



FEDERAL BUREAU OF INVESTIGATION

# OSAGE INDIAN MURDERS

PART 17 OF 19

**BUFILE NUMBER: 62-5033**

FILE DESCRIPTION

BUREAU FILE

SUBJECT page Indian Murders

FILE NO. 47-5033

SECTION NO. 19

SERIALS 491-769

pages 2777-2965

1 Cover Page → total 190 pages

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61

|          |  |
|----------|--|
| RECEIVED |  |
| DATE     |  |
| TIME     |  |
| CLASS    |  |
| NO.      |  |

Other places of service  
will be  
a full-rate  
contribution.

# WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

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

FAST

DALLAS TEX SEPT 27 1928

F. J. BLAKE  
U. S. DEPARTMENT OF JUSTICE  
FEDERAL BUILDING,  
OKLAHOMA CITY, OKLAHOMA

62-5033  
69189

REPEL F. W. REYNOLDS WITNESS ORAGE CASE ON TWENTY FIFTH INSTANT  
LEFT FORWARDING ORDER EASTLAND TEXAS TO GENERAL DELIVERY SERVICE  
OKLAHOMA GOOD FOR THREE DAYS ONLY. STOP IS IS ONLY STAYING  
THE 3 OR FOUR DAYS IN A PLACE SUGGEST YOU EXPEDITE.

COLVIN

offl bus  
govt rate  
Chg: U.S. Dept Justice  
Bu. Investg  
Dallas.

62-5033-691

OCT 1 1928

RECORDED

OCT 3 - 1928

2777

1  
2  
3  
4  
5  
6  
7  
8 DETAILS: AT EASTLAND, TEXAS;

9  
10  
11 F. W. REYNOLDS on 9-25-38 left an order at General Delivery  
12 office, Eastland, Texas, requesting that his mail be forwarded for three  
13 days only, to Waurika, Oklahoma.  
14

15 The Dallas Office was advised by phone in regard to the above in-  
16 formation and the following telegram was forwarded by SAC Colvia to Sac Blake  
17 of Oklahoma City on 9-27-38;  
18

19  
20 "Re: F. W. Reynolds witness Osage Case on Twenty Fifth instant  
21 left forwarding order Eastland, Texas, to General Delivery Waurika,  
22 Oklahoma, good for three days only. Stop. He is only staying  
23 three or four days in a place. Suggest you expedite."  
24

25  
26 99191

27 UNDEVELOPED LEAD:

28  
29  
30 OKLAHOMA CITY OFFICE:

31 Is respectfully requested to ascertain from the  
32 Postmaster at WAURIKA, OKLA., the present address  
33 of F. W. REYNOLDS, witness, W. K. Hale case,  
34 should that office deem it necessary.  
35  
36

37 REFERRED UPON COMPLETION TO OFFICE OF ORIGIN.

38 NO FURTHER ACTION HERE.  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859  
860  
861  
862  
863  
864  
865  
866  
867  
868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899  
900  
901  
902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919  
920  
921  
922  
923  
924  
925  
926  
927  
928  
929  
930  
931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952  
953  
954  
955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000

2778

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

USE ORIGINATED AT **Oklahoma City, Okla.**

|  |                                    |  |  |
|--|------------------------------------|--|--|
| REPORT MADE AT<br><b>Dallas, Texas</b> | DATE WHEN MADE:<br><b>9-29-28.</b> | PERIOD FOR WHICH MADE:<br><b>9-25-27*28.</b> | REPORT MADE BY:<br><b>D. W. MAGEE.</b> |
|--|------------------------------------|--|--|

|                          |   |
|--------------------------|---|
| <b>W. K. HALE ET AL.</b> | CHARACTER OF CASE:<br><b>MURDER OF OSAGE INDIANS ON GOVERNMENT RESERVATION.</b> |
|--------------------------|---|

**REOPENED.** Dallas file 70-7-7.

**SYNOPSIS OF FACTS:**  
Investigation at San Angelo, Texas, in regard to F. W. Reynolds, witness, this case, discloses that F. W. Reynolds left general delivery forwarding order - Eastland, Texas, on 9-20-28. Investigation at Eastland, Texas, discloses forwarding address was left on 9-25-28, for three days only for general delivery, Waurika, Oklahoma.

R. U. C. - 67-5033

**REFERENCE:** Telegram SAC Blake, Oklahoma City, dated 9-24-28 to SAC Colvin, Dallas.

**DETAILS:** At Dallas, Texas: 39190

Referenced telegram received at the Dallas office follows:—

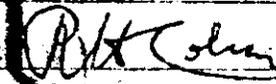
"F. W. Reynolds important witness in the W.K. Hale case at SAN ANGELOUS hotel San ANGELO, September twentieth endeavor to trace so he may be served with subpoena Reynolds apparently avoiding service. Use extreme caution. Expedite."

**DETAILS:** At San Angelo, Texas.

Mr. T. M. Herring, Superintendent of mails, San Angelo, Texas, informed Agent that F. W. Reynolds on 9-20-28, left forwarding address for three days, only, requesting that mail be sent to general delivery, Eastland, Texas. F.W. Reynolds had been receiving mail at general delivery, San Angelo.

Inquiry at St. Angelus, the Haylor and Roberts Hotels, failed to disclose information of Mr. Reynolds residence at those places or forwarding addresses.

DO NOT WRITE IN THESE SPACES

|  |                         |  |  |
|--|-------------------------|--|--|
| APPROVED AND FORWARDED:<br> | SPECIAL AGENT IN CHARGE | <b>62-5033-692</b>   | RECORDED AND INDEXED:<br><b>OCT 1 1928</b> |
| COPIES OF THIS REPORT FURNISHED TO:<br>3- Bureau<br>2- Okla. Cty.<br>2- File <b>ME</b>                         |                         | BUREAU OF INVESTIGATION<br><b>OCT 1 1928 P.M.</b><br>DEPARTMENT OF JUSTICE | CHECKED OFF:<br>INDEXED:<br>FILED:         |
|  |                         | ROUTED TO:   | FILE                                       |

61  
62

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

DETAILS: AT EASTLAND, TEXAS:

F. W. REYNOLDS on 9-25-28 left an order at Federal Delivery station, Eastland, Texas, requesting that his mail be forwarded for three days only, to Waurika, Oklahoma.

The Dallas Office was advised by phone in regard to the above information and the following telegram was forwarded by SAC Colvin to Sac Blake of Oklahoma City on 9-27-28:

"Retel F. W. Reynolds witness Craig Case on Twenty Fifth instant left forwarding order Eastland, Texas, to Federal Delivery Waurika Oklahoma, good for three days only. Stop. He is only staying there or four days in a place. Suggest you expedite."

UNDEVELOPED LEAD: 99193

OKLAHOMA CITY OFFICE:

Is respectfully requested to ascertain from the Postmaster at WAURIKA, OKLA., the present address of F. W. REYNOLDS, witness, W. E. Hale case, should that office deem it necessary.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN.

NO FURTHER ACTION HERE.

2780

APH - COMM

LARENCE H. MACKAY, PRESIDENT

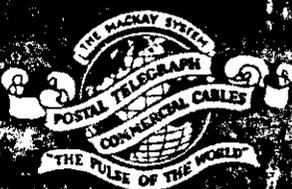
L CABLES

This is a full-rate Telegram or Cablegram unless otherwise indicated by signal in the check or in the address.

|      |                 |
|------|-----------------|
| BLUE | DAY LETTER      |
| NL   | NIGHT LETTER    |
| NITE | NIGHT TELEGRAM  |
| LCO  | DEFERRED        |
| NET  | CABLE LETTER    |
| WLT  | WEEK END LETTER |

TO ALL AMERICA

TO ALL THE WORLD



STANDARD TIME  
USED ON THIS MESSAGE

- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39

62-5033-21 COLLECT GOVT NITE

ELPASO TEXAS 28

DIRECTOR

BUREAU OF INVESTIGATION DEPT OF JUSTICE WASHINGTON DC  
GENERAL INVESTIGATIVE DIVISION  
1500 A STREET LEFT ELPASO THIS AFTERNOON FOR PAMHUSKA

RE: MOBILE RESPONSE SUBPOENA OCTOBER FIRST WILLIAM K HALE INDIAN CASE  
DENNETTE.

50at

RECEIVED  
OCT 1 1950

62-5033

693

62-5033-21

BUREAU OF INVESTIGATION

SEP 29 1950 8:28 A. M.

DEPARTMENT OF JUSTICE

FILE

RECORDED

ICT

WZ

DO NOT WRITE  
DO NOT WRITE  
DO NOT WRITE

2781

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

VLS:RGT:SFB  
62-5033-693  
62-5033-493

62-5033-693

RECORDED

October 3, 1928

MEMORANDUM FOR MR. LUHRING  
Assistant Attorney General.

For your information in connection with  
the case entitled: W. K. HALE ET AL, Murder of  
Osage Indians on Government Reservation, there  
are transmitted herewith copies of the following  
reports:-

Report from Special Agent J. E. Burger,  
dated September 24, 1928 at Oklahoma  
City, Oklahoma.

