindly let us know whether or not it is your desire that we continue with the presentation of the case to the Grand Jury, and the trial of the defendant, or whether we should cease any further prosecution of the matter.

Respectfully,

DEC 7 1933  
Walter B. Petry  
Asst. U.S. Attorney  
SS

(sgd) Harlan Besson  
United States Attorney  
RECORDED  
&  
INDEXED  
62-28915-927  
DIVISION OF INVESTIGATION  
DEC 6 1933  
U. S. DEPARTMENT OF JUSTICE  
NATHAN

JOHN EDGAR HOOVER  
DIRECTOR

Division of Investigation

U. S. Department of Justice  
Washington, D. C.

December 6, 1933

VH:CSH

DEC 8

RECORDED

DEC 7 1933 A.M.

MEMORANDUM FOR THE DIRECTOR

NATHAN

FILE

Mr. Nathan	✓
Mr. Tolson	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Quinn	
Mr. Lester	
Mr. Locke	

Special Agent in Charge Ladd called this morning on the telephone from St. Louis and advised that Agent Anderson, who is there in connection with the Galatas investigation, had an interview this morning with Tom Carney, who indicated very strongly that if the bond of Mrs. Connors, now held at Kansas City on the obstruction of justice charge, could be reduced to \$2,500, he, Carney, would make the bond and he was satisfied that he could count on Mrs. Connors furnishing him with information concerning Galatas' present whereabouts. I then talked to Agent Anderson, who stated that a movement was on foot to reduce the bond of Mrs. Connors at Kansas City, and that it would be reduced ultimately to \$2,500, and he wondered if it would be satisfactory to the Director to fall in with this scheme and let the Kansas City Office acquiesce in the reduction of the bond so that we might represent to Carney that it had been reduced as a result of his request. I told him that I felt that this was entirely satisfactory; that inasmuch as the bond would be reduced, certainly there should be no objection to our taking advantage of that possibility. He stated that he would call Special Agent in Charge Conroy immediately and advise him of the developments.

Subsequently, in fact this afternoon, Agent in Charge Larson called from Detroit. He stated that in an inter-office letter between Cincinnati and Kansas City, a copy of which had been received in Detroit, it was noted that in developing information furnished by Agent Turrou as a result of his interview with Mrs. Connors at Memphis at the time of her arrest, they had found several telegrams going into a residence at Toledo, Ohio, and traced several telephone calls giving that telephone number, which obviously was a headquarters of some sort for Galatas and his associates. Larson stated that this morning he called this number on the telephone and advised that he was a friend of the gang and inquired with reference to two of this group by their first names. He was then told that they were in South Bend, Indiana at the Jefferson Hotel. He then inquired where "Dick" was and stated that it would not be necessary to give Dick's full name, but he was referring to "Dick G.", whereupon the individual at the other end of the line stated that Dick was also at the Jefferson Hotel at South Bend, but that they were all expected back at Toledo on Thursday morning. Larson was desirous of having Agent in Charge Keith, who was then at Detroit examining applicants, proceed with him to Toledo. He had already called Chicago and

COPY FILED IN 67-15716



Director.

- 2 -

12/6/33

advised that office of the information relative to the Jefferson Hotel at South Bend, and Chicago is covering that angle this afternoon. He felt, however, that the crowd may have left the Jefferson Hotel, inasmuch as they were due back in Toledo tomorrow morning, and that possibly the major activity will be at Toledo. He stated his Agents were scattered and he would prefer to have Agent in Charge Keith, if it were possible to permit that action.

I discussed this matter with Mr. Nathan, who subsequently, I understand, talked with you concerning it, and Mr. Nathan called the Detroit Office on the telephone and advised that it would be satisfactory for Agent Keith to proceed to Toledo, assuming that Mr. Keith could cancel the arrangements which he had made for applicants at Pittsburgh tomorrow morning. Mr. Keith advised over the telephone that he could cancel these arrangements very satisfactorily and it is understood that he is proceeding this afternoon to Toledo with Larson.

Respectfully,



V. W. Hughes.

REN:LH

62-28915-929 ✓

December 12, 1933.

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL KEENE

This is to acknowledge receipt of your memorandum dated December 6, 1933, with which you transmitted copy of your letter dated December 6, 1933, addressed to Harlan Benson, Esquire, United States Attorney, Trenton, New Jersey, with respect to the charges pending against Dr. Irwin R. Silvers, and to advise that the New York Office of the Division has been instructed to take appropriate action.

Very truly yours,

Director.

93 ~

12/12/33

FILES SECTION  
MAILED  
★ DEC 12 1933 ★  
P. M.  
DIVISION OF INVESTIGATION,  
U. S. DEPARTMENT OF JUSTICE

*Handwritten initials: JH, APC*

*Handwritten initials: MJA*

~~DIVISION OF INVESTIGATION  
DEC 13 1933  
U. S. DEPARTMENT OF JUSTICE~~  
FILE

REN:LH

62-88915-923

December 12, 1933.

RECORDED

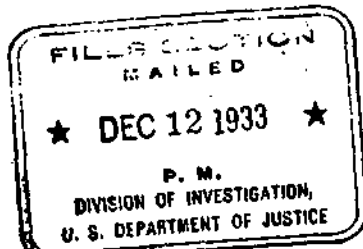
DEC 14 1933

Special Agent in Charge,  
Division of Investigation,  
U. S. Department of Justice,  
370 Lexington Avenue, Room 1403,  
New York, New York.

RE: VERNON C. MILLER, with aliases,  
FUGITIVE - I. O. #1195,  
OBSTRUCTION OF JUSTICE  
(Endeavor to Deliver Federal  
Prisoner Frank Nash)

Dear Sir:

In connection with the prosecution pending against  
Dr. Irvin R. Silvers, there are transmitted herewith copies  
of a memorandum dated December 6, 1933, by Joseph B. Keenan,  
Assistant Attorney General, and copies of a letter dated  
December 6, 1933, addressed by Mr. Keenan to Harlan Besson,  
Require, United States Attorney, Trenton, New Jersey, for  
your information.



ENCL. #682862.

cc-Kansas City.

Very truly yours,

Director.

*JK*  
*SAC*  
*WMS*

JBE-

JBE-TCB

92-5-15

December 6, 1953.

Harlan Besson, Esq.,  
United States Attorney,  
Trenton, New Jersey.

Sir:

Replying to your letter of December 1st to the Attorney General, with reference to the charge against Dr. Irwin R. Silvers of conspiring with his brother, Albert Silvers, to harbor a fugitive, Vernon C. Miller, I beg to advise that it is the opinion of this Department that the present status of this matter requires that it should not be discharged. Vernon E. Miller was one of the most dangerous criminals in the country, sought for a long time and anyone who aided him to escape was guilty of a most serious offense.

Information at hand is not convincing that Dr. Silvers was innocent in this matter. On the contrary there are some very suspicious circumstances indicating that he might have knowingly aided Miller to escape. On this state of the record, you are instructed not to drop the matter, but to give it your most serious consideration and present the facts concerned therewith to the grand jury.

The Division of Investigation has been requested to cooperate fully with you to develop all the important facts and if, of course, after they are assembled, you are decidedly of the opinion that a conviction cannot be obtained, we will be glad to be advised of such conclusion. Upon the receipt of such advice, further consideration will be given to the matter.

Respectfully,

For the Attorney General,

JOSEPH B. KEENE,  
Assistant Attorney General.

COPIES DESTROYED

40 AUG 31 1964

~~62-28915-929~~



ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

JBK-

95-05-48

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

December 6, 1933.

JBK-ZCB

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Hendon
Mr. Jones
Mr. Quinn
Mr. Nease
Miss Gandy

*mo*

MEMORANDUM FOR MR. HOOVER,  
DIRECTOR, DIVISION OF INVESTIGATION.

With reference to your memorandum of the 5th instant, I attach a carbon copy of the reply which I have made to Harlan Besson, Esq., United States Attorney, Trenton, New Jersey, with respect to charges against Dr. Irwin R. Silvers.

I shall appreciate it if you will assign the proper agents to assist the United States Attorney in preparing the case.

Respectfully,

*Joseph B. Keenan*

JOSEPH B. KEENAN,  
Assistant Attorney General.

/Inclosure #722429.

*mo*  
*all*  
*of*  
*cc*  
*h.g.*

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DEC 11 1933

RECORDED

INDEXED

DEC 14 1933

62-1875-929
DIVISION OF INVESTIGATION
DEC 7 1933
U. S. DEPARTMENT OF JUSTICE

**U. S. Bureau of Investigation**

Department of Justice  
625 Lafayette Building  
Detroit, Michigan  
December 5,  
1933

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Hendon	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Nease	.....
Mr. Locke	.....

*imo*

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

Dear Sir:

There is being transmitted herewith copy of the report of autopsy concerning VERNON C. MILLER, whose murdered body was found in Detroit on November 29. It will be noted that the direct cause of death is not explained in this report. I have been informed by the coroner that his office is making further examination of various parts of the body upon request of the local police and therefore they are awaiting final results of such examination. However, he stated the blows on the head by a blunt instrument were the direct cause of death.

There are also being transmitted herewith three clippings taken from The Detroit News, The Detroit Times, and The Detroit Free Press of December 4, 1933, which carry Vernon Miller's picture, which is believed to be a good likeness of him just prior to his death. As stated in the clippings the police believe that some person upon viewing the photograph will be able to furnish the police information as to the place where he stayed while in this city. This office is also keeping in close contact with the police on this matter with a view to determining if any other fugitives whom we are seeking were present with Miller here before his death.

This photograph of Miller which was taken in the morgue has been touched up by an artist and eye glasses placed thereon. I have been informed by the coroner that Miller's body was on December 1, 1933, shipped to C. W. Harvey, an undertaker at Huron, South Dakota, the body being claimed by Miller's father, Charles Miller.

Very truly yours,

*Wm Larson*

Wm. Larson  
Special Agent in Charge

102845-930

DEC 7 1933

RECORDED

INDEXED

FILE

WL:vss  
cc Chicago  
St. Paul  
Kansas City

DEC 11 1933

42

## Clews Sought



**VERNE MILLER**

Police sought the aid of the public Monday, in solving the supposed gangster killing of Verne Miller, notorious criminal who was found shot to death a week ago. Inspector John I. Navarre, head of the Homicide Squad, asked the Free Press to publish the above photograph of Miller with the request that anyone knowing anything of his whereabouts or movements prior to his death communicate with the police. Navarre said that such information would be held in strictest confidence.

# MILLER KILLING BRINGS POLICE CRY FOR AID

Inspector John I. Navarre, head of the homicide squad, today said police were hopelessly baffled in search for killers of Vern Miller, associate of Harvey Bailey and George "Machine Gun" Kelly and sought public aid in tracing Miller's activities in Detroit.

Miller's battered body was found in a ditch at Cambridge and Harlow avenues last Wednesday.

Navarre asked the press to publish a composite picture which shows how Navarre believes Miller looked while hiding out in Detroit. The only original picture police

THE DETROIT TIMES  
12/4/33



VERNE MILLER

had of Miller was one taken by Federal authorities several years ago. When found slain, Miller's blonde hair had been dyed a dark red and he was wearing a mustache. He had also worn spectacles on occasions, according to Department of Justice investigators.

Navarre hopes publication of the composite picture will bring to light someone who saw Miller while he was hiding out in Detroit. He said he would keep secret the name of anyone who volunteers information.

Miller was believed to have arrived in Detroit about October 22. Navarre said he might have been staying at a small downtown hotel.

62-27915-930



## Trace Gunman



VERNE MILLER.

Police are trying to trace the movements of Verne Miller, notorious bandit and gangster, whose body, wrapped in a blanket, was found in a ditch at Cambridge and Harlow avenues last Wednesday. Detectives say that Miller, who had dark red hair and mustache, had been to a barber shop a few hours before he was killed and had his hair trimmed. Any person who knew where this man was living in Detroit is asked to call the homicide squad office, which promises the information will be kept confidential.

The Detroit News, Monday, December 4, 1933.

62-28915-930

# REPORT OF AUTOPSY

On the body of Verne Miller  
 held at Wayne County Morgue in the City of Detroit on the  
1st day of December, 1933, between the hours of  
9 A M. and 1 P M.

### NAMES AND ADDRESSES OF ALL PERSONS PRESENT

NAME	ADDRESS	OCCUPATION	IN WHAT CAPACITY PRESENT
Switzer & Branton	Homicide Sqd.		

Operator Paul A Klebba & D W Johnston M.D.

Assisted by .....

Notes taken by .....

### INSPECTION OF BODY IN SITU

Sex Male Color White Apparent Age 35 Color of Hair Red Eyes Grey

Height 5-7 Apparent Weight 160 Marks and deformities Left ring finger amputated at 1st digit

External wounds See below

Nutrition Good

Condition of body Not embalmed

Identified by Samuel Frey, 6304 Hereford; Carl S. Snyder, 5760 12th; Chas. Racey, Ident. Bureau Det. Pol. Dep.

As the body of VERNE MILLER

### LOCATION AND DESCRIPTION OF WOUNDS

Eleven irregular shaped penetrating puncture wounds, entering skull proper, causing compound fracture of skull.

Two irregular shaped (similar to above) left basal region of skull.

Marked discoloration of eyes & fracture of bridge of nose.

Marked strangulation marks of neck--anterior region.

**ADDITIONAL FACTS**

**GENERAL REMARKS**

Chest & Abdomen negative.

Stomach removed & sent to County Chemist.

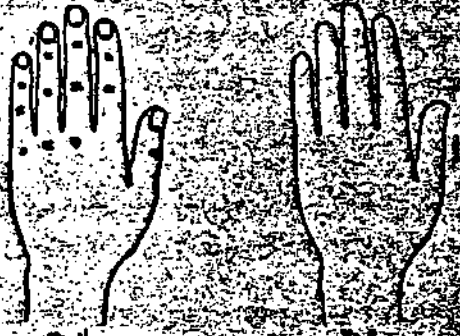
D. W. Johnston, M.D.

I, Paul A. Klebba, M.D.

M. D., certify that I performed the autopsy herein mentioned

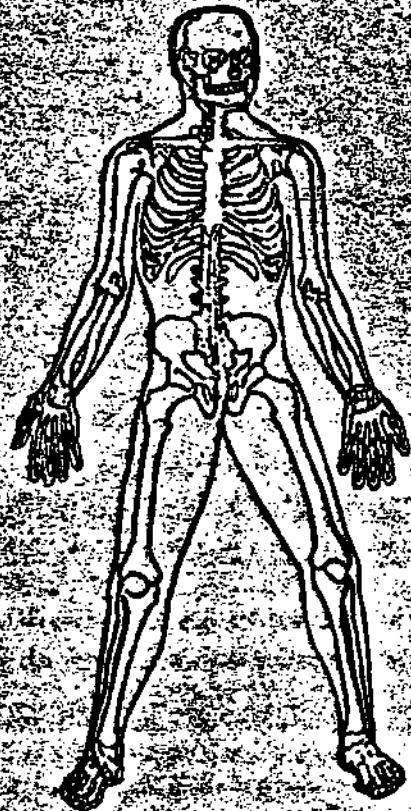
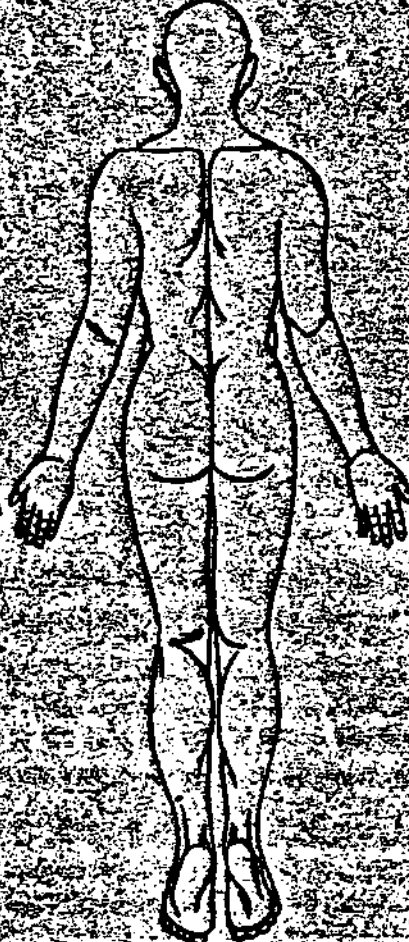
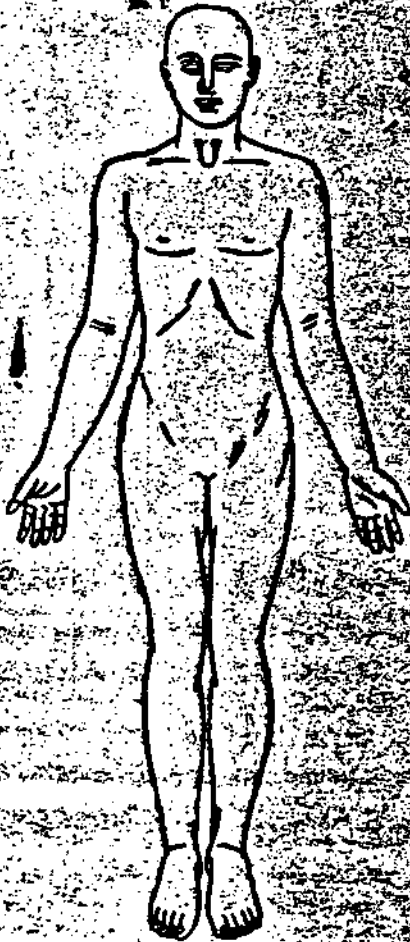
and the foregoing description of said Postmortem appearance is correct and that in my opinion the cause of death was

# LOCATION OF WOUNDS



No. 2

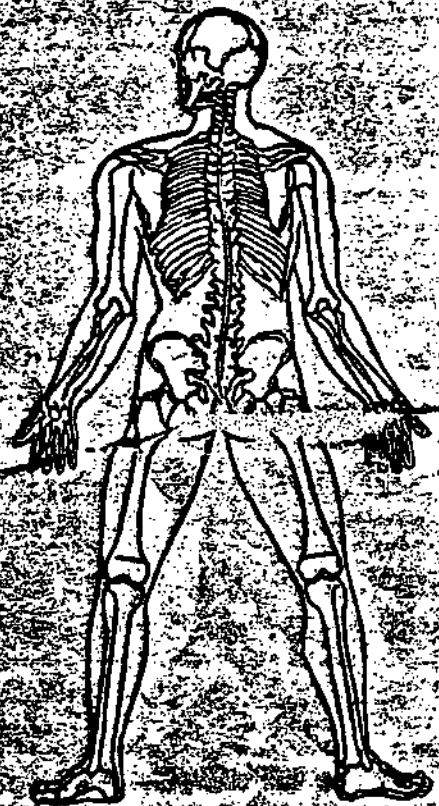
No. 4



No. 5

No. 6

No. 3



No. 7

No. 8



# UNITED STATES BUREAU OF INVESTIGATION

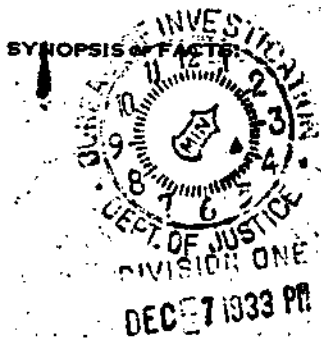
Form No. 1

THIS CASE ORIGINATED AT **KANSAS CITY, MO.**

FILE NO. **62-678**

REPORT MADE AT: <b>PITTSBURGH, PA.</b>	DATE WHEN MADE: <b>12-6-33</b>	PERIOD FOR WHICH MADE: <b>12-2-33</b>	REPORT MADE BY: <b>H. A. BANKERT</b>
TITLE: <b>VERNON C. MILLER with aliases - FUGITIVE I. O. 1195 et al.</b>			CHARACTER OF CASE: <b>Miscellaneous - Obstruction of Justice (Endeavor to deliver Federal Prisoner Frank Nash)</b>

**SYNOPSIS OF FACTS:**



Pier Dannals, Pittsburgh, Pa., could furnish no information of value instant matter aside from his positive identification of STEPHEN J. GROSS as identical with VERNON C. MILLER, whom he met 8-13-33 at White Sulphur Springs, W. Va. Micro-photographs of lead slug and fired shell case, Kansas City Massacre exhibited and furnished to ballistics experts, Pittsburgh district for future reference.

RUC

**REFERENCE:** Report of Special Agent J. E. Schoales, Washington, D. C., 11-28-33.

**DETAILS:** AT PITTSBURGH, PA.

Although information is to the effect that Subject VERNON C. MILLER is now dead, the writer conducted investigation relative to the undeveloped lead set forth in report of reference, this in view of the expectation that perhaps additional valuable information might be obtained relative to the associations of the deceased, by an interview with Mr. Pier Dannals, who was readily available for interview in the office of the Prothonotary, City-County Building, Pittsburgh, Pa.

The photograph of VERNON C. MILLER was displayed to Mr. Dannals, who immediately and positively identified this photograph as that of an individual whom he had met at the Greenbrier Hotel in White Sulphur Springs, W. Va., under

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:

*B. A. Tamm*  
Acting  
SPECIAL AGENT  
IN CHARGE

**62-28915-931**

RECORDED AND INDEXED:

**DEC 7 1933**

CHECKED OFF:  
**DEC 8 1933**  
PACKETED:

COPIES OF THIS REPORT FURNISHED TO:

Division  
Kansas City  
Washington Field  
Pittsburgh

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UNITED STATES  
**DEC 7 1933 AM**  
BUREAU OF INVESTIGATION  
ROUTED TO: *HR*  
FILE

40 AUG 31 1964

PAGE 2

the following circumstances.

