

... confidential source it was learned Page 840
... Special Agent Wren that John Lynn, 4th par.
... Okla., stated that Arch Barger
... told him, John Lynn, that a short time
... before the body of Henry Roan was found,
... Roy Bunch came to Arch Barger and showed
... him a pistol and wanted him to keep it
... for him, stating - "Just like for you to
... keep this pistol, I am afraid that I will
... get into trouble about it if I keep it
... myself." Informant stated that there are
... only two pistols in Osage County like the
... one that Bunch wanted Barger to keep for
... him, Bunch.

... and question
... before signing be-
... Grand Jury.

LIST OF WITNESSES
(Continued)

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<u>NAME</u>	<u>SECRET No.</u>	<u>NAME</u>	<u>SECRET No.</u>
Cook, Roy	56-A		
Burt, H. G.	93-A		
Beatty, Pitts	93-B		
Oiler, L. L.	93-C		
Beardmore, John	93-D		
Kastle, Jim	93-E		
Hedders, George	93-F		
Adams, Frank	93-G		
Mendor, Charlie	93-H		
Bolton, Ernest	93-I		
Girdner, Frank	93-J		
Gordon, Mrs. Ruth	95-A		
Lawson, Burt	96-A		
Goyington, Blanch	96-B		
Balley, Jim	84-A		

157



CASE ORIGINATED AT OKLAHOMA CITY, OKLAHOMA. L. D. 62-105

REPORT MADE AT: LOS ANGELES, CALIF. DATE WHEN MADE: 12-9-1925 PERIOD FOR WHICH MADE: 12-8-1925 REPORT MADE BY: A. HOPKINS L H H

TITLE: BRYAN BURKHART CHARACTER OF CASE: MURDER OF INDIANS

SYNOPSIS OF FACTS:

Request to confidentially locate Wid Ewers. Investigation at San Bernardino and Los Angeles. Two men located and Oklahoma City notified. Message from Oklahoma City to effect San Francisco office had located subject and to take no further action pending arrival agent from Oklahoma City. PENDING

DETAILS:

The following telegram was received:

"San Francisco, Calif
Dec 5 1925

Colvin Dept. of Justice
Federal Bldg Los Angeles Calif

Re Case Bryan Burkhardt murder of Indians Oklahoma Office wants Wid Ewers diplomatically located as soon as possible Do not interview or permit him to suspect Mother's address ten two seven West Sixth Street San Bernardino Locate and wire Oklahoma who will then handle important Montgomery Acting"

Agent, on Dec. 7-25, at San Bernardino, Calif., interviewed the Superintendent of Mails and found that John T. and Mattie Ewers were receiving mail at 1027 W. 6th Street. Interviewed Ralph L. Bemis (mail carrier) who covers this route. He states that he has covered route for over two years; that the persons who have resided at this address and received mail there are John T. and Mrs. John T. (Mattie) Ewers and their daughter Ida. No mail has ever been received or delivered for "Wid Ewers"; stated that, at present, only Mr. and Mrs. Ewers are there, that the daughter Ida now is living and working in Los Angeles, and that several weeks ago she spent Sunday with her parents, in company with her brother, who also lives in Los Angeles. The Mail Carrier does not know the name of the brother.

Arrangements were made with the postal authorities to place a cover on the mail of Mr. and Mrs. Ewers.

Agent interviewed several old time policemen and Deputy Sheriffs in San Bernardino; none of them knew or had ever heard of Wid Ewers.

DO NOT WRITE IN THESE SPACES

Form with fields: APPROVED AND FORWARDED: (Signature), SPECIAL AGENT IN CHARGE, BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE, WASHINGTON REFERENCE: #2, COPIES OF THIS REPORT FURNISHED TO: Washington - 3, Okla. City - 2, San Francisco - 1, File - 2, CHECKED OFF: 12 16 1925, JACKETED:

1577

12-9-1925

A. A. Hopkins
Los Angeles, Calif.

Bryan Burkhardt
Murder of Indians

Page ... #2

Agent went to #1027 West 6th Street, San Bernardino, Calif. but no one was at home. There were no grocery stores, filling stations, etc. in the vicinity where information could likely be obtained. The houses on both sides were empty and for rent.

Agent, under cover, and under suitable pretext, engaged a neighbor (name unknown) in conversation and learned from him that John T. Ewers is a carpenter; has lived for years in San Bernardino and is now employed at the Santa Fe R. R. Shops. He has a daughter Ida who recently graduated from high school, and is now employed in a telegraph office in Los Angeles. Informant seemed to know of but two sons: one of them in the Fire Department in Los Angeles, and one driving an ambulance at Los Angeles County General Hospital.

At Los Angeles, agent examined the Civil Service records of the Los Angeles County and City, and obtained the following data:

Yuba D. Ewers - ambulance man. Los Angeles General Hospital. Resides 5440 Aldama St., Highland Park, Los Angeles, Calif. Born Ruby, Okla. Age 28 years; height 5'8 1/2"; weight 160-lbs. Started work for Los Angeles County May 1, 1923.

Roscoe Glenn Ewers - Fireman, Los Angeles Fire Department, Engine #50. Resides 726 1/2 W. 74th St., Los Angeles, Calif. Born Ruby, Okla. Age 23 years; height 6' 1-7/8"; weight 166-lbs. Appointed 8/13/1924.

A telegram was sent to the Oklahoma City Office, conveying the above information and description, and asking if either of these men might be "Wid Ewers." The following telegram was received:

Oklahoma City, Okla.
Dec 8 1925
L C Wheeler Dept. of Justice
Federal Bldg Los Angeles Calif
San Francisco Office has I think located Wid Ewers at Kingburg and agent is leaving here today for California to follow this out. Take no further action on Ewers there until agent arrives. White

PENDING

1578

CLASS OF SERVICE	SYMBOL
TELEGRAM	
DAY LETTER	DL
NIGHT MESSAGE	NITE
NIGHT LETTER	N L

WESTERN UNION TELEGRAM

CLASS OF SERVICE	SYMBOL
TELEGRAM	
DAY LETTER	DL
NIGHT MESSAGE	NITE
NIGHT LETTER	N L

If none of these three symbols appears after the check (number of word) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKIN, 1ST VICE-PRESIDENT

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

The filing 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.

Received at

KA74 36 GOVT COLLECT

1925 DEC 17 11:32 AM

GUTHRIE OKLA 17 1132A

DIRECTOR DEPT OF JUSTICE

1937

WASHINGTON DC

ATTENTION T B WHITE FOLLOWING FROM BURGER AT STOCKTON QUOTE

INTERVIEWED WID EWERS MALONE DAM JAMESTOWN CALIF STOP REPLY YOUR

WIRE NINTH WILL ARRIVE PARKER ARIZONA FRIDAY MORNENG STOP WIRE

ME CARE WESTERNUNION PARKER UNQUOTE

DEC 2 11 1925

RECORDED & INDEXED
 62-5033-261
 BUREAU OF INVESTIGATION
 DEC 17 1925
 DEPARTMENT OF JUSTICE
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ONE SMITH.

*White has
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1579

POSTAL TELEGRAPH - COMMERCIAL CABLE

CLARENCE H. MACKAY, PRESIDENT

RECEIVED AT

DELIVERY NO.

TELEGRAM

This is a fast Telegram unless otherwise indicated by signal after the number of words - "Hj" (Day Letter) "Nj" (Night Letter) or "Nj" (Night Telegram)

TELEGRAMS TO ALL AMERICA



CABLE GRAMS TO ALL THE WORLD

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1925 DEC 16 PM 11 28

DIRECTOR

DEPT OF JUSTICE WASHINGTON DC

ATTENTION T B WHITE REFERENCE DELILLOS WIRE NOTING TELEGRAM

HINDERSON FROM LEAVENWORTH HINDERSONS ANTICIPATED INFORMATION

RESULTS TALK WITH B L WHO NOW REPUDIATES WILL ENDEAVOR TO IRON

OUT ADDRESS CARE WARDEN

F S SMITH.

DEC 16 1925

RECEIVED BY RECORDS

62-5033-262	
BUREAU OF INVESTIGATION	
DEC 21 1925	
DEPARTMENT OF JUSTICE	
SEARCHED	FILE

Handwritten signature and initials, including a large '12' and 'S'.

1580

P. O. Box 374,
San Francisco, California

EBM/VS
Refer File
#70-5

December 17, 1925.

Mr. L. C. Wheeler,
P. O. Box 615,
Los Angeles, Calif.

62-503-

Dear Sir:

Re: BRYAN BURKHART

Wid Ewers has been located at Jamestown,
California, unfortunately having no knowledge of
the case.

It will, therefore, no longer be necessary
for you to keep a cover on his parents' mail. Re-
port will follow.

Very truly yours,

E. B. MONTGOMERY,
Acting Special Agent in Charge.

Director,
Washington, D.C.