Report from Special Agent D. W. Magee,  
dated September 29, 1928 at Dallas,  
Texas.

Very truly yours,

Director.

Encl. 104459

BUREAU FILES DIVISION  
MAILED  
OCT 3 1928  
U. S. DEPT. OF JUSTICE

OR

2782

# TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT

TELEGRAMS  
TO ALL  
AMERICA



CABLEGRAMS  
TO ALL  
THE WORLD

This is a full-rate Telegram or Cablegram unless otherwise indicated by signal in the check or in the address.

|       |                 |
|-------|-----------------|
| DLIVE | DAY LETTER      |
| NL    | NIGHT LETTER    |
| NITE  | NIGHT TELEGRAM  |
| LCO   | DEFERRED        |
| NLT   | CABLE LETTER    |
| WLT   | WEEK END LETTER |

STANDARD TIME  
ED ON THIS MESSAGE

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36

13 CALL ECT GOVT

OKLA CITY OKLA OCT 1 28

REGTOR B UREAU OF INVESTIGATION,

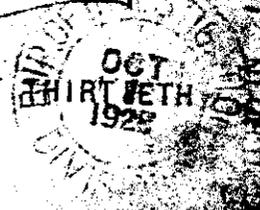
WASHN DC.

EC AGENT J A STREET REPORTED HERE ASSIGNMENT HALE CASE SEPT

BRENIMAN

1040AM

*30K*  
*5 eat*



*694*

*62-50336-5*

BUREAU OF INVESTIGATION

OCT 5 1928 P.M.

DEPT. OF JUSTICE

FILE

- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60

*2783*

# Signal Corps, United States Army

War Department Message Center,  
Room 3433, Munitions Building,  
Washington, D. C.

RADIOGRAM

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61

52 WVC B 31 JUS

LOSANGELES CALIF 10A SEP 28TH

DIRECTOR BUREAU OF INVESTIGATIONS  
DEPT OF JUSTICE  
ASHN DC

AGENT J V MURPHY IS LEAVING TODAY FOR PAWHUSKA OKLA UNDER SUBPOENA  
WITNESS IN OSAGE MURDER TRIAL ANTICIPATED WILL BE ABSENT FROM  
HOURS AT LEAST ONE WEEK OR TEN DAYS

GEEHAN

827P

13 - *just*  
15 cat

62-5033

695

62-5033-696

BUREAU OF INVESTIGATION

OCT 1 1928 P. M.

Div. Three | Div. Two | Div. One

FILE

OCT 1 - 1928

2784

# TELEGRAPH - COMMERCIAL CABLES

CLARENCE M. MACKAY, PRESIDENT

TELEGRAMS  
TO ALL  
AMERICA



CABLEGRAMS  
TO ALL  
THE WORLD

This is a full-rate Telegram or Cablegram unless otherwise indicated by signal in the check or in the address.

|      |                 |   |
|------|-----------------|---|
| BLUE | DAY LETTER      | 4 |
| NL   | NIGHT LETTER    | 6 |
| NITE | NIGHT TELEGRAM  |   |
| LCO  | DEFERRED        |   |
| NLT  | CABLE LETTER    |   |
| WLT  | WEEK END LETTER |   |

SUNDAY TIME  
CALLED ON THIS MESSAGE

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60

31 12 44 COLLECT

GS SAN ANTONIO TEX OCT 1 28 GOVT

DIRECTOR BUREAU OF INVESTIGATION,

WASHINGTON DC.

AGENT DAVIS LEFT HERE TWO THIRTY PM FOR PAWUSKA OKLAHOMA WITNESS SALE CASE  
JONES.

500

OCT 3 1928

62-5033

RECORDED  
OCT 3 1928

62-5033-690

BUREAU OF INVESTIGATION

OCT 3 1928

DEPARTMENT OF JUSTICE

FILE

Div. Three  
Div. Two  
Div. Five

2785

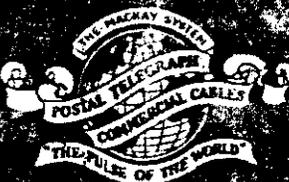
# POSTAL TELEGRAPH - COMMERCIAL CABLE

CLARENCE H. MACKAY, PRESIDENT

RECEIVED AT

STANDARD TIME INDICATED ON THIS MESSAGE

TELEGRAMS  
TO ALL  
AMERICA



CABLEGRAMS  
TO ALL  
THE WORLD

This line follows Telegram and Cable unless otherwise indicated. Signal in the check as to Telegram.

|      |                 |
|------|-----------------|
| BLUE | DAY LETTER      |
| NL   | NIGHT LETTER    |
| NTE  | NIGHT TELEGRAM  |
| LCO  | DAY CABLE       |
| NLT  | NIGHT CABLE     |
| WLT  | WEEK END LETTER |

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39

41 COLLECT GOVT

OKLAHOMA CITY OKLA OCT 2

DIRECTOR BUREAU OF INVESTIGATION

DEPT JUSTICE WASHN DC

CASE AT PAWHUSKA CONTINUED UNTIL, NOVEMBER FOURTEENTH SPECIAL AGENT

MURPHY F S SMITH J A STREET WILL BE INSTRUCTED RETURN THEIR RESPECT

HEADQUARTERS UNLESS OTHERWISE ADVISED ADVISE WHETHER SPECIAL AGENT GREEN

SHOULD RETURN HEADQUARTERS OR SPECIAL ASSIGNMENT

BREINMAN

140 PM

RECORDED

*cat*

62-503-68

BUREAU OF INVESTIGATION

OCT 2 1928

DEPARTMENT OF JUSTICE

Div. Two

FILE

*62*  
*65*  
BUREAU OF INVESTIGATION  
OCT 2 1928

2786

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61

62-5033-697

RECORDED

POSTAL

October 2, 1928

OCT 3 - 1928

Breniman  
Dept Justice  
Federal Bldg  
Oklahoma City Okla

REPLYING TELEGRAM WHEN SHOULD RETURN SPECIAL ASSIGNMENT  
OTHER AGENTS IMMEDIATELY TO RESPECTIVE HEADQUARTERS

Hoover

62-5033

cat

2787

# INTERNATIONAL TELEGRAPH - COMMERCIAL CABLE

CLARENCE H. MACKAY, PRESIDENT

HEAD OFFICE  
100 WALL STREET, N. Y.  
Telephone Main 6600, Br. 7

TELEGRAMS  
TO ALL  
AMERICA



CABLEGRAMS  
TO ALL  
THE WORLD

*This is a special Telegram or Cablegram unless otherwise indicated by signal in the check or in the address.*

|      |                 |
|------|-----------------|
| BLUE | DAY LETTER      |
| NL   | NIGHT LETTER    |
| NITE | NIGHT TELEGRAM  |
| LCO  | DEFERRED        |
| NLT  | CABLE LETTER    |
| WLT  | WIRE AND LETTER |

STANDARD MESSAGE INDICATED ON THE MESSAGE

12  
13 SM 16 COLLECT GOVT  
14  
15 OKLA CITY OKLA OCT 1 28  
16  
17 DIRECTOR BUREAU OF INVESTIGATION,  
18  
19 WASHINGTON DC.

*15 Cat*

20  
21 SPECIAL AGENT J V MURPHY ARRIVED PAWUSKA, OKLAHOMA LAST NIGHT ATTENDING  
22  
23 L V K HALE

BRENIMAN

505PM

*62-5033*

*RECORDED*

*62-5033-670*

BUREAU OF INVESTIGATION

OCT 23 1928 A. M.

DEPARTMENT OF JUSTICE

*FILE*

*Dist. Thru*  
*Dist. Thru*  
*Dist. Thru*

34  
35  
36  
37  
38  
*cod*  
*5-36 5 am*  
*[Signature]*

*2788*

# INTERNATIONAL TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT

## TELEGRAM

**SERVICE DESIRED**

|          |  |
|----------|--|
| GRAM     |  |
| TELEGRAM |  |
| TELETYPE |  |

Mark with an X opposite the service desired. If the telegram is to be transmitted by fast telegram.

TELEGRAMS TO ALL AMERICA



CABLEGRAMS TO ALL THE WORLD

Receiver's Name

CHARGE

TIME FILED

STANDARD TIME

following Telegram, subject to the terms on back hereof, which are hereby agreed to.

San Antonio Tex Oct 1 1928

enman  
 ptr Justice  
 der Field  
 lsb City Okla

Attorney Davis will arrive Pawhuska tomorrow noon  
 Hale case  
 Investigation  
 Govt rate paid

Jones

62-5033

62-5033-679

BUREAU OF INVESTIGATION

OCT 4 1928 A. M.

DEPARTMENT OF JUSTICE

Dist. Three  
 Dist. Two  
 Dist. Four



3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

2789

PATrons ARE REQUESTED TO FAVOR THE COMPANY BY CRITICISM AND SUGGESTIONS

CONNECTIONS SERVICE

CLASS OF SERVICE  
This is a full-rate Telegram or Cablegram unless the preferred character is indicated by a symbol above or preceding the address.

# WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

| SIGNS |                       |
|-------|-----------------------|
| DL    | Day Letter            |
| NM    | Night Message         |
| NL    | Night Letter          |
| DCO   | Deferred Cablegram    |
| NLT   | Night Letter Telegram |
| WLT   | Week Letter Telegram  |

File time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination, as shown on all messages, is STANDARD TIME. Read at Commercial Nat'l Bank Bldg., 14th & G Sts., N. W. Washington, D. C. ALWAYS OPEN 1928 SEP 30 PM 12

15B 40 9 COLLECT GOVT=UD LITTLE ROCK ARK 30 844P  
DIRECTOR BUREAU OF INVESTIGATION=  
DEPT OF JUSTICE WASHINGTON DC=  
LEAVING FOR PAWUSKA OKLAHOMA TO ATTEND MALE TRIAL=  
J K WREN.

*Handwritten:* 2- [ ] 3- [ ] 5 CAT - 62-5033

62-5033-700

RECORDED

OCT 4 1928 P. M.

BUREAU OF INVESTIGATION  
DEPARTMENT OF JUSTICE

FILE

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

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61

2790

# INTERNATIONAL TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT

|                 |  |
|-----------------|--|
| SERVICE DESIRED |  |
| TELEGRAM        |  |
| LETTER          |  |
| DAY TELEGRAM    |  |
| NIGHT LETTER    |  |

For each mark an X opposite the class of desired service the telegram will be transmitted as a fast telegram.

## TELEGRAM

TELEGRAMS  
TO ALL  
AMERICA



CABLEGRAMS  
TO ALL  
THE WORLD

|                   |
|-------------------|
| RECEIVER'S NUMBER |
| CHECK             |
| TIME FILED        |
| STANDARD TIME     |

following Telegram, subject to the terms on back hereof, which are hereby agreed to.

October 1 1928

CEB:R.

Gus T. Jones  
 Department of Justice  
 Federal Building  
 San Antonio Texas

Hale case continued until November twelfth

Breniman

Government Rate - Official Business  
 Paid - Chg Bureau of Investigation

62-5033

|                         |      |
|-------------------------|------|
| 62-5033-70              |      |
| BUREAU OF INVESTIGATION |      |
| OCT 4 1928              |      |
| DEPARTMENT OF JUSTICE   |      |
| Dist. Three             | FILE |

OCT 5 1928  
 CIVIL

279

Department of Justice

Bureau of Investigation

P. O. Box #1535,  
Oklahoma City, Oklahoma,  
October 2, 1928.

CEB:B.

RECEIVED INVESTIGATION DIVISION  
OCT 3 1928

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

62-5033

Dear Sir:

On October 1st I was informed by telephone from Pawhuska that trial of the case of W. K. Hale, et al had been postponed until November 12, 1928. T. J. Leahy, Special Assistant to the Attorney General, in charge of the prosecution, requested me to permit Special Agent John R. Burger to remain at Pawhuska to continue the investigation and keep in touch with witnesses, etc.

I have authorized Agent Burger to remain at Pawhuska as requested and until the Bureau has given its approval therefor.

I am enclosing herewith copy of letter received this date from Agent Burger relative to the matter.

Very truly yours,

*C. E. Breniman*  
C. E. Breniman,  
Special Agent in Charge

RECORDED

OCT 9 1928

|                         |      |
|-------------------------|------|
| 62-5033-702             |      |
| BUREAU OF INVESTIGATION |      |
| OCT 4 1928 P. M.        |      |
| Mr. Tolson              | FILE |
| Mr. Clegg               |      |
| Mr. Glavin              |      |
| Mr. Ladd                |      |
| Mr. Nichols             |      |
| Mr. Rosen               |      |
| Mr. Tracy               |      |
| Mr. Carson              |      |
| Mr. Coffey              |      |
| Mr. Hendon              |      |
| Mr. Jones               |      |
| Mr. Quinn               |      |
| Mr. Nease               |      |
| Miss Gandy              |      |

*Ho. reply 10/6/28*

2792

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

- Copy -

Leahy, MacDonald, Macey & Files  
Attorneys at Law  
First National Bank Building  
Pawhuska, Oklahoma

October 1st, 1928

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11 T.J. Leahy  
12 C.S. MacDonald  
13 J.H. Macey  
14 F.W. Files  
15  
16 T.R. Leahy  
17 G.V. Labadie

18  
19 Mr. C. E. Breniman, S.A.C.  
20 Oklahoma City  
21 Oklahoma

22  
23 Dear Sir:

24  
25 This is to advise you that the case of United States vs.  
26 W. K. Hale was called for trial this date and continued to November  
27 12th, 1928 - further, that Mr. T. J. Leahy, Special Attorney General,  
28 and Mr. John Goldesberry, United States Attorney, Tulsa, have requested  
29 of me that I remain on case continuously in keeping witnesses in shape  
30 and in endeavoring to get further evidence for coming trial of case.

31  
32 Mr. Leahy advised me that he had called you on 'phone and made  
33 this request of you, and Mr. Goldesberry stated that he would write you  
34 a letter upon his return to Tulsa.

35  
36 While there are opportunities, of course, for obtaining further  
37 evidence in this case, there remains quite a good deal of work to be done  
38 in keeping the witnesses in line to testify as the defense are doing  
39 everything possible to intimidate and work on our witnesses.

40  
41 Agents Smith, Street, Wren and Murphy will be in your office to-  
42 morrow, and they can likely give you a better explanation of the present  
43 status of this case by talking to you than I can by writing you.

44  
45 I will remain here until advised by you how to proceed, and,  
46 unless otherwise advised, I will proceed with this case.

47  
48 Very truly yours,

49  
50 J. R. Burger.  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

62-5003-793

2793

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

REC:RME  
62-5033-702

October 6, 1928.

RECORDED

OCT 9 1928

Mr. C. E. Brennan,  
P. O. Box 1535,  
Oklahoma City, Okla.

Re: W. K. (BILL) SMER,  
Murder of Osage  
Indians.

Dear Sir:

Reference is made to your letter dated  
October 2, 1928, relative to the request of Spe-  
cial Assistant to the Attorney General T. J. Leahy  
that Agent John R. Burger be permitted to continue  
the investigation of the above entitled matter  
until November 12, 1928.

In view of the request of Mr. Leahy, you  
are authorized to instruct Agent Burger to continue  
the investigation as requested if his services  
should be necessary until the date of the trial.

Very truly yours,

Director.

BUREAU FILES DIVISION  
MAILED  
OCT 6 1928  
U.S. DEPT. OF JUSTICE

2794



JULY 11 12 13 14

# DEFENSE MAKES MOTION TO QUASH INDICTMENT NOW

## That Trial Might Not Be Completed Is Set At Risk By United States Attorney Quickly

### HALE IS JAUNTY

#### Judge Crowd Is Drawn To City With Jurors, Witnesses, and Friends In Attendance At Trial

The trial of William K. Hale, charged with the murder of Henry Roan, full-blood Osage Indian, in May, 1923, was set up until November 12, at the request of the United States government attorneys at the afternoon session here before Judge Franklin E. Kennamer of Tulsa. Government attorneys refused to say why the indictment had been made and application of defense attorneys for bail was presented to Judge Kennamer, who took the petition under consideration. He will make an announcement within the next few days, he stated.

G. R. Luring, assistant United States attorney-general, said that if bond were granted and Hale released, Osage county officers would immediately arrest him on another charge as district judge Jesse J. Worton, about two years ago had denied bail in a state case for the same reason. Government attorney left here this afternoon for Oklahoma City and Washington.

A motion to quash the indictment against William K. Hale, charged with the murder of Henry Roan, full-blood Osage Indian, about five years ago, was the first move on the part of defense attorneys to save the Osage County ranchman.

The petition alleges that Hale had been erroneously indicted in the Western Federal district of Oklahoma. "The grand jury which returned the indictment was without jurisdiction of the offense charged," said the motion. "Prior to the return of the indictment against Mr. Hale, congress passed an act transferring Osage county, where the crime is alleged to have occurred, from the western district to the northern district. The indictment in this case could have been returned only in the northern district."

It has been previously determined by the United States Circuit Court of Appeals that the indictment against Hale was legal, government attorneys said.

Meanwhile O. H. Luring, assistant United States Attorney-General Roy St. Lewis, United States attorney for the western district of Oklahoma, John Leahy, special United States attorney, and others were in conference behind closed doors.

At their request 125 prospective jurors called from the entire eleven counties of the northern district, were

impaneled, then dismissed until 10 o'clock to allow the government to prepare its announcements.

Hale appeared at the trial in Osage county as ever, looking as well as attests to the fact that he has not a year in prison show. He had a pair of glistening hair, flared at the ends, a dark gray suit and a white necktie, he looked like a rancher he was before he was in jail about five years ago.

Judge Kennamer informed the jury that the government had not yet completed the filing of its charges. He suggested that the government to dismiss the present suit and has been tried three times and other charges against him. He promptly denied by G. E. Luring, government attorney.

Hale, wealthy rancher of the Osage near Fairfax, is charged specifically with employing John Ramsey, Fairfax cowboy farmer, to kill Roan in order that he might obtain \$25,000 from an insurance policy, which was written in his favor on Roan's life.

