

## Chapter 8 - Page 56

Twins ran in the Edding family. There were five pairs before Lillian gave birth to her pair nearly 15 years ago. They were called Janet and Janice after the first pair which was born in 1781 in the state of Delaware. Since the marriage that produced that pair was consummated before 1776, all females of that progeny would be Daughters of the American Revolution. Lillian was not active in the society although it was interested in her because she was one of the few members in the history of the society to become a county sheriff.

She was also the "collector" in both the Edding and Holley families. When one of the older members of either family would pass away, the remaining members, pondering what to do with the deceased member's furniture, always said, "let's give it to Lillian." Consequently, Lillian had more fine antiques in her home than any other person in Crown Point. She was also very fond of gardening and could spend hours on her knees working the dirt, and arranging and rearranging plants and flowers.

The showplace garden, the antiques and the old, large colonial house she and the girls lived in caused knowing passersby to stop and say, "That's where Lillian Holley lives."

In that house, tonight, just four blocks from and almost within sight of the courthouse, Lillian was getting ready for her momentous trip to Tucson. She and the girls had



## Chapter 8 Page 57

already eaten an early dinner. She had told them everything she knew about the Dillinger case, why it was so important for them to get there as soon as possible, and what they might be up against after they arrived in Tucson. She had also talked about some of the problems they might face when they came home with him. The most important of these, of course, was the safety of the girls. For, it was believed that Dillinger still had a large gang of desperate, hardened criminals in the midwest, who would stop at nothing, not even kidnapping the twins and holding them as hostages while they bartered for Dillinger's release with their lives.

The girls took this with a grain of salt. Men weren't really that evil. The girls were not in the least bit frightened when they heard this but they pretended to be in order to save their mother the worry.

Now, the three of them were in the warm kitchen. Janice was marcelling her mother's short, dark hair while Janet was at the ironing board getting the wrinkles out of some of the clothing Lillian would take with her to Arizona.

Lillian didn't have time to go to the beauty shop, so Janice volunteered. She used two irons, the one in her mother's hair and the other getting hot on the gas burner. Lillian warned her daughter, "Don't get too close with that hot iron."



## Chapter 8: page 58

"Oh, mom, I won't touch you. I'm steady as a rock. You want to look good for your trip, don't you?"

"I've never looked good with burn scars on my forehead."

"Oh, mother." Janice exchanged irons. She squeezed the jaws tight on a piece of newspaper lying on the table. The paper started to smoke.

"This one's too hot, I think."

"Oh, God, I should have gone to the beauty shop."

"Com'n now, I'm not going to hurt you. I promise."

"Let me do it, mother, I can handle those irons better than her." Janet said.

"You stay where you are and get my clothes straightened out. I've seen you operate before."

They got more serious and went back to the discussion of the trip. "So, it's up to you girls. You can stay with the Holleys here in town. Or you can go down to Kentland and stay with your grandparents. You'll miss school if you go down there." Lillian said.



## Chapter 8 - Page 59

"How long will you be gone?" Janet asked.

"I don't know. It could be a week if we run into a lot of resistance. Or it could be just a couple of days if we got lucky."

Aren't you excited about flying?" Janice asked.

"Oh, I've been up before." Lillian said nonchalantly. "Of course, I've never been on a big plane like the Ford Tri Motor before and I've never been on a long trip like this either. But then, it shouldn't be too bad. The co-pilot will bring us sandwiches and hot coffee. And then, we'll be putting down every four or five hours for refueling."

"Are you going to fly him back, too?" Janice asked.

"We don't know yet. We have to get him first. Although that looks like a cinch now with Ohio backing us up. As far as we know, there's only Wisconsin who will have a claim on him."

"Does the sheriff always have to go on extraditions?" Janet asked.

"No, not always. The sheriff can send any officer in the sheriff's department. In some of the bigger counties in the



*Chapter 8 page 60*

country, there could be a whole department that did nothing but chase fugitives."

"I wouldn't like that job." Janet said.

Janice grew pensive. "Why are you going, then?"

"I just have to. It's the right thing for me to do. I don't want to shirk any of the responsibilities that go with the job of being sheriff. I don't want anyone saying, 'Lillian stayed behind because the job was too dangerous for a woman.'"

"Nobody would say that," Janice said.

"Well, our governor said it. Not only that, but he ordered me to stay home."

"And he doesn't know you're going yet?" Janet asked.

"Nope. But he'll find out soon enough, after we've left."

"Mother!" both girls exclaimed. "What can he do to you?"

"Publicly, he can't do too much. Were in the same party. He could hurt me personally if he wanted to...I mean with our democratic party up here in Lake County. He could make it tough for me to run again for sheriff. I've got almost



## Chapter & Page 61

another year to go. If everything goes smoothly bringing back Dillinger, and we could get him the chair, then I could look like some kind of hero. But if anything goes wrong and he escaped coming back or waiting for trial, then it would be my fault and I'd really be through."

"Why take the risk, then, Mom?" Janet asked.

"It's like I was trying to explain just a minute ago. I'm not a part time sheriff. You see it was ok for the party to ask me to plug up the hole left by your father dying. They probably thought, oh hell, we'll put her in for the rest of the term...no one would object under the circumstances...and replace her with a man candidate in time for the next election. She should be able to handle the job without too much trouble. She ran the jail pretty well. Nothing that serious is going to happen in little old Lake County that a lady sheriff couldn't handle. Then along comes Dillinger and he knocks off one of our biggest banks and he kills one of our policemen. He's captured in Tucson and that really turns things around. Now the county has a real job on its hands, but the governor says 'sit this one out, Lillian, it's not safe, we don't want you to get your hands dirty.' Well, I'm not sitting this one out. I'll be on that plane in the morning. After that, we'll just take things as they come."

Janice and Janet were both very much moved by their mother's



## Chapter 8 page 62

defense of her actions. "We'd both act exactly the same way, mother, if we were in your shoes." said Janice.

"Yes, that's right mom. Go to it. We'll show them. But please be careful."

Janice was now finished with the curling irons. She picked up a mirror that was laying on the kitchen table and showed her mother her handiwork. Lillian smiled, looking in the mirror. "That looks pretty good. And I saved two fifty. Oh, we havent decided yet where you're going to stay."

"I think we can take care of ourselves here until we know when your coming back. After that, if we had to hide out somewhere, I think the best place would be down on the farm in Kentland." Janet said. "Don't you think so, Janice?"

"Oh, yes, that would be fun." she said.

"That settles it then. Well see if you two grown up ladies are ready to live by yourselves for a while. Why don't one of you set the clock for 5:30 tomorrow morning and get me up and help me pack. I've got to go back over to Estill's office tonight and help him get the extradition papers ready for the trip."

End of chapter 8



Chapter 9 - page 63

In the early morning darkness, it was difficult for Lillian and Carrol to find the road west of Gary which led to the new Gary airfield. They knew they were in the right vicinity because every now and then they could see a revolving beacon showing through the low clouds. Snow was falling but in those small, wide-spaced flakes, which usually signify a nice, sunny day ahead.

They were in the new Ford. Lillian stayed at the wheel after picking up Carrol and now she was propped forward in the driver's seat trying to get a better view through the steamed windshield. Carrol found the road. "Here it is, turn right."

Lillian did and ahead of them lay some hangers and a small lighted building, and airplane sheds. The words, "Varney Air Charter Service," were painted on the wall and roof. Approaching the buildings, Lillian and Carrol noticed some figures scurrying between the building and the sheds. Other cars, their engines running, were parked near the building.