JAN 5 - 1926

RECORDED & INDEXED

62-5033-263

DEC 27 1925

DEPARTMENT OF JUSTICE

Div. Two

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Department of Justice

TELEGRAM RECEIVED

El Paso, Texas.

December 22, 1925.

Director,

Dept. of Justice,

Washington, D. C.

Agent J. V. Murphy of the Oklahoma City Office arrived El Paso this afternoon connection Osage Indian case.

Five DeKette.

Handwritten signature or initials, possibly "V 2 5".

Rec'd & decoded

6:35 PM

OCD

RECORDED & INDEXED

DEC 24 1925

62-5033-264

BUREAU OF INVESTIGATION
DEC 23 1925 A.M.
DEPT. OF JUSTICE
Ch. Two
Room

Handwritten initials "M" and "B" are present in the stamp area.

Handwritten number "1582" in the bottom right corner.

Vertical list of numbers from 1 to 62 on the left margin.

THIS CASE ORIGINATED AT

OKLAHOMA CITY, OKLA.

L

#62-105

REPORT MADE AT:

LOS ANGELES, CALIF.

DATE WHEN MADE:

12-17-1925

PERIOD FOR WHICH MADE:

12-16-1925

REPORT MADE BY:

A. HOPKINS L H H

TITLE:

BRYAN BURKHART

CHARACTER OF CASE:

MURDER OF INDIANS

SYNOPSIS OF FACTS:

Inquiry by postal authorities discloses with Wid Ewers' address is %General Delivery, Kingsburg, Fresno County, California. R. U. C.

DETAILS:

Reference is made to agents' report dated 12-9-1925.

The following telegram was received:

"San Francisco Calif
Dec 13 1925

Wheeler
Dept of Justice
Los Angeles Calif

Refer report Hopkins re Burkhart advised that Wid Ewers expected to visit parents San Bernardino during holidays. Please interview parents and expedite. Obtain present address wire reply
Montgomery Acting"

The matter was taken up by long distance telephone with S. C. Pease, Supt of Mails at San Bernardino, Calif. with whom agent had previously arranged a cover of Mrs. Ewers' mail. Ralph L. Bendiago, the mail carrier covering the route, thru subterfuge that Los Angeles Post Office had some mail they wished to forward Wid Ewers, ascertained from her that Wid Ewers' address is %General Delivery, Kingsburg, Fresno Co., California. This information was relayed to the San Francisco Office.

DETAILS: Thru covers on Mrs. Ewers' mail, agent has ascertained that Y. D. Ewers is now residing at 1110 1/2 N. Benton Way, Los Angeles, Calif. and Ida Ewers is residing at 726 1/2 W. 79th St., Los Angeles, Calif. with her brother, Roscoe Glenn Ewers.

REFERRED BACK TO OFFICE OF ORIGIN, NO FURTHER ACTION HERE

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:

L. C. Wheeler

SPECIAL AGENT IN CHARGE

RECORDED AND INDEXED:

62-503-265-1000

WASHINGTON REFERENCE:

#2

COPIES OF THIS REPORT FURNISHED TO:

Washington - 3
Okla. City - 1
San Francisco - 1
File - 1

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

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INDIAN DEATH PLOT

TO ASTOUND NATION, U. S. OFFICIAL SAYS

17 Dead in \$2,000,000
Conspiracy, Is Charge
After Inquiry.

REAL TERROR REIGN AMONG OSAGES TOLD

Federal Grand Jury Receives
Evidence; Tribe Members
Receiving Whisky.

Guthrie, Okla., Jan. 3 (By A. P.).
The battered skull of Anna Brown,
first victim of an alleged ring in
the Osage county, was taken today
before the United States grand jury.
Simultaneously, it was announced
by Edwin Brown, Assistant United
States Attorney General, who is in
charge of the grand jury, that liquor
is being given Indians brought from
their restricted lands to tell what
they know of the death shadow that
seemingly has hovered over some of
their people.

The grand jury is trying to de-
termine the truth of rumors long
forming that a powerful conspiracy
to obtain Indian money to the ex-
tent of about \$2,000,000 was
responsible for a series of seventeen
deaths.

No arrests have been made on
charges of intoxication among wit-
nesses, Mr. Brown said, but several
Osages have been under the in-
fluence of liquor and it is feared
that testimony might be affected.

United States Claims Jurisdiction

Mr. Brown has requested Federal
agents to keep a sharp lookout for
liquor and to arrest anyone re-
sponsible for distributing it among
the Indians.

Mr. Brown said that the govern-
ment has decided it has jurisdiction
in several of the killings, and that
his inquiry has been widened to in-
clude murder charges as well as
those of conspiracy against wards
of the United States, which was the
original scope of the grand jury
action.

The government's investigation
has revealed a condition that will
astound the nation when the de-
tails are known, it was declared by
Mr. Brown.

"Before this probe is completed
the entire United States will be
astounded by the revelations," he
said. "Nothing so far-reaching in
murders has ever before been re-
vealed."

Real Reign of Terror.

Mr. Brown said that so real had
become a reign of terror in the
Osage country as a result of the
death of nearly a score of persons
that when he went there several
months ago to begin a preliminary
investigation he found the homes
of many Osages surrounded by
strings of brilliant electric lights
that burned constantly through the
night.

"I believe there will be forever a
closed season against the Osages
when this case is terminated," O. K.
Luhring told the Associated Press.
Mr. Luhring is in charge of the
criminal division of the Department
of Justice in Washington.

The second death under investi-
gation is that of Henry Roan, whose
life was insured for \$25,000 in fa-
vor of W. K. Hale, the "king of the
Osage hills," who is in jail here on
a murder charge. Hale has a suit
pending in Federal court at Tulsa
to collect the policy. The shift in
the Roan case was indicated when
three life insurance salesmen went
into the jury room late in the day.

It became known today that three
additional arrests have been made
in connection with the investiga-
tion. Federal and State authorities
declined to indicate who the
arrested persons were or what they

has not
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1584

CLASS OF SERVICE	SYMBOL
TELEGRAM	
DAY LETTER	BLUE
NIGHT MESSAGE	NITE
NIGHT LETTER	N L

WESTERN UNION TELEGRAM



CLASS OF SERVICE	SYMBOL
TELEGRAM	
DAY LETTER	BLUE
NIGHT MESSAGE	NITE
NIGHT LETTER	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

The filing 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.

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DIRECTOR

BUREAU OF INV DEPT OF JUSTICE WASHINGTON DC

12

CAN YOU ARRANGE HAVE AGENTS - E. H. PARKER AND C. R. DAVIS AND GRANVILLE

CRIMES REPORT HERE DECEMBER TWENTY EIGHTH ASSIST IN OSAGE INDIAN

MURDER CASES

TWO WHITE

RECORDED & INDEXED

62-5033-2166

1056A BUREAU OF INVESTIGATION

DEC 23 1925 A.M.

DEPARTMENT OF JUSTICE



DEC 23 1925

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WFO:JVM

December 24, 1925.

67-5033-266-

GUS T BONES
FEDERAL BUILDING
SAN ANTONIO TEXAS

INSTRUCT AGENTS H H PARKER AND C R DAVIS REPORT OKLAHOMA CITY DECEMBER
TWENTY-EIGHTH TEMPORARY ASSIGNMENT SPECIAL

TWO HOOVER

RECORDED & INDEXED

1586

THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT: Guthrie, Okla.	DATE WHEN MADE: 12-10-25	PERIOD FOR WHICH MADE: 10-26 to 12-10	REPORT MADE BY: S. Smith.
TITLE: W. K. "BILL" HALE ET AL		CHARACTER OF CASE: MURDER OF OSAGE INDIANS AENA BROWN ET AL	

(O.C. #70-1)

SYNOPSIS OF FACTS:

REPORT BY SPECIAL AGENT F. S. SMITH.

questioning of M. A. Bloyd who was a Deputy Sheriff of Osage County on the day of the murder of W. E. "Bill" Smith and who is alleged by Burt Lawson in his confession to have released Lawson from the County Jail at Pawhuska to W. K. "BILL" Hale on the night of the murder of W. E. "Bill" Smith. Denial of Bloyd as to his knowledge of Lawson being taken from the County Jail. Details obtained from Bloyd concerning his whereabouts covering period prior to and after murder of W. E. "BILL" Smith and disappearance of a confession made by Burt Lawson to a murder case resulting in acquittal of Lawson. Additional statement obtained from Burt Lawson reiterating his previous statements implicating Bloyd and an additional statement to the effect that W. K. "Bill" Hale promised Lawson to go away with a confession made by Lawson to a murder in the interest of assisting Lawson to defeat his case. CONTINUED.

