

INTRODUCTION

“Racketeers, gamblers, and derelict public officials need to begin watching their step or the K-men will get them.” —*Kansas City Star*, April 2, 1939.

Lou Richter must have wondered what lay ahead for the new KBI the first day he walked into the cubbyhole space allotted the Bureau on the first floor of the state capitol. An experienced law enforcement officer, Richter certainly understood the investigative and management aspects of his profession, but to begin a new approach to law enforcement with a legislative mandate must have given him some apprehension, despite the enthusiastic reporter’s comments quoted above. He began to shape the Bureau when he placed in his office a sign that read, “Keep the ideals. Pay no attention to the ‘wise guys’ who tell you about the ‘easy money’. Let your only yardstick be whether a thing is right or wrong.” Later in Richter’s career, the sign would become a plaque on his wall.

Establishment of a statewide law enforcement agency had a lot of support in Kansas. As early as 1937, when the Kansas Highway Patrol was created separating that operation from the Kansas Highway Commission, there had been discussion of such an agency, or even two. In the early comments on the creation of the Patrol, some legislators evidently felt one agency would suffice, but what should it be? One with statewide jurisdiction, or one that had as its primary duty the patrolling and regulating of the highways as well as fighting crime? The pre-1937 highway patrol was doing both.

However, in 1937, something happened to change the minds of those supporting one super agency or two law enforcement entities, and the Highway Patrol was separated out of the arguments and created with the power to operate only on the highways of the state. The early Highway Commission “inspectors” did not always cooperate with local law enforcement agencies, and often operated without local knowledge or involvement, creating some political turmoil. The inspectors had also been accused of being active in political campaigns. The concept of an agency like the KBI was dropped. The same lobbyists, however, that had supported the Patrol continued their efforts for a criminal investigation and support operation.

The concept of a state police was not new around the country, but few states had such a force in the late 1930s. The original was the Texas Rangers, estab-

lished in 1835, followed by Massachusetts’ state force in 1865, and Pennsylvania’s in 1905. Kansas in the 1930s was on its way to also having a statewide investigative force for in that decade the state was set upon by fast traveling gangs of bank robbers, thieves of all sorts, and bands of cattle rustlers. The likes of Al Karpis, the Fleagles, Charles “Pretty Boy” Floyd, Kate Barker, and many lesser knowns, frequented Kansas while traveling to and from their infamous hideouts in the Cookson Hills of Oklahoma or on escapades throughout the Midwest.

The vast expanse of the state assisted in the poor visibility and often the escape of such criminals from detection and capture. The same geography also precluded much immediate assistance from the jurisdictional bound Highway Patrol and other enforcement officers in counties or cities. What was needed was an agency that could operate at will throughout the state, cross jurisdictional lines in and out of state, and provide permanent assistance to local law enforcement agencies.



Payne Ratner
Governor



Jay Parker
Attorney General



Alfred Harkness
Representative

In 1938 the influence of the Kansas Bankers Association, the Kansas Livestock Association, several casualty insurance companies, and general law and order groups “sent a whole committee over here [Attorney General’s office] to see the Attorney General,” said Jay S. Parker in 1966. Parker, then Attorney General, enlisted the support of Governor Payne Ratner and Kansas State Representative Alfred H. Harkness. It was these three who led the fight under the direction of Harkness to obtain a bureau of investigation. Parker was probably the most influential in convincing the legislature to consider the bill to create the Kansas Bureau

of Investigation but it was Harkness' sponsorship and legislative acumen that would guide the bill to passage. The Bankers Association, which had pushed for the Highway Patrol and had even supplied Thompson sub-machine guns, and training to use them, to state banks, was very outspoken. The Livestock Association, concerned about the ease with which cattle rustling was conducted in the state, was a close ally.

On April 3, 1939, the Kansas legislature passed House Bill Number 427 creating the KBI, to become effective on July 1, 1939. The finances of the Bureau were contained in House Bill Number 626 that provided for a budget of \$46,000 to pay all salaries, buy all equipment, and support the investigations. The creation bill stated that the Bureau was not to exceed ten persons "who shall be trained in the detection and apprehension of criminals." Each agent or member of the agency was to receive not less than \$1,200 or more than \$2,000 per year except for one member, presumably the director, who could receive not more than \$3,000 per year.

The KBI was not to be a state police type organization in the view of the legislature. The law specifically stated that the Bureau was under the jurisdiction of the Attorney General and that agents could investigate at his direction if so ordered. This direct ordering would, in fact, be very rare. In addition, the Bureau was given the jurisdiction and power of investigation of a county sheriff, the most powerful of any officer in the state. This enabled the KBI to work in any area of law enforcement anywhere in the state, or to cross state lines. The tradition began right away, however, that the KBI would only proceed with investigations upon direct referral by the Attorney General, or by invitation from local law enforcement agencies. This cooperative attitude, with no intent to usurp local procedures or investigations, was the key to the KBI's early, and continued, success. It is also important to note, as did the second director, Logan Sanford, that more significant is the fact that the law did not give the KBI more power than a sheriff.

Attorney General Parker made the KBI's role clear in the *Kansas City Star* of April 2, 1939, when he commented on the forthcoming passage of the enabling bill:

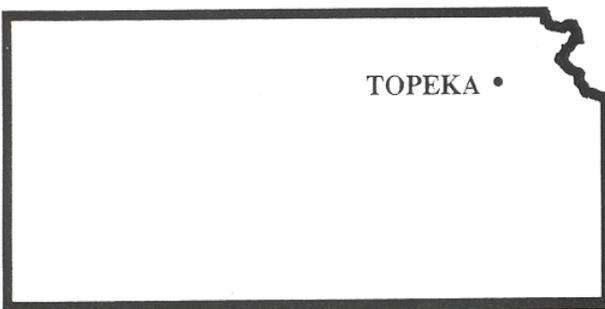
We are not going to do any snooping and we are not going to be catpaws for local politicians or officials who do not want to do their duty. . .

. We will be ready to help local officials in major crimes only. And when we find gambling and liquor joints running freely in any community we will go in and clean them up. But we will not stop with the raids, convictions and the destruction of the gambling paraphernalia or liquor. We will inquire into why the local officials had not been doing their duty and why and how it happened they allowed these places to run in plain violation of the law.

Parker was trying to make clear what became reality: the KBI would only operate on request in major crime investigations, and in cases of malfeasance in office as ordered by the Attorney General. In actuality, the major crimes area would not be strictly adhered to because of local demand in the early years, and the malfeasance investigations of elected officials, law enforcement officers, and police agencies, would from time to time be by invitation, but more often ordered by the Attorney General upon request of county attorneys.

To run the KBI, Parker appointed forty-six-year-old Lou P. Richter of Marion, Kansas, as the first director. His eighteen years experience included having been undersheriff and sheriff of Marion County for fourteen years, a special agent for the Rock Island Railroad, and a deputy U.S. marshal. Richter was also a past president of the Kansas Peace Officers Association.

On June 27, 1939, Richter added his interpretation of the Bureau's duty to Parker's in an announcement of his appointment as the new director. In the *Kansas City Times* on June 27, 1939, Richter stated, "It will not be the purpose of the bureau to interfere with or supersede local officers in any law enforcement problems . . . we will be concerned only with major crime investigations, perhaps mostly upon request of local authorities." He commented further that it would be a slow process to develop the agency, particularly in accumulating the necessary criminal information files. He also made it clear that he intended to go beyond the legislative definition of what an agent should be. Stating that only persons with at least five years experience in criminal investigation would be considered as an agent, he added, "that does not mean that an officer walking a beat or directing traffic is considered to have those qualifications." And, he assured the readership, the agents would



all be between the ages of twenty-four and forty-eight, and able to meet rigid physical requirements.

Richter felt that all agents should be sympathetic and tactful, in addition to having the necessary investigative expertise. He wanted his agents to be optimistic, be courageous without being foolhardy, be ambitious for themselves and the department, and amenable to discipline. And, an agent should be honorable even to the criminal and not make a promise either to a suspect or informant without being willing to carry it out. According to the Bureau's second director, Logan Sanford, Richter could not be beat in this respect—he understood law enforcement and the working atmosphere at that time.

Richter felt, as did his boss Jay Parker, that the primary duty of the KBI was assistance to local law enforcement. Addressing the Topeka Rotary Club in August 1939, Parker reiterated and strengthened that fact: "The policy of the bureau will be to devote itself entirely to assisting police departments, county attorneys and sheriffs in major crime investigations. Under no circumstances will the bureau or any of its agents supersede or usurp the authority of local officials. . . . Although the bureau has been in operation only a month and a half, its director is swamped with calls from officials who feel they need assistance." Parker assured the audience those requests would be met.

This approach, also with the additional "rule" that publicity was to go to the local law enforcement agencies, was so effective that by 1954 a Topeka *State Journal* reporter was prompted to write that the KBI could be "The paradox of state government." It was one of the better known state agencies, yet "it is, at the same

time, one of the least known when it comes to actual jobs it does and the manner in which it functions." Richter was quoted in the article that "we kind of like it that way," saying that the anonymity of the Bureau was "one of its biggest assets." The press and government officials would also, through the years, applaud the cost effectiveness of the KBI.

The first director of a new organization is usually the most important if it is to succeed immediately. In the creation of the KBI the state was fortunate to have Richter in that position. Many of his philosophies became the tenets of the Bureau's operations—even to the present day. In the December 15, 1947, issue of *Your Government*, the publication of the Bureau of Government Research at the University of Kansas, Richter wrote that "Fundamentally, however, crime cannot be brought under control in our state and nation without active citizen cooperation. . . . Law rests on the consent of the citizens in a democracy—not just the passive consent, but on an active, conscious consent. . . . When the public has been robbed, shot, and jeered at by criminals it is shamed into moral and civic responsibility. The public can smash crime." Richter noted that public apathy can also permit law and its administration to become the "prey of the selfish, the lazy, and the incompetent. Active interest by the responsible voter is the *quality* of law enforcement that is needed to insure decent government. . . ." Public safety, he continued, "depends upon the extent of citizen cooperation with law enforcement agencies." He was also convinced that such could only occur when law enforcement agencies cooperate as well. The construction of the stage was finished; now the sets were ready to be built.

BUILDING THE IMAGE: THE FIRST YEAR

“We do not have a dud in the crowd.” —Lou Richter, quoted in the August 29, 1943, *Kansas City Star*, on his agents.

Although the KBI did not officially begin work until July 1, 1939, the first case was referred to Richter possibly as early as June 10. Richter wrote his first letter relative to that case, on KBI letterhead on June 27, an indication that he had already begun work. This may explain why, according to state *Warrant Registers*, the director received a state check on July 29 for \$39.15—perhaps a partial payment for early work. He also had received a check for \$6, probably for expenses. By the first of August he would be drawing his regular monthly salary of \$250 per month, the full amount allowable under the statutory pay provision.