"It looks like most everyone is here. I think I see Estill's car. There's a squad car with the East Chicago police insignia. That must be Makar and Wilgus," Lillian said.

"I don't see our other squad car." Carrol added. "They might be lost, too." Another sheriff's car was bringing Jack Sailor, the extra deputy, and another extra man to drive



Chapter 9, page 64

Lillian's car home.

Lillian pulled the Ford up to the line of cars, cut the engine, opened the door and stepped out. Estill, Makar and Wilgus came over to meet them. Makar introduced Wilgus to Lillian and Carrol. They all gave each other vigorous handshakes. They were obviously excited, shifting their bodies back and forth on stiff legs, swinging arms and gloved hands together, while cones of steam came from their mouths.

"It's cold, but it's supposed to be clear later this morning. Frances is in the car. She's going to take it back home. Come and talk to her." Estill said.

Lillian followed Estill to his car. His wife rolled down the window and stuck out her hand. "Hello, Lillian, " she said. "Good luck on the trip and I hope you bring him back safely. Look out for my husband, too, you know how men are once they get a few miles between them and their wives."

"I'll watch him every minute, Frances. You don't have to worry." Lillian said.

Estill leaned down and through the open window kissed his wife on the cheek. "You can go now, honey. We'll be all right." He started another sentence when a high squealing sound came from one of the sheds. It was one of the three engines being



Chapter 9, Page 65

started on the Ford Tri Motor. Now slow, sharp cracking sounds filled the cold, morning air. They came faster. Estill spoke louder to his wife. "I'll call you from Tucson. They're starting the engines. It won't be long now. Goodby."

Estill and Lillian stepped away from the car and Frances backed it out, turned and pulled away from the building. Another car bore down on them. Lillian said, "It's the other squad car with Sailor. They brought an extra deputy to drive my car back." The car pulled up and the three men got out. Carrol introduced Jack Sailor to the other three men.

The two extra deputies came over and shook Lillian's hand. One of them said, "Geez, I wished we were going. A chance like this comes only once in a lifetime. Everyone in the department wishes you luck, Lillian. They asked me to tell you that."

Lillian handed him the keys to her car. "I appreciate that, Harold. Tell them thanks for me and tell them we'll be back soon with an important visitor."

"If it's ok with you, we'll wait and see you off. We'll help you with the luggage in the meantime."

The second engine squealed and followed the same sound of the first. The group was huddled together when an official from



# Chapter 9, Page 66

Varney came to them from the shed. "We've got one more engine to start. On these cold mornings, they can be stubborn as a mule."

The last engine finally squealed followed by the same, sharp cracking sounds. Now, the noise was different, more sure and steady with a deep, throaty sound. The Varney man said, "Now, they're all going. The cabin will heat up soon and you'll be on your way." He was carrying some plain, brown bags and handed one to each passenger. "There's some gum, cotton and a vial of spirits of ammonia in the bag. The gum helps ease the pressure changes on your ear drums. Put some cotton in your ears to help keep out the sound of the engines. And if you think you're going to throw up break open the vial and smell it. You can also use the bag if the stuff doesn't work. Now if you'll follow me over to the airplane and bring your luggage, we'll get you on board."

They obeyed, the noise from the three engines growing louder and louder as they got closer to the aircraft. The co-pilot met them as they approached the tip of the wing. The Varney man introduced him to the group, shouting, "This is your co-pilot, Bob Carl. You'll meet the pilot after you get on board and after you're airborne. The co-pilot will take your luggage now and put it in the back of the aircraft."

Estill handed over his suitcase as did the others, but he hung



# Chapter 7: Page 67

on to his bulging briefcase. "I'll hang on to this, myself, if you don't mind. I can't afford to lose it. Besides, I might want to work on it during the flight."

"Please yourself, but it's going to the same place we're going."

Carrol handed him his and Lillian's luggage and a stout canvas sack. It was heavy and rattled. "What have you got in here? Chains?"

"Well, you're close. They're leg irons and handcuffs."

The co-pilot remembered why this mixed group was making the flight to Tucson. "Oh, now I get it. I'm sure glad I won't be coming back with you."

He made three trips to the back of the plane with the luggage and the sack and returned to the group. "Now, we'll enter the aircraft through that open door, there. Hold on to your hats as you go behind the props. Com'n lady, I'll take you first."

He reached out to Lillian. She took his hand and followed him quickly to the doorway. She felt the blast of cold air behind the props and reached up for her hat. She made it to the door and stepped up into the aircraft. Looking through the open doorway, the co-pilot said, "Why don't you take one of the



## Chapter 9 - Page 68

front seats. It's a bit warmer up there."

"Thanks, I will." She walked up the short aisleway holding on to the wicker seat backs and sat down. She could see the pilot at the controls through the small, narrow doorway which separated the cockpit from the cabin. He looked back at her and smiled, tipped his pilot's hat and said, "Welcome, aboard."

The others came in one by one. Estill took the seat across from Lillian. Carrol was directly behind her and Makar across from him. Wilgus and Sailor took the third row of seats. The co-pilot came in closing the door behind him and fixing the safety latch. He walked up the aisleway and turned and stopped at the cockpit doorway. "You'll notice a belt at every seat. Buckle these over your laps now. After we get airborne and up to cruising altitude, you can loosen them but still keep them around you. We will fly from here to St. Louis and land there in about three hours. After we get airborne, I'll come back with some hot coffee and sweet rolls."

He ducked into the cockpit under the open doorway and took his seat on the right. The plane lurched forward then started to roll as it taxied slowly out to the gravel runway. Lillian felt for her seat belt, found it and pulled it tighter across her lap. She looked out the window at the right prop spinning steadily just two feet away. It was still dark enough to see flames come out of the exhaust pipe. She looked up under the



# Chapter 9: Page 69

wing and studied the exposed aileron cable.

The plane was making a wide turn, then it stopped. They must be on the runway, Lillian thought. She heard the engines revving up and could feel cable and wires moving. The engines died down again and the plane started to move forward. It went faster and faster while the engines grew louder and louder. She could feel the gravel through the tires being crunched on the new runway. Then that sound was gone. The plane was airborne and pulling away from the ground at a rapid rate.

At that moment, Lillian felt a little exhilaration unlike any she ever felt before. Her overcoat felt like a warm cocoon. She was somewhere in the center of the universe and cared not if she would ever return to earth again.



Chapter 10:

Part Two

Chapter 10

*not complete  
remainder Dillinger  
kissing  
the girl*

Architecturally, the Pima County Courthouse in Tucson, Arizona, sparkled when set next to and compared to Lillian's place of business in Crown Point. The central portion of the building resembled the Taj Mahal and was topped by a large dome, six stories from the ground. The dome was surfaced with brilliantly colored tiles laid out in geometric patterns. The building was airy and open to whatever breezes might prevail in this warm, but desert like climate.

The criminal courtroom where Dillinger, his three henchmen, and three lady friends, were about to be arraigned was quite small. It was on the second floor and was built to house around a hundred persons. Today, there were several hundred people in the building and on the grounds outside of it vainly hoping to be witness to this great event.

Many of the stores and businesses near the courthouse were closed for the occasion, their owners and clerks first in line to be let in by the friendly guards. It didn't take long to fill the room. Arizona rangers, tall, red-faced officers, wearing cream-colored Stetsons and holding Thompson sub machine guns and sawed off Winchester Model 12 repeating shotguns were already standing along the walls and in the



## Chapter 10:

corners of the room. The officers looked rigidly ahead so as not to acknowledge their friendships with the townspeople. But too many spectators got into the courtroom. They stood bewilderingly in the aisleways and were pushed past the railing and onto the arena of the courtroom.

