

With respect to fixing the date, Mrs. Silveria saw this incident, she stated they have no water on their place, and accordingly, on Friday of each week she goes to her sister's to wash clothes. They do not receive any newspapers at their home, and she remembers specifically that it was the day following the night on which she saw this incident that she saw at her sister's washing clothes when she heard of the Hart kidnaping, and thus could positively place the night as November 9th, at about 8:30 p.m.

Accordingly, on Monday night, the 13th, in company with Sheriff King, Agents took Brooks Hart's car, and Agent's car, which is also a coupe of a darker color, and drove out to the home of Mrs. Silveria, and placed the two cars in about the exact location where she stated the sedan and roadster were placed, and while these cars are about twenty-five or thirty feet away from where Mrs. Silveria was, talking in ordinary conversational tones can be distinctly heard from the cars to the point where Mrs. Silveria was located. The acoustic propensities at that time of night are such that one can hear distinctly ordinary conversation.

He did not tell her, Mrs. Silveria the roadster was the car belonging to the Victim, Brooks Hart. However, she stated without any prompting, and pointing to Hart's car, that looks like the roadster there. At that particular time of night Mrs. Silveria and her daughter could readily have seen the transmission as described. Complete tests were made by placing men at the point where the cars were, in both light and dark suits, and the coloring could be discerned. In addition, one could tell that one car was darker than the other. Hence it appears Mrs. Silveria is correct in her version.

Cross questioning of Mrs. Silveria indicated that she was not endeavoring to furnish us any fabricated story, but was apparently telling the truth, and she appeared sincere and genuine in relating the incident in question, and efforts were made to confuse her slightly to give her change, she were not telling the truth, but she sticks splendidly to her story. She stated she told her daughter, Isabelita, that she would have liked to call Sheriff King, believing the men were possibly bootleggers, but, of course, they had no place at their home.

On Tuesday, the 14th, the informant called in San Francisco, California, and was Ernest Dubois of 121 Lyon Street, San Francisco, stated he is acquainted with one John V. Cabibi, an American Italian, who resides at 1018 Alameda Street, San Jose, having been born in Louisiana, and that this John V. Cabibi had tried to get one Dorothy Hubler, a fifteen year old girl, on a prominent family in San Jose, who had been involved in some difficulty, to go into some holdups with him. According to the informant, Cabibi might be connected with the kidnaping. Further inquiry by Agents in San Francisco, California, worked for Ernest's store. From the records it was ascertained he was thirty-one years of age in 1931, that he formerly was in business at 2851 East 14th Street, Oakland, and for a time worked for the Fashion Bookery, 121 South

First Street, San Jose, where he was a shoe salesman. During the time this man worked at Hart's, he worked only extra days, namely, on June 9, 1932, November 1, 1932, January 1, 1933, and February 1, 1933. Cabibi has a wife and child born in Louisiana. Further efforts will be made to check the activities of Cabibi.

Miss Allen Honory, an employee of Hart's store, stated that an individual by the name of Clyde Fitzgerald, whom she knows slightly, but whose address she does not know, told her that one Jane Hammond was supposed to have been married to George Anderson, a hard boiled fellow at Sacramento, and that this Jane Hammond had formerly lived at Live Oak, California, about six years ago. She wondered if Jane Hammond was the same girl as has been going with Victim for the past year. This Jane Hammond is supposed to be twenty four years of age. This angle will also be checked. However, it is believed to be positive, owing to the fact that the Jane Hammond with whom Hart has been keeping company is about twenty - two years of age, and apparently a refined young lady.

Agents again interviewed young Billy Morris, who first answered the phone at Hart's, and also interviewed Maurice Birabana, who came to San Jose, and who was previously interviewed, he being a personal friend of the Victim. He also interviewed Mr. Gosling and Mr. Rossi, Manager and Assistant Manager of Hart's store, but the first two could not furnish any additional information of value, while the latter two did not have any information except to state that Brooks Hart was a fine young man, having a very good character and being diligent that he was getting along nicely in the store, having been taken in as Vice President in September of this year, apparently enjoying his work, and is a very likable character; that he was temperate and industrious in all he did. They did advise, though, that for a six week period commencing May, 1933, and ending June, 1933, young Brooks Hart had taken leave attending at the University of California at Berkeley, California.

