

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA, FOR THE WESTERN DISTRICT OF MISSOURI.

United States of America, Plaintiff, vs.

Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan; Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams; Esther Farmer; Frances Nash, alias Frances Miller, alias Frances Harrison; Frank B. Mulloy, alias Frits Mulloy; Louis Stacci, alias Doc Stacey; Elisabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, and Vivian Mathis, alias Vivian Page, alias Clara Hays, Defendants.

No. 12698

INDICTMENT

The grand jurors of the United States of America, duly and legally chosen, selected, summoned and drawn from the body of the Western District of Missouri, and duly and legally empanelled, sworn and charged to inquire of and concerning crimes and offenses against the United States in the Western District of Missouri, upon their oaths present and charge that one Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan, one Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams, one Esther Farmer, one Frances Nash, alias Frances Miller, alias Frances Harrison, one Frank B. Mulloy, alias Fritz, Mulloy, one Louis Stacci, alias Doc Stacey, one Elisabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, and one Vivian Mathis, alias Vivian Page, alias Clara Hays, who are hereby indicted and hereinafter referred to as the defendants, and whose true names other than as herein set forth are to the grand jurors unknown, and divers and numerous other persons whose names are to this grand jury unknown and cannot therefore be set forth specifically, at Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, on or about the 16th day of June, 1933, and continuously thereafter did unlawfully, wilfully, knowingly and feloniously conspire, confederate and agree among themselves and with each other in the manner and form as follows:

That one Frank Nash, whose true and full name other than as herein set forth is to this grand jury unknown, was, on the 1st day of March, 1924, duly and lawfully convicted in the United States District Court for the Western District of the State of Oklahoma, at Oklahoma City, Oklahoma, of the crime and felony of assaulting a certain United States mails custodian, in violation of the laws of the Criminal Code of the United States of America, and in accordance with said conviction the said Frank Nash was, on the 1st day of March, 1924, duly sentenced by said Court to imprisonment in the United States Penitentiary at Leavenworth, Kansas for a term of twenty-five years, and was, on the 3rd day of March, 1924, duly committed to the United States Penitentiary at Leavenworth, Kansas pursuant to and in accordance with said conviction and sentence, and was, on said 3rd day of March, 1924, duly received, imprisoned, and confined in said United States Penitentiary at Leavenworth, Kansas under the custody of the Attorney General of the United States, pursuant to the direction of the Attorney General of the United States; that thereafter, and after the said Frank Nash had been so received at said United States Penitentiary as aforesaid, by the Warden thereof, to serve said sentence and before he, the said Frank Nash, was lawfully entitled to be discharged from said United States Penitentiary, and before said Frank Nash had duly complied with said sentence, he, the said Frank Nash, while so confined in said United States Penitentiary at Leavenworth, Kansas, and

while he, the said Frank Nash, was so confined under the custody of the Attorney General of the United States as aforesaid, pursuant to the direction of the Attorney General of the United States as aforesaid, he, the said Frank Nash did, on the 19th day of October, 1930, at said United States Penitentiary located at Leavenworth, Kansas, unlawfully, wilfully, knowingly and feloniously escape therefrom, in violation of the statutes made and provided in such cases, and against the peace and dignity of the United States of America.

That from the time of said escape, to wit, the said 19th day of October, 1930, until the 16th day of June, 1933, the said Frank Nash remained at large and a fugitive as an escaped prisoner and convict from the said United States Penitentiary at Leavenworth, Kansas.

That on the 16th day of June, 1933, at the City of Hot Springs, in the State of Arkansas, the said Frank Nash was apprehended as such escaped prisoner and convict, and was at said time and place, lawfully taken into the custody of the Attorney General of the United States by duly authorized representatives of the Attorney General of the United States, to wit, one F. S. Smith and one F. J. Lackey, agents of the United States Bureau of Investigation (now Division of Investigation) of the Department of Justice, for the purpose of re-incarcerating the said Frank Nash in said United States Penitentiary at Leavenworth, Kansas by transporting the said Frank Nash, as such escaped prisoner and convict, on the 16th day of June, 1933, from Hot Springs, Arkansas to the United States Penitentiary at Leavenworth, Kansas by transporting said escaped prisoner and convict on said date from Hot Springs, Arkansas to Kansas City, Jackson County, Missouri, and from Kansas City, Jackson County, Missouri to the United States Penitentiary at Leavenworth, Kansas.