The chief of police, county prosecutor and other county officers, already seated at the witness table, got up to help stop the flow, but it was useless. The mass pushed by them and were dangerously close to the court stenographer and the bailiff who were sitting near the judge's bench. The bailiff stood up. "You will all have to get out of here. The judge ain't going to like this."

He didn't. At that moment, Justice of the Peace, C. V. Budlong came into the courtroom through the private door to the judge's chamber. He frowned when he saw the mass of people. He wore a judge's robe which only half covered his highly shined, light tanned cowboy boots.

Budlong made it up to the bench. He didn't bother to sit down, but reached over and spoke to the bailiff. Budlong then straightened up and pounded the bench with his gavel. The bailiff yelled out. "Judge Budlong wants the courtroom cleared. There will be no one standing. There's not going to be enough room for the prisoners. Now, everyone march out



Chapter 10:

who's standing. The court has some very important work to do here."

The bailiff motioned to the rangers to leave their stations and help remove the crowd. They came unsmiling and the people started toward the open doors. The aisleways were now cleared. Several photographers were positioned along the back and side walls of the courtroom. They had made arrangements with the bailiff earlier. He had told them, "The judge said you could take pictures, but to be discreet about it. He don't want you poppin' off those flash guns all the time. You can take your pictures once when the prisoners are brought in. Then when they're asked to stand, and again when they're marched out. Any of you who won't abide will be thrown out."

Budlong, now seated, pounded on the bench signalling the beginning of the arraignment. The bailiff stood up. "Before we begin and before we bring in the prisoners, I must ask the guards to make sure the doors are closed and locked securely."

The guards who were manning the doors, threw the bolts, and rattled the doors to make sure they were closed.

Budlong pounded on the bench again. The bailiff stood up. "You will all rise." He waited and sang out. "Hear ye, Hear Ye. This honorable court of justice of the County of Pima, of



Chapter 10:

the District of Arizona, is now in session." A hush fell on the room for the first time as the excited audience sat back down in their seats.

Budlong looked over to his left and nodded towards an unarmed deputy standing by a closed door in the corner. "Bring in the male prisoners." The deputy unlocked and opened the door.

The male prisoners came through the door. They were led by an unarmed officer who was handcuffed to the lead man, John Dillinger. He was handcuffed to Harry Pierpoint and he to Charles Makley and he to Russel Clark. They were clean shaven. Dillinger wore a clean, white shirt and an unbuttoned suit vest. Only Clark looked as though he had been in trouble with the law. His head was covered in bandages, and his suit coat was stained here and there with spots of blood. White, pbright light filled the room intermittingly as the photographers shot their p9ictures. The courtroom audience hummed. Here were the most desparate and wanted fugitives in American, all cleaned up and shaved, unarmed, smiling a little and chained and rendered harmless for a few of the better citizens of Tucson to gape at.

On their way to a row of chairs along the railing, the fugitives passed the exhibit table. Dillinger looked down at the machine guns, revolvers and bullet proof vests, which until recently were in the respective hands of their owners. He



Chapter 10:

smiled to himself when he recognized his own vest and the Thompson.

The men were now in front of their chairs and the officer stopped and motioned for them to sit down. He removed the handcuffs and they sat down noisily.

Budlong pounded on the bench again. "Bring in the lady prisoners." he said. All eyes including those of the fugitives turned to the corner of the room. Three attractive young ladies came through the door led by a police matron. The first was Anne Martin, a short, slim girl with black hair. The second was Mary Kinder, believed to be Harry Pierpoint's girl. And the third was Opal Long, tall, red-haired and with a figure that led newspapermen to all here, "Big Mack." Again the photographers aimed their Speed Graphics and the courtroom was ablaze in the white light of the photo flashes.

The ladies seemed shy and tried to hide their faces behind their hands as the matron led them to their chairs which were also set against the railing, but separated from the men by the matron and the guard. Anne Martin sat next to them and looked at Dillinger. She leaned in his direction and smiled at him. The spectators who saw the smile knew clearly that she was his girl.



Chapter 10:

Clearing his throat, Budlong banged again on the bench.

"Let's have order in the court, and proceed with this historic business." He looked at Clarence Houston, Pima County Prosecuting attorney, seated at the prosecutor's table. "As the people's attorney in this hearing, Mr. Houston, are you prepared to proceed with the arraignment?"

Houston rose, "I am your honor."

Budlong now addressed John Buskirk, the attorney for the accused, who sat alone at a table in front of the prisoners. Budlong looked down on the bench for the name of the attorney, found it in his notes and said, "Mr. Buskirk, are you prepared to proceed with the arraignment?"

Buskirk had arrived just an hour earlier from Los Angeles after driving through the night to be here in time for the arraignment. He had met with Dillinger and the others only briefly but did not have enough time to form any plan.

Buskirk rose, "I am your honor. I would, however, like the court to know that I drove here overnight from Los Angeles without sleep and have not had sufficient time to talk to my clients and to prepare a defence that would be fair to them. They were jailed only yesterday and it seems the court is moving at an abnormal and unreasonable speed to arraign them.



Chapter 10:

So, your honor, I would like to ask the court to consider moving this arraginment ahead a few days to give me sufficient time to talk to my clients."

"Mr. Buskirk, there is much to much evidence against your clients to delay the justice they have waiting for them. It's not every day that this county or any other county in the country has the good fortune...or bad fortuen...to arrest such illustrious men as your clients. Or to find in their posession such an arsenal of tools of their trade and thousands of dollars in their possession, obviously got from it. By all preliminary evidence, your clients are dangerous outlawas. The arraignment will continue. Your request for a continuance is denied."

Harry Pierpoint, sitting close to his attorney, slid down in his chair stretching his long legs ahead of him. He reached Buskirk and kicked him under the chair to attract his attention. Surprised, Buskirk turned around to look at him. Pierpoint gave him an ok sign with his hand, winked assuringly and smiled as if to say, 'that away boy, you show them.'

Buskirk, edgy from his long overnight drive grew irritated. He did not want t6o encourage Pierpoint and turned quickly away and toward the bench as the judge proceeded with the charges.



Chapter 10:

"As I call your names, I want you to stand up and listen to the charges against you. You will then plead guilty or not guilty as charged."

He called the men in alphabetical order starting with Clark.

"The court calls Russell Clark."

Clark rose slowly, still feeling a bit dizzy from the injuries to his head. The judge asked, "Are you Russell Clark?"

"Yes."

"Is this your true name? Or have you ever used any other name?"

"Yes, it's my true name."

Budlong looked down at his prepared script. "Mr. Clark, you are charged with being a fugitive from the justice of another state, and assaulting a county deputy with a deadly weapon. How do you plead?"

Clark looked over at his attorney, who rose and answered the judge, "Not guilty your honor."



Chapter 10:

Budlong went back to his notes and looked in the direction of Dillinger. "The court calls John Dillinger."

Dillinger sat in his chair looking down at the floor, pretending not to hear his name.

Budlong called him again a little louder. Will Mr. John Dillinger please stand up and face the court?"

Dillinger continued to look at the floor as the murmur of the spectators grew.

Budlong, now annoyed and angered, stood up and pointed his finger at Dillinger. "Look at me, Mr. Dillinger. The court is talking to you and it expects you to respond. We have finger prints that prove your John Dillinger."

Dillinger, still seated, responded in a quiet, surly voice, "I ain't Dillinger. I'm Frank Sullivan from Grand Rapids, Minnesota."

Budlong fumed. He motioned wildly to one of the court officers. "Would you be so kind as to help Mr. Dillinger to his feet?"

