

From
Assistant Attorney General Luhring

to

Official indicated below by check mark

Memorandum

I note in the report of the Agent in charge that a juror named Gray in the Hale - Ramsey cases stated to other jurors that he knew Hale and Ramsey well. Two jurors on his examination stated that he did not know either Hale or Ramsey. Pursue that investigation further. Also give white

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- Attorney General _____
- Solicitor General _____
- Assistant to Attorney General _____
- Assistant Attorney General Galloway _____
- Assistant Attorney General Marshall _____
- Assistant Attorney General Willebrandt _____
- Assistant Attorney General Letts _____
- Assistant Attorney General Parmenter _____
- Director, Bureau of Investigation _____
- Mr. White _____
- Mr. Finch _____
- Mr. Robb _____
- Mr. Ridgely _____
- Mr. Parrish _____
- Mr. Wixson _____
- Mr. Fisher _____
- Mr. Chase _____

RECORDED

62-5033-439

SEP 12 1938

Dir

Walter T. Blunt 9/12/38

2109

From
Assistant Attorney General Luhring

to

Official indicated below by check mark *

- Attorney General _____
- Solicitor General _____
- Assistant to Attorney General _____
- Assistant Attorney General Galloway _____
- Assistant Attorney General Marshall _____
- Assistant Attorney General Willebrandt _____
- Assistant Attorney General Letts _____
- Assistant Attorney General Parmenter _____
- Director, Bureau of Investigation _____
- Mr. White _____
- Mr. Finch _____
- Mr. Quinn _____
- Mr. Somborger _____
- Mr. Robb _____
- Mr. Ridgely _____
- Mr. Parrish _____
- Mr. Wixson _____
- Mr. Fisher _____
- Mr. Ramsey _____
- Miss Linton _____
- Mr. Chase _____

Memorandum

*the necessary
men to make
a complete in-
vestigation along
the lines I
suggested in
a previous memo-
randed like to be
able to submit
the matter to a
grand jury
in October and
to do this additional
help will be needed.
Suggest you call the
old men back on
the case*

GOVERNMENT PRINTING OFFICE

2110

42-5033-487

RECORDED

HW:JL

October 9, 1926.

Mr. T. B. White,
P. O. Box 1535,
Oklahoma City, Oklahoma.

Dear Sir:

The Bureau is in receipt of the following memorandum from Assistant Attorney General Lubrings:

"I note in the report of the Agent in Charge that a juror named Fry in the Hale-Ramsey case stated to other jurors that he knew Hale and Ramsey well. This juror on his examination stated that he did not know either Hale or Ramsey. Pursue that investigation further. Also give White the necessary men to make a complete investigation along the lines I suggested in a previous memo. Would like to be able to submit the matter to a Grand Jury in October and to do this additional help will be needed. Suggest you call the old men back on the case."

I would be very glad to have you explain to me just how it is that the Department is in receipt of information relative to investigative conditions in Oklahoma of which the Bureau is ignorant. I have not been advised at any time that we have not sufficient men to handle the work in the Oklahoma City territory and it is assumed that the cases in question were being handled by amply sufficient personnel. You now have in the Oklahoma City jurisdiction twenty-two Agents aside from yourself. It would certainly seem that this is enough to handle any ordinary situation or condition which may exist.



2111

Department of Justice

Bureau of Investigation

P. O. Box 1535,
Oklahoma City, Oklahoma.

September 14, 1926.

SEP 20 1926

62-5033-438

SEP 20 1926
DEPARTMENT OF JUSTICE

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

Dear Sir: PERSONAL & CONFIDENTIAL.

I have your letter of the 10th instant quoting memorandum from Assistant Attorney General Lohring in reference to investigation of the Hale-Ramsey cases and which concerns the investigative necessities in connection with these cases.

Will state in this connection that I believe that I can be able to handle this investigation with the present force of agents that I have. Agents Frank S. Smith, John R. Burger, and J. Alex Street, specially assigned to the Hale-Ramsey case, have been on annual leaves of absence since this case went to the Jury in the latter part of August. I have recalled all of these agents to the Oklahoma City office and have had them take up the investigation as outlined in Mr. Lohring's memorandum quoted in your letter of September 10th, as well as the memorandum by him passed to me with Mr. Nathan's letter of August 31st.

Since receiving your telegram, May 17th, stating that it was impossible to furnish additional agents in view of the demand on the service in connection with this investigation, I have been handling it with the agents specially assigned to the case, Smith, Burger, and Street, who were assisted by one of the agents regularly assigned to the office - J. V. Murphy. I have been able to handle these cases with the agents especially assigned to them due to the fact that I arranged with the Osage Indian Agency at Pawhuska to have two to five of their Indian Agents assist me in these cases. These Indian Agents have the use of automobiles and with this transportation and their assistance our Agents have been able to cover a good deal of territory, and their investigations have been expeditiously handled in this manner. The Indian Agents are well known in the territory covered in these investigations and are somewhat of the same type of the agents handling the Osage cases, and have given me a great deal of assistance. Also, I

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by Mr. Sullivan
9/18/26
JES

2112

Mr. Hoover. - Page #2.

have had the hearty cooperation of most all of the officers and a great many of the people in Osage County interested in the prosecution of Hale and Ramsey.

I have no doubt that I can bring about the same arrangements above described in continuing this investigation and can cover fully what is wanted by Mr. Lohring in ample time. Any time that I feel like additional assistance of agents is justifiable, I will take the matter up through you, and keep you fully advised as to the necessity in this regard at all times.

I am behind some with the investigations in the Oklahoma territory. This is evidently due to the fact of the agents taking their annual leaves during the summer months, which is ordinarily the dull period for the Bureau. However, the work in this locality did not seem to be any lighter during these months than any other period. I think with the present force, however, that I can cover any case of emergency, and hope to be able to handle the work with my present force.

Trusting that the above explanation is to your satisfaction,

I am

Very truly yours,

TBW:B.

A. B. Joyce
Special Agent in Charge.

2113

RECORDED

SEP 20 1926

JHH:JL

September 18, 1926.

62-5033

MEMORANDUM FOR MR. LERRING

17

I am attaching hereto, for your information, a copy of a communication which I have received from my Agent in Charge at Oklahoma City and which refers to the general handling of the Caste Indian cases.

Upon hearing from you recently concerning this matter I communicated with Mr. White at Oklahoma City relative to the general handling of these cases and the attached letter is his reply thereto.

I believe that there will be no difficulty experienced from the manner in which the investigation work is handled by our Oklahoma City office.

Very truly yours.

ENCL

Director.

[Handwritten initials/signature]

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However, I would be very glad to be informed as to the investigative necessities at the present time and would certainly appreciate receiving information thereon in advance of any Departmental officials not primarily charged with the responsibility for investigative work in cases of this kind.

Very truly yours,

Director.

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POSTAL TELEGRAPH & CABLE COMMUNICATIONS

RECEIVED AT

DELIVERY NO.

TELEGRAMS
TO ALL
AMERICA



CABLEGRAMS
TO ALL
THE WORLD

This is a Night Telegram unless otherwise indicated by sign. Clear the number of words. Day Letter "N.L." (Night Letter) or "Nix" (Night Telegram)

STANDARD TIME INDICATED ON THIS MESSAGE

104 COLL GVT
KANSAS CITY MO SEP 16 26
DIRECTOR BUR OF INVESTGN
WASHN DC

18 MEET WITH WITNESS MAT WILLIAMS FOR KANSAS CITY MISSOURI
20 THIS IS IMPORTANT WITNESS ON CHAGE CASE AND IS BEING KEPT UNDER
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TWO WHITE
211P
[Handwritten signature]



62-5033-436
SEP 13 1926 P.M.
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THE
TRAGEDY
OF THE
OSAGE
HILLS

The true history of the most baffling series of murders in the annals of crime.

WHO IS GUILTY?

Who is the Slayer? and who is the master criminal who plotted this chain of murders, and what the motive?

A Story of Love, Hatred and Man's Greed for Gold.

Based on the real facts as divulged by the startling confession of Burkhart.

A THRILLING REHEARSAL OF OKLAHOMA'S GREATEST MURDER MYSTERY

Fortunes are being spent by both the Federal Government and the State of Oklahoma on the investigations they are now conducting to bring

Guilty Ones to Justice
and unravel this tangled mystery

The Actual Scenes and Locations of these crimes are woven into the Picture and

Hundreds of Native Osages are shown in the making of the Great Mystery

Tragedy of the Osage Hills

PALACE THEATRE

QUAPAW

1936

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Department of Justice

Bureau of Investigation

P.O. Box 1535,
Oklahoma City, Oklahoma.

September 18th, 1928

62-5033-10
20

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

- Personal -

Dear Sir:-

I am passing to you herewith a handbill which one of the Agents, while working in the vicinity of Okmulgee, Oklahoma, picked up on the street, and which has reference to a moving picture shown at that place at the Palace Theatre about the Osage tragedies. This has reference to the Osage murders and is a picture shown from some developments had at the recent trial of the case of John Ramsey and Wm. K. Hale at Guthrie, Oklahoma.

I understand from Agent J. V. Murphy who secured this handbill that this picture is inciting a deep feeling in that part of Oklahoma. Some of the Indians there who have seen it state that the picture shows where Indian babies are thrown into streams by white people and drowned. This part of the picture, of course, if shown, does not reflect any truthful facts as to any murders committed in Oklahoma, and during all the investigation of the case, while we have found that a number of Indians have been murdered, we have never found that any babies were killed. This part of the picture evidently is placed in the reel to create a deeper interest and more feeling in the case.

This is passed to you for your information.

Yours very truly,

SEP 20 1928

RECORDED & INDEXED

A. B. White,
Special Agent in Charge

62-5033-10

TBW:S
Enc.

SEP 23 1928 P.M.

DI [initials]
Div. Two [initials]

2118

ENCL

1033-440

September 27, 1926.

MEMORANDUM FOR MR. LUHRING

I am transmitting attached hereto copy of a communication received from Agent in Charge White of the Oklahoma City office of the Bureau, together with handbill referred to therein.

This is for your information.

Very truly yours,

Director.

Encl. 256916.

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Department of Justice
Bureau of Investigation

2-5033-NO
1926

Los Angeles, California,
September 23, 1926.

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

62-5033

Dear Sir:

I am advised that the Half-Ramsey case has been set for trial at Oklahoma City, October 20th, and assume that the case will go to trial at that time.

In view of the experience we had at the former trial, I deem it highly important that sufficient men be assigned to White to enable him to collect a comprehensive history of the prospective jurors. In the former trial this work was splendidly done, in so far as the first one hundred names were concerned, but the second venire was drawn in such short time that it was impossible for us to learn much about the men composing it.

I have not heard what progress, if any, has been made with the investigation to determine whether or not there was a conspiracy to obstruct justice. I hoped that the Court would see fit to postpone this retrial until November to give us an opportunity to thoroughly investigate the conduct of certain lawyers for the defense and also certain witnesses, but I hope that you will urge Mr. White to do his utmost in the time remaining to develop any facts indicating such conspiracy.

I am writing the United States Attorney, St. Lewis, urging him to cooperate to the utmost with the Bureau.

Yours very truly,

O. R. Luehring
O. R. LUHRING,
Assistant Attorney General.

RECORDED

SEP 30 1926

ORL/L

62-5033-44	
BUREAU OF INVESTIGATION	
SEP 28 1926 A.M.	
DEPARTMENT OF JUSTICE	
Div. One	JULIAN
Div. Two	

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JEH:MO'B

62-5033-441

October 3, 1926.