Det. Hoff also furnished these Agents with information that Mr. Smith, Chief Criminal Detector, said two men by the names of V. E. Ridley and G. C. Coley, 1234 Myrtle Avenue, Oakland, California, had reported that on Thursday night about 7:30 p.m., on the San Francisco Bay, they were on the Oakland end of the bridge, where a man asked for help. They called to him to wait, and tried to follow the sound, but the voice kept getting weaker and weaker. A search around failed to indicate anything of value. These phones are used for...

In anonymous telephone call to the San Francisco Division Office, stating that one E. J. Bittencourt, located at a service station at the corner of Park and Rice streets, San Jose, had information on this case. Bittencourt was located and interviewed by Agents, and stated he had nothing of value, that someone had called, but was desirous to play a practical joke on him.

Mr. Gosling, Manager of Hart's Store, furnished information that one George Canise wanted to see some investigators. Canise was located by Agents at the San Jose Water Works Company, at Foxsons and College Avenues, and he had nothing in particular of value to offer, stating he has been recently with a man by the name of "Mel", who always has plenty of money, and once told Canise that there was no need of working as long as you could make easy money. He felt this man might be mixed up with the kidnaping, but has no definite information.

A post card was received by Mr. Hart, in an envelope mailed from Sacramento, California, and printed on Monday, the 13th, advising him to have a radio installed in his son's Gruesbaker Roadster, and keep in touch with Station K.F.O., in Oakland, and have \$10,000 in certain denominations ready. This card, and all other exhibits which will be mentioned below have been placed in proper cellophane containers without being handled, have been photographed at San Jose, and will no doubt be forwarded to the Division for examination at the earliest possible moment. No particular credence was placed in the receipt of the card in question, owing to the fact young Hart has already a radio in his automobile, and further because of the fact the card stated to keep in touch with the broadcasting station, which appeared to be absurd. No further word was received from the kidnapers, and not a single soul, with the exception of Mrs. Silvers, has been located who saw any incident, or heard any conversation which might indicate a kidnaping of young Brooks Hart. However, no information of value has been obtained from these sources.

Accordingly, in the absence of any further news from Mr. J. F. Hart, the father of the victim, issued a public statement to the press on the night of Monday, the 13th, and which was published in all Tuesday papers, which reads as follows:

TO THE KIDNAPERS OF BROOKS L. HART:

We are anxious for the return of our son, Brooks. We desire to negotiate for his return personally or through any intermediary who might be selected. When contact is made we will do anything to prove that Brooks is held by you. All negotiations will be considered confidential by us and we will allow no interference from any outside source.

(Signed) Mrs. & Mrs. Alexander Hart

On Monday Mr. Hart, Sr., received a letter postmarked at San Francisco. The envelope and letter were printed with pencil. Mr. Hart was advised in this letter that his son, Brooks, was in the possession of the individual who had written the letter, and if Mr. Hart was willing to negotiate, he should have a small figure one placed in the window of his store at the corner of Main Street and Market Streets. Accordingly, on about 7:30 p.m., the night of November 1935, Charles O'Brien, the personal friend of the victim, received a telephone call, which was later traced, and found to be a pay station, but the location of same not known, owing to the fact that this particular call could not be traced. In this conversation Charles O'Brien was directed to get in touch with Mr. Hart, and advise Mr. Hart he should take the 7:35 train for Los Angeles, California, and bring the money with him. The individual told Charles O'Brien to deliver this message to Mr. Hart right away, and accordingly O'Brien did so, and immediately thereafter reported it to agents, detailing the foregoing.

Mr. Hart, in the absence of any definite proof indicating that this individual really had his son, Brooks, in his custody, did not take the train in question, and accordingly about 8:45 p.m., Mrs. Hart received a telephone call from a man from a pay station, which was traced and found to be at Harry's Bowling Lot, 375 Second Street, San Jose, California, in which this individual inquired as to why Mr. Hart had not kept his previous appointment, and stated he should take the 9:30 p.m. train immediately for Los Angeles, and be met by a man with a white pack, to which he should turn over the money, and in return his son would be released to him. Mr. Hart pleaded with this man, telling him he was rich, and further that he wanted some tangible proof of his son's captivity in question he holding his son, and this man, who was acting as a go-between, told him to keep his appointment.