The deputy marshall walked over to Dillinger and together with



Chapter 10:

the guard, yanked the small-framed Dillinger to his feet.

Budlong tried again, "Are you John Dillinger?"

Dillinger answered reluctantly and in a voice that was barely audible. "Yes."

"The court cannot hear a whisper. Would you please speak up?"

Dillinger responded louder, "Yes."

"Is this your true name? Or have you ever used any other name?"

"Mr. Dillinger, you are charged with being a fugitive from the justice of another state. How do you plead?"

Buskirk jumped to his feet, answering quickly to prevent further disturbance. "He pleads not guilty your honor."

Budlong quickly charged Makely with same charge to which Buskirk again pleaded not guilty. Now it was Pierpoint. Budlong called his name. Pierpoint, waiting for his cue, jumped up from his chair, assumed a stiff soldier's stance of attention and said, "Gee, that must be me." He looked around at the spectators, many of whom were tittering.



Chapter 10:

"Is this your true name? Have you ever used any other name?"

"No sireee, I mean no your honor. That's my true name. Ever since I was born."

"Mr. Pierpoint, you are charged with being a fugitive from justice. And with an assault on a county deputy with a deadly weapon. How do you plead?"

Pierpoint, with mouth wide open, was about to continue his comedic role when he glanced at Buskirk, who shook his head. He stood up quickly and answered the judge. "He pleads not guilty your honor."

Budlong called the names of the three women. They were charged with being material witnesses, except for Opal Long who was also charged with obstructing an officer during the arrest of her partner, Russel Clark. When she stood up to answer to her charge, more photos were made of her than were made of the other two women combined.

Satisfied with the proceedings thus far, Budlong faced the courtroom. Before the court sets bail for the prisoners, it will hear the evidence against them." He looked at Houston, who rose quickly and replied, "Yes, your honor, I would like



Chapter 10:

to call the court's attention to the weapons found on the prisoners or in their possession at the time of their capture. These can be seen on the witness table. There are five 45 caliber machine guns. Eight revolvers of various calibers and Make. Four shotguns of various makes. And six bullet proof vests. Several hundred rounds of ammunition for these weapons were also found, your honor, but it is not included here for safety's sake."

Spectators strained to get a better look at the weapons.

Budlong beat on the bench. "Thank you, Mr. Houston. Now I believe we will hear further evidence to confirm without a doubt that these men are fugitives from justice. The court now calls Mr. Mark Robbins, superintendent of the identification bureau in Pima county."

Robbins was seated next to Houston. He stood up. "Yes, your honor, we have fingerprinted the prisoners and have found them to match those of wanted fugitives in the states of Indiana, Ohio and Wisconsin. Some or all of the fingerprints have also been found on the weapons. The identities of all the male prisoners have also been verified with photographs that were already available to my department."

Budlong thanked Mr. Robbins and called the Tucson chief of



Chapter 10:

police, C. A. Wollard, who assisted in the arrest of the prisoners, particularly in that of Dillinger and his woman companion, Anne Martin. "You honor, we have received telegrams from several cities in Indiana, Illinois, Ohio and Wisconsin confirming that the male prisoners seated here are wanted for crimes from robbery to murder."

Budlong thanked the police chief and called John F. Belton, sheriff of Pima county. "Your honor," he said, for the record of the court, my department removed \$18,449 from the prisoners and \$9100 from Mr. Dillinger and several thousands of dollars worth of jewelry after they were committed to my custody yesterday afternoon."

The mention of these huge sums brought audible comments from the audience. Pierpoint slapped his thigh and leaned over to Buskirk. "Goddamn, I'll bet they bring the cleaning lady in next."

Houston stood up again. "If it please the court, your honor, I would like to move that everyone of the fugitives be held without bail."

Buskirk jumped up. "Your honor, I would like to remind Mr. Houston and the court that according to your own penal code, being a fugitive in your state is not a felony and therefore a



Chapter 10:

bail must be set. Your statutes also say defendants can be held without bail only for murder....a murder which must have been committed in Arizona. No such accusations have been made against my clients. A reasonable bail must be set."

"The court denies the motion of the county prosecutor and leaves me with no alternative but to set bai. Will all the prisoners please rise?"

The men stood up, Pierpoint jumping up first and assuming his previous soldier's attention. Dillinger was the last to rise.

"The women prisoners, too, please." Said Budlong.

The women rose. A photographer had worked his way to the front corner of the courtroom where he could get a head on view of all the prisoners standing in a row. He shot the picture and moved quickly back to his position along the wall.

Budlong waited for him to return. "The court orders Russell Clark, John Dillinger, Charles Makely, and Harry Pierpoint to be held in bonds of \$100,000 each as fugitives from justice. Mary Kinder, Opal Long and Anne Martin, will be held in bonds of \$5000 each on charges of obstructing justice. A hearing is set ofr January 30 at 10 a.m. The arraignment is closed. Will the matorn and deputy please escort the prisoners back to



Chapter 10:

their cells. Part Two

Chapter 10

Architecturally, the Pima County Courthouse in Tucson, Arizona, sparkled when set next to and compared to Lillian's place of business in Crown Point. The central portion of the building resembled the Taj Mahal and was topped by a large dome, six stories from the ground. The dome was surfaced with brilliantly colored tiles laid out in geometric patterns. The building was airy and open to whatever breezes might prevail in this warm, but desert like climate.



## Chapter 11:

It was a fluke...a pure stroke of good luck for Tucson and Pima county...and for all the governmental agencies in the midwest who were looking so desperately for Dillinger and his gang...which resulted in the capture of him and them and their lady friends yesterday in this rather small and sleepy southwestern tourist town.

The fluke came in the form of a fire a week ago which took to the ground the old Frontier hotel in the downtown area of Tucson. Staying in two rooms on the third floor were Charles Makely and Russell Clark. The fire started out slowly so that residents had plenty of time to get their clothes, luggage and other belongings out of the smoking building. Makely and Clark had some extra trunks which seemed unusually heavy to the firemen who helped carry them downstairs. Everytime they took another step they could hear the clunking of heavy metal objects inside.

Once safely outside, Makely reached into his pocket and pulled out a roll of bills that would choke the proverbial horse. He peeled off two twenties with a flourish and handed one to each fireman.

A couple of days later, one of the firemen was reading the January issue of "True Detective Mysteries" in the recreation



room. He came across a story about Makely and Clark. Included were some prison photos of the two men made at Michigan City, Indiana, before their escape from the Indiana State Penitentiary located there. The fireman remembered the heavy trunks and walked over to the police station and showed chief Wollard the story and told him about the fire, the luggage and the big tip. Wollard opened his files of wanted fugitives and lo and behold, there where the same two pictures identifying the men as Makely and Clark. Seeing the glossy photos, the fireman said, "that's them."

At first, Wollard didn't know Makely and Clark were part of the Dillinger gang. And it wasn't until he called police in Chicago and Indiana that he found that where Makely and Clark went, Dillinger and Pierpoint might not be far behind. The midwest police also told Wollard that Dillinger had not been see or reported on since the robbery of the bank in East Chicago two weeks ago.

Wollard talked to the county sheriff's department and together they traced Makely and Clark to a rented house on North Second Avenue. By this time, Pierpoint and Dillinger were on their way from Florida to join them. Wollard had a hunch that if the officers waited a day or so they might get more than the relatively petty Makely and Clark. And they did.

The first of the four members of the Dillinger gang to be



captured was Charles Makely. He was known as "Charlie, the big spender." And it was true, he truly enjoyed people noticing his rolls of large denominational bills. It seemed he never carried anything smaller than a \$100 bill. He tipped lavishly so in these depression days he was easy to spot in a restaurant or night club.

