

through Sol Smith's pasture and found this Indian sitting in his car waiting at a point near Salt Creek. I drove up and got out of my car and we took several drinks from a bottle I had. I then got in my car and went to Fairfax. Several times after that I met this Indian and gave him drinks. This went on for several days, and I was trying to rib up a little more courage. Finally, one day, I decided to pull the job, everything being favorable. So I told this Indian to meet me out on the road running through Smith's pasture, that I would have some whiskey for him. I told him about what point on the road I would meet him, so he went out on one road and I on another. We met about the foot of the big hill ~~near~~ near Salt Creek. I motioned to him to go up on top of the hill, which he did, and stopped. I drove up and I saw a car coming, and I told him to drive off under the hill which he did. I got out of my car and when the car I had seen passed I then walked down under the hill where I found him waiting for me. He got out of the car and we sat on the running board of his car and drank what whiskey I had. The Indian then got in his car to leave, and I then shot him in the back of the head. I suppose I was within a foot or two of him when I shot him. I then went back to my car and drove to Fairfax. In a few days I saw Hale and told him enough for him to understand that I had killed the Indian. There was very little said at this time. Some time later I again met Hale and there was something said about paying me the balance of five hundred dollars, Hale saying he would pay it a little later as he would have more money then and I told him that was all right that I didn't need it then. Some time within a month or 2 Hale paid me the balance due me of Five Hundred Dollars. Some several days, I don't remember just how long but something like ten days, this Indian's body, that I killed, was found, and as I remember, that was the first time I found that his name was Henry Roan.

(Signed) JOHN REISEY.

Witness:  
Edwin Brown.

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Second statement of Ernest Burkhardt:

Ottawa, Okla.  
January 6, 1926.

Statement made by Ernest Burkhardt to F. L. Smith, John A. Kren and F. B. White, Special Agents, Department of Justice:

After being warned by Mr. Smith that I do not have to make a statement, and that any statement I do make, can and may be used against me in the trial of the case concerning which such statement is made, and after being so warned, and with no promise of immunity having been made from prosecution, and after being so warned, I now make the following free and voluntary statement:

On this date, having made a detailed statement to Mr. Smith and Mr. White, setting out all information then in my possession concerning the murder of Henry Roan, the following details concern the murder of J. L. Smith and family.

Some time in 1918 there was a money transaction between Bill Hale and J. L. Smith in which Hale loaned Smith five thousand, five hundred Dollars (\$5,500.00). As I remember, some time in 1920, or possibly in 1919, Hale told me that J. L. Smith had given him, Hale, a check for six thousand Dollars; that five thousand and five hundred Dollars of this money would cover the amount Smith owed him, and the five hundred Dollars would cover interest. Some time later I was at Bill Hale's ranch, and J. L. Smith drove up with his wife, and I saw Hale and Smith talking. I was at the barn, about one hundred yards away. In a short time Smith and wife left. After they had gone Hale came to the barn and told me that Smith wanted him, Hale, to give him, Smith, back the six thousand dollar check that he, Smith, had previously paid him, Hale, Smith trying to leave the impression with his wife that Hale owed him, Smith, six thousand Dollars. In a very short time Smith again drove up, by himself. Hale went out to where Smith was and they talked for about 20 minutes and Smith again left. Some time after Smith left Hale told me that he was not going to give the money back to Smith; that he had waited too long before Smith had paid him. From then on bad feeling existed between Hale and Smith.

Some time, possibly a year or more later, Hale told me he believed he could have Smith bumped off some time. Later Hale told me he believed he would have Smith bumped off. Later in conversation Hale told me that he had either been to see Al Spencer or thought he would go to see Al Spencer and get him to bump Smith off. This conversation, the best I can recollect,

Hale

was some time about one year before Smith was killed. About this time something happened to Spencer, I don't remember what, and Hale said something to me about not knowing where he was and I thought about getting Fred Rowe to go with him to see Spencer. Later Hale told me he was going to see Grammer and get him to furnish a man to bump Smith, and he did go, or at least left and said he was going to Grammer's. About a week later Hale told me that Grammer told him that he would have Blackie Thompson do it; that he had rather trust Blackie than any one. Hale said he would go and see Al Spencer; that he did not know where Spencer was, but he would get Fred Rowe to go with him and get Max Billingsley and Max Billingsley would tell him. About two or three weeks after this he said that he had talked to Al Spencer and that Al Spencer had said he would do the work. Later on Hale said that Al Spencer was gone and out of the country and that he, Hale, would go and see Grammer, and just shortly after that he, Hale, said that Grammer told him he, Grammer, would have Blackie Thompson do it. Some time after that Hale told me that Blackie could not be found, or was out of the country.

Just a few days before the blow-up happened, Grammer told Hale that Acie (Ace Kirby) would do it. That is what Hale told me. I asked Hale who Acie was, and Hale told me that Acie was one of Grammer's friends.

I believe the next thing was that Grammer and Hale were going to Fort Worth to the Pat Stock Show, and I understood that this Acie lived at Webb City, and John Ramsey lived at Ripley, and John Ramsey knew Acie.

Just before Hale left he asked me if I knew Acie, and I told him no. He said to tell John Ramsey to go to Ripley and get Acie and that while he, Hale, and Grammer were in Fort Worth to do the job. I got Hale's Buick car and went to Ripley and found John Ramsey. When I found him he was in a blacksmith shop, I talked to him a short while there, then called him out into the middle of the street and told him that Hale and Grammer were in Fort Worth and that Hale said to have Acie go down and do the job. Ramsey said he could not go right then, that he had no chance to get away from his wife, who was sick. Ramsey said that he believed that he would just tell her that he was going up to Grammer's and get a little whiskey. He said he would go then and get Acie. I got the car back, figuring it would happen on that day, but it happened on the next night. When it happened I was in bed with my wife. When it first happened it shook everything. At first I thought it was thunder, then there were three or four shots fired. I saw a light on the north side.

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My wife went to the window and looked out and said that Perry King's house was on fire. As soon as she said that I knew what it was. This was early on the morning of the 10th.

My Understanding was that Acie was going to shoot Bill Smith, but he, Acie, did not know Smith, and Smith was never out at night and never ran around with a stranger, and Acie had no chance. Hale said that Grammer told him that if he could not get a chance to shoot Smith, that he would have to put "soup" under the house and blow him up.

Hale showed up in Fairfax about the-12th. Hale asked me about Ramsey, if I knew whether Ramsey was with Acie, or whether Acie did it. I believe he asked me if I had seen Ramsey since the blow-up. He, Hale, said to me, "You don't know whether Ramsey was with him, Acie, or not?" I told him that I had not seen him and I did not know whether he was or not. Hale did not tell me that he had registered at the Metropolitan Hotel while he was in Fort Worth, but I would bet you a thousand dollars that he was stopping there, and if you would go there you would find that was where he stayed.

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Second statement of John Ramsey:

Guthrie, Oklahoma,  
Jan. 7, 1936.

Statement made by John Ramsey to F. B. Smith, J. V. Murphy and T. B. White:

After being warned by Mr. Smith that I do not have to make a statement, and that any statement I do make can and may be used against me in the trial of the case concerning which such statement is made, and after being so warned, and with no promise of immunity having been made me, and with no fear of consequences, I now make the following free and voluntary statement:

On January 6, 1936 I made a statement to Mr. Smith and Mr. White concerning my being hired by Bill Hale to kill an Indian who I later learned was Henry Roan, and gave them all the details as near as I could remember them as to just how I killed him, and the arrangements I had with Hale to kill him and the money and other things I received for doing the job. I did not in that statement tell any of the facts concerning the murder of Bill Smith that I knew of, and wanting the Government to know everything, I now wish to tell all I know about the killing of Bill Smith and family.