Dozens of automobiles, perhaps more than has ever been seen on a hill around the courthouse in the last few years, lined up outside and the parking lot of the courthouse. Witnesses from all parts of the country were in attendance to what promises to be still one of the most sensational trials here.

A half dozen federal operators who delved into the mystery surrounding the death and emerged with the charges against Hale, Ramsey and Ramsey's nephew, Dan, at the last were at the courthouse today along with the many witnesses to be deposed.

Hale was brought here by a white van of the federal police, who directed the jury in 1923, superintendent of corrections, and creatives in Oklahoma.

As the paper went to press final examinations of jurors were made in the case getting ready to start as soon as possible.

62-5033-70

2796

# INTERNATIONAL TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT

TELEGRAMS  
TO ALL  
AMERICA



CABLEGRAMS  
TO ALL  
THE WORLD

This is a full-rate Telegram or Cablegram unless otherwise indicated by signal in the check or in the address.

|      |                 |
|------|-----------------|
| BLUE | DAY LETTER      |
| NL   | NIGHT LETTER    |
| NITE | NIGHT TELEGRAM  |
| LCO  | DEFERRED        |
| NLT  | CABLE LETTER    |
| WLT  | WEEK END LETTER |

STANDARD TIME INDICATED ON THIS MESSAGE

62-20 COLLECT GOVERNMENT NITE

ELPASO TEX 4

1928 OCT 4 PM 10 53

DIRECTOR BUREAU OF INVESTIGATION THE DEPARTMENT OF JUSTICE  
WASHINGTON DC

AGENTS F S SMITH AND J A STREET RETURNED ELPASO TODAY FROM OKLAHOMA

DISTRICT COURT CASE WILLIAM K HALE

DENETTE.

62-5033-5 CA

62-5033-704  
BUREAU OF INVESTIGATION  
OCT 5 1928 A. M.  
DEPARTMENT OF JUSTICE

Div. Three True  
Div. Five

FILED  
MEE

58  
59  
60  
61

2797

2  
3  
4

10  
1928

CASE ORIGINATED AT Oklahoma City, Okla.

INDEXED

|  |                            |   |   |
|--|----------------------------|---|---|
| REPORT MADE AT:<br>7<br>8 Oklahoma City, Okla. | DATE WHEN MADE:<br>10-8-28 | PERIOD FOR WHICH MADE:<br>9-22-28 to<br>10-5-28 | REPORT MADE BY:<br>J. R. Burger.            |
| TITLE:<br>9<br>10 W. J. (BILL) HALE.           |                            |   | CHARACTER OF CASE:<br>Murder Osage Indians. |

(O. C. File #70-1)

15 SYNOPSIS OF FACTS:

16 Case called for trial at Pawhuska, Okla.,  
 17 10-1-28 and continued to Nov. 12, 1928.  
 18 Toby LaForge, Tulsa, Okla., made statement  
 19 with reference to interview had by him with  
 20 Subject Hale in regard to insurance on Henry  
 21 Roan and headrights of Osage Indians.  
 22 Statement incorporated in body of this report.  
 23 W. J. Emery (convict) Okla. State prison, Mc-  
 24 Alester, stated Subject Hale told him he had  
 25 job he wanted done in Osage County, Okla., and  
 26 shortly thereafter told him he, Subject, had  
 27 arranged with another man to do the job.  
 28 Statement incorporated in body of this report.  
 29 Max Billingslea, Okesa, Okla., stated in addi-  
 30 tion to what he testified to at previous trial  
 31 that Subject met him at Triangle Building,  
 32 Pawhuska, Okla., short time before Henry Roan  
 33 was killed and asked him if he, Billingslea,  
 34 thought Al Spencer (deceased) would kill a man  
 35 for money.

38 - PENDING -

40 REFERENCE: Report of this Agent dated 9-24-28.

41 DETAILS:

42 - At Tulsa, Oklahoma. -

44 Toby LaForge, Reporter on the Tulsa Oklahoma Tribune, daily paper,  
 45 made statement with reference to interview had with Subject Hale, which reads as  
 46 follows:

DO NOT WRITE IN THESE SPACES

|   |  |  |                                      |
|---|--|--|--------------------------------------|
| APPROVED AND<br>FORWARDED:<br>51<br><i>J. R. Burger</i> | SPECIAL AGENT<br>IN CHARGE   | 62-503-705   | RECORDED AND INDEXED:<br>OCT 10 1928 |
| WASHINGTON<br>REFERENCE:<br>52                          | COPIES OF THIS REPORT FURNISHED TO:<br>53<br>3-Bureau<br>1-U.S. Atty. Okla. City<br>1-U.S. Atty. Tulsa.<br>54<br>1-T. J. Leahy, Spec. Asst. Atty. Gen.<br>55<br>1-Edwin Brown, Spec. Asst. Atty. Gen.<br>56<br>2-Okla. City. | BUREAU OF INVESTIGATION<br>OCT 10 1928 P.M.<br>DEPARTMENT OF JUSTICE | CHECKED OFF:<br>JACKETED:<br>57      |
|   |  | ROUTED TO:<br>58<br>3-Div. Three<br>2-Div. Two                       | FILE                                 |

59  
60  
61  
62  
2798

I was out solely to get an interview and was not interested in the prosecution of Hale, I thought that the elimination of this phase of the interview would not hurt the story and would not create any reaction in the same. I figured that Mr. Hale might refute the statement after he read it in print, as many people do, and that he might later on deny it, and get me in a row, so after discussing the same with my City Editor, Mr. Joseph A. Brandt, the same was eliminated from the story.

(Signed) Toby LaForge.

Subscribed and sworn to before me this 27th day of September A. D. 1928.

(SEAL)

(Signed) Louise Nelson  
Notary Public.

My commission expires March 19, 1928.

W. J. Emery, (convict) Okla. State prison made statement to  
A. F. Weiss, Asst. Supt. Okla. State Bureau of Identification, which reads as follows:

"My name is W. J. Emery. I am 55 years old. I am now serving a sentence of 35 years, upon conviction of robber of the Oklahoma Paper Company payroll in Oklahoma City. I have about 5 years of this sentence served and am trying to do it the shortest way.

Before this robbery I lived on Paseo in Kansas City, Mo. and did some whiskey business with HENRY GRAMMER, of Osage County, who was then in the whiskey business there. Not very long before the murder of Henry Roan of Osage County, Henry Grammer was in Kansas City and told me a big rancher there, named BILL HALE, had a big job he wanted done. Grammer finally stated he would have BILL HALE come to see me. Not very long thereafter BILL HALE, of Fairfax, Oklahoma, did come and see me in Kansas City. I mentioned Grammer, and Hale told me he had a job he wanted to have done in Osage County. As I sometimes drove to Henry Grammer's place in connection with the whiskey business between us, I told Hale I would see him again at Fairfax, Oklahoma. Shortly thereafter I did drive to Osage County, Okla. and did go to Fairfax, and saw Bill Hale, and mentioned our conversation in Kansas City regarding a 'job'. HALE told me he was sorry, but he had already arranged with another man to do this job. Not very long thereafter I learned of the murder of HENRY ROAN, OSAGE INDIAN, and believed, and still believe, that was the job Hale had in mind for me to do or get done.

I know BILL HALE well, now, and hope he is acquitted, tho I believe he is guilty. I have been questioned before on this, by Mr. Frazier, who was then Chief of Police at Oklahoma City, and by J. K. Wright, and Parker La MOORE of Oklahoma City.

2799

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

It was assigned to get an interview from Mr. Hale, and I went to the May Hotel where I met him in the lobby, being introduced to him by Mr. Howard, his attorney. Mr. Hale and I discussed various phases of his case, and particularly, he told me about the way newspapers had been publishing and distorting different phases of the case, and cited me to several instances; he was very friendly and very talkative, and as my only object was to get an interview from him, I let him do most of the talking; for a few minutes, Mr. Hale and Mr. Howard and I talked together, standing up, and then the incoming friends of Mr. Hale at various intervals, drew Mr. Howard away, and left Mr. Hale and I together for several minutes. I asked Mr. Hale in regard to the insurance that was made out on Henry Roan, the man whom he was charged with having aided and abetted in murdering, and he started in and gave me a resume on how he happened to take out the insurance on Mr. Roan; he said that was the only thing the government could connect him with in regard to the death of Roan; it was the only thing that they had to go on and he explained it in this way; that all his life he had been engaged in handling cattle and doing business in large amounts; that he sold cattle in thousands of heads; that he had the reputation of being a good business man and he admitted that he was; that he could borrow any amount of money on a moment's notice at any time and his integrity was never questioned. That years ago, a banker friend of his was discussing his business affairs with him, and he referred to this banker as whom I knew (which I did not), saying he was in Tulsa at one time before a bank failure here, and in the conversation said that this banker said to him: 'Bill, why don't you get some of those Indians who hold headrights indebted to you, and eventually the Government will remove the restrictions from their allotments and if some of them are indebted to you then, you can come into possession of some of these headrights and fix you up;' I thought this was a pretty good idea myself, so he said, and as he had done quite a lot of business for Roan and sold him horses and cattle and Roan had become indebted to him in the amount of approximately Twelve Thousand dollars; he said the newspapers had made this sum somewhat exhorbitant; he said that Roan then came to him and told him that he was indebted to him in that amount and that he did not think he would ever be able to pay him, and he wanted to do something to secure the debt to Mr. Hale so he would not lose the amount, and that he suggested that Mr. Hale pay the premium on a Twenty five thousand dollars insurance policy for him, stating that he knew an insurance agent that would write the policy, and Mr. Hale said, then at Roan's suggestion, he thought it over and decided to pay the premium on the insurance and become the beneficiary; that after some talk with the insurance company, he did this, and paid the Thirteen hundred and some dollars cash for the premium; said that was the only thing he had to do with the case, and then he rambled on and talked for about one half hour.