Other cases had already been referred to the Bureau. The entry for case number two in the first case log book indicates this referral was received on June 20, filed on June 26; case number three was received on June 22, filed on July 1; and cases numbered five through eight were also received in late June, but were not filed until after the first of July. These first cases involved fugitives, murder, a death investigation, violation of financial security exchange laws, forgery, and robbery.

Case number one concerned a fugitive warrant on one Earl Gilbert, alias W. E. Gilbert, alias Earl Gibson. On June 27, Richter wrote to the acting chief of police of Sioux Falls, South Dakota, indicating he had received the wanted circular on Gilbert and would investigate. On July 5, Richter received an answer from Sioux Falls that included a description, information that Gilbert might be in the Topeka area, and that he was also wanted in Topeka for “fictitious stock sales.” The letter stated that Gilbert had been posing as a representative of the General Gas Producers Corn, Inc., a company that produced fuel from corn. Gilbert was selling the company’s “gas generators.”

On July 10, Richter wrote back to Sioux Falls saying that the KBI had located Gilbert’s girlfriend in Topeka, had interviewed her, and was staking out Gilbert’s post office box. Agents Herbert Henderson and Joe Anderson had been assigned the case and they discovered that the Chicago based Commercial Credit Corporation, with an office in Topeka, was looking for Gilbert on a bad mortgage. The agents also had intercepted a letter to Gilbert from a girlfriend in St. Louis. Evidently Gilbert was finally located, although the files do not specifically

indicate such, as the case was later listed as closed for lack of prosecution.

Case number two, assigned to agent Joe Anderson, began when the sister of an inmate at the federal penitentiary in Leavenworth wrote Richter that her brother had information pertaining to a murder near Pittsburg that took place probably in 1937. The victim was her other brother.

Interviews with additional informants led to a discovery of the possible murder weapon and information that two brothers named Hunter were probably involved. The two were believed to have blown a wall safe in Pittsburg, bombed a dance hall in the area, and had wanted to kill someone, possibly the brother in question, for some time. They were also heavily involved in slot machines in southeastern Kansas. The KBI investigated in Missouri and Oklahoma and may have been convinced the Hunter brothers were involved. According to the family of the man allegedly slain, informants, and the brother in Leavenworth, the two Hunters killed the man, then placed him in a mine shaft. The inmate stated that there was a witness to the disposal and wrote, “he is still positive it was a body. . . people don’t go around throwing things in a mine shaft at 2 or 3 in the morning unless they have something to hide.”

The case is still “open” in the KBI’s case log, but there is some possibility that the crime was later brought to an end in another state, or the two killers were apprehended on another charge. Later newspaper stories recounting the KBI’s history state that a murder, unsolved for fifteen years, was closed when a body was discovered in a mine. The similarities indicate this may have been the same incident.

The KBI had begun on the dead run, and would not slow down. The first agents were obviously both prepared and willing to work on complicated investigations from the very first day. On November 10, 1939, the *Kansas City Star* wrote of the Bureau:

The Bureau is small—only ten men—but is a group of specialists. It does not enter cases unless its help is requested, but that its efficiency is recognized is shown by the fact that within four months local law enforcement officials have re-

requested its intervention in ninety-two cases, out of which thirty-one convictions already have been obtained, with most of the others distinctly "live" cases and solutions expected.

Richter had already indicated what he wanted in terms of experience for the Bureau's agents, and he also required the men have a high school education with at least two years schooling in political science. Whether he meant classroom or practical politics is unknown, but from the ability of the agents to handle government officials as well as the public, he may have meant "real" politics. Richter, in addition to his law enforcement qualifications, had worked in the office of U.S. Representative Ed Rees in Washington, and having been elected a sheriff, he was astute in the political areas himself. He would not, however, stand for any partisan involvement of his agents. Years later, when asked about the non-political approach of the KBI, Logan Sanford remarked that there probably were more Democrat agents by registration than Republican, even though throughout the early history of the KBI the Attorneys General were Republican. Qualified law officers were the priority.

Political savvy, and the background of several agents having been sheriffs, certainly provided them the experience to handle the cooperative image Richter insisted on. The low profile of the KBI was necessary to work closely with sheriffs, who had to get elected. By giving the local sheriffs credit for crimes solved, it would help their chances at reelection. Richter wanted men who would adhere to the "no credit" policy. By November 1939, Richter would have his full complement of nine agents, himself, secretary Mary Collins, and all the files and paraphernalia of the Bureau located in a three-room complex in the capitol.



Mary Collins
Secretary

The Bureau had a director's office, secretarial office, and what was called the "records overflow" room. Just when additional space was made available, including a separate agents' room, is not known, but within a few short years there were four small rooms including an old walk-in vault used as a photo and ballistics lab. To run the entire operation in 1939 the KBI had a budget of \$46,000. That amount would not change until 1944 when it increased to \$50,000. Agent Herbert Henderson, during an interview in 1977, said that he recalled being in the director's office shortly before the end of their first year; Richter looked at some figures that indicated only \$200 was left in the budget, and remarked, "that's too damned close for comfort."

Who were those agents that Richter said did not contain one "dud"? The first ten were: Richter; Joe W. Anderson; Clarence Bulla; R. L. Griffith; Herbert Henderson; Ronald S. Fowkes; R. A. "Jack" Huse; Charles C. Maupin; C. Glenn Morris; and Harry A. Neal. They did not all come aboard at once. The only agents for certain that began work on July 1, 1939, in addition to Lou Richter, were Anderson, Henderson, and Neal. It is probable that C. Glenn Morris and R. A. Huse also began on the first, but payroll records do not substantiate that fact. They must have started sometime at least by late July, however, as they drew some expense money in the middle of August. Bulla began work on August 1, as did Fowkes and Maupin. R. L. Griffith was hired either in late October or early November.

Agent Morris evidently departed the Bureau sometime prior to 1941, as the only other agent hired during this period was Roy E. Dyer who came on board January 1, 1941. Dyer would also serve as the first unofficial, then official, assistant director until 1961. Just when the title of assistant was first used is difficult to determine. These ten agents, including Dyer, and Mary Collins as the secretary, would remain the entire staff of the KBI until 1945 when Eldon R. Fisher and D. K. Fitch were added in January and February. On March 1, 1946, Wayne Owens was hired, but he resigned in 1949 only to be reappointed as an agent in 1952. In 1947, Roy B. Church was hired on March 1, and Vernon R. Dillon on November 1. These were the first two agents to be hired as designated technicians, but they also served as field agents. On January 1, 1948, Logan Sanford, who would become the KBI's second director in 1957, was hired. Wendall Cowan was added on March 1 of the same year. In 1949, Harry L. Felker (hired as an identification technician but who also served as a field agent), Thomas Stowers, and Vance Houdyshell were on the payroll. Ten years after the Bureau's founding the staff had doubled to twenty agents; this would drop to nineteen when Wayne Owens left. No agents were hired, except for Owens' return in 1952, between 1950 and 1953. The hiring of additional agents from 1945 to 1949 is reflected in the budget increases for those years. The budgets were: 1945, \$27,170 for salaries and \$25,000 for operating costs (\$52,170); 1946 and 1947, \$32,000 for salaries and \$30,000 for operations (\$62,000); 1948 and 1949, \$47,000 for salaries and \$56,000 for operations (\$103,000).

The first ten agents and the second ten during the first ten years brought years of experience and expertise to the Bureau. Joe Anderson, of Baxter Springs, described by Herbert Henderson as a "man-hunter" with "jillions of contacts," had been on the old highway patrol under Wint Smith, and a private investigator. Anderson drew top agent pay of \$160 per month. The rest received \$125. The



Agent Joe Anderson

career of Anderson was often described by fellow agents as phenomenal. He actually lived in Oklahoma most of his career. His knowledge of that state would later prove very useful. He was one of those agents who had the ability to be liked and respected by the criminals he was tracking and could be taken totally into their confi-

dence if working undercover, which he often did.

Herbert Henderson was a private operator and had been division manager of the Pinkerton Agency with station assignments in Indianapolis and Cleveland, and throughout the Midwest. Bulla was a former sheriff from Ft. Scott; Fowkes had worked for the Kansas Livestock Commission and in 1935 led a major roundup of cattle rustlers as deputy sheriff of Wabaunsee County; Griffith was a salesman who had also worked for the Wyandotte County Sheriff's Department as a deputy; Huse was a former deputy sheriff of Riley County and assistant chief of police of Manhattan; Maupin was a farmer, but had been sheriff of Graham County and was experienced in cattle rustling cases; Harry Neal was a former police officer, private investigator, and chief deputy sheriff of Montgomery County. Several of them were World War I veterans.

Mary Collins was "special" as well, according to the agents. She literally "ran" the office and would often even travel to record confessions and interviews. She not only performed secretarial duties for Richter and the other agents, but she also maintained the files and criminal records. She was also somewhat of a taskmaster. Helen Ohlsson tells the story that a week after she began at the Bureau in 1960, she noticed in a KBI bulletin that a fingerprint had been printed upside down. She laughed just as Mary Collins walked by her desk. It was the wrong time to laugh, as the ensuing lecture proved.

This type of experience continued in the additional agents hired between 1941 and 1949. Roy Dyer had been sheriff of Chautauqua County. Dennis Fitch had been undersheriff of Saline County and chief of police of Salina. Vernon Dillon was a World War II navy veteran, deputy sheriff of Geary County, and was an FBI trained fingerprint analyst. He was the first agent hired as a fingerprint expert and was paid the top agent salary in 1947 of \$2,500 a year. Richter assured Dillon he would raise his salary the next year as "we have to have fingerprints."

Until the mid-1940s, the salaries for the original agents remained at the \$125 per month scale. Starting in 1943, most were increased to \$160, then in 1944 to \$166.

It would be the early 1960s before any would make near \$600 per month.

Sheriff's department experience was then considered about as good as one could get for an agent's background. Personnel in sheriffs' departments were not only exposed to a variety of crimes, but they also were knowledgeable of politics, of jurisdiction, and were able to get along with people. The Kansas limit of two terms for a sheriff (the law was changed in 1965) made many of them available after four years, and often their deputies left office at the same time. Additionally, in Kansas a sheriff's office or city police department was about the only place to acquire law enforcement experience or training.

The workload for the Bureau agents was tremendous. Not only did they have to do all the file work, write reports, investigate statewide, and conduct what technological examinations existed, they also wrote out their own pay vouchers. With only one secretarial staff member, until the 1950s, all paper work, correspondence, and routine office work was done primarily by the agents. Logan Sanford, in a 1988 interview, stated that he knew agents who would work for four or five days without laying down to rest. They might doze, he said, but not sleep. They worked several investigations at once, something that has not changed considerably, and at the same time they would keep the office running.