REFERENCE

is made to the joint report of Agents Smith and Murphy dated Oct. 10th, 1925, captioned W. K. "Bill" Hale et al with special reference therein to statement by Burt Lawson implicating M. A. Bloyd.

DETAILS

RESULTS OF QUESTIONING A. M. BLOYD:

M. A. BLOYD persistently denied that he in any manner participated in the release of BURT LAWSON from the Osage County Jail on the night of which W. E. (BILL) SMITH was murdered, or that he had any knowledge then or later that BURT LAWSON was taken out of the Jail by anyone. That he, BLOYD, apprehended LAWSON and was directly responsible for his being in Jail charged with murder and his

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>F. S. Smith</i>	SPECIAL AGENT IN CHARGE	62-5033-20	RECORDED AND INDEXED DEC 26 1925
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: 3 Washington 3 Files.	BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE	CHECKED OFF BY CAN 2-10
		ROUTED TO: Mr. J.	JACKETED: 1587

confession to the murder of an old man for his wares. That the confession of LAWSON disappeared from the records of the County Attorney of Osage County resulting in LAWSON being acquitted of said murder, which he, LAWSON, was unquestionably guilty of committing. That he, BLOYD, after the disappearance of LAWSON'S confession, realized that LAWSON had secured high powered co-operation in defeating his case, but he no time had any reason to connect BILL HALE in the matter. BLOYD now recalls that BILL HALE was a frequent visitor at the Osage County Jail having access thereto at any time and was a very close friend to the then Sheriff, MR. COOK, and no doubt could have gotten LAWSON out of Jail and had him commit any offense, as LAWSON is an unscrupulous criminal, and that he had no doubt in the least but that HALE did get LAWSON out of Jail and have him murder W. E. (BILL) SMITH and family. That he has no information to prove it and is unable to suggest any leads to assist the investigation.

BLOYD was closely questioned as to his whereabouts covering the period around the time the murder was committed, and he unhesitatingly stated when first questioned that he was at Oklahoma City in Federal Court just prior to and at the time of the murder, and covering a period of two or three days thereafter, but on being confronted with the facts that records disclosed that he was not in Oklahoma City covering such period as a witness in the Federal Court, BLOYD then admitted that he guessed he was mistaken, that he was not at Oklahoma City but was at El Dorado, Kansas, at Court as a witness. That he knew that he was at one of the two places. On being confronted that the records disclosed that he was not at El Dorado attending Court as stated, BLOYD then admitted that he did not know where he was, but thought that he was at one of the two places, Oklahoma City or El Dorado, but that if not at either of these two places, he was confident that he was absent from Lawhsuka at the time of the SMITH murder. BLOYD further stated that he did not go on the scene or see the results of the explosion for at least ten days after it happened; that he was very busy attending to the duties of his office serving papers and that his first opportunity to be in the vicinity of Fairfax was about ten days after the murder at which time he reviewed the premises of the murder.

BLOYD advanced the argument that LAWSON hated him due to his apprehending him and developing a case of murder against him and that LAWSON'S allegations involving him was malice, stating that he was innocent regardless of what anyone might say about him being implicated in the murder. That in his judgment BILL HALE was the master mind and was responsible for the several Indian murders including the W. E. (BILL) SMITH murder.

This man, BLOYD, is a very peculiar person, cool, determined and reputed to be fearless and at times during his questioning displayed cognizance of being in rather a serious predicament and resolved to deny participation in the matter.

AT LAWYERSWORTH, ADDITIONAL STATEMENTS BY BURT LAWSON:

This Agent and Assistant Attorney General Brown closely questioned BURT LAWSON concerning M. A. BLOYD and LAWSON reiterated his previous statements

implicating BLOYD and made the following additional statement concerning W. K. "BILL" HALE.

LAWSON stated that he was forced by Deputy Sheriff at Pawhuska, while confined in the County Jail under a charge of murder, to make his mark, being unable to sign his name, to a statement prepared by these deputies confessing to the murder of an old man. That BILL HALE on the night that he took him, LAWSON, out of Jail and while enroute to Fairfax to blow up the W. E. (BILL) SMITH home told him, LAWSON, that he would get him out of trouble and that he, HALE, would do away with the confession made by him, LAWSON, before the time came for his trial. That while he never discussed with HALE again anything concerning the going away of the confession, but that the confession was missing when his case was called for trial, and that he beat his case due to that fact, and that he, LAWSON, naturally supposed that BILL HALE was responsible for the disappearance of this confession.

INVESTIGATION CONTINUED.

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1589

THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT: Guthrie, Okla.	DATE WHEN MADE: Dec. 10-1925.	PERIOD FOR WHICH MADE: 10/31 to 12/10	REPORT MADE BY: S. Smith
TITLE: W. K. "BILL" HALE ET AL.			CHARACTER OF CASE: MURDER OF OSAGE INDIAN ANNA BROWN ET AL.

(O.C. #70-1)

SYNOPSIS OF FACTS:

REPORT OF SPECIAL AGENT JOHN K. WREN.

Results of interview with ex-Sheriff Cook of Osage County substantiating the fact that M. A. Bloyd was a Deputy Sheriff and had access to the County Jail at Pawhuska at the time of murder of W. E. "Bill" Smith, and of Bloyd being assigned to investigate murder of Smith and advising that W. K. "Bill" Hale carried a commission as a Deputy Sheriff at the time of the murder of W. E. "Bill" Smith. Leads with reference to Bud Swers having material information concerning the murder of W. E. "Bill" Smith and Anna Brown.

DETAILS:

The following is a report of the activities of John K. Wren during the period Oct. 31st to Dec. 10th, 1925, at Fairfax and vicinity and New Orleans, La., in the Osage Indian murder cases.

CONCERNING THE MURDER OF W. E. (BILL) SMITH.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>[Signature]</i> SPECIAL AGENT IN CHARGE	62-5033-26	RECORDED AND INDEXED DEC 23 1925
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: 3 Washington. .3 Files.	CHECKED OFF: JAN 2 - 1926
	BUREAU OF INVESTIGATION DEC 23 10/2 A.M. DEPARTMENT OF JUSTICE	JACKETED: 1596
	ROUTED TO: Div. Two	FILE <i>[Signature]</i>

INFORMATION OBTAINED FROM MR. SHERIFF A. C. COOK OF OSAGE COUNTY, OKLAHOMA:

Mr. COOK stated to this Agent that he was Sheriff of Osage County covering a period from January 1, 1923 to January 1, 1925, and while as such had in his employ M. A. BLOYD as Deputy. That Mr. BLOYD had full powers as a Deputy with full access to the County Jail etc, and that he later determined that MR. BLOYD was a crook involved in the theft of automobiles and of taking money. That upon receipt of such information that he removed MR. BLOYD from his service. He stated that MR. BLOYD was acting as a Deputy in March 1923 and at the time of the murder of W. E. "Bill" SMITH and family.

That the following morning March 10th after the murder of W. E. "BILL" SMITH and family, that he, COOK, dispatched M. A. BLOYD and Deputy FRED WHITTAKER to the scene of the explosion at Fairfax and that they were accompanied by County Attorney ROFF. That he, COOK, instructed these Deputies to get in touch with his Deputy, JEFF HUTCHISON, and make an investigation of the murder of W. E. SMITH. That upon their return from Fairfax, that they had no results to report; that the murder in their judgment was a mystery.

MR. COOK further stated that his jailors at the time of the SMITH murder were COL. ROBY and DR. MAINS, COL. ROBY now being deceased. That COL. ROBY was then his night jailor and was supposed to have been on duty the night of the SMITH blow up.

MR. COOK further stated that W. K. (BILL) HALE was by him given a special commission as a Deputy Sheriff, that is to say a commission that would permit him to carry a pistol, but that BILL HALE was not an active deputy Sheriff handling processes etc and had access to the County Jail and that he, COOK, had on various occasions seen BILL HALE in the County Jail, but gave that no consideration. That his reason for giving BILL HALE a commission as special deputy was due to the fact that BILL HALE was a prominent man and requested it. That MR. HALE carried such commission from Jan. 1, 1923 to Jan. 1, 1925. MR. COOK further stated that it was a general census of opinion at the time of the W. E. "BILL" SMITH murder that W. K. (BILL) HALE was in some manner connected with it, but that investigations by his office failed to produce any material or direct facts.

MR. COOK further stated that while he had no direct knowledge that he in some manner absorbed the idea that BURT LAMBSON defeated murder charges against him in Osage County through the assistance of W. K. (BILL) HALE. That BURT LAMBSON was in jail under such murder charge at the time of the explosion of the W. E. "BILL" SMITH home at Fairfax, Oklahoma. He also stated that BILL HALE was continually interested in the welfare of prisoners in Jail in making their bonds and securing lawyers for them.

MR. COOK seemed reluctant in making any statements to me and stated that he did not want to be a witness as his interests were in New Orleans in handling his horses and that he expected to spend the winter there.