The reason that this was not contained in my published interview of the same day, was for the reason that I felt that Hale's statement regarding the manner of having Indians become indebted to him to obtain their headrights was a very incriminating statement for a man in his position to make. As

2800

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61

W. R. Bur

10-8-28

make practically this same statement to ERNEST BURKHART a short time back, while he was in this penitentiary with me, but did not expect him to repeat it. I know more than I have told, but do not want to testify, and will not testify, for the reason that I have nothing to gain, and would make it hard for myself if I did so. I am a member of the prison band, drummer, and have been for years. I have it as easy as is possible to have it in prison; have a nice spring cot to sleep on, am first class, and doing my time the shortest way. When a prisoner here squeals or talks against some other man being prosecuted, the rest, or many of them, make life miserable for him, and it would be impossible for me to testify and then come back here and do my time the easy, shortest way, as I would be sure to have trouble with some of the others doing time here."

Emery to be interviewed by this Agent later.

Max Billingslea, Okesa, Oklahoma stated in addition to what he testified to at previous trial (see transcript of evidence) that Subject Hale met him, Billingslea, at Triangle Building, Pawhuska, Oklahoma a short time before Henry Roan was killed and asked him, Billingslea, if he thought Al Spencer, (deceased) and then a fugitive from justice, would kill a man for money and Billingslea told him he did not know. Subject Hale then arranged with Billingslea for meeting with Spencer, which had between Subject Hale and Spencer in presence of Max Billingslea and Ika OGG. (See transcript of OGG's evidence at previous trial.)

PENDING

2801

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

Department of Justice

Bureau of Investigation

P. O. Box 1535,  
Oklahoma City, Oklahoma  
October 18, 1928.

CHER.

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

10  
1928  
DIVISION

62-5033

Dear Sir:

Re: W. K. HALE - Indian Murder.

Special Assistant Attorney General T. J. Leahy, in charge of the prosecution of the above entitled matter at Pawhuska, Oklahoma, called me by telephone again today and was rather insistent that another Agent be assigned to work with Special Agent John Burger until the case is again called for trial on November 12th, next. Mr. Leahy stated that it would be preferable to assign an Agent who is thoroughly familiar with the case and mentioned, first, Special Agent Frank Smith or Alex Street of the El Paso office.

Mr. Leahy, and also United States Attorney Roy St. Lewis, at Oklahoma City, mentioned that the defense is very active and they thought that the assignment of an additional Agent, such as Smith or Street, would render the position of the prosecution more secure and it was especially mentioned that it was unfair to Agent Burger that he should be alone during this period of the investigation.

I conferred briefly with Burger over the telephone and while he is not insistent that another Agent be assigned to cooperate with him, he says that he is extremely busy and working night and day to keep up with all the developments and that the services of another Agent, especially Smith or Street who are familiar with the case, in his opinion, would be desirable.

The statement of Mr. Leahy and Mr. St. Lewis, to the effect that it is unfair that Burger should be assigned alone on this matter, is not without some merit for the reason that persons interested in the defense are vicious and unscrupulous and would not hesitate to take some unfair advantage of Burger. I perhaps could arrange to spare one of the local Agents to work with Burger, but it is pointed out that none of the Agents now assigned to the Oklahoma City office is familiar with the case and would be unable to perform any independent or constructive work.

*Reply*

62-5033-70  
OCT 20 1928

RECORDED  
OCT 24 1928

2802

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

2: Bureau.

I desire the Bureau to advise me at once whether Agent Smith or Street of the El Paso office could be assigned at once to work with Agent Burger, or should I disregard entirely the request of Special Assistant Attorney General Leahy and Mr. St. Lewis. It is probably true that the attorneys for the prosecution will demand that either Agent Smith or Street be assigned on the case, in any event, sometime prior to the date set for the trial on November 12th.

Yours very truly,

*C. E. Breniman*  
C. E. Breniman,  
Special Agent in Charge.

2803

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

RECEIVED  
61-5053-706

October 22, 1928.

OCT 24 1928

Mr. C. K. Buchanan,  
P. O. Box 1535,  
Oklahoma City, Okla.

Dear Sir:

The Bureau is in receipt of your communication of October 18th., relative to the investigation of W. K. Hale, and notes the conveyance of a request of Mr. Leahy and Mr. St. Louis to the effect that another Agent, preferably Agent Smith or Agent Street, be assigned to assist Agent Burger in his work on this case.

It appears to the Bureau entirely unnecessary that an Agent from another district be assigned to this case at this particular time. It would be appropriate for you to afford Agent Burger all the investigative assistance he required from your office.

Very truly yours,

Director.

BUREAU FILES DIVISION  
MAILED  
OCT 22 1928  
P. M.  
DEPT. OF JUSTICE

2804

Department of Justice  
Bureau of Investigation

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

October 23, 1928.

CEB:p

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

Re: W. K. Hale.

Dear Sir:-

I am informed by United States Attorney Roy St. Lewis, Oklahoma City, that another panel for jury duty will be drawn for trial in the above entitled matter set for November 12, 1928, and that request will be made of this office to investigate this jury panel.

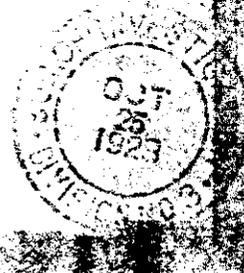
I am at this time requesting authority to conduct such investigation when it is called for by the United States Attorney, as was done a few weeks ago when the case was called for trial and later continued.

The matter, of course, will be conducted in a discreet manner if authority is granted for the investigation.

Very truly yours,

*E. Brennan*  
E. Brennan,  
Special Agent in Charge.

*Copy  
Brennan  
10/26/28*



62-5033-707  
BUREAU OF INVESTIGATION  
OCT 25 1928 P. M.

RECORDED

2805

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

REC:MMH  
62-5055-707

October 26, 1928.

NOV 27 1928

MEMORANDUM FOR MR. LUHRING.

There is transmitted herewith, a copy of a letter dated October 23, 1928, which the Bureau has received from its Oklahoma City office indicating that a request will be made by the United States Attorney at Oklahoma City for an investigation of the jury panel which will be drawn for the trial of the case entitled W. K. HALE, et al - Murder of Osage Indians.

The Bureau will be glad to have your advice relative to what action should be taken in connection with the requested investigation.

In connection with this matter, there is transmitted herewith for your information, a copy of the report of Special Agent J. R. Burger, dated October 8, 1928, at Oklahoma City.

Very truly yours,

Encl. 115398.

Director.

RECEIVED  
FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
OCT 27 1928

2806

October 25, 1935.

Mr. C. E. Brennan,  
Department of Justice,  
Federal Building,  
Oklahoma City, Oklahoma.

Dear Mr. Brennan:

In conference with Special Assistant to the Attorney General Leahy today, he advised me of a very important angle of the Hale case that needs to be followed out in Kansas City. In view of the familiarity with the details of this case of Special Agent Burger, you are authorized, when Mr. Leahy requests the same, to direct Mr. Burger to proceed to Kansas City and investigate this angle of the case.

I understand from Mr. Leahy that he will be back in Oklahoma City on Saturday of this week. He will then communicate with you as to his wishes in the matter. I wish that you would cooperate fully with him.

Very truly yours,

Director.

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

62-5033-708



RECORDED

Stamp: RECEIVED, DEPT. OF JUSTICE, OCT 30 1935, FEDERAL BLDG.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

Postal Telegraph

October 25, 1928.

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

709  
2-50  
OCT 25 1928

DEFERRING YOUR LETTER OCTOBER EIGHTEENTH AND MY REPLY OCTOBER TWENTY-SECOND  
AM TODAY DIRECTING SPECIAL AGENT SMITH OF EL PASO OFFICE TO PROCEED IMMEDIATELY  
TO OKLAHOMA CITY AND REPORT TO YOU STOP YOU MAY THEREFORE DISREGARD MY  
LETTER OF OCTOBER TWENTY-SECOND AND UPON ARRIVAL AGENT SMITH DETAIL HIM TO  
THE WORK DESIRED BY SPECIAL ASSISTANT TO THE ATTORNEY GENERAL LEAHY

HOOVER



*Handwritten initials and signatures:*  
JH  
Y  
[Signature]  
[Signature]

RECORDED 62-5033-702  
OCT 30 1928

2808

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

HRC:RDK  
62-5033-

October 31, 1928.