As I remember, before I was hired to kill Henry Roan, through talking with Henry Grammer, where I was then selling whiskey, I know that Bill Hale wanted Bill Smith murdered, and I knew that Henry Grammer was helping Bill Hale to arrange to have him killed. I can't remember right now the different conversations I had with Grammer which convinced me they were going to kill Smith; I can't say for sure whether it was before I killed Henry Roan or after that Grammer told me that he had a man to do the job and told me it was Asa Kirby, and in a little while after Grammer told me Asa Kirby showed up at Grammer's; that was the first time I met him. Grammer was very drunk, and he, in the presence of Asa Kirby, told me Kirby was all right, that he would do that job he wanted done, and for me to help Kirby all I could. Kirby then talked to me, and asked me what ~~the job~~ was the job that Grammer wanted done; I told him that he wanted a ~~Squaw man~~ killed down near Fairfax, by the home of Bill Smith; Kirby then said, well, I wasn't figuring on staying here long and wanted to know what there was in it for him; I told him that I did not know; he said, well, I will see Grammer and talk it over with him. I don't remember now other little details and conversations, but I do remember that the next thing I took Kirby down near Grayhorse where Bill Smith was living on a ranch and pointed out Bill Smith's house to Kirby.

1/16/36

The next thing I remember in some way I heard that Bill Smith left the country and had gone to Arkansas; in fact Ernest Burkhardt told me that Smith had gone to Arkansas but he did not think he would be gone long, and for me to tell Kirby. I told Asa Kirby what Ernest Burkhardt had told me; the next thing that followed, and I don't know how long after, Ernest Burkhardt came to me and told me that Bill Smith had come back from Arkansas, and then took me and showed me a house in Fairfax that Bill Smith was going to move into. The next thing that happened Ernest Burkhardt came to me at Ripley, where I had my family, and told me that Bill Smith had moved into town, and told me to tell Asa Kirby that everything was ready, or words to that effect, and tell him as quick as I could. I told Ernest my wife was sick, and I would go as soon as I could get away; I am not sure whether I went after Kirby that day or the next day. I drove to a little oil town as I remember either Webb City or Cooper, where Kirby runs a rooming house, and met Kirby and told him everything was ready and I would take him down and show him the house. Kirby and I drove to Fairfax and I showed him the house that Ernest said that Bill Smith lived in. Kirby asked me if I knew where there was any "soup" and said Henry Grammer had some and if I knew where it was, and I told him I did not; then there was something said about there being plenty of "soup" stored in the oil field and there would be no trouble for him to get it if he needed it. That he was not sure whether he would blow up Smith or shoot him. As I remember I went on home, and I suppose Kirby went home. I don't recall exactly when, but soon after that, possibly the next night, Smith's house was blown up. At some stage of the game, I don't exactly recall when, before the blow up, I asked Asa Kirby if he needed any help to do the job, and he said no. Some few days, I don't recall just how long after the Smith blow-up, I met Kirby and he told me something about doing a good job; after the blow-up I talked with Grammer and he asked me if I had seen the blow-up, and he said it was a fair or good job. I will say in possibly a week after that I went to Fairfax and saw the blow-up; neither Hale nor Grammer paid me anything for the part I did in this. I was supposed to be just helping out. But at different times since the blow-up Hale has given me a little money, and whenever I needed a little money I let Hale know it, and he never failed to favor me. Henry Grammer told me that he paid Asa Kirby for the job, and I asked Asa if he got a settlement for the job, and he said Henry Grammer paid all but a little; that Grammer came up to pay him all but got on a drunk and spent a few hundred dollars but later paid it all.

I have made this statement because it is the truth, and before

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I got mixed up with Henry Grammer I did not think it would be possible to do the things I did do.

(Signed) JOEL RAMSAY

Witnesses:

E. H. Parker

J. R. Burger

John K. Wren

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Final statement of Bert Lawson:

Guthrie, Okla.  
Jan. 7, 1936.

Statement made by Bert Lawson to F. S. Smith, J. A. Street  
and J. V. Murphy:

I was down at McAlester State Penitentiary serving seven years. I got acquainted with Hal Buie in the County Jail at Pawhuska before I went to the Penitentiary. After I got to the pen, I again met Hal Buie there, where he was serving a sentence. We had lots of talks together. One day I told Hal Buie I knew a whole lot about the Bill Smith murder, and that Bill Hale had told me lots of times that I ought to kill Bill Smith for breaking up my home. I think Hal Buie told Dr. \_\_\_\_\_ who is a prisoner in the penitentiary, what I told Hal. Hal said that the Doctor said that he thought we could get out of the penitentiary if I told what I knew. I think Hal told Senator Elkins, who is also a prisoner. Senator Elkins talked to me and said not to tell anybody else around there what I knew, and that the Governor's Secretary said that he would try to get us all three out of the pen if I would tell the truth. I told Hal Buie that I had some witnesses that I thought would swear like I wanted to if I could get to them. The next thing I remember Mr. White and Mr. Smith came to McAlester and first talked to Hal Buie, then they brought me in and talked to me, and I told Mr. White and Mr. Smith that I had a lot of information about the blowing up of Bill Smith's house, and I told them that Bill Hale and Ernest Burkhardt came to my house at Hominy and propositioned me to blow up Smith's house; that Hale had some fuse and showed me how to touch off the fuse so I would not be hurt, and told me what I ought to do to kill Bill Smith for breaking up my home, and if I would blow up Bill Smith they would give me five thousand dollars. I told Mr. White and Mr. Smith that my wife and mother-in-law, Blanch Covington, and Charlie Blair were there at the time and that I could prove all that to them. In a few days Hal Buie and I were taken down to Oklahoma City, and Mr. Smith, Mr. Murphy, and Mr. Luther Bishop took me to Tulsa to see my witnesses. When we got to Tulsa we went down to Blanch Covington's house. I told Mr. Smith and Mr. Murphy that Blanch Covington would be afraid to talk until I could tell her it was all right, so Mr. Smith and Mr. Murphy let me go in and talk to Blanch a few minutes before she came in. As soon as I got with Blanch I told her that there was a car load of Government laws outside and that Governor Drapp was going to give me a parole if I could prove that Bill Hale had Bill Smith killed, and that there was a twenty thousand dollar reward and I would get half of it. I asked Blanch how much the mortgage was on her place and she said three thousand dollars or something like that, and I said

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that if she would make an affidavit that she was at my house when Hale and Ernest Burkhardt came to my house and that she heard them tell me that they had the job done and for me to keep my mouth shut and not say anything, and that when I got the ten thousand dollars I would pay the mortgage on her house. Mr. Smith and Mr. Murphy then came in and talked to Blanch and told her that Bert said that she had information about the Smith murder, and they would like to take a statement from her. Blanch asked them to wait until the next morning then she would give them a statement as she was not feeling very well and wanted to think it over. The next morning Mr. Smith and Mr. Murphy took me to the County Jail to talk to Charlie Blair. I told them that Blair would not tell the truth as we had all agreed never to tell what we knew about Hale and Burkhardt coming to me because it would be dangerous, and we would be killed if we talked. We went to the jail and Mr. Smith and Mr. Murphy let me talk to Blair a few minutes by myself, and I told Blair that I wanted him to help me out, that I had helped him out lots of times. I wanted Blair to tell Mr. Smith that he was at my house and heard what Hale and Burkhardt said to me. Mr. Smith and Mr. Murphy then talked to Blair and he made them an affidavit just like I wanted him to do. After that Mr. Smith and Mr. Murphy took me into the Sheriff's office and had Blair in there, and they made Blair tell me just what I had him framed up, and said. Then Mr. Smith told me that Blanch Covington had told the truth about me framing her; that Blanch Covington told that I had told her I had blown up Bill Smith's house. Mr. Smith then told me then there was no use in telling a lie, and then I made a statement to Mr. Smith that I was in jail at Pawhuska on a murder charge and that Bill Hale come and got me out of jail and that Deputy Sheriff Bloyed turned me over to Hale, and that no body knew it but Hale and Bloyed; that Hale took me to Fairfax in his car and then to Burkhardt's house, and all about me down to Smith's house, in the alley, with a box and fuse and how I put it in the cellar and set it off and blew up Smith's house, and how Hale took me back and put me in Pawhuska jail.