He stated that on August 13, 1933 he arrived at the Greenbrier Hotel, White Sulphur Springs, and shortly after checking into the hotel he went to the golf links where he expected to meet a friend who was to play with him as a partner in a golf tournament. However, this friend was not available and he, Dannals, was introduced to VERNON C. MILLER, who was known to him then as STEPHEN J. GROSS and after he, Gross, had looked Mr. Dannals over with some suspicion it was decided that they would play as partners in the tournament.

During his rounds with MILLER alias GROSS, he, GROSS, talked considerably, advising Mr. Dannals that he had learned his game with Bob McDonald, a golf instructor of some repute in Chicago, Illinois and that he, GROSS, had travelled with McDonald for several months, playing golf with him. After they had completed their first round, GROSS requested that Mr. Dannals meet him the following day and play some more golf. Dannals informed GROSS that he was to meet a friend the next day, however, that he would play him the following day.

Several days later, GROSS, Dannals, and several friends continued their golf game, at which time certain bets were placed on the game, as a result of which GROSS apparently became excited due to the money involved and became nervous and was unable to play his usual good game of golf, resulting in GROSS' stating that the rest of them were too good for him; that he intended to quit, which he did.

Mr. Dannals proceeded to state that he saw GROSS almost daily either on the porch of the hotel, in the dining room, or in the moving picture theatre at the hotel, and that GROSS was always alone.

Mr. Dannals stated that one evening he was sitting on the porch of the Greenbrier Hotel conversing with GROSS when some friends of Dannals' came to the hotel from Atlanta, Georgia. He, Dannals, excused himself from GROSS and proceeded to converse with these friends, whereupon GROSS came over and joined the party. Mr. Dannals stated that GROSS so "murdered the King's language" that he was ashamed to introduce GROSS to his friends in view of the English which he, GROSS, used during his conversation.

GROSS was driving a Ford V-8 1933 automobile, bearing a New Jersey license, and informed Mr. Dannals that he was from Mapleton, N. J.; that he had previously owned a Cadillac automobile which he had sold for \$1600 and purchased two Ford automobiles, giving one of them to his wife.

MILLER alias GROSS also informed Mr. Dannals that he was suffering from a nervous disorder and that his family physician had instructed him to

PAGE 3

take the rest cure at White Sulphur Springs.

When Dannals departed from White Sulphur Springs he informed GROSS that he was returning to Pittsburgh, at which time GROSS stated that he expected to be in Pittsburgh during the middle of September and that he would "look Dannals up" and perhaps they could play some golf at Pittsburgh. However, Dannals stated that he has not seen GROSS since that date.

The description of GROSS as furnished by Mr. Dannals is identical with that of VERNON C. MILLER, although he was not aware that MILLER had part of his finger missing. Dannals stated that MILLER did not have a mustache while at White Sulphur Springs and that his hair was blond in color.

With reference to a letter received by the Pittsburgh Division Office under date of October 17, 1933 from the Kansas City Division Office, forwarding a card bearing micro-photographs of a portion of a lead slug and of a fired shell case, which were prepared by Merle A. Gill, Ballistician of Kansas City, Missouri, said photographs having reference to the Kansas City Massacre, contacts have been made with the several ballistics experts in the Pittsburgh district relative to this matter, and the referred to photographs were left in the possession of James L. Davidson of the Allegheny County Morgue, Pittsburgh, who will compare these photographs with shells and slugs coming into his possession from time to time as a result of machine gun shootings and if he finds said markings to be identical will immediately advise the Pittsburgh Division Office.

There appears to be no further investigative activity in this district pertaining to this matter and same is

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN.

REN:EG  
62-28915-932

December 16, 1933.

RECORDED

DEC 20 1933

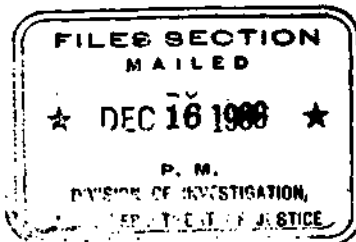
MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL KEENAN

With reference to the charges pending against Dr. Irwin R. Silvers, there is transmitted herewith, for your information, copy of a letter dated December 6, 1933, by F. X. Fay, Special Agent in Charge of the New York office of this Division.

Very truly yours,  
For the Director,

Assistant Director.

Incl. 364915



*[Handwritten signature]*



**U. S. Bureau of Investigation**

Department of Justice  
Room 1403  
370 Lexington Avenue  
New York City

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Glavin.....
Mr. Ladd.....
Mr. Nichols.....
Mr. Rosen.....
Mr. Tracy.....
Mr. Quinn.....
Mr. Lester.....
Mr. Locke.....

TET:SH  
62-4949

December 6, 1933

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&  
INDEXED

DEC 20 1933

62-237-932

DEC 7 1933

DIRECTOR

NATHAN

FILE

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

Dear Sir:

Reference is made to your letter of December 5th, wherein you request information as to whether Agent Tracy advised the attorney for Dr. Irwin R. Silvers, defendant in the district of New Jersey in the Kansas City massacre case, that he would recommend to the United States Attorney the entering of a nolle prosequi.

I have conferred with Agent Tracy and am informed of the following facts: Dr. Irwin R. Silvers was arrested on the night of November 15th at Orange, New Jersey and brought to Newark, New Jersey, where on the morning of November 16th he was arraigned before United States Commissioner Holland. At that time the attorney for Silvers, George Kesselhaut, Lefcourt Building, Newark, N.J., informed Agent Tracy that his sole interest in the case was to have the charges against the doctor dismissed. Naturally, nothing was said by the Agents by which the attorney could infer that the charges were to be dismissed. He demanded a hearing before the United States Commissioner and it was set for November 24th. When it came up on November 24th, it was adjourned until December 5th. Between those dates Agent Tracy recalls having a conversation with Kesselhaut in Newark, New Jersey, at which time the attorney again stated that he desired to have the charges dismissed, or, if the charges were not to be dismissed he would insist upon a hearing before the United States Commissioner. He frankly admitted that the purpose of this hearing was so that he could secure the evidence which the Government had to offer against his client. He was informed that the probabilities were there would be no preliminary hearing and that if he insisted too strongly upon such a hearing, an indictment would be returned before the next adjourned date. Following this conversation, some time around December 1st, Agent Tracy received a telephone call from this attorney in which he again brought up the matter of the dismissal of the complaint. He was advised to communicate with Assistant United States Attorney Petry at Trenton, New Jersey, which he did. In telephone conversation with this office, Kesselhaut suggested

Director  
62-4949

2.

that in view of the fact Vernon C. Miller and Albert Silvers were dead, probably there was no case in the district of New Jersey as it was against Dr. Irwin R. Silvers alone and no conspiracy charge could be brought against him singly. He was referred to the United States Attorney's office and sufficient to say no statement was made to him to the effect that Agent Tracy would recommend a nolle prosequi. A short time after this conversation, Assistant United States Attorney Petry telephoned this office and talked to Agent Tracy. He said that he had just been in telephone communication with the attorney and he informed the attorney that under no consideration would the case be dismissed. Mr. Petry asked Agent Tracy a number of questions concerning the facts in the case as pertaining to prosecution in that district and Mr. Petry advised that he would take the matter up with the Department.

As the Division knows, prosecution is pending in the Southern District of New York against Abey Chait and Herman Borenstein. Subsequent to the arrest of Dr. Silvers it was learned that he was in the Southern District of New York on August 11th with his deceased brother, Albert, for the purpose of securing sample cases and frames for Miller. On December 4th the case was discussed with the Assistant United States Attorney in New York City in charge of the prosecution of Chait and Borenstein with a view to securing his opinion with respect to the advisability of instituting prosecution in his district against Dr. Silvers; in other words, a conspiracy charge in the Southern District of New York against all three. At the present time the United States Attorney's office has the matter under consideration. Agent Turrou telephoned Mr. Petry on December 4th and asked whether there would be any objection on his part to our presenting the case in the Southern District of New York as against all three. Mr. Petry had no objection and thought it advisable to have the United States Attorney here consider the matter. The attorney for Dr. Silvers knows that his client was in New York City with his brother Albert for the purpose of furthering the conspiracy and is not, of course, unaware of the fact that prosecution can be instituted against his client in this district.

Very truly yours,

*F. X. Fay*  
F. X. FAY  
Special Agent in Charge.

# UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

Kansas City, Kansas

FILE NO. 62-474

REPORT MADE AT: <b>Charlotte, N. C.</b>	DATE WHEN MADE: <b>12-5-33</b>	PERIOD FOR WHICH MADE: <b>11/25-29/33</b>	REPORT MADE BY: <b>WM. S. MCKINLEY</b> :VED
TITLE: <b>VERNON G. MILLER, with aliases, et al</b>			CHARACTER OF CASE: <b>OBSTRUCTION OF JUSTICE (Endeavor to deliver Federal Prisoner Frank Nash)</b>

**SYNOPSIS OF FACTS:**

Subject Miller stopped at Graystone Inn, Roaring Gap, N. C., alone from September 2 to 13, 1933; registered as D. J. Gross of Maplewood, N. J.; was driving a Ford V-8 sedan carrying N. J. license tags; posed as a manufacturer of optical supplies; played golf incessantly and claimed that he once received instructions from Bob McDonald of Chicago. Check of local telephone, telegraph and postal records developed no additional information of value.

R. U. C.

**REFERENCE:**

Letter from Chicago Office dated November 11, 1933.

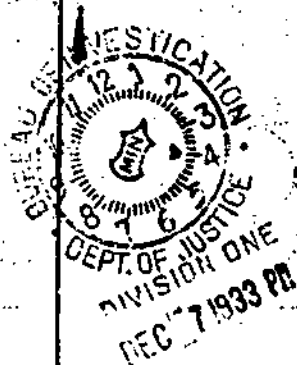
**DETAILS:**

Inquiry of J. T. Inskip, caretaker, Graystone Inn, Roaring Gap, North Carolina, developed that Graystone Inn is a summer, resort hotel operated by Mr. L. D. Miller of Greensboro, North Carolina, who also operates the Sedgefield Inn, a winter, resort hotel at Greensboro; that the Graystone Inn terminated its 1933 season on September 15, 1933 and is now boarded up for the winter; that all of the people employed there during the summer have left and that their names and addresses may doubtless be obtained from Mr. L. D. Miller at the Sedgefield Inn, Greensboro; that he did not come into close contact with the hotel guests and has no recollection of ever having seen anyone about Roaring Gap who resembled the photo-

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>Walter Brantley</i> SPECIAL AGENT IN CHARGE	62-28915-933	RECORDED AND INDEXED: <b>DEC 7 1933</b>
COPIES OF THIS REPORT FURNISHED TO: 2-Division 2-Kansas City 1-Oklahoma City 1-Chicago 1-Detroit	1-Jacksonville 1-New York 2-Charlotte	CHECKED OFF: <b>DEC 8 1933</b> JACKETED
BUREAU OF INVESTIGATION ROUTED TO: FILE		

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40 AUG 31 1964



graph of subject Miller exhibited by agent.

Inquiry of D. Barbor, manager, Southeastern Public Utilities Company, Elkin, North Carolina, reflected that all telephone calls for the Graystone Inn and all other phones at Roaring Gap are handled and recorded by the telephone operator at the Graystone Inn throughout the Inn's season; that all telegraph messages to and from Roaring Gap are handled over the phone by the nearest telegraph offices which are located at Elkin, North Carolina, and that the telephone records of the Graystone Inn should, therefore, show a record of the telegrams phoned in from Roaring Gap; that Miss Irene Roberts, who is now employed at the Sedgefield Inn, Greensboro, North Carolina, operated the switchboard at Graystone Inn during the past season;

Through the courtesy of caretaker J. T. Inskeep, agent made a thorough check of records stored in the Graystone Inn office and succeeded in locating a record of all telephone traffic there for the past season. A careful check of all calls for the month of September reflected that subject Miller was charged with only one call and that this was a thirty cent call made to the Ford Motor Company, location not shown, under date of September 9, 1933. Agent was unable to locate the hotel registration records for the past season but later located these records at the Sedgefield Inn, Greensboro, North Carolina, where they were checked as hereinafter reported.

It is further noted that agent exhibited a photograph of subject Miller to Deputy Sheriff Guy Wallace, who resides on the Graystone Inn property and looks after matters both there and in the small settlement of Roaring Gap. He stated that subject Miller's countenance had a familiar appearance but that he is unable to recall the time and circumstances under which he might have seen him.

Mrs. J. T. Inskeep, Postmaster, Roaring Gap, North Carolina, examined the photograph of subject Miller but had no recollection of ever having seen him before or of ever having received any mail for him under his true name or aliases. Through the courtesy of Mrs. Inskeep agent thereupon made a careful check of her register of money orders issued, record of money orders paid and the incoming and outgoing registered mail for the month of September, 1933, but found no record of anything's going either to or from subject Miller through the Roaring Gap, North Carolina, Post Office under his true name or aliases.

Arthur Hanks, who operates a service station often patronized by Graystone Inn guests at Roaring Gap, North Carolina, had



no recollection of having ever seen anyone about Roaring Gap who resembled the photograph of subject Miller exhibited by agent.

Mrs. W. B. Whitner, manager Western Union office, Elkin, North Carolina, likewise had no recollection of ever having seen anyone who resembled the photograph of the fugitive which was exhibited by agent. She also advised this agent that a check of her records failed to indicate that any telegrams had been received or sent by the fugitive through her office under either his true name or his aliases during the first two weeks of September, 1933.

Miss Kelly G. Carter, operator, Postal Telegraph office, Elkin, North Carolina, advised agent that the Postal Telegraph office was not in operation in Elkin during the first two weeks in September, of this year and consequently did not receive or send any telegrams, during that period.

B. W. Macemore, mechanic, Ford Motor Company, Elkin, North Carolina, advised this agent that he called at the Graystone Inn, Roaring Gap, North Carolina, about September 9, 1933 at the request of a guest named D. J. Gross in an effort to furnish a new key for the latter's Ford sedan; that this car bore a New Jersey license tag but that he did not make any note of the motor or license numbers of the same; that Gross resembled the photograph of the fugitive and answered his general description except that Gross appeared to be a bit heavier; that Gross stated that he also owned a large Cadillac car which was then in the possession of his wife at their home in New Jersey. Continuing, Mr. Macemore stated that he was unable to find a duplicate key for subject Miller's automobile and was consequently forced to remove the switch lock so that the car could be operated by contacting the ignition wires; that he knows nothing further concerning subject Miller's past history or future plans.

L. D. Miller, manager, Sedgefield Inn, Greensboro, North Carolina, was able to identify fugitive from his photograph as a man who stopped at the Graystone Inn, Roaring Gap, North Carolina, during the first part of September, 1933 but stated that he did not come into close contact with subject Miller while he was there and consequently cannot recall him very clearly; that the clerk, the telephone operator, the waitress and the bell boy who came into contact with subject Miller through their employment at Graystone Inn are now holding identical positions at the Sedgefield Inn, Greensboro,

and would doubtless be in a position to give much more information concerning subject Miller.

A. C. Dunn, clerk, Sedgefield Inn, Greensboro, North Carolina, advised agent that he was employed as a clerk at the Graystone Inn at Roaring Gap, North Carolina, during the past season and that the registration records for that place are now in his possession at the Sedgefield Inn. A check of these records thereupon reflected that D. J. Gross of #8 Henry Place, Maplewood, New Jersey, registered at the Graystone Inn on the afternoon of September 2, 1933 and was assigned to room 212; that he remained there as a guest until the forenoon of September 13, 1933 and then departed without leaving a forwarding address; that he paid the Inn on September 9 and again on September 13; that the photostatic copy of the receipt forwarded to this office by the Chicago Office is a copy of the receipt given for the first mentioned payment; that subject Miller was checked in by Assistant Clerk T. P. Tyree, Jr., and checked out by him (Dunn); that the receipt for subject Miller's first payment was initialed by the telephone operator, Miss Irene Roberts, and that the receipt for the second payment was initialed by him (Dunn); that the second bill shows the following charges in addition to charges for room and board:

9-9-33	merchandise	\$ 3.09
	Cosmopolitan magazine	.25
	2 telephone calls to Elkin	.60
9-10-33	extra meals	5.00
	papers	.10
	cigars	.16
	garage "for last week"	3.00
9-11-33	New York paper	.15
9-12-33	laundry	1.94
	saddle horse	1.50
9-13-33	garage	2.00

Continuing, Mr. Dunn stated that the Graystone Inn charges fifty cents per day in addition to its regular rates for garage accommodations; that he had charge of the assignment of garage space but has no record or recollection of the make or license number of subject Miller's car; that the Graystone Inn golf course charges guests \$1.00 per day for the use of the links; that subject Miller played golf incessantly and like most of the other guests, paid his green fees in cash each day; that the golf charge of \$1.50 listed in the first receipted bill was apparently for golf supplies; that the merchandise charge of \$3.09 on 9-9-33 was for golf hose; that the charge of \$5.00 for extra meals under date of 9-10-33 was for a dinner party which

subject Miller gave for Assistant Clerk L. P. Tyree who is now a student at the University of North Carolina and for certain of Tyree's friends; namely, Jack May, who is also a student at the University of North Carolina; Archie Glenn of Winston-Salem, North Carolina; Dick Chatham of Elkin, North Carolina, and Harry Harmon, who is now a student at the University of Georgia; that the other above mentioned charges are self-explanatory; that subject Miller's laundry was washed and ironed at the hotel and no records kept of the articles laundered or of any laundry marks.

Continuing, Mr. Dunn stated that the photograph of fugitive Miller shown as I.C. 1195 appears to be a good likeness of D. J. Gross; that he apparently weighed about one hundred sixty pounds while at Roaring Gap but that his face did not appear much fuller than it does in the above photograph; that subject Miller wore inconspicuous steel rimmed glasses during his stay at the Graystone Inn but did not wear a moustache or whiskers; that he had medium blond hair which looked very much as it does in the above mentioned picture; that he did not notice that subject Miller had lost the end of a finger and did not notice that he had any unusual identifying marks.

Mr. Dunn stated that subject Miller was alone and did not have any outside guests during his stay at Graystone Inn; that he became quite chummy with Assistant Clerk L. P. Tyree and friendly with some of Tyree's school boy companions, all of whom were subject Miller's guests at the above mentioned dinner party; that subject Miller had a drink with his guests at the said dinner and appeared to be rather intoxicated but apparently kept himself under control; that he made arrangements with Mr. Miller that day to let Tyree off from work that afternoon to play gold with him (subject Miller). Mr. Dunn stated that he never had much to do with subject Miller and therefore, knows little or nothing concerning his activities at Graystone Inn; that he knows of nothing to indicate that subject Miller either received or sent any mail or telegrams or telephone messages during his stay at Graystone Inn; that he cannot remember the number or description of the bags carried by subject Miller; that subject Miller did not make any inquiries concerning roads or give any indication concerning his proposed route at the time of his departure; that he knows of nothing to indicate that subject Miller was armed during his stay at the Graystone Inn.

Agent obtained three tracings of subject Miller's registration at the Graystone Inn. One copy is being forwarded to the Division, one to the Kansas City Office and the third is being held in the Charlotte Office file on this matter.

Miss Irene Roberts, telephone operator, Sedgefield Inn, Greensboro, North Carolina, advised agent that she was employed as a telephone operator at the Graystone Inn, Roaring Gap, North Carolina, during the past season. Miss Roberts had no difficulty in identifying the photograph of subject Miller as a good likeness of D. J. Gross who stayed at the Graystone Inn for about ten days during the first part of September, 1933; that subject sometimes stopped at the desk to exchange a few words with her and appeared to be quite nice; that according to her best recollection, he showed a couple of gold teeth on the lower right side of his mouth; that she did not notice that the end of his index finger happened to be missing; that subject Miller placed only two telephone calls during his stay and did not receive any incoming calls during that time; that he communicated with the Ford Motor Company on both of the above mentioned occasions in an endeavor to locate an automobile key to replace one which he had lost; that he later told her that the garage people were unable to supply a duplicate key and were forced to break the lock on his car so that he could be driven; that subject Miller neither received nor sent any telegrams during his stay; that he did not send any mail but according to her best recollection did receive a letter through the Post Office on one occasion; that she feels quite certain of this because she recalls that he appeared a bit surprised when she advised him that he had received a letter; that she, however, cannot recall whether this letter was directed in longhand or by a typewriter or the date or place of the postmark; that subject Miller did not discuss any of his personal affairs with her and did not indicate the route that he planned to take at the time of his departure.

Miss Neulah Sloan, waitress, Sedgefield Inn, Greensboro, North Carolina, advised agent that she was a waitress at the Graystone Inn, Roaring Gap, North Carolina, during the past summer season and waited on subject Miller as D. J. Gross throughout his stay at Graystone Inn; that the photograph of subject Miller exhibited by agent is a good likeness of D. J. Gross with the exception that his hair stood up a bit more as though he kept it well-washed and that his eyes appeared to be a bit more dreamy; that he wore a diamond ring with a black enamel facing about the diamond; that he was an unusually light eater; that he seldom ate soups or cocktails and usually drank sweet milk with his meals; that subject Miller usually wore the same sweat shirt and duck pants to dinner that he wore on the golf links and was often late for his meals; that he was rather saving on tips which left her with the impression that he was a rather poor young man who was living beyond his means; that he did not discuss his personal affairs with her or give her any information which might be of assistance in locating him.



Roland W. Spann, (colored), ball boy, Sedgefield Inn, Greensboro, North Carolina, advised agent that he was also a ball boy at the Graystone Inn, Roaring Gap, North Carolina, during the past summer season. He readily identified a photograph of subject Miller, exhibited by agent, as a good likeness of D. J. Gross, who was registered at the Graystone Inn for approximately ten days during the early part of September, 1933. He stated that he carried subject Miller's bags from the Inn to subject Miller's Ford sedan when the latter left the Graystone Inn about September 13, 1933; that he does not have a clear recollection concerning the matter but believes that subject Miller was carrying a large suitcase, a set of golf clubs and one or more smaller bags at the time of his departure; that he recalls that subject Miller's car bore a 1933 New Jersey license tag but cannot remember the number; that he knows of nothing to indicate that subject Miller had any visitors or that he sent or received any mail, telegrams or telephone messages during his stay; that he stayed about the hotel grounds throughout his visit and played golf incessantly; that subject Miller did not make any inquiry concerning the roads at the time of his departure or indicate the route which he intended to take.