MEMORANDUM FOR MR. LUMMING.

Your attention is invited to the Bureau's memorandum dated October 26, 1928, requesting advice as to whether or not an investigation of the jury panel, which will be drawn for the case entitled **W. K. HALE, et al, Murder of Osage Indians,** should be conducted by the Bureau.

In view of the fact that it appears that this case is set for trial on November 12, 1928, the Bureau would appreciate your advice as to proper action in connection with the request.

Very truly yours,

Director.

MAILED  
OCT 31 1928  
U. S. DEPT. OF JUSTICE

62-5033-710  
BUREAU OF INVESTIGATION  
NOV. 1 1928  
DEPARTMENT OF JUSTICE  
FILE

2809

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

LEAHY, MACDONALD, MAXEY & FILES  
ATTORNEYS AT LAW

FIRST NATIONAL BANK BUILDING  
PAWHUSKA, OKLAHOMA

October 30th, 1928

T. R. LEAHY  
C. B. MACDONALD  
J. B. MAXEY  
F. W. FILES  
T. R. LEAHY  
G. V. LABADIE

2-  
3-

Attorney General  
Washington, D. C.

Attention - Mr. L. J. Edgar Hoover, Director:

5033-111

Dear Sir:

Doubtless you have been advised that the case of United States against W. K. Hale has been continued to January 2nd, 1929. This was done by the court on its own motion and after the prosecution had announced to him that it was ready to go to trial on November 12th. However, under the conditions that are prevailing, the court was justified in taking the action he did.

In the past thirty days some very valuable evidence has been discovered, and we seem to be in a position at this time to gather considerable more - hence, I am in hopes that Special Agent Burger will be kept constantly on this job as he has the matter well in hand and I am sure he will work it out in the best possible shape. A little later, when things develop more, I would like to have Special Agent Smith from the El Paso office assigned here to assist Mr. Burger. The conditions that confront the prosecution in this case, because of the manner in which the defense is being conducted and the vast amount of money that is being used in the defense, renders it absolutely necessary that there be no let up in conducting our investigations and in keeping in touch with our witnesses so that we may know whether any improper influences or conduct are being used.

The Bureau of Investigation has done wonderful work in this case and is entitled to the very highest of praise.

Very sincerely yours,

*T. R. Leahy*  
to the  
Special Assistant Attorney General

62-5033-111  
BUREAU OF INVESTIGATION  
OCT 31 1928  
2810

Please note that every assistance needed is given.

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

Los Angeles, California,  
October 31, 1928.

Mr. C. E. Brennan,  
P. O. Box 1635,  
Oklahoma City, Oklahoma.

62-5033

Re: U. S. versus W. K. Hale

Dear Sir:-

Will you kindly advise at the earliest possible date whether or not trial of W. K. Hale is to be held on November 12th, date to which trial was postponed in October, and whether or not Special Agent J. V. Murphy's presence is desired at Pawhuska as witness on November 12th.



Very truly yours,

E. J. Geehan  
SPECIAL AGENT IN CHARGE

JVM:IE  
cc Director

*[Handwritten signature]*

RECORDED

62-5033-712

Stamp area with fields for SEARCHED, INDEXED, SERIALIZED, FILED, and a date stamp (NOV 5 1928). Includes handwritten initials and a signature.

2811

# POSTAL TELEGRAPH - COMMERCIAL CABLE

CLARENCE H. MACKAY, PRESIDENT

## TELEGRAM

| CLASS OF SERVICE DESIRED |                |
|--------------------------|----------------|
| 7                        | FAST TELEGRAM  |
| 8                        | DAY LETTER     |
| 9                        | NIGHT TELEGRAM |
| 10                       | NIGHT LETTER   |

The sender must mark the class of service desired; otherwise the telegram will be transmitted as a day telegram.

TELEGRAMS  
TO ALL  
AMERICA



CABLEGRAMS  
TO ALL  
THE WORLD

RECEIVER'S NUMBER

---

TIME

---

STANDARD TIME

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

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39

CEB:R.

November 3 1928

62-5033

E. J. Goshan  
Department of Justice  
Federal Building  
Los Angeles Calif

Osage case continued January second next No request made yet  
for Agent Murphys presence here

Breniman

Government Rate - Official Business  
PAID - Chg Bureau of Investigation.

62-5033-713

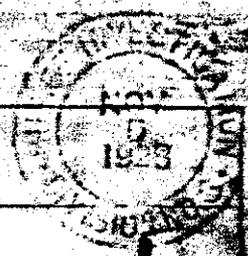
NOV 5 1928 P. M.

RECORDED

NOV 6 1928

2812

THIS CASE ORIGINATED AT Oklahoma City, Oklahoma.



|   |                            |                                      |   |
|---|----------------------------|--------------------------------------|---|
| REPORT MADE AT:<br>Oklahoma City, Okla. | DATE WHEN MADE:<br>11-2-28 | PERIOD FOR WHICH MADE:<br>10/5-25/28 | REPORT MADE BY:<br>J. R. Burger             |
| TITLE:<br>W. K. (BIRD) HALE             |                            |                                      | CHARACTER OF CASE:<br>Murder Osage Indians. |

62-5033

SYNOPSIS OF FACTS:

(O. C. #70-1)

Hugh M. Washburn made signed statement in which he stated that while confined in the Osage County Jail at Pawhuska, Oklahoma, with Subject Hale, Hale told him that he, Hale, was friendly with jailors Dick Conner, John Henderson and Dempsey Smith, and that he had given Conner and Henderson both money for favors done by them for same. Subject also told Washburn that he, Subject, had made a great mistake in getting Ramsey to make away with Henry Roan; that he told Ramsey not to shoot Roan in the back - to do the job right and shoot him in front, making it appear that Roan had committed suicide. Washburn's entire statement incorporated in the body of this report. Original affidavit in the Oklahoma City file. Irwin (Blackie) Thompson made signed statement in which he stated that Subject Hale had told him that he would furnish him a gun that he might break jail in order to kidnap Ernest Burkhardt and take him to old Mexico and do away with him there and not be available to testify for the Government. Copy of statement of Thompson incorporated in the body of this report. Original signed statement in the Oklahoma City file. Miss Tina Betts made signed statement in which she stated that Subject Hale had requested of her on two different occasions to ask Ernest Burkhardt not to testify against him - to do so and tell the truth that he, Subject, would be a ruined man. Signed statement incorporated in the body of this report and original statement is in the Oklahoma City file. Efforts are being made to locate and interview Will Revard with reference to false statement he was requested to sign by Subject Hale, as set forth in statement of Hugh M. Washburn. For the information of the Agent in Charge at Oklahoma City and the Bureau, Agent has found defense's attorneys and friends to be very unscrupulous in that they have attempted to intimidate Government witnesses by reflecting on the attorneys for the Government and Agents assigned on this case and others who are friendly to the prosecution.

- PENDING -

DO NOT WRITE IN THESE SPACES

|   |   |                                     |
|---|---|-------------------------------------|
| APPROVED AND FORWARDED:<br><i>W. C. Brunnerman</i><br>SPECIAL AGENT IN CHARGE   | 62-5033-714   | RECORDED AND INDEXED:<br>NOV 6 1928 |
| COPIES OF THIS REPORT FURNISHED TO:<br>3-Bureau<br>1-U. S. Atty. Okla. City<br>1-U. S. Atty. Tulsa<br>1-T. J. Leahy, Spec. Asst. Atty. Gen. | BUREAU OF INVESTIGATION<br>NOV 5 1928 P.M.<br>DEPARTMENT OF JUSTICE | CHECKED OFF:<br>JACKETED:           |
| WASHINGTON REFERENCE:   | ROUTED TO:<br>1-Edwin Brown, " " "<br>2-Oklahoma City               |                                     |

2813

8  
9 REFERENCE:- Report of this Agent dated October 6,  
10 1928.

11  
12 DETAILS

13 Hugh M. Washburn, who is now confined in the Tulsa County Jail,  
14 Tulsa, Oklahoma, on alleged white slave charge, wrote Hon. Roy St. Lewis, United  
15 States Attorney, Oklahoma City, requesting an interview with some Government Agent  
16 with reference to what Subject Hale had told him while confined in the Osage County  
17 Jail at Pawhuska, Oklahoma. Mr. Washburn was interviewed at the office of John  
18 M. Goldesberry, United States Attorney, Tulsa, Oklahoma, on October 22nd, 1928, by  
19 Goldesberry and this Agent and made statement in this connection which reads as  
20 follows:-

21  
22 "STATE OF OKLAHOMA, )  
23 COUNTY OF TULSA. ) SS.