Makely was also the natty one of the four. He was always well groomed, always well dressed. He had his fingernails done professionally at least once a week. He bragged he had 40 hats scattered from here to Chicago and wore one wherever he went, even indoors listening to the radio or eating a meal. He was wearing a brushed brown one with a wide brim when he was captured in a radio shop in downtown Tucson.

Two city plain clothes men who had been tailing him were pretending to be customers. They heard Makely discuss short-wave radios with the clerk.

"This one has four bands so that in addition to all of the stations in America, you can also listen to South America, Canada, France and England." the clerk said.

"What about police calls. Someone told me you can listen in on all their calls. with one of these things."

It was about this time the plain clothes men interrupted the



conversation. They showed their badges and one of them said,  
"We're police officers. You're under arrest."

Makely acted surprised. "What do you want me for? I'm just a  
tourist."

"Are you Charles Makely"

"Yeh. that's right."

"We have orders to pick you up on a charge of being a fugitive  
from another state."

Makely surrendered peacefully. The two plain clothesmen took a  
38 from the inside of his coat and marched him out of the  
shop.

"Ferchrissakes, let me buy the radio." Makely pleaded.

"You won't be needing it where your going," one of the  
officers said.

Russell Clark and his girl friend, 'Big Mack,' were next. The  
couple was sharing a large, dignified house in a nice part of  
town with Dillinger and his girl, Anne Martin. Dillinger  
refused to live with Pierpoint here in Tucson or wherever they  
worked together because he and Mary Kinder were always fight-



ing and making up in the most violent way. When they made up, for example, they would do so in front of whomever was in the house to show them all that everything was hunky doory.

Dillinger disdained the open love making and would leave the building whenever they took their clothes off. Pierpoint and Mary talked frequently about getting married, but it was she, not him, who backed down whenever he pressed the issue.

Clark and 'Big Mack' were alone in the house when the detectives showed up for the arrest. Two of them approached the front door with one man holding a paper in his hand. He was supposedly looking for the previous renter. The other two men went around the back to prevent an escape or to enter the building from that direction if the first two needed help.

Clark was on to them from the start. He jumped up from the couch in the living room, opened the door and immediately attacked one of the officers. 'Big Mack' joined in. The officer drew his pistol and Clark grasped the barrel. They were in the house now wrestling through the living room and then into the bed room. The other officer who had already entered the front room was now trying to come into the bed room to help his fellow officer. 'Big Mack' pushed him back through the bedroom door and then closed it sharply on his hand. He screamed in pain as he realized she broke two of his fingers.



Clark was much bigger and stronger than the officer and had him on the bed, where Clark finally found one of his pistols hiding under a pillow. He was about to use the pistol on the officer when the other two came into the room, pistols drawn. They pushed `Big Mack` onto the bed on top of Clark and the other officer impeding somewhat Clark's attack on the man under him. Now came the attack on Clark's head with the officers' gun barrels which caused the blood to flow freely from Clark and onto the first officer. The dazed Clark yielded, and the officers half carried him under each arm out through the front door to a waiting car. `Big Mack` followed, crying and swearing. "He's dying. He's dying. Oh you bastards. Look what you've done to my poor Russ."

Harry Pierpoint and his girl, Mary Kinder were arrested a little later by the same two officers who captured Clark and `Big Mack`. In fact, they were booking Clark and the girl when they got a phone call from a motorcycle patrolman. "This is Earl Nolan. I'm down here at the Santa Rita tourist park. You guys said you were looking for a guy and a lady in a new Buick with Florida license plates, and alot of luggage inside. I think I found the car"

"We're just booking a member of the same gang. We think they're all here with Dillinger. Don't let them out of your sight. We'll be right down there."



They left the booking to another officer and got in their squad car. They found Nolan parked some distance away from Pierpoint's car which was pulled up in front of a court unit. "That's the car over there," he said. Nolan pointed to the new car. "Yes, it's a brand new Buick. I can see the luggage on the back seat from here. Do you think they're still in the room?"

"They must be, I haven't seen anyone go in or come out."

At that moment Harry Pierpoint and Mary Kinder did come out of the unit and walked to the car. They must have been in one of their make up moods, because Pierpoint went around to her side and opened the door for her. She smiled at him and gave him a little peck. He went around to the driver's side and got into the car.

The two officers, Eyman and Mullaney had to do something fast.

"Let's use the stolen car routine." Eyman said.

They walked over to the Buick just as Pierpoint started to back it up, and motioned to Pierpoint to lower the window. Pierpoint obeyed dutifully. He was wearing wire rim spectacles and didn't look at all like a bank robber and murderer. In a soft, almost inaudible voice, he said, "What is it, men?"

"They brought their badges out and one of them said, "Sorry to



trouble you sir, but we've had a report of a stolen car with a Florida license. We hate to detain you, but we're going to have to check your car out. Would you mind following us down to police headquarters?"

"Why no, officer. We we're headed downtown anyway." He looked at Mary, "Were'nt we dear?"

Mary replied, "Yes, we'll do everything we can to help you, officer."

"Fine, you can follow us in the car there. The motorcycle patrolman will fillow behind you."

The three vehicles moved slowly out of the tourist camp and turned right on the Tucson-Nogales Highway. The city police station was about 12 blocks away in the southern part of the city. Pierpoint stayed close to the police car, but kept looking for a possible escape route. He found it at Cushing street when the police car in front turned right towards the police station. Pierpoint said to Mary, "Hang on." He floored the Buick and went straight up the main street in town with the motorcycle officer following. Eyman and Mullaney saw immediately in the rear view mirror that Pierpoint was taking off. They went to the end of the street, turned left, went several more blocks and turned left again hoping to cut Pierpoint off.



When they got back to the main street, Pierpoint and the motorcycle patrolman went by them at high speed. They turned in pursuit and quickly overtook the motorcycle and started closing in on the Buick.

They were now in the less inhabited northern part of town. Pierpoint felt more confident he would elude the police and pushed the Buick to more than seventy miles per hour. Suddenly, the road turned sharply to the left and Pierpoint was looking at a large open field coming up fast through the windshield. The car skidded and swerved two or three times finally stopping in front of a large billboard. "Son of a bitch. It's a goddamn cemetery."

Eyman and Mullaney stopped their car, got out and came up on the driver's side of Pierpoint's Buick with their guns drawn. They motioned for Pierpoint and his girl to come out. They did slowly, Pierpoint smiling a little. "I guess I didn't see you turn off when you did." he said.

"You're under arrest. We have warrants from three states that are looking for you," Eyman said, not taking his eyes off Pierpoint. Mullaney was watching him carefully, too. Pierpoint reached inside his coat and pulled a pistol from a shoulder holster. Eyman jammed his gun hard into his ribs. "I wouldn't try that if I were you." he said.



Mulanney reached over and grabbed Pierpoint's gun and handcuffed him immediately.

"I'll remember this," Pierpoint said.

"So will I," Eyman said.

"I'm coming back here and get even with you guys."

Mary Kinder was also handcuffed. She was crying a little as the officers led them to their car. "Now, we'll never make it to the altar," she sobbed.

Had Dillinger turned the radio on in his new Terraplane, he probably would have heard the news on the radio about the capture of Pierpoint, Makely and Clark, for it was four hours later that he returned to the house he was sharing with Clark. It was already dark. Wollard and six of his finest were waiting for him, hiding in the shrubbery. They waited and waited and finally the new Terraplane pulled up in front of the house.