T. P. Tyree, Jr., c/o Kappa Sigma Fraternity House, University of North Carolina, Chapel Hill, North Carolina, advised agent that he was employed as Assistant Clerk at the Graystone Inn, Roaring Gap, North Carolina, during the past summer season and that he checked subject Miller into the Graystone Inn as D. J. Gross on the afternoon of September 2, 1933; that he noticed that subject Miller had a wardrobe suitcase, a couple of other bags and a set of golf clubs; that subject Miller happened to join him in a game of golf a short time later and spent quite a bit of time with him during his stay at Graystone Inn; that subject Miller stated that he operated an optical concern in Newark, New Jersey but had been able to get away for a time because his assistants were capable men who did not need close supervision; that subject Miller claimed that he had a wife and a small child who were living at his home in Maplewood, New Jersey; that he was well-pleased with the Graystone Inn and planned to rent a cottage there next summer for himself, his wife and child; that subject Miller agreed to rent a cottage through him at Roaring Gap, if he were still interested in the proposition next summer; that subject Miller spend most of his time playing golf and usually covered the course in the low 80's. Mr. Tyree advised that subject Miller stated that he had received his golf instructions from Bob McDonald of Chicago, Illinois; that subject Miller invited him and a few of his friends (whose names have already been furnished by Mr. Dunn), to join him at a dinner party on Sunday, September 10, 1933;

that they all had a drink or two during this dinner and that subject Miller became partially intoxicated but did not open up and discuss anything of interest while under the influence of liquor; that he was rather profane on the golf course and used rather poor English when he was not on his guard.

Continuing, Mr. Tyres stated that he dropped into subject Miller's room on one or two occasions but never saw him with any weapons; that he does not believe that subject Miller was armed while out on the links because he did not see any bulges in the latter's light clothing which would doubtless have been apparent, if he had been carrying any weapon; that the photograph of subject Miller exhibited by agent appeared to be a good likeness of him except that he was possibly a bit fuller in the face and wore steel rimmed spectacles; that he was smooth shaven and wore a light sweater and duck pants most of the time; that he had a rather likeable personality; that subject Miller drove him and one Harry Harmon, who is now a student at the University of Georgia, to Winston-Salem, North Carolina, one evening after he had been at Graystone Inn about a week and took them to a picture show; that he did not enjoy the trip to and from Winston-Salem because subject Miller was such a reckless, fast driver; he was with subject Miller throughout the above mentioned trip and is certain that he did not use this as an opportunity to communicate with anyone either by mail, telephone or telegraph; that he, moreover, knows of nothing to indicate that subject Miller at any time either sent or received any mail, telegrams or telephone calls during his stay at the Graystone Inn; that with the exception of the above mentioned trip to Winston-Salem and possibly one short trip to Elkin, North Carolina, subject Miller remained about the Graystone Inn continuously throughout the period of his visit and had no visitors during that time; that prior to his departure, subject Miller advised him that he planned to return to his home in New Jersey but that he might stop at the Sedgefield Inn, Greensboro, North Carolina, for a game of golf en route; that subject Miller, however, made no further statements to him as to his future plans. In this connection it is noted that a check of the records and interviews of persons at the Sedgefield Inn, Greensboro, North Carolina, has developed that subject did not visit there subsequent to his departure from Graystone Inn.

Jack May, c/o Kappa Sigma Fraternity House, University of North Carolina, Chapel Hill, North Carolina, readily identified the photograph of subject Miller exhibited by agent as a good likeness of D. J. Gross. He stated that subject Miller talked with him on one or two occasions during the latter's stay at the Graystone Inn and stated that he had been born in the West and had seen overseas service in the United States Army during the late World War; that

practically all of subject Miller's conversation, however, was confined to golf; that he stated that he had received his golf instructions from Bob McDonald at Chicago, Illinois, and had recently been playing golf on the Bobbie Jones Golf Course at the Augusta National Golf Club, Augusta, Georgia; that subject Miller did not discuss his future plans or give any indication where he intended to go from Graystone Inn; that he definitely noticed that subject Miller had the end missing from his left ring finger but made no comment on the matter; that subject Miller apparently weighed about one hundred sixty pounds and was driving a dark new Ford V-8 sedan.

All of the persons interviewed in connection with this case were shown available photographs of the other fugitive subjects in this matter but were all unable to recall ever having seen any of the lot.

Since dictation of this matter, this office has been advised of the death of subject Miller at Detroit, Michigan, on November 29, 1933, which consequently reduces the value of certain of the details set out in this report. The undeveloped leads originally contemplated in connection with an endeavor to locate subject Miller have, therefore, been stricken from this report, but in order to save time no effort is being made at present to re-dictate the body of this report in an effort to delete details which have been rendered unnecessary by the above mentioned development.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

HPL:RIS

December 6, 1933

RECORDED

62-28915-934

Mr. Robert Chancellor,  
Rural Route 1,  
Sanford Store,  
Steele, Missouri.

DEC. 8 1933

Dear Sir:

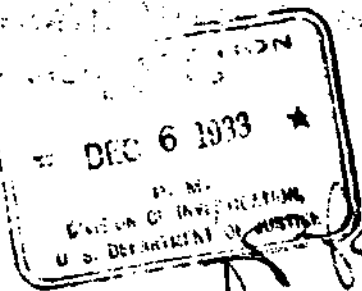
Receipt is acknowledged of your letter dated November 24, 1933, wherein you requested that descriptive data be furnished you on Verne Miller and "Pretty Boy" Floyd. There are enclosed herewith the Identification Orders issued by the Division on these two subjects.

For your information you are advised that Vernon C. Miller, subject in Identification Order #1195, was found murdered on the outskirts of Detroit, Michigan, on November 29, 1933.

Very truly yours,

Director.

Encl. 867534



12



DIVISION OF INVESTIGATION

From: IDENTIFICATION UNIT

12/4 1933.

To:  Director  
 Mr. Nathan  
 Mr. Tolson  
 Mr. Clegg  
 Miss Gandy  
 Chief, Unit +  
 Chief Clerk  
 Printing Section  
 Files  
 Mr. \_\_\_\_\_

No record  
of Chancellor  
of Data  
given.

Of course  
we have file  
on Floyd +  
Hubbell.

L. C. Schilder.



BUREAU OF INVESTIGATION  
 DEPARTMENT OF JUSTICE  
 DIVISION OF IDENTIFICATION  
 NOV 17 1933 PM 7:42

Stule  
 Nov. 14, 1933

2117 J. Edgar Hoover  
 Washington D.C.

Dear Sir. 12/10

I will be pleased to  
 make description and  
 picture if possible

Yerme Miller  
 born 01/11/1901  
 oil field

RECORDED 62-289A-934  
 INDEXED  
 DEC 8 1933  
 DIVISION OF INVESTIGATION  
 DEPARTMENT OF JUSTICE  
 FILE

I read where they  
 were thought  
 to be in northeastern  
 Arkansas - live in 20  
 miles of the Missouri  
 Arkansas line.

They was taken at  
 come here and picked  
 where I stay last night.

(Aus 12-6-33)  
 RLS

and one of them tried to  
get me to judge him  
around a chain store  
and a lot of money but I would  
not do that.

Since he had a  
and I been thinking of  
what he tried to do  
I think his  
game was to pass  
counterfeit money.  
This man under the  
name of Fountain had  
claimed he had a  
whose name was N. L.  
Johnston made some  
money beating slaves  
at Joust and arts. But  
Johnston was not a

with being put in jail  
Johnston wanted change  
jobs with him and they  
had to leave.

I was in Holland in  
about the first of  
October when this man  
Hubert met someone  
the name of Elam. This  
man Elam thinks is the  
same one I read of be-  
ing arrested for some-  
thing I am in his possession  
by three government  
agents and taken to  
Geneva and then

These first two  
men I mentioned would  
not sleep in the same  
room

They would sleep at  
the home of  
Johnston has a title  
at the Sampson station  
on Route 1. I think  
name from a person  
the name of owner  
Box 24 Oakland Miss.

These two men  
Johnston are  
of these outfits  
Hubert said he was  
47 years old and  
Johnston said he was  
37 years old.

Yours sincerely

Robert C. [Name]

P.O. [Address]



# UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

CHICAGO, ILLINOIS

FILE NO. 62-1712-

REPORT MADE AT: <b>CHICAGO, ILLINOIS</b>	DATE WHEN MADE: <b>12/4/33</b>	PERIOD FOR WHICH MADE: <b>11/20-29/33</b>	REPORT MADE BY: <b>E. P. GUINANE -- TMH</b>
---	-----------------------------------	--	--

TITLE: <b>VIVIAN MATHIAS, with aliases; BOBBIE MOORE, with aliases.</b>	CHARACTER OF CASE: <b>MISCELLANEOUS - HARBORING AND CONCEALING A PERSON FOR WHOM WARRANT HAS BEEN ISSUED - AND CONSPIRACY.</b>
--	---

**SYNOPSIS OF FACTS:**

FEDERAL BUREAU OF INVESTIGATION  
DEPT. OF JUSTICE  
CHICAGO, ILLINOIS

*Conceded 2 yrs 2 dy*  
*Santones*

Both Subjects sentenced on Nov. 29, 1933, by Federal Judge Wilkerson, Chicago, to serve six months each on Count No. 1, charging Harboring and Concealing of Vernon C. Miller, and One Year and One Day each on Count No. 2, charging Conspiracy so to do, both sentences to run concurrent and to be served in the Federal Prison for Women, at Alderson, West Va. After receipt of information that Vernon C. Miller had been murdered, in Detroit, both Subjects were interviewed but refused to divulge any information concerning him, his associates or activities. Disposition sheet and parole reports being submitted.

- C -

**REFERENCE:**

Summary Report of Special Agent E. P. Guinane, Chicago, Illinois, dated November 16, 1933.

**DETAILS:**

At Chicago, Illinois

**DETAILS:**

Subjects VIVIAN MATHIAS and BOBBIE MOORE were arraigned before Federal Judge J. H. Wilkerson, at Chicago, Illinois, on November 20, 1933, on the indictment charging them with harboring and concealing VERNON C. MILLER, and with Conspiracy so to do. The Defendants were represented by Benj. Feldman, Attorney, No. 10 North Clark Street. He advised the Court that his clients would not plead at that time as he desired to make a motion for reduction of bond, which had been set at \$50,000.00 for each Defendant. The Court ordered pleas of Not Guilty entered as to each

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>M. H. Quinn</i> SPECIAL AGENT IN CHARGE	62-28915-935	RECORDED AND INDEXED: <b>DEC 7 1933</b>
COPIES OF THIS REPORT FURNISHED TO: 3-Division 2-Kansas City (Encl.) 1-New York; 1-Saint Paul; 1-U.S. Atty. Chicago, Illinois; 3-Chicago (1 KAN. O File). <b>ES DESTROYED</b>	UNITED STATES	CHECKED OFF:
	BUREAU OF INVESTIGATION	JACKETED:
	ROUTED TO: FILE	

AUG 31 1964

CONFIDENTIAL - SECURITY INFORMATION



Defendant and continued the motion for reduction of bond until 10:00 A.M., November 23, 1933, the Defendants being remanded to the custody of the United States Marshal, at Chicago.

Subsequent to the above arraignment, Mr. Benj. Feldman, Attorney for the Defendants, asked Assistant United States Attorney Warren Cannady as to what the Government would recommend in the event the Defendants entered pleas of guilty. Mr. Cannady advised that the Government would recommend a minimum sentence of One Year and One Day for each Defendant.

On November 23, 1933, the Defendants were again brought before Judge Wilkerson and another continuance was requested by their attorney on the motion for reduction of bond, which motion was set for 10:00 A.M., November 29, 1933.

On November 29, 1933, the Defendants appeared before Federal Judge J. H. Wilkerson and their attorney advised the Court the Defendants wished to withdraw their pleas of Not Guilty and to enter pleas of Guilty. At this time, Assistant United States Attorney Cannady advised the Court as to the circumstances surrounding the charge against both Defendants and the Court sentenced each to serve six months on Count No. 1, charging Harboring and Concealing, and to Two Years each on the Conspiracy Count. The Judge was then reminded by the Attorney for the Defendants, of the recommendation by the Government as to One Year and One Day and the Judge then changed his sentence to Six Months on Count No. 1, charging Harboring and Concealing, and to One Year and One Day each on the Conspiracy Count, the sentences to run concurrently as to each Defendant.

The Defendants were remanded to the custody of the United States Marshal and the Marshal advised that both Subjects would be taken to the Federal Prison for Women, at Alderson, West Virginia on December 1, 1933.

After word was received that VERNON C. MILLER had been found murdered in Detroit, Michigan, both VIVIAN MATHIAS and BOBBIE MOORE were interviewed by this Agent at the Marshal's Office. Bobbie Moore stated that as far as Miller was concerned, or any of his associates, or any of his criminal activities, she had absolutely no information that she could give. Vivian Mathias was questioned for a considerable period and at first stated that she did not know any of Miller's associates and had absolutely no knowledge as to the Kansas City Massacre and stated she knew Miller did not participate in the Kansas City killings; however, she refused to amplify her reason for believing he did not participate. When questioned as to the identity or names of any persons in Detroit who could possibly have had any connection with the murder of Miller

(Description of Vivian Mathias, Continued)

Fingerprints: Taken by U. S. Marshal,  
Chicago; forwarded to the  
Division 11/15/33.  
Photograph: In Chicago Division Office File.  
Last Address: Sherone Apartments,  
4423 Sheridan Road, Chicago, Ill.

One copy of VIVIAN MATHIAS' fingerprints, together with negatives of latent fingerprints taken in premises at 6612 Edgevale Road, Kansas City, Missouri, are being forwarded, with copies of this report, to the Kansas City Division Office.

Name: BOBBIE MOORE, aliases  
Mrs. J. Harris, and  
Mrs. A. J. Williams.  
Age: 29 Years  
Height: 5 feet 8 inches  
Weight: 118 Pounds  
Build: Slightly plump  
Complexion: Fair  
Hair: Red  
Eyes: Blue  
Last Address: Sherone Apartments,  
4423 Sheridan Road, Chicago.  
Relatives: Father, F.D. Moore,  
Tulsa, Oklahoma.  
Children: Phyllis, age 14,  
Jack, " 12,

(Children were living with Bobbie Moore at the time of her arrest and were taken into custody by the Juvenile Authorities of Chicago; now confined in Juvenile Detention Home, Chicago, Illinois.)

Fingerprints: Forwarded by U. S. Marshal,  
Chicago, to Division, about  
November 10, 1933.  
Photograph: In Chicago Division Office file.

Parole reports and disposition sheet are being submitted herewith to the Division.

there, she stated that she did not know of anyone in Detroit who might have had anything to do with his murder. Later, on being questioned as to her movements before the Kansas City killings and subsequent thereto, she flatly stated she had never been a "stool pigeon", was not now, or ever would be a "stool pigeon" and would not tell anything she knew, assuming that she did know anything which would ever get any friends or enemies of Miller's into further trouble.

Mrs. Coleman, Probation Officer, Juvenile Detention Home, Chicago, Illinois, advised Agent that she had verified that Phyllis and John Harris, children of Subject BOBBIE MOORE, were born in Canton, Ohio and that their true father's name is George Smith; further, that she had located their father, who has since remarried and is now living in Toledo, Ohio. She stated she was informed by the father of these children, that Bobbie deserted him and the children several years ago and later Bobbie took up with a gangster named Jack Harris; that subsequently, Jack Harris and Bobbie Moore kidnaped the children and Bobbie has had the children for the past four or five years. Mrs. Coleman stated that the real father of the children had obtained a divorce from Bobbie Moore and that he was coming to Chicago for the purpose of taking custody of the children, he having been awarded their custody when he secured a divorce from Bobbie Moore in Canton, Ohio.

Following are descriptions of Subjects, from personal observation and interrogation:

Name:	VIVIAN MATHIAS, aliases, Vivian Mathews, Vivian Allen, Vivian Gibson, Mrs. C. T. Hays, Mrs. C. T. Hayes, Clare Hayes.
Age:	28 Years
Height:	5 feet 6 $\frac{1}{2}$ inches
Weight:	113 pounds
Build:	Slender
Complexion:	Fair
Hair:	Auburn, shows blonde at roots.
Eyes:	Hazel
Marks:	Mole on left cheek.
Parents:	Mr. and Mrs. John Gibson, reside on farm near Brainard, Minn.
Daughter:	Betty Mathews, age 11 years, lives with Mr. and Mrs. John Gibson.

VH:ACS  
62-29915-936

December 13, 1933

RECORDED

DEC 14 1933

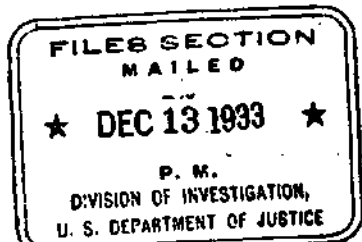
Chairman, Parole Board,  
Department of Justice,  
Washington, D. C.

Dear Sir:

There are transmitted herewith for your information  
copies of a parole report on Vivian Mathias  
who has received a sentence for a term of over one year for  
violation of ~~Miscellaneous Harboring and Concealing, and Conspiracy,~~

As this Bureau has been instructed to furnish the  
Director, Bureau of Prisons, a complete record of the crimi-  
nal history of every prisoner as soon as fingerprints are re-  
ceived from Federal penitentiaries, it is presumed that if  
this subject has a previous criminal record it is now in your  
file. If you have reason to believe that this prisoner has a  
previous criminal record which does not appear in your file,  
and you will notify me, I will be glad to have a further search  
made for same.

Very truly yours,



Director.

Incl. # 683596

*WMA*

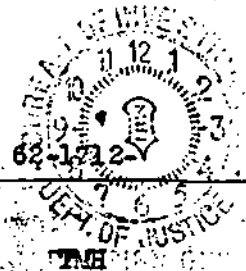
DIVISION OF INVESTIGATION,  
U. S. DEPARTMENT OF JUSTICE.

Form No. 2

This case originated at

CHICAGO, ILLINOIS

File No.



62-1712-1

Report Made at: CHICAGO, ILLINOIS	Date When Made: 12/4/33	FAROLE REPORT	Report Made by: E. P. GUINANE
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Name of Convict: VIVIAN MATHIAS	Title of Case: <u>VIVIAN MATHIAS, aliases - 3822</u> Vivian Mathews, Vivian Allen, Vivian Gibson, Mrs. C. T. Hays, Mrs. C. T. Hayes, Clare Hayes. <u>BOEBIE MOORE, aliases - Mrs. J. Harris,</u> Mrs. A. J. Williams.
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(MISCELLANEOUS - Harboring and Concealing a person for whom a warrant has been issued, and CONSPIRACY.)

On the morning of June 17, 1933, at the Union Station in Kansas City, Missouri, while Agents of the Division of Investigation, U. S. Department of Justice, and police officers were returning Escaped Federal Prisoner Frank Nash to the United States Penitentiary at Leavenworth, Kansas, under authority of the Attorney General, they were shot at from various directions with machine guns and shotguns, manned by friends of Nash in an effort to liberate him. The shooting resulted in the killing of Special Agent Raymond J. Caffrey, Chief of Police Otto Reed of McAlester, Oklahoma, and Police Officers Grooms and Hermanson of the Kansas City, Missouri Police Department. Special Agent F. J. Lackey was seriously wounded and Special Agent in Charge R. E. Vetterli was also wounded. Prisoner Nash was also killed. The officers and agents had no chance for their lives, as all that was heard by the survivors was a command of "Up" and the shooting began.

Subsequent investigation revealed that WERNON C. MILLER, aliases - Verne C. Miller, V. C. Moore, Vincent C. Moore, V. C. White, V. C. Mason, an ex-convict, had been living in Kansas City, Missouri, with one VIVIAN MATHIAS, aliases - Vivian Mathews, Vivian Allen, Vivian Gibson, Mrs. C. T. Hays, Mrs. C. T. Hayes, Clare Hayes - at 6612 Edgevale Road under the names of Mr. and Mrs. Vincent C. Moore, from April to June 17, 1933, at which time they disappeared from this residence, leaving their belongings behind.

Investigation also revealed that telephone calls had been received at the residence of Vincent C. Moore, from other parties connected with the shooting at the Union Station, during which telephone conversations, plans were made to attempt to liberate Federal Prisoner Nash from the custody of the Federal Officers.

Do not write in these spaces

Approved and Forwarded: <i>E. P. Guinane</i> Special Agent in charge	62-28915-936	Recorded and Indexed DEC 7 1933
Copies of This Report Furnished to: 3-Division 2-Chicago	Bureau of Investigation Department of Justice	Checked off DEC 14 1933 Jacketed:
<i>12-11-33</i>	Routed to: File:	



On September 1, 1933, the Federal Grand Jury at Kansas City, Missouri returned an indictment, charging Conspiracy to cause the escape of a Federal Prisoner and named as defendant, among others, Vernon C. Miller with aliases, as described above.

An extended investigation was immediately launched by the Division of Investigation, U. S. Department of Justice, for Miller and also for VIVIAN MATHEWS. Vivian was later located in Montreal, Canada and her movements watched for a considerable period in New York City, Burlington, Vermont, Atlantic City and Newark, New Jersey, at which latter place, she disappeared by means of a ruse on August 7, 1933. Nothing further was heard of her until September, 1933, when it was learned that VIVIAN MATHEWS had a close friend named BOBBIE MOORE, who also was known under the names of Mrs. J. A. Harris and Mrs. A. J. Williams, who was living at the Sherone Apartments, 4423 Sheridan Road, Chicago, Illinois. Investigation developed that VIVIAN was also living there and had been living at this apartment since August 27, 1933, having been introduced to the Management of the Sherone Apartments by BOBBIE MOORE. A surveillance was maintained on Vivian and Bobbie, who occupied separate apartments, and on October 31, 1933, a man identified as MILLER arrived at the Sherone Apartments, was greeted by Bobbie Moore and taken into her apartment and later Vivian was notified by Bobbie that Miller was there. Shortly after the arrival of Miller, Bobbie Moore was seen to approach a Ford V-8 Coupe with New York license plates, and to take a heavy valise from this Ford and carry same into Apartment 211 in the Sherone Apartments, which was the apartment occupied by VIVIAN MATHEWS.

