

SEP 8 - 1923

Department of Justice,

Bureau of Investigation.
Oklahoma City, Okla.,

September
sixth
1923

RECORDED & INDEXED
BILL SMITH, et al.
Murdered Osage Indians
Oklahoma City file 7060.

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

ATTENTION - MR. HOOVER - 2.

PERSONAL and CONFIDENTIAL.

GENERAL INVESTIGATIVE

OCT 1 - 1923

Dear Sir:

Referring to our reports, this title and number. T. F. Weiss, who was an Agent with this Department until August 28, 1923, became special investigator for the Governor and Attorney General's office of this state in the above entitled cases on Aug. 28, 1923, working in conjunction with this office, as per our instructions.

Mr. Weiss conferred fully with this Agent and Agent Weakley relative to the co-operation between the Attorney General's office and this office before starting. Mr. Weiss and Agent Weakley have now spent one week in Osage County and vicinity, interviewing persons in a position to know the circumstances and conditions, and obtaining as much preliminary evidence as possible, and Mr. Weiss now states to me that in his opinion at least two of these murders can be solved and the evidence to convict the guilty parties secured, if the investigation is made in the best and most favorable manner possible.

Mr. Weiss requests that he be reinstated or appointed a Special Agent temporarily for the purpose of investigating these cases only, and states that in his opinion it will not be more than sixty or ninety days before he will have the evidence sufficient to convict the murderers of at least two of the victims.

Mr. Weiss gives as his reasons for requesting that he be reinstated temporarily as Special Agent for this Bureau the following:

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(1) That as such Special Agent of this Bureau his authority will not be circumscribed to the territorial boundaries of this state, as it is as a state investigator, as it is known at this time that this investigation runs into Missouri, Kansas, Colorado and Texas.

(2) That he finds that there is a large element of fear and intimidation present among persons having information and knowledge of these murders and that he, Mr. Weiss, finds that these persons will talk much more readily, fully and truthfully to a man representing the Government than they will to a state representative, for the reason they have faith and confidence in the Government, but have but little confidence in the state, as the state has never endeavored to prosecute these murderers.

(3) That he also finds that unfriendly persons are more careful and more truthful when talking to a representative of the Government than to a representative of the state.

(4) That he also finds that he has much more success in getting necessary papers and records from firms and individuals as a Government representative than as a state representative, and in this case it will be necessary to get some reports and papers along that line.

(5) That he also finds that the system under which a Special Agent works for this Bureau is much more calculated to bring ultimate results than the state system of bringing results; also, that he cannot get a flat expense account, but has to take a receipt for every item, revealing his identity at all times.

Mr. Weiss further requests that in the event he is thus reinstated for the purpose of these investigations that Agent L. J. Barkhausen of Denver be detailed immediately to work with him, as Agent Barkhausen was an Agent of this office for about a year, was western reared and understands the people and conditions here, and has worked with and co-operated with Mr. Weiss in investigations heretofore made.

Mr. Weiss states that in his opinion it is conservative to state that the possibilities of solving these murders will be more than doubled by the arrangement he suggests, as in addition to the advantages already enumerated, he knows that

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He will get far more and in fact unlimited assistance from the Federal officers and officials in Osage County which he knows he will not get as fully as a state representative. (You will understand that the Osage Indian Agency located at Pawhuska has a great many employees and also has quite a number of special officers for the enforcement of the liquor traffic amongst the Indians who are personally acquainted with all persons connected with these cases, and who are personally interested in having this matter solved, and some of whom have had many years of experience getting information from members of the Osage Indian Tribe, and they will all willingly and gladly devote their unlimited time to assisting any Federal officer in solving these crimes.)

I have talked this matter over thoroughly with Mr. Weiss, and am convinced that his statements and opinions are absolutely correct, and I unhesitatingly recommend that his suggestions be followed at once.

Please advise by wire, at the earliest possible moment, whether or not you will approve these suggestions, in order that this investigation may get under way, without the loss of more time.

Very truly yours,

James G. Findlay
James G. Findlay,
Special Agent in Charge.

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