

ADDENDUM A

BIOGRAPHY OF

WILLIAM F. BEANE

WILLIAM F. BEANE, born Sept. 2, 1925, in Washington, DC where he was educated in private schools. Served 1943-46 in US Marine Corps combat units during four South Pacific campaigns and occupation forces at Nagasaki, Japan.

After graduation from St. Mary's University and Seminary, Baltimore, MD, he entered FBI as special agent in 1951. Served as field agent 1951-69 in Chicago, NYC, Washington Field and Miami. Promoted to supervisor in charge of all kidnapping and extortion cases in the US at FBIHQ in 1970. Thereafter, served as inspector at FBIHQ and assistant agent in charge at Houston and Newark. Finally promoted to special agent in charge at San Juan, PR, NYC (Criminal Division) and Chicago from which he retired in 1978.



Post FBI Retirement Positions: Worldwide security director, Baxter International, 1978-89. Systemwide director of Corporate Security, United Airlines, largest air carrier in the world, 1980-91. Selected by US Secretary of State, George P. Shultz, in 1985 as a charter member of the Overseas Security Advisory Council and designated to chair the committee which wrote *Security Guidelines for American Families Living Abroad*. This State Department publication was widely distributed to Corporate America.

Actively involved in society leadership at local and national levels: (1979) conceived and implemented initiative which raised \$50,000 for Legal Defense Fund; served two years on National Nominating Committee; served seven years on Board of Directors; elected National President, 1989; conceived of first full color recruitment brochure and raised \$5,000 to fund project and worked with Communication Committee to design and publish same; conceived idea, designed and distributed "Alumni Corner Bulletin Boards" to all FBI offices; published and circulated *Profile of Total Society Membership*; first conceptualized feasibility of relocating Society Headquarters from NYC to Quantico, VA and enlisted active support of USMC Commandant, Al Gray.

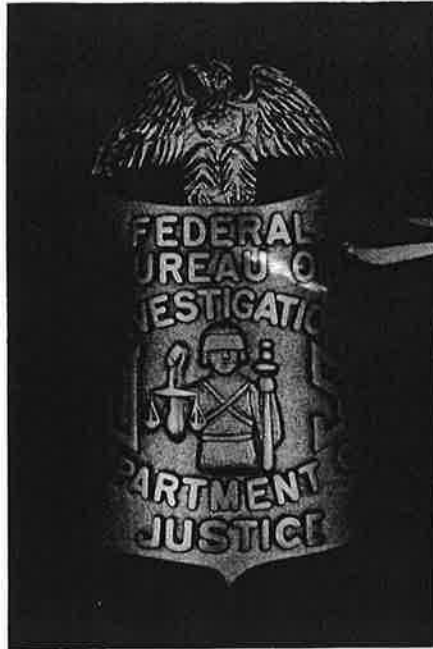
He and his late wife Mary Ann (McCaffrey) had six children and nine grandchildren, most of whom reside in the greater Chicago area. He and his second wife Marjorie (Noterman), an associate vice president of Loyola University Chicago, live in Iverness, IL.

Currently, he is self employed as a consultant for investigations and security.

ADDENDUM B

BARBARA MACKLE KIDNAPPING CASE

1. *AN FBI INTERLUDE BY WILLIAM F. BEANE*
An illustrated story of the Mackle Kidnapping case
2. MACKLE KIDNAPPING CASE
Chronological Timetable
3. MACKLE KIDNAPPING CASE
Ransom Note
4. MACKLE KIDNAPPING CASE
FBI Summary Report
5. **Newspaper Reports** on Mackle Kidnapping
 - a. Parole of Gary Krist after serving only 10 years of Life Sentence
 - b. Krist graduates from medical school in Dominica (located in the Windward Islands) and is now practicing medicine in Chrisney, Indiana.



BARBARA JANE MACKLE - VICTIM

Prologue

This is the story of the investigation of the highly bizarre ransom kidnapping and burial alive in a coffin-like vault of a 20 year-old coed in Atlanta, Georgia, December 1968.

Over the years, I have been asked from time to time by family and friends to tell them of the most challenging or exciting investigation I was involved in during my long career as an FBI Agent. Here is my response to that question including a succinct summary of the case and copies of a series of official FBI photos depicting some aspects of the investigation. The case was the Dec. 17, 1968 ransom kidnapping of Barbara Jane Mackle and her burial alive in a coffin-like box for 3 ½ days. This case has been characterized by FBI officials as perhaps the most bizarre ransom kidnapping case ever investigated by the Bureau.