The first application forms used by the KBI not only asked about candidates' law enforcement experience, but a primary question was what they knew about the cattle business and cattle rustling. Those first agents with sheriff, private investigator, or similar experience, usually knew a great deal about the cattle industry. In addition to the standard questions about education, family, and experience, the prospective agents were asked: how many persons were dependent upon them for support; what illnesses they had in the past ten years; had their previous employers treated them "right"; did they have extensive charge accounts; could they operate a motorcycle, automobile, airplane; could they type, use a camera, take shorthand; did they have any firearms experience; did they read books and what had they read in the last two years; and what were their special qualifications?

These men had the necessary experience to provide Richter the personnel to fulfill his number one priority of providing technical and investigative assistance to local law enforcement. It was a necessity for the KBI to provide that service as local departments in most cases could not draw upon the same experience and resources as the KBI, nor could they cross county or city boundaries. And these men could establish the good personal relations with all types of people.

K-Men Doing Good Job

The KBI was certainly beginning with the right image. Even though a low profile would be the rule, the press did assist in the image building. Even before the Bureau became operative, the Kansas City *Star* on April 2, 1939, stated that the new "bureau might be as effective in the war on crime with the 'K-men' as were J. Edgar Hoover's 'G-men'." Four years later the *Star* would publish a long story about the early agents' careers prior to becoming members of the KBI. As the newspaper did not identify them by name, it is difficult to determine just how much of the story was fact and what was not. The *Star* credited these men with arresting, among others, the notorious Wilbur Underhill; assisting in the apprehension of Alvin Karpis (probably this referred to agent Joe Anderson); and one agent was personally cited for catching Harvey Bailey, a cohort of "Machine Gun" Kelly, Charles "Pretty Boy" Floyd, and a participant in the Kansas City Union Station Massacre. All these events occurred in the early and mid-1930s before the KBI was born.

The actual training of the first agents consisted primarily of Richter's tutoring, reading state laws, and common sense. Realistically, these men needed little training, they were all experienced and new developments in law enforcement techniques were slow to come in those days. The laboratory work was farmed out to Lattimore Laboratories in Topeka, lab and fingerprint analysis to the Federal Bureau of Investigation and an "expert" at the University of Kansas. Coroners, commercial and hospital laboratories, and the FBI were the mainstay of the technology until the late 1940s and early 1950s.

The first agents were initially required to furnish their own cars and were paid mileage at the rate of five cents per mile. Agency cars were not provided until about a year later and were 1939 Chevrolets. One of the first agents related the story that Herbert Henderson would pull out the hand throttle, place a clothespin behind it to hold it in place, and race down the highway.

As with the Highway Patrol, there was no early radio communication and the KBI depended upon broadcasts from WIBW radio in Topeka, sheriff and police offices, and frequent phone calls to check with the Topeka office. Not until the Highway Patrol acquired two-way radios, at the end of World War II, did the KBI have any real communications, and that was a one-way radio networked with the Patrol's system.

All of the cars were equipped with a 30-30 caliber rifle, a sawed-off .12 gauge shotgun, tear gas, camera, fingerprint equipment, plaster of Paris for molds, and

other equipment that varied from agent to agent. The most important tool of the KBI was the agent's ability to analyze the crime scene.

Agents then, and now, believe the retrieval of evidence and the "geography" of the undisturbed crime scene is the most important factor in investigation. "Reading" the scene is, in the words of one, an art and a skill that not everyone has or can master. The KBI in its work with local law enforcement was especially careful to encourage the local officers to not touch or enter the scene until the KBI could be on hand. In a 1954 interview, Richter noted that "People have the idea that there is a lot of mystery connected with crime detection, but ninety-percent of it is plain hard work. It is knowing evidence when you see it and using all the technical aids." Knowing evidence when you see it was the most important part of the quote. Years later, former special agent in charge Robert Clester would remark in an interview that "when we can get a school of common sense, then we will really have some training." Hard work, common sense, awareness of irregularities and evidence, and some luck steered the early agents as it does today.

There were no standard operating procedures or policies as there would be beginning in the early 1970s. Most of the procedures were established through memorandums to the agents as the matter came up, and unfortunately most of those have not survived. There was a dress code of sorts imposed by Richter and a "morals" statement, but little on investigative procedures. According to some interviews of the first agents, these procedures were distributed by word of mouth and agreed upon in common discussion. Of course, the legalities, rights issues, and methods of investigation were not as structured as they would be fifty years later.

The workload was tremendous. Agents shared cases, worked up to as many as fifteen to twenty simultaneously, and hardly ever had a day off. In a 1966 special edition of the *Denver Post*, written in an attempt to support Colorado's move to establish a similar bureau based on the Kansas operation, the report stated that "probably nowhere does the state get more value for its money than in the KBI." That efficiency began in 1939. Other newspaper editors in Pratt, Augusta, Topeka, Hutchinson, and Wichita all supported the same feeling about the KBI.

The cases continued to come in, and the types indicate that the Bureau was not limited to only major crimes. Forgeries, bad checks, petty thefts, minor robberies, public disturbances, misdemeanors, etc., all were treated alike. The reason was primarily that many small population areas just did not have many trained officers on their city or county forces. With the KBI established, such cases often were referred immediately to the Bureau. In the



KBI Director Lou Richter

ensuing years, however, and partly because of Richter and Sanford's later efforts to sponsor training sessions for local law enforcement, that situation would begin to change. From 1939 to the mid-1950s, however, that was not true. Even though the KBI was inundated with the lesser violations, it did receive the major crimes with as much frequency. Out of the first fifty cases, eight were cattle rustling and six were murders.

The third case had arrived at the Bureau before July 1, 1939, but was not assigned to agent Harry Neal until after that date. This case presented the KBI an interesting situation. What was the protocol on medical jurisprudence concerning the exhumation of bodies? Richter learned that it could be done, and his inquiry prompted the Kansas Medical Society to devote one issue of its journal to that subject. The case involved the possible murder of an oil field worker who at one time had been a wealthy oil man, had lost it all, but had attempted to recoup his losses through some shady dealings. Evidently, two of his fellow conspirators decided he needed to be out of the way and purportedly killed him in November 1937. Neal reported that one eyewitness saw the victim hit with a sledge hammer and hung from an oil derrick near

Hutchinson to fake suicide. This witness in an affidavit stated that one of the killers told him that he "got by the county attorney with it [the murder]." Another witness even demonstrated to Neal how the victim had been killed and hung on the derrick.

Both Richter and Neal felt the only way to prove anything was to exhume the body, now buried for over two years. The files indicate that no one really knew if such could be done and what it would prove if tests were conducted. Permission was received, the body removed to a laboratory, and tests for skull damage and poison were conducted. Richter even wrote to J. Edgar Hoover asking him how long he thought poison would remain in the body.

Unfortunately, the testing was inconclusive and the case is still open. But the KBI had its first taste of forensics and knew that in the future such processes would become a standard practice. The inexperienced agency was willing very early on to try any method available to investigate a crime.

From July through October the KBI was kept busy with a number of cases and received regular coverage in the *Topeka Daily Capital*. A story on July 16, 1939,

lauded the direction of Attorney General Jay Parker and his use of the Bureau to supplement the "notoriously lax" performance of local law enforcement in illegal liquor and gambling operations. The paper noted several recent raids in Wichita, Kansas City, Kansas, and other areas of the state. The story noted that after the initial arrests, the same operations often reappeared, but "it is only a matter of time until the K-men round these violators up and toss them into the clink."

The *Daily Capital* noted the "K-Men" arresting a man and woman, with four children along, in Great Bend for passing "hot" checks. Agent Herbert Henderson found over 200 checks from an Oklahoma company concealed in the panel of the front door of the family's car. On August 24, the newspaper carried a story that Lou Richter had suffered a broken leg and Joe Anderson a concussion when their car struck a hay truck near Sioux City, Iowa.

The two had been working on a case with Iowa authorities.

On October 9, 1939, the director received the first commendation that appears in the Bureau's files. The case files are not available. Evidently, the KBI had been asked to investigate a five-year-old murder case but the county attorney in Montgomery County could not obtain a conviction. This may well have been an attempt to solve the mine shaft case mentioned earlier. Even though the case was not successful, the attorney wrote Richter that had it "not been for the fine assistance . . . of Harry Neal and Clarence Bulla, the case as presented in District Court here would have been in such shape it is doubtful the case would have even been considered based upon the evidence." The county attorney also expressed his gratitude, and amazement, that the KBI had located a witness that had left the area and was residing in California.

K-Men Take Pair Wanted For Writing Hot Checks

—SAYS DIRECTOR RICHTER

A man and woman with four children, wanted in Great Bend for writing hot checks, were arrested about 4:30 p. m. yesterday on the Melan Bridge by Herbert Henderson, special agent for the KBI, according to Lou Richter, director of the KBI.

Concealed in the panel of a front door of the family's car were over 200 checks on the Hamerech & Payne, Inc., of Oklahoma, and twenty-five or thirty of the checks were all made out for amounts ranging from \$25 to \$85, Richter said.

The officers assumed that the batch of checks were part of the \$500,000 worth which an accomplice, who was arrested Friday in Great Bend, said was in the possession of his partners.

Held in Jail

The family was held in the county jail and detention home last night, and Great Bend officers are expected to come after them today.

The man gave the name of Harry Colson, but Richter said his information was that the correct names of the check-writing parents are Mr. and Mrs. Bert Mere-

dith, of Oklahoma City, or Britton, near Oklahoma City.

The four children included a boy about 10 years old, another boy about 8, a girl about 3, and a baby about 10 or 11 months.

Apparently the family has been living well, the officers said. In the woman's purse was \$355 in currency, and the whole family appeared healthy and well-fed.

Driving Chevrolet

They were driving a 1936 Chevrolet car, with a two-wheeled trailer attached, in which was a complete camping outfit, especially adapted to tourist camps, and "great quantities" of good quality clothing for the entire family, according to Richter.

"Judging from their effects, I believe those people left Oklahoma City last April, and have spent the entire time making the country for all the traffic would bear," Richter said. "They are especially well-versed in oil field lore, and it is in the oil fields that we understand they have done most of their work."

He said they are on record about sixteen checks passed in Russell, McPherson, Lyons and

Great Bend, all from the same outfit.

The man captured in Great Bend had some of the checks in his possession and had tied to purchase a second-hand car with them, he said.

Henderson Put on Case

Henderson was put on the case immediately, secured an exact description of the family, and was coming into Topeka from the south and east when he spotted his quarry.

"They intimated to us that they were just entering Topeka from Kansas City," Richter said. "And that may be true because we understand that the checks possibly have been printed in Kansas City." The checks that were already made out had been signed by a protectograph.

The car bore Texas license plates, but information from over Kansas indicated that other plates had been used, and hidden in the car were some new Arkansas plates.

"They have been all over the country—California, New Mexico, and on up into Wisconsin, so far as we know now," Richter said.