That on or about the said 16th day of June, 1933, and continuously thereafter until the completion of the overt acts hereinafter charged, at a point in and near Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this court, and at other places unknown to this grand jury, the defendants Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan; Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams; Esther Farmer; Frances Nash, alias Frances Miller, alias Frances Harrison; Frank B. Mulloy, alias Fritz Mulloy; Louis Stacci, alias Doc Stacey; Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris; and Vivian Mathis, alias Vivian Page, alias Clara, Hays, and numerous and divers other persons whose names are to this grand jury unknown and cannot therefore be set forth specifically, did, at said times and places, unlawfully, wilfully, knowingly and feloniously conspire, confederate and agree together and with each other and among themselves to violate the laws of the United States of America,, and particularly the laws of the United States of America pertaining to persons who procure the escape of any prisoner properly committed to the custody of the Attorney General or to any penal institution pursuant to the direction of the Attorney General, that is to say, to violate Section 753 i, Title 18, United States Code Annotated, in this, that they would thereafter unlawfully, wilfully, knowingly and feloniously procure the escape of the said Frank Nash from the custody of the Attorney General, which said Frank Nash was then properly committed to the custody of the Attorney General, pursuant to the direction of the Attorney General, and would unlawfully, wilfully, knowingly and feloniously advise, connive at, aid and assist in the escape of the said Frank Nash from the custody of the Attorney General of the United States and the duly authorized representatives of the Attorney General.

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge

that the said defendants and each of them, and other persons whose names are to the grand jury unknown, and for that reason cannot be herein specifically mentioned, pursuant to said unlawful conspiracy, combination, confederation and agreement, and to effect the object and purpose of the same, did thereafter unlawfully, wilfully, knowingly and feloniously commit certain overt acts, which said overt acts are and were specifically as follows:

1.

On June 16th., 1933, at 2:24 P.M. at Hot Springs, Arkansas, the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan placed a long distance telephone call at telephone No. 3842 to the Police Department of the City of Little Rock, Arkansas, telephone No. 42162, and by means thereof furnished false and misleading information to the said Police Department by asserting a person had been kidnapped at Hot Springs, Arkansas, referring to the circumstances of the arrest of the said Frank Nash, and requesting that said Police Department be watchful for the appearance there of the officers who had taken said convict and prisoner into custody and intercept them upon their arrival at Little Rock, Arkansas.

2.

On June 16th, 1933, at 2:50 P.M. at Hot Springs, Arkansas, the said Frances Nash, alias Frances Miller, alias Frances Harrison placed a long distance telephone call at the said telephone No. 2970 to the telephone of the said Louis Stacci, alias Doc Stacey at Chicago, Illinois, telephone No. Melrose Park 645, advising a person to the grand jurors unknown that the said Frank Nash had been apprehended, and requesting that Louis Stacci, alias Doc Stacey further communicate with the said Frances Nash, alias Frances Miller, alias Frances Harrison at the home of Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams, at Joplin, Missouri.

3.

On June 16th, 1933, at about 4:00 P.M, at Hot Springs, Arkansas, the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison boarded a specially chartered airplane and proceeded by means thereof from Hot Springs, Arkansas to Joplin, Missouri.

4.

On June 16th, 1935, at 4:42 P.M. the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, placed a long distance telephone call from telephone No. 2970 and spoke to the said Esther Farmer at Joplin, Missouri, telephone No. 1541-W2, advising the said Esther Farmer that the said Frances Nash, alias Frances Miller, alias Frances Harrison and the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan were proceeding by airplane from Hot Springs, Arkansas to Joplin, Missouri, and requesting that upon their arrival at the latter place the said Frances Nash, alias Frances Miller, alias Frances Harrison and the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan be met at the air port of said city and taken to the residence of the said Esther Farmer.

5.

On June 16th, 1933, at about 4:42 P.M. at Joplin, Missouri, the said Esther Farmer wilfully received and talked on a long distance telephone call from the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, then calling from Hot Springs, Arkansas, and discussed with the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, by means of a long distance telephone the fact that the said Richard Tallman Galatas, alias Dick

Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison were to arrive by airplane at Joplin, Missouri on that day from Hot Springs, Arkansas.

6.