All that story I told was a lie.

All I know about the Smith blow-up was just what I heard in jail. I had been in Pawhuska jail from September 1933 until some time about the 4th of April 1935, on a charge of killing an old man, and I was not out of that jail until I was turned loose in April 1935. I am making this statement because I done along and lie in my other statements.

(Signed, Bert Lawson.)

Witnesses:

- J. ... Street
- J. V. Murphy
- C. R. Davis

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statement made by Dewey Selph:

Guthrie, Okla.  
January 13, 1933.

Statement made by Dewey Selph to F. J. Smith, John R. Burger and J. V. Murphy:

After being warned by Mr. Smith that I do not have to make a statement, and that any statement that I do make can and may be used against me in the trial of the case concerning which such statement is made, after being so warned and with no promises of immunity having been made me from prosecution, I now make the following free and voluntary statement:

My name is Dewey Selph. I am 25 years old. I have lived in Oklahoma all my life.

Some time in April or May, 1921, I was living with my wife at Wynona, Okla. with my wife at the Commercial Hotel. My work was running this Hotel at that time. Some time about 4 o'clock in the evening I received a telephone call from Blackie Cord at Pawhuska, telling me to come over there, that he wanted to see me. I had a Ford touring car. I left Wynona about 4:30 P. M. and drove to Pawhuska and went to where Blackie Cord was living with his sister, Cecelia Bigheart, at 511 East Sixth Street. Blackie Cord took me into a room and told me that he and Nelsie Morrison were going to kill an Indian woman named Anna Brown, for Bill Hale, and he wanted me to drive them in my car. Blackie Cord told me he had a phone call in for Bill Hale and in a little while after I got there Blackie talked to Bill Hale over the phone and I heard Blackie tell whoever he was talking with that he would be over there. Blackie then told me that we would meet Bill Hale at the cab stand at Fairfax. Nelsie Morrison came some time during our conversation and heard what was said and asked Blackie if he was ready to go. Nelsie Morrison, Blackie Cord and I then got in my car and I drove to Fairfax. At Fairfax we met Bill Hale waiting for us at the cab stand which is on the main street in Fairfax. We all got out of the car and Bill Hale told us to go ahead and meet him on the Ralston road where you turn off to go to Grayhorse, and he would follow us. We then left Hale and drove to a point on the Ralston road where it turns to go to Grayhorse. We stopped on the side of the road and in a few minutes Bill Hale drove up in a car by himself. Bill Hale then told us that Bryan Burkhardt would be along with Anna Brown in a little while, and for us to do a good job, and handed to

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Blackie Gord a .38 calibre automatic pistol. Hale then pulled out a roll of money and handed it to Blackie Gord and said "now here is \$2500.00, and I will pay you the other \$2500.00 after you pull the job. Hale then drove back toward Fairfax. In about five minutes after Hale left Bryan Burkhart drove up in a car and stopped his car some little distance from us, he got out and came over to where we were standing by our car and told us that he had Anna Brown in his car and for us to follow him on to Ralston. He left then and we followed him into Ralston, close behind him. Bryan Burkhart drove up in front of the Riverside Hotel and stopped, and I then drove up and stopped. Before we got to Ralston, Helsie Morrison told me that Catherine Cole was in the car with Bryan and Anna. When Bryan stopped his car he got out and came over to our car and Anna Brown and Catherine Cole got out of Bryan's car and went into the hotel.

Bryan then told us that he would get Anna dead drunk and he would meet us at a certain place out of Fairfax. Blackie Gord and Helsie seemed to know where the place was, and Blackie and Helsie said that they would be there waiting for him. Bryan said that he would be there at four o'clock, and that he would have her down drunk in the car, and for Blackie to shoot her in the head, and after we shot her to take her out of the car and lay her down in the ravine.

Bryan then left us and went into the hotel, and we went around into a pool hall and loafed around there and played pool until about midnight. Helsie and Blackie played together, and I played a few games with the proprietor. I remember that we went into a little cafe in Ralston and drank some coffee and ate some pie. Some time about eleven thirty the pool hall closed, and we all got in my car and drove across the Arkansas River bridge and stopped somewhere between the bridge and Jeff Smith's house on the side of the road, and waited there until we thought it was about time to make connections with Bryan. Then Blackie Gord said he knew the way, and he drove my car and we drove on, going across Fairfax and across a pasture, and drove up to where Bryan Burkhart was waiting for us. When we got there Bryan Burkhart was standing beside his car and his lights were out. Blackie Gord then turned the lights out on my car. Blackie stopped my car within a few feet of Burkhart's car. Helsie and Blackie got out of my car and Bryan said "there she is", and Anna Brown was on the back seat of his car, leaning against the side and dead drunk and asleep. Blackie Gord walked up close to her and took the automatic pistol which Hale gave him, and pocketed the pistol up close to her head, and shot her.

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11 Bryan Burkhardt then told Blackie and Nelsie to get her  
12 out of the car, and take her down in the ravine. They then  
13 dragged her body out of the car and carried her down in a  
14 ravine and left her, and came back, and Bryan got in his car  
15 and left us, driving away. Blackie Gord and Nelsie and I got  
16 in my car, Blackie driving, and we went back the same way we  
17 came from Ralston, and stopped in front of the Riverside Hotel  
18 in Ralston. Nelsie got out and went into the Riverside Hotel,  
19 and in a little while came out with Catherine Cole, and all got  
20 in my car and Blackie drove us to Pawhuska. At Pawhuska Blackie  
21 Gord, Nelsie Morrison and Catherine Cole got out of my car at  
22 the Victor Cafe. On the road from where ~~Anna~~ Brown was killed  
23 to Pawhuska Blackie Gord stopped the car and pulled out the roll  
24 of money Hale gave him and handed me a fifty dollar bill, and  
25 he and Nelsie split the rest. When they got out at the Victor  
26 Cafe, I stayed in my car and drove on back to Wynona, Oklahoma,  
27 and arrived there about seven o'clock in the morning. Before  
28 I left Nelsie and Blackie they both me to be damn sure to keep  
29 my mouth shut.

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31 Some time about a month after Anna Brown was killed, I told  
32 my wife, Jeannette, that I took Nelsie Morrison and Blackie Gord  
33 over there to kill Anna Brown, and Jeannette cried and said it  
34 was a horrible thing to do.