On October 12, 1939, the newspaper ran a feature story on the KBI's work investigating "Blue Sky" salesmen. The Kansas Securities Division had asked the Bureau to assist in investigating salesmen involved in fraudulent stock and securities. The story centered on one arrest involving a man who had sold undivided interests in a purported contract for future services he was to perform on securities arrangements. He had no services or resources. The man, who was arrested in Salina, chose to return to Oklahoma to serve an unfinished prison sentence "rather than take chances with the Kansas Securities Department" and the KBI.

Many unsolved crimes were being referred to the KBI, and some of them involved more than routine investigations. A pattern that would continue to exist was developing—that of inmates in prisons writing to Richter, and later other directors, concerning information on older crimes. KBI case number 15 was sensationalized in the Topeka press. Topeka officers were still investigating possible connected murders that had occurred in 1934, 1937, and August 1939. They referred the cases to the Bureau and they were assigned to agent R.A. Huse. Again, the KBI showed its metal. The investigation would reveal that a purported attempted rape-kidnapping that resulted in the 1937 murder of the man who was defending the assaulted woman was a cover up for a burglary ring operation. The person killed was "wanted out of the way." The KBI concentrated on the 1937 incident.

The KBI placed persons at the scene of the crime by tracking items connected with the 1937 murder. The Elgin Watch Company provided information on a watch found, the store that had sold it, and the KBI learned who then bought it. A .45 caliber automatic would be located within a year at a Topeka pawn shop, on a tip from an inmate, and the Kansas City, Missouri, police department's ballistics section said it could be the same weapon used in the murder. Huse was able to learn the name of the man who furnished the gun and who sold the participants whiskey that night. He also learned that a prominent Topeka lawyer had the murdered victim's billfold, and that two men would turn state's evidence. However, something thwarted the investigation and the suspects were not located. An August 1945 letter to Richter from an inmate at Lansing said he could identify the killer and the weapon. Here the KBI files end, but other sources indicate that the killer was eventually apprehended and tried for the 1937 killing. Although the Topeka police felt that the 1934 and 1939 murders were linked to that of 1937, the KBI only worked on the one. Again, the KBI had stepped into a case five years old and did a creditable job. If learning from experience in law enforcement is a viable instructional method, the

KBI was being well schooled.

The first cattle rustling case the KBI was involved in arrived at the Bureau on August 11, 1939. By September 18, 1939, three men had been convicted on nine counts of cattle theft in three Kansas counties and received from one to seven years each. R. S. Fowkes, the agent investigating, assisted three county sheriffs in putting the case into form and assisted in arresting one of the suspects when the thief offered a farmer a check for the worth of a stolen cow if the farmer would not say anything. The arrests and convictions were prominent in the Iola newspaper, but the KBI was not mentioned once. The three county sheriffs involved received the credit.

Agent Herbert Henderson worked what was probably the Bureau's first marijuana case, in September 1939, at Hanover, Kansas. A trainmaster on a Union Pacific freight train in Hanover discovered a car on a siding that had marijuana stalks sitting out in the open around all four sides of the car. The newspaper this time mentioned that the local sheriff immediately called the KBI, perhaps the first press mention of the Bureau's direct involvement in a case.

Henderson notified federal agents and they, and the local authorities, combed the stockyard area and found one suspect who told them where the others were located. Three men were arrested, about 2,000 stalks of marijuana confiscated and destroyed, and each man was convicted. They had been using the freight car to dry and strip the leaves from the marijuana. They had planned to load the finished product on the car and transport it to San Francisco where, one suspect confessed, he could sell all he could get his hands on.

The cases continued to roll in. Agent Maupin broke a hog theft ring in Cheyenne County with all the suspects being convicted. In March of 1940, the KBI participated in using a lie detector for the first time to obtain the confession of the killer of a Cedarvale service station attendant. The Chautauqua County sheriff on the case was Roy E. Dyer, later to be a KBI agent. Throughout February and March of 1939 the Bureau investigated and closed a fraudulent oil lease sales scheme in Cheyenne and Sumner counties, a violation of security laws case, a theft of oil drilling equipment, and raided several taverns and confiscated illegal spirits. In March 1940, the KBI assisted the U. S. Treasury Department in locating and arresting two women on charges of gold hoarding.

Three other cases in that first year show the variety of work given to the KBI—and the fact that agents must develop a sense of humor. In February 1940, KBI agent Huse tracked down and arrested a man for impersonating a state brand inspector. The scam artist was

going from farm to farm posing as a representative of the American Poultry and Livestock Marking Association. Included in his operations was a visit to the sheriff's office, telling the sheriff he was working out of the Capper Publications farm program. He would ask for a letter of approval from the sheriff and then visit area farms, convincing the owners that they should not just brand their livestock, but also their chickens! He was arrested and convicted of impersonating an inspector (which he on occasion claimed to be), and then paroled to leave town.

The KBI also was involved in arresting two men in the Russell area for theft of tractor parts and assorted junk to be sold to junkyards. The more interesting part of the case, however, involved the probability that the same two men stole two Civil War Napoleon brass cannons from the Russell County courthouse grounds. According to one story, a local officer unknowingly assisted the thieves by moving traffic around their parked truck. The cannons were finally located in pieces at a Manhattan junkyard.

In April and May of 1940, the KBI figured in a case with national publicity and for the first time received major news coverage of its involvement. Who actually requested the initial investigation is not known, but Attorney General Jay Parker obviously instructed the KBI to conduct an inquiry into an alleged Topeka

protection pay-off racket to protect Topeka gambling houses. The investigation became public after Richter supplied funds for one of the men involved in the scheme to make a payoff. The payment was observed by agent Bulla and the arrest made.

Indicted in the case were a prominent local politician who was a campaign contributor to the mayor, two police officers, and others in the community. The Topeka *Daily Capital* ran a political cartoon, aimed at the "process of deduction" used by the KBI to set the trap. The cartoon featured a tracking dog—indicative of the "dogged" approach. The case would drag on for some time but the KBI, after the initial arrest and gathering of evidence, would be replaced in the case by the Attorney General's office and his investigators. The case did, however, establish the fact that the Attorney General would not hesitate to use the Bureau in political cases as an investigative tool.

Richter issued a public report in May of 1940 concerning the activities of the KBI. He mentioned that the payoff investigation was keeping the KBI "extremely busy," and that the Bureau had also assisted federal narcotic agents in arresting ten persons in Reno, Sedgwick, and Crawford counties for the sale and possession of "Marihuana." The use of the "h" in the spelling was common at that time. He reported on burglary, arson, grand larceny cattle thefts, and on a

Supply of Liquor Taken In Raid; Investigators Still Work on Topeka Case

216 Half Pints of Bourbon and Rye And Other Liquor

A large amount of assorted liquors was seized last night in a truck as the result of a police raid in a garage at the rear of 1208 East Sixth Avenue. No one was in the garage at the time and no arrests were made. It was understood that the raid had some connection with evidence obtained in the present investigation now being conducted by Jay S. Parker, Attorney General, and Lou P. Richter, director of the Kansas

Bureau of Investigation.

Condition of the truck indicated that it had been in the garage for some time. Several bottles in the layout had been opened and were only partly filled. This led officers to believe that the person who owned the liquor had either been sampling his product or had been selling liquor by the drink. Twelve pints of whisky which had been prepared for Christmas sale still had their Christmas wrappers.

The license on the truck had been issued to Roy C. Hill, who is supposed to live in an apartment house on the West Side. A car in another garage also was registered to Hill, of Osage City.

The liquor confiscated included 216 and one half pints of bourbon

and rye whisky, fifteen and one half short quarts, thirty-two half pints and eighteen pints of gin, twelve short quarts of Scotch whisky, four pints of apricot brandy, five and one half short quarts of rum and fifty-nine half-pints of alcohol.

Lieut. Clif Hinds, who led the raid, was accompanied by Sergt. Ira Reese, Fred Wilson, S. R. Purdue, Jerome Brown and Earl Gudd.

Construction of the truck indicated that it had been especially made for hauling liquor. It was enclosed and had three shelves. Its springs were reinforced so the body of the truck would not sag as much as an ordinary stock model.

Topeka woman notorious as a forger who had passed bad checks throughout the Midwest.

The number of cases actually worked by the Bureau is difficult to determine in this period. Probably in the first year many references were not actually entered in the case logs. The logs consist of entries indicating the date the case was referred, the date filed, and agents assigned. The type of case was indicated by a code number, and any explanation for those cases is limited. By actual count of the cases in the logs, the KBI worked 129 cases from the end of June to December 31, 1939. Richter, in a report probably issued in January 1941, said that in the first six months the Bureau filed 109 cases. The discrepancy may lie in the non-entry of some bad check, forgery, or other types of file reference cases. Handwriting analysis, requests for technical assistance, etc., do not appear in the case logs at that time but those may have been counted elsewhere as cases referred. One other report indicated that 281 cases had been received in 1939. Whatever the number, it was a large response to the KBI's availability.

Using the actual count in the case logs, the KBI worked seven murder cases, eleven forgeries, five robberies, twenty-eight cattle rustlings, six narcotics, five burglaries, seven frauds, eight bad checks, eleven liquor, two hog thefts, and a variety of small crime in-

vestigations in the first six months. Fifty-three arrests were made and twenty-one convictions were received, again based on the log books.

At the end of his first year, Richter wrote the official report to be included in the *Thirty-Third Biennial Report: Attorney General, State of Kansas, 1939-1940*. Richter said that the Bureau's activities as reported "will make clear the value of the bureau and the assistance it has been able to render in the enforcement of law throughout the state." The KBI, according to this report, had worked or was working on 304 cases; however, he also included a separate accounting of "minor investigations and services rendered in eighty-nine counties totalling 410." What he meant is difficult to determine, but the KBI might have separated very minor offenses, or services such as phone calls, laboratory type references, and minimal assistance opportunities into this category and not entered them in the case logs. Such a method would easily account for the discrepancies often found in the number of cases worked. In the report, Richter stated that "major investigations on which separate cases files have been made" total the 304.