White
Department of Justice,
Federal Building,
Oklahoma City, Oklahoma.

ASSISTANT ATTORNEY GENERAL LUHRING HAS RETURNED AND HAS INQUIRED AS TO THE
PROGRESS YOU ARE MAKING TOWARD DEVELOPING THE EVIDENCE IN THE OSAGE CASES
WIRE ME GENERAL SUMMARY.

TWO HOOVER

RECORDED

62-5033-		
X	X	X
OCT	1926	

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Department of Justice

TELEGRAM RECEIVED

OKLAHOMA CITY, OKLA.

OCTOBER 2, 1926

DIRECTOR, BUREAU OF INVESTIGATION,
DEPARTMENT OF JUSTICE,
WASHINGTON, D.C.

12-5013

CASE PREACHER HESSER PRESENTED GRAND JURY SEPTEMBER THIRTIETH. PERJURY INDICTMENT RETURNED. GRAND JURY RECESSED UNTIL SIXTH. HAVE SEVENTY FIVE WITNESSES TO PRESENT CASE AGAINST LAWYER SPRINGER AND OTHERS FOR VIOLATION SECTION HUNDRED THIRTY FIVE. HAVE FOLLOWED OUT ALL LEADS IN ASSISTANT ATTORNEY GENERAL LUKING'S MEMORANDUM. DEVELOPED NUMBER OF PARTIES FRAMED TO TESTIFY; ALSO DISCOVERED NEW EVIDENCE AS TO RAMSEY AND ROAN ASSOCIATION. HAVE NOT MADE MUCH HEAD ON JURY BRIBERY, BUT JURORS HAVE BEEN INTERVIEWED AND STATEMENTS TAKEN. REPORT IN PREPARATION GIVING FULL DETAILS BEING FORWARDED AIR MAIL.

WHITE.

OCT 3 - 1926

RECORDED & INDEXED

62-5032
OCT 4 1926 A.M.
Dis.
[Signature]

REC'D & DECODED
10:30 A.M. - 10-3-26
H.V.

[Handwritten signatures and notes]

62-5373-442

October 4, 1926.

RECORDED

OCT 5 - 1926

MEMORANDUM FOR MR. LURRING.

I am attaching hereto, for your information, a copy of a telegram, dated October 2nd, 1926, from Special Agent in Charge White, of my Oklahoma City office, which has reference to the investigation which he has been making of certain aspects of the previous Osage Indian murder trial.

Very truly yours,

Enc. 42800

Director.

WLB

1478
 THIS CASE ORIGINATED AT Okla City, Oklahoma.

REPORT MADE AT: Okla City	DATE WHEN MADE: 10-1-26	PERIOD FOR WHICH MADE: 8-16 10-1-26	REPORT MADE BY: F. S. Smith
TITLE: M. Hale and John Ramsey		CHARACTER OF CASE: Murder of Henry Roan, Osage Indian.	

O. C. #70-1.

SYNOPSIS OF FACTS: Reference Assistant Attorney General Luhring's suggestion for investigation of apparent flagrant perjury by witnesses in the matter of United States vs. Hale and Ramsey at Guthrie, and subordination of perjury by Jim Springer, et al, Hale's lawyers. Setting of Federal Grand Jury at Oklahoma City for October 3, 1926, before whom will be presented evidence. Listing 77 witnesses with summary of evidence obtained from them directly and otherwise, as a guide for questioning. Brief status of pending cases of State vs. Hale, Ramsey, Burkhardt and Morrison, and of material government witnesses. Indictment of R. C. Messer, government witness Roan trial at Guthrie, for perjury, by Federal Grand Jury. Agent's Notes.

DETAILS: With reference to suggestions for further investigation, by Mr. O. E. Luhring, Assistant Attorney General, in the case of the United States vs. Hale and Ramsey, in a communication to the Director under date of August 27, 1926, and referred to Special Agent in Charge White, in Mr. Nathan's letter under date of August 31, 1926, developments have been obtained and leads are in progress of investigation as follows:

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	62-5033-443	RECORDED AND INDEXED: OCT 8 1926
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO:	BUREAU OF INVESTIGATION	CHECKED OFF:
	Washington 3	DEPARTMENT OF JUSTICE	JACKETED:
	U.S. Atty. O.C. 1	ROUTED TO: ✓	FILE 143
	Erwin Brown 1		
	O.C. Bureau 2		

*sent Atty Gen Luhring
 10/12/26*

2/24

After a conference between United States Attorney Roy St. Lewis, Special Prosecutor T. J. Leahy, T. B. White and Agent Smith, it was definitely decided to reconvene the present Grand Jury October 6, 1926, before whom will be presented evidence of perjury by witnesses and subordination of perjury by members of counsel for defendants, Hale and Ramsey, in their trial at Guthrie, and place doubtful and reluctant witnesses on record.

Process was issued and placed in the hands of the U. S. Marshal for service on the following witnesses:

TOM BOGGESS, Custodian of Hale, Ramsey, et al. This witness, it is alleged, has grossly violated instructions with reference to permitting persons conferences with prisoners, Hale, Ramsey, et al, and granted them special privileges, and repeatedly declared them innocent and being framed and jobbed.

BILL BRACKETT, Pawhuska, Okla. This witness has information of the operations of one Henry Mays and F. J. Bays, employed by counsel of Hale and Ramsey, and who were very active in the interest of the defense; states that Mays told him that some one was sure to get in trouble and that he was through and promised to divulge to this witness the defense operations, but left for Colorado Springs without so doing. Bays is alleged to have told Brackett that he would give him a line-up on his operations.

Ernest Burkhart, HORACE BURKHART, DUKE BURKHART, Witnesses Horace and Duke Burkhart unquestionably have knowledge of and have been requested and used in obtaining fraudulent testimony by defendants' counsel. Through the cooperation of Ernest Burkhart these may be induced to aid and assist the government in the interest of their brother, Ernest Burkhart.

ROY BUNCH, MARY BUNCH, Fairfax, Okla. Bunch will be questioned with reference to being approached by Amos Tucker, a defense witness at Guthrie, and told by Tucker that he would testify for Hale and would do the same for Bunch under like circumstances, and used to confront Tucker in an effort to cause Tucker to divulge evidence against those who prompted him to commit perjury. Also to obtain a record of the testimony of this witness for use in future trial.

2175

SEIM ~~TRALEY~~,
Lansing State
Penitentiary.

This witness was brought by defense to Pawhuska at trial of Burkhart; purported to be framed to testify concerning murder of Roan and corroborate Henry Cornett, and due to Burkhart pleading guilty was not used. This witness was questioned by Agent Smith and Attorney General Short at Pawhuska, and later questioned by Short at Lansing, which caused him to back up, and was consequently not used by defense at Guthrie. (See statement of Dick Dunham set out herein).

BEN ~~BURNETT~~,
Grammer's Ranch.

Ernest Burkhart testified that this witness was present at Grammer's Ranch at a meeting between Hale, Ramsey, Burkhart, and Rube Burrell, County Assessor of Osage County. This witness corroborated Burkhart's testimony in a verbal statement to Special Agent Murphy, and later repudiated this in the presence of Mr. Luhring, Mr. Lewis, Smith and Murphy.

JOE ~~BOZART~~,
Fairfax, Okla.

This witness corroborated the testimony of one Amos Tucker with reference to passing Roy Bunch and Mary Bunch on a road, which was in support of other perjured testimony.

RUSSELL ~~BEREE~~,
Fairfax, Okla.

This witness will be questioned in an effort to obtain conversations with Sol Smith, which he stated on the stand at Guthrie he had but was not permitted to testify to, which may clarify his testimony; and further, to ascertain if he was induced to testify falsely.

F. J. ~~BAYS~~,
Tulsa, Okla.

This witness operates a detective agency, and is in the employ of Hale and Ramsey's counsel, and has been very active in the interest of the defense; was present at Guthrie throughout the trial. See Bill Brackett reference.

RUBE ~~BURRELL~~,
Pawhuska, Okla.

Ernest Burkhart testified that this witness was present at Grammer's Ranch when he, Burkhart, Bill Hale, Grammer and John Ramsey were there. Ben Burnett was there and drank with them. Will be questioned with the view of placing his evidence on record.

2724

JOE CARROLL,
BILD CARROLL,
Fairfax, Okla.

George Bolton, of Fairfax, stated that these witnesses told him that both Carl and Homer Rowe, witnesses for the defense in support of the perjured testimony of Henry Cornett at Guthrie, before they testified told them that neither of them knew a thing on earth regarding the Roan case. These witnesses will be used to confront the Rowe brothers in an effort to cause them to divulge the true facts.

HARRY CORBETT,
MRS. HARRY CORBETT,
Fairfax, Oklahoma.

Witness Corbett is a close relative of Bill Taylor, whom the defense attempted to associate with Bunch in Roan murder, by testimony of Henry Cornett, Rowe brothers, et al, and who testified for defense at Guthrie. Corbett now states that some time in January 1923 John Ramsey came to him and asked him to describe Henry Roan, stating that he, Ramsey, did not know him; his wife, Mrs. Corbett, will corroborate Bill Taylor and his, Corbett's, testimony, given at Guthrie, that John Ramsey was at a pump house on January 14, 1923, and drank with him and Taylor, and that Mrs. Corbett broke a bottle containing whiskey from which they were drinking.

JAKE CASPARAS,
Northeast of Perry.

This witness was a member of the Grand Jury that indicted Hale and Ramsey for the murder of Roan, and who unquestionably swore falsely at Guthrie in the trial of Hale and Ramsey. This witness will be questioned in an effort to extort the truth from him and obtain a record of this testimony, and, in the failing of this, evidence will be presented to the Grand Jury with the view of securing an indictment against him for committing perjury.

FRED COX,
Ponca City.

This witness is reputed to be an agent of an insurance company, and from an unauthentic source information obtained that this witness was approached by Bill Hale with reference to writing a policy on life of Henry Roan.

HARRY DONALDSON,
Perry, Oklahoma.

This witness was a member of the Grand Jury that indicted Hale and Ramsey for the murder of Henry Roan. Was a defense witness at Guthrie and committed gross perjury, but later requested that he be permitted by the government to correct his testimony, which he did in part only. To be questioned and given an opportunity to go on record with the true facts.

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✓
DICK DUNHAM,
in County Jail
at Canadian, Texas.

At Canadian Texas:
Statement obtained from Dick Dunham, by
Agent Smith. Dunham now in County Jail
at Canadian, Texas, charged with highway
robbery.

"Canadian, Texas.

"Sept. 22, 1926.

On May 8th, 1926, I was placed in jail at Panhandle, Carson Co. on a charge of robbery. Some time about May 18th Sid Delplane and Pres Lorance, both of Ponca City, came to the jail and told me that they wanted me at Pawhuska on the following Monday as a witness in the Hale case and that they would be back with my bond not later than Sunday morning. These men left without any further explanation. On May 21 I was taken to Canadian and placed in jail. In a few days Sid Delplane and Pat Kenyon came to Canadian jail. Sid Delplane told me that they had been unable to make my bond, but that they had hired Pat Kenyon to take me to Pawhuska and that I would leave on the morning train. I told Mr. Delplane that I did not know anything about the Hale cases and could not imagine what they wanted with me. Delplane told me they wanted me to help Bill Hale out and do everything I could, and to report to J. I. Howard, Hale's attorney, when I got to Pawhuska, and he would tell me what they wanted me to do. Delplane left, telling me he would see me at the train the next morning. The next morning Sheriff Johnson told me there was some jam about taking me away and that I would not go until there was a bond made.