MR. COOK further stated that one BUD EWERS, who has a mother called, "Old Lady Cook" living at Shidler, Oklahoma, has material information and knows

and knows all about the murder of W. E. "BILL" SMITH and A. BROWN. That this fellow EWERS has told him so and that due to the fact that he had such information, that EWERS became frightened and left the country. That prior to his leaving that he, COOK, hid him out and protected him against molestation. That he never obtained further information from EWERS due to the fact that he left the country, but thinks that if he can be located that he will give the Government valuable information and impressed on Agent the necessity of locating this man EWERS, being emphatic in his declaration that EWERS was in position to disclose material facts and will unquestionably divulge them if the Government can find him.

LOCATION OF C. A. COOK:

MR. COOK is handling a bunch of race horses in connection with his brother, NAT COOK, and one MARION ALLEN of Fairfax, Oklahoma, and he has these horses located about one mile south outside of the Jefferson race track at New Orleans, La., and can be easily located through the entries of his horses.

This Agent did not divulge to MR. COOK the material facts obtained in the confession of BURT LAWSON involving ELOYD in releasing LAWSON to W. E. (BILL) HALE the night of the W. E. "BILL" SMITH murder, due to the fact of lack of confidence in MR. COOK.

INVESTIGATION CONTINUED.

1592

THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT: Guthrie, Okla.	DATE WHEN MADE: Dec. 10-25	PERIOD FOR WHICH MADE: 11-20 to 12-10	REPORT BY: P. S. Smith.
TITLE: W. K. "BILL" HALE ET AL.			CHARACTER OF CASE: MURDER OF GEORGE BULLERS, ANNA BROWN ET AL.

(O.C. #70-1)

B7D

SYNOPSIS OF FACTS:

INFORMATION OBTAINED BY CONFIDENTIAL INFORMANT

[redacted] working as confidential informant in the interest of the Bureau, was approached by [redacted] in the interest of securing [redacted]

B7D

[redacted] Plans arranged between [redacted] and [redacted] to proceed to [redacted] obtaining from [redacted] anticipated [redacted]

[redacted] information obtained from John Leslie, Ponca Indian, concerning two men being with Henry Houn at Burbank just prior to his murder. CONTINUED.

DETAILS:

AT PONCA CITY, STATEMENT FROM [redacted]

[redacted] stated to me that on December 5, [redacted] came to him at Ponca City and told him, [redacted] that he, [redacted] was expecting to be arrested by the Government at any moment for the murder of HENRY HOUN. That he, [redacted] knew [redacted] success in beating cases and wanted him, [redacted] to help him. [redacted]

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>P. S. Smith</i> SPECIAL AGENT IN CHARGE	62-5033-269	RECORDED AND INDEXED: 420 28 104
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: 3 Washington. 3 Files.	CHECKED OFF: JAN 2 - 1926
	BUREAU OF INVESTIGATION DEC 28 1925 A.M. DEPARTMENT OF JUSTICE	JACKETED:
	ROUTED TO:	FILE 1593

6 further stated that he told [redacted] that he had heard the [redacted] thing and left [redacted]
 7 under the impression that an Assistant United States Attorney had told him that
 8 [redacted] and a fellow named BILL was involved together in the murder of HARRY ROAN, and
 9 asked [redacted] who this man BILL was, and that [redacted] replied, "Oh, that is BILL [redacted]
 10 That he, [redacted], told [redacted] that he had a lawyer in Oklahoma City, who could get
 11 him out of it and suggested to [redacted] that he better not wait until he was in Jail
 12 to make arrangements to beat his case. That he left [redacted] under the impression
 13 that he could and would help him and advised him not to do any talking to anyone,
 14 and arranged with [redacted] to return to Ponca City Dec. 5th and accompany him, [redacted]
 15 to Oklahoma City and there confer with [redacted] lawyer and make the necessary
 16 arrangements.

17 That [redacted] then left going back to Fairfax and that on the night of the
 18 4th there was a bad snow and rain storm, which put the roads in bad shape and
 19 that [redacted] did not come back as arranged, and that he had not seen or heard from
 20 [redacted] since, but momentarily expected him to show up for the trip to Oklahoma City.

21 [redacted] is a very capable and high powered criminal and has defied
 22 many criminal charges, and is now under conviction in both the state and federal
 23 Courts with cases on appeal and has the respect and admiration of the criminal
 24 elements. [redacted] states that he thinks that he will be able to obtain from
 25 [redacted] all of the details concerning his, BILL HALE's, participation in the ROAN
 26 murder and details of a framed alibi to beat such case.

27 I will remain in close touch with [redacted] and press his carrying into
 28 execution his plans set out therein. [redacted] does not think it best to rush
 29 [redacted] for fear of causing him to become suspicious.

30 STATEMENT OBTAINED FROM JOHN L. LITTLE, AN INDIAN:

31 [redacted] is a Ponca Indian and has a shiftless character, is a
 32 [redacted] and divorced husband of ROY BURKHILL, and very much afraid
 33 of being murdered should it be ascertained that he was divulging information.
 34 However, he is very much interested in the uncovering of Osage murders. [redacted]
 35 [redacted] stated to me that he knew two men that was with HARRY ROAN at Bartles,
 36 Oklahoma, just prior to his being murdered, but would not divulge their names,
 37 and stated that ROY BURKHILL was away from Fairfax for a few days prior to the finding
 38 of ROAN'S body. JOHN LITTLE is of the opinion that ROY BURKHILL murdered HARRY ROAN.

39 INVESTIGATION CONTINUED.

40 1594

THIS CASE ORIGINATED AT

Oklahoma City, Okla.

(S.F. File 70-5)

REPORT MADE AT: San Francisco, Cal	DATE WHEN MADE: Dec. 19	PERIOD FOR WHICH MADE: Dec. 2-19/25	REPORT MADE BY: A. E. Farland - E.C.
TITLE: BRYAN BURKHART ET AL			CHARACTER OF CASE: Murder of Anna Brown & others - Osage Indians

SYNOPSIS of FACTS:

Wid Ewers wanted as witness in above captioned case, located at Melones Dam, Jamestown, Calif., by Special Agent Burger, Oklahoma City office. No further action required here.

R. U. C.

62-5033-

DETAILS:

Reference is made to previous reports on this subject.

On Dec. 3rd the following telegram was received from Agent in Charge White, Oklahoma City office:

"MAKE FURTHER INQUIRIES AT DARBYS STORE OROVILLE FOR ANY FORWARDING ADDRESS WID EWERS MIGHT HAVE LEFT THERE ADVISE BY WIRE".

Matter was taken up by correspondence with Postmast Shelton of Oroville, Calif., requesting him to be on the lookout for subject who was expected to be in that vicinity. On Dec. 4th the following telegram was received from Postmaster Shelton:

"W A EWERS I BELIEVE WID BELIEVE HE WAS IN KINGSBURG CALIFORNIA ABOUT NOVEMBER TWENTY FIVE MONEY ORDER FROM THIS OFFICE TO HIM THERE NOVEMBER TWENTY REPLY FROM HIM TO MOTHER THAT MONEY ORDER RECEIVED MOTHERS ADDRESS NOW TEN TWENTY SEVEN W SIXTH STREET SAN BERNARDINO CALIF."

On Dec. 5th the following telegram was sent to Postmaster at Kingsburg, Calif., from this office:

"PLEASE ADVISE IF W A OR WID EWERS IS RECEIVING MAIL YOUR OFFICE OR HIS WHEREABOUTS KNOWN DO NOT ADVISE EWERS WIRE REPLY GOVERNMENT RATE COLLECT. PLEASE EXPEDITE."

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>A. E. Farland</i> SPECIAL AGENT IN CHARGE	62-5033-270	RECORDED AND INDEXED: DEC 28 1925
WASHINGTON REFERENCE: 3	Washington 3 File 1 Oklahoma City 2 Los Angeles 1	CHECKED: JAN 2 1926
	BUREAU OF INVESTIGATION DEC 28 1925 PM DEPARTMENT OF JUSTICE	
	ROUTED TO: Div. Two	

BRYAN BURKHART

On Dec. 5th the following reply was received from Postmaster Kingsburg, Calif:

"YES W. A. EWERS IS RECEIVING MAIL AT THIS OFFICE."

On Dec. 5th the following wire was sent to Agent in Charge White of Oklahoma City office:

"EWERS WAS IN KINGSBURG NOVEMBER TWENTIETH WHERE HE RECEIVED MONEY ORDER FROM MOTHER SENT FROM OROVILLE. MOTHER'S ADDRESS NOW TEN TWO SEVEN WEST SIXTH STREET SAN BERNARDINO. THIS OFFICE COVERING KINGSBURG. HAVE REQUESTED LOS ANGELES TO DIPLOMATICALLY COVER SAN BERNARDINO AND WIRE YOU."