35 (Signed) DORLEY SMITH.  
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Statement of Katherine Cole (Mrs. Kelsie Morrison):

Guthrie, Okla.  
Jan. 15, 1926.

Statement made by Katherine Cole to F. S. Smith, J. E. Parker and J. V. Murphy.

After being warned by Mr. Smith that I do not have to make a statement, and any statement I do make can and may be used against me in the trial of the case concerning which such statement is made, after being so warned, and no promises of immunity having been made me from prosecution, I now make the following free and voluntary statement:

My name is Katherine Cole. My home is at Pawhuska, Okla. I am an Osage. My guardian is Mr. C. M. Ashbrook. I married Kelsie Morrison in May, 1920. I was 20 years old when I married.

I have never told any one all I know about the Anna Brown murder because I was afraid I would get killed. When Anna Brown was killed I was living with Kelsie Morrison in Fairfax, Okla., on the street one block west of the Fairfax Hospital in my own house.

On the night that Anna Brown was killed, just after supper, Kelsie Morrison left my house and said he was going to town and said he would be back in about an hour. I told him to send me a taxi, that I wanted to go to my mother's. As I remember it must have been around six o'clock when Kelsie left the house. He did not send me a cab, nor did he come back to the house. Some time after dark, possibly eight or eight-thirty, Bryan Burkhardt drove up to my house and blew his horn and I thought it was a taxi and went out to the car. When I got to the car Bryan was driving and Anna Brown was sitting on the back seat. Bryan Burkhardt laughed and spoke, and Anna said hello. Anna said something about going to get a drink, or she wanted a drink and told me to get in the car, which I did. Bryan then drove off, going south on the street I lived on, then east and on to the main highway going to Ralston and Grayhorse, and on out this road and down a steep hill, over a little bridge, and then east about a quarter of a mile and stopped his car. Some little distance, possibly 50 or 60 feet away, I saw a car standing on the side of the road. Bryan Burkhardt got out of his car and went over to that other car. Then I heard Bryan and some other men talking, and I recognized the voice of Kelsie Morrison. Bryan Burkhardt then came back and got in his car with Anna and I, and said that they, meaning the men he had talked to, were going

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over there a short ways, and we would go with them. I saw the other car drive away first and we followed. We drove on a short distance over a rough hill and went through a gate and on by an old house, then on down the Grayhorse road toward the Pawhuska road. Before we got to the Pawhuska road we turned off the Grayhorse road near the head of a ravine where there are a lot of trees and stopped. The other car had stopped on the north side of the ravine between the ravine and the pawhuska road, less than half a block from where we stopped. When we stopped Kelsie Morrison and two other men, whom I did not know at that time, walked up to our car. Anna had been drinking, and Kelsie, Anna and the bunch began joking and talking and there was something said about getting another drink. Some one of the men said something about having some whiskey and there was about taking a drink. Anna Brown got out of the car. As soon as Anna got out of Bryan's car, there was something said about going and getting something. I was still in the car and Bryan Burkhart was still at the wheel. Bryan immediately drove off with me in the car and went back in the direction of Grayhorse by an old cemetery, then through Grayhorse, driving slowly. He did not open his mouth to me during this time. After driving around to Grayhorse, he then turned around and drove on back to a point near where Anna Brown got out of the car, and near the Pawhuska road, and near a pond where we found Kelsie Morrison and the two men who were with him when we left Anna Brown. When we drove up Kelsie Morrison told me to come and get in the car with them, which I did. This car was a Ford. As I remember they had the curtain up on this Ford car. When I got out of Bryan's car to get in the Ford, Bryan turned around and drove back in the direction where we left Anna Brown, which was in the direction of Grayhorse. One of the two strangers drove the Ford car and I sat on the rear seat with Kelsie Morrison, and we drove to Pawhuska. There was not a word said between there and Pawhuska about Anna Brown. When we got to Pawhuska we stopped in front of a restaurant on the main street. Kelsie Morrison, one of the strangers and I got out of the car, and the other stranger said he was going somewhere, I don't remember just where.

While on this trip with Anna Brown that night at different times I heard one of these men that was with Kelsie called Bleddie. While I did not know the other stranger's name, I did know that he married Cecelia Dighart and this is the man that drove the Ford into Pawhuska and let us out at the restaurant and said he was going somewhere and left in the Ford car.

A few days after this Kelsie Morrison got mad at me and told me if I didn't keep my mouth shut he would kill me if I ever told and I knew he would, and that is the reason I have never said anything.

When they took Anna Brown out of Bryan's car that night, while no one had told me, I knew that something was going to happen, and I was very badly scared. As soon as I heard that they had found a dead Indian woman, and where they had found her, I got a taxicab and Margaret Walters and I drove out there from Fairfax, but when we got there they had put the body in the box and no one seemed to know who she was.

After we left Anna Brown that night, Helsie Morrison would not let me out of his sight, and would not let me leave the house by myself, and when I talked to anyone he would stop me, and this continued for some time after Anna Brown's body was found, and Helsie acted very nervous, as if he was afraid that somebody suspected him.

(Signed) HAWTHORNE-COELL.

Witnesses:

- B. H. Parker
- J. V. Murphy
- J. L. Street
- John H. Wren
- Edwin Brown

10-13

THIS CASE ORIGINATED AT

Oklahoma City, Okla.

|                                    |                            |   |  |
|------------------------------------|----------------------------|---|--|
| REPORT MADE AT:<br>Omaha, Nebraska | DATE WHEN MADE:<br>1-25-26 | PERIOD FOR WHICH MADE:<br>1-17-26;<br>1-18-26 | REPORT MADE BY:<br>J. R. GREEN             |
| TITLE:<br>W. K. HALE ET AL.        |                            |   | CHARACTER OF CASE:<br>MURDER OSAGE INDIANS |

(Omaha file 70-8- )

SYNOPSIS OF FACTS:

J. R. Nelson, a half breed Cherokee and Osage Indian confined in State Penitentiary at Lincoln, Nebraska, states Subject HALE tried to hire him "to pull off some kind of a job" against certain Osage Indians, including John Kinnely, Henry Roan, Smith who married Bigheart girl, Fred Lookout, and others. CASE REFERRED BACK TO OFFICE OF ORIGIN - NO FURTHER ACTION HERE.

DETAILS:

This report is predicated upon the following letter:

Okla. City, Okla., Jan. 14, 1926.

Mr. D. G. Hancock,  
P. O. Box #665,  
Omaha, Nebraska.

Re: W. K. Hale EtAl. Murder Osage Indians.

Dear Sir:

A letter in the above connection from one J. R. Nelson, an inmate of the Nebraska State Penitentiary, has reached me. The letter in question was signed by Nelson and written to and addressed to Anna Cutler, at Pawhuska, Okla., who is alleged to be the wife of Nelson.

In this letter, Nelson states among other things, that he knew all about the Osage murders, for which the above party now stands charged in Federal Court. Nelson states that on account of what he knew about these murders, his life was threatened and he accordingly, in fear of his life, left Oklahoma.

I would like for you to kindly have an Agent visit the Nebraska State Penitentiary which I believe is located at Lincoln and interview and obtain a statement from Nelson and get what he knows. His number in that institution, I believe, is 90

DO NOT WRITE IN THESE SPACES

|   |  |  |                                   |
|---|--|--|-----------------------------------|
| APPROVED AND FORWARDED:<br><i>D. G. Hancock</i> | SPECIAL AGENT IN CHARGE  | 62-5033-316                                      | RECORDED AND INDEXED              |
| WASHINGTON REFERENCE:<br>Div. 2.                | COPIES OF THIS REPORT FURNISHED TO:<br>Bureau-3; Okla. City-2.<br>JRG/EM | BUREAU OF INVESTIGATION<br>DEPARTMENT OF JUSTICE | CHECKED OFF:<br>FEB 3<br>JACKETED |
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Yours very truly,  
(Signed) T. B. White  
Special Agent in Charge

At Nebraska State Penitentiary, Lincoln, Nebr.