About a week to 10 days later John Fry, Sheriff from Canyon, came to the jail with Sheriff Johnson, and made me sign a bond. I was then taken out of jail and placed in a waiting car and driven to Shamrock. Sheriff Fry, who is a brother in law of Hale's, his Deputy, Bob Kyker, and another man, an Insurance Agent, and a brother in law of Sheriff Fry, were in the car. On the way to Shamrock the Hale cases were freely discussed, these men telling me how innocent Hale was, and that he was being framed and jobbed. On the road to Shamrock I told Mr. Fry that I did not know anything about the cases, and could not imagine what they expected me to swear to. At Shamrock Fry and Kyker had a long talk, then Fry came to me and told me that when I got to Ponca City Mr. Lorance would meet us and take us on to Pawhuska, and when I got to Pawhuska to report to J. I. Howard and he would tell me what he wanted me to do, and for me to do everything I could to help poor Bill out of his cases, and that he would see me when I got back. Kyker and I then left Shamrock by train, going to Ponca City. At Ponca City we were met by at depot by Pres Lorance, who drove us

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to Cadillac Garage; there we met Henry Mays and his nephew, an Indian, name Frank. Lorance told us that Mrs. Marland had just died and that he could not go with us to Pawhuska; he asked Mays how the case was getting along and Mays said fine! Lorance then left, and Mays drove us to Pawhuska.

On our arrival at Pawhuska we went directly to Hamilton's office, and Mays introduced Kyker and I to Hamilton. Hamilton then remarked, "Well, I guess you want to know what you are here for." I said "Yes, it is kind of a puzzle to me. I don't know what I am expected to do." Hamilton then said, "Didn't old man Gregg come to Bob Strange's house last fall while you were working for Bob to see you about framing on this case?" I answered him and said "Well, old man Gregg was out to see me 2 or 3 times but I don't remember what he came out there for." Hamilton said, "well, didn't old man Gregg tell you that he didn't know anything about the Hale cases, but that he was framing Hale to get Dick out of the Pen?" I then told Mr. Hamilton that I had rather talk to Mr. Howard, and Hamilton said "Howard is at the Court House, and you be here and meet him at 8 p. m." At 8 p. m. I met Howard at Hamilton's office; Henry Mays, and I think Charley Loope, was there, and Hamilton part of the time. Howard started the conversation by telling me that old man Gregg had sworn to a lot of lies to get Dick out of the pen, and asked me if old man Gregg didn't come to see me last fall at Bob Strange's 2 or 3 times, and I told him that Gregg was there to see me 2 or 3 times but not about the Hale cases. Howard then asked me if Gregg hadn't talked to me several times about the Hale cases, and I told him no, that he talked to me on personal business several times. Howard then asked me if Gregg had ever talked to me about getting Dick out, and I told him yes, that he had told me if he could get enough money together that he could get Dick a pardon, but that Gregg had never mentioned the Hale cases in any way to me. Howard said, "Gregg is the hardest witness we have and we have got to get evidence to impeach him some way," and asked me if I knew any way to get evidence to impeach him. I then told Howard that it would be no trouble to find witnesses, especially around Shidler, to swear anything in the world, and that he could impeach him with me. Howard said, well, we need other witness beside you; Howard said, you and Henry Mays had better go to Shidler in the morning and see if you could get some witnesses together.

The next morning Henry Mays and I went to Shidler. We talked to Mrs. Coor, and I told her we wanted witnesses to impeach John Gregg. She is an aunt of Al Spencer. She then advised me to go to Nowater, and gave me a list of names who would swear against Gregg. She gave me the name Dick Jordan, of Borger, who used to

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be a partner of Dick Gregg. I gave all of these names to Howard. We went back to Pawhuska that evening. Howard said that Loope and Mays would go to Ripley to get some witnesses and Hamilton would get me a car the next morning to hustle the witness against Gregg. Howard asked me if I could talk to Roff, the K County Attorney, that he handled Gregg in a bank robbery case, that they were afraid to talk to him. I told them I could talk to him as I had had dealings with him. Howard suggested that I get Roff to swear that Gregg was guilty of the bank robbery case that he had him charged in, and I told Howard that Brailey, who they had as a witness, was a nephew of Roff, and if any one on earth could handle Brailey Roff could. Howard seemed to be afraid that Brailey would not stand hitched and testify as they wanted him to. I went to Roff and told him that Howard sent me to him, and that they wanted to impeach Gregg's testimony. I also talked to him about Slim Brailey, his nephew, and asked him if he had talked with Brailey, and he said no. Roff gave me to understand that he would be a defense witness. I asked him if he would talk to Howard, and he said Yes. I went and told Howard, and I saw him go to Roff's office.

Some time about that time Burkhart pled guilty, and that put everybody up in the air. Howard then told me that everything was blowed up, and they would have to take a new angle at it. That Burkhart was framed to plead guilty, and that he would use Henry Mays and I to get witnesses to prove that it was a frame up on Bill Hale, and to get witness to show who did blow up Smiths and kill Henry Roan, and that Mays and I would be put on a salary while getting this evidence, and he and his partners would get me out of my case in Texas. Howard came to Borger and got Henry Majors out of jail and framed him to be a witness and took him to Pawhuska. Howard told me that Majors had gone back on them and they were afraid of him.

Howard told me at Pawhuska, after Burkhart pled guilty, to go back to Canadian jail and not later than the following Monday that they would be after me and make my bond and put me to work getting evidence in the Hale case.

(Signed) R. W. Dunham."

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MRS. DICK DUNHAM,
Pawhuska, Okla. Witness Dunham states that Mrs. Dunham,
his wife, was talked to considerably by
J. I. Howard, counsel for Hale, and he
will instruct her to divulge any information she may have to the
government. This witness to be questioned.

WALTER DOOLIN,
Oilton, Okla. See statement made a part of this report
of Mrs. Myra (Curley) Johnson.
This witness, as other members of his family,
are closely allied with Hale faction, and have been untiring in
their efforts to assist in defeating justice. Witness will be
questioned and confronted with facts.

SID DELPLANE,
Ponca City. This witness is a close associate of
Sam Tulk, who testified for defense at
Guthrie, and W. K. Hale, and they are
thought to be responsible, largely, for the friendly interests
of many in the vicinity of Ponca on behalf of Hale. Attention
is directed to statement of Dick Dunham herein set out.

ED EAGAN,
Tulsa, Okla. This witness now stands convicted by the
government, with case on appeal. Was
actively associated with Attorney Springer
and thought to have assisted in obtaining fraudulent testimony in
the Burkhart trial, and was seen at Guthrie during trial of Hale
and Ramsey.

MARY EVANS,
Ponca City. This witness' testimony given in the inter-
est of defense at Guthrie was unquestionably
perjured and in the interest of placing the
responsibility of Roan's murder on Roy Bunch. To be questioned.

BOB FEZICK,
Ralston, Okla. From an unauthentic source information ob-
tained that Miles Bozart, partner of Hale,
went to witness Fezick where he was working
on a road gang under one Jim Moss, a close friend of Hale's, and
told Fezick he wanted him as a witness at Guthrie. Fezick remark-
ed: "Can it help Hale?" and on being told it would, said: "I will
swear anything for Bill." Mack W. Martin, of Ralston, is alleged
to have been present.

JIM FRAZIER,
Oklahoma City. This witness testified as to the reputa-
tion of government witness Williams, and
his evidence was a feeble effort to im-
peach Williams and very apparently perjured. To be questioned.

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MRS. MAGGIE GRAMMER,
Grammer's Ranch.

Defense counsel, in their opening of the trial of Hale and Ramsey, stated that they expected to prove by Mrs.

Grammer, et al, that Ramsey rode with Mr. and Mrs. Grammer from the ranch to Ponca City, and there, in the presence of Mrs. Grammer, Mr. Grammer gave Ramsey \$500.00 to buy a car. Mrs. Grammer was questioned during trial by Ed Tinker and Mr. Soldina, both Osages of good standing, and stated that she denied knowing anything of the Ramsey car transaction. Mrs. Grammer was questioned fully at Guthrie in January 1926 during progress of Grand Jury investigation in Hale-Ramsey cases, and repeatedly stated that she knew nothing about Ramsey having a new Ford; that he had an old runabout, and had he had a new car she certainly would have seen it, as he lived on her place during the period of the Roan murder. Mrs. Grammer was not placed on the stand at Guthrie by defense, as scheduled. To be questioned in an effort to get her testimony on record.

MADGE HENDERSON,
Ponca City, Okla.

This witness corroborated testimony of Fred (Wetompeco) Tindall, with reference to transfer of money from Grammer to

Tindall and he to Ramsey, to purchase car, as did also Mrs. Tindall. This testimony was unquestionably perjured, and prompted through the energies of Attorney Springer. To be questioned in an effort to cause her to divulge the true facts.

MR. HUFF,
Tulsa, Okla.

This witness associated with Burns National Detective Agency; constantly mingling throughout the Hale trials at

Pawhuska, and thought to have been employed by Hale influence. To be questioned.

STELLAYHOOD,
Fairfax, Okla.

This witness testified in Burkhart trial., impeaching testimony of Catherine Cole. Unquestionably gave perjured testimony. To be questioned.

P. C. HESSER,
Stillwater, Okla.

This witness testified for defense in Guthrie trial; was a member of Grand Jury that indicted Hale and Ramsey;

testimony a matter of record. An indictment was returned by present Grand Jury at Oklahoma City September 29, 1926, charging this witness with perjury. The following statement was obtained from this witness at Guthrie following his false swearing; statement made to U. S. Attorney Roy St. Lewis and Assistant Attorney General O. H. Luhring.

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By Mr. Lewis:

- Q. Mr. Fesser, I understand you want to talk to me about this matter of your having testified before the court the other day relative to the confession of John Ramsey?
- A. Yes sir, I expressed a desire to talk to you as District Attorney.
- Q. What did you have in mind, please sir?
- A. Well, I just want to show you that I made no intentional mistake whatever; if I made a mistake I did it unintentionally; I was ready to do anything I could that could be possible to assist the government in any way I could, or you as their representative.
- Q. You have been advised that Mr. Donaldson was again on the stand today and made a correction?
- A. I read that in the newspaper, and I think you mentioned it to me, and also heard a correspondent talk with him about it.
- Q. He did go back on the stand and state that he was undoubtedly wrong and his statements as made yesterday were not so. He was honestly mistaken but he was undoubtedly wrong; that is what he testified?
- A. That is what I understand by the paper.
- Q. I don't believe that Mr. Donaldson did intend to be untruthful, and he did what any good man would do, just come in and admit that he was wrong.
- A. Yes.
- Q. Now, how do you feel about your matter?
- A. Well, the Saturday when I came down here I was going to my place to preach, and I was very anxious to get away, and I made the statement believing it to be honest and truthful and thinking that I was telling just exactly as it occurred, and I still continue to think so, and Mr. Luhring, when he questioned me yesterday, he showed me that there were more than one lead pencil confession, which showed me the possibility of my being mistaken; up until then I only had remembrance of that pencil confession. I am sure I don't want to do nothing wrong in any way; I wanted to do the best and right thing to do.