Later that evening, Miller was seen coming from the first floor of the Sherone Apartments, apparently from the apartment of Bobbie Moore, and to enter the apartment of Vivian Mathews. Miller remained in this apartment continuously from approximately 7:00 P.M. on October 31, 1933, to 8:30 P.M., November 1, 1933, having food sent to the room from a delicatessen store.

Bobbie Moore was also observed on the night of October 31, 1933, to drive the Ford V-8 with New York license plates, which was subsequently identified as a car purchased by Miller in New York City on October 22, 1933, from the Galt Street entrance of the Sherone Apartments to a parking lot. Articles of clothing were found in this Ford, which bore the initials "V.C.M."

At approximately 8:30 P.M. on the night of November 1, 1933, Miller was identified as emerging from Apartment 211 in company with VIVIAN MATHEWS. A short time prior to this, Bobbie Moore was observed taking an Auburn convertible coupe, which was registered by her in the name of Mrs. A. J. Williams, to the Galt Street entrance of the Sherone Apartments. When an attempt was made to capture Miller on the second floor of the Sherone Apartments, he eluded pursuit and ran down to the

Auburn Coupe, being driven by Bobbie Moore, and after firing two or three shots at a Special Agent of this Division, was driven away by Bobbie Moore. Miller disappeared and his whereabouts is not presently known. VIVIAN MATHEWS was taken into custody in the corridor immediately after the attempt to capture Miller. Bobbie Moore remained hidden from November 1, 1933 until November 6, 1933, at which time she appeared at the United States Marshal's Office at Chicago and was taken into custody.

Vivian denied her identity as VIVIAN MATHEWS and stated her name was CLARE HAYES and refused to give any further information except that she admitted immediately after the shooting and during interviews subsequent to the shooting, that the person in her apartment was Vernon Miller, who was wanted in connection with the Kansas City Massacre. Bobbie Moore made a statement to an Agent admitting that she knew Vernon Miller for some time and also that she knew that he was wanted in connection with the Kansas City murders.

The facts in this case were presented to the Federal Grand Jury in the Northern District of Illinois, Eastern Division, on November 6, 1933, by Special Agents J. J. Keating, J. H. Rice, J. L. Madala, E. N. Notesteen and E. P. Guinane.

On November 8, 1933, a true bill was returned, charging Subject VIVIAN MATHIAS and Bobbie Moore with Harboring and Concealing a person for whom a warrant had been issued, so as to prevent discovery and arrest of said person, in violation of Section 246, Title 18, U.S.C.A., and also a second count charging conspiracy so to do, in violation of Section 88, Title 18, U.S.C.A.

VIVIAN MATHIAS was taken into Federal custody by the United States Marshal, Chicago, Illinois, on November 15, 1933, and was confined in the Kane County Jail, at Geneva, Illinois.

On November 29, 1933, VIVIAN MATHIAS and Bobbie Moore retracted a former plea of Not Guilty and entered a plea of Guilty, in Federal Court at Chicago, Illinois. They were sentenced by Federal Judge J. H. Wilkerson, to serve six months on Count No. 1 of the indictment, charging them with Harboring and Concealing Vernon C. Miller, and to ONE YEAR and ONE DAY on the Second Count, charging Conspiracy so to do. These sentences are to run concurrently and will be served in the Federal Prison for Women, Alderson, West Virginia, to which institution VIVIAN MATHIAS and Bobbie Moore were removed on December 1, 1933.

On the night of November 29, 1933, a body was found murdered in Detroit, Michigan. This body was identified positively by fingerprint identification, as the body of VERNON C. MILLER.

- 4 -

Agent interviewed VIVIAN MATHIAS, at the United States Marshal's Office, Chicago, and asked her whether she now desired to give any information concerning Miller's activities or associates, or any information which she had in connection with the Kansas City killings. She at first stated that she did not have any information; that Miller had not confided any information to her and that she could not give any information concerning the Kansas City killings, other than she knew that Miller had not participated in same. She refused, however, to amplify her statements further.

On being further questioned, she finally said she had never been a "stool pigeon" and was not now going to be a "stool pigeon" and that she would not give any information even though she did have same.

VIVIAN MATHIAS is the daughter of Mr. and Mrs. John Gibson, who now live on a farm near Brainard, Minnesota. She married a young man named MATHEWS about twelve years ago and had one daughter by him, named Betty Mathews, who has been raised by Vivian's parents and is now living with them at Brainard, Minnesota. Nothing much concerning her activities has been known during the past eight years, other than she admitted meeting Miller approximately eight years ago in Minneapolis, Minnesota and of having lived with him, off and on, during the past eight years. Information is in the possession of this Division that Vivian was living with Miller at 6612 Edgevale Road, Kansas City, Mo., under the names of Mr. and Mrs. Vincent C. Moore, from April up until the day of the shooting, which was June 17, 1933, at which time Vivian and Miller disappeared, leaving their belongings behind.

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No other criminal record of VIVIAN MATHIAS is known.

VNH:ADS  
62-28916-937

December 13, 1933

RECORDED

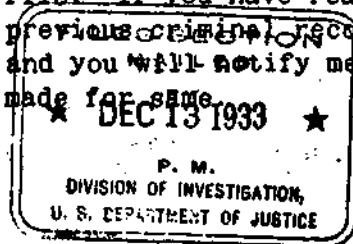
DEC 14 1933

Chairman, Parole Board,  
Department of Justice,  
Washington, D. C.

Dear Sir:

There are transmitted herewith for your information  
copies of a parole report on Robbie Moore  
who has received a sentence for a term of over one year for  
violation of ~~Miscellaneous - Harboring and Concealing, and Conspiracy,~~

As this Bureau has been instructed to furnish the  
Director, Bureau of Prisons, a complete record of the crimi-  
nal history of every prisoner as soon as fingerprints are re-  
ceived from Federal penitentiaries, it is presumed that if  
this subject has a previous criminal record it is now in your  
file. If you have reason to believe that this prisoner has a  
previous criminal record which does not appear in your file,  
and you will notify me, I will be glad to have a further search  
made for same.



Very truly yours,

Director.

Incl. #683597

*Mitt*

DIVISION OF INVESTIGATION,  
U. S. DEPARTMENT OF JUSTICE



Form No. 2

This case originated at **CHICAGO, ILLINOIS**

File No. **62-1712-**

Report Made at: <b>CHICAGO, ILLINOIS</b>	Date When Made: <b>12/4/33</b>	<b>PAROLE REPORT</b>	Report Made by: <b>E. P. GUINANE TME</b>
Name of Convict: <b>BOBBIE MOORE</b>		Title of Case: <b>VIVIAN MATHIAS, aliases, Vivian Mathews, Vivian Allen, Vivian Gibson, Mrs. C. T. Hays, Mrs. C. T. Hayes, Clare Hayes. BOBBIE MOORE, aliases - Mrs. J. P. Harris, Mrs. A. J. Williams.</b>	

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Approved and Forwarded: <i>[Signature]</i> Special Agent in charge	<b>62-28915-937</b>	Recorded and Indexed <b>DEC 7 1933</b>
Copies of This Report Furnished to:  3-Division 2-Chicago	Bureau of Investigation <b>DEC 7 1933 A M</b> Department of Justice	Checked off <b>DEC 1 1933</b> Jacketed:
<i>[Signature]</i>	Routed to:	File:



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On the night of November 29, 1933, a body was found murdered in Detroit, Michigan. This body was identified positively by fingerprint identification, as the body of VERNON C. MILLER.

Very little is known concerning the home life and surroundings of BOBBIE MOORE, other than she has stated that she married a man, whose name she refused to reveal, when she was fifteen years of age and had two children by him, named Phyllis, now fourteen years of age, and John, now twelve years of age. Both the children go under the name of HARRIS. BOBBIE MOORE refused to divulge any further information concerning herself or the children, but it has been ascertained by the Juvenile Authorities, at Chicago, Illinois, who took the children into custody when BOBBIE was arrested, that the children were born in Canton, Ohio; that BOBBIE had been married to a George Smith. The Juvenile Authorities located George Smith, who is now living in Toledo, Ohio, and he advised Mrs. Coleman, a Probation Officer of the Juvenile Court, Chicago, Illinois, that BOBBIE MOORE had deserted himself and the children about five years ago and that BOBBIE then picked up with a gangster named Jack Harris, and that she and Harris subsequently kidnaped the children from his custody and he had been looking for them for the past five years.

The Juvenile Authorities determined that George Smith, the father of the children had been awarded custody of the children and the father intends coming to Chicago to take the children.

Information was obtained by this Division that Jack Harris was a New York gangster and was supposed to have been murdered about two years ago. For the past two and a half years, BOBBIE MOORE has been living at the Sherone Apartments with her two children. After BOBBIE MOORE was sentenced, she was interviewed with reference to the body which was found murdered at Detroit, Michigan on November 29, 1933, and which had been identified as Vernon C. Miller. She stated that she did not have any information concerning Miller, or any of his associates or activities.

BOBBIE MOORE has no other known criminal record.

# U. S. Bureau of Investigation

Department of Justice

1900 Bankers Bldg.,  
Chicago, Illinois  
November 10, 1933

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Clegg	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Hughes	.....
Mr. Quinn	.....
Mr. Lester	.....
Mr. Locke	.....

PERSONAL AND  
CONFIDENTIAL

AIR MAIL - SPECIAL DELIVERY

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

Dear Sir:-

Attached hereto, please find statement submitted the ninth instant by Special Agent Earl Van Wagoner regarding his activities in the vicinity of the Sherone Hotel at the time of the escape of VERNON C. MILLER, with aliases, on November 1, 1933.

All agents who were in the vicinity of the Sherone Hotel at the time of the escape have now submitted statements. It should be noted that Agents W. C. Ryan and Jay C. Newman had been released shortly prior to the escape for the purpose of eating dinner.

Very truly yours,

*M. H. Furvis*

M. H. FURVIS,  
Special Agent in Charge

DOS:TMH  
1 Encl.

RECORDED

DEC 8 1933

62-28915-932

DEC 7 1933

Unit One

UNITED STATES  
NOV 9 1933  
BUREAU OF INVESTIGATION  
CHICAGO, ILLINOIS  
FILE

Kalamazoo, Michigan,  
November 9, 1933

MEMORANDUM FOR SPECIAL AGENTS IN CHARGE M. H. PURVIS.

Re: Apprehension of Vern Miller.

Special Agent D. O. Smith requested the writer to submit a statement concerning his part in the recent attempt to take Vern Miller into custody at the Sherone Hotel, 4423 Sheridan Road, Chicago, Illinois.

About 6 P.M., October 31, 1933, Special Agent Guinane requested Agent to proceed to the Sherone Hotel and stand watch on the outside of the Sherone Hotel on the Sheridan Road side. Agent accompanied Agents Guinane, Keating, McHegeon, Hartin and Mrs. Doris Rogers to the Clark-Van Dusen Garage and there obtained a Ford Sedan belonging to one of the attendants due to the fact that none of the Division cars was available. Agent drove the above-mentioned individuals to the Wilson Elevated Station where Agents Guinane and Keating and Mrs. Rogers got out to meet a party. Agent was instructed by Agent Guinane to proceed as directed to the Sherone Hotel.

The car was parked on the north side of the Sherone Hotel on the Galt Avenue entrance where Agent got out and walked around on the Sheridan Road side and watched the entrance of the Hotel from the Sheridan Road side for a considerable period of time, the watch being made from the opposite side of the Hotel. The car was parked on Galt Avenue for the reason that no parking was permitted on Sheridan Road. However, later, it was considered advisable by Agents McHegeon, Hartin and the writer to attempt to park the car on Sheridan Road where we could be less conspicuous sitting in the car than we would be walking or standing on Sheridan Road. This decision was made after we noticed a number of other cars parked on Sheridan Road and it being Halloween night no one would suspect our presence. Mr. Guinane left instructions that if we saw a light in the corner apartment, second floor, go off three times, that was the signal to get ready that Vern Miller had been identified and to be on our toes. Occasionally an Agent would call by the car and furnish us with information as to what was going on and during the course of the evening, Agent Hartin left the car and the writer understood that he went up to the apartment in the Sherone Hotel previously rented by Agent Madala.

The watch continued with the writer and Agent McHegeon in the car until shortly after 4 A.M. when Agent Guinane came and asked that we drive him up to a locksmith for the purpose of getting a key in order to get into a Ford V8 Coupe bearing New York license plates on it and supposed to be the car in which Vern Miller used to drive to Chicago from New York. The trip was made but the locksmith was not in and we returned to the Sherone Hotel, this time parking the car a block above the Hotel on the south side of the street right near the corner just west of Sheridan Road from which point both entrances of the Hotel could be plainly seen and the corner apartment on the second floor as well.

62-27915-938



Shortly before 9 A.M., November 1, 1935, Agent Liehegen was relieved by Agent Rice due to the fact that Agent Liehegen's presence was necessary in court that morning. Agent Ryan visited the car and spent a little time, Agent Neuman passed by the car several times and spoke and Agent Keating walked by the car on different occasions. Agent W. A. Smith also visited the car as it was parked at the last location. Nothing of interest happened during the day until about 7 P.M. Agent Ryan came by and told us to park our car on the north side of the Hotel so that we could watch the fire escape on the east side of the Hotel as well as the Galt Avenue entrance. Only Agent Rice was with the Writer then. Agent drove the car around on Galt Avenue and after pushing parked cars east and west on the south side of Galt Avenue, succeeded in making space in order to park the car immediately at the east end of the Hotel almost opposite the fire escape and was in perfect position, a commanding position, to see anyone who might come down the fire escape or come out of the Galt Avenue entrance of the Hotel. The car after being parked was facing west for the reason to watch both positions.

The Writer assisted Agent Rice to put the machine gun together and fix it all ready to shoot and put the safety on. A short time later Agent Guinane stopped by the car and told me that they were trying to get another apartment in the Hotel and he might want me to go up in that apartment but if they did not get the apartment he was going to let me go up in Madala's apartment and get a little rest as I had been up the night before and a little sleep might help me out. Shortly thereafter, Agent Lockerman came down to the car and said that he was to relieve me and that I was to go up in the apartment (207) and get some rest.

The Writer left the car with Agents Rice and Lockerman in it and went up to Apartment 207 and prepared to get some rest. In the bed room at the time was Agent Notestein who likewise was getting some rest. Agent had only been in bed a few minutes when the message came that Bobbie Moore had just come up stairs carrying a suit case. Both Agent Notestein and the writer jumped out of bed and Agent Notestein left the bed room and took his position in the kitchen where the peephole was and Agent stayed in the living room. Agent Guinane advised that the drop of the hand near Vern Miller had been identified and all the agents in the apartment were to proceed into the corridor and take Vern Miller into custody. Agent heard a honking car on the street below and suddenly heard John Madala exclaim "here he comes." Agent was standing between the dining and living rooms waiting for the signal from Agent Guinane either in the kitchen or at the entrance of the same and it was not until after Agent Madala exclaimed "here he comes" that Agent Guinane also gave the signal but by this time the door of the apartment into the corridor was open and the agents rushing out to pick Miller up.

Agent Notestein remained in the kitchen with Mrs. Rogers and Agent Guinane and the Writer were the last ones out of the apartment. Everyone was trying to get down the narrow stairway which lead to the lobby of the apartment and the Writer seeing Mrs. Miller at the end of the corridor just outside of her apartment dressed in green pajamas, started after her

followed by Agent Guinane. Mrs. Miller was taken into the apartment and Agent Guinane requested the Writer to watch her while he went down stairs. Immediately after this, Agent heard the first shot and then another and these were followed by a number of single shots until finally he heard a burst of machine gun shots and then more and at each report, Mrs. Miller shuddered and put her hands up to her face and trembled exceedingly and asked for a cigarette. Agent asked her several questions but Mrs. Miller sat silent and would say nothing. All the shooting took place while Agent stood guard over Mrs. Miller and for that reason did not witness what went on outside of the Hotel.

Later Mrs. Miller was taken to the Chicago office or the Police Station, I am not sure which, and Mr. Guinane requested Agent to search the apartments of Mrs. Miller and Bobbie Moore, these being 211 and 101, respectively. Any evidence of value was taken to apartment 207 for safe keeping. Agent spent that night in apartment 207 and the following day with Agents Madala and Potestain again went through the above apartments to make sure that nothing had been overlooked. Agent and Agent Madala made a search of the neighborhood in an effort to locate the two children of Bobbie Moore and that night about 10:30 P.M. Agent Madala found the children in Apartment 402, Mrs. O'Shea's apartment.

Agent had nothing to do with the formulation of plans or policies to be carried out in connection with this case but carried out instructions as received.

Respectfully submitted,

*Earl Van Wagener*  
Earl Van Wagener,  
Special Agent.

U. S. Bureau of Investigation

Department of Justice

*mw*  
*mor H*

1900 Bankers Bldg,  
Chicago, Illinois  
November 4, 1933

PERSONAL AND  
CONFIDENTIAL

AIR MAIL,  
SPECIAL DELIVERY

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

RECORDED

DEC 8 1933

DEC 7 1933

62-2870-937  
NATHAN

Dear Sir:

Re: <sup>o</sup>VERNON C. MILLER, with aliases, Fugitive, et al,  
I. O. #1195 - Obstruction to Justice  
(Attempt to deliver Frank Nash, federal  
prisoner)  
Chicago File 62-1649

Attached hereto please find memoranda submitted by Special Agents E. P. Guinane, L. D. Nichols, and W. A. Smith regarding the escape of Vernon C. Miller on the night of November 1, 1933. Attached hereto also please find photostatic copy of floor plan, showing the location of apartment occupied by Vivian Mathews, where she had registered as Mr. and Mrs. C. T. Hayes.

Reference is made item three, page 4 of memorandum by Agent Guinane regarding telephone call from Vivian Mathews to Bobbie Moore, advising Bobbie that "Verne wants you to put away the Auburn". Agent Nichols advised the writer that this was a very unusual call, inasmuch as the parties had previously addressed each other as Vi and Bobbie, and on this occasion Vi asked to speak to "Miss Moore", whereupon the latter replied, "Speaking". Some of the agents were inclined to discredit this communication, believing that no mention had been made of the name Verne. However, this information was certainly considered indicative that Miller was in the apartment with Vivian Mathews. The writer was not advised regarding item four on page 4 by Agent Hartin, regarding the difficulty encountered by Vi on entering her apartment. Immediately after conferring with Agent Hartin over the telephone on the afternoon of November 1, 1933, the latter arranged for a look-out point across the alley from Apartment 211 at the Sherone Apartment House, arranging for armed officers and agents to prevent the escape of Miller via the fire escape or alleyway.

*Final*

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The writer proceeded to the premises of the Sherone Apartment house about 8 P. M. October 31, 1933, and after observing various entrances and exits, concluded that the alleyways and one-story roof, situated under the window of the apartment occupied by Miller was not guarded. For this reason, this agent and Agent Ryan maintained a watch from the alley until 2:30 A. M. November 1, 1933, at which time we were replaced by Agent Newman and two police officers parked in a car in the alleyway. The writer returned to the premises on November 1, at 6:30 A. M., at which time it was ascertained that all entrances and exits were covered, and that two police cars were located near the Galt Street entrance for observation. Arrangements were made for agents in Apartment 207 to hang a coat from the window if Miller should leave his apartment. The writer returned to the office, and remained on duty here until 7:30 P. M., leaving Agent Guinane in charge of the detail.

It was impossible for the writer to telephone the agents in Apartment 207, in view of the fact that two taps had been placed on wires from the switch board, thus making it necessary for agents to leave the apartment and telephone the office. Frequent telephone conversations throughout the day indicated that the surveillance was being maintained at all points, and that at 8:00 P. M. on the 1st, Agent Guinane called, stating the situation was well in hand. He suggested that one or two additional men be made available for replacing agents on duty throughout the night. Accordingly, the writer arranged for Agents Hehegan and Billings to proceed to the apartment for the necessary replacement at 10:30.

At 9 P. M. Agent Guinane called, stating that Miller had left his apartment, and escaped by running down the narrow stairs, adding that Vivian Mathews was taken into custody.

Mrs. Doris Rogers, stenographer, and Agent E. M. Notesteen, who were stationed at the service door of the kitchenette, as indicated on the attached drawing, were obliged to watch Apartment 211 through a very small space about 3" wide, which was located some 50 to 60 feet from Apartment 211. Shortly after 8 P. M. November 1, 1933, it was ascertained from the telephone tap that Vi telephoned Bobbie Moore to get the car ready. About 8:30 P. M. Miller left the apartment accompanied by Vivian Mathews, who was clad in pajamas, and walked rapidly down the corridor, some two or three paces ahead of Vi. The hallway was dimly lighted with three ceiling lights and Agent Notesteen was unable to definitely identify Miller until he was

past the third light, and began running to the stairs. However, Mrs. Rogers was well convinced that it was Miller some 15 or 20 feet prior to the time he reached the corner. This was the first opportunity Mrs. Rogers and Agent Notesteen had to observe Miller.

In the memorandum submitted by Agent W. A. Smith, it will be noted that he did not reach Galt Street in time to advise Agents Lockerman and Rice that the man believed to be Miller was leaving his apartment.

