

call had come from a pay station located in the name of the Pacific Telephone & Telegraph Company, a public booth at the corner of First and San Antonio Streets, in San Jose, California; that the call had come in at approximately 7:12 p.m., and the number of the phone at the pay station was Ballard 2493; that the second call had been set up at 7:18 p.m., just a few seconds before this advice from her, the operator, to Agent, and had come from a public pay station booth located in Fuggins Drug Store, corner of 10th and Santa Clara Streets, number Ballard 7521.

Inasmuch as the telephone facilities at the Hart residence consist of one telephone, main line and two extensions, the main line terminating at the foot of the staircase in the large hall reception corridor on the first floor, and one extension terminating in the upstairs front bedroom immediately adjoining Brooks Hart's room, and the other in the kitchen, it was the usual practice for Agents or Deputy Sheriff Hicks to monitor incoming calls from either the main line or the upstairs extension. The staircase to the second floor is open and ordinarily a voice on the main line phone on the first floor can be heard at the upstairs extension when the doors to the bedrooms are open. It was believed important in monitoring these calls that the person answering and the person monitoring have the receiver of their respective phones at the same time, simultaneously, in order that they can both hear what the voice was saying to the party calling. It having been noted that if this was not done a very noticeable click was heard when the telephone in on the call or did not ring therefore made arrangements with Mrs. A. B. Cohn, who was assigned to answer all incoming calls, to go to the main line phone on the first floor, give Agent opportunity to get into position, and then that she count aloud in a volume audible to Agent "One, two, three", the receiver then being removed at the same instant by Mrs. Cohn and ignition of the count of "Three".

At exactly 7:18 p.m. the telephone rang, and was answered on the main domestic line by Mrs. Cohn, answering the upstairs extension by Agent at the count of "Three" by Mrs. Cohn, Mrs. Cohn said "Hello", and a voice answered "Is Mr. Hart there?" Mrs. Cohn answered "I'll see", "Just hold the wire", and after a short time the domestic phone, the Agent heard from the upstairs extension, the following conversation:

"Voice": "Is this Mr. Hart?"

Mr. Hart: "Yes."

"Voice": "Mr. Hart, we have our serial number in your vision

camera this afternoon."

Mr. Hart: "Yes, it was there, I can't drive."

"Voice": "Mr. Hart, we got Charley O'Brien, of some member of your family and leave P.D.Q.!"

Mr. Hart: "I can't drive, I'm in no physical condition."

"Voice": "Mr. Hart, I want your answer, yes or no, will you come?"

Mr. Hart: "I am willing to deal with you, but I am not in the

power to get a car right now, but I am willing to leave now."

Voice: "Get Charlie O'Brien or some member of your family with you right away, and start P.D.Q., and have the rumble-seat of the car down and drive."

Mr. Hart: "I don't know whether I can get Charlie O'Brien to do or not."

Voice: "Well, I don't care, you get Charlie O'Brien or some member of your family and go P.D.Q."

Mr. Hart: "I want to deal with you to be fair, but I can't do. I'll can't get somethin' that will be satisfactory to you as a go-between?"

Voice: "Well, who would he get?"

Mr. Hart: "I don't know, somebody you know, or I can name somebody."

Voice: "Mr. Hart, I've got orders from Headquarters, and this is the last time - this is your last chance, that's all I can do. Still you get Charlie O'Brien and go on now. If you won't now it'll be just ~~two~~ ~~one~~ more time."

Mr. Hart: "No, I won't go, I haven't any assurance that you have the boy. Can't you give me some assurance?"

Voice: "We have your boy. Mr. Hart, I am sure of the boy's health. From the letters you received, you remember the long car trip afterwards."

Mr. Hart: "Yes, I received them."

Voice: "Well, you get Charlie O'Brien and leave P.D.Q."

Mr. Hart: "Well, there shall I meet you?"

Voice: "Follow the instructions of the letter of the 15th of June. We have decided to have the boy leave San Francisco at 10 P.M. on the 16th of June."

Mr. Hart: "Then I have got to go by 10 P.M. on the 15th."

Voice: "The driving of your car will be taken charge by one of our men up your boy at once."

Mr. Hart: "I have no objection, but may I have some assurance that full protection will be given?"

Voice: "Mr. Hart, we have full protection and you get away."

The party at the other end of the phone hung up.

After the telephone conversation, the above communication was made to the Office of the United States Attorney, San Francisco, California, and the original notes are being incorporated in the San Francisco file in this case.

While the above conversation was in progress, Deputy Sheriff Bay Hicks answered the private wire in the second floor rear room, which Agent heard ringing, a moment after the above conversation started; Deputy Hicks advised Agent upon interview later that the operator had the call above not yet traced to a pay station phone at 223 South Market Street, in San Jose; that he, Hicks, immediately got in touch with Sheriff E. J. Berg, and conveyed the information as to the location of instant call to him, and the Sheriff telephoned for the location at once; that at this time immediately called Special Agent in Charge Mitterli at the St. Claire Hotel; was in immediate touch with the dernière, voice, is not sure whether it was Captain or Courier; that he directed him to the location of the call, advising it was coming from a spot only a block from the Hotel St. Claire.

Some half hour after the above conversation, or at about 8:45 p.m., Special Agent in Charge County called Agent in agent's private wire in the Hart home, and advised that they had arrived at the 223 Market Street address _____ with _____, who _____ had caught the man making the call; the 223, Special Agent in Charge County desired to put this man, that had been picked up, on the wire, and let him talk with this Agent without disclosing his identity, to discover if it was the same voice that had called Mr. Hart earlier that evening.