Of the 304 number, 176 were either closed by conviction or the defendants were on trial. Included in the 304 were the following:

Murder	12	Concealing Mortgage Prop.	2
Fugitive	10	Disposing Mortgage Prop.	1
Death Investigations	6	Assault and Robbery	1
Forgery	19	Assault to Maim	1
Violations Securities	5	Narcotics	34
Fraud	15	Bogus Checks	10
General	54	Miscellaneous	19
Grand Larceny, general	6	Strike Investigations	1
automobile	8	Parole Violators	4
cattle	40	Missing Persons	1
hogs	2	Kidnapping	1
horses	1	Arson	3
fowls	1	Compounding Felony	3
farm equipment	3	Shoplifting	1
grain	4	Selling Adulterated Meat	1
Petty Larceny	6	Having Adulterated Meat	
Receiving Stolen Prop.	2	for Sale	1
Possession, Stolen Prop.	1	Bribery	1

On June 30, 1940, the Topeka *Daily Capital* reported the KBI had helped local officials investigate over 300 crimes. Also made public was the transfer to the KBI of the Highway Patrol's fingerprint file of over 75,000 prints. The Patrol, initially the only statewide agency with

any law enforcement powers, had been the clearinghouse for fingerprints in the state. The KBI, through the efforts of Attorney General Parker, obtained the files over the objections of the Patrol. The Bureau classified the prints for identification. Within a few years, the Highway Patrol

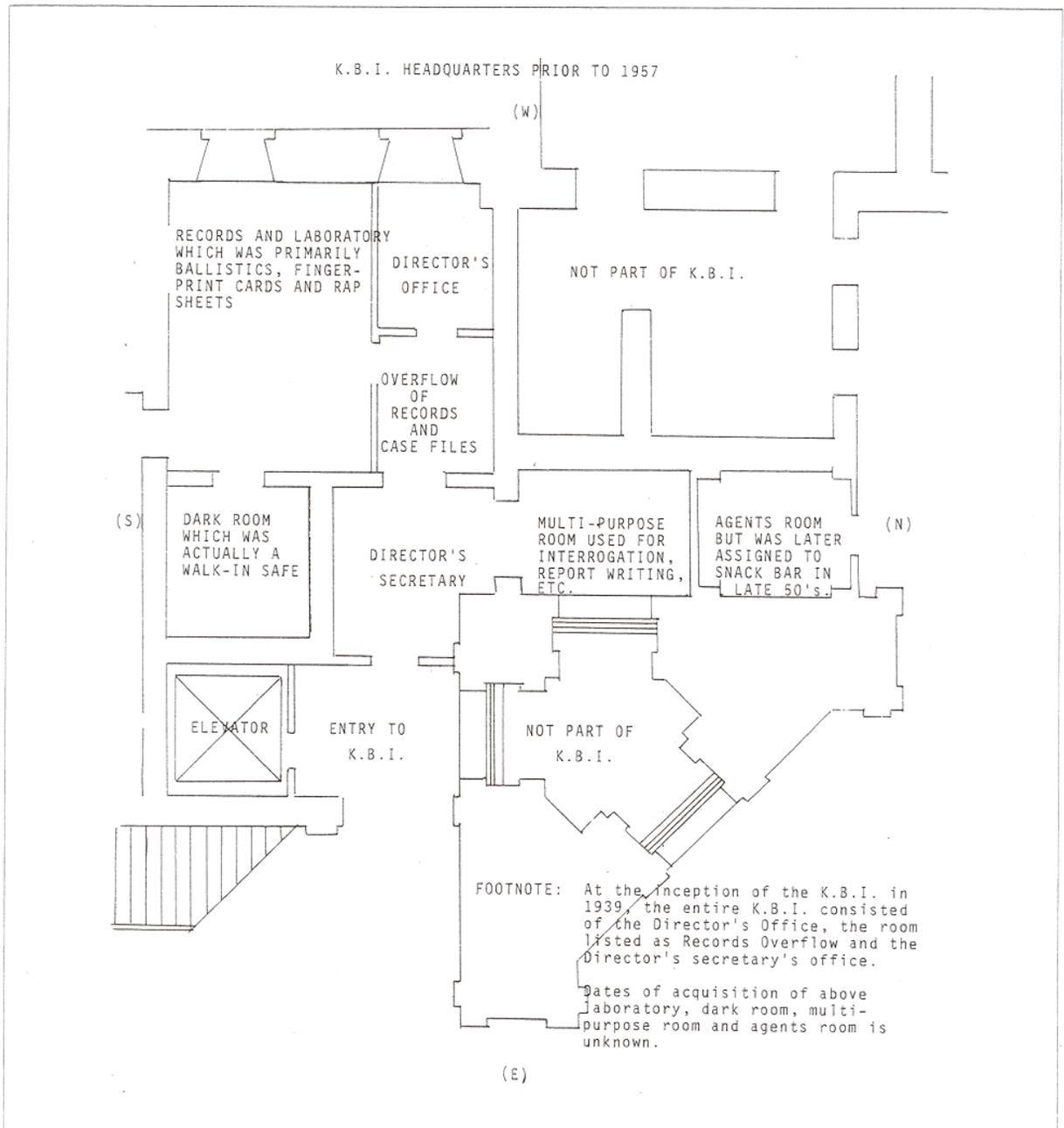
would acknowledge that centralized files of criminal activities did belong in the KBI operations.

The KBI had also purchased dark room equipment and was said to have a "modern photographic laboratory." The newspaper indicated the Bureau had a "working arrangement" with a handwriting expert and a chemical laboratory. The *Capital* quoted Parker, who praised the outstanding work done by the KBI on cattle rustling, particularly when the thieves had new faster trucks and good roads that made their travel faster and easier. Parker noted one case in which the cattle were stolen in south-eastern Kansas and sold the next day in Denver.

In the article, the Livestock Association stated that cattle rustling had been reduced by fifty percent in the past

year. The story also spoke of the KBI's efforts into probes of "subversive activities," a new assignment given the Bureau by the Attorney General. Richter admitted some of those incidents brought to them were farfetched, but they would all be checked. He continued that a "bulky file on participants in alleged 'fifth column' schemes is being accumulated." This work would keep the KBI busy throughout the World War II period.

The story ended with the pronouncement that the agency's "popularity is best evidenced by the unanimous endorsement of peace officers and county attorneys given at state meetings during the year." The image had been built with a \$46,000 budget, ten men, and one woman.



STATE OF KANSAS

LOU P. RICHTER
DIRECTOR

BUREAU OF INVESTIGATION
TOPEKA

PHONE 2-5344

July 27, 1939.

To All Sheriff's, Police Officers,
County Attorneys and County Commissioners:

The Kansas Bureau of Investigation is appealing to all of the above agencies in the State of Kansas to use their combined resources in the fight to eradicate Marihuana from our State.

This weed, growing in close proximity to many of our schools and colleges creates a definite threat to the youth of our State. Marihuana is a narcotic drug that in mental and physical stimulation will fuse with alcoholic stimulation, while most other narcotics have opposite results. The use of this narcotic, which is being sold mostly in the form of cigarettes is growing by leaps and bounds, and there is no doubt but what its use will destroy manhood or womanhood quicker than any known drug, and its use is directly responsible for certain of our major crimes:

This plant is also known as wild hemp, neckweed, gallowgrass, marijuana, etc. It makes a rank annual growth even to six to ten feet high, erect with well defined central stem or axis. It branches freely when not crowded by other plants, and takes the general conical outline of a well formed tree. In thick patches the plants produce few if any branches. The leaves are compound with five to seven slender leaflets, all arising from the same point, giving each leaf the general shape of the hand with fingers spread. The leaflets average from two to four inches in length, are pointed at both ends and sharply toothed. The entire plant is rough-hairy and strong scented. Like annual weeds the roots never live over the winter, but must come up from the seed each year.

M E T H O D O F C O N T R O L

Eradication of a single small patch of Marihuana is a simple matter, and if the plants are cut off at the surface of the ground they will not sprout up again. If cut two or three inches above the surface in the early stages of growth they may sprout from the stubble, but if cutting is delayed until the early bloom stage mowing several inches high will prevent seed production.

STATE OF KANSAS

LOU P. RICHTER
DIRECTOR

BUREAU OF INVESTIGATION
TOPEKA

PHONE 2-5344

PAGE # 2 (MARIHUANA CONT.)

This Bureau requests that all Sheriffs, Police Officers, County Attorneys and other law enforcement officers who have knowledge of the growth of Marihuana in their districts notify the landowner or tenant the weed must be destroyed at once, and to notify the County Commissioners of any such growth, and urgently request the Commissioners to order their highway maintenance crews to destroy the weed along the roadsides, and to assist in its destruction on farms where infestation is widespread.

We assure you we are at your service in all matters possible, and shall appreciate 100% co-operation in the above matter.

Very truly yours,

Lou P. Richter
Lou P. Richter, Director,
Bureau of Investigation.

BUILDING THE BUREAU: 1940 - 1945

The KBI agents "acquitted themselves with honor to themselves and glory to their organization."
— Jay Parker, Wichita *Beacon*, September, 1941, on the Macksville Bank Robbery.

At mid-year 1940 and the completion of one year, Lou Richter began to promote the increased workload and expectations in work that would require increases in his budget and the number of agents. In reports issued in late 1940, he used the occasion to point out that regular type crimes were increasing, and that the new national defense concern of the United States was placing a new demand on the Bureau's time. On the eve of 1941, he remarked that national defense, the FBI, and immigration authorities were "continually requesting the Bureau to make investigations concerning individuals and organizations who have been accused of or suspected of subversive activities. In the past three months more than 30 cases have been investigated." He noted that federal authorities were also expecting state police organizations to patrol areas around army camps and posts, and Richter expected those duties to increase in the next two years. Richter saw no way his small force could add this increase to its already overworked schedule. As the country came closer to World War II the Bureau would be looked upon to combat a rise in black marketeering in Kansas, particularly in the beef industry. These cases would increase after the United States entered the war. Other types of cases began to increase. More and more references to stock fraud and other white collar crimes appear in the files, as do arson, interstate transportation of stolen goods, and violations of firearms acts.

The KBI reported at the end of September 1940, that in the past three months it had worked 426 minor investigations in 89 counties and 321 major investigations in all categories. For the first time the report included the progress of cases. In 17 murder cases, one was found not guilty, three were suicides, one was in court, one was a hoax, and ten were still under investigation.

There were 24 cases of securities frauds; four were already convicted and seven were awaiting court action. The remainder of cases were in forgeries (38), robberies and burglaries (30), liquor and gambling (20), and grand larceny (43). Of the 68 cattle rustling cases filed in just three months, there had been 25 convictions with 12 awaiting court action. There were 33 narcotics cases with 13 convictions. The Bureau had also assisted the State

Highway Commission and Federal Narcotics Bureau in 32 counties.

For the calendar year of 1940, the KBI log books show a total of 241 cases, indicating a discrepancy again in actual case count. It was consistent that at least one case a day was being referred to the Bureau. These entries show 25 burglaries, 21 cattle thefts, and 25 narcotics investigations. If the figures above are added to the case log numbers, they indicate a workload almost beyond the capability of the KBI.

At the end of 1940, Richter reported 411 cases, probably meaning major crimes, of which 51 were live-stock cases with 21 convictions. There were another 51 narcotics cases with 33 convictions. He also noted that sheriffs and police chiefs were asking for more and more assistance, particularly if the suspects had fled from the community. He indicated that the number of forgery investigations and handwriting identification services had increased greatly in the last six months.

Between August 15, 1940, and September 20 of that year, Richter himself was involved directly in an investigation of a theft ring comprised of prominent men from the Cunningham, Kansas, area. Assisted by agents Maupin and Fowkes, Richter led the investigation. The case was actually broken when one of the suspects attempted to cash a check forged on a blank check stolen in a robbery. The KBI identified the signature as forged. Then local sheriffs' officers found a portable generator, stolen from a carnival two years earlier, in the barn of one of the suspects.