In the meantime the telephone company at San Jose, on all calls to the Hart home, showing this local call, and agents and Sheriff were alerted to the point in question, with a view to possibly noting the individual who had placed the call, and briefing him, owing to the fact that it was felt dangerous that no affirmative action should be taken until young Brooks had been returned safely to his parents. However, agents and Sheriff later found the man had already left, and Sugar Williams, one of the attendants, stated that a man came in a few minutes before 9:45 p.m., and inquired as to a lady with a Chevrolet car, and later called into the office, and while the boys were at the other part of the lot, read the pay telephone. Williams describes this man as about 37 1/2, 140 pounds, wearing a light brown suit and a light brown overcoat of the same color, and twenty five to thirty. He was not smoking, did not wear glasses, dark brown hair, neatly combed, and neatly dressed. Williams was a stranger to Eugene Williams.

Accordingly, he took Sugar Williams in the car, and immediately drove to the railroad station in San Jose, to see if the individual showed up at that point, and while the station was covered thoroughly, no one answering the description of this individual was seen, and, of course, in the absence of proof, did not keep the appointment.

In accordance with Mr. Hart's desires, a card bearing the number two was placed in the store the afternoon of November 13th. However, Mr. Hart cannot drive a car, and he positively stated he wanted a statement on the card to the effect "I cannot drive" so that the alleged kidnapers would again contact him, for he wanted to explain the matter to them.

As soon as the card was placed in the window, however, Special Agent Adams was detailed to watch the Hart place of business, and if anyone suspicious showed up, looking over the card, he should get the license numbers of the car, or trail the individual, but under no circumstances should he endeavor to take anyone into custody. We are now awaiting further developments in this particular case.

On the afternoon of the 14th instant, one Harry S. Fowler, who is married to a sister of Mrs. Hart, wife of Mr. Hart, called hurriedly at Mr. Gosling's office at the Hart store, and stated he wanted to see Mr. Hart. Mr. Gosling called Agents, and when we arrived he acted as though he was scared to death, and wanted to see no one but Mr. Hart. We made arrangements for him to see Mr. Hart, Senior. Mr. Hart later advised Agents that this Mr. Fowler had come to him, and told him under no circumstances should he talk to the Federal men about what he had to say. Mr. Fowler related the following to Mr. Hart, Senior, who in turn repeated same confidentially to Agents, namely: That he, Fowler, had been contacted on the 14th by a San Jose man, whose name and initials he failed to reveal to Mr. Hart, but this man has the reputation of having accessibility to the underworld, and that this man advised Fowler that he had been spotted on the streets of San Jose the 13th of November, by a dark complexioned man, wearing a rough looking overcoat, and with a heavy growth of beard, or a false beard, which individual was apparently an Italian, and they engaged in conversation, and the Italian man asked Fowler how he would like to act as intermediary in this case for \$7,500; that he stated he would not become involved for any price, and that finally the Italian man had threatened him, and now he had come to Fowler for help.

Fowler then suggested to Hart that he go with him, Fowler, to this man's residence at 7 or 7:30 o'clock, to talk this matter to Hart refused to do this, but advised Fowler to tell this intermediary that for reasons he thought best he, Hart, would not come in the house, and that he, Hart, was willing to proceed with the negotiations. This was the substance of the conversation.

Fowler advised Mr. Hart that he was going to England the night of the 14th, and accordingly it was decided that Fowler should deliver the message in San Jose, and that the intermediary should be contacted through the message in San Jose. It has been noted from Fowler's

Mr. Hart advised Mr. Fowler he wanted two things before leaving the house, first, sure proof that the negotiators are the genuine holders of the son, and second, that his son will be returned to him as a result of any actions taken by him.

Information develops that Harry D. Fowler now operates a garage at Oakland, California. His folks, however, live at San Jose. It was understood that Fowler was involved in some difficulty, either under the White Slave Traffic Act, or by marrying before he had been legally divorced from his first wife about twenty years ago. He came from Washington, D.C. to Seattle, Washington, and apparently married another woman, more unknown, before he had divorced his first wife, and got into considerable difficulty. Mr. Hart, together with an attorney, went to Seattle, and finally got the matter straightened out. This was about twenty years ago, as stated above, but according to information received, Fowler does not have a good reputation. He is in financial difficulties, and it is said he would buy anything for a dollar down and a dollar up and then, and he is not considered by the bank, Mr. Gosling, or others that know him, as a high class, reputable individual.