24  
25 A F F I D A V I T

26  
27 Hugh M. Washburn of lawful age, being first duly sworn upon his oath,  
28 and in the presence of John M. Goldesberry, United States Attorney for the  
29 Northern District of Oklahoma, and John R. Burger, Special Agent of the  
30 Bureau of Investigation, Department of Justice, and Miss Louise Nelson, em-  
31 ployee in the United States Attorney's office of Tulsa, Oklahoma, after hav-  
32 ing been advised of his constitutional rights to the effect that any state-  
33 ment that he might make could be used as competent evidence in the United  
34 States or other courts against him or other persons wherein it might be  
35 material, and that whatever statement he desired to make must be made by  
36 him free and voluntarily and without any promise or hope of reward on ac-  
37 count thereof, states as follows:

38  
39 My name is Hugh M. Washburn. I am thirty five years of age, my place  
40 of residence is Tulsa, Oklahoma; I am now confined in the Tulsa County Jail  
41 of Tulsa, Oklahoma, having been transferred here from the Osage County Jail  
42 at Pawhuska, Oklahoma, on the 20th day of October, 1928, and I am being held  
43 by the United States Government on a charge of an alleged violation of the  
44 White Slave Traffic Act, for which I am now under indictment in the United  
45 States District Court for the Northern District of Oklahoma; I was arrested  
46 and placed in the Osage County Jail on the 9th day of May, 1928, and have been  
47 continuously in such jail until October 20, 1928, when I was transferred to  
48 Tulsa as above stated.

49  
50 Prior to my incarceration in the Osage County Jail, I had never met or  
51 known William K. Hale; neither have I ever met or do I know John Ramsey;  
52 neither have I ever met or know Curley Johnson, and personally, I know noth-  
53 ing of the facts and have never known anything with reference to the facts  
54 surrounding the alleged killing of Henry Roan, or the killing of Bill Smith  
55 and family or Anna Brown, or any of the other so-called Osage Indian Murders,  
56 except what I have heard with reference to the same.

57  
58 The first time I saw Bill Hale was when they brought him to the Paw-  
59 huska jail and they placed him in a cell just across from where they had me.

60  
61  
2814

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

I saw a number of people coming in and out and talking to him and one of them, Dick Conner, one of the jailors, was sent down town by Bill Hale to see a fellow on some business for him; somebody happened to mention something about it and said that Dick Conner was snitching for Hale, and Demsey, one of the jailors, said he would have to lock Hale up for a few days until it blew over, and they put him in the cell with me, where they had me in solitary confinement. Dick Conner, Demsey and old man Hutchinson told him he would have to watch me because I was the worst snitch they had in the jail; Hale told me that they told him that and for him to watch me and not let me know anything, and then I told Hale why they had it in for me, which I learned was because they found out that I used to be an officer over at Bartlesville, and I told Hale that it was all a mistake and that I was not a snitch, and that if I had saws in the jail, as they said I had, I would try to break out, and after a while I seemed to have gained Hale's confidence and he began to talk to me, and he asked me once if I could get my former wife up there, whose name is Louise Washburn, and she formerly lived at 1224 North Boston in Tulsa, but I do not think she now resides at that place; he said "\*\*\*\*\* if I would write her to come up right away and she would testify to whatever he wanted her to; I told him I would write for her but I did not write; He told me he would pay me well if I would get up on the stand and swear for him as follows: He wanted me to swear I was living at Shidler, Oklahoma, where I had never lived in my life and state as follows:

"While I were living at Shidler, Oklahoma, I and Curley Johnson were working on my Ford car, and two fellows drove up to where we were at and one of them ask Curley where Ramsey were and if he had seen him. that he wanted to know if he was going to do that job, and Curley said he didn't know and then Roy Bunch spoke up and said if he wasn't going to do it he would get someone that would and told Curley to come over to Fairfax that next night and I and Curley went to Fairfax and stoped our car in front of the pool hall on the East Side of the street and pretty soon out come Blackie Thompson and ask if we would go and get some whiskey, and we drove East for a ways and then turned south down to a car and there we met two fellows, Ramsey and Roy Bunch, and they were talking of bumping off an Indian and I ask who the Indian was and Curley said it was Henry Roan."

Hale wrote the above statement out and gave it to me and I copied it off and then he tore his copy up and destroyed it. I now hand to the United States Attorney copy of Mr. Hale's statement that I wrote out from his copy before he tore up the same, on which I have placed my initials for identification purposes.

Mr. Hale told me in the cell one night that he had made a great mistake by getting Ramsey to make way with Henry Roan; that he told Ramsey not to shoot him in the back but to do the job right and shoot him in front, making it appear that Roan had committed suicide.

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

J. R. Bunker

11-2-28

While Bill Hale and I were in the cell together, he passed notes to Blackie Thompson, and I, myself, crawled upon the radiator and shoved the notes into a small hole where a radiator pipe went through the ceiling and Blackie Thompson sent a note down to Bill Hale, asking if Hale would help him out, by getting some friend of his to slip him a rod (meaning a six-shooter) and Bill Hale told him he thought he had a friend who would put one in there for him and the next day, Blackie Thompson told Bill Hale if he could get him a rod, he would not testify against him and Bill Hale wrote a note to Thompson and asked him if he could do a job for him if he would get him a rod; He had reference to a man named Ernest Burkhart, and he told Blackie Thompson in his note that he would not want him killed anywhere around here where they could use his evidence if they found him dead; said he would want him taken across into Old Mexico and whatever happened to him over there was immaterial to him, and he told Blackie where he could find this man, said there would probably be a young man with him and to watch his corner as there might be a gun on him, and Blackie told Hale that it would probably take him about three to five days after he hit the ground.

All the above statements were made by notes passed between Hale and Blackie Thompson through this hole above mentioned; sometimes Hale would hand me the notes to read, and sometimes I would receive them through the hole and read them, to all of which Hale did not object, after I had gained his confidence.

Hale asked me if he would get a couple of rods, otherwise six-shooters, if Thompson and I would take the keys and unlock Harry Cornett and Red Ramsey (son of John Ramsey), and wanted us to take all the jailors and himself and lock them up in the basement, and by us taking him and getting hard with him, it would make the thing clear that he had nothing to do with it, and I told him that I would. I told him this to gain his confidence because they had all accused me and told him that I was a snitch and my purpose was not only to gain the confidence of Hale but also the jailors because of the mistreatment they had given me and also for such information as I could get. I had no intention of breaking jail or attempting to, or assisting anyone else in breaking jail.

I now know Bill Revard and first became acquainted with him in the Osage County Jail at Pawhuska, where he was serving time on a liquor charge. Bill Hale showed me a note he had that was a statement he had procured Bill Revard to make and said he was going to make him an awful good witness; said he had arranged with Bill Revard to testify falsely to the following effect: That Roy Bunch was going out and kill Henry Roan and he said if Bill Revard would get up and swear that state of facts, that he would make him an awfully good witness; Bill Revard told him, in my presence, that he would not swear to that at all because he might get himself in a jack-pot, but said he would swear that he heard Roy Bunch ask another fellow to go with him. Bill Hale had in his possession a typewritten statement with reference to what the testimony was that he wanted Bill Revard to swear to, which I got out of Hale's pocket in our cell and copied the same, a copy of which I now identify by my initials and hand to the United States Attorney, said statement being as follows, to-wit:

2816

10  
11 "Bill Revard, from my original notes.

12  
13 An Indian of Fairfax will testify that he ran around  
14 with Roy Bunch and Mary Roan for two years before the  
15 killing of Henry Roan, that they were on frequent drunk-  
16 en parties together; that he has seen Bunch at Henry  
17 Roan's house on an average of two or three times a week  
18 for a year before the death of Henry Roan; that Roy Bunch  
19 would occupy the same room with Mary and that he was very  
20 jealous of Mary and was actually in love with her; that  
21 one time he and Roy Cook went up to Henry-Roan's when  
22 Roan was away and Roy Bunch found out about this visit  
23 and said you are a god dam fine friend and went so far as  
24 to threaten to shoot Revard, and Revard said he thought  
25 that he was going to shoot him over the matter. that about  
26 a year before Henry Roan was killed, Revard and Roy Bunch  
27 were standing in front of Roy Cook's pool hall talking and  
28 Henry Roan started to Burbank and Roy Bunch said to Revard  
29 that if he would go with him that he would go and kill Henry  
30 Roan on this trip and Revard said to Bunch that he would  
31 not be a party to a murder. Was out on a drinking party  
32 with John Ramsey, Amos Tucker and Roy Bunch; one time a  
33 short time before the death of Roan; out on Pawhuska Road,  
34 near got to Bill Trent's pasture, Bunch and Ramsey talked  
35 of killing Roan".

36  
37 There was also some woman in the Osage County Jail, whose name was Brown,  
38 and Hale told me that he had been up to her cell in the jail and stayed up there  
39 until about 12 o'clock and said he was going to get her to make him a good wit-  
40 ness.

41  
42 During the time I was with Hale in the jail, he spent considerable  
43 his time in the womens' part of the jail, in fact he had the privilege  
44 liberty of going most anywhere he wanted to most of the time. I had one real  
45 a day in his cell and would leave the cell at 9 o'clock or near that in the  
46 morning and return at 12 or 1 o'clock that night. The jailors would let  
47 people come in at the side-door to see him most any time.

48  
49 I make the foregoing statement of my own free will and accord, and the  
50 same is true and correct.

51  
52 Hugh M. Washburn

53  
54 Subscribed and sworn to before me this 23 day of October, 1928.