On June 16th., 1933, at about 4:46 P.M., at Chicago, Illinois, the said Louis Stacci, alias Doc Stacey placed a long distance telephone call from telephone No. Melrose Park 645 to the said Frank B. Mulloy, alias Fritz Mulloy, Kansas City, Missouri, telephone No. Jackson 9702, and at 5:53 P.M. on said day requested an unknown person who answered the long distance telephone at Kansas City, Missouri aforesaid to assist him to communicate with Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri.

7.

On June 16th, 1933, at about 6:30 P.M., at Joplin, Missouri, the said Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams drove his Cadillac sedan automobile from his home in the vicinity of Joplin, Missouri to the new air port at Joplin, Missouri and inquired for the arrival of the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison, and proceeded therefrom to the Midway Drug Store at Joplin, Missouri during the same hour and met the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison, and thereafter transported them to his home near Joplin, Missouri.

8.

On June 16th, 1933, at about 6:00 P.M., at Kansas City, Jackson County, Missouri, the said Vivian Mathis, alias Vivian Page, alias Clara Hays wilfully received a local telephone call and engaged in a discussion with a person to the grand jurors unknown to the effect that the said Louis Stacci, alias Doc Stacey, in Chicago, Illinois, wished to make telephonic contact with Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri.

9.

On June 16th, 1933, at 9:00 P.M., at Kansas City, Jackson County, Missouri, the said Frank B. Mulloy, alias Fritz, Mulloy, in a personal conversation with Vernon C. Miller, alias Verne Mason, alias Verne Moore, advised the said Vernon C. Miller, alias Verne Mason, alias Verne Moore that the said Louis Stacci, alias Doc Stacey, in Chicago, Illinois, had attempted to reach him by long distance telephone from Chicago, Illinois, and that the said Louis Stacci, alias Doc Stacey desired Vernon C. Miller, alias Verne Mason, Alias Verne Moore to communicate with him, and the said Frank B. Mulloy, alias Fritz Mulloy at that time wilfully received information from Vernon C. Miller, alias Verne Mason, alias Verne Moore that the said Vernon C. Miller, alias Verne Mason, alias Verne Moore had already completed said call and received said information.

10.

On June 16th, 1933, at 10:17 P.M., at Joplin, Missouri, the said Esther Farmer placed a long distance telephone call from telephone No. 1541-W2, to the telephone of Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri, No. Jackson 7073, and by means thereof wilfully spoke to a person to the grand jurors unknown at Kansas City, Jackson County, Missouri, and discussed the fact that said Frank Nash was on that night to be transported, by train from Fort Smith, Arkansas to Kansas City, Missouri, and to arrive in Kansas City, Missouri on the following morning in custody of officers of the United States of America, and furnished this information for conveyance to Vernon C. Miller, alias Verne Mason, alias Verne Moore.

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that all of the overt acts herein alleged to have been committed were committed in furtherance of said unlawful conspiracy, confederation and agreement entered into by the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan; Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams; Esther Farmer; Frances Nash, alias Frances Miller, alias Frances Harrison; Frank B. Mulloy, alias Fritz Mulloy; Louis Stacci, alias Doc Stacey; Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris; and Vivian Mathis, alias Vivian Page, alias Clara Hays, and to effect the object and purpose of the same: Contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America.

COUNT II

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that one Prank Nash, whose true and full name other than as herein set forth is to this grand jury unknown, was, on the 1st day of March, 1924, duly and lawfully convicted in the United States District Court for the Western District of the State of Oklahoma, at Oklahoma City, Oklahoma, of the crime and felony of assaulting a certain United States mails custodian, in violation of the laws of the Criminal Code of the United States of America, and in accordance with said conviction the said Prank Nash was, on the 1st day of March, 1924, duly sentenced by said Court to imprisonment in the United States Penitentiary at Leavenworth, Kansas for a term of twenty-five years, and was, on the 3rd day of March, 1924, duly committed to the United States Penitentiary at Leavenworth, Kansas pursuant to and in accordance with said conviction and sentence, and was, on said 3rd day of March, 1924, duly received, imprisoned and confined in said United States Penitentiary at Leavenworth, Kansas under the custody of the Attorney General of the United States, pursuant to the direction of the Attorney General of the United States; that thereafter, and after the said Prank Nash had been so received at said United States penitentiary as aforesaid, by the Garden thereof, to serve said sentence, and before he, the said Prank Nash, was lawfully entitled to be discharged from said United States Penitentiary, and before said Prank Nash had duly complied with said sentence, he, the said Prank Nash, while so confined in said United States Penitentiary at Leavenworth, Kansas, and while he, the said Frank Nash, was so confined under the custody of the Attorney General of the United States as aforesaid, pursuant to the direction of the Attorney General of the United States as aforesaid, he, the said Frank Nash did, on the 19th day of October, 1930, at said United States Penitentiary located at Leavenworth, Kansas, unlawfully, wilfully, knowingly and feloniously escape therefrom, in violation of the statutes made and provided in such cases, and against the peace and dignity of the United states of America.