It was reported to the newspaper that a man was held at Oakland, California. He had a letter in his possession which related to the Hart case. Agent Zetterli immediately telephoned the San Francisco Office to check up on this at once, and telephonically it was ascertained that the individual at Oakland was simply the victim of a hoax. However, the details will be submitted in a report from San Francisco.

A letter has been received from Maurice Abraham, residing that Mr. Henry Gallati, who resides at 447 Harvard Avenue, Menlo Park, California, was a very intimate friend of Hart's during his stay at the International House on the Berkeley Campus, and accepted a request from Hart's. Further that Mr. Abraham was a former officer of the Flotilla and that this Mr. Anthony took Brooke to several speakeasies and gambling places, and Abraham indicated that he might have some information. The address of Anthony is unknown.

A further letter has been received, printed apparently Los Angeles, and so insert an ad in the "Los Angeles Times", advising Hart to address the ad to Mr. Christian through the personal columns of the "Times" as an inquiry. A photostatic copy of this letter is attached. It is planned, instead of Mr. Hart going to Los Angeles inquiring this matter in its personal columns, that it be handled in the newspaper columns not to address to Christian, and advising that Mr. Hart is willing to proceed, but wants proof. Mr. Hart is also his own name to this personal notice.

Special Agent Conroy has interviewed the doctor who examined Brooke last, at Hialeah, on the 17th of November, and gave a fairly physical examination, following the same and it has been determined from some disease, and checked his mental condition, and it

aided to disappear. However, Mr. Jancy reports that this Doctor, whose name will be given in a subsequent report, advised that the Victim was in good health, in good spirits, and apparently not addicted to the use of liquor, or any sex abuse, and was suffering from no disease whatsoever.

A report of the Victim's chiropodist, to whom he went for foot treatment the day he disappeared, together with a detailed report from his dentist, who handles all the dental work of the Victim, will be incorporated in a subsequent report.

As stated above all telephone calls into the West residence from long distance are being checked by operators. Arrangements have been made for Grant Pacey to listen in on local calls, and every suspicious call is being traced forthwith. The tailing situation at San Francisco, as outlined earlier in this report, still exists. Arrangements also have been made with the Postal Telegraph Company and the Western Union Telegraph Company at San Francisco, to the effect that if a message is deposited through a pay telephone station to send a wire to the Victim's residence, that the Division office at San Francisco be notified immediately as to the location of the office and the pay station, so that the individual could be trailed.

Photographic copies of all the letters which are considered of value are attached hereto for the information of the Division. The originals of these communications are being retained here for the time being, and have not been opened for fingerprints. However, they have all been properly placed in collapsible envelopes, and are being carefully preserved, so that any fingerprints will not be disturbed. After consultation between Special Agents in Charge Conroy and Vatterli, it was deemed advisable to keep the letters here for the present, for if they are from the legitimate King, they will not demand the return of these letters, and it was considered advisable to hold the letters here in order to obviate any possible danger to the Victim. If the letters were damaged, and could not be returned, they might, for a time, leave the Victim. However, they will, in common, be referred to the Division for study and examination by the Crime Detection Unit, just as soon as possible. Moreover, as stated above, for the information of the Division, photographic copies of all these communications are being attached to the Division copies of this report.

There is no indication to date that books have been applied to any credit office.

Assignment of the Victim's clothes, which description will be given in a subsequent report, and a photograph of the Victim, which was taken just the day before he was kidnaped is also attached hereto for the information of the Division.

Description of Martin Brooke L. Hart:

Age	22 years,
Height	5'11".
Weight	138 lbs. stripped.
Hair	Bright blue.
Eyes	Light ash brown blond and gray.
Build	Slender, narrow shoulders and narrow hips.
Feet	Flat, and he has a felt pad which is held in place by a 2" wide piece of adhesive tape, made necessary by a protruding bone in right foot at the base of the 4th toe - see photo.