Agent heard Special Agent in Charge County talk with persons he had close to him, and the special Agent in Charge County advised was the same man picked up at the phone booth, who was wanted to talk to him. Agent then heard up to a point when this person began to speak a voice which was positively no doubt the voice of a man, some 30 to 40 years old to the best of my knowledge, that is the same voice to which the Agent very distinctly listened to in connection with the part, noted above, which conversation is well demonstrated below, lasted some 11 to 12 or 13 minutes, and gave Agent Berg a good opportunity to familiarize himself thoroughly with its tone, type of pronunciation, speed of speech, accent, inflection, modulation and general. The voice noted during the conversation with Mr. Hart had not been rough, but rather soft, low-toned, etc.

MILIAM KURT, who had gotten the 11th of those calls, also advised to the police at this time, he did not know who was responsible for this the voice that had apparently been in the vicinity of San Jose.

Telephone operator's name who set up call at 7:15 were the girl on duty at G.M.C. and the calling other operator, who supervised and advised that this call was made at six seconds to G.M.C. and 1600-1700 minutes. F. Hawkins, United Special Agents on the Pacific Telephone & Telegraph Company, San Francisco, can furnish names of which the local _____ company operates.

Immediately upon receipt of the telephone call from Special Agent W. R. Ramsey, Jr., reciting that an individual was again contacting Mr. Hart's home, Agent rushed to that vicinity, and arrived there simultaneously with Sheriff Daig, and Under Sheriff Hamilton, where Subject Thurmond was taken into custody. He was brought back to the St. Claire Hotel, and later to the office of Sheriff Daig. He was interrogated briefly by Sheriff Daig, and stated he did not know why he had been arrested; that he was a good boy, had attended church regularly; that his parents were well known in San Jose to Sheriff Daig. He added he had been attending a show, and could not have at all been mixed up in this case.

However, he finally admitted that he had placed the telephone call from the garage in question to the home of Mr. Hart, and stated that that was his only connection, and he did this in a moment of foolishness, stating he had been in love with a girl for a number of years, and this girl had turned him down about a year ago, and he had seen this girl on the streets in San Jose that afternoon, and as a result did not know what to do. While at the theatre he had heard two persons discussing the funeral "X" in the window of Hart's store, and he got the foolish notion in his head he should call Mr. Hart, and demand ransom for the return of his son. He denied any further connection, however.

Accordingly, about 8:00 p.m., the same night, when this Subject failed to make any further admissions, special agents Conroy and Anderson questioned Subject on a few points, and laid the proper indictment for further questioning. —————— Upon Subject Thurmond the attorney and desirability of telling the whole truth in this matter. Accordingly, in the presence of Chief of Police Black, Sheriff Daig, Under Sheriff Hamilton, Special Agents Conroy and Anderson, Agent Ferrelli undertook the questioning of Subject Thurmond, who related a lot of foolish tales, but gradually, step by step, he was taken back over every detail that had been disclosed, finally admitting the phone call to Charles O'Brien, then admitting mailing the letter to Mr. Hart regarding the funeral "X", then after being given further instructions and under further prolonged questioning, he finally admitted the mailing off the post card from Sacramento, to "Terri". Then steadily step by step he walked back over the entire matter again, and under close grilling admitted the whole story to the fact that he was the author of the letter of November 2, 1933, wherein he threatened the family of the kidnapper of their son, and the fact that they were holding him for \$40,000.

When these admissions were finally secured, and naturally the last admission regarding the telephone call from San Francisco, he, naturally, even knew Hart had been kidnapped, and before this Division had ever been called into the case, it was apparent then, of course, that the person who really was in on the kidnapping, because no one else even knew at that time that Brooks Hart, the victim, had been kidnapped.

This Subject was thoroughly questioned from eight o'clock Thursday night, November 16, 1933, until about 2:30 a.m., Wednesday morning. This Agent was assisted materially in the aforementioned examination of Subject Thurmond by Special Agent in Charge Conroy, and Special Agent Harold Anderson, and as a result of perfect coordination, at about 2:30 a.m., November 17, 1933, after six and one-half or seven hours, he finally admitted that he had been mixed up in this scheme to kidnap Brooks Hart, and outlined briefly, the fact that he and another individual by the name of Jack Holmes, whom he claimed to be from Los Angeles, had kidnapped Hart, and driven him up to the San Mateo Bridge, where they had bound him up, after taking his wallet, and taken the money from it, and had tossed the Victim over the San Mateo Bridge into the San Francisco Bay.

Under further questioning he finally admitted that the individual who had assisted him in this case was Subject John H. Holmes, and stated that Holmes separated from his wife on May 1, 1933, and was now registered at the California Hotel. Accordingly, in conjunction with all present, he immediately took Subject Thurmond to the California Hotel at San Jose, and found that Jack Holmes was registered in Room 603, and so took Subject Thurmond up to the room, and that he knocked on the door, and call for Jack Holmes, which he did, and when Holmes answered, he was immediately taken into custody, and rushed to the Sheriff's office.

The confession which was obtained from Subject Thurmond was then and there immediately reduced to writing, so that an unsigned confession in our possession before he was advised not to talk any further, and this confession, a copy of which is in my office, and the original of which is in the possession of the District Attorney at San Jose, reads as follows:

"I, Thomas Harold Thurmond (Thurmond) voluntarily make this statement to R. E. Vetterli, Ernest K. Conroy, Harold E. Anderson, special agents of the United States Department of Justice, and to William J. Dalc, Sheriff of Santa Clara County, T. W. Alcott, chief of police of the City of San Jose, and Marie G. Hamilton, lawyer, etc., that I have known Jack Holmes approximately one year in San Jose, California; that approximately five or six weeks ago he approached me with a plan to kidnap Brook Hart and hold him for ransom.

