

SPC:CSH

October 24, 1933

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RECORDED

62-29777-13

MEMORANDUM FOR THE DIRECTOR

DIVISION OF INVESTIGATION

OCT 31 1933

RE: MURDER OF SHERIFF JESSE SARBUR AT  
OLINA, OHIO, OCTOBER 12, 1933

U. S. DEPARTMENT OF JUSTICE

WATSON

FILE

The Division's file in this case indicates that on October 14, 1933, Mr. Brabner Smith of Mr. Keenan's office called Mr. Hughes by telephone and stated that he was in receipt of a telegram from a Sheriff in Ohio asking the assistance of this Division in the investigation of the shooting of the Sheriff at Lima. Mr. Smith stated that he had talked with Mr. Parrish who felt that it would be a good idea to have an Agent contact the Ohio people and make an offer of cooperation, and perhaps accomplish something in the way of fingerprint identification. Mr. Hughes advised Mr. Smith that inasmuch as the case was entirely without the jurisdiction of the Division it should be submitted by him to the Director in writing. Accordingly, on October 14th Mr. Smith directed a memorandum to this Division advising that he had just received a telegram from Congressman Frank L. Klobb of Ohio, requesting that the Federal Government lend every available resource to aid in the search for the killers. Upon receipt of this memorandum Mr. Hughes conferred with Mr. Parrish, who suggested that an Agent of this Division contact Congressman Klobb and volunteer to cooperate to a limited extent with the authorities of Allen County, Ohio, in their efforts to identify and apprehend the killers of Jesse Sarber. Mr. Hughes then called the Detroit Office and advised Mr. Larson of the telegram received from Congressman Klobb, and requested that he communicate with the Allen County authorities and offer such cooperation as might be practicable in the way of identifying latent fingerprints or forwarding the fingerprints of any convicts who were suspected of this crime.

The Division is now in receipt of a letter from the Detroit Office, dated October 20, 1933, in which Mr. Larson states that he and Special Agent (A) Genau, in compliance with the telephonic request of Mr. Hughes, proceeded to Lima, Ohio on the afternoon of October 14th and went into conference with Prosecuting Attorney Ernest H. Botkins, Chief of Police J. W. Cook, Inspector of Police S. J. Rooney and two detectives who were engaged in the investigation, and also interviewed Mrs. Sarber, the Sheriff's wife; that they determined that at about 6 P.M. on October 12, 1933 three men entered the Sheriff's Office stating that they were from the Indiana State Prison and came to get John Dillinger, who was a parolee from that institution, Dillinger being at that time incarcerated in the prison. The Sheriff asked the man who was doing the talking for his credentials and simultaneously this individual pulled a gun and advised the Sheriff that that was his authority. It appears that the

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Sheriff evidently made a move to reach for his gun and as he did so the slayer fired a bullet through the Sheriff's abdomen and then jumped upon the Sheriff and began beating him on the head with the butt of the pistol. The Sheriff fell helpless to the floor and died about two hours later. The second man then asked Deputy Sheriff Sharp for the keys and Mrs. Barber, who was also seated in the room during the time of the shooting, handed them to the criminals. Following the escape it was learned that two pistols had been stolen from the Sheriff's desk by the killers. One was a 38 Police Special nickel plated Colt #557614-N. On the handle of this gun was stamped "Property Allen County Sheriff". The second gun was a 38 Colt, Detective Special Blued Steel, 2" barrel, #410172-A-1. This gun belonged to the Sheriff. The other was the property of Deputy Sheriff Sharp.