The ring had operated in the area for over five years, having stolen as much as 7,000 gallons of gasoline from pipelines, 600 or 700 bushels of wheat, engines and other equipment, plus household items. Richter and his agents performed the detailed investigation into the older robberies and built the case for the county attorneys. All five suspects were convicted and sent to prison.

The KBI's learning experiences were increasing. In December 1940, the Bureau broke up a hijacking gang that had terrorized Russell and Rush counties for over three months. The three suspects confessed to over a dozen robberies and hijackings. In July 1941, Governor

Payne Ratner and Attorney General Parker asked the KBI to investigate and put a stop to the rash of "hot oil" being transported from oil fields to refineries. State Corporation Commission chairman Andrew Schoepel, later a Kansas governor, also was involved in prosecuting the cases. Most of the violations occurred when non-oil company truckers hauled oil to refineries in violation of regulated amounts of oil that could be pumped and shipped. If the producers avoided regular oil haulers, they could avoid the count.

The oil had also avoided state quality inspections and taxation on raw oil. The KBI's investigation uncovered massive thefts of oil that had been illegally refined and marketed from fields in the El Dorado area. Agent Harry Neal, who directed the case, filed very lengthy field investigation reports. These were used to track the progress of the oil. The case was complicated and consumed a considerable amount of time. It is but one example of the white collar crime that was beginning to build in the state and that would continue to the present day. It was estimated at the time that hundreds of thousands of gallons were involved in this case alone. The KBI's image with corporations grew with the convictions of those involved.

If any case in the young history of the KBI convinced the general public and state government of the agency's worth it was the Macksville bank robbery on September 16, 1941. On the surface, the shoot-out on the street of

Macksville that resulted in the two robbers being killed by KBI agents seemed simple enough. Yet, it was the result of two months of work to locate and apprehend five escaped Kansas penitentiary inmates named Mike Hight, Frank Wetherick, Lloyd Swain, John Eldridge, and George Swift. All were serving at least ten to twenty years each for bank robbery, murder, and grand larceny.

The men escaped prison by tunneling from the penitentiary coal mine to a drain pipe; the Kansas City *Star* even ran a diagram of the escape tunnel the day after the escape. On June 24, Hight and Wetherick were involved in a running gun battle with highway patrolmen on Highway 75 north of Topeka. The two were professional bank robbers, part of the roving gangs of the 1930s that had plagued the state. The KBI search for these two ranged through Jackson and Pottawatomie counties with bloodhounds, posses, and volunteers.

Lloyd Swain, one of the four, was captured on August 9 in Oklahoma by agents Roy Dyer, Charles Maupin, and Harry Neal. Richter and Attorney General Parker personally assisted the agents. Swain had been tailed by KBI agents through a series of hideouts in the Cookson Hills in Oklahoma. Swain said that Hight and Wetherick had left him and the others and had headed west. Their whereabouts were unknown. The KBI concentrated on Hight and Wetherick.

Richter and his agents felt the two may have headed for Colorado as a series of car thefts and burglaries along

George "Mike" Hight killed in attempt to rob a bank at Macksville, Kansas September 16, 1941 by Agents of the Kansas Bureau of Investigation.



Frank Wetherick killed in attempt to rob a bank at Macksville, Kansas September 16, 1941 by Agents of the Kansas Bureau of Investigation.



Captured Bartlesville, Okla.



Captured San Diego, Cal.



Captured San Diego, Cal. By K.B.I.

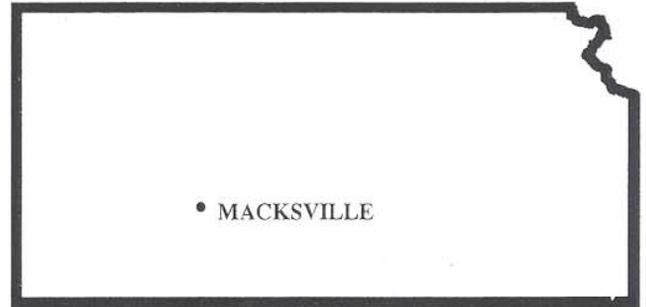


the routes to Colorado indicated that the two escapees might be responsible. Because Hight had connections in Colorado, the KBI circulated wanted notices throughout the state. The two hid on a sheep ranch near Lamar, Colorado. One evening, on a trip to a tavern in Pueblo, Colorado, they made contact with an "Oklahoma hot shot" who said he too was running from the law. The "Oklahoman" was KBI agent Joe Anderson. He learned where the hideout in Colorado was located. It was almost impervious to an attack. The KBI decided to wait.

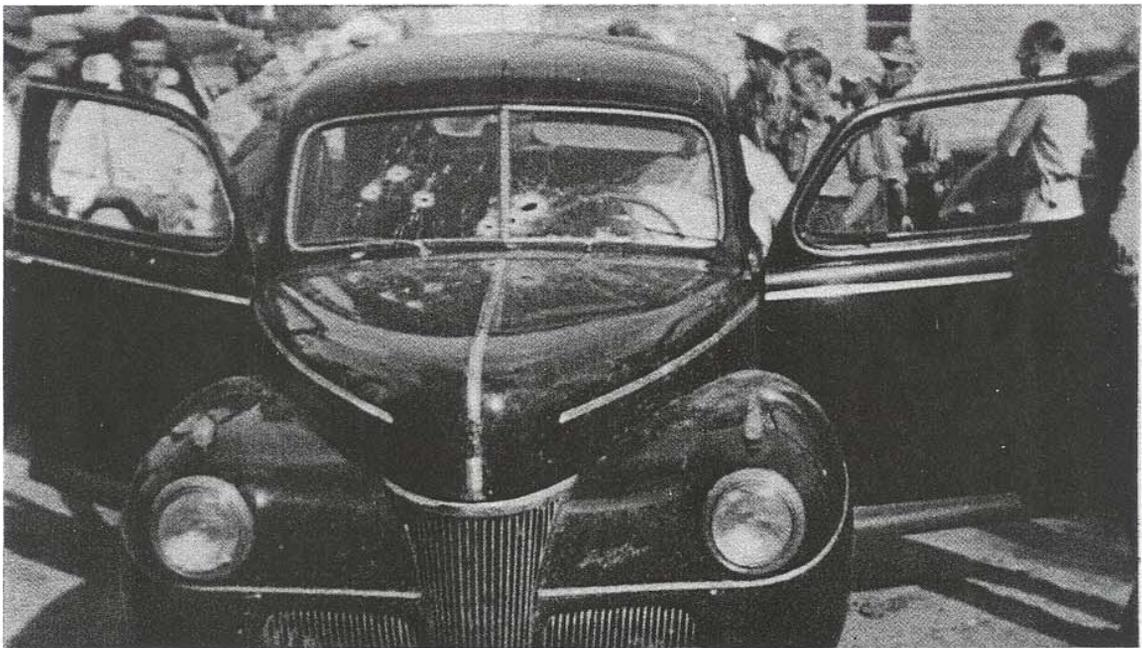
The investigative procedures used to trace the bandits were outstanding. Working with Colorado officers, cars and fingerprints were traced and matched, and surveillance set up. Through the undercover contact with the two men, the KBI knew the suspects were interested in robbing either the Lamar bank, or those in Hugoton or Macksville, Kansas. One of the men evidently had contacts in the Macksville area and indicated to Anderson that would be the bank. The KBI decided not to attempt a capture at the Colorado ranch. Hight and Wetherick had staked out the Macksville bank on two occasions and the Bureau decided that was where the attempt to capture them would be made.

Stafford County sheriff Logan Sanford, later an agent and the KBI's second director, cooperated fully in the process. There were two banks in town, so a force of eight officers was divided four each to watch the two busi-

nesses. KBI agents and Logan Sanford staked out the banks for over a week and, according to Richter, were about ready to call it off. The director had also decided that if the two showed, the agents would attempt to arrest them in the street to prevent any shooting inside a bank that might cause injury to a customer.



The stake-out was elaborate. In a 1988 interview, Sanford described the cheesecloth screens built inside the banks near the vaults to look like walls. Behind the screens were the officers. In one bank, the fake wall and the agents were over the entrance door. Sanford, who knew where the two were holed up in the county, said the agents had given up staying in the banks in the daytime, and on the day of the occurrence he and the other officers were stationed in offices across the street from the bank. Sanford explained that he and Richter decided they would



Pictured is the new 1941 eight cylinder Ford which was stolen from a dealer's display floor in Satanta and repainted, by hand, from black to blue. License plate was stolen in Pottawatomie County and the county number was altered from '39' to '89'. Inside the car, driven by Hight and Wetherick, authorities found two 12 gauge sawed-off shotguns, a 30-30 Winchester rifle, a 44-40 Winchester rifle, a .30 caliber German Luger automatic, a .45 caliber Colt's automatic, a .38 caliber Colt's special pistol and 200 rounds of ammunition.

try to be smarter than the crooks, and wait until the officers had all the advantages before attempting a capture.

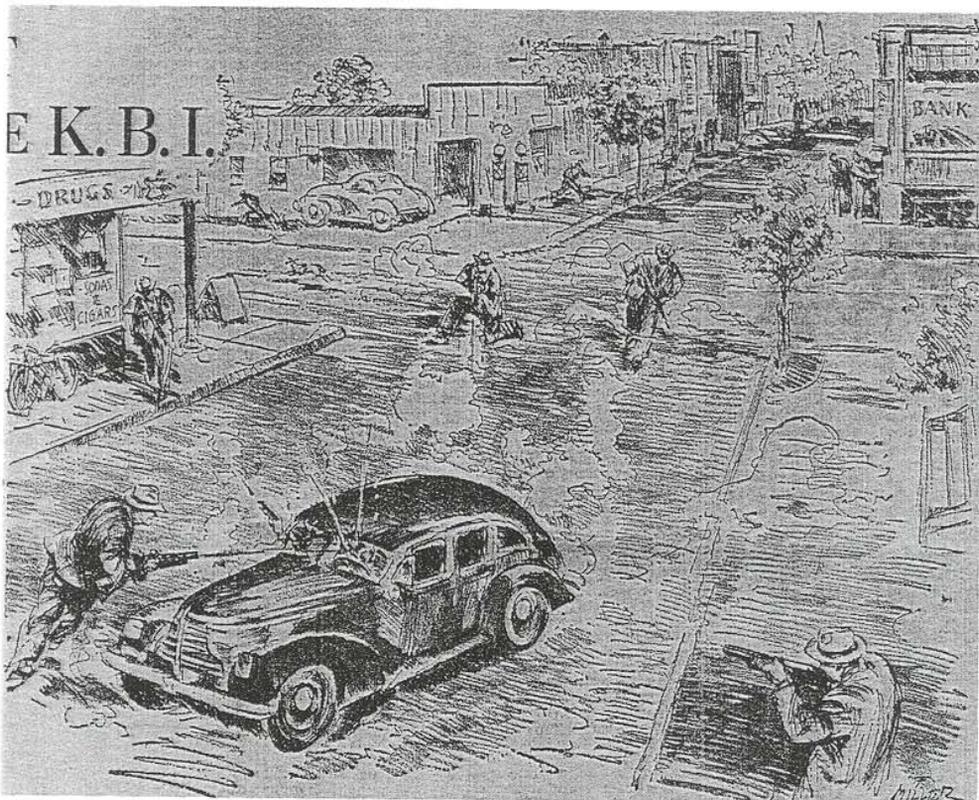
At 9:14 a.m. on September 16, Hight and Wetherick drove into town in a 1941 Ford. Two agents ran to the street and ordered them out of the car—one was the same agent who had met them in Pueblo! It was over in about two seconds, according to Sanford. The two robbers were beginning to exit the car, and according to one account, Hight fired a shot at the agents while Wetherick, still partly in the car, attempted to drive away. Gunfire from six officers killed the two almost instantly. The car kept rolling down the street with the dead Wetherick slumped on the wheel. Richter, afraid the car might injure someone, jumped on the running board, reached through the window, and pulled on the hand break. Later the agents found three shotguns, two rifles, two Colt automatic pistols, and a German Luger in the car. It was over, almost.