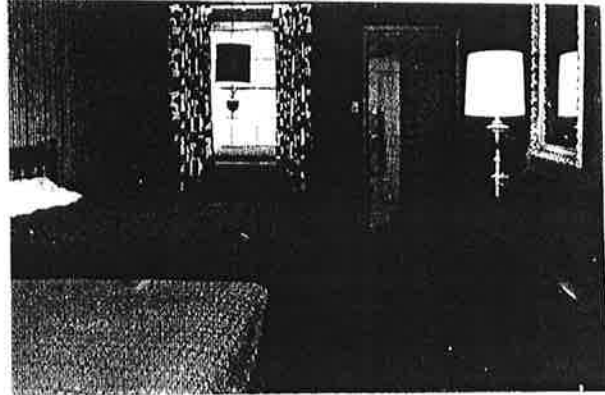
My Role in the Investigation

The actual abduction occurred in Atlanta, Georgia, but the planning for it and the ransom demand and payoff all occurred in the Miami area. FBI Headquarters (FBIHQ), therefore, designated Miami as the "office of origin" for investigative and reporting purposes. While the case was assigned in Miami to the criminal squad, which I supervised at the time, I had at my disposal every agent in the Miami division. Almost all of them participated in the investigation at one time or another between December 1968 and March 1969. Additionally, FBIHQ dispatched Inspector Rex Shroeder, Chief of the Criminal Section at FBIHQ to Miami. His assignment by FBI Director Hoover was to move into the residence of the victim's father, Robert Mackle, long-time personal friend of Mr. Hoover, to oversee the investigation and assist the Mackle Family in making critical decisions with them. My job was to coordinate the day to day and night investigative activities of the street agents, to keep FBIHQ advised of progress by daily teletype reports and ultimately writing a 600 page prosecutive summary report.

Case Summary

The kidnapped victim was Barbara Jane Mackle, the daughter of Mr. & Mrs. Robert Mackle of Coral Gables, FL. Mr. Mackle was a mega-millionaire land developer in Florida. He had developed prestigious communities such as Marco Island on Florida's west coast and Key Biscayne in the Miami area among many others.

On December 17, 1968, Barbara was a college student at Emory University, Atlanta, GA. It was mid-term exam week and Barbara was suffering from symptoms of the flu. Her mother came to Atlanta and moved her from the dorm to a nearby motel temporarily where she could nurse her through the flu and care for her needs while she took her exams. The kidnapers were unaware of this arrangement and when they arrived in Atlanta, they checked into Room 153 at the Rodeway Inn Motel near the Emory Campus. A few days before the abduction they tried to locate Barbara in and around the campus dorms and classrooms. They determined that Barbara was not well and was staying temporarily at the Rodeway Motel with her mom during exam week. They obtained her room number there through subterfuge and checked out of their room at Rodeway and moved into the Claremont Motel nearby. Once in the Claremont Motel, the kidnapper phoned the Rodeway and asked for Mrs. Mackle's room. She answered and was told he had a certified letter for her and would deliver it later. Mrs. Mackle recalled the call.



Room 137 Rodeway Inn Atlanta occupied by Barbara Mackle and her mom, 12/17/68.

At 4 a.m., Dec. 17, 1968, someone knocked on the Mackle motel room door. Mrs. Mackle asked who it was. A male voice responded that he was a police officer and explained that Barbara's boyfriend had been in a serious auto accident. The "officer," wearing a police officer's cap knew the boyfriend's name and mentioned it, upon which Mrs. Mackle opened the door. Two people, the "officer" carrying a carbine rifle and a companion rushed in. Mrs. Mackle was forced to the bed face down. She was gagged with duct tape, legs and arms were tied with Venetian blind cord and an effort was made to chloroform her. Barbara was abducted from the room wearing only a nightgown. The outside temperature was below freezing.

The evening before the abduction, it was later learned, the full bearded kidnapper and companion had supper at a diner where a local police officer was eating at the counter with his back to the door. His police cap was on a hook near the door and when the kidnapper left, he stole the cap. He explained to his companion that he would pose a police officer to facilitate entrance to the Mackle motel room in the morning instead of posing as a mailman. Just before leaving his motel room, he told his companion that police officers don't wear beards, so he shaved his face clean a couple of hours before the abduction.