By Mr. Luhring:

- Q. I tell you where you made the mistake: Yesterday on cross-examination I showed you the Smith statement, and you said that was signed and read to you; that the witness Smith had both statements with him at the time, one referring to Henry
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Rean had been signed but the one referring to Wm. E. Smith had not been signed. The truth of the matter is that the statement from Wm. E. Smith was the last statement that had been taken from John Ramsey, and therefore it is an easy matter to show to the jury where you don't know what you are talking about.

- Q. I realize now it had been seven months and such a volume of business and so many things happening, of course I can very easily be mistaken; but I was swearing positive because I thought a positive question demanded a positive answer.
- A. I tell you what I am more concerned in than anything else is the reason that prompted you to do it; the men that talked to you before you swore, the men to whom you first told the story; you did then know what you were going to testify to before the grand jury. That is the important thing.
- Q. I would just be glad to answer any question you ask me.
- A. But you didn't answer them very fairly to us when we were asking you there. You said the lawyer came out to see you and was not talking about this case at all. Did this lawyer talk to you about your testimony, Mr. Hamilton?
- A. No sir, he did not ask me about the testimony any further than asking me if I had talked to Mr. Kaspares; he did not ask me in regard to my testimony, no sir.
- Q. Did you get the impression or understanding that he had sent Kaspares out there to see you?
- A. Well, I hardly thought that, no sir. It was the first time I had ever met the man and really took me by surprise, and I didn't want to be a witness, and I just appeared to answer him any way to get rid of him.
- Q. The first you heard of an unsigned statement of John Ramsey's you heard from Kaspares, he informed you of it. Let's be honest with each other.
- A. Well, he and I talked it together.
- Q. He mentioned the subject to you first, didn't he?
- A. Well, I think he must have.
- Q. He says, now, you know there was an unsigned confession of John Ramsey also before the grand jury, didn't he?
- A. Well, I wouldn't -- from his words -- I just talked with him a little while, and he and I didn't entirely agree for the reason I thought there was one signed and he said there was one unsigned.
- Q. He didn't take any part in the grand jury proceeding like you did, did he?
- A. I remember he took a rather conspicuous part with one or two witnesses, especially this man Dewey Selph; he asked him some questions.

- Q. No, did he ask him questions?
- A. Yes, I think he asked him a few.
- Q. That is true; I didn't know whether he had sat by a juror.
- A. Well, I just remember it; my memory might be at fault. I am sure that I am just attempting to do the right thing.
- Q. Well, what do you want to do?
- A. I want you men to tell me what to do.
- Q. No, we can't tell you what to do. You made the sworn statement here before the jury on two different occasions, bring me the signed statement of John Ramsey with reference to the matter of Henry Roan, - you examined it and swore positively on two occasions that that was the statement that was introduced before the grand jury and was not signed.
- A. To the best of my knowledge, yes sir.
- Q. Well, you were positive about it, and I showed you the other one; I gave you the chance to see them both, and I handed you the Smith statement and I said "That statement there was not signed, was it?"; couldn't fool you, even; you would not be fooled. You remember that, and you have sworn definitely to this jury here that the John Ramsey confession concerning Henry Roan was not signed. Now what can you do about it?
- A. Well, I would be glad to say to them that I could have been mistaken.
- Q. What did Kasparis give you to swear to it; did he offer you any money or tell you there would be something in it for you?
- A. No sir.
- Q. He came all the way to your place to talk to you, didn't he?
- A. I didn't really meet him at my home. Let me tell you how I met him: There is an oil well being drilled just south of my place. My wife and I had been to town; coming home stopped at the oil well to find how the oil well was coming along, how they were progressing. Mr. Kasparis and one of my sons drove up in a car, in Kasparis' car.
- Q. One of your sons?
- A. Yes sir.
- Q. Let me ask you about that. How long had your son known Kasparis?
- A. Never had seen him before in his life.
- Q. Never had?
- A. No sir. And my son told me there was a man wanted to see me, he rather thought perhaps it was an oil man or something, there had been a good many there; and the boys go frequently down to the oil derrick; and Mr. Kasparis expressed a desire to go to the oil derrick, I don't know how he come to go down there, but I met him there, and I got out of the car and discovered Kasparis, shook hands with him, and he told me that

- he wanted to see me a little bit and to talk to me about the grand jury proceedings, and I said well ---
- Q. What day of the week was this?
- A. I believe that was on Tuesday.
- Q. Do you remember what day it was? This case began on the 28th of July.
- A. This must have been the 27th, as near as I can determine; the 27th day of July.
- Q. Was that the day after the trial commenced here that he saw you?
- A. I don't know a thing about the trial, I was not keeping up with the trial, I didn't pay much attention, tried to dis-miss it from my mind. It was on the 27th day of July, and we talked probably, - I wouldn't be sure about the time, probably ten minutes; my wife sat in my car during the conversation and she was only a little piece from us and she got impatient to start home and started the car, and I went over and joined her and I drove home, and Kaspuris left.
- Q. This was at that oil well?
- A. Yes sir.
- Q. How far was that from where you live?
- A. Just a half mile from my home; he had been up there hunting for me.
- Q. Did he tell you where he lived?
- A. I knew where he lived, or I had found out where he lived.
- Q. How far from where you live, approximately?
- A. I don't want to be just certain about this, but I preach at a little point called Sumner, and that is near the Ctoe country, where he has cattle, and while visiting at a man's home at the time by the name of Sheppard we went over to Ctoe to look after his stock in the pasture Sunday afternoon, and there was a dwelling house adjoining his land, and he informed me that they were Kaspuris and another party stayed there.
- Q. How far is that from your home?
- A. Well, that is, it is in the neighborhood of 30 miles, between 25 and 30 miles, so just guess at it.
- Q. What sort of an automobile did he have?
- A. When he came to the well?
- Q. Yes.
- A. He had a Ford coupe, rather old.
- Q. What time of the day was it that you saw him at this well?
- A. Well, sir it was about, - I had no occasion to look at the time before.
- Q. Just give an estimate.
- A. It was probably between 4 and 5 o'clock, - would say.

- Q. Did he say how long he had been waiting for you at your house?
- A. No sir, I didn't ask him.
- Q. And you discussed this grand jury proceeding at the well?
- A. Near the well, we were not at the well.
- Q. And when that was over with you went your way and he went his way?
- A. Yes sir.
- Q. You saw him again, didn't you?
- A. Not until I came down here.
- Q. How soon after that was it Mr. Hamilton came out there? This happened on Tuesday.
- A. I believe it was on Thursday evening, rather late; yes, Thursday evening, rather late, when Mr. Hamilton came out.
- Q. Was there any one with Mr. Hamilton?
- A. Yes sir, there were two young men in his car, and my boy informed me that one of them was Mr. Hamilton's son; I did not meet the young men, and didn't have occasion to speak to them, but my boy engaged them in conversation while Mr. Hamilton engaged me in conversation. My son and myself and my nephew, who is a man just about my age, had gone down to feed our hogs, and I was cutting corn to feed them when he came up.
- Q. You were then in the field with your nephew?
- A. Yes sir.
- Q. What is the name of your nephew?
- A. John R. Hesser.
- Q. Who called you from the field?
- A. I wasn't called from the field.
- Q. Did Mr. Hamilton come down to the field where you were?
- A. He and my nephew came in company one with the other.
- Q. You were alone in the field cutting corn?
- A. Well, I suppose you would call it alone; I wasn't very far from my nephew; he just went to the fence near where I was cutting the corn to throw it over; he is a school teacher and was attending summer school.
- Q. How far from the house were you cutting corn?
- A. From my home or from any house?
- Q. Mr. Hamilton drove up to your home to see you, didn't he?
- A. I don't think he went to my home; he came to this point where I was cutting corn, that is on the public road near a little tenant house that I have, and I think he stopped there, although I wouldn't swear positive as to whether he stopped at my home.
- Q. Is this tenant house on the road to your home?
- A. Very near.
- Q. From the way he was going ----

- Q. I don't know how he was going.
- Q. Which way was his car headed?
- A. His car was headed to wards the west when I saw it.
- Q. Was it headed towards your home or away from it?
- A. Yes, it would rather indicate it was headed towards my home.
- Q. Do you know, as a matter of fact, whether he was at your home or not?
- A. No sir, I don't believe I asked him.
- Q. Did you ask your wife?
- A. I don't think that he was there, but I wouldn't be right positive; he wasn't there to my knowledge.
- Q. Did you go out on the road to talk to him?
- A. No sir, I didn't; he followed me in the field.
- Q. He came to the field?
- A. Yes sir.
- Q. Was any one present when he talked to you and heard his conversation?
- A. My nephew was there and I think heard all the conversation.
- Q. And what was the first thing Mr. Hamilton said to you?
- A. Well, he first introduced himself.
- Q. What did he say?
- A. Well, I think he called himself by name, Hamilton, and gave his initials, but I don't remember the initials, and I ---
- Q. Did he tell you what his business was, whether he was a lawyer?
- A. I don't believe he made any explanations, but I thought he was a candidate; there was several at our home, and I so approached him as a candidate.
- Q. What did you say when he introduced himself?
- A. Well, I said, I believe you are too late because I have already promised my vote to the other fellow, and I had already met ---
- Q. What office did you think Mr. Hamilton was running for?
- A. State Senator from Payne and Creek Counties.
- Q. What made you think he was a candidate? Did he look like this other man or anything like that?
- A. I had never saw the other man, but I just got confused on the names, I guess.
- Q. What did he say next?
- A. I think then he informed me that he was counsel for Hale.
- Q. What did you say then?
- A. Well, I don't really remember just what I did say hardly.
- Q. Now, go ahead and tell, in your own way, just as nearly as you can, what conversation you had with Mr. Hamilton out there.

- Q. I hadn't as yet quit cutting corn, and my nephew said "I will cut the balance of the corn while you talk", and I said "No, I am just going down," and I came to the fence and threw the corn over the fence, and we talked there at the fence, just a few words, and he asked me if I was P.C. Messer and I told him that was my name. He wanted to know if I was a member of the grand jury last winter that investigated the Osage Indians, I believe, and I said yes, we had it under consideration, some of those Indians while I was a member of the federal grand jury at Guthrie, Oklahoma, and he asked me, I believe, if I knew John Kasparis, or some way he introduced Kasparis' name into the conversation, and I told him that I got quite well acquainted with all the jurymen and he was among the jurymen; he wanted to know if I had seen him lately and I said, yes, he was there and talked to me just the other day.
- Q. Did he ask you what was said between you and Kasparis, what you said?
- A. I don't believe he asked me in regard to what was said, I don't know just how he did bring it out, the fact that --
- Q. Well, the conversation between you and Kasparis was discussed, was it not?
- A. I don't think any of the conversation was talked, as I remember it, but merely the fact that he had been there and had talked to me, and I so informed him that he had, and he asked me, I think, if I would be willing to go as a witness to Guthrie on behalf of the defense, and I answer him "Not unless I was compelled to by procedure of subpoena", that I didn't want to be a witness in the matter in any way.
- Q. Just what was it you were to testify to for the defense? Why did he want you as a witness?
- A. I don't think he -- the only thing that he ever indicated to me that he would like me to testify to something was then he started off, he said, I don't know that I can word it exactly like he said it - he said, You know you are a man of honor and we would like to have you testify, - some sort of a flattering remark about me; I took it to be such, Mr. Lohring.
- Q. All right, now. Naturally you told him that you did not know anything to help the defense, didn't you?
- A. Well, I just merely told him if I was compelled to testify I would have to testify to the truth as I knew it.
- Q. You didn't want to testify you told him?
- A. No sir, I didn't.
- Q. Now, let's not have any misunderstanding between us here. I have been practicing law for twenty-five years, Mr. Leahy for much longer, and I think we know something about human