On Dec. 5th, the following telegram was forwarded to Acting Agent in Charge Colvin, Los Angeles office:

"RE CASE BRYANT BURKHART MURDER OF INDIANS OKLAHOMA OFFICE WANTS WID EWERS DIPLOMATICALLY LOCATED AS SOON AS POSSIBLE. DO NOT INTERVIEW OR PERMIT HIM TO SUSPECT. MOTHER'S ADDRESS TEN TWO SEVEN WEST SIXTH STREET SAN BERNARDINO. LOCATE AND WIRE OKLAHOMA WHO WILL THEN HANDLE. IMPORTANT."

On Dec. 5th the following wire was received from Agent in Charge White, Oklahoma City office:

"KEEP INFORMED AS MUCH AS POSSIBLE WHEREABOUTS WID EWERS WILL SEND AN AGENT FROM HERE WHO IS FAMILIAR WITH THE CASE TO INVESTIGATE."

On Dec. 5th the following telegram was sent to Agent in Charge White, Oklahoma City office:

"ADVISED BY POSTMASTER KINGSBURG CALIFORNIA THAT ONE W A EWERS IS RECEIVING MAIL THAT OFFICE WIRE WHAT ACTION YOU DESIRE TAKEN".

On Dec. 9th the following wire was received from Agent in Charge White, Oklahoma City office:

"AGENT JOHN BURGER FROM THIS OFFICE WILL REACH THERE FRIDAY TO GET INFORMATION WID EWERS AND INTERVIEW HIM ADVISE HIM TO ON HIS WAY BACK HERE DROP OFF PARKER ARIZONA WHICH IS NEAR YUMA AND INVESTIGATE INFORMATION THAT CLAUDE PARKER THERE THINK MORE THOROUGH INVESTIGATION COULD BE HAD IF AN AGENT ARIZONA OFFICE MEET HIM THERE TO ASSIST HIS INVESTIGATION HAVE HIM WIRE ME THE TIME HE EXPECTS TO ARRIVE PARKER AND WILL HAVE PHOENIX OFFICE TO HAVE AN AGENT MEET HIM THERE AND ASSIST HIM."

On Dec. 11th the following telegram was received from Postmaster Kingsburg, Calif:

"W. A. EWERS HAS LEFT FORWARD FOR ROUTE 2 OROVILLE CALIF."

BRYAN BURKHART

On Dec. 11th this Agent and Agent Burger of Oklahoma City office, proceeded to Oroville, Calif., on information obtained by Acting Agent in Charge Montgomery, to the effect that Wid Ewers had left a forwarding address in Kingsburg, Calif., for his mail to be sent to Oroville, Calif. Upon arrival at Oroville, C. E. Ewers was interviewed by Agent Burger and stated that he had no knowledge of the present whereabouts of Wid Ewers as he was a hard man to keep up with. The postmaster was requested to hold any mail that came for Wid Ewers and to notify San Francisco office immediately. There being no other leads, Agents returned to San Francisco.

On Dec. 12th the following telegram was received from Postmaster Shelton of Oroville:

"HAVE LETTER FROM MOTHER MAILED FROM DECEMBER THIRD ADDRESSED EARL KINGSBURG FORWARDED HERE DECEMBER SEVENTH SHALL I MAKE DELIVERY. THE LETTER MENTIONED WAS MAILED AT SAN BERNARDINO WITH RETURN ADDRESS OF HIS MOTHERS ADDRESSED TO KINGSBURG AND FORWARDED HERE DECEMBER 11TH I RECEIVED THE LETTER THIS DATE 11.30 AM."

On Dec. 13th the following wire was sent the Los Angeles office:

"REFER HERBIE MOPHINS RE BUREAU ADVISED THAT WID EWERS EXPECTED TO VISIT BUREAU SAN BERNARDINO DURING HOLIDAYS. PLEASE INTERVIEW PARENTS AND OBTAIN PRESENT ADDRESS. WIRE REPLY. EXPEDITE."

On Dec. 13th the following wire was sent the Postmaster, Jamestown, Calif:

"ADVISED THAT W. A. EWERS IS AT MELORES DAM AND RECEIVING MAIL YOUR OFFICE. PLEASE MAKE DIPLOMATICALLY WIRING RE GOVERNMENT RATE COLLECTOR. INFORMATION IS FOR GOVERNMENT AND IS IMPORTANT. PLEASE EXPEDITE. SWINIS".

On Dec. 13th the following wire was sent the Oklahoma City office by Agent Burger:

"WID EWERS LEFT KINGSBURG THE EVENING GIVING FORWARDING ADDRESS TO OROVILLE. TIME OF HIS ARRIVAL AT OROVILLE UNCERTAIN AND CAN NOT BE DETERMINED UPON AS HE MAY BE BEARING HIS WAY. IMMEDIATELY ALERT BUREAU AT OROVILLE WHO IS FRIENDLY AND WILL COOPERATE. ADVISED TODAY BY POST MASTER AT KINGSBURG THIS LETTER HAS BEEN FORWARDED WID TO JAMESBURG CALIFORNIA. ALL POINTS BEING COVERED. WILL REMAIN HERE FEW DAYS AWAITING DEVELOPMENTS WIRE IF SATISFACTORY."

On Dec. 14th the following wire was received from the Postmaster at Jamestown, Calif.

"PARTY INQUIRED FOR AT MELORES DAM SUNDAY".

1-397

BRYAN BURKHART

On Dec. 14th the following wire was sent to the Los Angeles office:

"REFERRING MY TELEGRAM RE BURKHART CASE AGENT BURGER OKLAHOMA HERE AWAITING YOUR REPLY PLEASE EXPEDITE."

On Dec. 14th it was decided that Agent Burger would leave immediately for Jamestown, Calif., and from there to Melones Dam for the purpose of locating Ewers.

On Dec. 14th the following wire was sent to Postmaster Shelton at Oroville, Calif:

"SUGGEST YOU DELIVER LETTER ADVISING ME BY WIRE WHEN DELIVERED. THANKS."

On Dec. 15, 1925, the following telegram was received from Postmaster Shelton, Oroville, Calif.:

"LETTER DELIVERED TO C. E. EWERS TODAY WHO REPORTS WID NOT ARRIVED."

On Dec. 15th the following wire was received from Oklahoma City office:

"FOLLOWING WIRE RECEIVED FROM LOS ANGELES FIRST QUOTE RE BURKHART CASE SAN FRANCISCO WIRES AS FOLLOWS SECOND QUOTE REFER REPORT HOPKINS RE BURKHART ADVISED THAT WID EWERS EXPECTED TO VISIT PARENTS SAN BERNARDINO DURING HOLIDAYS PLEASE INTERVIEW PARENTS AND EXPEDITE OBTAIN PRESENT ADDRESS WIRE REPLY CLOSE QUOTE IN VIEW PREVIOUS REQUEST TO TRY LOCATE UNDER COVER DO YOU WISE NOW PROCEED OPENLY UNQUOTE COMMUNICATE INFORMATION CONTAINED YOUR TELEGRAM TO LOS ANGELES TO AGENT BURGER WHO IS NOW IN YOUR DISTRICT."

On December 15th the following wire was sent to Oklahoma City office:

"DO NOT UNDERSTAND YOUR TELEGRAM YESTERDAY RE BURKHART CASE. PLEASE EXPLAIN."

On December 15th the following telegram was received from Los Angeles office:

"REFERENCE BURKHART CASE AM AWAITING LONG DISTANCE CALL FROM SAN BERNARDINO WILL ADVISE IMMEDIATELY AS SOON AS INFORMATION OBTAINED".

On Dec. 15th the following wire was sent Agent John R. Burger, at Jamestown, Calif.:

"FOLLOWING WIRE RECEIVED FROM F.S. SMITH QUOTE REFERENCE YOUR TELEGRAM THIRTEENTH YOUR ARRANGEMENT SATISFACTORY KEEP US ADVISED. UNQUOTE."

1598

BRYAN BURKHART

On Dec. 15th the following wire was received from Guthrie, Okla., for Agent Burger:

"REFERENCE YOUR TELEGRAM THIRTEENTH YOUR ARRANGE SATISFACTORY, KEEP US ADVISED."

On Dec. 15th Acting Agent in Charge Montgomery received a long distance call from Agent Burger at Jamestown, Calif., stating that he had located Ewers at Melones Dam and had an interview with him; that W. Ewers told him he knew nothing about the case in question; Agent Burger also informed that he was leaving for Parker, Ariz.