That from the time of said escape, to wit, the said 19th day of October, 1930, until the 16th day of June, 1933, the said Frank Nash remained at large and a fugitive as an escaped prisoner and convict from the said United States Penitentiary at Leavenworth, Kansas.

That on the 16th day of June, 1933, at Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this court the defendants Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan, Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams, Esther Farmer, Frances Nash, alias Frances Miller, alias Frances Harrison, Frank B. Mulloy, alias Fritz Mulloy, Louis Stacci, alias Doc Stacey, Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, and

Vivian Mathis, alias Vivian Page, alias Clara Hays, whose true names other than as herein set forth are to this grand jury unknown, all of whom are hereinafter referred to as the defendants, and divers and numerous other persons whose names are to the grand jury unknown and cannot therefore be set forth specifically, did, at said time and place unlawfully, wilfully, knowingly and feloniously conspire, confederate and agree together and with each other and among themselves to commit offenses against the laws of the United States of America and more particularly the laws of the United States of America pertaining to persons who conceal any prisoner after the escape of such prisoner from the custody of the Attorney General at a time when such person was properly committed to and in the custody of the Attorney General and particularly the laws of the United States of America prohibiting any person from procuring the escape of any inmate or prisoner properly committed to any penal institution of the United States of America or concealing any such inmate or prisoner after escaping from such penal institution of the United States of America, to wit, Section 753 i of the United States Code Annotated, in this, that the defendants and others whose names are unknown to this grand Jury as aforesaid, well knowing the said Frank Nash was an escaped prisoner and convict from the United States Penitentiary at Leavenworth, Kansas as heretofore set forth and charged, and well knowing that he had escaped from the custody of the Attorney General as aforesaid, and well knowing that he had escaped from said United States Penitentiary at Leavenworth, Kansas as aforesaid, in this, that the said defendants, well knowing these facts, would unlawfully, knowingly, wilfully and feloniously, at divers places in the State of Missouri, including divers places in the Western Division of the Western District of Missouri and within the jurisdiction of this court and at divers other places unknown to this grand jury, thereafter conceal the whereabouts of the said Frank Nash after the escape of the said Frank Nash from the custody of the Attorney General as aforesaid, and from the United States Penitentiary as aforesaid, and would, as aforesaid, aid and assist the said Frank Nash in concealing his identity and his whereabouts, as such escaped prisoner and convict and would aid and assist the said Frank Nash by preventing any officers or agents of the United States of America or officials thereof, from learning of the whereabouts of the said Frank Nash, or from apprehending and arresting the said Frank Nash or from taking the said Frank Nash into custody or into the custody of the Attorney General of the United States or his duly authorized representatives or from taking the said Frank Nash to the United States Penitentiary at Leavenworth, Kansas, for the purpose of re-incarcerating him in said Penitentiary there to complete serving said sentence and term of imprisonment.

And the grand jurors aforesaid upon their oaths aforesaid, do further present and charge that the said defendants and each of them and other persons whose names are to the grand jury unknown and for that reason cannot be herein specifically mentioned, pursuant to said unlawful conspiracy, combination, confederation and agreement and to effect the object and purpose of the same, thereafter, unlawfully, wilfully, knowingly and feloniously for the purpose of carrying out the terms and conditions of said unlawful conspiracy, combination, confederation and agreement and to effect the object and purpose of the same, did commit certain overt acts which said overt acts are specifically as follows:

1.

On June 16th, 1933, at 2:24 P.M. at Hot Springs, Arkansas, the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan placed a long distance telephone call at telephone

No. 3842 to the Police Department of the City of Little Rock, Arkansas, telephone No. 42162, and by means thereof furnished false and misleading information to the said Police Department by asserting a person had been kidnapped at Hot Springs, Arkansas, referring to the circumstances of the arrest of the said Frank Nash, and requesting that said Police Department be watchful for the appearance there of the officers who had taken said convict and prisoner into custody and intercept them upon their arrival at Little Rock, Arkansas.