Interviewed Robert M. B. Rutherford, alias J. R. Nelson, inmate #9051. After much questioning by Agent, the following statement was secured:

STATEMENT OF  
ROBERT M. B. RUTHERFORD,  
alias J. R. NELSON.

I am part Cherokee and Osage Indian, being half white. My father was Morton B. Rutherford, Attorney of Muskogee, Oklahoma, killed in an auto accident in 1922. I was born June 25th, 1881. I formerly lived at Dewey, Washington County, and later on Bird Creek, in Osage County, near Pawhuska, Oklahoma. I enlisted in the army at Joplin, Missouri, in 1913 and in 1917 I was transferred from Captain Bradshaw's Company to the 35th Division. I was sent to France, was a cook at Base Hospital #56, was severely wounded in battle in the Argonne Mountains, arms, leg and ribs broken, spine injured, and shocked, from a mine explosion. After my return from France I was in the Government Hospital at Muskogee and later in the Veterans' Hospital at Wichita, Kansas, being released from the latter place in May or June of 1921. At this time, being in general poor health, I went to the farm of Henry Grammer, whom I knew well, located between Pawhuska and Apperson, Oklahoma, to recuperate. While there, I think in June 1921, WILLIAM K. HALE, a wealthy cattleman whom I have casually known for about sixteen years, told me to come to his ranch near Fairfax, Oklahoma, as he could make good use of me. Shortly thereafter I went to Fairfax, where I remained in town a couple of days, then I went out to Hale's ranch.

HALE told me to take it easy at first, ride around the place and get plenty of fresh air, so I would get strong before going to work. After I was there a few days, he asked me how I would like to make a piece of money and I asked him how. Thereupon HALE told me to go to Skiatook, Oklahoma, and remain there until he notified me what to do. I went to Skiatook and in two or three days HALE'S partner Earnest Burkhart, and a man named Collins came and took me to HALE'S ranch near Fairfax. While at the ranch I rode around with HALE. He told me I could make a big piece of money, mentioning \$10,000.00 or \$15,000.00, in two or three months time if I would do what he wanted done. HALE mentioned John Kinney, Henry Roan, Fred Lookout, the Smith who married the Bigheart girl, and two other Osage Indians whose names I don't remember. While HALE hinted at things in a vague way, he never mentioned killing these parties and as other people had been kidnapped for a period there, I thought, from the way HALE talked, that was what he had in mind. When I asked him just what he wanted me to do for him, he told me I should shortly go to Skiatook and remain there until he told me what he wanted me to do. This was in June 1921. After being there a few days, he gave me \$70.00 or \$80.00 with which to go to Fort Smith Arkansas, to buy some fuse and dynamite caps. I purchased two \$6.00 coils of fuse and four boxes of dynamite caps at a hardware store in Fort Smith, I think on Garrison Avenue between 4th and 5th Streets. I signed a paper for them, stating they were to be used in blowing up stumps. H. K. HALE had never told me what he wanted them for. I returned by way of Muskogee

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7 where I fell in with another Indian. Our money was gone and I sold these things  
8 at a hardware store there for \$6.00 or \$7.00, which we spent for Jamaica Ginger.  
9 Because of this I did not return to HALE'S ranch at this time.

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Returning to Skiatook I got into trouble, was accused of receiving stolen goods and was sentenced to the Oklahoma Penitentiary at McAlester for two years. I returned to Skiatook, about May 18th, 1923, HALE, hearing I was there, came over to see me. Our conversation was just general, he later giving me \$20.00 or \$30.00 for expense money, I being broke then. In a few days HALE came back and drove me out to the Skiatook Club House. While there HALE mentioned Fred Lookout, Osage Chief, whom he wanted me to watch. HALE said to talk with no one, to avoid all suspicion, and arranged to phone me when I was to meet his nephew, Bryan Burkhart, at Pawhuska. Nothing more definite was said by HALE. A few days thereafter I got a telephone call at Skiatook. I think it was from Earnest Burkhart, and I was told to meet Bryan Burkhart, his brother, at the Post Office at Pawhuska, which I did. This was in May or June of 1923. Bryan Burkhart drove me to Shidler, then to Fairfax, where I met HALE again. HALE said to be ready in a few days. Nothing definite had been said up to this time and I still don't know what he was hinting at was kidnapping certain of these Osage Indians previously mentioned.

I later went back to look over the lay of the land, as he wanted me to know the different towns where I was to go, three or four of them. HALE told me not to worry about the law. From Fairfax I went to Harmony Post (probably Hominy) remaining all night at a rooming house near a grocery store near Santa Fe Depot. Next day I went to Skiatook, near which I rented a cottage on South 5th Street I think. While there, after a week or so, without any excuse, Earnest Burkhart came down to my cottage with some party unknown to me and beat me up. Burkhart said I was to have met them at Wynona. I told him I wasn't feeling good. Burkhart cursed me and called me yellow, then gave me a good beating. This was a night in June 1923. Later, I went to Tulsa, returning in three or four days by bus to Skiatook to get some of my things at the hotel there. After supper, Bryan Burkhart and Collins, I think he worked for HALE, came out of a drug store and we walked down to the Holy Roller Church, where we sat down in a car nearby. While there Collins gave me two guns, a loaded 32 or 38 Bolts Automatic, and a 38 Smith and Wesson Special. Burkhart and Collins said they would take me over for a "job" between Shidler and Fairfax, within a couple of days and for me to have my fighting clothes on for a party there, but mentioned no names. I tried to find out just what they had in mind, but learned nothing definite. They said this was for W. H. HALE and that HALE would make good on his money proposition of \$10,000.00 or \$15,000.00. The only persons mentioned by them at this time were Fred Lookout and another Osage Indian, who they said had either stolen or had had trouble with HALE over HALE'S cattle. I was to show up at Wynona, I think at Charlie Blair's pool hall, and Burkhart and Collins would take me where I was to go.

Instead of doing this, I became suspicious and next morning I went to Tulsa, then Claremore, from there to Topeka, Kansas, and then to Sioux Falls, South Dakota, where I remained until March 1924, when I returned to Oklahoma. About September 1924, when in Garber, Oklahoma, I saw Earnest Burkhart and an unknown party. Burkhart asked me what I was doing there in a rather menacing manner. Later they followed me out of Garber, chased me through cornfields, and later shot at

me several times. I tried to get help at a farm house and people there thought I was crazy. I was later taken to the Marshal and Mayor of Garber for protection who also thought I was crazy when I told them about being attacked by Earnest Burkhardt. A doctor at Garber, age about forty, office upstairs two doors east of a barber nicknamed Peaches, examined me at that time. I left Garber next day.