It appears that while Dillinger was incarcerated in the jail he had made statements to other prisoners, mentioning the name of Harry Pierpont, indicating that Pierpont was an escapee from the Indiana State Prison and that his home was near Lima. A check of the records indicated that Harry Pierpont was one of the convicts who escaped from the Indiana State Prison at Michigan City, Indiana on September 26, 1933. A photograph of Pierpont was secured and when shown to Mrs. Barber she partially identified it as the man who shot the Sheriff. A posse was immediately formed by Chief of Police J. W. Cook of Lima, Ohio and a search made of the premises occupied by Harry Pierpont's parents and brother, about four miles from Leipsic and about 35 miles from Lima. This search took place about 10 P.M. on the night of the slaying, October 12, 1933. No trace of the bandits was found by the posse, which reported that there was nothing on the property of the Pierpont's to indicate that the killers were in that vicinity. However, an Oldsmobile coach, Motor #113694, bearing no license plates, was found in the Pierpont barn. Fred Pierpont, brother of the convict, made a number of conflicting statements to the police officers concerning this car. Police officers later determined, however, that an automobile answering the description of the Oldsmobile had been seen in the vicinity of St. Marys, Ohio on October 9, 1933 at which time a bank at St. Marys was robbed. Investigation by the police disclosed that this car was sold to one Arthur B. Cherrington, 2918 Sunnyside Avenue, Chicago. Fred Pierpont later identified the photograph of Cherrington as being the individual who left this car at his place, Cherrington being also known as Harry Copeland, who was a parole violator from the Indiana State Prison and who was also wanted in the hold-up of the Daleville Bank, Daleville, Indiana. Deputy Sheriff W. L. Sharp, who was in the Sheriff's office at the time of the shooting, partially identified the photograph of Copeland as the man who held the gun on him. He also partially identified the photograph of Harry Pierpont as the man who shot the Sheriff.

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Fred Pierpont had repeatedly denied to local authorities that he knew anything about the whereabouts or activities of his brother Harry. Special Agent in Charge Larson and Special Agent (A) Genau, after interrogating Fred Pierpont for a considerable length of time, succeeded in obtaining information from him to the effect that shortly after the escape of the ten convicts from the Indiana State Prison on September 26, 1933 his brother, one of the convicts, and four other men, three of whom were also escapes, and Harry Copeland, a parole from the Indiana State Prison, appeared at his home late one night, visited the family for a short time and departed; that Harry Pierpont at the time of this visit told him that he had an Oldsmobile automobile and that he would give it to Fred if he would call for it at Hamilton, Ohio at 1052 South Second Avenue. Within the course of the next two or three days Fred stated that he, his mother, father and grandmother, drove to Hamilton in the family automobile, and that after separating from the other members of the family he proceeded to the above address for the purpose of obtaining the Oldsmobile; that upon his arrival at Hamilton his brother informed him that the bill of sale on the car had not arrived from Chicago, where the car was purchased, but that if he, Fred, would remain there until the next day he could obtain same; that he stayed there that night with his brother, Harry Pierpont, Indiana State Prison #11014, Russell Clark, Indiana State Prison #11261, Charles Makley, Indiana State Prison #12636, Edward Shouse, Indiana State Prison #13915, and Harry Copeland, Indiana State Prison #12231; that on the morning of October 3rd his brother Harry told him that the gang was going away for the day and that they would be back in the evening with the Oldsmobile car; that the above mentioned individuals did return that evening, at which time he obtained the car. On October 3, 1933 a bank robbery took place at St. Marys, Ohio, at which time an Oldsmobile automobile was seen.

Fred stated further that on Wednesday evening, October 11, 1933, the above named five individuals again came to his home at Leipsic late at night and stated that they desired to remain there overnight; that they were driving two automobiles, an Essex coach and a Chrysler sedan; that on the following day, October 12, 1933, which was the day the Sheriff was murdered, they all departed in the two cars. It takes about one hour to drive from Leipsic to Lima and the murder took place at 6 P.M. This evidence, together with the identification made by Mrs. Earber, the Sheriff's wife, and Deputy Sheriff W. L. Sharp, indicates rather definitely that the five above named men committed the crime and effected the escape of John Dillinger.

Fred Pierpont, during the interview with these Agents, identified the photographs of the above mentioned individuals as being the parties who stayed at the home of his parents on the night of October 11, 1933. Fred Pierpont is at the present time being held by authorities, pending further investigation.

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Following a statement made by Fred, his mother, who had previously denied any knowledge of ever having seen her son since his escape, corroborated her son's statement about the convicts being at her home. Investigation by local authorities at Hamilton, Ohio indicates that the mob left there on October 13th.

The bullets found in the Sheriff's Office have been received by the Division and have been sent to Mr. Appel for the purpose of an examination.

Respectfully,

S. P. Cowley.