On Dec. 16th the following wire was sent to Agent Burger at Parker, Ariz:

"RECEIVED FOLLOWING TELEGRAM FROM KITCHEN ACTING KANSAS CITY QUOTE FOLLOWING WIRE FROM R. L. MORRIS SHERIFF MEMPHIS MISSOURI ADDRESSED TO J. R. BURGER RECEIVED QUOTE HAVE IN CUSTODY PRIVATE ALVA C. FRANCIS DESERTER FROM WATON COMPANY TWENTY SIX FT BLISS TEXAS WIRE INSTRUCTIONS QUOTE PLEASE ASCERTAIN FROM AGENT BURGER IF FRANCIS WANTED BY HIM UNQUOTE."

On Dec. 16th the following wire was received from Kansas City office

"FOLLOWING WIRE FROM R L MORRIS SHERIFF MEMPHIS MISSOURI ADDRESSED TO J R BURGER RECEIVED QUOTE HAVE IN CUSTODY PRIVATE ALVA C. FRANCIS DESERTER FROM WATON COMPANY TWENTY SIX FT BLISS TEXAS WIRE INSTRUCTIONS QUOTE PLEASE ASCERTAIN FROM AGENT BURGER IF FRANCIS WANTED BY HIM.

KITCHEN ACTING."

On Dec. 16th the following wire was sent to Kansas City office:

"REFERRING YOUR TELEGRAM RE ALVA C. FRANCIS. AGENT BURGER ENROUTE PARKER ARIZONA HAVE REPEATED TELEGRAM TO HIM SUGGEST YOU COMMUNICATE FACTS TO OKLAHOMA."

There being no further investigation required in this district, this case is

REFERRED BACK TO OFFICE OF ORIGIN NO FURTHER ACTION HERE.

15, 1925

P. O. Box 128,
Oklahoma City, Oklahoma.
Dec. 23, 1925.

Mr. W. L. Scott,
P. O. Box 603,
St. Louis, Mo.

Dear Sir:-

Re: ERNEST BURKHART ET AL
Osage Indian Murders.

I am enclosing herewith, subpoena for H. W. Lake, c/o Lake Service Bureau, Times Building, St. Louis, Mo., which I wish you would kindly deliver at once to the United States Marshal there for service, and assist him all possible in locating this party and getting service upon him as he is a very important witness before the Federal Grand Jury convening at Guthrie, Oklahoma, January 6th.

Should you experience any difficulty in locating this party, wire me and I will do everything possible to further aid you.

Thanking you, I am

Yours very truly,

T. B. White,
Special Agent in Charge.

TBW:W.
-enc-

J. e. Director
S.A.C.No. 572.

RECORDED & INDEXED

JAN 6 - 1926

-62-5033-277

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 23 1925	
F. B. I.	
Director	

mb

1666

P. O. Box 125,
Oklahoma City, Oklahoma.
Dec. 23, 1928.

Mr. Louis DeHette,
P. O. Box 91,
Dallas, Texas.

Dear Sir:-

Re: ⁰ ERNEST BURKHART, ET AL.
Murder Osage Indians.

I am enclosing to you subpoenas for Mr.
and Mrs. J. L. Bridges, whose address is given
as Campbell, Texas.

These parties are very important witnesses
in the above case which is to be presented to the
Grand Jury at Guthrie, Oklahoma on January 6th and
would like for you to therefore immediately upon
receipt of these subpoenas, deliver to the United
States Marshal and assist him in locating and getting
service upon these witnesses.

Should you have any trouble in locating
them, kindly wire me and I will assist all possible.

Yours very truly,

F. B. White
F. B. White,
Special Agent in Charge.

TBW:
-2 e c-

JAN 6 - 1929 RECEIVED & INDEXED

G. C. Director
(S.A.C. No. 572)

62-5033-272

mt

1601

P. O. Box 125,
Oklahoma City, Oklahoma.
Dec. 23, 1925.

Mr. Frank J. Blake,
Lathrop Building,
Kansas City, Missouri.

Attention John R. Burger

Dear Sir:-

Re: ERNEST BURKHART ET AL
Harbor Osaage Indians.

I am enclosing herewith the following subpoenas:

1. John A. Gustafson, c/o Gustafson Detective Agency,
Kansas City, Mo.
2. E. G. Burt, Winfield, Kansas
3. W. G. Bailey, Madison, Kansas
4. Mr. Turton, Undertaker, Kirkpatrick Furniture Co.,
Arkansas City, Kansas.

Would like for you to kindly deliver these subpoenas
at once to the Marshal there for service and have Special Agent
Burger assist in the location of these witnesses as he is familiar
with their whereabouts.

Have Mr. Burger wire me immediately, location of
W. L. Lee Clinman and of Mrs. Edith Burkhardt so that they may be
reached and served with process, also address, E. S. Jordan.

The above are important witnesses before the Federal
Grand Jury convening at Guthrie, Oklahoma, Jan. 6th, therefore, we
are anxious to get service on them at the earliest possible date.

Yours very truly,

T. B. White,
Special Agent in Charge.

TBW:V.

RECORDED & INDEXED

(4-enc.)

S. C. Director,
S. A. C. 572.

62-5033-273

Dec 23 1925

mm

P. O. Box 125,
Oklahoma City, Okla.
Dec. 23, 1925.

Mr. E. B. Sisk,
Department of Justice,
P. O. Box 696,
New Orleans, La.

Dear Sir:-

Re: Ernest Burkhardt, Et Al
Murder Osage Indians.

I am herewith enclosing to you subpoena for
C. A. COOK, Jefferson Park, New Orleans, Louisiana.

This is the party, as you no doubt recall,
as having interviewed with Special Agent John E. Urea of
this office. Cook is a very important witness in the
Osage Indian Murder cases which are to be heard January
6th, 1926 at Guthrie, Oklahoma and I would like for you
to deliver immediately, this subpoena to the United States
Marshal there, and aid him every way possible in locating
and getting service on this witness.

Thanking you for your assistance in this
matter, I am

Yours very truly,

W. E. White
W. E. White,
Special Agent in Charge.

TBW:W.

-enc-

G. C. Director
(S.A.C. No. 572).

RECORDED & INDEXED

62-5033-274

1663

P. O. Box 225,
Oklahoma City, Oklahoma
Dec. 23, 1928.

Mr. S. J. McAfee,
P. O. Box 806,
Denver, Colorado.

Dear Sir:-

Re: ERNEST BURKHART ET AL
Murder Osage Indians.

I am herewith enclosing to you subpoena
for Dr. D. A. Shoun who resides at Canyon City, Colo.

Would like for you to kindly deliver
this Subpoena to the United States Marshal immediately
upon receipt of same and see that Dr. Shoun is located
and served, as he is a very important witness in the
above case to be heard before the Grand Jury, Guthrie,
Oklahoma, convening January 8th.

Thanking you, I am

Yours very truly,

T. B. White
T. B. White,
Special Agent in Charge.

TBW:W.

-enc-

c. c. Director
(S.A.C. No. 572)

JAN 6 - 1928

RECORDED & INDEXED

62-5033-27
JAN 6 1928
[Handwritten initials]

SERVICE	SYMBOL
AM	
LETTER	BLUE
MESSAGE	NITE
LETTER	N L

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, VICE-PRESIDENT

RECEIVED
 RECORDED
 If no symbol appears in words the symbol appears

If of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

The filing 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. Received at Commercial Nat'l Bank Bldg., 14th & G Sts., N. W. Washington. D. C. ALWAYS OPEN.

12
 13 15171 15 COLLECT GOVT

1925 DEC 28

14 BR OKLAHOMACITY OKLA 28 345P

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 16 DIRECTOR

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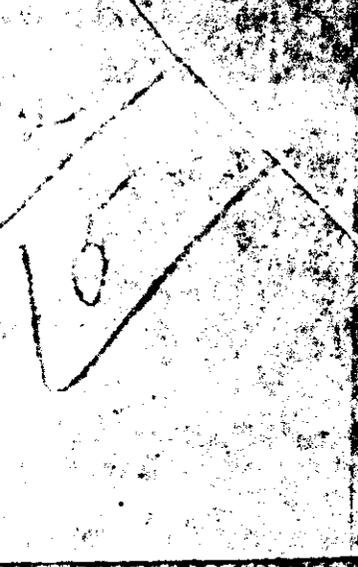
18 BUREAU OF INV DEPARTMENT OF JUSTICE WASHINGTON DC

20 AGENTS E H PARKER AND C. R. DAVIS AND F G GIMES REPORTED TODAY

22 TWO WHITE.

RECORDED & INDEXED
 DEC 31 1925

62-5033-276
 BUREAU OF INVESTIGATION
 DEC 28 1925
 DIV. TWO
 L. W. BIRD



15 am
 J.W.T.

1105

HLS:MK
62-15

ST. LOUIS

December 28, 1925

JAN 11 1926

T. B. White, Esq.
Postoffice Box 125,
Oklahoma City, Okla.

Re: ERNEST BURKHART et al
Osage Indian Murders

62-5033-27

Dear Sir:

Referring to your letter dated the 23rd enclosing subpoena for H. W. Lake, Times Building, this city, requesting me to deliver same to the United States Marshal for service.