In January 1925, I was shot at between Pawhuska and Pershing, when I had gone in a "Rent-A-Ford" to an empty house to get a gallon of hooch. Several of us were together and all had been drinking. When I stepped out of the car, some one shot twice at me. A boy by name of Hoover, who worked for the city of Pawhuska, and formerly boarded at our restaurant, was with me. I think he was in on the deal and some of HALE'S crowd was trying to "get" me. When attacked, I was left alone and had to walk back to Pawhuska without hat or coat. This was on a Sunday night in January of 1925. Roy Janess, City Detective, saw me the next morning and he later turned me over to the Falls City, Nebraska, authorities, who wanted me for breaking jail there. While en route from South Dakota in March, 1924, I was married to Anna Cutler at Pawhuska and we lived at 813 North Kinokah Avenue, where she still runs a restaurant. My wife is familiar with these facts as I have narrated herein.

James Griffen, a Cherokee Indian at Checotah and Wellaquah, told me HALE tried to get him, in 1921, to kill some of these Indians and I think he knows considerable about these Osage Indian murders.

This is all I know concerning aforesaid murders. I have told nothing but the truth.

Nelson has been confined at the Penitentiary at Lincoln, Nebraska, since May 1925. He was quite indefinite as to exact conversations with HALE and the Burkhardt and was very rambling at times. Agent secured all information he could from Nelson, but not having any report of the facts in this case, Agent had no means of checking up its accuracy. It should be noted that Nelson is very desirous of being returned to Oklahoma for purpose of testifying in this trial.

Nelson refused to sign this statement, saying he would sign nothing like this while confined in the penitentiary and had no means of protecting himself. ever, he said he was willing to take an oath as to its truthfulness.

Agent was unable to accurately judge Nelson's exact mental condition. Deputy Warden Cavanaugh, of the State Penitentiary, does not place much credence in the truthfulness of Nelson.

This case will be considered closed at this office, unless further interviews are desired with Nelson.

RECEIVED  
FEBRUARY 10 1925  
FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE

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Department of Justice,

Bureau of Investigation.

P. O. Box 125,  
Oklahoma City, Oklahoma.

January 22, 1926.

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

Personal - Confidential.

Dear Mr. Hoover:

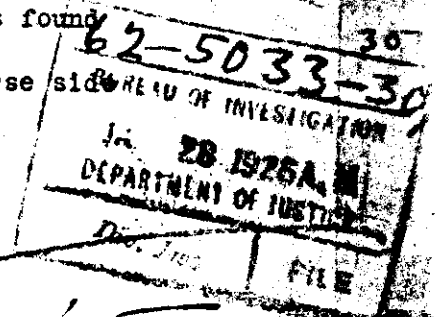
In Re: Osage Indian Murder Cases.

I am mailing to you for any further use  
you may have for them kodak photographs of W. K. (Bill)  
Hale's ranch, and the spot where Anna Brown was found  
dead. Each photograph has written on the reverse side  
just what it shows.

Respectfully,

*J. E. McGuire*  
Special Agent in Charge.

TBY:B.  
Encl.



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ENCLOSURE

January 27, 1926.

MEMORANDUM FOR MR. LUMMIS.

I am in receipt of a telegram from the Agent in Charge of our Oklahoma City office, dated January 25th, as per attached copy. This relates to the Coore murder cases now under way in the Oklahoma City jurisdiction.

Very truly yours,

Enc. 14539

Director.

62-5033-308

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# Department of Justice,

Bureau of Investigation.

P. O. Box 125,  
Oklahoma City, Okla.  
Jan. 28, 1926.

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

ATTENTION DIVISION NO. 1.

Dear Sir:-

- Personal and Confidential -

I am in receipt of your personal and confidential letter of January 22nd, with reference to the releasing, if possible, of the Agents in connection with the Osage Indian Murder cases.

As I have advised you, the Judge here has held that the Government has jurisdiction in the prosecution of those guilty of the Henry Roan murder, but held that the Indictment of the two parties - W. K. Hale and John Ramsey - whom we had indicted for the murder of Roan, faulty and thereupon ordered the defendants in custody of the Marshal and the case re-considered at the convening of this same Grand Jury on February 12th, to consider the return of another Indictment.

I am very diligently working upon the case of the murder of Anna Brown, on which we have at the present time some very valuable information and expect to, upon this information, be able to complete this case in time for its presentation to the Grand Jury, Feb. 12th and of course, naturally, in this investigation will need the assistance of these Agents and would like for you to allow me to keep them until anyway the convening of the Grand Jury.

Two of the Agents assigned to this case, you know, are at the present time looking after the surveillance of Ernest Burkhart and of course I will be unable to use them in the investigation here.

Trusting that you can arrange to let me keep these men a while longer, I am

TEW.W.

62-5033-309  
Yours very truly,

J. B. White,  
Special Agent in Charge.

RECEIVED  
DEPARTMENT OF JUSTICE  
JAN 29 1926

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Department of Justice,

Bureau of Investigation.

P. O. Box 125,  
Oklahoma City, Oklahoma.

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62-5033-310  
JAN 28 1926

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

Personal - Confidential.

Dear Sir:

Re: W. K. "Bill" Hale - John Ramsey,  
Murder Osage Indians.

In connection with the above case, and especially with reference to the matter of the surveillance now being placed upon a very important witness in this case - Ernest Burkhart - I would like to advise that I have taken advantage of your suggestion that this man be taken further away from the border than El Paso, in order to obviate any chance of his going to Mexico and thereby involving us in difficulties. I have arranged to have Burkhart taken to Hot Springs, New Mexico, a health resort, which is some 200 or 300 miles from the border, located in about the central part of New Mexico.

I believe that this place, for a number of reasons, is a very good point to hold Burkhart. One reason is, of course, as I have stated, that it is further away from the border. Another is that it is a small place in which Agent Alex Street, one of the agents attending this man and keeping him under surveillance, as well as the other, Agent John Tren, is well acquainted, and they can arrange to keep this witness under observation at most all hours. Then, these two agents are in rather a run down condition on account of their strenuous work in connection with the investigation of the Osage Indian murders, and at this place they can apply themselves to the waters there and rest up, thereby enabling them to further industriously apply themselves to this case, in order that it may be prepared for trial.

I am also informed that Mrs. Molly Burkhart, the witness' wife is in a very serious condition, and is not expected to live very long. She is suffering, I believe, from diabetes, and has had attending her one of the Dr. Shourns, who is a man of a very questionable reputation, and who made the examination of Anna Brown's body after she was found dead. He also made the examination of Henry Roan's body after he was shot. His story of these examinations shows, to say the least of it, that he favored in every way those who committed the murders. I understand that in his description of the examination of Anna Brown's

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Director. #2.

body in order to find the bullet that killed her, he stated he cut the body all to pieces, even taking a meat axe and cleaving the flesh from the limbs, all of which looked to be a senseless and horrible task. If he is this kind of a man, there is no telling what he will do toward Molly Burkhart. I am of the opinion that he is allowing her to use narcotics, and would probably bring about and hurry on her death, and get her in such shape that we would have to bring her husband, Ernest Burkhart, back to her at Fairfax, all of which we do not want to do, and all of which the attorneys for the defendant, Bill Hale, are endeavoring every way possible to be brought about. I am arranging to take Molly Burkhart, with her two small children, to Hot Springs to join her husband. Of course, in bringing about this arrangement I am getting her consent to make the trip. I haven't been successful thus far in doing so, but I believe that she will consent to leave in the next day or two.