- nature and know lawyers, and this lawyer didn't go to your place and ask you to be a witness for the defense without knowing what you were going to testify to, or talk to you about your testimony. If you want to be fair I want you to tell the truth.
- Q. I know that; I have told everything I know.
- Q. Tell me what Mr. Hamilton told you about what your testimony should be.
- A. He didn't ask me. I said he made some flattering remark about me testifying there, and I told him I would sure do it if I was going down; I came at home and I said "Please don't have me to go on because that interferes with my business."
- Q. Now, let us go back to your conversation with Masparis at the well. Mr. Masparis had some motive, some purpose in driving 50 miles to see you to talk about that grand jury proceeding. I want to know just what he said to you and you said to him.
- A. Well, he talked about three cases, I remember in particular, just a little; he talked about this case, and he talked about the case at Laid, where a forged money order or check was involved.
- Q. And what was the other one?
- A. I knew the other one but it has slipped my mind now.
- Q. You don't remember it now?
- A. Not at the present time.
- Q. What reason did he give you for wanting to discuss those proceedings with you?
- A. Well, I think he said that he was about to be a witness or had been a witness or expected to be a witness again, I don't know for sure, but it seems to me like he said he was to be a witness and he wanted to discuss it with some body to be certain he was correct.
- Q. Let's get down to the point where he talked to you about the unsigned confession of John Ramsey. Go ahead. What did he say?
- A. I think he asked me if I remembered in regard to the confession of John Ramsey. I don't know if that is the first question that he asked or not; I just declare, at the time I didn't give it a serious thought.
- Q. Let me ask you this question: Wasn't the first suggestion that there was an unsigned confession by John Ramsey made by this man Masparis to you?
- A. I think perhaps there were, yes sir; I would have to say he talked of that, but we didn't agree as to it entirely.

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- Q. I want you to be certain about who first suggested that there was such a thing as an unsigned confession of John Ramsey before this grand jury. I want you to be certain.
- A. In our conversation?
- Q. Yes, with Kaspuris.
- A. Well, I am just sure that he asked me about it; I had no occasion to ask him about it, never interested in it in any way, and I am sure he asked me about it.
- Q. He told you then that there was an unsigned confession?
- A. Yes sir, he did. Yes sir, he believed there were one.
- Q. And what did you say?
- A. Well, I said I thought they were both unsigned; I think there were maybe the one signed and one not signed.
- Q. Was that the disagreement you had with him?
- A. Yes sir, that was the disagreement, that is one of the places where we disagreed and I think at the one place in particular.
- Q. Did you agree with him at that time that there was an unsigned confession by John Ramsey?
- A. Well, yes I think I did.
- Q. When he first mentioned it to you didn't you say you were not sure, you didn't know?
- A. No, I think I remembered it that way, Mr. Luhring, probably not thinking, it might have influenced me a little, just quickly in my mind.
- Q. In other words, did he attempt to persuade you into the belief that there was an unsigned statement by John Ramsey?
- A. I wouldn't know what persuasion would mean unless you would say why his making the statement would tend to make me believe it, that might have influenced me some, of course.
- Q. Mr. Kaspuris told you positively that he knew that there was an unsigned statement by Ramsey, didn't he?
- A. Yes sir, I think he was pretty positive in his remarks.
- Q. He had a copy with him of John Ramsey's confession, didn't he?
- A. Not that I know of, no sir.
- Q. Didn't you see one?
- A. No sir.
- Q. Didn't he undertake to tell you what was in that unsigned confession?
- A. No sir.
- Q. He mentioned it was Henry Roan's case, tho, didn't he?
- A. Yes, he gave me to understand it was in reference to this case.
- Q. When you said you thought there was one signed and one unsigned statement presented to that grand jury did you have

- reference to any confession in the Roan case?
- Q. Well, I think I just remember that confession, that one was unsigned in reference to the Roan case and one signed.
- Q. Did you discuss whether there was an unsigned confession in the Smith case?
- A. No sir, I don't think we discussed the Smith case.
- Q. But you knew there was a confession in the Smith case, didn't you?
- A. I didn't call it to memory at that time, no sir.
- Q. You didn't argue with him that the confession was unsigned in the Smith case?
- A. No sir, we didn't discuss the Smith case at all.
- Q. And then he asked you if you would be willing to swear to what he said to you?
- A. I believe he asked me what I would do if I was called on to swear.
- Q. What did you tell him?
- A. I told him I would ---
- Q. Did you tell him you knew and could recognize and identify the statement that was presented to the grand jury?
- A. No sir.
- Q. How did you happen to identify that in the court room?
- A. Well, I couldn't answer that; from my remembrance, I suppose, and I read it and looked at it pretty thoroughly, at the first part. You men always called out attention to the fact that these men were not, that they would have no promise, and that always was included in each confession, and you always called our particular attention to that, and that being one of the first paragraphs, -- they were some markings on the edge of the paper, I remember it, and I rather identified it from that fact, and then from part of the writings; I read some of the paragraphs, I know, and I think probably I read it about all.
- Q. You remember the Smith statement I showed you there, started out by referring to the confession in the Roan case?
- A. Well, I didn't pay so much attention to the written Smith confession because you had Burkhart on the stand and I thought that he was telling a straightforward story and I believed what he was telling and I just naturally didn't care so much for a confession as I did for his statement.
- Q. Do you recall now whether or not we did present to the grand jury an unsigned statement purported to have been made by Ernest Burkhart?
- A. Well, I don't know so sure whether you did as to Ernest Burkhart or not. I have had this thing on my mind so much, I just declare I am just ready to say --- so many confessions
- 2/4/20

- and so many things I just can't get them straightened out in my mind.
- Q. You remember we had statements from Dewey Selph, Cole, - we had only a few statements?
- A. I think I remember quite a little of the Selph incident.
- Q. Did they ask you, Kasparis or anybody ask you yesterday if you didn't hear me tell Dewey Selph that the government had already looked after him and we would take care of him if he came through?
- A. I don't believe that was the exact wording; he asked me if I remembered about your promising Dewey Selph something, your trade to Dewey Selph, "We have done you a lot of good and can do you a good deal more" - something like that.
- Q. When did Kasparis ask you that, at the Oil well?
- A. No sir, here, yesterday.
- Q. Did Kasparis tell you that he had heard me say that?
- A. I don't know if he just made a positive statement, but I think he gave me to understand he heard you say it.
- Q. Do you know why he didn't swear that I said that?
- A. No sir, I don't know a thing about it.
- Q. Did you hear him talk to Mr. Donaldson?
- A. No, I don't believe I heard him talk to him.
- Q. Were you present when he was talking to Mr. Donaldson about these confessions and what happened before the grand jury?
- A. No sir, I don't. This conversation, as I remember it now, took place after Mr. Donaldson came out of the witness room, and Mr. Kasparis and I talked just a little bit about it, and I don't know - they seemed to think probably we might be called upon to testify in regard to it because Mr. Donaldson had made some testimony in regard to it.
- Q. You told Kasparis you didn't hear me make that remark, did you?
- A. I told him I didn't hear you make that remark. I heard some remarks made by jurors about Dewey Selph, and he strenuously denied that he made the remark; I think he asked him one or two questions, because he asked him if he was a relative to the other Selph. My memory may be wrong, but I think I talked to Dick Gregg and I think Mr. Kasparis talked to Dewey some.
- Q. Did Mr. Kasparis tell you that he heard me make that remark?
- A. I don't believe I could swear positive that he said he heard you, but he left the impression that he heard you make it.
- Q. Can you tell me just about what he said to you about that?
- A. Well, I hardly know just how it came about, but we were sitting around there and laying around; I didn't know any one

else only Mr. Kasparis and Harry Donaldson, and we engaged one another in conversation, and at this time he just approached me about the Dewey Selph incident and if I recalled it to memory, and I told him I thought I remembered Dewey Selph all right, but I didn't remember much about the incident that happened; I knew there was some talk between the jurors and the convicts and between the government officers and the convicts, I remember some of the jurors asked them what they expected to get, I don't know but what I did myself, Dewey Selph?

- Q. At your conversation there did Mr. Kasparis tell you that he had already seen Mr. Donaldson and talked with him about it?
- A. I would not be positive; I don't believe he said he had saw anybody about it; I think he lead me to believe he had not talked to anybody, and he wanted to talk to me, he wanted to be right, he wanted to do the right thing and wanted to talk to me for that purpose. That is the impression I took.

Mr. Lewis:

- Q. You asked Dick Gregg if he knew Paul Jones?
- A. I think I asked him some questions.
- Q. You asked him when he got acquainted with Bill Hale?
- A. Yes sir.
- Q. And you asked him "Did your father know him before you did?"
- A. I remember Dewey Selph, asking him a few questions. I would like to make this statement: Being a minister I tried to forget as much of this as I could because it has no part in my business. I fully expected to ask to be excused when we came here, and the Judge, if you remember, requested that every man who could possibly do so serve, because they were only just enough who answered, and I didn't ask to be excused; and then after this was over I tried to dismiss it from my mind and forget it and go about my business.

Mr. Leahy:

- Q. What is your judgment now after looking over this record as to whether you were in fact mistaken?
- A. Oh, I certainly was mistaken; there is no question that I was honestly mistaken; I don't think there is the least doubt I was mistaken. I am not doubting the testimony I examined here, but I had not been permitted to examine anything; I was only swearing from my memory.
- Q. Would you like to have a chance to go back on the witness stand and make a correction?
- A. I think that would be the proper thing in view of the import-

ance of the facts that have a bearing on the matter, and I want to do the right thing at any time that I can.

- Q. You see the importance of this to this effect: that if the jury believes your statement that the John Ramsey confession was before the grand jury unsigned they won't believe the statements of Smith and White and Brown and Bailey.
- A. You see, I didn't understand it made a bit of difference in the world if one was signed or one unsigned.
- Q. The other contention is that this statement was brought to him already prepared for his signature; that is where the importance of it is.
- A. I don't understand law at all; didn't have the least idea of the importance of the testimony that I was giving.

Mr. Lanning:

- Q. How are you going to explain that on two occasions you saw this particular written statement and swore positively on each occasion that that was the particular statement that was presented to the grand jury, and when it was presented by Mr. Smith it was unsigned?
- A. I don't know any way to explain it only this, to say I was mistaken, honestly mistaken.

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✓
BEN HOGGARD,
Fairfax, Okla.

This witness intimated to this Agent, after he had testified for defense at Guthrie, that if he was placed on stand again he would divulge information of interest to government. To be questioned.

✓
BILLIE HOOD,
Fairfax, Okla.

Agent obtained through an unauthentic source information that this witness was approached by Attorneys Prince Freeling and Howard and framed to take the stand at Guthrie and swear that Roy Bunch ran in to her house on the night that officers shot at him at Henry Roan's house, was very bloody, and remained there hid for some time. That some time later she visited Henry Roan's house and found blood strewn all over carpets, which were later replaced by new ones, and that Mary Roan had a calendar date marked and remarked to her that Henry had not been seen since then, the date corresponding to date that Bunch ran in to her house. Agent succeeded in having this witness admit that she was expected to swear falsely for the defense, but stated that she was not going to do it, and had told the lawyers so, and they told her they would not use her. This witness, in the judgment of agent, properly questioned, will likely divulge the true facts. To be questioned.