"We discussed this matter on one or two occasions and on Tuesday, November 13, 1933, shortly before six o'clock P.M., Jack Holmes and I saw Brook Hart come towards the office lot, where he used to park his Standard Sedan. Jack Holmes and I had previously discussed just how we could kidnap Brook Hart,

Jack Holmes was to get in the car of Brook Hart as it approached Market Street and I was to follow in the Chevrolet coach which belonged to Jack Holmes.

"On this particular day of November, 1933, Brook Hart obtained his car from the parking lot and drove out the driveway towards Market Street. Jack Holmes met the car of Brook Hart on the curb and opened the door of Brook Hart's roadster with one hand and had the other in his pocket as though he had a gun. He forced Brook Hart to go away with him. I was parked in Jack Holmes' Chevrolet Coach on Market Street close to Post St. and I saw Jack Holmes drive by in Brook Hart's Studebaker Roadster and according to directions I followed that car.

"In accordance with my prearranged instructions with Jack Holmes as soon as I saw him pass me in Brook Hart's car I proceeded to Millpitas and waited for them at the Spangler Garage. Shortly thereafter Jack Holmes and Brook Hart drove by in the latter's Studebaker roadster and I followed the Studebaker car to a point on the Evans Road about from seven to ten miles from San Jose. Then Jack Holmes stopped the Brook Hart Studebaker car at a point on the Evans Road; they both got out of the car and Jack Holmes told Brook Hart to get in the back of the Chevrolet coach which I was driving. I then drove a short distance ahead when Jack Holmes who was now driving the Chevrolet Coach turned the car around and headed back to Millpitas with Brook Hart in the back seat. I was driving at the right -- Jack Holmes who was driving the car. We then turned north and drove toward Lexington to Alvarado and then direct to the San Mateo bridge. We stopped about half a mile out on the San Mateo bridge at which time Brook Hart got out of the car and Jack Holmes walked back of the car -- to the rear of Brook Hart's car and hit him over the head with a brick which I had obtained at a recent company in San Jose before we started on this trip with Brook Hart. Then Jack Holmes first hit Brook Hart over the head with this brick, he yelled, "Help, help," to Jack Holmes hit him over the head again with the brick, and finally Brook Hart unconscious, and then I took some binding wire from the car which I had previously purchased on the afternoon of the 9th of November, 1933, at a hardware store in front of Clever Hardware (11) and cut off the arms of Brook Hart around his body, my blood to his shoulders. After Holmes then told me to get hold of him, Jack Holmes took hold of the upper part of Brook Hart's body and I took hold of him from his knees down, and together we lifted Brook Hart onto the tailoring of the San Mateo bridge and tossed him into the bay. I recall as we lifted him up onto the San Mateo bridge he struggled slightly.

"We then turned around in the Chevrolet coach and returned to San Jose, California. While we were riding out in the car with Brook Hart before we reached the San Mateo bridge, we asked him to turn over the pocket book and money which he had. To the best of my recollection the wallet contained a five (\$5) dollar bill and two and a half in silver. We divided the money which we obtained from Brook Hart. I kept the wallet in my possession. After we returned to San Jose by agreement I returned to San Francisco in my father's machine, a Pontiac car, and it was our understanding that I was to go to San Francisco and from San Francisco to Oakland and intercept the wallet in the bay. By agreement I was also to telephone to Mr. Hart from San Francisco advising him that his son was kidnapped and being held for \$40,000.00 ransom.

"I endeavored to put thru this call from a place, which I believe, is on Market Street but the line was busy. I first tried to place the telephone call about nine thirty p.m. on November 9th, 1933. I then went to the Whitcomb hotel and placed another long distance call to Hart's residence at San Jose at about ten thirty and was successful in completing this call. Some man answered the telephone and I inquired for Mr. Hart and then some girl answered the phone and I told her that her brother was being held for \$40,000.00 ransom and if the family notified the police they would seize Brook Hart's car.

"Instead of telling the police about Mr. Hart's car I decided to drop the wallet in Brook Hart which I had in my possession. I walked down the waterfront for two or three blocks and passed the wallet into the San Francisco bay. I then returned in my father's machine to San Jose, California, arriving in San Jose shortly after midnight.

"On November 10th, 1933 about 10 o'clock, Mr. Fleiss in my "Fleiss", Pontiac car for Sacramento, California. Jack Holmes had already given me a card with a message for Mr. Fleiss which read "Jack Holmes, San Francisco, California, November 10th, 1933. The message was to the effect that their son, Brook Hart, was O.K., that if the police ~~interfered~~ and were it would be too bad, and on this note we also agreed that the ransom would be kept up to \$40,000.00 ransom, and put in future instructions."

"I obtained an envelope of some sort and wrote on to the envelope to Sacramento and addressed the envelope to Mr. Fleiss, whom I later found the name was Mr. Fleiss, by Jack Holmes, and mailed out said envelope and it arrived in Sacramento three

or ten o'clock P.M., I remained in Sacramento a few minutes and got a bite to eat and turned around in my father's car and returned to San Jose.

"I didn't see Jack Holmes when I returned that night or I did see him the following morning, and I told him I had mailed the card to Mr. Hart. Jack Holmes then gave me a letter to take to San Francisco to mail to Mr. Hart. This letter was printed by Jack Holmes. I was watching Jack Holmes when he wrote this letter and read the name which specified that Mr. Hart place numeral (1) in the window of this store in San Jose if he was willing to proceed with further negotiations.