2.

On June 16th, 1933, at 2:50 P.M. at Hot Springs, Arkansas, the said Frances Nash, alias Frances Miller, alias Frances Harrison placed a long distance telephone call at telephone No. 2970 to the telephone of the said Louis Stacci, alias Doc Stacey at Chicago, Illinois, telephone No. Melrose Park 645, advising a person to the grand jurors unknown that the said Frank Nash had been apprehended, and requesting that Louis Stacci, alias Doc Stacey further communicate with the said Frances Nash, alias Frances Miller, alias Frances Harrison at the home of Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams, at Joplin, Missouri.

3.

On June 16th, 1933, at about 4:00 P.M. at Hot Springs, Arkansas, the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison boarded a specially chartered airplane and proceeded by means thereof from Hot Springs, Arkansas to Joplin, Missouri.

4.

On June 16th, 1933 at 4:42 P.M. the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, placed a long distance telephone call from telephone No. 2970 and spoke to the said Esther Farmer at Joplin, Missouri, telephone No. 1541-W2, advising the said Esther Farmer that the said Frances Nash, alias Frances Miller, alias Frances Harrison and the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan were proceeding by airplane from Hot Springs, Arkansas to Joplin, Missouri, and requesting that upon their arrival at the latter place the said Frances Hash, alias Frances Miller, alias Frances Harrison and the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan be met at the air port of said city and taken to the residence of the said Esther Farmer.

5.

On June 16th, 1933, at about 4:42 P.M. at Joplin, Missouri, the said Esther Farmer wilfully received and talked on a long distance telephone call from the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, then calling from Hot Springs, Arkansas, and discussed with the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, by means of a long distance telephone the fact that the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison were to arrive by airplane at Joplin, Missouri on that day from Hot Springs, Arkansas.

6.

On June 16th, 1933, at about 4:46 P.M., at Chicago, Illinois, the said Louis Stacci, alias Doc Stacey placed a long distance telephone call from telephone No. Melrose Park 645 to the said Frank B. Mulloy, alias Fritz Mulloy, Kansas City, Missouri, telephone No. Jackson 9702, and at 5:53 P.M. on said day requested an unknown person who answered the long distance telephone at Kansas City, Missouri aforesaid to assist him to communicate with Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri.

7.

On June 16th, 1933, at about 6:30 P.M., at Joplin, Missouri, the said Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams drove his Cadillac sedan automobile from his home in the vicinity of Joplin, Missouri to the new air port at Joplin, Missouri and inquired for the arrival of the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison, and proceeded therefrom to the Midway Drug Store at Joplin, Missouri during the same hour and met the said Richard Tallman Galatas, alias, Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison, and thereafter transported them to his home near Joplin, Missouri.

8,

On June 16th, 1933, at about 6:00 P.M., at Kansas City, Jackson County, Missouri, the said Vivian Mathis, alias Vivian Page, alias Clara Hays wilfully received a local telephone call and engaged in a discussion with a person to the grand jurors unknown to the effect that the said Louis Stacci, alias Doc Stacey, in Chicago, Illinois, wished to make telephonic contact with Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri.

9.

On June 16th, 1933, at 9:00 P.M., at Kansas City, Jackson County, Missouri, the said Frank B. Mulloy, alias Fritz Mulloy, in a personal conversation with Vernon C. Miller, alias Verne Mason, alias Verne Moore, advised the said Vernon C. Miller, alias Verne Mason, alias Verne Moore that the said Louis Stacci, alias Doc Stacey, in Chicago, Illinois, had attempted to reach him by long distance telephone from Chicago, Illinois, and that the said Louis Stacci, alias Doc Stacey desired Vernon C. Miller, alias Verne Mason, alias Verne Moore to communicate with him, and the said Frank B. Mulloy, alias Fritz Mulloy at that time wilfully received information from Vernon C. Miller, alias Verne Mason, alias Verne Moore that the said Vernon C. Miller, alias Verne Mason, alias Verne Moore had already completed said call and received said information.

10.