The attorneys for Bill Hale, as I have stated, have done everything they possibly can to get Burkhart out of our hands. Their purpose, of course, is to so intimidate him as to have him repudiate his confession that he has made to us and his consent to testify against his uncle, Bill Hale. They have, during their efforts to get Burkhart, threatened the United States Attorney and I with a habeas corpus proceeding and have applied to Judge Cottrel with a motion to compel us to deliver this man to them. However, foreseeing this probable difficulty, I secured Burkhart's statement submitting himself to our care for protection, etc., and then secured another letter from him, addressed to the United States Attorney, to the effect that, despite the fact that the attorneys for Bill Hale were saying that they were his, Burkhart's, lawyers, they were not and that he had never employed them and didn't expect to. Upon these attorneys addressing their motion to Judge Cottrel for this witness' production, laying claim that they were his attorneys, and that he was being held against his will, etc., the United States Attorney produced these letters to the Court; thereby showing to the world and the court handling this case that they were resorting to sharp practices in the defense of Bill Hale. They have somewhat succeeded in bringing about the intimidation of John Ramsey, who confessed to us his guilt in this case and admitted the murder of Henry Roan, together with his part in the blowing up of Bill Smith's home, by Bill Hale having paid an attorney to represent him. I think, however, before the trial that we will be able, through his family, to have Ramsey, without any flare-back whatever, turn against them, and I look for him to plead "guilty" and testify.

I have had the agents making this investigation prepare an investigative report and send to you, which, no doubt, has reached you

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Directors #3.

by this time. As I informed you by telegram Judge Cotteral ruled that we had jurisdiction in the Hale-Ramsey case, but that the indictment was bad and gave information as to its correction, ordered Bill Hale and John Ramsey to be held by the Marshal and the case re-considered by the same Grand Jury who indicted Hale and Ramsey at its re-convening February 12th.

I am doing everything possible to have the case of Anna Brown in such shape that by the time of the Grand Jury's session, February 12th, it can be presented to them for their consideration. The case of Anna Brown at the present time looks very promising. I will have reports submitted to you from time to time on the developments. I have delayed somewhat in submitting these reports, on account of the agents having so much work to do in order to get everything covered while things were in good shape and coming to us, that they couldn't get to the matter of writing these reports as promptly as they should have been written. Then, I have had an occasion to send some of the agents out of my district, in order to cover this case and follow out the leads as quickly as possible. I have not, in all of these cases, been able to notify you, and I trust that you will not think that I am wilfully disobeying your instructions through such oversight and neglect, and hope this meets your approval.

Respectfully,

*A. J. [Signature]*  
Special Agent in Charge.

TB7:B.

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Department of Justice.

Bureau of Investigation.

P. O. Box 125,  
Oklahoma City, Oklahoma.  
Jan. 28, 1926.

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

ATTENTION DIV. NO.2.

Dear Sir:-

In re. W. K. Hale Et Al  
Osage Indian Murders.

I am herewith enclosing in the above cases,  
additional copies of the developments in this case.

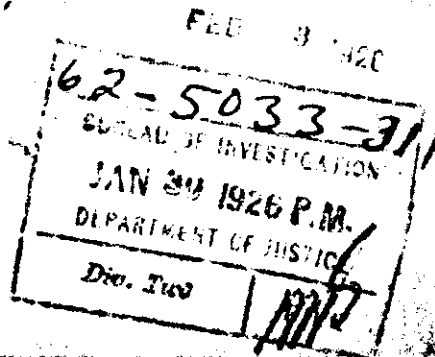
These copies are abstracts of the investigation  
and can be placed in the abstract file that I submitted  
to you a few months ago in this case.

A detailed investigative report, of course,  
was made and it was mailed to you two or three days ago.

Yours very truly,

*W. B. White*  
Special Agent in Charge.

TBW.W.



Washington Copies

Roan Case

1085

...the following statements:  
...Smith and J. G. Grimes, Jr.,  
...Blahoun, January 3, 1926. Page 868  
...last.

Statement made by Mary Roan Bunch to E.  
S. Smith and J. G. Grimes Jr., at Guthrie,  
Okla., on January 3, 1926.

My name is Mary Roan Bunch; I am the wife  
of Roy Bunch; I married Roy Bunch at Law-  
nee, Okla., April 6, 1923. Before marry-  
ing Roy Bunch I was the widow of Henry  
Roan, who was found murdered in February  
1925. Before Henry Roan's death, covering  
about a year and a half, Roy Bunch and I  
were sweethearts. Henry Roan knew of this  
and during this period, and before, drank  
lots of whiskey and stayed away from home  
a great deal of time. Whenever Henry was  
away from home Roy Bunch spent most of his  
time with me, sleeping in my bed with me  
and taking his meals at my house. Henry  
Roan was very mad about this, and many  
times remarked to me 'that he was going to  
get himself a white man', meaning Roy Bunch.  
At one time when Roy Bunch was working as a  
meat cutter for the Big Hill Trading Co.,  
Henry Roan came home, drinking, and accused  
me of having Roy Bunch come to the house.  
I told Henry it was not the truth. Henry  
then said he was going down to see some-  
body. I went with him. He went to the Big  
Hill Trading Co. and found Roy Bunch there  
in the basement grinding sausage, with his  
back to Henry Roan. Henry Roan then picked

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ROY BUNCH

(continued)

up a cello and struck Roy Bunch across the back of the head. Roy Bunch fell to the floor. When he got up he said to Henry Roan 'What does this mean, I haven't done anything to you', and told Henry Roan to get out of there. I told Henry to come on and lets go, and he left with me. This happened something over a year before Henry Roan was murdered. After this happened Henry Roan stayed home very closely for two or three weeks, and during this time I did not see Roy Bunch. Finally Henry Roan left home, and was gone for some time. As soon as Henry Roan left home Roy Bunch came to my house, and told me that Henry Roan was trying to get him, and that he, Roy Bunch, was going to beat him, Henry Roan, to it if he could. During Henry Roan's absence from then on, which was very often for periods from one to four or five weeks at a time, Roy Bunch slept with me at my house nearly every night that Henry Roan was away. After this Roy Bunch told me several times that Henry Roan was after him, and that he, Roy Bunch, was going to beat him, Henry Roan, to it if he could. On Tuesday, February 6, 1923, as I remember, my husband, Henry Roan, was found dead in his car several miles out in the country, shot through the head. Some little time after Henry Roan's body was found Roy Bunch told me that they would probably mix him up, or try to stick him for killing Henry Roan on account of his going with me, and if they did, for me to swear that Henry Roan had threatened his life.

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Soon after Henry Roan's body was found Roy Bunch told me that Bill Hale had offered him money to leave Fairfax, and it was a good thing that he didn't take it, for if he had left it would have made things look bad for him. Before Henry Roan was killed Roy Bunch always carried an automatic pistol. I don't remember seeing Roy Bunch with this pistol after Henry Roan was killed."

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Mrs. Mary Bunch  
(Continued)

Made the following statement to Agents  
F. S. Smith and J. G. Grimes Jr. at  
Guthrie, Oklahoma, January 2, 1926.