"I left San Jose about eleven o'clock A.M. in the morning with this letter in question and I drove to San Francisco in my father's car arriving there shortly after noon, and I mailed the letter to Mr. Hart approximately half an hour after I arrived. I then turned around and came back home to San Jose.

"I did not see Jack Holmes until the following day. Jack Holmes and I both went by Hart's store, Tuesday, November 1st, 1933, and both saw the numeral (1) in the window, and that night in accordance with our agreement Jack Holmes called Charley O'Brien, Jr., a personal friend of Brock Hart's in San Jose, and gave Mr. O'Brien a message which was to tell Hart demanding further action to be taken by Mr. Hart.

"This call was placed by Jack Holmes from a pay station in the Twink Building in which Mr. Hart used to take a taxi with the \$40,000.00 in it and place same on the seat beside him and drive up Brook Street's staircase road towards Los Angeles. After this call had been completed Jack Holmes and I drove to Union Hill and back but we did not see Mr. Hart drive over in the car in question for about eight consecutive years. I telephoned Mr. Hart from a pay station at Berry's parking lot at San Jose. Mr. Hart knew a pay station at Berry's parking lot at San Jose. I asked Mr. Hart why he had not kept his previous appointment and he told me he wanted further proof that we were holding him and he told Mr. Hart I told Mr. Hart he better leave that town and never come back again. When I placed this call to Mr. Hart and when I hung up, when I placed this call to Mr. Hart, Mr. Jack Holmes, one of the waiters, was about a block away waiting for me.

"About noon on Wednesday, Oct. 31, 1933, Jack Holmes printed another letter to Mr. Hart in Major, in a folder which I had secured from him. He also addressed the envelope and mailed this letter to the Post Office to Mr. Hart, in which letter he advised Mr. Hart that Mr. Hart had been informed in their phone conversations that he had been calling the telephone from San

Francisco and the card from Sacramento together with the letter in regard to placing the numeral (1) in his window and told him there had been too much publicity but if Mr. Hart was willing to go thru with the negotiations and pay the \$40,000.00 he was to place numeral (2) in place of (1) in his window and was advised if this was done Brook Hart would be returned and advised Mr. Hart to start out at seven thirty p.m. on November 15, 1933, in the Studebaker Roadster for Los Angeles.

"It was our plan if Mr. Hart started out with this money in question I was to drive Jack Holmes' car and he was to stand on the running board of the car and as we passed Mr. Hart's car Jack Holmes was to reach out and grab the money.

"At about five forty-five P.M. November 15, 1933, I met Jack Holmes at Normandin-Campen's garage—Jack Holmes told me that the numeral (2) had been placed in Hart's window and he had seen it.

"Jack Holmes was having a leather cover in the box of his radio fixed in the garage in question.

"We then decided to telephone Mr. Hart again and at about seven twelve of November 15, 1933, we drove the car in the vicinity of the Montgomery Hotel and Jack Holmes endeavored to get in touch with Mr. Hart thru a pay telephone.

"We then drove to Tuggee Drug Store at Tenth and Davis Streets and Jack Holmes again tried to get in touch with Mr. Hart at seven nineteen P.M."

"We then went to Babette Bros. Garage at 222 South Market Street and I telephoned Mr. Hart from a pay phone which was located in the rear end of the garage and told Mr. Hart that I had seen the serial number in the window and Mr. Hart should get Charley O'Brien or some member of his family and have them drive the car and to do it once. I told Mr. Hart I wanted his answer definitely YES or NO. I told Mr. Hart that the driver of the car would be told where he could pick up Brook Hart as soon as he paid the money. I told Mr. Hart I was one of the boys who wrote the letter and signed the litho. I also told Mr. Hart that I had received my orders from Headquarters and that was all I could say about the film. I was then taken into custody by Sheriff's Office.

(Signed) THOMAS H. JEFFERSON.

It should be noted there are one or two errors in this confession, which was dictated most hurriedly. In that portion of the confessions where they had Brooks Hart out on the San Mateo Bridge, it is stated that Holmes walked back of the car "to the rear of front driver's car". This is the only primary error. This, of course, should have been "to the rear of Subject Holmes' car".

Subject Thurmond later verbally told us that the car belonging to Subject Holmes was in the garage across the street from the Police Station, from which point Subject Thurmond had placed the last telephone call to Mr. Hart, admitting they had a gun in their possession, a .41 caliber Colt, which was supposed to be under the rear seat of this car. Accordingly, at the garage in question, a Chevrolet Coach was parked out by Subject Thurmond, which bears California license #5C430. A thorough search of this car failed to locate the gun in question. However, a pair of gloves belonging to Subject Thurmond were found in the car in the side pocket.

Subject Holmes was carefully questioned, but claimed being involved in this case at all, stating he did not know what it was all about, having nothing whatsoever to do with it. He refused to make any statement or admission whatsoever. However, he was advised by the agents that in view of the confession of Subject Thurmond implicating him, he felt that he should tell the truth in this matter, and he stated he had nothing to say at that time, but would think the matter over.