Congratulations poured into both Stafford County and the KBI office from bankers, attorneys, law enforcement officials, and citizens throughout the Midwest. For the first time the KBI had been under fire and had been required to kill men in the line of duty, a fact that has only occurred twice more in the Bureau's history. The two suspects who were known bank robbers and killers in the mold of the old gangs, the style of the investigations, and

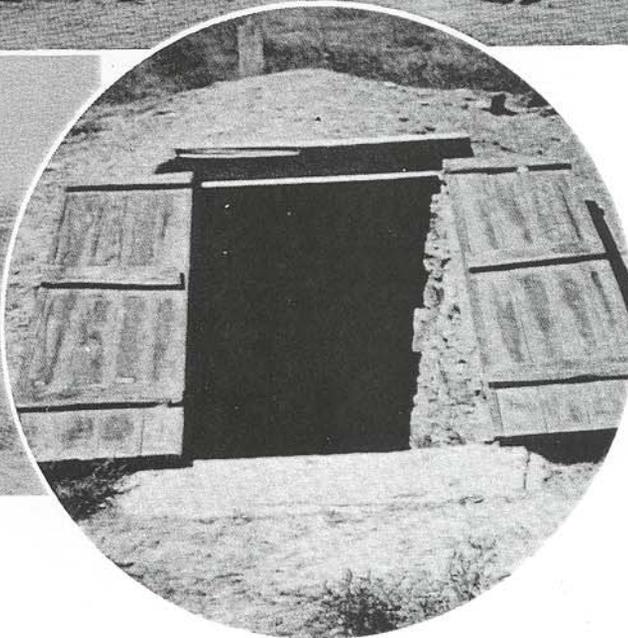
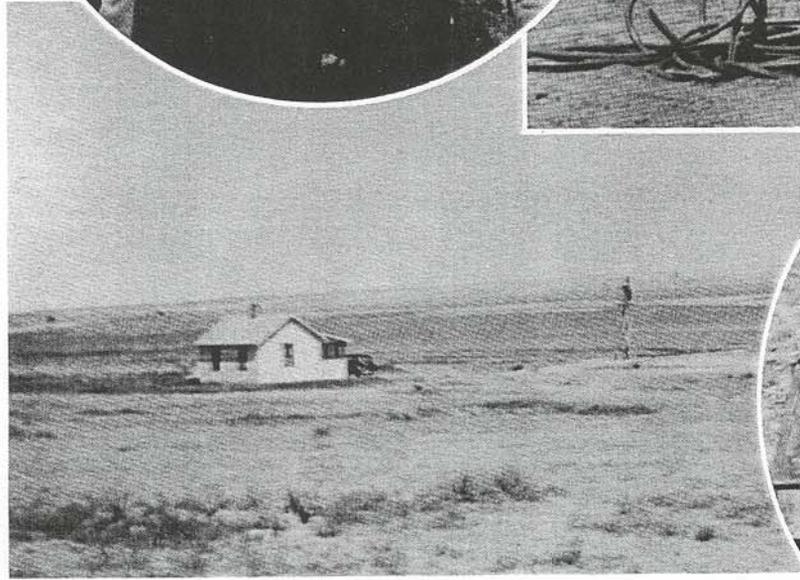
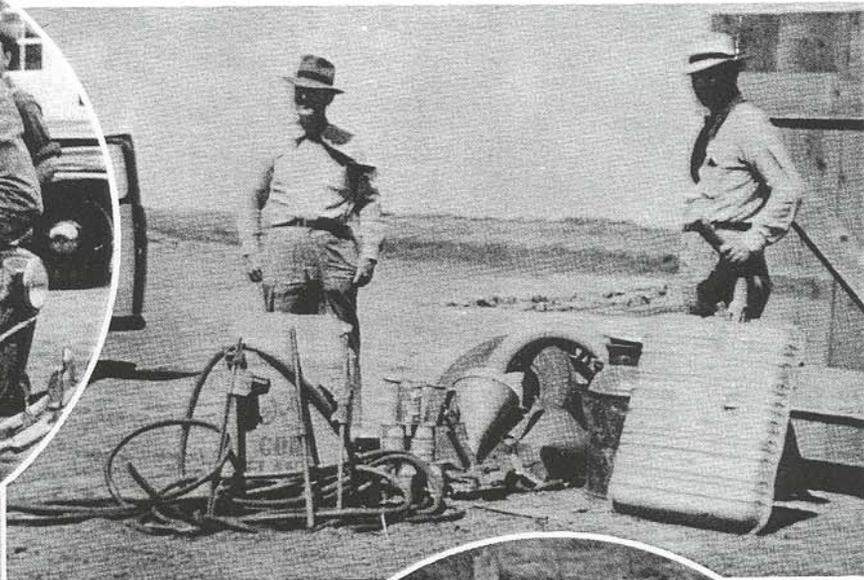
the shoot-out captured the imagination of the press and public.

And it impressed the sheriff of Stafford County, who from then on wanted to be a KBI agent, and, on the advice of his new friend Richter, would become one. The president of the Macksville bank wrote the president of the Kansas Bankers Association praising the KBI and Sanford stating that the KBI "is a great asset to Kansas" in quelling bank robberies. The press praised Richter, his professionalism, and his concern to protect the public from any accidents during the capture. The *Wichita Beacon* story, quoted above, stated the "entire state owes these brave men a vote of thanks, if not more material reward." In a rehash of the events in 1943, the *Kansas City Star* would run a Dick Tracy style cartoon of the shooting, showing the agents firing into the windows of the car.

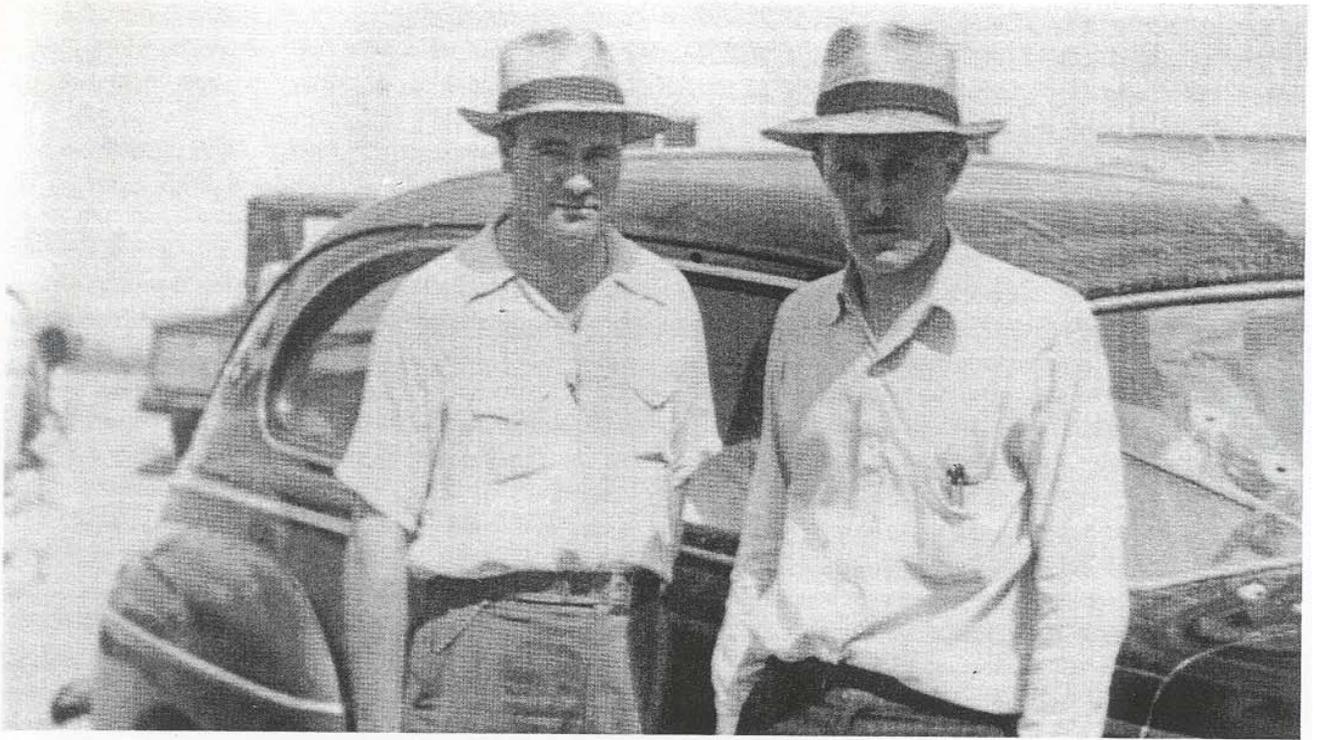
On September 26, 1941, Richter received a letter from the editor of the *Wichita Evening Eagle* requesting detailed information about Macksville as he was a story finder for Phillips H. Lord, Inc., the producer of the radio show, "Gangbusters." The Lord company had written the editor for more information as it wanted to run the event on the show. Richter responded with the details requested without either giving his approval of, or dismay at, the production. It is not known if the broadcast was ever made.



Hight swerved his car and deliberately tried to run the officer down, but the agent leaped aside and the buckshot from his riot gun shattered the windshield of the bandit car.