On June 16th, 1933, at 10:17 P.M., at Joplin, Missouri, the said Esther Farmer placed a long distance telephone call from telephone No. 1541-W2, to the telephone of Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri, No. Jackson 7073, and by means thereof wilfully spoke to a person to the grand jurors unknown at Kansas City, Jackson County, Missouri, and discussed the fact that said Frank Nash was on that night to be transported by train from Fort Smith, Arkansas to Kansas City, Missouri, and to arrive in Kansas City, Missouri on the following morning in custody of officers of the United States of America, and furnished this information for conveyance to Vernon C. Miller, alias Verne Mason, alias Verne Moore.

And the grand jurors aforesaid upon their oaths aforesaid do further present and charge that all of the overt acts herein alleged to have been committed, were committed in furtherance of said unlawful conspiracy, combination, confederation and agreement entered into by Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan, Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams, Esther Farmer, Frances Nash, alias Frances Miller, alias Frances Harrison, Frank B. Mulloy, alias Fritz Mulloy, Louis Stacci, alias Doc Stacey, Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, and Vivian Mathis, alias Vivian Page, alias Clara Hays, and to effect the object and purpose of the same; Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United

States of America.

COUNT III.

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that one Frank Nash, whose true and full name other than as herein set forth in this indictment is to this grand jury unknown, was, on the 1st day of March, 1924, duly and lawfully convicted in the United States District Court for the Western District of the State of Oklahoma, at Oklahoma City, Oklahoma, of the crime and felony of assaulting a certain United States mails custodian, in violation of the laws of the Criminal Code of the United States of America, and in accordance with said conviction the said Frank Nash was, on the 1st day of March, 1924, duly sentenced by said Court to imprisonment in the United States Penitentiary at Leavenworth, Kansas, for a term of twenty-five years, and was, by virtue of process issued under the provisions of the laws of the United States of America pursuant to said sentence by said Court, namely, a lawful commitment, on the 3rd day of March, 1924, duly and lawfully committed to the custody of the Attorney General of the United States of America at the United States Penitentiary at Leavenworth, Kansas, pursuant to and in accordance with said conviction, sentence and commitment and for incarceration in said United States Penitentiary at Leavenworth, Kansas for the term and duration of said sentence, and was, accordingly, on the 3rd day of March, 1924, duly received, imprisoned, committed and confined in said United States Penitentiary at Leavenworth, Kansas, under the custody of the Attorney General of the United States and pursuant to the direction of the Attorney General of the United States; that thereafter, and after the said Frank Nash had been so received and committed at and to said United States Penitentiary as aforesaid, by the Warden thereof, to serve said sentence, and before he, the said Frank Nash was lawfully entitled to be discharged from said United States Penitentiary, and before said Frank Nash had duly complied with said sentence, he, the said Frank Nash, while so confined in said United States Penitentiary at Leavenworth, Kansas, and while he, the said Frank Nash was so confined under the custody of the Attorney General of the United States as aforesaid, and pursuant to the direction of the Attorney General of the United States as aforesaid, he, the said Frank Nash did on the 19th day of October, 1930, at said United States Penitentiary located at Leavenworth, Kansas, unlawfully, wilfully, knowingly and feloniously escape therefrom, in violation of the statutes made and provided in such cases, and against the peace and dignity of the United States.

That from the time of said escape, to wit, the said 19th day of October, 1930, until the 16th day of June, 1933, the said Frank Nash remained at large and a fugitive as an escaped prisoner and convict from the said United States Penitentiary at Leavenworth, Kansas.

That on the 16th day of June, 1933, at the City of Hot Springs, in the State of Arkansas, the said Frank Nash was, pursuant to the direction of the Attorney General of the United States, by duly authorized representatives of the Attorney General of the United States, namely, F. S. Smith and one F.J. Lackey, acting under and by virtue of said commitment issued by said Court as aforesaid, arrested and apprehended as such escaped prisoner and convict and was at said time and place lawfully taken into custody of the Attorney General of the United States by his representatives aforesaid for the purpose of re-incarcerating the said Frank Nash in the United States Penitentiary at Leavenworth, Kansas, by transporting the said Frank Nash, as such escaped prisoner and convict, on the 16th day of June, 1933, from Hot Springs, Arkansas to the United States Penitentiary at Leavenworth, Kansas, by transporting the said escaped prisoner

and convict on said day from Hot Springs, Arkansas, to Kansas City, Jackson County, Missouri, and from Kansas City, Jackson County, Missouri, to the United States Penitentiary at Leavenworth, Kansas.