END OF REPORT

SPC:LM:GLS

KIDNAPING

Mr. Brooks Hart, San Jose, California.

On the evening of November 9, 1933, Mr. Brooks Hart, age 27, a graduate of the University of Santa Clara and a son and partner of Alexander J. Hart, one of San Jose's wealthiest merchants, was kidnaped at about 6:00 p.m., while on his way home from the department store operated by his father and himself. His failure to arrive at home on schedule time caused his family to become uneasy, and about 10:00 p.m., two telephone calls were received from San Francisco at his home, advising that the son, Brooks Hart, was being held and would be released upon payment of \$40,000 ransom.

The San Francisco office of the Division of Investigation of the U. S. Department of Justice, together with the local police of San Francisco, San Jose, and the sheriff of San Jose, immediately initiated an investigation. The authorities had the fullest cooperation and assistance of the victim's father. A special squad of Agents, especially trained in the handling of kidnaping cases, was immediately ordered to proceed to San Francisco in order to augment the group of Agents regularly stationed there. Between November 9 and November 13, several letters and telephone calls were received from the kidnapers, and on the evening of November 14 a telephone call was received at the residence of Mr. Alexander J. Hart, and through investigative activities of the Agents of this Division, together with the sheriff of San Jose, California, Harold T. Thompson, 28 years of age, was taken into custody at 7:30 p.m. A thorough interrogation of Thompson by the Agents of this Division brought about a full confession, ~~concerning~~ ~~the~~ ~~kidnaping~~ ~~of~~ ~~Brooks~~ ~~Hart~~, 27 years of age, who was taken into custody at a hotel in San Jose, California, and also made a complete confession. The confessions of Thompson and Holmes disclosed that they kidnaped Mr. Brooks Hart on the evening of November 9 about 6:00 p.m. and drove to the San Mateo bridge. There they killed Hart and bound his arms with wire, and attaching some bricks to the body, threw the body into San Mateo Bay. Holmes and Thompson then proceeded to write the letters and to put through the telephone calls, demanding \$40,000 ransom.

Holmes and Thompson have been removed from San Jose to San Francisco in order to insure safeguarding by reason of the possible arousing of public opinion against them for want of evidence.

It is noted that the main case was, in view of the more serious charge of murder which will be lodged against them, and that it is contemplated that the case will be turned over to State authorities for prosecution.

The Chief of Police of San Jose, Mr. J. W. Black, the sheriff of San Jose, Mr. H. J. ... and the ... of ...

KIDNAPING (Continued)

Quinn, have rendered excellent cooperation and assistance to the Federal authorities in this matter. The Agent in Charge of the San Francisco office, Mr. E. E. Vetterli, and the Agent in Charge of the Kansas City office who proceeded to San Francisco by plane, Mr. E. E. Conroy, directed the details of this investigation at San Jose. These Agents in Charge were in telephonic communication with this office at Washington throughout the entire time.

The above is submitted for your consideration and such attention you deem some may warrant in connection with the investigation being conducted by you in the Brock Hurt kidnaping.

Very truly yours,

C. C. Spears
Special Agent in Charge

cc: 3
by division

DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

28

Laboratory Report

(Hart & Co.)

Case: Thomas H. Thurmond, Cal Kidnapping Number: 77-375-18

Specimen: 1 envelope & post card imitation message form
2 envelope & page letter " " Hart
3 " " " " " "

Examination requested by: San Francisco office

Date received: 11/24/47

Examination desired: General & fingerprint

Date of Report: 1/2/48

Result of examination: Examination by:

Envelope: postmarked San Francisco Nov 15-1 pm
add to A. J. Hart 6.5 x 3.64 flaps
not paper 3d. Stamp used, letter off
unsuccessful. No Wm pencil printing

Message 3 sheets 5.01 x 7.98 post
top paper perhaps pencil note but possibly
other 4 sheets actually same message
all have tear out places at top of sheets where
clips had been. No visible horizontal
pencil printing across

Vertical handwritten note on left margin: "The above message is..."