Agent Lockerman advises that he observed Bobbie Moore parked in her Auburn coupe in the street near the Galt Street entrance, and noted that she blew the horn on her car several times; that he saw a man fitting Verne Miller's description emerge from the Galt Street entrance, and noted that he passed between two parked automobiles, got into the car with Bobbie Moore, and drive off. However, Agent Lockerman had received no information that the man suspected as Miller was coming out of the apartment, or that he had been identified as Miller while on the 2nd floor. Agents Lockerman and Rice were parked, facing west, and Bobbie Moore was facing east. Agent Lockerman advised that it was impossible for them to follow the Auburn car as it would have been necessary for them to start their car, and make a complete turn in a thickly congested street; that he, Agent Lockerman, and Agent Rice, jumped out of the car after noting Officers Fremuth and Kempster and Agent Nichols were opening fire on the Auburn automobile. Agent Lockerman fired at the car once but was unable to fire again as the officers and Agent Nichols were in his line of fire. It should also be noted that many people were on the sidewalks on Galt Street, thus making it dangerous to fire promiscuously.

Sgt. Kempster advised that he emerged from Apartment 207 as soon as possible after the identification of Miller was made, was delayed in the lobby for several moments, inasmuch as Officer Fremuth had led the way down the narrow stairs, preventing Sgt. Kempster, or Agent Nichols from getting around him in time to reach Miller; that a few minutes time was lost, while Officer Fremuth detained a man suspected of being Miller at the desk on the first floor of the Sherone apartments. That when Sgt. Kempster ascertained that this man was not Miller, he ran out the Galt Street entrance immediately, carrying his machine gun. He was prevented from opening fire immediately by a Cadillac automobile which intercepted his view and a man emerged from the Cadillac, thus causing additional



delay in firing. However, Sgt. Kempster fired a burst of 18 shots, 7 of which took effect in the Auburn automobile.

Officer Frank Fremuth advised that when he received information to the effect that Miller had been identified, he proceeded immediately from Apartment 207, going down two flights of narrow stairs, and saw a man at the desk who appeared from the rear to resemble Miller; that he questioned the man for a moment, after which he proceeded to Galt Street, noting that Miller was getting into his car. He fired three shots, one of which took effect in the rear of the car; that he and Sgt. Kempster ran down the street in pursuit of the car as it was impossible to obtain access to an automobile.

Miller was not apprehended in the corridor, on the stairs, or in the lobby of the Sherone Apartments, because the identification was not made positively until he was almost opposite the stairs, because he was not pursued immediately from the apartment to the stairs, and thence through the lobby, and it is also believed that Miller would have been apprehended had an automobile been held in readiness for pursuit, as the Auburn in which Miller was riding was abandoned some few blocks away, due to a puncture in one of the rear tires, caused by a machine gun bullet.

It is also believed that had Agents Lockerman and Rice been advised previously, that the man suspected as Miller would soon be leaving the apartment, they would have been able to apprehend him.

It is believed that had Agent Nichols fired on Miller, without giving him a chance to stop, and give up, that Miller would have been apprehended.

Vivian Mathews is now being held incommunicado in the Chicago Police Department, and thus far questioning has failed to elicit any information of value whatever from her. She refuses to identify Miller in any way, or to furnish any information regarding her activities with him.

The United States Attorney here has agreed to present the facts to the Grand Jury in Chicago on Monday, November 6, 1933, for the purpose of obtaining an indictment against Vivian Mathews, charging her with harboring a fugitive.

It has been ascertained that Larry Bidderman was keeping Bobbie Moore in Apartment 101. Immediately after the shooting occurred, it was ascertained, Larry Bidderman proceeded to a drug store on the corner of Montrose and Sheridan Road, and that Bobbie Moore returned to this drug store, after the car was abandoned. Bobbie informed Larry Bidderman that Vi had been taken into custody, stating it was necessary for him, Bidderman, to furnish bond, and he replied that he would. Bobbie Moore also instructed Bidderman to get her a spot for a hide-out, and he said he would. The two left together and constant surveillance has failed to locate Bidderman at the Sherone apartments. However, he was taken into custody at 4:45 A. M. today, and is now in the city jail. He will be questioned vigorously regarding the location of Bobbie Moore.

The United States Attorney here will obtain an indictment against Bobbie Moore on the 6th, charging her with harboring, aiding, and abetting a fugitive.

Description of Verne Miller was broadcast throughout the Chicago area and the Railroad Special Agents, and as well as Air Plane lines have been advised to be on the lookout for him. The local police were also furnished with physical description of Bobbie Moore and all known hang-outs of these persons are being checked, with a view of causing their apprehension. Miller is now wearing tortoise rimmed glasses; has dyed his hair and mustache brown.

Very truly yours,

*D. J. Smith*

D. J. SMITH, acting,  
Special Agent in Charge

DJS/dr  
Att.

November 2, 1933.

MEMORANDUM FOR ACTING SPECIAL AGENT IN CHARGE D. O. SMITH

In re: VERNON C. MILLER with aliases,  
I. O. #1195 - FUGITIVE; et al  
OBSTRUCTION OF JUSTICE (Endeavor  
to Deliver Federal Prisoner  
Frank Nash)  
CHICAGO FILE NO. 62-1649

The writer with several Agents and police officers were in Apartment 207, Sherone Apartment Building, 4423 Sheridan Road, on the night of November 1, 1933.

About 8:30 P.M. we received word that a man who was supposed to be Verne Miller in Apartment 211 was to come out.

In the hall of Apartment 211 there was Agent John Madala who was at the door to let us out when the identification was made by Agent Notesteen. As Miller walked down the hall of the building toward our apartment and turned to go down the steps, I heard Agent Madala say there he is, and open the door of our apartment. There were Sergeants Freemuth, Curtin and Kempster and Agent J. J. Keating ahead of me; as we reached the stairway Miller was not in sight so Sergeant Freemuth opened the door to the stairway leading down to the first floor. He was going very slowly, that is it seemed slow to the writer.

After we reached the lobby we saw a man in a brown suit at the desk of the hotel with his back to us. We walked over to him and Sergeant Freemuth asked him his name. When this man turned around I saw that he was not the man. Freemuth turned around, apparently not knowing what to do. I said he has gone out to the car, as I had heard the car blowing the horn for Miller before we left the apartment. I knew that the car was the one he was to use as I had looked out the window, and saw the car that belonged to Bobbie Moore waiting at the Galt Street entrance. I sort of pushed Sergeant Freemuth toward the Galt Street entrance and he walked, did not run. I was coming in behind him, as I was not sure of the identification, and I was kind of held back, but I saw, as we reached the entrance door, that he, Freemuth, was not in very much of a hurry. I, accordingly, ran out and saw Miller in the car. I hollered for him to stop the car. As I hollered I was running along the parkway. The second time I hollered at Miller he grabbed

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a gun from his pocket and fired two shots at the writer. At that point I dropped to my knee and fired one shot. Before I could get another shot I had to move into the street. I hesitated to move into the street for the reason that Sergeant Freemuth was in behind me, also Sergeant Kempster with the machine gun and I did not want to get in the line of fire of their guns.

The reason I held my fire was that I did not know whether he was the man or not, so I gave him a chance to stop and give up.

In the writer's opinion, if Sergeant Freemuth had moved faster we would have taken Miller before he entered the car. Also he withheld his fire too long. There were three or four seconds time elapsed after Miller fired at me before Freemuth opened fire. Freemuth also had a good target as he was directly behind the car, while my target was moving parallel to me. Sergeant Kempster was delayed in getting out of the lobby and after he got out in the street he saw a man in the line of fire so he had to withhold fire until he moved out of line. By that time the car was some distance down the street.

Respectfully submitted,

L. D. NICHOLS,  
Special Agent.

LDN:MG

November 4, 1933.

MEMORANDUM FOR ACTING SPECIAL AGENT IN CHARGE D. O. SMITH

On the evening of November 1, 1933, the writer was in apartment 207, Sherone Apartments, in company with other Agents, having under surveillance the apartment in which it was believed Verne Miller was staying.

Agent was in the kitchen at approximately 8:30, keeping the Miller apartment under surveillance through the service door when he was advised that a telephone call had been overheard in which instructions had been issued to bring Mrs. Moore's roadster to the hotel. Agent Notesteen then relieved the writer in the kitchen. It was believed by everyone present that possibly it was Miller's intention to emerge from his apartment and drive away in the roadster. Special Agent Guinane instructed the writer to proceed to the Sheridan Road entrance of the hotel and cover that entrance. Agent made an effort to leave the apartment. However, Agents Madala and Keating and the police officers who were stationed at the door of the apartment suggested that he not leave at that time, inasmuch as Bobby Moore was then leaving the apartment. For about five minutes after that time it was felt that Agent should not leave the apartment to proceed downstairs, inasmuch as it was thought that Miller would emerge at any moment. However, it was finally decided that the writer should proceed downstairs.

Agent left the apartment, proceeded to the elevator and took the same to the first floor and then proceeded out of the Sheridan Road entrance of the hotel, turning right on Sheridan Road to Galt Avenue. It was Agent's understanding that Agents Lockerman and Rice were in Galt Avenue covering the areaway in back of the Sherone Apartments, into which the fire escape descended. Agent crossed Galt Avenue and proceeded down the North side of the Avenue, looking for Agents Lockerman and Rice.

Immediately after Agent turned into Galt Avenue he observed the Auburn convertible coupe of Bobby Moore parked in the street in front of the Galt entrance to the Sherone Apartments and observed that there was someone in the car sounding the horn. Almost immediately a man was seen emerge from behind two of the parked cars and get into the automobile. At the same time Agent observed Sergeant Freemuth, Agent Nichols and Sergeant Kempster coming out of the Galt Avenue entrance of the hotel. Agent Nichols ran along the sidewalk to a position about opposite to the

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front of Bobby Moore's car and pointed his pistol at the occupants, telling them to halt. Bobby Moore, who was driving the car, immediately screamed and the car started forward. Agent heard several shots which were evidently fired by Miller and also observed that Agent Nichols fired several shots at the car. Sergeants Freemuth and Kempster had proceeded from the sidewalk to the rear of the Auburn coupe, and Sergeant Freemuth fired some shots with his pistol at the car. Sergeant Kempster endeavored to fire at the car with his machine gun, but due to the people on both sides of the street and the fact that a man was alighting from a parked car directly in the line of fire, he had to withhold his fire and the car proceeded approximately one hundred feet before he was able to open fire with the machine gun, at which time he fired several bursts at the car.

The writer did not endeavor to fire any shots from where he was located, inasmuch as Sergeants Kempster and Freemuth were in his line of fire and Agent Nichols was immediately on the other side of the coupe and might have been struck had any bullets passed through the coupe. All of the Agents on the street, together with Sergeants Kempster and Freemuth ran down Galt Avenue after the car to Clarendon Avenue, at which point the car was seen to turn right. Upon arriving at Clarendon Avenue the car could not be seen. Upon instructions of Special Agent Guinane we returned to the Sherone Apartments, at which point word was received that the car of Bobby Moore had been located.

Respectfully submitted,



W. A. SMITH,  
Special Agent.

WAS:MG

Chicago, Illinois,  
November 2, 1933.

MEMORANDUM TO ACTING SPECIAL AGENT IN CHARGE D. O. SMITH:

On October 31, a telephone call was received by me at the office from John Madala, who had been stationed in Room 207 of the Sherone Apartments, and Madala advised that a man fitting the description of Miller, as far as size was concerned, had arrived at the apartment and had been greeted by Bobbie Moore, a friend of Vivian's, in the apartment, at which time Bobbie Moore had thrown her arms around him and kissed him. Bobbie had said to this person that Vivian was giving a party in her apartment and asked him to come down to her apartment, Room 101, and that she would advise Vi that he was there. At this time Bobbie seemed extremely excited and indicated that she had not seen this party for some time. Madala further stated that the party was wearing glasses with small shell rims, and also had a sandy colored mustache, but that he believed that the party did resemble Verne Miller.

Immediately on receipt of this information and after conference with you, I proceeded to the Sherone Apartments with the two police squads assigned to this office, whose names will be set out hereinafter, and also with several Agents whose names will hereafter appear. A survey had previously been made of the hotel by Agent Keating, and the squads were instructed to maintain a position on Galt Avenue, to cover the Galt Avenue entrance to the Sherone Apartments and also to cover an area way at the end of the apartment, opening on to Galt Avenue. Three Agents were also placed in a car opposite the Sherone Apartments on Sheridan Road. Each squad car and the Agents were equipped with machine guns, shot guns and all Agents were armed. The squads also had tear gas bombs.

I proceeded to Apartment 207 with some Agents and on arrival Agent Madala confirmed his telephone information and said that there was a good possibility that the person he had seen was Verne Miller, but that he could not definitely say so. At this time Mrs. Rogers, stenographer in the office who is personally acquainted with Verne Miller, having come from the same town, Huron, South Dakota, was brought to the apartment and took up a position in the kitchenette of the apartment, which had a service door opening on the corridor, leading to Vivian's apartment. A short time previous to this, before our arrival at the apartment, Madala informed me that Miller had come up to Apartment 211 from Apartment 101, with Bobbie, and that Bobbie had made two or three trips between her apartment on the first floor and 211. An arrangement was made whereby Mrs. Rogers would be maintained in the kitchenette with one Agent, so as to be able to notify us the minute she made an identification of anyone coming out of Apartment 211.

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Arrangements were made at the same time, in the event that it was deemed desirable to "crash" the apartment, to place the men as follows:

Squad 62, stationed on Galt Avenue, comprised of Sergeant Thomas Curtin, Patrolmen Edward Donovan, John Lynch and Marshall Pidgeon, were to watch the windows of Apartment 207, where we were stationed, for the signal, which would be the waving of a coat, to take positions at the end of the area way on to which a fire escape led from the second floor, and to also cover the Galt Avenue entrance.

Squad 60, comprised of Patrolmen Frank Freemuth, James Carvey and Edward Starr, with Agent Newman, were to cover the alley running between Sheridan Road and Hazel Avenue, into which alley the south end of the area way opened. Arrangements had been made for this squad to drive their car along side the one story section of the apartment, so that three men could get on the roof and command a view of the two windows opening from Apartment 211 on to the roof. Acting Special Agent in Charge D. O. Smith and Agent Ryan were also stationed in this same alley to watch the south fire escape, which led into this alley.

Agents Van Wagoner and Mehegan were stationed in a car opposite the Sheridan Road entrance, with a machine gun, to watch the Sheridan Road Street entrance of the Sherone Apartments.

There were stationed in Apartment 207, State Officer Kempster and Agents Madala, Keating, W. A. Smith, Lockerman and Nichols. Arrangements had been made in the apartment that when Mrs. Rogers made a positive identification of the party coming out of 211 as Miller, the Agent in the kitchenette with her would "chop" his right hand and say, "He's here", and immediately Agent Madala was to open the door and the Agents, with Kempster, were to immediately go into the hallway, with machine gun, shot gun and revolvers, and take Miller, with instructions to shoot if he made any move for a gun.

After the vigil was maintained for some time, Officers Freemuth and Curtin were brought into Apartment 207, in order to assist in taking Miller in case he came out of Apartment 211. The vigil was maintained all night, during which time no outgoing or incoming telephone calls were had on the wire to 211, which had been tapped by Agent Nichols, with the exception of calls from Bobbie Moore's apartment to Vivian's apartment.

Some time after the meeting of Bobbie with Miller in the hallway, Bobbie was observed by the officers and Agents stationed on Galt Avenue approaching a Ford Coupe with New York License Plates 8L1469, and after having some difficulty opening the door, entered same and took therefrom a heavy black valise, which she carried into the Sherone Apartments. Agent Madala observed Bobbie bring

the suitcase up to Apartment 211 and Bobbie stayed in the apartment for some little time. Later, Bobbie went down and got in the Ford Coupe and drove it away. After learning definitely that it had been Bobbie who had taken the valise out of this particular Ford, Agents and officers were dispatched to endeavor to locate the garage or parking lot, and the car was later located on a parking lot directly opposite the Sherone Apartments. An attempt was made to open the car, in order to see the contents of a brief case which had been left in the car, but efforts were unsuccessful until the following morning, at which time a key expert made a key and the contents were noted, but did not reveal any identification of the person who owned the car.

The following morning Mrs. Polachek informed Agent Keating, at a meeting which of necessity had to be had three or four blocks from the apartment, that persons in the Sherone Apartments had made complaint to the police that suspicious men had been hanging around the Sherone Apartments all night in automobiles. Arrangements had previously been made by Acting Special Agent in Charge Smith with the 38th Precinct covering that district, advising them of our surveillance so that no interference would be had, and this was maintained by all officers on duty near the Sherone Apartments. Because several of the complaints had come from persons in the Sherone Apartments, it was decided that it would be impossible to maintain a surveillance on the streets immediately surrounding the apartment, without Vivian, Bobbie Moore or Miller learning of same, and Agent Hartin and Officer Curtin were instructed to endeavor to establish a contact in the apartment immediately adjoining the rear end of the Sherone Apartments, to see whether we could get a place of observation so that officers could cover the roof of the one story section of the Sherone Apartments and also the windows of Apartment 211, as well as the fire escape. After some difficulty, Agent Hartin prevailed upon a Mr. Ray, who occupied an apartment on the second floor and immediately overlooking Apartment 211 in the Sherone Apartments, to permit Hartin and three officers to take up positions in his apartment, and Agent Hartin and these officers immediately took up their position. The squad car was then moved down Galt Avenue and the officers in this car; namely, Donovan, Lynch and Pidgeon, took up their positions with Hartin in the apartment. Agents Rice, Van Wagoner and Mehegan were then instructed to move their car from directly in front of the Sheridan Apartments, on the opposite side of the street, to a corner whereby they could observe any action taking place at the Sherone Apartments, and also they were instructed to take turns walking down Sheridan Road on the opposite side of the street of the Sherone Apartments, to be in immediate position if anything occurred.

Conferences had been had by the writer with you during the above period and after discussing the possibility of Miller ascertaining that the apartment was probably covered and that he would attempt to sneak out during the night by means of the windows, over the roofs, or the rear fire escape, it was decided in the opinion of the writer, that everything pointed to the

definite fact that Verne Miller was the person in the apartment with Vivian. This conclusion was reached for the following reasons:

1. The greeting by Bobbie Moore, which indicated that she had not seen him for some time.
2. The fact that Bobbie referred to Vivian as Vi, instead of Clara as Vivian was known at the apartment.
3. The telephone call from Vivian to Bobbie, advising Bobbie that "Verne wants you to put away the Auburn".
4. Vivian had been observed entering her apartment by the writer, at which time she put her key in the lock and found that the door was bolted. She then identified herself to the person within the apartment, who unbolted the door. She then appeared to open the door and it appeared to the writer that the door was also chained, and it took Vivian three or four minutes to get into her apartment.
5. The further fact that during the two days and night of the surveillance, the man in Vivian's apartment had not left the apartment, and he was heard on the telephone ordering some food from a delicatessen.
6. The fact that the car had arrived from New York and that Bobbie had carried his grip up to the apartment, instead of Miller carrying it up himself.

All of these facts indicated to the writer and to practically everyone on the scene that the person in Vivian's apartment was Verne Miller. At this time arrangements had not, as yet, been made for the surveillance from the room in the apartment in the rear of the Sherone, which arrangements have been previously described. At this time Agent Hartin was instructed to endeavor to make the arrangements and at the same time to telephone you and to tell you that the writer felt that all indications were that the person in Vivian's apartment was Miller, and that there was a strong possibility Miller had become suspicious and would attempt to leave the apartment if we endeavored to maintain the cover longer, and that in my opinion and in the opinion of the officers and the majority of the Agents, that the apartment should be crashed at five o'clock on the afternoon of November 1st. Agent Hartin was also instructed to advise you that Agent Keating was of the opinion that the apartment should not be crashed, as he felt we would have a better chance of taking Miller in the corridor when he came out of the apartment. On his return to Room 207, Agent Hartin informed me that he had advised you of the above and that you had talked to the Director, and that the Director did not want the apartment crashed until we could make a positive identification, and if possible to give Agent Notesteen an opportunity to view the person when he came out of 211. Hartin also advised me that he had made the arrangements for a place in the adjoining apartment, to watch the roof of Apartment 211 and the



fire escape. Hartin stated that the officers had already taken their position.

Upon receipt of these instructions, it was deemed advisable not to have any police cars with officers near the apartment, and Agents Van Wagoner and Rice were stationed in an old Ford Sedan, with Texas License Plates, opposite the area way, at which place they could command a view of the area way and also of the Galt Avenue entrance. They were armed with their pistols and a machine gun.

In the meantime, Bobbie Moore was seen carrying a newly pressed suit of clothes up to Apartment 211 and it was thought that Miller and Vi and Bobbie were probably planning to go out that night, and it was thought that they would probably go around 9:30 or 10 o'clock.