Nearly the same morning in view of the fact that Holmes was the perpetrator and been apprehended, and Brooks Hart killed, it was determined while Justice had been arrested at San Jose, California, Sheriff Reid and Agent Feltzelli departed immediately with Subject Thurmond for San Francisco, via the San Mateo Bridge, at which point Subject Thurmond endeavored to point out the approximate spot where the victim had been dropped over the San Mateo Bridge. San Mateo County Sheriff's men were immediately placed into action, into generalized blocks 10 and 11, and 12, in attempt, in efforts to locate the body of the victim. The next day Thurmond was immediately brought into San Francisco, at the Hall of Justice of San Francisco, to avoid a lynching party. A Dr. Jossy

DR. JOSSEY, a surgeon of San Francisco, who had been called in by Subject Thurmond, specialized in poison and antidotes, helped him get Holmes out of the County jail at San Mateo, and he, Dr. Jossy, along with other law enforcement officials, assisted him to San Francisco also, and on route they thoroughly questioned Holmes, and by this time he agreed to give his full confession, and he did so.

On November 17, 1934, Holmes was brought to San Francisco, and he was held at the San Francisco Station, in November 1934, and on December 1st, he made the following signed confession, regarding his participation in this case. That he was present during the commission of the offense, but had no comp because he had come to kill the victim down here, and he had been informed by his co-conspirator, and another, that he would be paid \$1,000.00 for the commission, and nothing had been paid him up to that time.

After making the same to be true, and affixed his signature by Sheriff Enig, Special Agents Conroy, and Sheriff Hamilton. The confession reads as follows:

"Potrero Station,
16, 1933. One o'clock P.M. State
made in the presence of Mr. J. Enig,
County, Earle G. Hamilton, Deputy
Agent, Switzerland Reporter.

"I, John Maurice
Enig, Sheriff of Santa Clara
County, Deputy Sheriff at one o'clock
November, 1933, make this statement:

"That I have known one year; that he and I went to a place of days before this kidnapping, in no, I guess it was two days before there he grabbed me by the arm, the doorway and says, "There goes the boy up now could get a piece of change, where would you keep him?" and he didn't cut. I probably said that it was late and I thought he was just as said that it could be done right condition he said, "Well, if you say he said, "I would be going out on the o'clock and that's what gave him do you say that much and see if day?" At this time we were driving drove down by the parking lot, San

"Francisco, I let him and you when he drove out again, so as I was around the oil company for work and was driving around there at three o'clock and stopped. We drove there in the City of Napa, we waited there until I got tired, I quit and when further he said, going over and saw every hour sun.

"I, John Maurice Enig, who signed
that there until now, a/c/cked
comes out until this fellow blocks or

session, he acknowledged it
reto, and some was witness to
en, and Vetterli, and Under
lows:

"Francisco, Escriber
of John Maurice Holmes,
Sheriff of Santa Clara
County, and Belinda Mc Call.

"mes in the presence of
marty and Earle G. Ham-
P.M. on the 16th day of
July and voluntarily;

"bold Thursday for about
one afternoon a sample
it was the 16th before
and after we came out of
the office just like that (in-
"Part--if we got pick him
of him, i. "I said, "Yes,
I'm not going to fight
you did not expect to be
killing through his hat. But
say, I said, "I guess it
is we watch this boy
driving lot of time
idea". He said, "What
comes out this time of
time night talking and

"around and said him
didn't have anything to
it that morning looking
so am I expected to
he was on horseback
and as we walked there.
So I said, "or he wanted
in the car that I had
at walking out in the

"word I expected and
now, when you heard
and his last words out.

Harold said, 'I wonder if his Dad is always with him.' I asked him what difference it made whether there would be anyone there in the event he picked him up, and he said, 'I don't know. Is there any place you know we could keep him?' I said, 'None that I know of except you might put him on a boat or something.' Then I said, 'Harold, that is foolish, I can't be away from home any way.' He said, 'This can be worked out,' and the conversation went on in that manner.

"We talked it over at some length and the idea suddenly seemed to be a smart one and so we were driving him that night Harold said, 'You know the smart thing is to jump that guy overboard some place.' I said, 'Gee, you can't do that very well.' I said, 'Where would you put him?' We really discussed it more as a joke then.

"Then I met him at five o'clock the next evening just before I was going home. I think that time I sent Harold down by the Saint Claire Canal some place, where we got in the car and he said, 'Do you want me to pipe that guy up again?' and I said, 'Yes, sure let's go.' So we went up and he said, 'I sent him in to see Brooke Hart--no, I didn't send him in, he came in on his own various times and was able to identify him.' He said, 'You will have to take him in his own car as he will recognize me.' I said, 'Where can we take him at this time?' He said, 'Well, we didn't want to do that business with this dump because board was invited there first.' Finally, 'The only safe place to take him is Hart's on the Calverton Road.' At that point I suggested him to be more specific as to where he would be with his father since his air station had not discussed this. He really ~~had~~ agreed to take him that night alone. He turned around and he would be with his father and just turned up and he had to make a hole he walked down the hill himself.

"I don't see very clearly about things, I am semi-blinded and Harold recognized him first and saw that he was blind and decided to let him. So I turned over to him because the telephone was off--by the telephone bell which indicated that him would be come out and I had my coat over my head and had my hand in my pocket when that boy stood by.

"Now, when he approached me, I said, 'What's your name?' and he said, 'I'm sorry, I can't hear you.' I told him to hold his coat out saying, 'which is good to do.' I then drove him out to Hart's place. I turned left on Saint Clair road and he said, 'I am going to get a ride' and he got out of the car.

I had arranged beforehand to meet Harold at Milpitas. I passed him on the way and then he began to follow me. There were several cars along the road but I continued to Evans Road where I had him stop, and Harold came up with the other car. I told Bert to get out and go in the other car which he did. I then gave the gun to Harold and said, 'Hold this on him while I go back and rip off the door & steering wheel.'