BUSTER JARRETT,
McAlester, Okla.

This witness an inmate State Penitentiary, serving 25 years for murder. From unauthentic information Jarrett was framed with Henry Cornett to swear that Curley Johnson killed Roan; was brought to Pawhuska with Cornett at trial of Burkhart; did not testify account Burkhart pleading guilty. This witness made same admissions to Attorney General Short, and was not used by defense at Guthrie. See Mrs. Myra (Curley) Johnson's statement. Lee Mullinaux and another hireling of defense, convict, it is understood, visited Henry Cornett and Jarrett at McAlester; and framed them as witnesses.

MRS. MYRA (CURLEY) JOHNSON,
c/o Jim Cook, Ripley, Okla.

This witness is the wife of Curley Johnson, now deceased. The following verbal statement obtained from Mrs. Johnson by Agent Smith:

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Mrs. Johnson stated that some time in June 1926, while in Kansas City, she received a telephone call from a friend, Marie Smith, at Oilton, Oklahoma, telling her that Walter Doolin wanted her to come to Oilton on important business and that he would send her a ticket if she would come. That he sent her a ticket and she came to Oilton and met Doolin. Doolin told her that Bob Strange told him that she had a lot of information that would help Hale; that she told Doolin she had no information; that he insisted that she had told Strange a lot of things; that she told Doolin that Strange had lied if he said she had told him anything. That Doolin then suggested that she go to Ripley and visit her folks, and that he would send Henry Mays and Charlie Johnson to see her the following Sunday. That they did not come and she returned to Kansas City.

The latter part of July or first of August, 1926, Henry Mays and Charlie Johnson came to Kansas City to see her. They told her she could make a good witness for Hale; that Curley Johnson was dead and it would not hurt him, and she had just as well make herself seven or eight hundred dollars. She told them she knew nothing and that they could not pile up money enough to cause her to take the stand and lie on Curley; that if they expected her to they had just as well get that out of their minds. That they persistently insisted that she make a witness and seven or eight hundred dollars, repeating that she could not hurt Curley and could make a good witness for Hale and help him out and that she needed the money. She states she bawled them out, and finally they said that they would have Mr. J. I. Howard, one of Hale's attorneys, see her. That later Howard appeared on the scene and reiterated nearly what Johnson and Mays had said, telling her that Johnson was dead and she could do him no harm, but could help Hale, and she had just as well make herself a few hundred dollars, and asked her why she married a man like Johnson, that she was too good a woman to marry a man of the underworld, etc. That she bawled out Howard pretty strong, and told him she was tired of them trying to get her to swear a lie, and the people he was trying to get her to lie for were responsible for Curley's death; that he was murdered; that they had caused her to lose her job by her trip to Oilton. That Howard asked her if Mays had given her any money, she told him NO. That he said he had given Mays a check for \$25.00 to give her, and then handed her \$15.00, telling her he was short at that time, and left, telling her he would see her later. That he came back later telling her he had been to Lansing and talked with Slim Braley, and Slim had told him that she knew nothing of Curley's business, and told her that they would not use her unless Blackie Thompson took the stand; that if they called her they would send her money, and for her not to tell any one they had talked to her, and not to let

the government know where she was; that both Johnson and Mays warned her not to mention their being there or divulge her whereabouts to any one. That later, after Howard left, Johnson and Mays came back again and layed around a week trying to get in touch with her, but she would not see them.

Witness further stated that she lived apart from Johnson a great deal of the time; however, he would drop in occasionally. That her brother died December 28, 1922, at her father's home near Ripley; that Curley Johnson was then staying at the Lewis Hotel, DeNoya, Oklahoma; that she phoned Mrs. Lewis and she got Curley on the phone at DeNoya, and he came to Ripley and was there until around the 1st or 2nd of January 1923, and left, saying he was going back to DeNoya. That she then worked until middle of February and went to DeNoya and joined Curley, her husband, and lived there for long period. That some time that fall Curley went to Henry Cornett's.

Mrs. Johnson was questioned under adverse conditions by Agent, and will, no doubt, advance further details of interest when thoroughly questioned.

CHARLES JOHNSON, This witness is an habitual criminal, and
Pawhuska, Okla. was charged jointly with Ed Snyder during
trial of Burkhart with attempting to run
witnesses out of the jurisdiction of the State Court.
Note statement of Mrs. Curley Johnson.
To be questioned.

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GEORGE KING, This witness is a fullblood Osage and
Fairfax, Okla. considered a good character. The following
statement obtained from him at Guthrie by
Agent Smith:

"August 17, 1926.

Some time around after 3PM I was standing just outside of the Court Room door in the Federal Building at Guthrie. The Court had just taken a recess. A man came out of the court room whom I recognized as a lawyer in the Hale and Ramsey case. This man asked me if my name was King and when I told him it was, he introduced himself to me as Attorney Springer and told me he was representing Mr. Ramsey. He took me to one side and asked me if I knew Fannie Lasley, who had been on the witness stand testifying. I told him that I knew her. Mr. Springer asked me if I was a friend of Hale and Ramsey. I told him that I had only spoken to Mr. Ramsey once, and that I knew his son Homer. Mr. Springer told me that a Mr.

L.S.

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Murphy had taken Fannie Lasley down to identify John Ramsey, and for me to go and tell Fannie Lasley not to identify John Ramsey and say that she did not know him, and for her to say that the dates on the hotel register had been changed. I walked away x from Mr. Springer and did not tell him whether or not I would do this. When I got outside of the Federal Building I met Mr. Bob Parker, and he asked me what Springer was saying to me, and I told him just what I told in this statement, and later I told John Lynn the same as I told Parker.

(Signed) George King."

MRS. GEORGE KING, Wife of George King, stated to Agent Smith
Fairfax, Oklahoma. was standing with her husband in hallway
near door of courtroom during progress of
Hale-Ramsey trial at Guthrie; saw John Ramsey whisper to Springer
and point to her and her husband. Springer came out to them and
called George King to one side and talked with him. King cor-
roborated this evidence.

ED KILSO, The records covering a long period of Osage
Fairfax. investigation disclose this witness' testi-
mony at trial at Guthrie practically same
as given at previous interviews. Likely was approached by Hale
influence. Will question in effort to determine.

FANNIE LASLEY, This witness to be discreetly questioned
Fairfax, Okla. to determine if approached since trial at
Guthrie, in an effort to have her change
her testimony.

PRESS LORANCE, This witness present during trial of Hale
Ponca City. and Ramsey and appeared in print in local
papers in the interest of Hale. Note state-
ment of Dick Dunham.

MRS. JOHN MAYO, The following statement obtained from this
JOHN MAYO. witness and quoted in report made by Agent
Smith dated June 22, 1926, captioned
W. K. Hale et al - Murder Osage Indians,
OK File #70-1:

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"June 13, 1926. Tulsa.

My name is Mrs. John Mayo, the wife of John Mayo. I work at the Mayo Hotel Coffee Shop as waitress.

About the 28th or 29th of April, 1926, near 8 A. M. two men came in the Coffee Shop and sit down. The small man with a mustache asked me if I was John Mayo's wife. I told him that I was John Mayo's wife. He then began asking me when I got off duty and when I was not busy, as he wanted to talk to me. I told him I got off late in the afternoon, but if he came back about ten thirty in the morning I would not be so busy. I did not at that time know who either of the men were. I asked the small man who they were and he told me they represented Hale & Ramsey, and the tall man with him was Mr. Springer, and his name was Weaver. The tall man, Mr. Springer, said to Weaver not to talk to me there at the Coffee Shop, but make a date with me and talk somewhere else. They both left. About 10 o'clock that same morning the small man, who said his name was Weaver, came back. He started talking to me saying he represented Hale & Ramsey and talked as though I knew all about the case, but I told him I knew very little about it and didn't want to know any more about it. He then said "You know you don't want to see those people go to the penitentiary, you are not that hard hearted." I told him it was immaterial to me what happened to them; that I was not mixed up in the affair and was not going to get mixed up in it, if I could keep from it. He asked me a few other questions, and said that I was their last chance to help save Ramsey and Hale, and he believed I could help. I asked him how he figured I could help them. He said that John Mayo made a statement in the preliminary trial about a lot of things, some of which were not true, and we believe you could talk to John and get him to change his testimony. I told him to go talk to John, and he (Weaver) said he couldn't afford to and wouldn't be allowed to. I told him that if he couldn't go why didn't he send some of his friends. He said for the simple reason that I would have more bearing on John and John would understand me better than anyone else. I commenced to get mad and told him to go on and leave me alone as his conversation did not interest me in the least. He then wanted to meet me somewhere or take me out in a car and talk to me, saying he would treat me just like he would his sister or mother. I told him I did not want to talk to him and could do nothing for him, but he said I could after I talked to John and for me to see John. I told him I was

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going to see John and tell John about him being here talking to me, and Weaver said he wanted me to tell John and that he was to see me and what his business was, and that he, Weaver, would be back Monday to see me. I told him not to come to see me anymore as I did not want to talk to him again. He said I would want to talk to him after I came back from seeing John, as I would understand better, and that he hoped he had not offended me. He then left,

At the time I told him I did not know anything about the case, and had all I could do trying to work and make a living and pay doctor bills, he (Weaver) said You need not worry about expenses or doctor bills of any kind, for we will fix them up if necessary.

The following Saturday May 1st I went to Pawhuska and told John about these two men. I returned to Tulsa Saturday night. John got word to Mr. Smith and Mr. Murphy and they came to Tulsa to see me and prepared to catch Mr. Weaver and Mr. Springer if they came back to see me. Mr. Weaver nor Mr. Springer never came back to see me.

(Signed) Mrs. John Mayo."

Mayo stated that during trial of Burkhart, Bob Strange approached him in County Jail at Pawhuska and gave him a line of friendly talk, and told him that he would get him out of the Lansing penitentiary. Note interest of Strange shown in statement of Mrs. Johnson.

WM. McSPARREN,
Tulsa, Okla.

The following statement obtained from this witness, quoted in report made by Agent Smith dated June 22, 1926, O.C. File #70-1, captioned W. K. Hale, et al:

"On or about May 18, 1926, Bob Ryan told me we could make \$150.00 or \$200.00, but never gave me any details as to how, but told me we would both find out in a day or so.

On the 20th of May, we met at Ryan's hotel where I met Mr. Elliott, who told us how and what we were to do. Said all we had to do was sign an affidavit that I was at Henry Grammer's ranch house about 10 miles east of Ponca City the last part of Jan. 1923 with some friends of mine. That we drove into the yard and parked. When another car drove up, there was a man and a woman in this car, who was Bill Smith and Laura Tuttle. They were drinking and

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arguing with one another. The woman said I see you haven't got rid of that squaw of yours yet. And if you dont and give me the money you promised me, I will blow you both to hell.

Well, on Friday, May 21, 1926, Elliott called Ryan's hotel. I was there and told us to meet him in front of the Bliss Building on Third & Main. We met him in front of the Bliss Building and he told us not to tell anyone where we was staying that he would take care of that, so we went on up to Mr. Springer's office. As we went late into the office Elliott said Mr. Springer these are the boys. We were told to sit down and Springer asked us what we knew, so I told him the same story as had been told to me by Elliott. Springer said very good only for a few things they might ask you. So he gave us the description of Bill Smith, Laura Little and Henry Grammer, telling us that Henry Grammer was dead, Laura Little was gone no one knew where. He told us it would be about ten days or two weeks before he could use us, and then asked where we were staying, and Mr. Elliott said I know and can find them any time. So Springer said he would see us in Pawhuska in a week or so.