I assigned this matter to Special Agent Fisher, who immediately got in touch with the Marshal's office and service was obtained on H. W. Lake of the Lake Service Bureau, at which time Lake informed the Deputy Marshal he knows nothing about the Oklahoma matter, and that the proper person to subpoena is Eugene E. Peel of the Lake Service Bureau.

Peel, it appears, is an investigator for Lake and was assigned the Oklahoma Indian Murder case by Lake in the interest of the Capital Life Insurance Company of Denver, Colorado, which Company had insured one of the murdered Indians in the sum of \$20,000.

It appears that Peel at this time can be reached at Lakes office in the Times Building, St. Louis, but his mother is sick in Tennessee, and there is a probability he may be called there on account of her illness. Thinking you may possibly want to cancel this subpoena as to Lake, and issue one for Peel, I forwarded you on the night of the 24th, the following wire:

"Your subpoena served on H W Lake who advises that evidently he is not the man you really want but that Eugene E Peel one of his employees made the investigation you evidently have in mind and that he is really the man that should be subpoenaed in this matter stop Peel here but may leave in next few days for Tennessee on account of illness of mother there stop advise."

1666

Mr. White, #2.

If this office can be of further service to you
in this matter, please advise.

Yours very truly,

H. L. SCOTT.
Special Agent in Charge.

cc - Director
S.A.C. #572

607

JAN 6 1926
DIVISION

P. O. Box 603,
St. Louis, Mo.

December 30, 1925

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Mr. H. W. Lake,
c/o Lake Service Company,
Times Building,
St. Louis, Missouri.

In re: Ernest Burkhardt.

62-5033

Dear Sir:

I have been instructed by Mr. T. B. White, Special Agent in Charge of our Oklahoma City office, to notify you that the subpoena served on you, calling for your appearance before the U. S. Grand Jury at Guthrie, Oklahoma, on January 6, 1926, has been canceled, and you need not therefore appear there.

Yours very truly,

H. L. SCOTT,
Special Agent in Charge.

CC to DIRECTOR,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

SEARCHED & INDEXED

JAN 1 1926 P.M.
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ST. LOUIS

January 2, 1926

HON. EDWIN BROWN,
Special Assistant Attorney General,
Postoffice Box 515,
Guthrie, Okla.

Re: EARNEST BURKHART
Osage Indian Murder

Dear Sir:

Referring to your letter of December 31, 1925 with which you transmitted subpoena for Eugene Peel, care Lake Service Bureau, Times Building, I beg to advise that Peel was served with this subpoena this date by Deputy Marshal Thomas Elton and Agent E. A. Solanka of this office, and Peel stated he would appear as directed.

H. T. Lake was notified in writing that his subpoena had been cancelled. Peel stated he did not have a copy of his report on his investigation of the murder of Henry Roan alias Roanhorse, and requested that he be allowed to see the copy presumably in your possession before going before the Grand Jury.

Very truly yours,

H. L. SCOTT,
Special Agent in Charge.

cc Director
cc Oklahoma City Office

RECORDED & INDEXED

1809

THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT Guthrie, Okla.	DATE WHEN MADE: 12/24/25	PERIOD FOR WHICH MADE: 12/16 to 12/18	REPORT MADE BY: F. S. Smith.
TITLE: W. K. "BILL" HALE ET AL.		CHARACTER OF CASE: MURDER OF OSAGE INDIAN ANNA BROWN ET AL.	

(O.C. #70-1.)

SYNOPSIS OF FACTS:

REPORT OF SPECIAL AGENT F. S. SMITH

Statement by John I. Henderson, ex-deputy sheriff of Osage County, detailing movements of A. E. Boyd covering period murder of W. K. "Bill" Smith. Statement by Price Boles, inmate of Federal prison, covering admissions of Burt Lawson in participation of the murder of W. K. "Bill" Smith with W. K. "Bill" Hale and N. A. Boyd; relating Lawson's present attitude and his efforts to repudiate previous statements. Letter received from Price Boles concerning change of attitude of Lawson and his present intentions to stand behind previous statements. CONTINUED.

62-5033

DETAILS:

LEAVENWORTH, STATEMENT MADE BY JOHN I. HENDERSON:

Leavenworth, Dec 16-1925:
Statement made by John I. Henderson to F. S. Smith, Special Agent, Department of Justice.

I was a Deputy Sheriff of Osage County on the date of the explosion that killed Bill Smith and family at Fairfax, Oklahoma. G. A. Cook was sheriff,

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>F. S. Smith</i>	SPECIAL AGENT IN CHARGE	62-5033-27	RECORDED AND INDEXED: DEC 31 1925
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: 3 Washington 3 Files.	DEC 31 1925 P.M. DEPARTMENT OF JUSTICE	CHECKED OFF: JAN 2 1926
		ROUTED TO: Div. Two	INDEXED:

Fred Whittaker, M. A. Bloyd, Henry Mayes, Ed Cleween, D. K. Smith and myself were active field deputies. Harry Moore was under-sheriff and Dock Mains was Jailer and Col. George Roby was assistant Jailer and supposed to work at night. Mr. Roby was in very bad health and on that account any of the Deputy Sheriffs who happened to be around the Jail would help him in locking up and releasing prisoners and many times would stay at the Jail while he went to a show. On the day before the Smith blow up, Henry Mayes and I was working on a fellow who was in Jail, his name Blogg, called 'Squirrel' trying to get him to furnish us information concerning some dope peddlers at Whisbang, who he had been associated with and about 6:30 P.M. Henry Mayes and I went up to the third floor cells to talk to 'Squirrel'. As we passed a cell at the top of the stairs on the third floor, which was the cell that Burt Lawson was then confined in, we saw Deputy Sheriff Bloyd standing at Lawson's cell door with his head close to the bars talking to Burt Lawson. I gave that fact no thought at that time for the reason that I had seen him there talking to Lawson many times prior to then, and after that on leaving the Jail about 7:30 Bloyd was still talking with Lawson. On the morning of the explosion, which took place around 2 A.M., and around 8 A.M. a bunch of the deputies were in the sheriff's office talking about the explosion and I noticed that Bloyd was exceptionally nervous and acted different than usual. I said nothing at that time but a few days later, Fred Whittaker in the presence of Dock Mains, myself, Henry Mayes, mentioned how queer, funny and nervous Bloyd was acting since the blow up and all of us commented on his peculiar actions. Whittaker went so far as to go to Sheriff Cook and told him that on account of Bloyd's actions that he did not want to work with him. Sheriff Cook then came to me and asked me if I was afraid to work with him, and I told him 'no' and we then worked together for probably a month or more. Sometime about two weeks after the Smith murder, Bloyd showed up with a new special Studebaker car, specially equipped. Prior to the Smith murder Bloyd was broke and always borrowing from some of us deputies, so naturally we could not figure out where he got the new car. Sometime after he got the new car he very suddenly disappeared and none of the Sheriff's force knew where or why he had gone. I recently heard that 'Squirrel' Blogg is in Port Madison prison.

(signed) John I. Henderson.

The above informant, John I. Henderson, is now confined in the Leavenworth Penitentiary serving an eighteen months sentence for violation of the liquor laws.

STATEMENT MADE BY PRICE BOLES:

Leavenworth, Kans.

Dec. 16, 1925.

"I am an inmate of the Federal Prison serving an eighteen months sentence from Osage County, Oklahoma, for possession of liquor. My present work is cleaning and attending to Cell House Gallery No. 2 and am an Orderly. Sometime about ten days or two weeks ago, I came in contact with one Burt Lawson, who is a prisoner here, and he remembered me in Osage County. He seemed to take a liking to me and placed confidence in me and we have had many talks together about Osage County and people we both knew. A few days ago Lawson told me in confidence that he trusted me and went on to tell me that he was brought here by the Government from McAlester prison and that he had no sentence here. That he blew up the Bill Smith home at Fairfax; that Bill Hale and another party furnished the money and that Bill Hale and a Deputy Sheriff took him out of Pawhuska Jail where he was in on a murder charge and took him to Fairfax on the night Smith's house was blown up and that he actually did the blowing up. That he was taken back and put in the Pawhuska Jail after the blow up and that none of the officials knew he was out of Jail except the Deputy Sheriff, and that he was taken out more than once by the Deputy. Lawson told me that he made a statement to some Government man telling him the truth of how he was taken out of Jail and how he blew up Smith's house, but since making that statement he told several that the statement was not the truth and had sent a letter to the Department of Justice at Washington through his sister at Oklahoma City, telling the Government his statement was not the truth, but that the statement was the truth but that he was going to back out of it. My reason for furnishing this information is that if what Lawson has told me is the truth, that those implicated should be prosecuted as it was a horrible affair.