"By Sheriff Daig: That was to eliminate any fingerprints being on there?

"Yes. I wanted to eliminate any fingerprints. On the way, Lt. Brooks Hart asked for a cigarette which I gave him out of his pocket. I didn't get the pack back in his pocket but it dropped in the seat--I had intended to continue on that road and go to Oakland Highway but in a short time I remembered the cigarettes on the seat and I turned the car around and went back and picked up the cigarettes and gave them to Bert. We then proceeded back the way we came originally to Milpitas and then turned to the right and followed the highway to the San Mateo bridge. Before we got there we discussed what to do, and first the idea was to take him into Oakland and get an apartment or a room in a rooming house, and Harold made the mistake of talking too loud and naturally he was quite excited and we told him as long as he behaved himself he wouldn't be hurt. Just a minute, I was getting ahead of my story--it is about that wire and concrete boxes.

"By Sheriff Daig: Harold got those?

"Yes, he stole the blocks, the two concrete blocks from Kellroy and Chimes in San Jose, when we got headed on from that point."

"By Sheriff Daig: Did you go to Mr. Kellroy?

"Yes, and he had the opinion that if I was deep, this guy it would be like and write a note and get a quick turnover before they got too worried. I said, 'Now, are you going to tell him no?' and he said, 'We will tell him no, but we are going to do the job.' I said, 'Now, that is going to be hard without a weapon and also provide a little money to pay over this guy's hand so he'll want to him. Then we got to hit him if someone comes along' and I said, 'All right if you think you can handle it.'

"By Sheriff Daig: Now, when you finished

Sheriff Dodge: Hart was in the back seat

see, and Harold had the gun held on him. Then we got to the middle of the San Mateo Bridge and by this time there was no cars around and Harold ordered Hart out of the car, and he got out and didn't know where he was at because this pillow was over his head. Harold said loud enough to be heard, "How am I going to tie this guy up?" I said "Rock, that is no trick you can do that as the man stands here. He will stand while you tie him." We said him to believe he was going to be transferred from one machine to another, and while we were going that, getting ready to go, that Hart got fussing around and a car came by and he started to shout, and I hauled off and hit him with my fist. I guess he hit his head on the concrete as he fell as he laid quite still for few minutes. Then Harold reached in the car and got the tire and started wrapping his foot and hands, and at that time he reached for the gun. I didn't think about that until after I got out of it—I think he hit the curbway and was watching him and he told. I hit him with my fist. I hit him pretty hard as I wanted him to know that we meant business. After that we were holding the gun on him so if he decided to get up again, I intended to knockout him with the gun and got two concrete blocks tied them around his feet and we tossed him overboard. After that I don't know what happened but the water washed him up on land some place and he was bound and Harold said "Give me that gun" and he pulled him down off the stringers and fired the revolver (not loaded) in the pistol more he thought how it could be. After that he said he thought he hit him but he wasn't sure.

Willie in San Bruno said I drove up the bridge always and turned around and come back. I looked for Harold on the same side of the bridge so had some confusion but I finally saw him coming back and turned over the railing on the bridge side of the bridge and looking down at the water. He climbed down on the stringers on the other side of the bridge and I saw him in his disappearance but I was afraid that he might have him's hand broken and not in the car because when he came back he said "I am not afraid not to go again" I didn't think he will ever come to again. From that we came back into San Jose where we separated.

At what point did you separate, Jack?

"How far did you go and went directly home.

Q. Do you know where Harold went? A. Direct to San Francisco, may be he went home first. I don't know. What time did he phone?

Q. About ten thirty? A. Yes, that would be about right.

Q. Just what was the arrangement about the telephoning?

A. Harold--we discussed the amount to ask for and it was decided it would be \$10,000.00--that we should amount above \$40,000.00--then we before we separated we talked about that--that was Thursday. Then we separated I said, We better not see each other again until Sunday, and we didn't. Before we separated we both discussed the deed we had done and well, we were appalled at it. I said, I never thought I could participate in a thing like that, and Harold said he didn't know how he could have done it either. We then decided as long as it was done to go thru with the blow-off. Harold went to San Francisco and I went home.

To answer the next question, the 23rd of November, 1933, and the card was written stating our demands, and Harold mailed it in Sacramento that night.

Q. Who wrote the card? A. The card was mine.

Q. Who wrote part of it? A. I did. Then I didn't ask Harold to do it. He followed up. Tuesday Harold brought me his car and some merchandise and came over to my place. I was sitting in my 1932 Buick 1000 South on the Los Angeles highway near the highway. At 8:15 AM. I got in my old Buick and drove west to town and phone, called him and then stopped at the gas station. He only crossed everybody, the lumbermen and others with explicit instructions as to the route he was to follow. Harold called in again at 9:30 AM. wrote the note, that was mailed to San Jose. At 10:30 AM. he came to Sacramento and registered there to change his radio fixed, then called for it at five forty. Harold was in Sacramento when I called for the car. So I got him down town. He delayed about fifteen minutes and then went several blocks south and realized that we were to be checked on and then he just extorting the bank. The last thing he did was to say he was scared. That Harold used to use the telephone while I was parked outside to think.

Q. How long did I make a speech or something of the block in my car? A. I did not know. I only stopped and drove around until and then probably about 11:30 AM. I got out and went to the gas station and then I got back in the car and then I

"Q. What finally became of the gun, Jack?

"A. Harold had the gun. He made some check about that gun earlier in the day and said he couldn't find it.

"I make this statement freely and voluntarily without any threats of violence from anyone or has anyone made me any promises of any kind."