Dillinger got out on the driver's side, came around and opened the door for Anne Martin. They lingered there for a while and embraced in the darkness. They then walked to the house holding each other. The officers waited until Dillinger got



the key into the door, then charged him. Dillinger whirled around, an automatic 45 already in his hand.

"That won't do you any good here, Dillinger," the chief said.

"Hand it over. You're outnumbered."

Dillinger handed the gun over to the chief, while another officer turned him around and slapped the handcuffs on him. The girl became hysterical when she saw that. She tried to kick the officer with her high heels. "Let him go. Let him go." she screamed. Another officer grabbed her around the waist and put his hands down on her hips and legs trying to keep her from kicking the officer.

"Don't touch that girl, you bastards. She ain't done nothing. Let her go. Goddamn hick cops. They're all going to laugh at me. Ferchrissakes, how could I let this happen to me here in this podunk town?"

End of chapter 11



## Chapter 11:

It was a fluke...a pure stroke of good luck for Tucson and Pima county...and for all the governmental agencies in the midwest who were looking so desperately for Dillinger and his gang...which resulted in the capture of him and them and their lady friends yesterday in this rather small and sleepy south-



## Chapter 12:

Dillinger, Pierpoint, Makely and Clark were locked up in cells one, two, three and four of the felony tank on the third floor in the north wing of the Pima County Courthouse. The three girls found with them were locked up on the second floor in the same wing, directly below them. Immediately below them on the first floor was the sheriff's office, which offered the only entrance to the second and third floor tanks and cells.

Extra guards armed with riot guns were scattered throughout the courthouse and at the head of the stairs of each floor. The word was that an attempt would be made by other Dillinger gang members to rescue their disgraced chief and comrades. The officials were taking no chances.

Dillinger's cell was the closest to the main door of the felony tank because officials knew that many influential city and county people would want to get an unofficial look at him. At least a dozen persons had already been up to watch him sitting morosely in his cell. He would also be the one officers from other states would want to identify and talk to when they arrived.

Next to Dillinger was Pierpoint, then Makely and Clark. From the front of his cell, Dillinger could talk freely and quietly to Pierpoint, and exchange cigarettes, candy bars or even



share the private meals they were ordering from outside restaurants.

But Dillinger was not happy with Pierpoint next to him. Pierpoint's constant chattering and clowning somethings got on Dillinger's nerves. Dillinger could not understand his kind of behavior. One minute Pierpoint had the childish talent to amuse and the next he had the easy ability to commit murder in cold blood. As he did when he freed Dillinger last October from the Allen County jail in Lima, Ohio. Dillinger was being held there when he failed to make good a robbery of the Citizens National bank in nearby Bluffton. Pierpoint, Makely and Clark marched into the office of the jail at night when Jess Sarber, the sheriff and his wife happened to be, at the time, relieving the regular jailor. They were startled to see the three men. Pierpoint spoke first. "We're officers from Indianapolis, Indiana. We've come to return a prisoner, John Dillinger back to our state to face prosecution there."

The sheriff knew they were lying. He had no such information. He hoped to stall them in some manner. He knew that the jailor would be returning soon. "Yes, yes, why sure. I heard you chaps were coming. That Dillinger is a tough hombre. I'd feel better with him off my hands anyway. I'll hand him over to you, but first I'd like to see your credentials."

Pierpoint moved closer to the sheriff and reached into his



coat pocket. "Here are my credentials." he said. He pulled out a 45 automatic and shot and killed the sheriff instantly.

His wife was horror stricken. She threw herself down on her dead husband. "Jess." "Jess." She cried.

"Never mind him" Pierpoint said. "Just get us the keys to Dillinger's cell."

She could not respond and Pierpoint knew it. He started rifling the drawers of a nearby desk and found them in one of them. "You guys stay here. I'm going down the hall into the jail to get Dillinger."

"What was all that shooting?" Dillinger asked as Pierpoint opened the cell door.

"The old guy asked to see my credentials, so I showed him my 45."

"Ferchrissakes, did you have to kill him?"

"He asked for it."

They were back in the office, Mrs. Sarber still on the floor holding her dead husband. Makely and Clark had their pistols drawn and one of them said, "C'omn, we better get the hell out



of here. Someone could have heard the shooting."

They ran out of the building to their waiting car. Another man was at the wheel. They got in and the car sped off into the night.

Dillinger's break from the Allen County jail evened up the score between him and Pierpoint. They first met at the State Reformatory in Pendleton, Indiana. Dillinger was doing a ten to twenty for his first felony...the robbery and slugging of an aged grocer in Mooresville, Indiana, Dillinger's home town. An older friend and drinking partner, Ed Singleton, was in on the slugging and robbery which netted them both \$550. Singleton, who got a lawyer to defend him, got two years. While Dillinger, who was urged by his dad to `fess up and take your medicine', got the ten to twenty.

Pierpoint was in the reformatory for bank robbery. Later, he was sent to the Indiana State Penitentiary under a new state law which demanded a long term sentence for incorrigibles. Dillinger followed him by requesting a transfer to the prison so that ostensibly he could play second baseman on the prison's semi-pro ball club. His real purpose was to learn everything he could from Pierpoint about the unheralded art of bank robbery.

Dillinger served nine years of the ten to twenty. And soon



after his release, he helped Pierpoint, Makely and Clark and seven other prisoners to escape from the prison by smuggling guns into the laundry where the men worked.

Dillinger thought frequently about Pierpoint's behavior in Lima. He also wished that he could do his work alone. He knew he was not a 'team' person. He hated the navy for the same reason and it helped him decide to leave it dishonorably. He also realized, of course, that as long as he was going to rob banks, he had to tolerate men like Pierpoint and fraternize at a close and familiar level with the Makelys and Clarks. But that was the dilemma. He knew that no matter how good one got at his trade, he just could not rob banks alone.

Now there was a little commotion at the main door leading to the stairs. Dillinger heard the key slip into the lock and he got up off his cot to see who it was. The turnkey came in first followed by Sheriff Belton, Clarence Houston and three other distinguished looking gentlemen all wearing eastern styled suits and shirts and neck ties. A couple of unarmed Arizona Rangers were with them.

The sheriff pointed to Dillinger's cell and they walked over to the front of it. Dillinger knew they had come to see him. Pierpoint, too, heard the voices and came to the front of his cell. The men approached Dillinger's cell slowly. They wanted to get as close as possible to look into the eyes of



the captor. But like people at a zoo, they also wanted to remain safe and uncontaminated. They were now quite close to Dillinger's cell. He sat back down.

Belton said, "Mr. Dillinger, this is the governor of Arizona, Robert Mouer. He came here from the capitol with his aides to see you and the other prisoners. Your lawyer may have told you that it will be the governor here who decides what state is going to try you."

Dillinger was unmoved.

"He would like to talk to you. Nothing pertaining to your case, of course. Just some general questions about your treatment here."

The governor then addressed Dillinger. "I'd like to know how you're being treated. Are you comfortable? How's the food?"

Pierpoint was against the bars listening to every word. "Don't tell the son of a bitch anything, Johnnie. Send them over here. I'll tell them a thing or two."

That irritated Dillinger and he decided to talk to the governor. "Nice of you to stop by, governor. You didn't have to come all the way from Phoenix just to see me."



"We don't show this kind of interest in every prisoner that lands in our jails. But it appears your capture has created quite a stir."

The governor could not let the conversation get serious.

"Belton, here tells me you don't think much of the food served here in the Pima County jail."

"I've had better elsewhere. As long as the money your officers left us with holds out we'll get most of our meals outside and have them brought in."