That on or about the 16th day of June, 1933, and continuously thereafter until the completion of the overt acts hereinafter charged, at a point in and near Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this court, and at other places unknown to this grand jury, the defendants Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan; Herbert Allen Farmer, alias Herbert Black, alias H.A. Patton, alias W. H. Williams; Esther Farmer; Frances Nash, alias Frances Miller, alias Frances Harrison; Frank B. Mulloy, alias Fritz Mulloy; Louis Stacci, alias Doc Stacey; Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, and Vivian Mathis, alias Vivian Page, alias Clara Hays, hereinafter referred to as the defendants, and numerous and divers other persons whose names are to this grand jury unknown and cannot therefore be set forth specifically, did, at said times and places unlawfully, wilfully, knowingly and feloniously conspire, confederate and agree together and with each other and among themselves to violate the laws of the United States of America, and particularly the laws of the United States of America pertaining to persons who shall rescue or attempt to rescue, from the custody of any officer or person lawfully assisting such officer, any person arrested upon a warrant or other process issued under the provisions of any law of the United States, or who shall aid, abet or assist any person so arrested to escape from the custody of such officer or other person, that is to say, to violate Section 246, Title 18, Code of Laws of the United States of America (Criminal Code, Section 141), in this, that they would thereafter unlawfully, wilfully, knowingly and feloniously rescue and attempt to rescue the said Frank Nash from the custody of the said F. S. Smith and F. J. Lackey and other persons lawfully assisting them, and would thereafter unlawfully, wilfully, knowingly and feloniously aid, abet and assist the said Frank Nash to escape from the custody of the said F. S. Smith and F. J. Lackey and all other persons lawfully assisting them, notwithstanding that the said Frank Nash was then properly committed by virtue of said commitment issued under the provisions of the laws of the United States of America, to the custody of the Attorney General and his agents aforesaid.

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that the said defendants and each of them, and other persons whose names are to the grand jury unknown, and for that reason cannot be herein specifically mentioned, pursuant to said unlawful conspiracy, combination, confederation and agreement and to effect the object and purpose of the same, did thereafter commit certain overt acts, which said overt acts are specifically as follows:

1.

On June 16th, 1933, at 2:24 P.M. at Hot Springs, Arkansas, the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan placed a long distance telephone call at telephone No. 3842 to the Police Department of the City of Little Rock, Arkansas, telephone No. 42162, and by means thereof furnished false and misleading information to the said Police Department by asserting a person had been kidnapped at Hot Springs, Arkansas, referring to the circumstances of the arrest of the said Prank Nash, and requesting that said Police Department be watchful for the appearance there of the officers who had taken said convict and prisoner into custody and intercept them upon their arrival at Little Rock, Arkansas.

2.

On June 16th, 1933, at 2:50 P.M. at Hot Springs, Arkansas, the said Frances Nash, alias Frances Miller, alias Frances Harrison placed a long distance telephone call at telephone No. 2970 to the telephone of the said Louis Stacci, alias Doc Stacey at Chicago, Illinois, telephone No. Melrose Park 645, advising a person to the grand jurors unknown that the said Prank Nash had been apprehended, and requesting that Louis Stacci, alias Doc Stacey further communicate with the said Frances Nash, alias Frances Miller, alias Frances Harrison at the home of Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams, at Joplin, Missouri.

3.

On June 16th, 1933, at about 4:00 P.M. at Hot Springs, Arkansas, the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison boarded a specially chartered airplane and proceeded by means thereof from Hot Springs, Arkansas to Joplin, Missouri.

4.

On June 10th, 1933, at 4:42 P.M. the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, placed a long distance telephone call from telephone No. 2970 and spoke to the said Esther Farmer at Joplin, Missouri, telephone No.1541.-W2, advising the said Esther Farmer that the said Frances Nash, alias Frances Miller, alias Frances Harrison and the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan were proceeding by airplane from Hot Springs, Arkansas to Joplin, Missouri, and requesting that upon their arrival at the latter place the said Frances Nash, alias Frances Miller, alias Frances Harrison and the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan be met at the air port of said city and taken to the residence of the said Esther Farmer.

5.

On June 16th, 1933, at about 4:42 P.M. at Joplin, Missouri, the said Esther Farmer wilfully received and talked on a long distance telephone call from the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, then calling from Hot Springs, Arkansas, and discussed with the said Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, by means of a long distance telephone the fact that the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison were to arrive by airplane at Joplin, Missouri on that day from Hot Springs, Arkansas.

6.