Dated 8M 18th of Nov, 1935.

JOHN M. ANDREWS

W. J. ENRIS.
Edward E. Conroy,
Paul A. Nettleship,
Harold E. Anderson,
Paul G. Hamilton.

The original of this confession was filed in the office of the District Attorney at San Jose, California.

I neglected to state above that while I was working for the FBI at San Jose, California, we had given Subject Holmes and his son, Thomas Holmes, a piece of paper which contained the name and address of Victim in this case, which they printed in capital letters on the first card which was mailed from San Jose, California, to which they fixed their signatures and the address, San Jose, California, and the date. I do not know what subject Holmes did with the signature, the name or file number of this letter, as he was not present when it was written. There is a strong similarity between the writing of Subject Holmes and Subject Edward Anderson, which may account for the similarity existing on the letters received by Mr. Holmes.

While Subject Holmes was in our office in the office of San Jose, California, the first evidence was produced by Special Agent W. H. Murray, FBI, San Jose, who held a conversation, also Thursday, 18th of November, 1935, with Mr. A. F. Smith, and the second evidence was produced by him, who received the first telephone call from San Jose, where both men listened, and they all identified the voice of Subject Holmes as the individual who did telephone on November 18th, 1935.

On the morning of Saturday, 19th of November, 1935, there was a telephone call from San Jose, California, and the first evidence was produced by Special Agent W. H. Murray, FBI, San Jose, who held a conversation with the president of local police officers, Sheriff, this being the San Mateo County Sheriff, and the San Mateo County Sheriff's Office, San Mateo, California, and the second evidence was produced by Special Agent W. H. Murray, FBI, San Jose, who held a conversation with the San Jose Police Department, San Jose, California, and the third evidence was produced by Special Agent W. H. Murray, FBI, San Jose, who held a conversation with the San Jose Police Department, San Jose, California.

answer form, and will be transcribed within the next day or two, and the Division will be apprised of the particulars.

However, in this detailed question and answer statement, Subject Thurnmond admitted many additional details not included in his first confession. He outlined briefly how he and Subject Holmes had originally planned this kidnapping, had purchased the bricks, and had purchased wire with the sole purpose in mind of kidnapping young Hart and doing away with him, and then demanding the ransom thereafter. He stated it was planned first to pull the kidnapping on Tuesday, November 7th, but that Subject Holmes had attended the funeral of his wife's grandmother, and had to take the family home some Italian dinners, from town, and could not go through with the plan that night. On the following night, November 8, 1933, Mr. J. Hart accompanied his son to the parking lot, and again thwarted their kidnapping plans, but on November 9th, according to a pre-arranged scheme, Subject Holmes, who had in his possession the .41 caliter gun, which was the property of Subject Thurnmond, jumped on the running board of the car of Victim Hart, as it approached the street from the parking lot, and at the point of the revolver forced Hart, the Victim, to accompany him, and in the Studebaker Roadster they drove out to a garage at Wilpites, California, in accordance with their scheme, and Subject Thurnmond was waiting more in possession of Subject Holmes car, which he had also driven to that point.

Subject Thurnmond then followed the Studebaker Roadster, which Subject Holmes was forcing Victim Hart to drive, and outside of town a few miles they abandoned the fast Roadster and then forced Victim Hart to get into the back seat of the Chevrolet Coupe, and while Subject Holmes drove his own personal car, Subject Thurnmond sat on the right-hand side of the driver's seat, but was facing Victim Hart, and doored him into the olive. They then drove to the San Mateo Bridge, and before reaching the bridge they placed a pillow slip over the head of Victim Hart, which Subject Thurnmond admits he had taken from the bed of his nephew at his residence at San Jose, California. Further, that on this trip they committed the robbery on Subject Hart, and all his money, which he turned over to them, which they admitted to be \$75.00, two \$5.00 bills, one \$2.50 in change, and Subject Holmes took the \$2.50 in change, while Subject Thurnmond was given the \$5.00 bills.

On the way out Victim Hart conversed with Subjects, and told them it was a rather awful experience for him, and thought he was being held up, and asked them what they wanted; they had a radio in their car, and Victim Hart said like that kind of a radio it was. After a half a mile out on the San Mateo Bridge, Victim Hart was taken from the car, and as Victim Hart faced the direction off the bridge at the rear of the car, Subject Thurnmond turned over the gun to Subject Holmes, and as Subject Thurnmond circled the car to get in to get the moment blocked, Subject Holmes slipped up in back of Victim Hart, and hit him over the head with the gun, according to the detailed statement of ~~the witness~~.

The Victim then screamed, and yelled "Help, Help, what are you trying to do". In order to obviate any suspicion, the pillow slip had been taken from the head of the Victim. The Victim after being hit on the head, fell down in a sitting position onto the bridge proper, and then while Subject Holmes held the Victim, Subject Thurmond strapped one of these cement blocks, which had two holes through it, which weighed about twenty pounds, to the ankles of Hart. The wire was passed through the holes in the cement block so that it would weight him down on his feet, then the second block was placed in the middle of the back of Brooks Hart, about even with the arm pits, and wire was placed around his body, pinching the upper portions of his body, and was also run through the holes in the cement block, and wired to the body of Hart. When Subject Holmes first hit Hart over the head with the gun, he accidentally dropped the gun, and one shot of the gun exploded, doing no damage. Then Subject Holmes took hold of the upper part of the Victim's body, while he was crying and uttering, and Subject Thurmond took hold of the legs of the Victim Hart, and they lifted him up over the railing of the bridge, and dropped the Victim into the San Francisco Bay. As soon as the Victim hit the water, the lower part of his arms being free, he tried to paddle a little bit, and float. Then Subject Holmes grabbed the gun and fired one shot at the Victim while he lay in the water. It is not known whether this shot took effect.