55  
56 (Seal) Louise Nelson,  
57 My commission expires March 19, 1932. Notary Public.

58  
59  
60  
61  
62  
7817

Hugh M. Washburn also made statement with referende to jailors, at the Osage County jail, John Henderson, Dick Conner and Dempsey Smith, which reads as follows:

"STATE OF OKLAHOMA, )  
COUNTY OF TULSA. ) SS.

A F F I D A V I T

Hugh M. Washburn of lawful age, being first duly sworn upon his oath, states that from May, 1928, until October 20, 1928, he was confined in the Osage County Jail at Pawhuska, Oklahoma, under a charge the Federal Government had against him; that during a portion of that time, he occupied the same cell in the jail, with W. K. Hale, and was in the jail during all the time that W. K. Hale had been confined there until October 20, 1928; that he occupied the same cell with him approximately four weeks, and that when Bill Hale was placed in the cell with him, all the jailors cautioned Hale that he would have to watch him and tell him nothing because he was the biggest snitch in the jail, and Hale laughed about it and told them that he knew a man when he saw him and he said to me: "Washburn, you have had a dirty deal", and He told me that John Henderson, one of the jailors, and Dick Conners, one of the jailors, had told him that they could not trust me at all; I would see Henderson and Dick Conners come to my cell door and whisper to Hale and I would see Hale hand money to John Henderson and Dick Conner and Hale told me that money would do almost anything, and he told Dick Conners, in my presence, that if he would help him out and do what he could, that he would put him on a small ranch near Elgin, Kansas, and Dick Conner said he would, and Hale told me that he was going to put Conner on a ranch, but he would have to do all the managing, as Dick Conner was an awfully good worker but a poor manager; and Bill Revard went out to Harve Freas' farm one morning about 7 o'clock with Harve Freas and came back that night with Harve Freas and he, Revard, was drunk, and Revard told me that Harve Freas told Dick Freas, as follows: "For God sake, take him away until he sobers up" and Bill Revard later said that they took him over to Fairfax.

Harve Freas, the above mentioned, is the sheriff of Osage County and Dick Freas is his son.

At one time, Bill Hale came into the cell and put his hat and coat on and the jailors, Henderson, Dick Conners, and Dempsey called him out and they all were standing out in the office talking and Dick Conners went outside the door and John Henderson was standing looking out the door toward the court house and Dempsey and Bill Hale went downstairs through the kitchen, and Hale was gone about three or four hours and when Hale came back, he told me that he was out around the trash burner and he said the country sure looked fine, and when they came back they had three or four watermelons with them. When Hale returned, Dempsey was with him. To the best of my recollection and best judgment, it must have been around 6 o'clock when they left, anyway it was about dark, and when they returned they must have been gone three or four hours.

2818

One afternoon there was a man and woman and little girl that came to the front door of the county jail and Dick Conner refused to let them in and told them to go to the side door and so they went to the side door and Dick Conner let them in, and they came back and talked to W. E. Hale privately for thirty or forty minutes and when they were gone, Bill Hale told me that this fellow was a good friend of his and he had him to come up from Old Mexico; that he would make him a good witness; said he was in the silver mining business down there, but did not tell me his name; he was a light complected fellow and I judge he must have been about thirty five or forty years old, weight about 150 pounds and about five feet nine inches tall. The woman was a small, slim woman and would weigh about one hundred and twenty pounds, and the little girl looked to be about eight or ten years old.

I saw Hale hand money to John Henderson and Dick Conner on different occasions and Hale told me that the information he was getting and the work he was getting done by and from the jailors was costing him plenty, but it was worth the money.

Bill Hale told me he sent Dick Conner to do some work for him, to see a fellow, but did not tell me his name, and that someone saw him and snitched on him, and accused him of being his, Hale's, stool-pigeon, and Demsey told him he would have to lock him up for a few days until it blew over, and he told me about some house or street where he went. him, but I don't remember either the house number or street; Dick Conner told Bill Hale and myself the morning he locked Hale up "I got myself in a jack-pot but going down there, but we won't pay any mind to that. We will make it any way".

My best recollection is that Dick Conner and Demsey accused Smith Leahy of snitching on Dick Conner with reference to that occasion. I will not be positive of this man's name, but I asked Hale who Smith Leahy was and if he was an ex-convict or something and Hale never did tell me who he was. Every day, Hale was let out of his cell at about 9 o'clock in the morning and was not let back until 12 or 1 o'clock at night, with the exception of sometimes when they would put him in about the noon hour, letting him stay an hour or so and then let him out again, and on other occasions, when they would see someone coming into the jail, they would put him into his cell until they would leave and then let him out again. He was always allowed the privileges of the jail when he wanted them, to go where he pleased and was permitted to use the telephone at his pleasure; on one occasion, I remember a man came to the jail that someone said was a federal officer and when they saw him coming, they put Hale in the back part of the jail where the jailors sleep and when this man left they brought him back and put him in the cell.

The above statement is made free and voluntarily of my own free will and accord without any promise of immunity or hope for reward.

J. R. Burger

11-2-28

Subscribed and sworn to before me this 23 day of October, 1928.

(Seal)

Louise Nelson,  
Notary Public.

My commission expires March 19, 1932.

Irwin (Blackie) Thompson, now confined at the Bartlesville, Oklahoma, County Jail awaiting to be removed to Pawhuska to testify as a Government witness at the court trial November 12th, 1928, made a signed statement, which reads as follows:

Bartlesville, Okla.  
10-23-28

My name is Irwin (Blackie) Thompson. I was placed in the Osage Co. Jail Sept. 30 - 1928 in a cell above one occupied by W. K. (Bill) Hale and Hale spoke to me and called me Blackie and asked how I was getting along. About one week later Hale wrote me a note which he handed me through hole in floor of my cell, in which note Hale stated he would favor me any way he could and would not be anything said about it and asked me in this note what I wanted to not testify against him, and I wrote one note that I would not testify against him if he would get me out. Hale then wrote another note to me in which he stated he had a friend that he could get to slip him rod into jail and when I got gun and got out he wanted me to take Earnest Burkhart to Old Mexico and said he did not care what happened to Burkhart after I got him into Old Mexico but did not want Burkhart killed in this country where he would be found. as to find him dead here the Government could then use his evidence as given by him at previous times. Hale also told me that there would be guard with Burkhart that would likely have gun and I would have to be careful.

Hale later told me he had arranged with his friend to get gun into jail for me but never told me who his friend was.

The above conversation between Hale and myself was by written notes in which Hale would write me and have me to write on same note and return to him Hale so Hale could destroy the notes, and several of these notes was passed between Hale and myself by Hugh M. Washburn who was in the same cell with Hale.

The above statement made by me of my own free will and accord 1st being advised by J.R. Burger that what I said would be used as evidence against W.K. Hale.

Irwin Thompson "

Miss Tina Betts of Calumet, Oklahoma, made signed statement October 9th, 1928, at El Reno, Oklahoma, which reads as follows:

El Reno, Okla.  
Oct. 9, 1928.

"First being advised of my constitutional rights that what I may say will

2820

be used as evidence in the case of U.S. vs W. K. Hale.

My name is Tina Betts and I reside at Calumet, Okla. I am now teaching in Calumet Graded school. I live in the home of Mrs. Cockrell, Calumet, Okla.

I have known W. K. Hale, formerly of Fairfax, Okla., for the past ten years.

While at Pawhuska, Okla. during the trial of Ernest Burkhardt in June, 1926, I called at the County jail and visited with W. K. Hale at which time W. K. Hale requested of me to tell Ernest not to tell the truth on him. "If he tells the truth on me I'm ruined. Whatever you do, you get to Ernest and tell him not to tell the truth because if he does I'm a ruined man."

W. K. Hale again requested of me the day Ernest plead guilty. "For God's sake get to that boy and tell him not to open his mouth. If he does and tells the truth I'm a ruined man".

My parents, Mr. and Mrs. W.G. Betts, reside at Marlow, Okla.

Tina Betts

Witness J. R. Burger."

Efforts are being made to locate and interview Will Revard with reference to statement as set forth in statement made by Hugh M. Washburn, alleged to have been prepared by W. K. Hale and by his attorney, Howard, for the purpose of having Revard sign and testify to falsely.

This agent has been reliably informed by Government witnesses and comments that defense's counsel and friends to defense have been quite active in talking with Government witnesses in which they would reflect upon the character and reputation of attorneys and agents representing the Government and no doubt are very unscrupulous in their manner and activities in defense of this law suit.

- PENDING -

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62

REC-100  
62-5035-714

November 8, 1928.

RECORDED

NOV 13 1928

MEMORANDUM FOR MR. LORING.

With further reference to the case en-  
titled W. K. (BILL) HALE, Murder of Osage In-  
dians, there is transmitted herewith for your  
information, a copy of the report of Special  
Agent J. R. Burger, dated November 2, 1928, at  
Oklahoma City, Okla.

Very truly yours,

Director.

Encl. 113444.

BUREAU OF INVESTIGATION  
MAILED  
NOV 8 1928  
U. S. DEPT. OF JUSTICE

2870