From 6 P.M. on November 1st, Mrs. Rogers and Agent Notesteen were placed in the kitchenette of the apartment, so that both parties could get a view of the party expected to come out of 211. I was to remain in the kitchenette in order to give a "chop" signal to Van Wagoner to signal the squad that "he is here". At this time arrangements were made for Officers Freemuth and Curtin, and Agent Keating, to take the left door entering to the elevators, in case Miller got up that far, and for State Officer Kempster and Agents Van Wagoner, Nichols and Madala to rush to the right entrance to the elevators. If identification were made of Miller before he reached a point to get to the elevators, everyone was instructed, of course, to take Miller and not hesitate to shoot him if he made the slightest move. Agent Madala was instructed to stay in front of 207, to command a view of both corridors leading to fire escapes, and at approximately 8:30 Agent W. A. Smith was instructed to go downstairs to cover the lobby at the bottom of the stairway, and also the Sheridan entrance, and to inform Agents Rice and Lockerman (Lockerman had replaced Van Wagoner in the car) that indications were that Miller would be leaving the apartment and to keep a close lookout from then on. Approximately five or ten minutes elapsed after Agent Smith proceeded to the lobby and this Agent had left the kitchenette in order to see if the officers and Agents were lined up properly near the door, so that immediate access could be made to the corridor. While the writer was returning to the kitchenette, Agent Notesteen came into the room and said "That's him", and at approximately the same time Agent Madala had gotten a good view of the person, who was running around the corner toward the entrance to the stairway and elevator, and was positive that he was Verne Miller. The officers ran to the entrances as planned. Officer Freemuth in the lead, followed Miller down the steps. The writer dashed out in the hall and saw Vivian going back toward the fire escape, at which time he grabbed Vivian and turned her over to Agent Van Wagoner, with instructions for Van Wagoner to hold her in Apartment 207. I then ran down the steps to the lobby and heard shots, and ran out in the street and found that the car had gone up the street. I immediately telephoned a police alarm and asked the police to dispatch a radio that Verne Miller, notorious killer, had just escaped from the Sherone Apartments in a cream colored Auburn Sedan with Illinois License Plates, and to broadcast an alarm. About two minutes later I ascertained the number of the license plates and gave that to the police. Shortly after I was advised that you had given

the police a complete description of Miller. I had not yet talked to Agents Lockerman and Rice, who were stationed at the Galt Avenue entrance, nor to Agent Smith, who was stationed in the lobby, and I am informed that other Agents and officers have given the details of what took place after they rushed out of the apartment.

After the police alarm had been made, I instructed Agent Keating to immediately proceed to the office and dig out all known haunts in Chicago of Miller, and I accompanied police squads to the vicinity of where the car had been abandoned, at which time I was informed that the Auburn Coupe, with the woman driving, had run to the dead end of Vista Terrace, which was five or six blocks from the Sherone Apartments, and that a man had jumped out of the car, leaped over a fence and ran through the back yards toward Clarendon Avenue. At this time fifteen or twenty radio squads were combing cellars and bushes in the vicinity where Miller Jumped, and other squads were checking nearby hotels and hospitals.

I later observed the car, which I was informed had been abandoned by Bobbie after she had turned the car around on Vista Terrace and had driven approximately one block and at which place I observed the Auburn Coupe, and found one small piece of glass with blood stain, but the blood was on the edge of the glass and indicated that Bobbie had been cut by flying glass when the windshield crashed from the bullets. This particular blood stained piece of glass was found directly under the driving wheel. I observed the back end of the car and found the following bullet holes, all of which apparently were from the machine gun manned by Sergeant Kempster; or possibly from the guns of Agent Nichols or Officer Freemuth:

1. This bullet penetrated the license plate attached above the left rear fender, punctured the left rear fender and the left rear tire, deflating same.
2. This bullet went through an automobile trunk on the rear of the Auburn, entering at the rear end and emerging at the front end of the trunk, and hit the cover of the rumble seat, ricocheting off this and penetrated the rear curtain of the convertible coupe immediately behind the driving wheel, and apparently emerged through the windshield.
3. This bullet went through the left frame of the car, directly opposite the rumble seat cover, and buried itself in the cushion behind the driver's seat at about the location of the kidneys of anyone driving. This bullet did not penetrate through the cushion.
4. This bullet hit the top of the rumble seat, ricocheted off and went through the canvas top of the car.


5. This bullet hit the top of the rumble seat, ricocheted off, and also went through the top of the car, penetrating the top canvas directly above the right hand seat.
6. This bullet went directly through the rear canvas and immediately below the rear window and a trifle to the left of where Miller was sitting, apparently emerging through the windshield.
7. This bullet penetrated the same position as bullet #6, but about two inches to the right of bullet #6 and almost immediately behind where Miller was sitting. The position of the bullet holes of #6 and #7 would indicate that it was by miraculous luck that these bullets did not hit Miller directly in the head.

I also examined the broken glass and observed several pieces with fingerprints, some of the prints appearing to be smaller than others, and apparently all prints being made by Bobbie and Miller when picking the glass off their laps. Agent Nichols, with a fingerprint man from the Police Department, is photographing these prints.

I also observed the Ford Coupe of Miller's, and there appear to be some excellent latent fingerprints on the glass and on the fenders, which prints might identify some associate of Miller on his trip from New York.

I would estimate the distance from the service door from which Agent Notestein and Mrs. Rogers were looking, to be between fifty and sixty feet from Apartment 211.

Respectfully submitted,

  
E. P. GUINANE,  
Special Agent.

EPG/RW

CORRIDOR

Service Desk From  
Where Mrs. Rogers  
1 Notarized Watched Apt. 207

Door Where Agent  
Made a Peep  
Agents Ran out  
Apt. 207

Bath

Apt. Occupied by  
Agents and 3  
Policemen

Kitchen

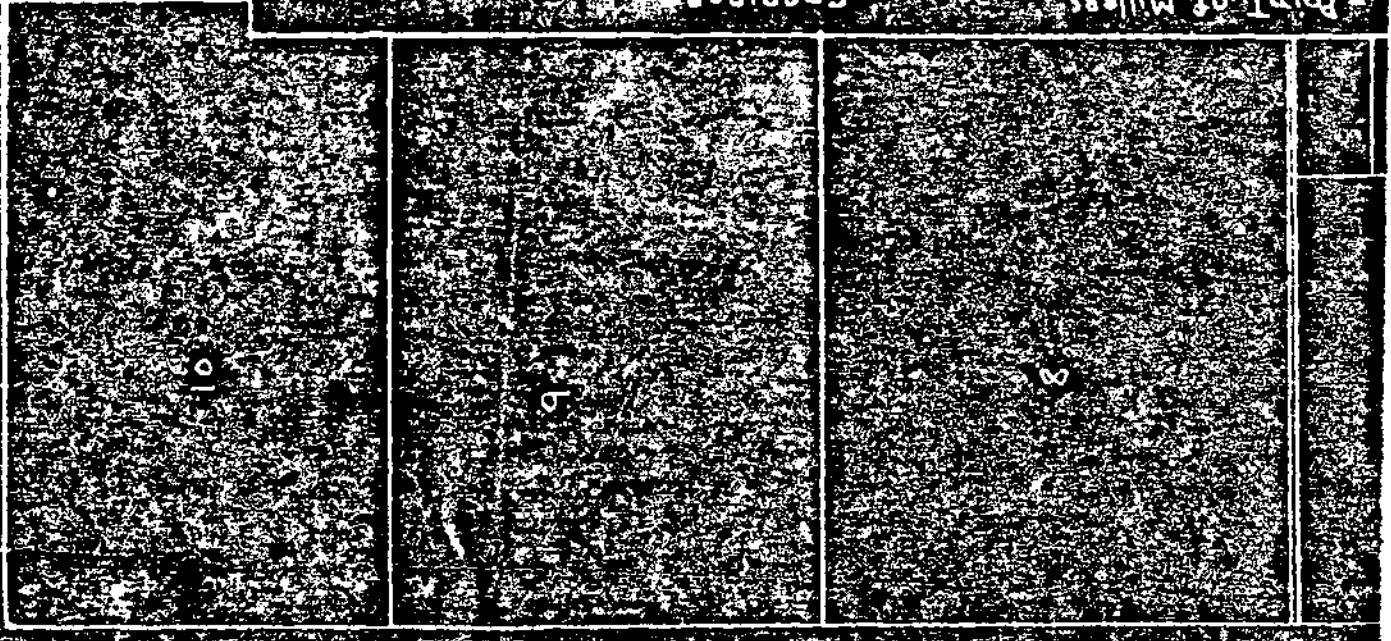
SHERIDAN ROAD

West



NORTH

WALT AVENUE



Point of Millers  
Entry by Mrs.  
Rogers, Agent  
Noted in

Route Taken by Millers



East  
Distance from Window  
to Arway a Drop of 20'

At All  
Vision Mathews

Windows Lead on to  
Roof one story high

Bathroom Window Leads  
to Roof one story high

SOUTH



JOHN EDGAR HOOVER  
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

November 23, 1933.

VJH:DSS

- Mr. Nathan.....
- Mr. Tolson.....
- Mr. Clegg.....
- Mr. Edwards.....
- Mr. Egan.....
- Mr. Hughes.....
- Mr. Quinn.....
- Mr. Lester.....
- Mr. Locke.....

*[Handwritten initials]*

MEMORANDUM FOR THE DIRECTOR

RE: EFFORTS TO APPREHEND

VERNE MILLER AT CHICAGO, ILLINOIS, ON NOVEMBER 1, 1933.

The location of the apartment of Vivian Mathews, alias Vivian Miller, alias Mrs. C. T. Harris, at the Sherone Apartments, was executed satisfactorily. The Chicago office arranged a telephone tap into this apartment and placed Special Agent Madala with his wife in an apartment on the second floor at the other end of the hall from that in which the Miller apartment is located. This had been covered several days when Agent Madala observed an individual entering the apartment and greeting Bobby Moore, who is known as a close associate of Vivian Mathews, and who later called Vivian on the telephone advising of the arrival of this individual, but not giving the name, and Agent Madala felt that this individual answered the general description of Verne Miller and was probably that fugitive. Promptly upon receipt of this advice at the Chicago office arrangements were made to more adequately cover the entire apartment building.

Special Agent Guinane proceeded to the apartment with two police squads and several Agents. One squad of police was placed on Galt Avenue to cover the Galt Avenue entrance to the apartments. Three Agents were placed in a car opposite the Sherone Apartments on Sheridan Road, it being observed that the apartment faced one side on Sheridan Road, the other on Galt Avenue. Each squad car and each squad of Agents was equipped with machine guns and all Agents were armed with revolvers. The police squads had tear gas bombs. Agent Guinane stated that he proceeded to apartment 207, in which Agent Madala was temporarily residing, together with several Agents, and called for Mrs. Rogers, a stenographer in the office who was personally acquainted with Verne Miller, having formerly lived at Huron, South Dakota, when Miller was Sheriff there; that Mrs. Rogers took up a position in the kitchenette of the apartment, it having a service door opening into the corridor giving a full view of the corridor to the Miller apartment and arrangements were made whereby Mrs. Rogers, together with one Agent, would maintain a vigil in the kitchenette in order that they might notify the other Agents in the event Miller emerged from the apartment and was identified. It was also arranged for Agents Madala, Ateating, and W. A. Smith and Special Officer Kempster to remain in the Madala apartment but in a room entering upon the corridor and removed from the kitchenette in which Mrs.

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Rogers and one Agent were stationed. The plan was to have the Agent stationed with Mrs. Rogers give the signal in the event Miller was identified by chopping his right hand and stating "He's here". It is not clear from the statement as to just how the Agent in the kitchenette could be observed by the Agents in the other room. However, it must be assumed that they could see him, otherwise the chopping of the hand could not be noted. It should be stated that the service door of the kitchenette is a small affair and would not permit, of course, of a person entering or leaving the apartment. It is merely an aperture in the wall. It was planned that when the signal was given the Agents and police at the door of apartment 207 would step into the hall equipped with machine guns and other arms and intercept Miller. It should be explained further, that this door to apartment 207 is opposite the turn in the hall leading to the elevator and the steps, the elevator being beyond the steps. The vigil as above described was maintained throughout the night of October 31 and the morning of November 1.

After the meeting of Bobby Moore with Miller in the hallway Bobby Moore was observed by officers and Agents stationed on Galt Avenue approaching a Ford coupe with New York license plates and after she had some difficulty in opening the door, she entered the coupe, removed therefrom a heavy black valise and carried the same to apartment 211. Later Bobby Moore emerged from the apartment, got into the Ford coupe and drove it away. The Ford was located on a parking lot a short distance removed. An attempt was made to open the car, which was unsuccessful until a key was obtained the following morning. The door of the car was then opened and the contents of the car examined, but no identification data was obtained.

Agent Guinane states that the following morning, that is the morning of November 1, Mrs. Polachek, Resident Manager of the apartment, advised that some of the occupants of the building had complained to the police that suspicious men had been hanging around the apartments during the night. Due to this complaint the Agents were shifted somewhat in order to obviate the possibility of Verne Miller learning of the surveillance. Agent Martin and Police Officer Curtin contacted an apartment immediately adjoining the rear end of the Sherone Apartments and arranged to obtain an observation point immediately overlooking apartment 211 where Miller was then located. Agents Rice, VanWagoner and Mehegan moved their car from directly in front of the Sherone Apartments to a corner where they could observe any action taking place at the apartments with instructions to take turns walking down Sheridan Road on the opposite side of the street to the Sherone Apartments to be in an immediate position in the event anything occurred. The Galt Avenue entrance together with the fire escape, was adequately covered from the outside and at some distance from the entrances. In other words the Agents on Galt Avenue were across the street from the apartment building.

Conversations were overheard on the telephone indicating the identity of Miller. On one occasion in a telephone call from Vivian Mathews to Bobby Moore Vivian stated "Verne wants you to put away the Auburn". This information was known to all of the Agents and they were morally satisfied

of the identity of Miller and of his location in the Vivian Mathews apartment, #211.

Agent Guinane states that they planned to "crash" the apartment at 5:00 P. M. on November 1 in the event that Miller had not emerged prior to that time. This crash was to have been accomplished by a telephone call into the Mathews apartment by one of the Agents advising that the place was surrounded and directing Miller to come out into the hall with his hands in the air otherwise an assault would immediately be made upon the apartment. This plan was abandoned, however, according to Agent Guinane, after he had conferred by telephone with Acting Special Agent in Charge D. O. Smith, and, he states, after Smith had conferred with the Division at Washington by telephone.

On the evening of November 1 Special Agent Notesteen, who knows Miller, and Mrs. Rogers, who likewise was acquainted with Miller, were stationed in the kitchenette. Agent Notesteen was to give the signal in the event Miller emerged and was identified and arrangements were made for officers Freemuth and Curtin and Agent Keating to cover the left door entering the elevators in case Miller got that far and for Officer Kempster and Agents VanWagoner, Nichols and Madala to rush to the right entrance to the elevator. This statement is not clear from the floor plan of the apartment building submitted by the Chicago office. There is only one elevator space shown in the elevator foyer, the elevator being opposite the stairway. The foyer constitutes a blind alley and in it are both the elevator and the stairway, so it is not clear what is meant by stating they were covering the right and left entrances to the elevator unless there was an elevator on the same side with the stairway, but even in that event it would seem that the one squad would be sufficient to cover the entire foyer, including both elevators. Nevertheless there was without doubt a sufficient force of officers to cover the elevator foyer, including the steps.

Agent Guinane states that at approximately 8:30 Agent E. A. Smith was instructed by him to go downstairs to cover the lobby at the bottom of the stairway and also the Sheridan Road entrance and to inform Agents Fice and Lockerman, Lockerman having by that time replaced VanWagoner in the car, that indications were that Miller would be leaving the apartment and to keep a close lookout from then on.

Agent Guinane does not state so, but apparently this instruction was given after a conversation had been heard over the telephone in which instructions were given to bring Mrs. Moore's roadster to the hotel and this indicated to the Agents present that Miller would probably soon emerge from the apartment. Agent W. A. Smith stated that he immediately endeavored to leave the apartment through the door to apartment 207; that, however, Agents Madala, Keating and the police officers stationed at that door suggested

that he not immediately leave inasmuch as Bobby Moore was then leaving the apartment. Agent Smith further states that about five minutes after that time it was felt that he should not leave the apartment inasmuch as Miller might be emerging at any moment. However, it was finally decided that he should proceed downstairs. He claims that he proceeded to the elevator and took the same to the first floor and then proceeded out of the Sheridan Road entrance to the apartment, turning right on Sheridan Road to Galt Avenue where he expected to find Agents Lockerman and Rice; that he crossed Galt Avenue, proceeded down the north side looking for these Agents and that immediately he turned into Galt Avenue he observed the Auburn convertible coupe of Bobby Moore parked in front of the Galt Avenue entrance; that someone was sounding the horn and that immediately a man was seen to emerge from behind two parked cars and get into the automobile; that he also observed Sergeant Freeman, Agent Nichols and Sergeant Kempster coming out of the apartment. He saw Nichols running on the sidewalk to a position opposite the front of the Bobby Moore car, point his pistol at the occupants and yell to them to halt; that Bobby Moore immediately screamed and the car started; that he, Agent Smith, heard several shots evidently fired by Miller and also observed that Nichols fired several shots at the car. He also observed Sergeant Freeman fire several shots with his pistol and Sergeant Kempster endeavored to immediately open fire with his machine gun, which was delayed apparently due to people being on both sides of the street and, further, because of a man alighting from a car parked directly in the line of fire.

The set-up at the time that Verne Miller emerged from apartment 211 was as follows:

Agent Notesteen and Mrs. Rogers were in the kitchenette. Agents Madala, Nichols and Keating and Sergeants Freeman, Curtin and Kempster were at the door of room 207. Agent Guinane stated he had just left the group of Agents at the door to proceed into the kitchenette at the time the identification was made. Apparently the only outside guards were Agents Lockerman and Rice, who were in a car parked on the opposite side of the street on Galt Avenue and the Agents with police officers in an adjoining apartment watching the fire escape. There was no one on Sheridan Road excepting that Agent W. A. Smith had been sent by Agent Guinane to the Sheridan Road entrance immediately prior to the time that Miller stepped out of apartment 211.

The car of Agents Lockerman and Rice was parked in a direction just opposite to that in which Bobby Moore's car was headed. Right here I think it should be observed that ordinary precaution should have prompted the parking of a car by the Agents or police officers somewhere in the vicinity faced in the direction which a car would normally take in driving up to the entrance on Galt Avenue. I believe this is one of the very bad errors which occurred as when the car drove off with Miller there was no one to follow him and, as it turned out, the car was only able to drive three blocks when Miller had to abandon it and if he had been followed he could have been taken at the time of abandoning the car.

Mrs. Rogers states that she identified Miller 12 or 15 feet from the door of apartment 211 approximately sixty feet away from where she was in the kitchenette. Agent Notesteen, however, states that because of the dimness of the light in the corridor it was impossible to identify Miller at that distance and that he was only able to make the identification when Miller was approximately twelve feet away from him and this was just about at the spot where Miller turned left in the corridor to enter the elevator foyer so that when the signal was given by Notesteen and the Agents and police officers emerged from the door of apartment 207 Miller had already entered the foyer and instead of going to the elevator, had turned immediately to the left and entered the stairway, which is at the outer entrance to the foyer, the elevator being on the other side and further down the foyer.

The plan, as stated by Agent J. J. Keating, was that they should take Miller in the elevator foyer. It is not stated why they did not anticipate the possibility of Miller's turning down the stairway at the outer entrance to the foyer. It is stated that Miller apparently heard some noises emanating from room 207 as he approached and passed that point, because he quickened his pace and by the time the Agents were out in the hall he had disappeared. Agent Nichols states he heard Madala say "There he is" at the same time opening the door of the apartment, that ahead of Agent Nichols were Sergeants Freemuth, Curtin and Kempster and Agent J. J. Keating; that as they reached the stairway Sergeant Freemuth opened the door to the stairway and proceeded very slowly, at least it seemed slow to Nichols; that Freemuth was ahead of him and he could not get by; that as they reached the lobby they saw a man in a brown suit at the desk with his back to them; that they walked over to this man, inquired of his name but when he turned around they immediately recognized that it was not Miller and proceeded to the doorway. Nichols states he sort of pushed Sergeant Freemuth towards the Galt Avenue entrance; that he was kind of held back through reason of Freemuth's being in the front but at any rate he, Nichols, ran out of the doorway and saw Miller in the car; that he yelled to him to stop; that as he yelled he was running along the parkway; that the second time he yelled Miller grabbed a gun from his pocket and fired two shots directly at him; that at this point Nichols dropped to his knee and fired one shot but before he could fire another shot he had to move into the street. There was some delay here because Sergeant Freemuth was immediately behind him and he had to keep out of the line of fire from Freemuth's machine gun and from the machine gun of Sergeant Kempster. Nichols states the reason he held his fire was that he was not sure that the man was Miller and he felt that he should give him a chance to stop and surrender. Nichols further states that in his opinion if Sergeant Freemuth had moved faster they could have taken Miller before he entered the car; further, that Sergeant Freemuth withheld his fire too long as three or four seconds elapsed between the time that Miller fired at him, Nichols, and the time that Freemuth opened fire.



With reference to Nichols' statement and in justice to him it is believed that he was not warranted in immediately opening fire on the car containing Miller and Bobby Moore. He had not previously seen Miller and while he knew that he had gone down the steps and probably would enter Bobby Moore's car, he was not certain that it was Miller until Miller opened fire.

Agent Notesteen, who identified Miller, states that in his opinion the failure to take Miller was due to the fact that the door to apartment 207 was apparently partly open during Miller's passing down the corridor and according to information furnished by the police officers there was some noise and Agent Madala is reported to have stated several times to the men near the door "That's Miller". It was Notesteen's opinion that the noise coming from the door probably was overheard by Miller even before he reached that point in the hall, thus he quickened his pace and was running by the time he turned the hallway into the foyer leading to the stairway.

To sum up, it is believed that the plan to take Miller was far from perfect and the execution of the plan even more to be criticized. Sufficient information had been obtained through the telephone tap and through visual observation to indicate clearly that the man in apartment 211 was Verne Miller. This was known throughout the day of November 1st. The entrance to 211 had been under constant observation for more than twenty-four hours and it was known by all of the Agents that there was only one man in that apartment. Regardless of the question of identity it would seem to me that arrangements should have been made to intercept any man coming out of that apartment the moment that he emerged rather than await the time that he appeared twelve feet opposite the Agents and in a position to turn down the stairway, which was unguarded. Also, it is believed that the most obvious and vital points were left totally unguarded; that is the stairway and the lobby of the apartment. The apartment in which Miller was is located on the second floor. The very natural method of any person would be to use the stairway down one flight of steps rather than await an elevator but in this case it was not an ordinary person that they were watching - it was a fugitive from justice and certainly they should have anticipated that he would use the quickest means of exit from the apartment, which, in this case, was the stairway just one flight from the lobby. It is appreciated that it would have been noticed if Agents had constantly hung around the lobby or on the stairway. The Manager of the apartment building had been taken into the confidence of the Agents and it seems that some arrangement could have been made to have an Agent at the desk or in some capacity in the lobby temporarily, at least, certainly when the telephone conversation was overheard indicating that Miller would be coming out of the apartment within a very short time Agents should have covered the lobby.