(Signed) W. P. McSparren."

✓
HENRY MAJORS,
Pawhuska.

Note statement of Dick Dunham.
Harve Trease, Sheriff, can corroborate.
To be questioned.

✓
MACK W. MARTIN,
Ralston, Okla.

This witness to be questioned with reference to Bob Fezick, alleged to have been framed as defense witness.

✓
LEE MULLINEAUX,
Oklahoma City.

It is alleged that this witness was in the employ of Hale's counsel, and visited the McAlester penitentiary and framed witnesses Cornett and Jarrett, and talked to others in an effort to have them make defense witnesses. To be questioned.

✓
HENRY MAYS,
Colorado Springs, Colo. This witness visited the penitentiary at Leavenworth; talked with John Henderson and others; also Lansing, and talked with Slim Bratley and White. Traveled with Bob Strange and Charlie Johnson, and was unquestionably a big factor in manufacturing perjured testimony used at both the Burkhardt and Hale and Ramsey trials. Alleged to have told Bill Brackett that some one was going to get in trouble and that he was through, and promised Brackett the inside on his operations. See statements of Mrs. Johnson and Dick Dunham and Brackett.

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ERNEST NEWTON,
Honiny, Okla.

Jim Rhodes and W. W. Thomason, officers of Fairfax, advised that they had information that this witness had stated that he was passing through Sol Smith's pasture some time just prior to finding of Roan's body, and saw Ramsey and Roan in a car and talked with them and took a ride with them. To be questioned.

JIM PARKER,
Pawhuska, Okla.

This witness is an ex-convict, a high-powered bank robber, and has long been suspected by this Bureau as implicated in some respect with Hale. Note statement of Blackie Thompson. To be confronted by Thompson, and an effort to be made to have him divulge the truth and place his testimony of record.

MR. PIERCE,
Tulsa, Okla.

This witness ex-employee Department of Justice. Note statement of Ed Erwin. To be questioned.

C. C. RADABAUGH,
Ripley, Okla.

Attention is directed to testimony of record by this witness at Guthrie trial in alibi for Ramsey, which was unquestionably perjured. Should be indicted. To be questioned.

JIM RHODES,
Fairfax, Okla.

Will be material in assisting in questioning of Ernest Newton.

BOE RYAN,
Tulsa, Okla.

Statement obtained from this witness follows. See also statement Ed Erwin and Wm. McSparren.

"About three weeks ago I was approached by Mr. Elliott and was asked if I wanted to make some money and I asked him how and he said by signing an affidavit that I heard a certain conversation in January 1923 at Henry Grammer's Ranch. I asked him how much and what I had to say. I was to get \$150.00 and was to say that I was at Henry Grammer's ranch the last part of January 1923 and was sitting in a car when Bill Smith, whom I was supposed to know, was arguing with some woman named Laura Tuttle. She was supposed to say to him that if he didn't get rid of his squaw, treat her square, that the money wouldn't do him any good for she would blow them to hell. I wrote this down and gave it to Bill McSparren. Mr. Elliott was to let me know when to meet him so he could take us to

meet Mr. Springer. So few days later, May 21st, he called me at my hotel to meet him in front of the Bliss Bldg. McSparren & myself met him and was taken and introduced to Judge Springer. Springer asked us what we knew about this and McSparren repeated what we were to say and he asked me what I was going to say and I said the same as McSparren, so he gave us the description of Smith and Grammer and Laura Tuttle and we were ready to leave. He said he would see us in Pawhuska in a couple of weeks.

(Signed) Bob Ryan."

CARL ROWE,
HOMER ROWE.

These witnesses related to Henry Cornett, and unquestionably gave perjured testimony in trial at Guthrie. Note testimony of Bill and Joe Carroll. To be questioned.

RAY SMITH,
Fairfax, Okla.

Statement made by witness to Agent Smith and quoted in Agent Smith's report dated Nov 11, 1925, captioned W. K. Hale, et al.

"My name is R. R. Smith. I am a farmer and reside seven miles west of Fairfax.

I knew Henry Roan and his wife, Mary Roan, for more than a year before Henry Roan was killed. I had heard that Roy Bunch was laying up with Mary Roan and I saw them together many times. There was common talk that there was going to be trouble between Bunch and Henry Roan. About three weeks before Roan was found dead I was at Henry Cornett's ranch and Roy Bunch, Bill Taylor and Mary Roan drove up in a car. Henry Cornett made the remark to Roy Bunch that if he did not look out that Henry Roan would catch him with his, Roan's, old lady and kill him or something like that, and Bunch remarked that he would beat Roan to it. Then Taylor said leave him to me, meaning Roan, and I will cold cock him. There was several other remarks made. Three days before Henry Roan's body was found I was going from my home to Burbank, when I got within a short distance from where the road coming from Henry Cornett's ranch run into the Fairfax road, I saw Roy Bunch and Bill Taylor coming from towards Cornett's ranch in a Buick car. As I went through the gate Bunch motioned to me to leave the gate open, which I did. I drove on and turned in to the Burbank road and Bunch and Taylor turned into the Fairfax road going towards Fairfax. Just after I turned into the Burbank road I met Henry Roan coming from

towards Burbank in a Buick car. When he passed me I saw he was drinking or under the influence of whiskey. He passed me and went towards Fairfax. From where I met Bunch and Taylor on the Cornett road, they would have just about had time to meet Henry Roan when he got to where they struck the main Fairfax road. After I passed Roan I paid no more attention to either of them. After I heard of Roan being found dead, the first thing I thought of was that Bunch and Taylor had met him and killed him.

(Signed) R. R. Smith."

This witness, while under process at Guthrie, stated to Agent Smith that Cornett came to him prior to making above statement and told him that he was helping the government in Osage murder cases and that if he could get some good information for them it would help him stay out of Leavenworth; that the government suspicioned Roy Bunch as being implicated in Roan murder, and suggested that Smith make a statement, the details as set out in statement which he later made. That Cornett called him to one side after he had made said statement to Agent Smith and asked him if he could not make it stronger, and he, Smith, told him he was afraid to go any stronger. That Cornett and he were rooming together at Royal Hotel, Guthrie, during Grand Jury in January 1926, and Cornett wanted him to help frame old man Gregg, and tried to get him to say he was under the bed and overheard Gregg make a statement to Cornett.

During trial at Guthrie this witness was seen to go to Springer's room, and admitted to Agents that he talked to Hale's lawyers and they wanted to use him. During trial this witness appeared in United States Attorney's office and openly stated, in presence of U. S. Attorney Roy St. Lewis, Mr. Luhring, Agent in Charge E. B. White and Agent Smith, that he had never told the whole truth about the Roan murder; that Curley Johnson killed Roan and he saw him do it. Later witness broke and made statement to Assistant Attorney General Luhring, as follows:

2/15/26

Statement by Ray R. Smith.

By Mr. Luhring:

- Q. What is your name in full?
A. Ray R. Smith.
- Q. How old are you?
A. Born in '80, I will be 46 or 47 in November.
- Q. Are you married or single?
A. Married.
- Q. Any family?
A. Just my wife.
- Q. What is your business?
A. Farmer.
- Q. What was your business in 1923?
A. I was farming.
- Q. Where?
A. Near Fairfax.
- Q. Did you hold a commission as deputy sheriff, or sheriff?
A. I did, along about that time.
- Q. You made some investigation of these Osage murders, did you?
A. I did.
- Q. Who was directing that investigation?
A. Well, I never could find out, nobody doing anything only Harvey Frease; I couldn't tell who was.
- Q. Did you report anything to Harve Frease that you found out?
A. I did.
- Q. What did you report to Mr. Frease?
A. I was standing in front of the Lee-Huckins Hotel, I was talking to Arthur Graves, and Buck Garrett, and my brother in law, and Henry Grammer came up and shook hands with me, and about that time Bill Hale came up and he says there is the very man I want to see, where have you been?
- Q. To whom did he say that?
A. To Henry Grammer. And he said I want to see you. They walked from the hotel back this way and I went down thru the hall down in the toilet.
- Q. Were you in the toilet?
A. I was in the toilet.
- Q. Overheard their conversation?
A. Yes sir.
- Q. What was it?
A. Well, it was about this: He says I need a good man, he says I will get you John Ramsey, something like that.
- Q. Hale said to Grammer I need a good man?
A. Yes sir.
- Q. And you reported that conversation to Harve Frease?
A. Well, I told it kind of that way.
- Q. Is that all you ever reported to Mr. Frease?

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- A. No, I told him the other day on the street --
- Q. Now, you say you know who killed Henry Roan?
- A. No, I don't know who killed him.
- Q. What is that?
- A. No, I don't know who killed him.
- Q. Didn't you tell me right here that you did know?
- A. Yes sir; I was trying to bring this to a close, I was trying to get home.
- Q. You told me you told Howard, the lawyer?
- A. I talked with him.
- Q. And you told him that Curley Johnson killed Henry Roan, and you saw Curley Johnson shoot him, and Henry Cornett? Did you tell that to Mr. Howard?
- A. Yes sir, I told him that.
- Q. When did you tell him that?
- A. Just a few minutes ago.
- Q. How did you happen to tell him that?
- A. Well, there was a man somewhere yesterday between here and Oklahoma City told me; I disremember.
- Q. Told you to say that?
- A. Yes sir.
- Q. Who told you to say that?
- A. I don't know, I was drunk. I will tell you what, - they framed up on me.
- Q. There isn't going to be any dispute about what takes place in this room; everything you are saying is being written down and everything I am saying is being written down. I want to know. You told me not more than 10 minutes ago in the presence of the United States Attorney, Mr. Lewis, in the presence of Tom White, in the presence of Edwin Brown, that you saw Curley Johnson and Cornett kill Henry Roan.
- A. Well, that is a lie.
- Q. You lied to me?
- A. Yes.
- Q. Why did you lie to me?
- A. Well, I don't know, but I did.
- Q. Are you a man of good mind?
- A. I must not have been at that time.
- Q. I can't understand people lying; if you are of unsound mind I want to know it. Were you drunk?
- A. Yes, I was drunk.
- Q. Who was it told you to swear to that story and see Mr. Howard?
- A. I don't know.
- Q. You hunted Mr. Howard up to tell him?
- A. No sir, he called me up and said he wanted to see me.
- Q. What did you say to you?
- A. He wanted to see me after court.
- Q. And you told me you told him that story?

2157

A. There was a man somewhere between here and Oklahoma City --

Q. White: You know the man?

A. Well, no, I don't know him.

Q. Did you know this man?

A. I never saw him before in my life. It was somewhere between here and Oklahoma City.

Mr. Lohring: What was it you told Mr. Howard?

A. Well, I just told him about the same thing I told you.

Q. I want you to repeat it.

A. I told him, let's bring this to a close pretty fast; I says they have got the wrong man, Curley Johnson killed Henry Roan and Henry Cornett was with him, and he said is that so, I want to see you right after court.