"You may not have to do that too long. You'll be having a lot of visitors in a short time and some of them will be taking you back with them." That was as far as the governor was going to go with the extradition. "But are you comfortable?"

"Oh yes, it's warm and clean in here. The place smells like any other jail...piss and disenfectant...but I guess all jails got to have that. You get used to it, after a while." The governor reminded Dillinger of the aged grocer he slugged in Mooreville. "Well, governor, I got some thinking to do. Thanks for stopping by." Dillinger retreated towards the back of his cell and plunked himself down on the bunk.

The governor and the men turned away from the cell and started towards the door. Pierpoint yelled out, "Hey, what about me?"



Aren't you going to ask me what I think about your goddamn jail?"

The governor was out of earshot starting down the stairs. "He doesn't seem to be a very bad sort, does he?" He turned to Sheriff Belton. "Where you with the officers that picked him up?"

"No, the chief of police, Wollard, was in on that one. You know he was the last one to get picked up. We were very lucky. He could have slipped right through our fingers."

"Did he say anything when they grabbed him?"

"Only that he was ashamed he let himself get caught by small town hick cops."

"I'd like to talk to his girl."

They were on the last step. "We'll go into their cells this way."

They arrived in front of Anne Martin's cell. She saw them approach it and stood up from the bunk to arrange her dark hair.

"Miss Martin, I have the governor of Arizona here with me. We



just visited with Mr. Dillinger and the governor thought he'd like a word with you, too. Is that ok?"

"Why sure, I'd be delighted. It's not often a lady in distress gets a chance to talk to a governor."

Mouer stepped closer to the cell. "We just spoke to Mr. Dillinger and you might like to know that he's fine...since you're a friend of his."

"Not really a friend, governor, just a mere acquaintance. That's all. I just met him down here in Tucson."

"What were you doing here?"

"Vacationing and trying to soak up a little sun, just like everybody else. That's all."

"And where is your home?"

"Chicago, but I'm really from Wisconsin."

"I thought I noticed a Canadian accent?"

"I was raised on an Indian reservation. Some of our teachers spoke French."



"Ah, that's it then. Have you ever been in jail before, Miss Martin?"

"Oh no. I never even got a speeding ticket."

"It's not a pleasant experience. You may not know it, Miss Martin, but you were caught with a very dangerous outlaw."

"He seemed like a perfect gentleman, to me. He was generous and kind and very proper. I enjoyed his company, but I didn't know who he was. He didn't seem like no bank robber and murderer to me. There's no law against that, is there?"

"No, there isn't Miss Martin. And you'll be out of here and on your way home if the law finds you're not connected in any way to that man and his gang. I'll give you my word on that."

The governor moved to the next cell where 'Big Mack' was sitting on her bunk. She got up and came toward the door showing the pulchritude for which she was famous. "What do you want?" she asked harshly.

Belton stepped forward, "Nothing, Miss Long. The governor here is just making an inspection of the jail."

The governor and the others moved away from the cell quickly. They went through the cell block door and started down the



stairs to the sheriff's office. "Everything they said about 'Big Mack' was true. And Miss Martin is very attractive, too, isn't she? Did you ever see such beautiful dark eyes. She wasn't telling the truth, though, was she?" he asked the sheriff.

"You're right, governor. Anne Martin's not her real name. She's Dillinger's girl all right. We know she came here with him because the owner of the house they rented said she was with him when they took the house two days ago. Her real name is Billie Frechette. She's a half breed from a Wisconsin Indian reservation. We don't have a thing on her."

End of chapter 12



### Chapter 13:

The similarity of the governor to the aged grocer was still on Dillinger's mind when his lawyer, John Buskirk came through the door escorted by a deputy. They walked over to Dillinger's cell. The deputy unlocked the cell door and let Buskirk in. The guard left.

Buskirk and Dillinger had never seen each other before meeting briefly for the arraignment a few hours ago. Dillinger had called him after his arrest yesterday. He promised to drive the nearly 500 miles from LA to Tucson through the night and be there in time for the arraignment. The word from Chicago, Dillinger remembered, was that Buskirk was an experienced mouthpiece who usually got his gangland style clients off with minimum sentences or no sentences at all. What's more, he could be trusted with even the most confidential information and large sums of money. He was expensive, however, and before he left for the arraignment, he told Dillinger his fee would be \$4500.

"Don't worry, we've got a lot of it stashed away and it's close by." Dillinger had said at the time.

Now in the cell, Dillinger observed him coolly. They shook hands. Buskirk took the only chair in the cell and Dillinger sat on his bunk.



"Who were those men with Houston and Belton?" Buskirk asked

"The portly one was Mouer, the governor of Arizona." said Dillinger.

"Yeh, I heard he was here. Did he talk to you?"

"Only briefly. Down home talk. `How are they treating you?'  
`How's the food?' You know, that kind of junk. I wasn't even going to talk to him, but I thought I might learn something. He went down to the girls' cells. I don't know who he talked to down there."

"I can find that out when I visit with them. For now I think we should get acquainted. We didn't have much time this morning to talk. I'm really in the dark about what happened here. And I'd like you to tell me everything you can right from the beginning. Whatever we talk about here will be strictly between you and me."

Dillinger got up, walked to the front of the cell to see if anyone might be listening and came back and sat down on the bunk. In a much lower voice he began to tell Buskirk about his arrival in Tucson two days ago.

"Things were getting real hot for me back in Chicago and



Indiana. Ferchrissakes, I couldn't even go to the corner store without someone seeing me and running to the cops yelling they saw John Dillinger. They'd come after me and sometimes we'd shoot it out. I got this little souvenir about three weeks ago.

Dillinger turned his back towards Buskirk, pulled up his shirt and undershirt out from under his pants and showed him a fresh bullet wound scar. He waited long enough for him to see the scar, then stuffed the clothing back into his pants. "We... that's Billie and me...figured it was time to take it on the lam...so we decided to pack up and get out of the midwest. I just planned to lay low for a while and let things cool off. I grew a little mustache and bought some spectacles as a little disguise.

"We went first to Florida with Pierpoint and his girl. We went separately in new cars, us in a Terraplane and them in a Buick. We met someone in Fort Lauderdale who told us Clark and Makely were out here in Tucson, and we called them. They were staying in the hotel then...the one that burned down. That's supposed to be the way the cops found out about us. Old Charlie, the big tipper, that's what caught the eye of the police. Anyway, they said it was a good place to hide out in. There weren't supposed to be any noseyp cops around...just tourists having a good time.



"So we packed up the car again and threw in our little bull terrior pup and started out for Tucson. We take him every where with us. Pierpoint said he would meet us here later. We drove it in four days staying in auto courts along the way.

"By the time we got here, Makely and Clark were renting a house together. I told them I would rent another house and Clark and Opal could come and live with us. Then when Pierpoint got here he could live with Makely. I didn't want to live with Harry."

Buskirk broke into Dillinger's story. "It's hard to figure out how the cops got you guys. Makely was picked up in a downtown store and they picked up Pierpoint coming out of the auto court. They must have had some inside infomration, or how would they know who to look for?"

"I never thought about that, but you may be right. In our business, you always got to look out for stool pigeons. Well, anyway, I was really surprised when the cops nabbed me in front of the house. We only lived there one day and we paid the rent for three months. And you know, I'm always listening to a radio or reading the papers, but that day I never did, so I didn't know the other three guys were captured."

"Where were you all day?"



"Billie and me drove down to an old Spanish mission way south of town. We got back after dark and the cops were waiting for us. Someone's got our terrior pup. Find out who it is will you? And make sure he's going to have a good home."