Then Subject Holmes told Subject Thurmond if he could swim, and the latter said a little bit, but not very well, and accordingly Subject Thurmond took the gun, climbed out on the side of the pillars of the bridge, which is rear of the bridge proper and from this resting place Thurmond fired the three remaining shots in the spot in the water where he thought the Victim might be. Then Subject Thurmond climbed back onto the bridge, Subject Holmes had driven the car up about one hundred yards, turned around on the bridge and picked up Subject Thurmond, and they headed back towards the Oakland side of the bridge, then drove towards San Jose again, and about two city blocks from there they tossed the Victim into the bay. Subjects Thurmond and Holmes tossed out the remaining cement block, which they had purchased, and the remaining piece of wire, into the San Francisco Bay, and they then returned to San Jose, after which Subject Thurmond, in accordance with instructions from Subject Holmes, came to San Francisco, and placed the telephone call in question to the residence of Mr. Hart the night of the kidnaping, and later put through the other telephone calls, out of Sacramento, Friday. Subject Holmes prepared the first post card which was mailed from Sacramento, and Subject Thurmond took this card, and in accordance with instructions from Subject Holmes, sent it to Sacramento, and there mailed it to Mr. A. J. Hart.

Further that on November 14th Subject Thurmond came to San Francisco and mailed another letter to Mr. Hart, which Subject Holmes had printed at San Jose, and in which reference is made to placing the numeral "7" in Hart's window, and outlining further instructions. He also consulted with Mr. Thurmond and Subject Holmes, and agreed to send a further

letter, and on November 15th, a further letter was printed by Subject Holmes in front of the F.B.I. Office at San Jose, California, which instructed Mr. Hart to place a numeral "2" in his window. At the examination the Subject Thurmond was shown photographic copies of the letters in question, and he compared them with the original letters through the cellophane that covers them, and after having identified them, he fired his initials to the photographic copies of all these letters, and on which were also affixed the initials of Special Agent in Charge E. J. Conroy, and the date, November 17, 1933. The numeral "1", which was placed in Hart's window, in accordance with instructions received from the kidnappers, was soon in the window, by Subject Thurmond. This numeral "1" was prepared by Special Agent in Charge Conroy and accordingly had been marked for identification purposes as an exhibit by Mr. Conroy, Agent Vetterli, Agent Ramsey, and also initialed by Subject Thurmond. The numeral "2", with the words "I cannot drive", prepared by Special Agent Vetterli, was not seen by Subject Thurmond, according to his admission. However, it is also in the San Francisco file, and initialed for identification purposes by Agents Conroy, Vetterli, and Ramsey.

Later the night of the 17th, the weight block and wire, which was tossed over the bridge about two blocks from where the Victim's body was thrown over into the Bay, was recovered by the searching parties. The body of the Victim has not as yet been located.

As set forth in the report of reference, Special Agent Conroy proceeded to Sacramento, California, and together with law enforcement officials, endeavored to locate and make a search of the cabin in the vicinity of Sacramento, California, with a view to locating the Victim, and obtaining some information concerning him. No results were obtained however.

The descriptions of both Subjects are as follows:

Name	John H. Holmes	Thomas P. Thurmond
Age	29 years.	28 years.
Height	5'6 3/4".	5'10 1/2".
Weight	155 lbs.	147 lbs.
Hair	Dark brown.	Light brown.
Eyes	Blue.	Blue.
Complexion	Medium fair.	Medium fair.
Marks, scars, etc.	One dimpled.	
Race	White.	White.
S.F. Police No.	50390.	53031.
Residence	914 Avenue, San Jose, Calif.	San Jose, Calif.
Date of birth	California	California.
Fingerprints	I R D Ser. I I R D	I R D I R D

Reports are being made at the present time to secure a duplicate set of fingerprints of both Subjects, and if possible, a duplicate set will be affixed hereto to be forwarded to the Division with copies of this report.

Under separate cover, property, wrapped in cellophane, there are being forwarded to the Division all the original letters, with envelopes, received by Mr. Hart family. It is desired they be given proper attention in the Scientific Crime Detection Unit. After the detailed examination had been secured from Subject Burpound, Subject Holmes was questioned, but on advice of counsel refused to tell any statement, was advised he will enter a plea of not guilty on either the State charge of kidnapping or murder. He refused to discuss any made of this case any further. According to information with the examination of the criminal letters and envelopes, it is recommended that the defense attorney be given with a right to developing the fingerprints on subject Holmes on these original letters, so that he might be tied in further and more definitely with this case, and to prove conclusively his guilt or not. In the event he enters a plea of not guilty, the other exhibits forwarded to the San Francisco office.

On November 17, 1933, efforts were made to contact Mr. H. M. Morris, United States Attorney of San Francisco, in order of presenting the evidence and of this case, and his office advised Mr. Morris is in Sacramento on important matters, and will return to San Francisco on November 18th, and accordingly it is expected to contact him today, and the exhibits will be shown him for his opinion.

In connection with the letters received by C. Hart, they were received by him at San Jose, the letters were, of course, opened by agents of the Bureau, and the known to Mr. Hart were removed, and gone after him, but he is not in a position to recall the various signatures on the letters, as far as he is concerned, which were specifically called to his attention as they were received through the necessary line offices.

Both Subjects are still confined at the Federal Prison, San Francisco, California.