Another error which occurred was the holding of Agent Smith in the apartment after Agent Guinane had ordered him to the Sheridan Road entrance. Subsequent statements obtained from Agents Guinane and Smith indicate that Agent Guinane had advised Smith to notify the gun squads of the possibility of Miller's emerging from the apartment so that Smith was within his instructions in proceeding outside of the apartment building in an attempt to notify Agents Lockerman and Rice in the machine. If Smith had proceeded at the time Agent Guinane advised him to, he would have had an opportunity to notify these Agents and then come back to the Sheridan Road entrance and would have had a good point of vantage to watch the stairway and thus would have undoubtedly seen Miller as he came down the stairway. However, the delay of from five to ten minutes caused by the Agents at the door of apartment 207, through reason of their fear that Smith might step out of the apartment just as Bobby Moore or Verne Miller came down the hallway, prevented this covering of the stairway. It seems it would have made little difference even though Smith had accidentally run into Bobby Moore and it would have been better had he run into Miller.

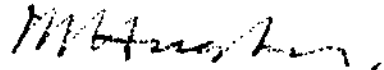
It also appears that the original arrangement to notify the Agents through the waving of a shirt out of the window of apartment 207, was not executed and thus the Agents on the street were not notified that Miller was about to come out of the apartment building. Agents Lockerman and Rice sat in their machine not more than fifteen feet away from the point where Miller entered Bobby Moore's car. They saw him but they did not attempt to intercept him because they said that they had no information that it was Miller; not at least until they saw Nichols and the officers coming out of the apartment building and Nichols firing at the car, when it was too late for them to turn their car around and attempt to follow it.

Briefly, it appears that the Agents overlooked the best opportunity to capture Miller when they permitted him to walk down the corridor on the second floor, probably overhear the noises made by the Agents as they attempted to emerge from the door and then run out of the building and enter the car and make his getaway. It is, of course, a highly dangerous proceeding for Agents to use firearms on a city street where pedestrians and motorists are constantly passing. It is further a dangerous proceeding for Agents to shoot at an individual they suspect of being the fugitive without having definite knowledge that he is the fugitive. They were dealing here with a dangerous man who has a reputation of firing first at all law enforcement officers. Those on the street could not fire first because they did not have definite knowledge that it was Verne Miller. The Agents on the second floor, however, did have that definite knowledge and if Miller had been intercepted by a squad of law enforcement officials as he came out of the door of apartment 211 he could have been held up without much fear of his retaliating or shooting first when he saw a squad of men with machine guns. If by any possible chance it was not Miller, no harm

would have been done as there would have been no shooting unless the man had fired first. The chances that it was not Miller coming out of the apartment were remote indeed.

Of course, it is very easy to criticize after an event of this sort has transpired and I appreciate, of course, the fact that hindsight is better than foresight, but I think this occasion illustrates the fact that you can wait too long and I feel that this was the trouble in this case. I do not feel that any single Agent should be censured and I do not feel that Agent Guinane, who apparently was in charge of the plan and of the Agents at the time that Miller emerged, is entirely to blame. I think that both Agents D. O. Smith and Guinane should share in any responsibility for this fiasco. They were both advised of all the circumstances. The final plan was agreed upon between them. In other words, they were to have Agent Hesteen and Mrs. Rogers make the identification. It would seem that after the name of Verne had been used over the telephone, that after the Agents knew that there was no other man in this apartment, and that after they had word that Miller would probably come out to go along with Bobby Moore in her car, they should have had enough assurance of the identity of Miller to proceed without a dangerous delay in awaiting an identification at close quarters. This particular decision on the part of the men in charge of the matter, and the fact that there was not an automobile placed at a strategic point to follow the Miller car are, to my mind, the vital errors in this particular case.

Respectfully,



V. W. Hughes.

P.S. With reference to the last paragraph on page four of this memorandum criticising the fact that the Agents had no automobile facing in the direction which a car would normally take when stopping at the entrance to the Sherone Apartments, it is difficult to determine from the several statements submitted in just what direction the Agents had their automobile facing on Galt Avenue. It is, however, clear that it was facing in a direction opposite to that in which Bobby Moore faced when she stopped at the entrance to pick up Miller. The criticism therefore is equally effective no matter on which side of the street the Agents were parked. They should certainly have had cars parked in both directions, ready to leave at a moment's notice.



# U. S. Bureau of Investigation

Department of Justice  
1900 Bankers Bldg.,  
Chicago, Illinois  
November 8, 1933.

- Mr. Nathan.....
- Mr. Tolson.....
- Mr. Clegg.....
- Mr. Egan.....
- Mr. Glavin.....
- Mr. Ladd.....
- Mr. Nichols.....
- Mr. Rosen.....
- Mr. Tracy.....
- Mr. Carson.....
- Mr. Coffey.....
- Mr. Hendon.....
- Mr. Lester.....
- Mr. Quinn.....
- Mr. Nease.....
- Mr. Gurnea.....
- Mr. Harbo.....
- Mr. Mohr.....
- Mr. Pennington.....
- Mr. Nease.....
- Mr. Gurnea.....
- Mr. Harbo.....
- Mr. Mohr.....
- Mr. Pennington.....

PERSONAL & CONFIDENTIAL  
AIR MAIL - SPECIAL DELIVERY

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DEC 7 1933

Unit One	FILE
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RECORDED

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

Dear Sir: DEC 8 1933

Reference is made to your telegram dated the third instant and to telephonic conversation had with Mr. Hughes of the Division today regarding statements to be furnished by the various agents who were in the vicinity of the Sherone Apartments on the night of the first instant, when VERNON C. MILLER, FUGITIVE, I.O. 1195, escaped.

Attached hereto please find the statements submitted by Special Agents A. E. Lockerman, J. L. Madala, J. T. Hartin and J. J. Keating.

Reference is made to paragraph two, page four, of the statement submitted by Agent Madala, wherein he refers to a conversation had with the writer on the morning of November 1, 1933, indicating his suggestion to crash Apartment 211 was disregarded. I beg to state that this suggestion was not disregarded, however, the writer and Agent W. C. Ryan had spent the majority of the night in the alley south of the Sherone Apartments and it was observed that various people, some masked, and others celebrating Halloween, were passing through the alley and on all sides of the Sherone Apartments, for which reason it was deemed dangerous to rush the apartment at night, in view of the fact that innocent people may have been killed. The writer suggested to Agent Guinane that the apartment not be crashed until a better arrangement could be made for covering the exits to the alley and the roof and a more suitable station obtained for the agents and officers, in the daytime preferably, if MILLER should escape through a window or down a fire escape. It should also be noted that the clothing bearing the initials "V.C.M." was not discovered until after Miller had escaped.

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Reference is made to the letter submitted by this Agent on November 4, 1933 in this matter, page one, paragraph two, regarding the arrangements for hanging a coat in the window of Apartment 207 in the event Miller should leave his apartment. This arrangement was effected with a view of informing the Agents outside in the event Miller should

*Memo to Director*  
*11/28/33*

leave the apartment through the east end of the corridor and thus gain access to the fire escape, which would enable him to proceed through the alleyway south or north from the Sherone Apartments. It was understood that in the event Miller should proceed down the corridor in the regular route to the elevator or stairs, the agents and officers on duty in Apartment 207 would cause his apprehension.

A memorandum is being submitted by Agent W. A. Smith with a view of setting out clearly his instructions to effect a cover on the Sheridan Road entrance of the Sherone Apartments. Inasmuch as Agent Guinane is ill today, no information was obtained from him regarding the specific instructions he gave Agent W. A. Smith, however, an additional statement will be obtained and forwarded to you immediately.

Special Agent E. N. Notesteen is forwarding a statement direct from Saint Paul today and a statement will be forthcoming from Special Agent Earl Van Wagoner tomorrow regarding his activities at the time of the escape. When the latter two statements are obtained, all agents will have been questioned who were on the assignment at the time of the escape.

For your information, a plan of the Sherone Apartments is attached hereto, which shows the location of Apartments 211 and 207.

Very truly yours,

*D. O. Smith*

D. O. SMITH, Acting  
Special Agent in Charge

DOS:THH  
Encl.



November 8, 1933.

MEMORANDUM FOR SPECIAL AGENT IN CHARGE  
M. H. PURVIS

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Re: VERNON C. MILLER with aliases - FUGITIVE,  
I. O. 1195, et al.  
OBSTRUCTION OF JUSTICE

This memorandum covers my observations and activities in connection with the escape of Verne C. Miller on the night of November 1, 1933.

On Monday evening, October 30, 1933, I was instructed by Assistant Special Agent in Charge D. O. Smith to go to Room 207 in the Sherone Apartments for the purpose of assisting in maintaining a surveillance of the apartment in which it was believed Verne Miller and Vi were located. I remained in that apartment from the above stated time until Wednesday evening, November 1, 1933, at approximately 8:00 P. M., at which time Special Agent E. P. Guinane instructed me to relieve Special Agent Earl Van Wagoner, who had been stationed in a Ford Sedan located within the close proximity to the fire escape of this apartment building. Special Agent Van Wagoner had been at that post of duty for about 12 or 14 hours. There was stationed in this same Ford Sedan Special Agent J. H. Rice. Agent Rice was seated in the back seat of this sedan and had with him a machine gun. I was seated in the front seat. Agent Rice informed me that the instructions for the occupants of that car were that we were to maintain a close surveillance of the fire escape, since that was a possible avenue of escape for Miller, and that we were also to maintain as much as possible a surveillance of the Galt Street entrance of the apartment building, but he (Rice) stated he had been informed that it was not possible that Miller would be able to get to the lobby of this building.

At approximately 8:30 P. M. I observed Bobbie Moore come out of the Galt Street entrance of the apartment building, accompanied by two small girls who appeared to be approximately 12 or 13 years of age. She walked to the corner of Sheridan and Galt Street and waited there with the children until it was possible for them to safely cross to the other side of the street, which they did, Bobbie Moore remaining at the corner of Galt and Sheridan.

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After she watched them safely across the street, she (Bobbie Moore) returned to the Galt Street entrance of the apartment building and stood there for possibly one or two minutes, apparently watching the parking lot across the street. While she was standing there a cream colored coupe drove into the parking lot and Bobbie Moore walked across the street and entered this car. At that time Agent Rice and myself remarked, practically simultaneously, that she evidently was meeting her boy friend, but we then observed that she got in this car behind the wheel, and that the garage man got out of the car, and that she then drove this cream colored coupe with a canvas top to the Galt Street entrance of the apartment building and parked in the street directly opposite this entrance. As I recall the events following the time that she parked there, I am of the opinion that she opened the right hand door of the car and started blowing the horn. Agent Rice asked me if I could distinguish the license number of her car, and I stated to him that the lights of her car were so blinding that it was impossible to see the license number, and we both remarked that she evidently was waiting for her boy friend. I personally thought she was possibly waiting for Larry Biddeman. At that time we had not been contacted by anyone advising us that information had been received that the man believed to be Verne in the room with Vi was going to leave the apartment and come downstairs. Consequently, we did not know what was about to take place. The fact, however, that Bobbie Moore was waiting for someone caused us both to become somewhat suspicious, and I at that time removed my revolver from its holster and was holding same in my hand.

After Bobbie had been waiting at the Galt Street entrance for possibly thirty seconds, we both observed a man on this street directly in front of the Galt Street entrance. It was impossible at the time we saw him to definitely say whether he came from the Galt Street entrance or the Sheridan entrance. This man was not running at the time but he was walking very rapidly and had both hands in his overcoat pockets. He stepped from the sidewalk between two cars, and we could tell that he was fixing to enter Bobbie's car. From the description of the man in the room with Vi, believed to be Verne Miller, and the fact that this man was evidently about to get in the car with Bobbie Moore, Rice and myself both remarked at practically the same time that "That looks like the man". We were able to get a very good profile view of the man, who turned out to be Verne Miller, and we could tell that he was wearing horn rimmed glasses, and that he had a bushy mustache. His hat was a flap brimmed style that was pulled

down well over his eyes, obstructing the view from the middle of his nose up. As previously stated, the door to the car had been opened by Bobbie, and this man with his right hand in his overcoat pocket stepped into the car. As he was getting into the car, we noticed Sergeant Frank Freemuth and Special Agent Lou Nichols coming out of the Galt Street entrance of the apartment building. We also noticed that both of these men had revolvers in their hands, and just as Bobbie's car with Verne in it pulled off, we heard agent Nichols holler something like "Halt" or "Stop that car". At that time the car was practically opposite the car in which we were sitting, going in an Easterly direction. I immediately opened the right hand door of this sedan in which we were sitting, and stepped into the street and leveled the revolver in the direction of the car and shot one time. Agent Rice, as I recall, got out of the back of the car approximately the same time. By that time agent Nichols and Sergeant Freemuth and Sergeant Kempster, who had started running in the direction of the car, had entered the middle of the street behind Bobbie Moore's car, and had opened fire in the direction of the car. It was impossible then for Rice or myself to continue fire upon Bobbie's car. Therefore, no further shots were fired. Our car was parked between two other cars possibly 40 feet from where Bobbie Moore had stopped her car in front of the Galt Street entrance, and our car was headed in a Westerly direction. It was impossible, after we became aware of the fact that they were trying to stop that man, to get back into the car, start it and get it out from between the two cars and turn it around to an Easterly direction and give chase to Bobbie's car, for the reason that by that time they were completely out of sight and nothing could be done as far as giving pursuit in the car in which we were parked.

We had not received any information that the man in the room with VI had been identified as Verne Miller, and as previously stated, we had no information that it was known that he was coming out of the apartment.

Respectfully submitted,

A. E. LOCKERMAN  
Special Agent

AEL:AB  
62-1649

Chicago, Illinois  
November 8, 1933.

PERSONAL & CONFIDENTIAL

MEMORANDUM FOR SPECIAL AGENT IN CHARGE M. H. PURVIS:

I wish to submit the following concerning the escape of VERNON C. MILLER from the Sherone Apartments on the night of November 1, 1933:

On Saturday, October 28, 1933, immediately after Special Agents E. P. Guirane and J. J. Keating received information from Mrs. Polachek, Manager of the Sherone Apartments, as to the positive identification of the party living in Room 211 under the name of Clara T. Hayes, being VIVIAN MATHIS, the paramour of Verne Miller, I was instructed by Acting Special Agent in Charge D. O. Smith to proceed to the vicinity of the Sherone Apartments and make inquiry at neighboring apartment buildings in an endeavor to obtain an apartment from which a good view could be had, through the window, into Apartment 211 at the Sherone Apts, occupied by Vivian Mathis; however, no such apartment was available and on reporting this information to Mr. D. O. Smith by telephone, I was instructed by him to report to the office.

Upon my arrival at the office, I was informed by Special Agent Keating that he had just completed arrangements with Mrs. Polachek to get me into Room 207 at the Sherone Apartments. I accordingly registered there with my wife, as Mr. and Mrs. John L. Malleck, of Buffalo, N.Y., indicating to the hotel management that I was employed as a traveling auditor and that my stay in Chicago was indefinite.

For your information, my apartment was in the same corridor as Room 211, but on the opposite side; further, the corridor in that wing is approximately sixty feet long, Room 211 being on the far east end of the corridor and my room on the extreme west end, about fifty feet apart. The door of my apartment, which opened on to the corridor, was so situated as to enable a person to observe anyone entering or leaving any apartment in that wing.

My wife and I maintained surveillance on Room 211 all day Sunday and Monday, October 29 and 30, 1933, but no one was seen entering or departing from that room on either day. On Tuesday Morning, October 31, 1933, about 7:30 A.M., Agent L. D. Nichols, temporarily assigned to this

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office, placed a tap on the house telephone of Room 211 and ran the reception to my apartment. At 10:30 A.M. that day, from the window of my apartment I observed Bobby Moore and Vivian Mathis depart from the hotel in Miss Moore's Auburn Convertible Coupe and saw them again when they returned to the hotel about 1:00 P.M. that afternoon. It was at this time that I obtained a good look at Vivian and positively identified her as VIVIAN MATHIS, the paramour of VERNON C. MILLER. I immediately reported this identification to Special Agent E. P. Guinane, by telephone.

About 4:30 P.M. that day, while I was listening in on the tap in the living room of my apartment, I heard a commotion in the corridor just outside of my door. I hastened to the door to investigate and on looking through an opening of about a half inch, provided by a ventilator shutter on the door, I observed Bobby Moore run down the corridor towards Vi's apartment yelling and subsequently heard the following conversation, apparently between Vi and Bobby Moore:

Bobby: He's here, Vi, he's here!  
Vi: Where is he, Bobby, quick tell me where is he?  
Bobby: He is downstairs. I told him you had a lot of children in your apartment and that you would be downstairs just as soon as you could get rid of the kids.

(Note: Vivian had a Halloween party in her room which was attended by about six children.)

Vi: How does he look Bobby?  
Bobby: He looks just grand. I told him you had been blue and crying all day.  
Vi: Tell him I will be down in a few minutes.

About this time, I observed, through the small opening in the door to my apartment, a man walking past my door. I was so intent on listening to the conversation between Vi and Bobby that I had not noticed this man until he was opposite my door. From my point of observation, I noticed he was light complexioned, had a sandy, bushy mustache and wore horn-rimmed glasses, and that his general facial features closely resembled those of VERNON C. MILLER; also, the physical description of this man tallied with that of Miller, except that he was about ten or fifteen pounds heavier. As this man walked down the corridor towards Vi's apartment, I observed Bobby Moore, who was coming from that room, greet him in the hallway. She threw her arms about his neck, kissed him and said she was very glad to see him again. She also mentioned the



fact that Vi had been crying all day and felt sort of blue, as she had not heard from him for a long time. I endeavored to get a look at this man as he and Bobby turned downstairs, but was unable to do so, as Bobby still had her arms about his neck and she was between him and my point of observation. I did, however, notice that this man had sandy hair, as I got a good look at the back of his head as he was walking away from the direction of my door.

I immediately proceeded to the corner drug store and reported to this office the above information, at which time I talked to Special Agent Guinane and told him the man so closely resembled Verne Miller that I was almost positive it was he. Mr. Guinane advised he would proceed to the Sherone Apartments at once and instructed me to continue my surveillance.

Upon returning to the apartment, I observed a Ford Coupe, with New York license plates, parked opposite the Galt Street entrance to the Sherone Apartments and the lights on this car were still burning. I attempted to copy the license number but just then noted Bobby Moore coming out of the building and not wanting to arouse her suspicion, I proceeded to walk down the street, around the block and back to the apartment.

I wish to state here that I more or less kept a mental record of all the cars parked along the street by the Sherone Apartments and having looked over the cars on the street just prior to the entrance of this man, I thought perhaps this Ford automobile belonged to him. After I returned to my room, I continued to listen in on the tap and about 5:15 P.M., Agent Nichols came to the apartment to assist me. At 6:15 P.M., Special Agent E. P. Guinane and Mrs. Doris Rogers, Stenographer, Chicago Division Office, reported to the apartment and I again discussed with Mr. Guinane what I had observed that afternoon. When Agent Keating made his appearance at the apartment, I asked him for a photograph of Verne Miller and after studying it for a few moments, I told both Agent Keating and Agent Guinane I was positive as to the identification of this man being VERNON C. MILLER.

At 7:30 P.M., Vi, who with Verne Miller was apparently in Room 101, Bobby Moore's apartment, called Bobby Moore in Room 211 and said - "Miss Moore, Verne wants you to put the Auburn away."

Mrs. Rogers received this call over the tap and she immediately reported the conversation to me. Agent Nichols, who was also in the room at the time, was also notified as to this conversation. Subsequently, Agent Guinane and Agent Keating entered the apartment again and I informed

them of the conversation overheard by Mrs. Rogers. It was at this time I suggested to Agents Guinane and Keating that we immediately crash Vi's apartment, with a view to apprehending Verne Miller, as I was positive of his identification; however, no action was taken on this suggestion.

About 7:00 P.M., while I was maintaining surveillance through the small opening in my door, I observed Bobby Moore coming from downstairs, carrying a large gladstone bag and a man's topcoat, and proceeded with same to Room 211. About fifteen minutes later, one of the Agents, whose name I don't recall, reported that he had observed Miss Moore take this grip from the Ford Coupe, bearing the New York license plates, parked in front of the Sherone Apartments, and carry it into the hotel; that she subsequently returned and drove the car to a parking lot across the street. It was at this time that I suggested, as a last resort to positive identification, that the car be broken open in an effort to ascertain if any effects in the automobile would show that this man was Verne Miller; however, no action was taken with regard to this suggestion until late Wednesday afternoon, when Special Agent J. T. Hartin and a squad of police officers obtained a key which opened the door of this Ford car and they examined everything in the car. Agent Hartin reported to Special Agent Guinane, in my presence, shortly thereafter, that the contents found in this car bore no indication that the owner of the car was Verne Miller. It was subsequently discovered, after Miller's escape, and after a thorough examination had been made of the clothes in the trunk contained in this car, that two of the shirts and one pair of pajamas bore the initials "V.C.M."

At 2:00 A.M., Wednesday morning, November 1, 1933, Acting Special Agent in Charge D. O. Smith reported to Room 207, where six Agents and two police officers were on duty and at this time I again fully discussed the entire situation with him and again suggested that we immediately crash Room 211, because of the fact I was positive that the man in that room with Vi was Verne Miller; however, no action was taken in this regard and the suggestion was disregarded.

Up until this time, I wish to state the following reasons why I thought the man in Room 211 with Vi Mathis was Verne Miller:

- (1) My positive identification of Vivian Mathis, as the girl living in Apartment 211.
- (2) My almost positive identification that this man was Verne Miller, inasmuch as the general appearance and physical description of the man tallied fully with that of Verne Miller.