Statement made by Mary Roan Bunch to F.  
S. Smith and J. G. Grimes Jr., at Guthrie,  
Okla., on January 2, 1926.  
My name is Mary Roan Bunch; I am the wife  
of Roy Bunch; I married Roy Bunch at Paw-  
nee, Okla., April 6, 1923. Before marry-  
ing Roy Bunch I was the widow of Henry  
Roan, who was found murdered in February  
1923. Before Henry Roan's death, covering  
about a year and a half, Roy Bunch and I  
were sweethearts. Henry Roan knew of this  
and during this period, and before, drank  
lots of whiskey and stayed away from home  
a great deal of time. Whenever Henry was  
away from home Roy Bunch spent most of his  
time with me, sleeping in my bed with me  
and taking his meals at my house. Henry  
Roan was very mad about this, and many  
times remarked to me 'that he was going to  
get himself a white man', meaning Roy Bunch.  
At one time when Roy Bunch was working as a  
meat cutter for the Big Hill Trading Co.,  
Henry Roan came home, drinking, and accused  
me of having Roy Bunch come to the house.  
I told Henry it was not the truth; Henry  
then said he was going down to see some-  
body. I went with him. We went to the Big  
Hill Trading Co. and found Roy Bunch there  
in the basement grinding sausage, with his  
back to Henry Roan. Henry Roan then picked

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up a lamp and struck Roy Bunch across the back of the head. Roy Bunch fell to the floor. When he got up he said to Henry Roan, 'What does this mean, I haven't done anything to you', and told Henry Roan to get out of there. I told Henry to come on and lets go, and he left with me. This happened something over a year before Henry Roan was murdered. After this happened Henry Roan stayed home very closely for two or three weeks, and during that time I did not see Roy Bunch. Finally Henry Roan left home, and was gone for some time. As soon as Henry Roan left home Roy Bunch came to my house, and told me that Henry Roan was trying to get him, and that he, Roy Bunch, was going to beat him, Henry Roan, to it if he could. During Henry Roan's absence from then on, which was very often for periods from one to four or five weeks at a time, Roy Bunch slept with me at my house nearly every night that Henry Roan was away. After this Roy Bunch told me several times that Henry Roan was after him, and that he, Roy Bunch, was going to beat him, Henry Roan, to it if he could. On Tuesday, February 6, 1925, as I remember, my husband, Henry Roan, was found dead in his car several miles out in the country, shot through the head. Some little time after Henry Roan's body was found Roy Bunch told me that they would probably mix him up, or try to stick him for killing Henry Roan on account of his going with me, and if they did, for me to swear that Henry Roan had threatened his life.

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to be prosecuted.

Page 867  
Par. 4

Bunch made a statement to  
S. Smith and P. G. Grimes Jr.  
in which the following is an extract.

"Soon after Henry Roan's body was found  
Roy Bunch told me that Bill Hale had  
offered him money to leave Fairfax, and  
it was a good thing that he didn't take  
it for if he had left it would have  
made things look bad for him."

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FORGE PRATT  
Fairfax, Okla.

2. Stated to Agent Wren that on a Tuesday he and a man by the name of Ace Baker were hunting together; that they separated and that he saw a Buick car on the side of a little creek, but did not go to the car; that when he met Baker after the hunt he commented about the car to Baker; that Baker told him that a man by the name of Kelso had said that he had seen the car on Saturday or Sunday before this Tuesday; that when he, Pratt, got to Fairfax he immediately went to Bob Parker and told him there was a Buick car out there; that Parker then went there with some other fellows and found Henry Roan's body in the car.

3. Page 866  
Par. 4

4. Subsequent and question  
fully before using  
before Grand Jury.

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2.

Subpoena.

Page 866  
Par. 5

2.

Accompanied Agent Wren and W. L. Pike to the spot where Henry Roan's body was found, and determined that the spot was on restricted Indian land, Allotment #188, in Section 34, Township 25 North, Range 5 East, allotted to Tom-Pah-Pe (Rose Little Star)

WICHITA

and Agent

Wichita, Okla.

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*Washington copy*  
*Smith Lock*

759

Subpoena and question  
fully before using be-  
fore Grand Jury.

Page 865  
Par. 1.

Stated to Agent (rep) that he saw Ernest  
Burkhardt at the scene of the fire and ex-  
plosion immediately thereafter; that he  
had a conversation with Burkhardt and said  
to him that the explosion was a terrible  
thing and Ernest Burkhardt replied that it  
was some fire; Marion then said to Burk-  
hardt that the one who did this act should  
be thrown in the fire and burned, Burk-  
hardt made no reply, and wheeled around  
and left immediately. Marion also stated  
that Ernest Burkhardt was dressed in a  
night robe or bath robe and that the bath  
robe was on the outside of his trousers.  
Marion further stated that he had found  
parts of burnt fuse on the south side of  
the Smith house, that it was the kind of  
fuse used for exploding dynamite or nitro-  
glycerine. Marion is familiar with the  
use of explosives.

OSWALD A. MARION  
Capt. Fire Dept.  
Fairfax, Va.

SEA

759 06 65 55 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95

4.

Subpoena and question  
fully before using be-  
fore Grand Jury.

3.

Page 866  
Par. 2

2.

stated to Agent Wren that he found a  
piece of burnt fuse on the south side of  
W. L. Smith's home after the explosion.

W. L. Smith  
Lawton, Okla.

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stated to Agent Iron that he was at the scene immediately after the explosion of Smith's house, and while there he saw Ernest Burkhart, who was dressed in a bath robe or night robe, the night robe being on the outside of his trousers; that he, Ward, saw Bill Hale late Thursday evening in Fairfax, Okla., which was the day before the explosion, talking to a man whose name will be ascertained and furnished later.

Page 866

Par. 1st.

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3.  
Page 818  
Page 817

Stated by Burt Lawson that on the night of the explosion at Smith's home, Bloyed who was at that time a Deputy Sheriff of Osage County, came to Lawson's cell in the jail at Pawhuska and said "Burt, come out here, there is a party wants to see you"; that Bloyed told him to see down and out of the North front door of the jail and pointed to a car standing in front of the jail and said: "the party who wants to see you is in that party in Lawson went to the car and found Bill Hale in it; that Hale took him to the home of Ernest Burkhart where he got the home of Glycerine with which he blew up the nitro-home; that after the explosion Hale took him back to the jail at Pawhuska, to the North entrance of the jail, and there turned him, Lawson, over to Bloyed, who put him back in his cell and locked him up.

Stated by John I. Henderson, who at that time was a Deputy Sheriff of Osage County, that at 6:30 P. M. and at 7:30 P. M. on the night of the explosion at the home of Smith, that he, Henderson, saw Bloyed in front of Lawson's cell in the Pawhuska jail, talking to Lawson through the bars. Also stated by Henderson that prior to the explosion Bloyed was always broke and borrowing from the other Deputies but that shortly after the explosion he got a new Studebaker car, and that after the explosion Bloyed's actions were so queer and unusual that the Deputies commented on it.

1200

Survivor's statements regarding  
blowed a part in letting Lawson out of  
the Kawasaka Jail on the night Smith's  
house was blown up is corroborated by  
Price Boles.

(Continued)

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1921  
Subpoena and question  
fully before using  
before Grand Jury.

Page 856  
Par. all

... Sheriff  
of Gray County at the time of the mur-  
der of Bill Smith and that A. M. Bloyed  
was a Deputy Sheriff and had full access  
to the jail etc.; that he later deter-  
mined that Bloyed was a crook involved  
in the theft of automobiles, and for this  
removed him; that he sent Bloyed and  
Deputy Fred Whittaker to Fairfax the morn-  
ing after the explosion to make an in-  
vestigation and that they secured no re-  
sults; that he, Cook, had given Bill Hale  
a special commission as Deputy Sheriff  
that permitted him to carry a gun; that  
Hale was not an active Deputy, but had  
access to the jail and that he, Cook,  
had seen Hale in the Jail on several  
occasions, but attached no significance  
to this;

... Sheriff  
Fairfax, Okla.  
(Now near Jefferson  
Park Race Track,  
New Orleans, La.)

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