Q. Did you tell him that you had seen it?

A. No, I don't believe I told him.

Q. You told me that you had?

A. I don't believe I told him.

Q. I asked you were you were and you told me you were on the road to Burbank.

A. I might have told him that.

Q. You told me that you saw the whole performance; that Henry Cornett and Curley Johnson did it. Is that so?

A. No sir.

Q. How much were you to get?

A. Not a dime.

Q. How much were you to get?

A. There wasn't no money handed me.

Q. How much money were you promised to tell that story?

A. There was no money offered me at all.

Q. You certainly would not want to tell a lie and jeopardize your liberty for nothing?

A. Not a bit, I don't understand why I said it.

Q. Did you expect to get something in the future?

A. No, I don't want nothing; I want justice.

Q. Now, let us understand each other. I am asking you a direct question: Do you know or have you any information ~~xx~~ as to the man or men who killed Henry Roan?

A. Well, the best I could believe is it seems to me like that Ramsey must have done the work.

Q. Did you see anybody fire the shot that killed Henry Roan?

A. No sir, I did not.

Q. Were you in the neighborhood of where Henry Roan was found and hear any shots fired?

A. No sir, I did not.

Q. And when you told me, in the presence of these other gentlemen, in response to my question "Do you know who killed Henry Roan?" and you said "Yes", you deliberately lied to me, did you?

A. Yes sir, I did.

2158

- Q. And when I asked you who killed Henry Roan and you said Carley Johnson, that was a deliberate lie?
- A. Yes sir.
- Q. And when I asked you how did you know and you said "I saw it done", that was a lie?
- A. Absolutely.

By Harve Freuse, Sheriff of Osage County:

- Q. When I came over and met you that day over there when I was investigating the death of Henry Roan didn't you tell me a story something like this: You said that you had been down to Walton's inauguration and you went up in the room in the Lee-Hughins Hotel and you became a little bit intoxicated and were lying on the bed, and Bill Hale and Henry Grammer came in and Hale said to Grammer "I don't know how in the world I am going to collect the money on that old bastard (referring to Henry Roan) unless I bump him off", and Henry Grammer said "Come up, I've got a fellow over there will do it?"
- A. Henry Grammer framed that story. The story I told the other day is correct.

This witness to be questioned and evidence made of record.

STH

2159

SOL SMITH,
Fairfax, Okla.

This witness operates Ranch where Roan's body was found. Witness volunteered the following information during progress of Hale and Ramsey trial at Guthrie:

Sol Smith states that Springer saw him in the lobby of the Lone Hotel Saturday, July 31, 1926, and asked him if he did not remember when Curley Johnson and Roy Bunch came to his ranch house one night with the body of Henry Roan in a car, and he showed them where to place the car and body in the canyon. He stated that he did not remember this, and told Springer no such thing took place; that it would have been impossible to have taken a car from his ranch house to where the car and body of Henry Roan was found. Springer then asked him if he could not remember it if there was \$2500.00 in it for him. He also stated that Russ Beree and his wife was going to swear that Johnson and Bunch did come to his, Smith's, ranch house one night with Henry Roan's body in a car, taking it to the canyon where it was found, and that he, Smith, would show them where to take the body.

Later this witness came to Bureau Agent and stated that he was accosted by Springer, who placed a pistol against him and told him he would kill him if he mentioned further what Springer had said to him. Special Prosecutor T. J. Leahy advised Agent that Mr. Smith had later told him that Springer came to him and apologized for this conduct, and requested that he treat the matter as closed.

To be questioned, and his evidence made a matter of record.

EUGENE SAWYER,
HAROLD SAWYER.

Arch Barger, a resident of Fairfax, during trial at Guthrie, came to Agent Smith and advised that Sawyer brothers would be witnesses for defense, and from what he could gather from their line of talk they would swear that they passed within ten feet of the car in which Roan was found murdered and saw an Indian sitting upright in car and apparently asleep or drunk. Barger was requested to advise these witnesses of the danger of prosecution should they commit perjury, resulting in their testimony being of no damage to the government.

These witnesses will be confronted with Barger and closely questioned, in an effort to obtain the truth and place their testimony on record.

2160

BOB STRANGE,
Pawhuska, Okla.

This witness is an underworld criminal, and no doubt in the employ of Hale's lawyers, to aid and assist in obtaining perjured testimony, especially in Burkhart trial. Note statement Mrs. Johnson, and Dick Dunham. To be questioned.

BLASHE THOMPSON,
Granite Penitentiary.

This witness gave material evidence for the State in the trial of Burkhart. The following additional information obtained from this witness in statement to Agent Smith:

That after he was arrested for theft of Burkhart's car that Jim Parker, of Pawhuska, aided and assisted him in obtaining a parole from the penitentiary; that in consideration of the favor he approached Parker and told him that he, Thompson, was getting ready to rob the Ripley bank and that he would take Parker along if he cared to go; that Parker was pleased with the proposition but stated that a finger on his right hand was crippled and might be a tip-off if he went in the bank, and suggested that he could remain with the car and hold the outside. That he, Thompson, Jim Parker, and a third person, whose name was withheld, robbed the Ripley Bank on the last day of January 1923, and Parker remained in the car on the outside while he, Thompson, and the third person, went in and robbed the bank. That the proceeds were cut equally, amounting to something over \$1700.00 each, not inclusive of some bonds. Note: Thompson states that if he is given an opportunity to confront Parker that Parker can do nothing else but tell the true facts.

BILL TAYLOR,
Fairfax, Okla.

To be questioned concerning being approached by parties thought to be Mays, Johnson and Mullineaux, in the employ of Hale's lawyers, and establish identity.

FRANK TERRELL,
Pawhuska, Okla.

This witness was present during trial at Guthrie and associated with Hale-Ramsey sympathizers, and admitted to Agent Smith that he had talked to Mr. Springer, Ramsey's attorney. To be questioned.

2161

AMOS TUCKER,
Fairfax, Okla.

This witness is a notorious bootlegger and gave damaging testimony for defense at Guthrie, which was unquestionably perjured. Note testimony of Roy Dunch.

Mary Roan stated that she was with Henry Roan and went to get some whiskey from Tucker at the time Tucker stated Dunch was present.

To be questioned and an effort made to have witness divulge who framed him to commit perjury.

WILEY BIRDALL,
Ponca City.

This witness an habitual criminal, and associated with Grammer in liquor business. Unquestionably framed by Hale faction, and perjured himself. Stated to Agents White and Smith at Grand Jury investigation in January at Guthrie that he had known John Ramsey at Grammer's and saw him often and never heard of his having a new Ford, but saw him with an old roadster. To be questioned.

JESS WENATOR,
Ralston, Okla.

This witness gave testimony at Guthrie trial impeaching Matt Williams, government witness; apparently perjury. To be questioned.

MRS. JENNIE WARD,
Fairfax, Okla.

This witness testified for defense relative to John Ramsey and wife spending day at her place in January 1923. It is alleged that she now states that Ramsey was at her house at a later date in January 1923 and slept off a drunk in a barn.

This witness is an aunt of Bill Taylor, government witness who defense attempted to connect by Cornett's testimony as implicated with Dunch in murder of Roan.

To be questioned and testimony made of record.

ED WEAVER,
Mulsa, Okla.

Current information that this witness was employed and cooperated with Springer in framing witnesses.

See statement Mrs. John Mayo implicating Weaver and Springer. To be questioned.

2-162

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WILLIE McDUNSE, Fullblood Indian. From unauthentic
Fairfax, Okla. information this witness was present
and drank with Roan and Ramsey near
Fairfax few days before murder.
To be questioned and evidence made of record.

SAE WOOTEN, Arch Barger states that Frank Wooten,
New Mexico. son of witness, told him that Hale had
Ramsey haul Wooten around to get the
sentiment of the people. This occurred just after murder of
Roan and Smith.

C. E. WILKERSON, Ex-jailer of Osage county; was present at
Pawhuska, Okla. Guthrie as defense witness but was not used.
This witness is thought to have been framed
to swear falsely concerning conversations he heard between Hale
and Burkhart.

P. J. WALKER, This witness testified for defense. Was
Ponca City, Okla. in jail at beginning of trial. Unquestion-
ably swore falsely. Was seen talking to
Springer. Evidence developed at trial that witness and John
Ramsey were making whiskey after Ramsey left Bellew's.
Should be indicted for perjury. Will compile evidence taken
at Guthrie trial for presentation to Grand Jury, and witness
will be questioned.

FRED WHITTAKER, This witness will be used in an effort
Fairfax, Okla. to have Fuster Jarrett divulge the true
facts, having previously handled Jarrett
and gained his admiration and respect.

JOHN WILDERLY, This witness to be questioned concerning
Burkbank, Okla. Burkhart's testimony that he visited wit-
ness' place in company with John Morris.
Information that witness can corroborate Burkhart's testimony.
To be questioned.

2163

AGENT'S NOTES: All witnesses will be discreetly and thoroughly questioned by Bureau Agents and statements, where available, obtained before questioning by Grand Jury.

Attention is directed to testimony given by Henry Cornett and Rowe brothers at Guthrie with reference to Cornett receiving a shipment of cattle and branding same on January 27, 1923. The records of the Santa Fe Railway Company disclose the following record:

Received by J. H. Cornett 1 car of native cattle, 30 head, in Car 26875, B.D.R. Shipment left Oklahoma City January 26, arrived Durban on Extra 1085, Conductor Freeman, Jan. 27, 1923, about noon. Unloaded same day.

Referring to Mr. Ehring's suggestion for investigation of one Ed Wade, testified to by Cornett as being present when cattle in question were branded, investigation develops that this witness is dead.

With reference to the case of United States vs. Hale and Ramsey, scheduled for trial beginning October 20, 1926, processes have been issued and now in hands of United States Marshal and in process of being served.

Kelsie Morrison, who testified from the witness stand at Pawhuska in the Burdhart trial for murder of W. E. Smith that he, Morrison, and Bryan Burdhart lured Anna Brown to a spot where she was later found dead, and that Bryan Burdhart held her while he, Morrison, shot her in the back of the head; that he was hired by and paid by W. K. Hale for committing this murder. On September 29, 1926, at Guthrie, in Federal Court, when arraigned on a pending liquor violation, Morrison openly repudiated his admissions of this murder. Prince Freeling, Hale's counsel, was present, no doubt knowing Morrison's plans. The court assessed a sentence for the liquor violation at 30 days in the Logan County Jail and a fine of \$250.00.

Morrison now stands charged jointly by complaint in Osage County with Bryan Burdhart with the murder of Anna Brown.

2164

In the matter of the State of Oklahoma vs. W. K. Hale and John Ramsey, set for trial at Pawhuska September 23, 1926, strong pressure was brought to bear on presiding Judge to proceed with trial on date set by Hale's counsel, which was successfully resisted by Special Counsel Leahy. However, a bench warrant was issued and presented to the Marshal for the Western District of Oklahoma for Hale and Ramsey, which was denied. Case passed.

In the matter of State of Oklahoma vs. Bryan Burkhart, et al, every effort was made for immediate trial in that case, which was also successfully resisted by Mr. Leahy, and case continued until January Term 1927.

Another strong effort on part of Hale's counsel to have Ernest Burkhart, material government witness, now confined in Pawhuska Jail, remanded to State Penitentiary, was successfully resisted by Mr. Leahy, and Burkhart will remain at Pawhuska pending outcome of Roan case. Burkhart is optimistic and remaining loyal.

Further investigation of leads suggested by Assistant Attorney General Lohring are being followed up.

PENDING.

6-16-25

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October 12, 1926.

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MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL LUNN

Further with regard to the Osage Indian murder cases, I am attaching hereto copy of the report submitted by Agent F. S. Smith, at Oklahoma City, dated October 1st, captioned W. E. HALE and JOHN RANNEY.

Very truly yours,

Director.

Inc. 252110.

2/16/60