Envelope marked No. 3 P. M. post
Nov 13 6:25 pm 3.64 x 6.5
band of envelope as above, enclosed 2 page letter
letter 8.96 x 5.00 brown fine message
No Wm pencil printing across along
both sheets

Envelope post 3.64 x 6.5 fragments
identical except in details other envelope
with printing across No Wm

November 16, 1933.

MEMORANDUM

Mr. Tolson	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Carson	_____
Mr. Egan	_____
Mr. Gurnea	_____
Mr. Harbo	_____
Mr. Hendon	_____
Mr. Jones	_____
Mr. Quinn	_____
Mr. Nease	_____
Mr. Lester	_____
Mr. Gandy	_____

NOT RECORDED

COPIES FILED IN

Mr. Vetterli telephoned from San Francisco with reference to the kidnaping of Brooke Hart. He related to me the developments in the case, as included in my memorandum to the Attorney General under today's date. At the time he called the family of the young man had not yet been advised of his death. I instructed that this be done as soon as possible. The body had not yet been recovered but the Bay was being dredged. I instructed that a check be made of the purchases of wire and bricks by Holmes and Thornmond. Mr. Vetterli stated that efforts were being continued to secure a statement from Holmes.

6-18574

RECORDED

7-015-17

NOV 21 1933

NOV 21 1933

AIR MAIL
SPECIAL DELIVERY
REGISTERED MAIL

U. S. Department of Justice
Bureau of Investigation
313 News Building
San Francisco, California.

Mr. Nathan	_____
Mr. Tolson	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Carson	_____
Mr. Egan	_____
Mr. Gurnea	_____
Mr. Harbo	_____
Mr. Hendon	_____
Mr. Jones	_____
Mr. Quinn	_____
Mr. Nease	_____
Miss Gandy	_____

REV:13
Refer file
#7-27.

November 19, 1933.

Director,
Division of Investigation,
U.S. Department of Justice,
Washington, D.C.

Dear Sir:

Re: THOMAS H. THURMOND,
JOHN W. HOLMES
BROOKE L. HART - Victim.
CKidnaping.

I am attaching hereto, marked #1, the original envelope and post card mailed from Sacramento, California, by Subjects, to Mr. A. J. Hart, at San Jose, California, demanding ransom.

Marked #2 is the original envelope, with a two page letter, mailed to Mr. Hart from San Francisco, California.

Marked #3 is the original envelope, with a four page printed letter, addressed to Mr. Hart from San Jose, California, demanding ransom, and issuing instructions.

Will you please have these letters and envelopes thoroughly examined by the Scientific Crime Unit, with a view of securing any fingerprints thereon, and compare them specifically with the fingerprints of Subject Holmes and Subject Thurmond, copies of whose fingerprints will be at the Division within a few days, if they have not already been received. I am endeavoring to have them forwarded air mail, special delivery. If possible, a duplicate set of fingerprints will be forwarded with the report in the instant case.

Briefly, Subject Thurmond admits his entire connection with this case. Subject Holmes, while having made a confession, has now secured an attorney, and refuses to talk further. It is therefore of paramount importance to find some prints on these letters or envelopes which tally with those of Subject Holmes, so that we might conclusively prove his connection, in the event he enters a plea of not guilty.

RECORDED

INDEXED

NOV 24 1933

7-375-18

NOV 22 1933 A.M.

DIRECTOR OF INVESTIGATION

U.S. DEPARTMENT OF JUSTICE

[Handwritten signatures and notes in the bottom left corner]

Director—2.

Will you please submit your findings to this office
when you have completed your analysis, and return the originals.

Very truly yours,



R. E. VETTERLI,

Special Agent in Charge.

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

SAN FRANCISCO, CALIFORNIA

FILE NO. 7-27

REPORT MADE AT SAN FRANCISCO, Cal.	DATE WHEN MADE 11/19/33	PERIOD FOR WHICH MADE 11/15-18/33	REPORT MADE BY R. E. Tettarli-13
TITLE CHARGED THOMAS H. THURGOOD JOHN M. HOLMES BROCKE L. HART - Victim.			CHARACTER OF CASE KIDNAPING

SYNOPSIS OF FACTS:

Further telephone call from one of the kidnapers of Victim Hart to the home of Mr. A. J. Hart, by a prompt headline, made possible the effecting of the apprehension of Subject Thurgood, from whom a detailed confession was secured regarding the kidnaping and murder of Brocke Hart, and as a result of this confession obtained by Division Agents, and the implication of Subject Holmes, the latter was apprehended at San Jose, California, and a confession secured from him in which he confessed to the kidnaping of Brocke Hart at San Jose, California, at the home of a revolver, November 9, 1933, the taking of the Victim to the San Mateo Bridge, where he was robbed and bound by wire, and weighted down with cement blocks, and the body tossed over the San Mateo Bridge into the San Francisco Bay. Further admissions secured from Subjects regarding the writing of letters ~~to the press and to the press~~ ~~the San Francisco Chronicle, the San Francisco Examiner, and the San Jose Mercury News, and the Chief of Police at San Jose, California, and to be presented to the United States Attorney at San Francisco for their trial. Subjects should be tried for either kidnaping or murder, or both, in State~~

REFERENCE:

Report of Special Agent in Charge R. E. Tettarli, San Francisco, California, dated 11/18/33.

<p>APPROVED AND <i>[Signature]</i></p> <p>COPIES OF THIS REPORT FURNISHED TO: 3 Division 3 San Francisco</p>	<p style="text-align: center;">NOV 22 1933 A.M. NOV 25 1933</p> <p style="text-align: center;">RECEIVED BY <i>[Signature]</i></p>
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DETAILS:

Special Agent Harold Aderach, who was keeping watch opposite Hart's Store, where the mural "2" had been placed, in accordance with written instructions received by Hart from the Managers, did not notice anything suspicious, there being, of course, hundreds of people passing that corner in a few minutes, and accordingly, he returned to the St. Claire Hotel, at San Jose, California, for a further consultation with Agents Conroy and Fetterli.

The following information is taken from a memorandum submitted by Special Agent W. P. Parsley, Jr., who was stationed at the Hart home:

On November 14, 1933, this Agent, being stationed in the home of Alex J. Hart, 1715 The Alameda, San Jose, California, was informed, at about 4:30 p.m., that Charles O'Brien, Jr., alias of Brooke L. Hart, was calling at the door, and that it was imperative that he see Mr. Alex Hart alone immediately.

Mr. Hart, after talking with O'Brien privately, informed Agent that O'Brien had just told him that he, O'Brien, had received a telephone call from a strange voice, advising that Mr. O'Brien get in touch with Mr. Hart, and tell him to take the 7:00 train that evening from San Jose for Los Angeles, that he should ride until he was met by a man with a white mask, to whom he should be prepared to turn over the ransom money, and that when his son, Brooke, would be released. Having no tangible evidence of the validity of said contact, nor that the person making it had his boy, Mr. Hart decided to disregard it.

At approximately 5:45 p.m., the telephone at the Hart residence was heard ringing by Agent, and Mr. Hart ascended the upstairs extension of the phone, after being informed by Mrs. L. D. O'Connell, a close family friend, who was talking with the Hart's, and who was answering all telephone calls to the residence on the Hart fire, that Mr. Hart was wanted. Deputy Sheriff Ray Hicke of San Jose, who was also secretly stationed at the Hart residence, then picked up the receiver of the phone on the first floor of the residence, and listened in to the first part of the conversation between Mr. Hart and the voice coming over the wire. Agent, who was on the same floor that Mr. Hart was answering on, immediately went to the back room rear of the Hart home, where a private telephone wire had been installed, and called the operator to at once trace the call coming in over the Hart residence phone.

The operator, after check, replied that this call was coming from a pay station phone number Ballard 7691, which pay station was located at 370 South Second Street. Agent immediately communicated this information to S. W. Vetterli, Special Agent in Charge, and Sheriff W. J. Eric, who was located at Ballard 1000, Sheriff's office in San Jose, California.

Special Agent in Charge Vetterli advised Agent some few minutes later that they had missed the caller at 370 South Second Street by some 4 minutes, but had secured a description.