(signed) Price Boles.

Dec. 17--Additional Statement of Boles.

A few moments ago on being advised that I was

11/12

wanted at the wardens office, Burt Lawson asked me who wanted to see me. I told him I thought it was my lawyer. Lawson said if it is your lawyer, he is a friend of Bill Hale and you tell him to tell Hale for him to stand by me and I will stand by him. Tell him not to fail to tell Hale this."

The following letter received from Price Boles through the Warden of the Federal Penitentiary.

Leavenworth, Kans.
Dec. 19, 1925.

Mr. F. S. Smith,
Guthrie, Okla.

Dear Sir: I will write you a line to let you know how everything is. Burt Lawson has agreed to stay with the statement he made to you. I told him if his statement was true he had better stand by it and tell the truth no matter who it hurt. He said he would do it. He said he had better take care of himself; they wasn't going to do anything for him. He told me that Bill Hale and Deputy Sheriff Bloyd came to the jail when he was and the Deputy Sheriff taken him out at night and Bill Hale taken him to Fairfax and drove him up to the alley. He got out of the car and he goes up the alley back of the Bill Smith home, goes in the back way with a jug of nitroglycerine puts it under the house and exploded it and blowed it up then walked back down to Arney Burkharts place where Bill Hale agreed to wait for him. He found Hale waiting there for him and Bill Hale got in the car and went back to Pawhuska and Bloyd taken him and put him back in jail. He said Deputy Sheriff Bloyd framed this job up had all the arrangements and he blowed it up. He said he thought the Deputy got more out of it than he did. He hasnt told me how much he got for the job but he said he got a good price of money out of it. He says he dont know whether Burkhart had anything to do with it or not, but Hale waited at this place for him while he was doing the job. It looks a little bad on his part to me. He says he is going to ask you to not prosecute him in this case. I told him he had better take care of himself. I didn't think Hale was going to help him out. I told him all people wanted was the truth in this case they wanted the guilty party and to just tell the truth and it wouldnt hurt him any. say he said he would do it. Well Mr. I guess I will close as this is all the information I have for you at present. Hoping you success.

Yours resp.

(signed) Price Boles.

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The above informant, Price Boles, is now confined in the Federal Penitentiary at Leavenworth serving an eighteen months sentence for violation of the liquor laws.

CONCERNING BURT LAWSON:

This Agent again interviewed Burt Lawson, who when first approached seemed to be laboring under misapprehension and of the opinion so expressed that he was of the opinion that he was to be made a goat of. That he had received such impression from having read the papers, which disclosed to him that the State of Oklahoma would prosecute the W. K. Smith murder case; that he felt that Bill Hale was too big to be convicted and that he realized having made the confession of participation in the murder of Smith, that the state would jerk his head off and turn Hale free, and therefore, he had resolved to deny his participation as previously admitted in his statements. Agent was successful in having Lawson change his attitude in this respect and he now states that he will stand by his confession, which was the truth.

INVESTIGATION CONTINUED.

HAT

THIS CASE ORIGINATED AT OKLAHOMA CITY, OKLAHOMA

REPORT MADE AT: NEW ORLEANS, LA.	DATE WHEN MADE: 12-29-25	PERIOD FOR WHICH MADE: 12-28-25	REPORT MADE BY: J.H. NOOKAN
TITLE: ERNEST BURKHART, et al			CHARACTER OF CASE: MURDER OSAGE INDIANS

SYNOPSIS OF FACTS:

Located C.A. COOK at the Jefferson Race Track, who was served with a subpoena in the presence of Agents. REFERRED-BACK-TO OFFICE OF-ORIGIN - NO FURTHER ACTION HERE.

DETAILS:

AT NEW ORLEANS, LA.

This investigation predicated on the following communication:

"I am herewith enclosing to you subpoena for C.A. COOK, Jefferson Park, New Orleans, Louisiana. This is the party, as you no doubt recall, as having interviewed with Special Agent John K. Wren of this office. Cook is a very important witness in the Osage Indian murder cases which are to be heard January 6th, 1926, at Guthrie, Oklahoma, and I would like for you to deliver-immediately this subpoena to the United States Marshal there, and aid him every way possible in locating and getting service on this witness.

Thanking you for your assistance in this matter, I am,
Yours truly,"

(Signed) T.B. WHITE,

Special Agent in Charge,
Oklahoma City, Oklahoma.

Upon receipt of the above communication Agent acting under instructions of Agent in Charge Sisk, accompanied by U.S. Deputy Marshal Winler, proceeded to the Jefferson Park Race Track, and, after making considerable search

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APPROVED AND FORWARDED: <i>[Signature]</i> SPECIAL AGENT IN CHARGE	62-5033-279	RECORDED AND INDEXED DEC 31 1925
WASHINGTON REFERENCE: DIV. #2	COPIES OF THIS REPORT FURNISHED TO: Director 2 Oklahoma City 2	CHECKED OFF: DEC 31 1925 PM DEPARTMENT OF JUSTICE
	ROUTED TO: Jan. 2, 1926	JACKETED: 1615

J.H. NOONAN

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12-29-25

through the stables at the race track C.A. COOK was finally located, and served with a subpoena by the United States Deputy Marshal Kinler in the presence of Agents.

REFERRED BACK TO OFFICE OF ORIGIN - NO FURTHER ACTION HERE.

JHN:FTM

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THIS CASE ORIGINATED AT

OKLAHOMA CITY, OKLA.

REPORT MADE AT: St. Louis, Mo.	DATE WHEN MADE: 12-29-25	PERIOD FOR WHICH MADE: 12-29-25	REPORT MADE BY: E. A. SOLANKA
TITLE: WILLIAM T BURNHART et al OSAGE INDIAN MURDERS			CHARACTER OF CASE:

62-13

SYNOPSIS OF FACTS: Witness Eugene E. Peel now at Memphis, Tennessee, address unknown, but expected here tomorrow. Upon receipt of subpoena effort will be made to serve this witness. Pending.

DETAILS:

Reference is made to letter of Special Agent in Charge, Scott, to Special Agent in Charge White, at Oklahoma City, dated December 28, 1925, in this matter. After this letter had been sent the following telegram, dated December 28, 1925, was received from Mr. White:

"Subpoena being issued for Eugene E. Peel and will send you to deliver Marshall there for service Keep Posted as to Peals whereabouts and if he leaves there before subpoena arrives advise me by wire Stop Notify Lake disregard his subpoena"

Agent interviewed H. W. Lake, who stated that Peel's mother died on Christmas Day at Memphis, Tennessee, and was buried Sunday at Little Rock, Ark.; that Peel went to Little Rock for the burial and from there was to go to Memphis, Tennessee, where he has a brother, name and address unknown, for a visit of a day or two, and was expected back here sometime today or tomorrow morning; that Peel is married and his wife is with him; further that he lives at 3935 Michigan Avenue, St. Louis, his telephone number being Victor 2955 R. Lake further stated that he did not have a copy of the report made by Peel on his investigation, and that all he was able to recall regarding the case was this: that about two years ago he received a wire from the Capital Life Insurance Company of Denver, Colo., to investigate the murder of an Indian named Frank Roan or Roanhorse, somewhere

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APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	62-5033-280	RECORDED AND INDEXED
WASHINGTON REFERENCE: # 2	COPIES OF THIS REPORT FURNISHED TO: Wash. - 2 Okla. City - 2 Office - 1 EAS-mla. <i>[Signature]</i>	BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE	CHECKED OFF: JAN 12 1926 JACKETED:
		ROUTED TO: Div. Five	FILE

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in Oklahoma; that he assigned Peel, who was employed by him as investigator, to the case, and Peel went to Oklahoma, spending four or five days there, during which time he obtained statements from a number of parties; that the information obtained convinced them that Frank Roan, whose life had been insured for the sum of \$20,000, by the Capital Life Insurance Company, had been murdered by his beneficiary or beneficiaries. However, as he recalls it, no evidence of the complicity of Roan's beneficiary in the murder was developed.

Lake stated further that he personally made no investigation of the case; however, that it is possible that Peel, personated him in making his investigation, by using his name. Further, that he signed Peel's report and turned it over to the law firm of Jones, Ecker, Sullivan and Albert, of this City.

Agent interviewed Mr. James C. Jones, of this firm, who stated that Peel's report was sent to the law firm of Embry, Johnson and Tolbert, of Oklahoma City, attorneys for the Capital Life Insurance Company, and that he was informed the Government had had access to this report. Mr. Jones stated further that if any difficulty was experienced in locating and serving Peel, through Lake, that he would not be able to exert influence on Lake to insure Peel's appearance at Guthrie, Oklahoma, when desired.

Lake promised to call this office as soon as Peel returns, and an effort to serve Peel will be made as soon as the subpoena is received here.

PENDING.

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