These pictures appeared in the Wichita Eagle, October 5, 1941. Pictured is the hideout used by George Hight and Frank Wetherick, bandits shot to death in an effort to rob the bank at Macksville. This hideout was a lonely sheep ranch located about 25 miles southeast of Lamar (Colo.). Smoke from the gunbattle in Kansas had scarcely died away before officers were on their way to the hideout. There they found a house on a treeless plain. For officers to have approached it would have meant death. The defenders could have poured merciless fire upon them. The house may be seen at lower left. Lower right is a cave from which stout defense could have been made by the bandits. They had a wonderful arsenal. It was used to conceal articles taken in forays on stores, parked cars and filling stations. Upper right shows some of the accessories and tools stolen in burglaries. At the upper left are three of the officers having a prominent part in the gunbattle and investigation that led to the smashing of the ring. Richter stands at the right. Left is Agent Clarence Bulla and in the center is Joe Anderson, the man who smashed the ring that slew Marshal Hammers of Clearwater. (Note: The original article listed the officer on the left as Harry Neal, however, this is incorrect.)



Stafford County Sheriff Logan Sanford and his undersheriff, Wesley Wise stand beside the car driven by Hight and Wetherwick. In 1948, Sanford became a KBI agent and in 1956, became KBI's second director.



Lloyd Sawin (center), one of five convicts who dug their way out of the State Penitentiary on May 27, 1941, learned that the law can't be beat. He was captured twelve miles southeast of Bartlesville, Oklahoma and brought to Topeka where he is seen standing with Jay Parker (left), State Attorney General, and Lou P. Richter (right), director of the Kansas Bureau of Investigation, the two men who directed his capture. Sawin, convicted of murdering a woman in Marshall County in 1925, was taken by Richter, three KBI agents, and Oklahoma officers.



STATE OF KANSAS
OFFICE OF THE GOVERNOR
TOPEKA

PAYNE RATNER
GOVERNOR

November 17, 1941

Hon. Jay Parker,
Attorney General,
State House,
Topeka, Kansas

Dear Jay:

You, your assistants, and the KBI under the direction of Lew Richter, are deserving of the highest commendation for the thoroughly efficient way in which the capture of the five convicts who escaped from Lansing last May 27 was handled.

I know that I express the sentiment of all good Kansas citizens in congratulating you upon this signal achievement. Such effective action brings credit not only to you, your department, and the local officers who assisted, but to the entire state as well.

It is with a feeling of pride that we look upon the courage of the men who participated in the actual capture, and the intelligent handling of the investigation by your office.

The outstanding record of law enforcement by your department and the KBI under Mr. Richter's leadership, is a source of satisfaction to everyone who is interested in good government.

Kansans can feel a sense of security in the knowledge that we have courageous, hard-working officials whose uppermost aim is always to uphold our laws and work in the interests of justice tirelessly and unselfishly.

Sincerely,

Payne Ratner

Simultaneous with the tracking down and confrontation with Hight and Wetherick was the KBI's deep involvement in another major case in Johnson County, Kansas. According to *Kansas City Times* reports from August through October 1941, KBI agents R. L. Griffith, R. A. Huse, R. S. Fowkes, led by Herbert Henderson, spent over six weeks on the case that involved Johnson County prosecuting attorney Frank Hedrick and his father, a former county attorney. Bribes for protection of gambling were offered and alleged to have been paid from the father to the son to protect the elder Hedrick's illegal operations.

Ordered into the case by the Attorney General, the KBI for the first time used electronic surveillance to acquire the information that led to the arrest. Henderson and Huse installed a dictaphone machine in a room adjoining that used by the Hedricks in the Muehlbach Hotel in Kansas City, Missouri. The other agents had determined the location of the meeting. Shortly after the taping, the KBI raided a gambling location and seized a considerable amount of gambling machinery. The newspaper account gave full coverage to both the KBI and the Attorney General, and particularly noted the testimony of "Herbert Henderson, a solemn-faced agent of the Kansas Bureau of Investigation."

The above two cases established the KBI in the minds of the public as a law enforcement agency that could handle the bank robbers, shoot if they had to, while at the same time being able to conduct long-term calculated surveillance against political figures under direction of the Attorney General. And, as the press frequently noted during the trials, the KBI was now "scientific" in its detection methods and evidence gathering procedures. There is no doubt these two concurrent cases greatly assisted in establishing the Bureau's credibility beyond the image factors.

In October 1941, the Bureau responded to a request from the State Board of Health to arrest prostitutes in and around Ft. Riley. The women were operating out of Junction City and most had been located by agents of the Venereal Disease Section of the health agency. Acting on the information, KBI agents arrested 47 prostitutes in one day, and listed their crime as "gonorrhoea." Of the 47, 14 were sentenced to the State Industrial Farm for Women at Lansing; the remainder were ordered out of town. The KBI was lending a helpful hand to any state agency that had contact with law enforcement.

Shortly after, however, the Bureau's job would change, as would the United States. The country's entry into World War II in December 1941 created new and exhausting demands on the agents. Although the actual records are sparse and few case files are intact on their work, it is known that the FBI and other federal agencies called on

the KBI frequently to investigate possible sabotage, to protect military and government installations in the state, and to investigate possible subversives. The Bureau already had been doing the latter since mid-1940.

In an undated memo to the KBI from the Attorney General's office, probably issued early in 1942, the legal basis for investigating and/or arresting persons suspected of subversive activities was outlined. The memo cited the 1935 General Statutes of Kansas, Article 2 of Chapter 21, concerning the "joining of revolutionary societies" and other "offenses against government," and many federal and other state cases relating to the problem faced during the war. The memo described in detail the Kansas Crimes Act on "criminal syndicalism" that might attempt "the impairment, or attempted impairment," of the political system of Kansas. The basic result of the memo was to instruct the Bureau and the agents on the grounds needed to investigate subversive activities including organizations, individuals, unions, publishers, and businesses that might be so engaged.

About the same time, Richter addressed the state convention of the American Legion. In his speech, he stated that to maintain an orderly state, all crime must be controlled including the "so called 5th Column elements which have for their purpose the destruction of our nation." He noted that the KBI, acting under the instructions of the President of the United States, the Department of Justice, and the FBI, had quietly "set in motion its machinery to coordinate the state, county and local law enforcement officers and have enlisted their cooperation and aid in this important work."

Few files exist for these investigations, as those ordered by the federal government were probably not entered as KBI referrals, or were not to be listed. The Highway Patrol, for instance, during the same period, carried out or assisted the KBI on similar investigations and those files were sent to Washington. In addition, while there are few notations to the fact, the *Kansas newspapers* did speak of the Bureau's efforts to police the growing black market in the state in general and the beef industry in particular. The *Kansas City Star* on August 29, 1943, noted the increase from early 1942 to date of cattle rustling in Kansas and the KBI's efforts to combat that crime as a supplier to those dealing in illegal beef sales directly to consumers.

The number of cases actually worked on referral to the KBI declined dramatically in 1942 to 123 in the case logs, not counting those received from federal agencies. Across the United States the crime rate declined steadily from 1942 to late 1945 as the country concentrated on the war effort. The exception to the decline was the increase in black marketeering and the theft of rationed materials such as metal, gasoline, tires, engine parts, and foodstuffs

in general. Appearing for the first time in the case logs were attempts to locate several deserters from the army and navy.

In 1943, the official registered case load dropped to 77, and the records indicate nothing unusual except for a high proportion of cattle rustling and a new crime, the theft of ration books. In 1944 the cases were further reduced to 41, but by the end of 1945 the downward trend reversed and the cases rose to 63. Probably by this time the Bureau had worked, in its first six years, about 1,000 major crime cases. How many additional could have been worked in Richter's category of "minor" investigations, and "general" assistance, is unknown, but it could easily have tripled that number. Richter himself was often quoted as saying the KBI averaged one case a day received in the office. That statement alone would make the total worked by the end of 1945 about 2,300 cases.

Some cases, such as murder, did continue. On May 29, 1942, an alert Missouri Highway Patrol trooper noticed a vehicle with two men, one slumped against a door and the other unkempt, and attempted to pull them over. The car sped away. After stopping them, the trooper found they had no license, had a loaded weapon in the car, and later he found a dead body in the back seat. The two men had been hitchhiking across Kansas, and were picked up by a Salina man who they killed for the car and his money.

The two confessed and the KBI was called to put the case in order and establish where the killing had happened to determine venue. The KBI investigation led to the conviction of both for first degree murder.

More indicative of the period was the Bureau's work on the investigation of a tire theft ring that also led to the arrest of three men for murder. Agents had been working to track down the killers of the Moran, Kansas, night marshal who was slain in March 1942 while attempting to stop a filling station burglary. The Bureau established three possible suspects by style of the crime, latent prints, and other information. The agents' "sixth sense" told them the killing might be connected to the tire theft investigation. In July, agents arrested one man in Kansas City, one in Madison, Illinois, and a third in Independence, Missouri.

The three were all armed when apprehended. As it turned out, the three had been known in the 1920s and 1930s as part of the "boxcar" gang, led by John Rock and George Riley, that specialized in burglarizing boxcars. One had already been convicted of murder. The thorough investigation and interviews conducted by various KBI agents resulted in determining the men were responsible

for robbing the banks of Howard, Severy, and Ebling, Kansas, in 1941 and 1942, and the Webb City, Missouri, bank in 1942. In addition, it was also proven they headed a major tire theft ring in several central Kansas counties. The men, Earl Gladson, Albert Gladson, and Alton Crapo were already suspects in the KBI's months long investigation of the thefts. All were convicted.

On July 2, 1942, two men entered the Portis, Kansas, bank, forced the people to lie on the floor, robbed the bank, and fled from town. The occurrence was witnessed by two young girls operating a lemonade stand. The escape vehicle, wrecked and left in a ditch, was located by the KBI. By checking registration, fake numbers on the motor block, and license plates found in the car, the KBI determined that the car belonged to one of the robbers. Meanwhile, Smith County sheriff Clarence Duntz questioned the young witnesses, after calming the two girls enough to get descriptions, located additional witnesses, and provided detailed information to the Bureau.

The two men had been seen getting into a second car with two women. By October, five persons were arrested for the robbery and the two women involved pled guilty. Sheriff Duntz, in 1955, would become a KBI agent. During this period, three future Bureau agents who had worked directly with the KBI on cases and had become known to Richter would later be on the force: Roy Dyer, Logan Sanford, and Duntz. Duntz also had been the chief of police of Hays, perhaps the only agent to have been both a sheriff and chief. Richter knew how to pick his men.

According to an interview given by Richter in 1943, the agent he was looking for had to be a man "with many specialized qualities. . . . He must be of the lone wolf type, with high integrity and courage. And he must know human nature. In this Mid-west area he must know his country, and have his contacts. He must be an expert with firearms, and understand identification of criminals." The KBI had this type of person on the force, and would add to it in the same mold for some time to come. But World War II had taken a toll. The Bureau was not enlarged during the war and the direct Kansas caseload was down. The KBI had, however, done a creditable job under difficult economic situations and manpower shortages during the war. Possibly for those efforts and great public acceptance, the Bureau in fiscal year 1944-1945 received its first budget increase since it was formed in 1939. Along with the new budget of over \$52,000, two agents were added, bringing the entire staff to twelve men and Mary Collins.