JOHN EDGAR HOOVER
DIRECTOR

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

CT:ACS

January 16, 1935.

MEMORANDUM FOR THE DIRECTOR.

Reference is made to our conversation concerning the Identification Order and temporary wanted notice situation.

I am informed that an Identification Order was issued with respect to Doc Barker because he was definitely identified as being connected with the Bremer kidnaping. This participation was predicated upon fingerprints developed from a gasoline can used by the kidnapers of Mr. Bremer. Barker and Alvin Karpis had been indicted for conspiracy to kidnap, Karpis having been identified as the person who purchased flashlight batteries which were identified in connection with the case.

I am informed by Mr. Tamm and Mr. Newby that Fred Barker was not made the subject of an Identification Order because there was not sufficient evidence upon which to base an I. O. However, the Division knew that Fred Barker was a member of the Barker-Karpis mob and on this basis issued what is called a temporary wanted notice requesting all offices to personally call upon the Chief of Police or the person in charge of the identification bureau in the larger cities of the districts for the purpose of requesting that any information concerning the whereabouts of Fred Barker be promptly reported to the field office. Other temporary wanted notices were issued with respect to Harry Campbell, Volney Davis, Charles J. Fitzgerald, Jess Doyle, Clyde Nimerick, Harry Sawyer, Edna Murray, Myrtle Eaton and William Weaver. Copies of these wanted notices are attached and I am informed that these are the only wanted notices ever issued by the Division.

RECORD 7-576-3822

Mr. Tamm and Mr. Newby inform me that no Identification Order was issued on Maw Barker because there was no evidence of her actual participation in the kidnaping. They state that no temporary wanted notice was issued with respect to her because her fingerprints were not available. She has no criminal record apparently.

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Your attention is invited to the fact that Fred Barker was wanted by the Police Department and Sheriff's Office at West Plains, Missouri, and that he was wanted for escape and assault with intent to kill by the Police Department of Tulsa, Oklahoma, and the Sheriff's Office of Claremore, Oklahoma. Mr. Newby further informs me that at the recent conference at Chicago, he argued very strongly in favor of re-indicting all of the Karpis-Barker gang for the kidnaping of Mr. Bremer for the Division's protection in the event of killing of any of these individuals. He stated that he was alone in his position concerning this matter and that the other officials and Agents in attendance felt no good purpose would be served by this action. I would have been inclined to favor Mr. Newby's suggestion. I think that in all of these cases

I agree with Newby thoroughly.
J. E. H.

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wherein there is sufficient evidence to justify an indictment, such an indictment would serve as protection to the Division in the event these individuals were subsequently killed or in the event any persons were killed in connection with efforts to apprehend and capture such persons. I am not at all sure that Mr. Tamm agrees with this viewpoint as he seems rather inclined to the view that efforts to apprehend individuals in such instances may be circumvented by publicity which usually results from the issuance of an Identification Order. While the Division Agents clearly were fully justified in killing Fred Barker and Maw Barker in that they resisted arrest when they were being sought for questioning, there is no indictment of record specifically charging them with participation in the kidnaping. Of course, it is true that Fred Barker was wanted for murder but there is no criminal record of Maw Barker.

Respectfully,

Clyde Tolson

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