Deputy Sheriff Hicks, who listened in on this conversation between Mr. Hart and this voice from the beginning, advised that he heard a voice say "Is this Mr. Hart?" that Mr. Hart replied in the affirmative, and that then the voice asked Mr. Hart why he had not taken the 7:30 train to Los Angeles as directed; that Mr. Hart remonstrated with the man on the other end of the wire, pointing out that he, Hart, desired to deal with the man, would do anything in his power to get his son back, but that he must have some assurance that the party speaking had the boy. Hicks advised that he then left the wire for a moment to rush to the bank where Agent's private phone was located to have the call traced, not knowing whether or not any lead had been made to trace same; that when he returned Agent's office, he, Hicks returned at once to the telephone phone, and heard the end of the conversation in which Hicks stated he heard this voice tell Mr. Hart that this was his last chance that he, Hart, should take the 7:30 train to Los Angeles or it would be too late. That was the phone hang up.

Mr. Hart at this time advised Agent that the above had been the main substance of the conversation with this unknown person. That he added that the voice had promised to give him some assurance that he had his boy, which he had mentioned in the newspaper article that the voice had recited that Hicks was a long way from San Jose; that it would take the man weeks to get anything of this kind for Mr. Hart, and would involve a lot of trouble so he, this voice, would have to get in touch with headquarters at his house, and he would be back this afternoon; that he, the voice, would tell Hart that they had his son, and that he could furnish him with some proof; that Hicks had on a telephone and a time call back, and had his glasses with him at the time he disappeared; that this was proof, inasmuch as this information had not appeared in the newspaper; that the voice also promised him that if he would do as he said, and board the train, that he would not have to wait, but that when the money was turned over the boy would be released in the morning. He had no further recollection of the matters discussed at this time. It is significant in connection with this conversation that the voice told Hart that it would take two weeks to get some personal note from his son, and yet during the same conversation promised the boy's return the following morning. Instructions were given that the man should be traced. Mr. Hart chose to ignore the call.

Both Mr. Hart and Deputy Sheriff Hicke described the voice as being smooth, natural, apparently calm, almost soft, ~~and that~~. They stated that the language was apparently that of an educated person, and that the grammar used was good.

Mr. A. P. Cohn, friend of the family, Miriam Hart, daughter, and Alice Hart, daughter, heard Mr. Hart's conversation at the time of this call, as well as Mrs. Nettie M. Hart, mother of victim, but aside from corroborating the fact of the call and the general trend of Mr. Hart's conversation, demanding assurance that the party had his son, and that he, Hart, was willing to do anything to get his son back if he had this assurance, they advised they had no information, having been too excited to get the exact words used.

On Wednesday, November 15, 1933, a letter was delivered to the Hart residence by Mr. Louis Rossi, assistant manager of the L. Hart & Son, Inc., Department Store, who advised that same had just been received at the store, corner of Market and Santa Clara Streets. This was at about 1:00 p.m. This letter, more fully described in connection with other reports in this case, was turned over to Special Agents in Charge Vesperini and Conroy, who were present at the Hart home at this hour. The letter, which was printed on plain white paper, and was four pages long, reflecting the substance of contents made by the writer in the case, beginning with the first telephone call from the Whitcomb Hotel in San Francisco on the evening of November 14, the letter from Sacramento, California, the second letter from San Francisco, dictating that a figure "1" be placed on a sign in the store window, and lastly the telephone call of the preceding evening, all of which letters and contacts are noted in detail in other reports in this case, but which are summarized here because this particular letter demanded that another sign be placed in the window containing the letter "2". If its instructions were to be followed, and which demanded that Hart drive to Los Angeles, but inasmuch as Hart is unable to drive a car, it was decided to place the message in the window with the notation "I can't drive" or "it", in addition to the notation "2", and that it was thought this type of events might persuade the writer of the letter to make another telephone call, demanding again that Hart take the sign to Los Angeles, if he could not drive.

Accordingly, at 6:30 p.m., on this date, Agent communicated from private phone in the Hart residence, which number is Bellard 7188, to the Chief Operator of the telephone exchange on duty at that time, who was requested, in addition to the calls coming into the residence, as has been done since the first day of investigation, in the residence of November 10th, to be particularly alert in this instance, and to call the phone immediately when any call is received from any station, and to call from any station when any call is received from any station, and to call at 7:30 p.m., in response to a ring on the private phone, and to use the same operator that has been used from any station since the above instructions, at the Hart residence, but that with the above instructions, the operator of the telephone exchange, who stated that the