"I'll take care of that today. Now I've got to ask you some questions. "Can you tell me why three states are coming here to extradite you? Let's start with Ohio?"

"The only thing Ohio has against me is the bank robbery and getting out of the county jail in Lima. I didn't murder anyone in that state. Pierpoint, Makely and Clark sprung me. I don't know who shot the sheriff because I was back in my cell when it happened."

"Ok, what about Indiana? They say you robbed a bank in East Chicago, just a couple of weeks ago and you killed a patrolman on the way out."

"The son of a bitch had it coming. He was going to be a hero. But he died instead." Dillinger got up again. He walked to the front of the cell nervsoully, peered one way and then the other and came back and sat down on the bunk. In a much lower voice, he said, "Sure, we knocked off the bank, but I don't know who killed the patrolman. It could have been me. It could have been Hamilton. it could even have been one of their own men. They cant shoot worth a damn. They haven't



talked too much in the papers about how he died."

"What happened to Hamilton?"

"He died, poor bastard. Right there in the car. Had four slugs in him, even with the bullet proof vest. After we dumped the car, we carried him around in another one for three hours before we found a place to put him. He's buried in an unmarked grave. Only his wife knows where. We gave her nearly \$7000 which was Hamilton's share of the robbery."

"And you were carrying your share around with you when they captured you here in Tucson?"

"Yes, I was. They got it."

"Nobody knows Hamilton died. I'd make up an alibi that Hamilton gave you that money to hold for him. That could be your explanation for having the money, specially if it was marked by the bank before you took it."

Buskirk paused. "Who else was with you on that one?"

"Just Hamilton and Burns...Joseph Burns. He was driving."

"Where's he, now?"



"Back east, I guess, He's lucky he aint here.

"So that's why Indiana is so hot to get you. They've got a murder charge agaisnt you and they have a death sentence in the state, too. They're going to bargain for you and give Pierpoint, Makely and Clark to Ohio, where they also have the death sentence." Buskirk paused again. "But what about Wisconsin? How do they figure in here and why are they coming, too?"

Wisconsin says I robbed a bank in Racine. Leslie Homer pulled that job. They got him already. He's serving time in the joint, now. I was no where near the place. I was in Mooresville with my dad and sis when they knocked it off. Ferchrissakes, It makes me damn made to hear that I robbed all those banks. The papers just published a list of around 20 of them. Oh, I knocked off some of them, but I'd be a fucking millionaire by now if I had all the money the police and the newspapers say I stole from all those banks. I also read that the sheriff here in Tucson thinks I'm involved with the big kidnapping case back in Chicago. My pals know I don't go in for that kind of stuff."

"It shouldn't make any difference to you if you robbed the Wisconsin bank or not. The important thing is they think you did and they will want to try you for it. The crime is only for bank robbery, not murder. You'd be better off confessing



to it than going back to Indiana. If they come bargaining and fighting among themselves, you could waive extradition and choose to go to Wisconsin."

"I don't want to serve time anywhere. I've already served plenty. You're getting paid to get me out of here...and you're sitting there telling me to confess to a crime I never even committed."

"I don't think you understand. You're big and important. Any county prosecutor in the country would be glad to say, 'I tried John Dillinger.' 'I got him 25 years.' Or 'I got John Dillinger the chair.' Shit, it could be the ticket to the governor's mansion. Wisconsin's going to be anxious to try you. No one was killed during that robbery. There's no death sentence waiting for you or the others. If they offered it...I'd take it."

"Yes, I'm starting to see what you mean."

"Governor Mauer has probably received requests for extradition from all three states. Or they're on the way. He's going to have to hear them all and look at the evidence and indictments before he can decide who's going to get who. There will be some trade offs. Ohio, I think, will settle for Pierpoint, Makely and Clark. I think I said that before. If they get together with Indiana that's exactly what I think they'll do."



The governor will have to consider the severity of the crimes. Who has a death sentence. And who does not. Rewards and the ability and willingness of the states to pay them will also be important. And so will who pays the bills."

"What bills?"

"The extra expense of keeping you and the others. The extra guards and deputies. Some states ask that the demanding state pays all of these costs and rewards if there are any. Other states, especially the bigger and more wealthy ones don't mind keeping some states' fugitives because they can expect the same help when their fugitives flee to those states. Extradition is a tricky, shady subject of criminal law. There's no uniformity. There aren't many lawyers, even criminal ones, who know or want to know the first thing about it. That's why they let the governors thrash it out."

Dillinger was impressed. "So it will be up to the governor?"

"Yes, the governor will have the final say on who goes where, unless you beat him to it."

"How do we do that?"

"By signing a waiver with Wisconsin and agreeing to go there with them if they ask."



"I think you've got me convinced that's the way to go. You can also try that on the men to see what they think about it. What else can we talk about?"

"There's the bail to consider, but I think it's out of the question at \$100,000 a man."

"What about the girls? Their bails were quite low."

"Yes, only \$5000 each. A thousand bucks in actual cash would get them off. You said earlier you had money stashed away here in Tucson?"

"Yeh, that's no problem. I can tell you where and how to get it right away. The cops didn't get it all. How long would this take?"

"I'd have to call some bail bondsmen and I might have to go to Phoenix to handle the transaction, or call someone there to see if they might handle it. If you want me to, I'll investigate the bail this afternoon. We might get them free by tomorrow."

Dillinger was thinking of Billie. She could be very helpful to him on the outside, particularly if he thought he might be able to bust his way out of the Pima county jail. He answered



Buskirk, enthusiastically. "Yes, work on that by all means."

"There's one other thing I can do." Buskirk said.

What's that?"

"I can file for a writ of Habeus Corpus with superior judge Fred Frickett."

"What good will that do?"

"He represents a higher court. The writ questions the lawfulness of your arrest and the others. It also questions this preposterous bail and the imprisonment of the girls. By law, the judge has to respond to the writ. And he has to do so within a reasonable length of time. Besides, filing the writ is standard procedure in extradition cases."

Dillinger pushed himself further back on the bunk until his back was on the wall. He was feeling tired and wanted to be alone. He closed his eyes and half opened them again looking at Buskirk. "Why don't you stop by the others and tell them our plans." He got up when Buskirk rose from his chair. They shook hands. "Tell Billie, I'm thinking about her all the time."

Buskirk went to the front of the cell and called the turnkey.



He came and opened the door and Buskirk left. Dillinger turned to go back to his bunk. Pierpoint was in the corner of his cell. "Well, what's the big plan, Mr. Dillinger?"

"The mouthpiece will stop by and tell you. He's visiting with the others first."

"Well, I hope you've figured some way to get us out of this. I never did like jails. They keep lousy hours and the food's not too good, either. Besides, I miss my Mary."

"She's only one floor below us."

"Even I can't do what I want to from that distance."

"Yeh, I remember your favorite saying. 'Seven inches long and round as a silver dollar.' Isn't that what you've been telling me?"

"Ferchrissakes, if you got it, I believe you should spread it around. Make them all happy. There's no one like my Mary, though. I'd marry her, then she'd have it all for a while."

"Lucky girl. But you're only talking that way because you know there's no chance of that happening. We might be locked up for good this time. Maybe even worse."



Dillinger returned to his bunk and lay there for a while.

Soon, Buskirk walked by his cell and stopped to talk to Pierpoint. He left him and walked down to Makely's and Clark's cells. On his way out, Buskirk stopped in front of Dillinger's cell. "The governor talked only to Anne Martin."

"Yes, her real name is Billie...Billie Frechette. What did they talk about?"

"Not much. But she told the governor you were a perfect gentleman."

"I could have told him that, myself."

End of chapter 13