On June 16th, 1933, at about 4:46 P.M., at Chicago, Illinois, the said Louis Stacci, alias Doc Stacey placed a long distance telephone call from telephone No. Melrose Park 645 to the said Frank B. Mulloy, alias Fritz Mulloy, Kansas City, Missouri, telephone No. Jackson 9702, and at 5:53 P.M. on said day requested an unknown person who answered the long distance telephone at Kansas City, Missouri aforesaid to assist him to communicate with Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri.

7.

On June 16th, 1933, at about 6:30 P.M., at Joplin, Missouri, the said Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams drove his Cadillac sedan automobile from his home in the vicinity of Joplin, Missouri to the new air port at Joplin, Missouri and inquired for the arrival of the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison, and proceeded

therefrom to the Midway Drug Store at Joplin, Missouri during the same hour and met the said Richard Tallman Galatas, alias Dick Galadis, alias Pritchard Sheridan and the said Frances Nash, alias Frances Miller, alias Frances Harrison, and thereafter transported them to his home near Joplin, Missouri.

8.

On June 16th, 1933, at about 6:00 P.M., at Kansas City, Jackson County, Missouri, the said Vivian Mathis, alias Vivian Page, alias Clara Hays wilfully received a local telephone call and engaged in a discussion with a person to the grand jurors unknown to the effect that the said Louis Stacci, alias Doc Stacey, in Chicago, Illinois, wished to make telephonic contact with Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri.

9.

On June 16th, 1933, at 9:00 P.M., at Kansas City, Jackson County, Missouri, the said Frank B. Mulloy, alias Fritz Mulloy, in a personal conversation with Vernon C. Miller, alias Verne Mason, alias Verne Moore, advised the said Vernon C. Miller, alias Verne Mason, alias Verne Moore that the said Louis Stacci, alias Doc Stacey, in Chicago, Illinois, had attempted to reach him by long distance telephone from Chicago, Illinois, and that the said Louis Stacci, alias Doc Stacey desired Vernon C. Miller, alias Verne Mason, alias Verne Moore to communicate with him, and the said Frank B. Mulloy, alias Fritz Mulloy at that time wilfully received information from Vernon C. Miller, alias Verne Mason, alias Verne Moore that the said Vernon C. Miller, alias Verne Mason, alias Verne Moore had already completed said call and received said information.

10.

On June 16th, 1933, at 10:17 P.M., at Joplin, Missouri, the said Esther Parmer placed a long distance telephone call from telephone No. 1541-W2, to the telephone of Vernon C. Miller, alias Verne Mason, alias Verne Moore at Kansas City, Missouri, No. Jackson 7073, and by means thereof wilfully spoke to a person to the grand jurors unknown at Kansas City, Jackson County, Missouri, and discussed the fact that said Prank Nash was on that night to be transported by train from Port Smith, Arkansas to Kansas City, Missouri, and to arrive in Kansas City, Missouri on the following morning in custody of officers of the United States of America, and furnished this information for conveyance to Vernon C. Miller, alias Verne Mason, alias Verne Moore.

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that all of the overt acts herein alleged to have been committed were committed in furtherance of said conspiracy entered into by Richard Tallman Galatas, alias Dick Galadis; alias Pritchard Sheridan; Herbert Allen Farmer, alias Herbert Black, alias H. A. Patton, alias W. H. Williams; Esther Farmer; Frances Nash, alias Frances Miller, alias Frances Harrison; Frank B. Mulloy, alias Fritz Mulloy; Louis Stacci, alias Doc Stacey; Elizabeth Galatas, alias Betty McFadden, alias Mrs. Glenn Morris, and Vivian Mathis, alias Vivian Page, alias Clara Hays, and to effect the object and purpose of the same;

Contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America.

Sam C. Blair

Assistant United States Attorney.

A TRUE BILL:

Foreman of the Grand Jury.

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Form No. 195
12698

UNITED STATES DISTRICT COURT WESTERN District of MISSOURI WESTERN Division

THE UNITED STATES OF AMERICA vs.
RICHARD TALLMAN GALATAS, alias Dick Galadis, et al.

INDICTMENT

Vio: Sec. 88, Title 18 USCA. Sec. 753 i, Title 18 USCA.

A true bill,

Foreman.

Filed in open Court this day

of, A. D. 19

Clerk.

Bail, \$

FILED

* OCT 24 1934 *

A.L. ARNOLD, Clerk

Deputy