- (3). The telephone conversation overheard on the tap by Mrs. Rogers - "Miss Moore, Verne wants you to put the Auburn away."
- (4). Information received from the New York Division Office that upon tracing the license plates and the automobile of this man, indications were that the party who purchased same answered the description of Verne Miller.
- (5). The fact that this man stayed in Room 211 with Vi all night.
- (6). The elimination of all the other boy friends of Vi and the fact that this man was intimately acquainted with Bobby Moore.

Note: Our information was that Verne Miller had murdered Bobby Moore's husband, Jack Harris, at her request.

On Wednesday afternoon, November 1, 1933, a general discussion was had in Room 207, in the presence of the police officers and Agents, and it was the consensus of opinion that we crash into Room 211 at 5:00 P.M. that afternoon. Special Agent Guinane drew up a plan, assigning certain agents and officers to vantage points which completely surrounded the apartment in question; further, it was decided that a telephone call be placed to Room 211 and to notify whoever answered this call that we knew Verne Miller was in there and to ask him to come out and give himself up; further, if he did not come out peacefully, we were to inform him we had the apartment completely surrounded and were going to go in and take him out.

At 4:15 P.M., that afternoon, when all of us were in readiness to crash Room 211, we were notified that the Director had issued instructions not to enter the room until the man was more positively identified.

With regard to Miller's escape, I am unable to furnish very much detailed information, except that I was instructed by Special Agent Guinane to open the door of my apartment, leading into the corridor immediately after Special Agent E. N. Notesteen gave the signal that he had positively identified Miller. I fully complied with these instructions

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and I am unable to state how Miller escaped, except what information I have received through conversation with the Agents and Officers that gave chase down the stairs and out of the hotel.

Respectfully submitted,

*John L. Madala*

JOHN L. MADALA,  
Special Agent.

JLM:THH

November 8, 1933.

MEMORANDUM FOR SPECIAL AGENT IN CHARGE M. H. PURVIS

In re: CHICAGO FILE NO. 62-1649

On November 1, 1933, the writer, accompanied by officers Pidgeon, Lynch, Curtin and Donovan, was in the police car on Galt Street, directly opposite the fire escape and alley way of the Sherone Apartments, facing West. At about 3:00 P.M. the same date Special Agent J.J. Keating contacted the writer and advised the writer that several complaints had been received in the neighborhood regarding men sitting around in cars exposing guns. Keating stated that we were not to remain there any longer. In accordance with instructions, the car was pulled out of Galt Street, and this Agent, accompanied by officer Curtin went to apartment 207, Sherone Apartments.

While at Apartment 207, this Agent, together with Agent, Keating, Sergeant Kempster of the State Police, Officer Curtin and Special Agent E. F. Guinane discussed as to whether or not it would be advisable to surround the Sherone Apartments and to call Apartment 211 on the phone, ordering Verne Miller, if he were there, to come out with his hands up. It was decided at this time that this should be done. Special Agent Guinane then advised this Agent to have a key made for Verne Miller's car, which was parked on a parking lot directly opposite the Sherone Apartments, to open same and ascertain whether or not there was anything in the car that would indicate that it belonged to Verne Miller. He also advised that this Agent was to try to make arrangements to get into a second floor apartment directly opposite apartment 211, Sherone Apartments and in the rear of the Sherone apartments. Agent Guinane also advised this Agent after these arrangements had been made to call Acting Special Agent in Charge D. O. Smith on the phone and advise him as to the arrangements and the possible taking of Verne Miller at 5:00 o'clock.

In accordance with the above instructions, this Agent procured a key for the car, and in company with Officer Donovan opened the same. There was found therein a Corona typewriter, a brief bag containing several eyeglass cases, a golf bag containing about twenty golf clubs and a trunk containing some clothing and a suit of clothes manufactured by the Sax Company of New York. The car was then locked and arrangements were made to procure the apartment in the rear of the Sherone Apartment house so that a watch could be kept on the rear and side windows and the fire escape leading from Verne Miller's apartment.

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This Agent, in company with officer Donovan contacted Mr. F. L. Ray, 945 Galt Street. Mr. Ray is the occupant of the second floor apartment rear at this address. Agent asked Mr. Ray whether or not he would object to several officers and this Agent watching the Sherone Apartments from this apartment, and he stated that he was glad to cooperate and would do everything possible for any men who desired to come in there. After this arrangement had been made this Agent called Acting Special Agent in Charge D. O. Smith on the phone and advised him that it had been agreed between Special Agent Guinane and the others at the Sherone Apartments that we were to take Verne Miller at 5:00 P.M. Acting Special Agent in Charge D. O. Smith stated that it would be all right to take Verne Miller's apartment at 5:00 P.M., provided positive identification could be made. He also stated that he would leave further action to the discretion of Special Agent Guinane.

This Agent then proceeded to Apartment 207, Sherone Apartments, and advised Special Agent Guinane of what had taken place and it was then agreed that this Agent should contact Agent Ryan, obtain a machine gun from him, and bring it up to the back way of the apartment occupied by F. L. Ray. The machine gun was procured from Special Agent Ryan by this Agent and brought up to the Ray apartment.

This Agent then contacted officers Donovan, Pidgeon, and Lynch and together with them went to the Ray apartment. Officer Lynch, with a machine gun, covered the two rear windows of Verne Miller's apartment. Officer Donovan covered the side window of Verne Miller's apartment, and this Agent, together with officer Pidgeon covered the fire escape and alley way leading from the hallway adjacent to Verne Miller's apartment. This Agent and officers Lynch, Donovan and Pidgeon were in the above positions for about two hours when revolver shots were heard on Galt Street, which is about fifty feet from the apartment occupied. The first four shots were heard at intervals of about three seconds, and then a machine gun was heard, and in the opinion of this Agent about sixteen to eighteen shots were fired from the machine gun. The writer and the officers referred to above remained in the same positions for about five minutes, at which time this Agent advised the officers to remain in their positions and to still cover the spots assigned to them, while this Agent ran down-stairs into the street.

When this Agent arrived on the street there was a large crowd gathered there and this Agent observed Special Agents Lockerman

- 3 -

and Rice seated in the car directly opposite the alleyway and fire escape on Calt Street, leading from the Sherone Apartments. This Agent then contacted Special Agent Lockerman and asked him what had taken place and he stated that Verne Miller had come out of the side door of the Sherone Apartments, passed his car in his Auburn automobile and had proceeded down the street and was shot at by Special Agent Nichols and Sergeant Kempster of the State police.

Respectfully submitted,



J. T. HARTIN,  
Special Agent.

JTH:MG

Chicago, Illinois,  
November 8, 1933.

MEMORANDUM FOR ACTING SPECIAL AGENT IN CHARGE D. O. SMITH:

Reference is made to my memorandum of November 4, 1933, relative to the events which took place at the Sherone Apartments on the evening of November 1st, 1933, at which time an effort was made to apprehend Vern Miller.

As indicated in the second paragraph of that memorandum the writer understood Special Agent Guinane to instruct him to proceed from Apt. 207 to the Sheridan Road entrance of that building and keep that entrance covered in the event there was some slip upstairs and that an exit should be made at that entrance. As is further indicated in that memorandum agent was unable to leave the apartment immediately and during the period of waiting there was some discussion among the various agents in the room to the effect that Agents Lockerman and Rice, who were located on Galt Avenue, opposite the area way back of the Sherone Apartments, should be contacted; consequently, after agent descended from Apt. 207 he proceeded out the Sheridan Road entrance and over to Galt Avenue, with the intention of contacting Agents Lockerman and Rice, but Vern Miller had proceeded out of the apartment and gotten into the waiting automobile immediately after agent's exit from the apartment so that agent was unable to reach Agents Lockerman and Rice before the police officers and other agents came out of the Galt entrance and started to fire upon the car in which Miller was driving away.

As agent understood his instructions he was to cover the Sheridan Road entrance and he did not receive any specific instructions to contact anyone downstairs, although after the original instructions to cover the Sheridan Road entrance had been given there was a discussion concerning the advisability of contacting any agents which might be stationed in Galt Avenue and consequently agent went down and after observing that there was no one in the vicinity of the Sheridan Road entrance, he proceeded around into Galt Avenue.

Respectfully submitted,

*W. A. Smith*

W. A. SMITH,  
Special Agent.

WAS:GVT

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Chicago, Illinois,  
November 8, 1933.

Memorandum for Special Agent in Charge M. H. Purvis:

Re: VERNON C. MILLER, with aliases, FUGITIVE,  
I.O. #1195, et al,  
OBSTRUCTION OF JUSTICE (Endeavor to Deliver  
Federal Prisoner Frank Nash).

It has definitely been established that Vivian Matthews, the paramour of VERNON C. MILLER, had been occupying Apartment 211, under the alias of Mrs. Clara Hays, since August 27, 1933. At about 6:20 p.m. on October 31st, 1933, a man entered this apartment who answered the description of the fugitive Miller, although his identity had not been definitely established.

On the afternoon of November 1st, 1933, Special Agent E. P. Guinane, who was one of the supervisors of this investigation, after a conference with various police officers and agents decided to raid Room 211 at the Sherone Apartment Hotel at five p.m. on said date. Sometime before five p.m. Agent Guinane advised all persons present in Room 207, Sherone Apartment Hotel, that the raid was not to be instituted at five p.m. due to the fact that instructions had been received from the Director not to raid Apartment 211 unless positive identification of Miller had been made and that if positive identification had not been made within twenty-four hours, then to raid same. At about 8:15 p.m. November 1st, 1933, from conversations heard over the telephone between Bobbie Moore and Vivian Matthews, it appeared that possibly the man believed to be Miller would leave his apartment for a trip somewhere. All agents and police officers in Room 207 received instructions from Special Agent Guinane to hold themselves in readiness to take Vernon C. Miller in the elevator foyer on the second floor of the Sherone Apartment Hotel in the event that the man who was occupying 211 was positively identified as Miller.

This agent had instructions, if Miller was positively identified, to immediately leave Apt. 207 with Sergeants Freemuth and Curtin of the Chicago Police Department and to follow the fugitive to the elevator foyer door which was nearest Miller's apartment. Other agents were designated to enter the elevator foyer through another door at the same time.

At about 8:30 p.m. Miller was passing Room 207 and entering the elevator foyer he was positively identified by Agent Notesteen. On signal of identification Agent Medala immediately opened the front door and agent followed his instructions and got on the elevator foyer with the

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police officers in a period of about two seconds. Miller was not in the foyer and apparently had taken the staircase to the lobby approximately five or ten seconds before. Agent immediately proceeded to the lobby of the Sherone Apartment Hotel where Sergeant Freemuth of the Chicago Police Department covered a man at the office desk who from behind appeared to be Miller. Agent immediately pushed a revolver into this man's ribs, turned him around, determined he was not Miller, and then with Sergeant Freemuth and Sergeant Buck Kempster of the Illinois State Police, who was carrying a Thompson Sub Machine Gun, rushed out the Galt Street entrance in search of Miller. Upon arriving on the sidewalk agent observed Special Agent Nichols in the center of the highway, revolver in hand as if he had shot or was taking aim at some object. Agent rushed with the machine gunner to the middle of the street and within a couple of feet from where Agent Nichols was standing. At this moment the automobile of Bobbie Moore was about fifty feet away and going down Galt Avenue at a fairly rapid speed. Sergeant Kempster, who was carrying the machine gun and who was within a couple of feet of agent, immediately dropped on his knee and opened up with a machine gun. Agent endeavored to follow the automobile in question and ended up with other agents and police officers at Clarendon Avenue, which is approximately three blocks from the Sherone Apartment Hotel.

Agent did not have an opportunity to shoot at the fleeing automobile due to the fact that when he reached the middle of Galt Avenue the car was moving at a fast pace and already some distance away. The neighborhood was congested with automobiles and reckless shooting would possibly cost the lives of innocent passers by.

Respectfully submitted,

  
J. J. KEATING,  
Special Agent.

JJK:GVT



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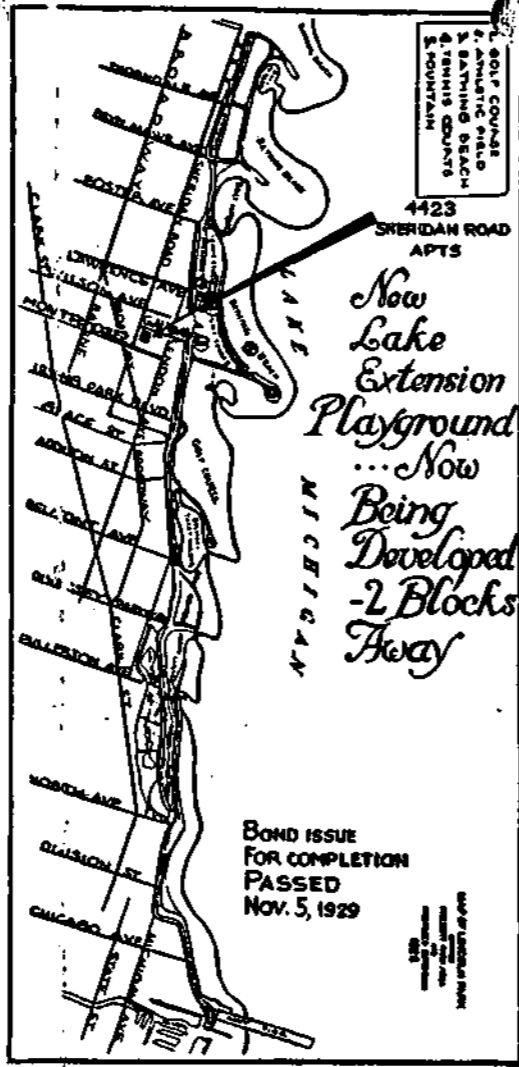
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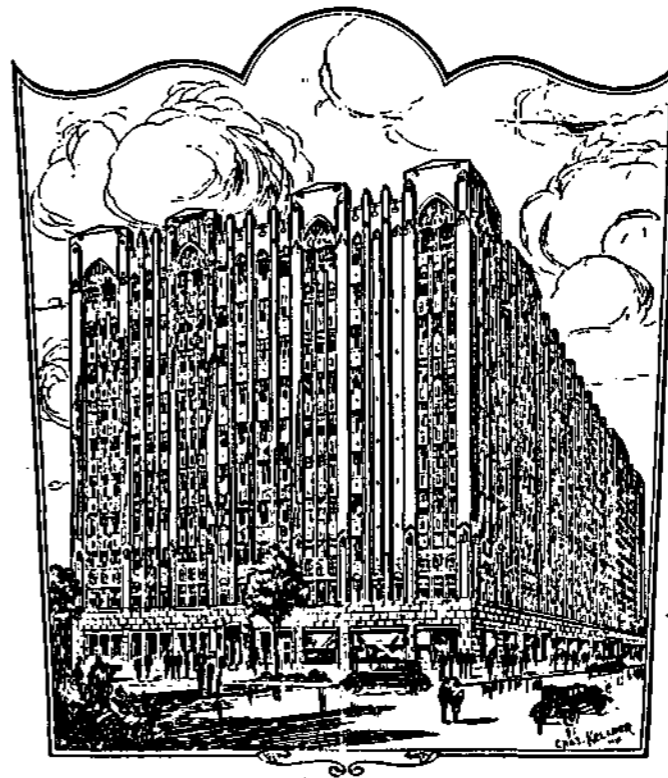


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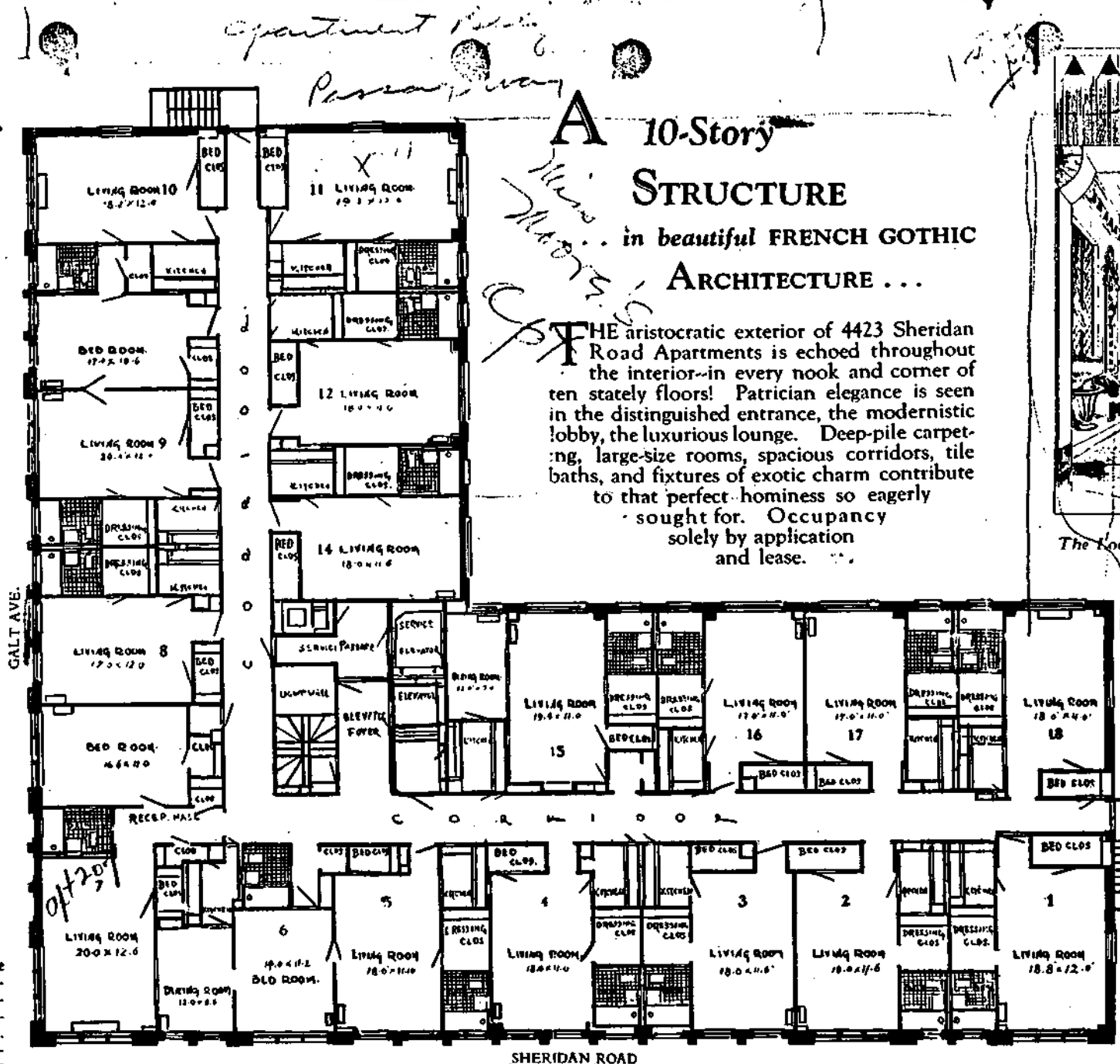
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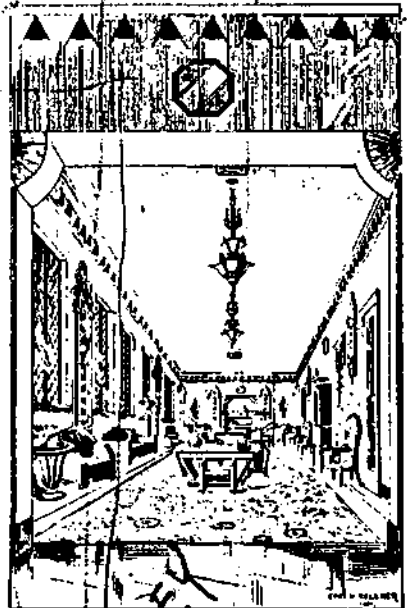
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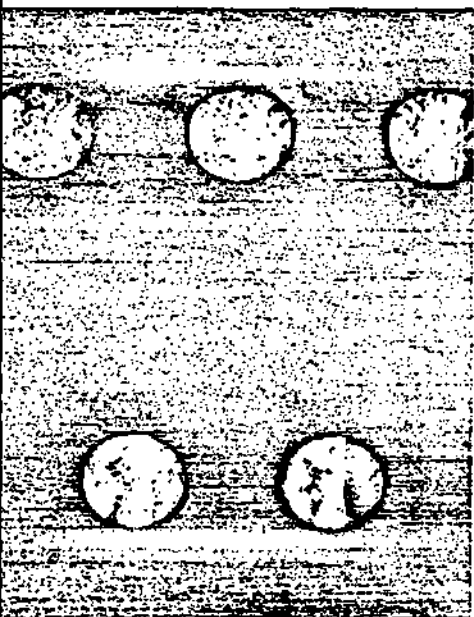
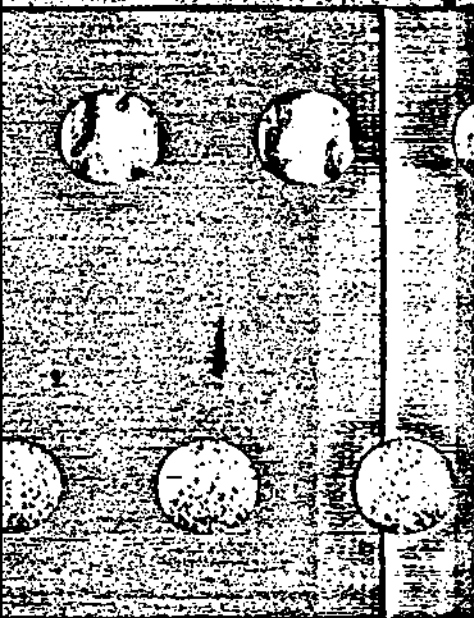
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