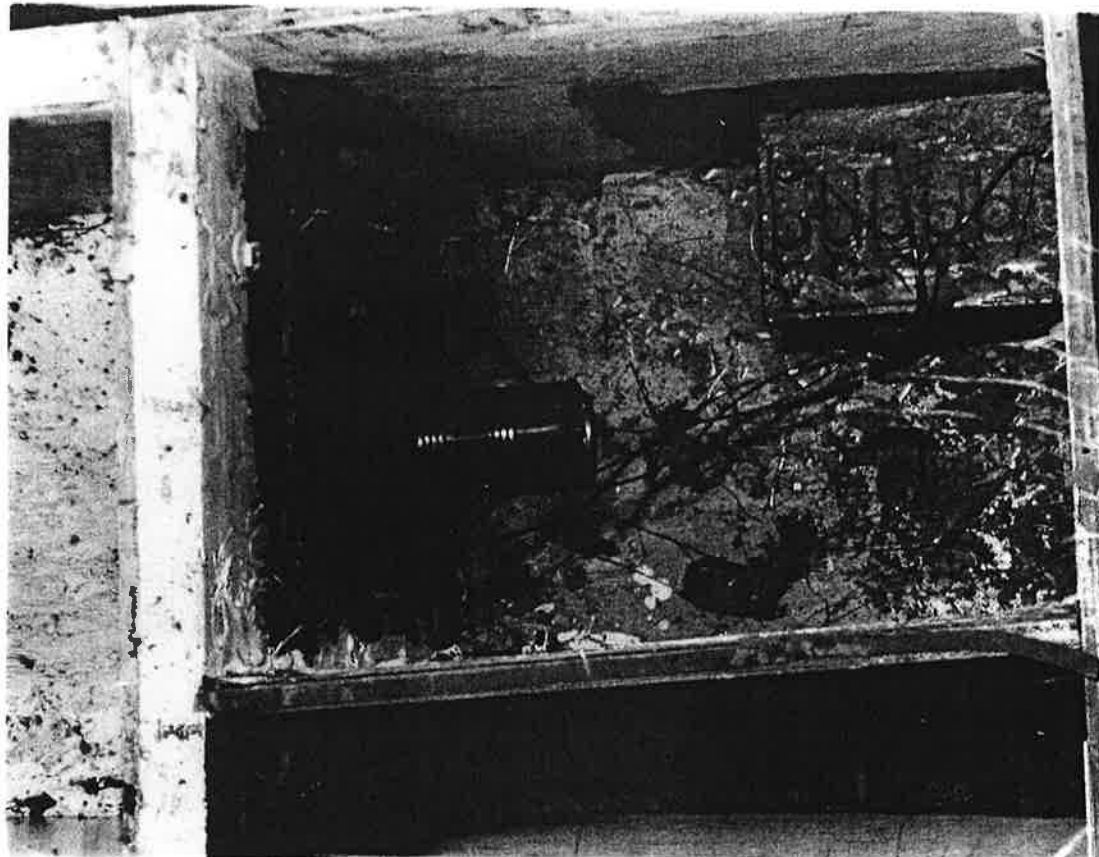
Ultimately, the kidnapers were identified as Gary Steven Krist, a 23 year-old ex-convict and Ruth Eisemann-Schier, a 26 year-old native of Honduras and graduate of the National University of Mexico with a B.S. in Chemistry & Pharmacology. At the time of the abduction, Krist was an employee of the Marine Science Institute, University of Miami. His prior employment, 1966-68, was as a technical researcher at the Massachusetts Institute of Technology. Ruth was enrolled as a grad student at the Marine Science Institute. They met during a university sponsored trip on a research vessel, the "Pillsbury" which took them and 30 other researchers from Ft. Lauderdale, FL to Bermuda. They became lovers. Krist was a very large man, 6 ft. tall, 240 lbs, while Ruth was a petite 5'2" tall, 110 lbs.



Gary Steven Krist after arrest



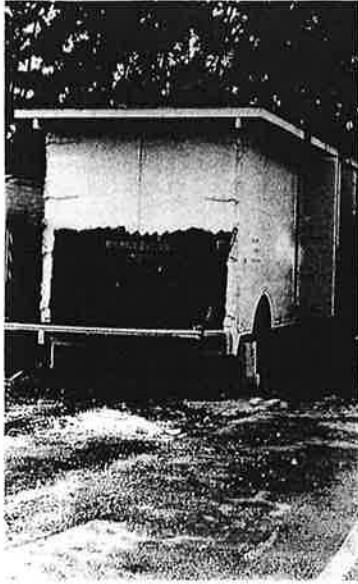
Ruth Eisemann-Schier before arrest



Electrical power system for ventilation apparatus, sump pump and light. All were tested in FBI lab and all functioned very well.



Contents of "capsule": covered bucket was chemical toilet; green five gallon can was drinking water containing tasteless tranquilizer; black coil was straw for water; note the toilet tissue & sanitary napkins; the food equaled 30,000 calories. Not in photo were three blankets, a pillow and foam three-inch mattress.



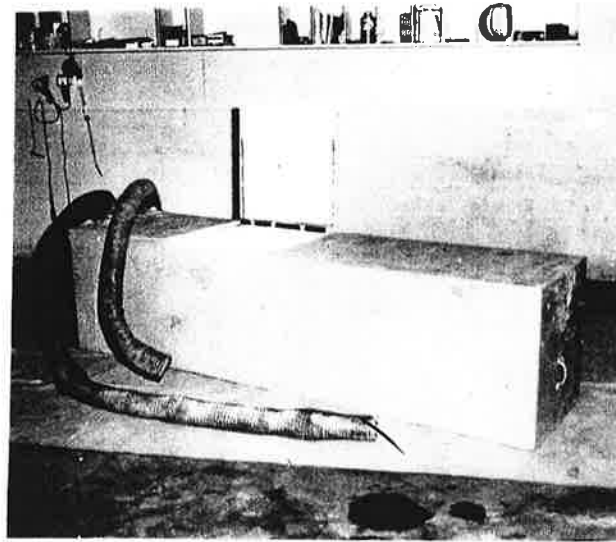
Where Krist built capsule in Nov. 1968



Hole Krist dug in Atlanta woods to bury capsule, 12/15/68



Capsule in ground following Barbara's release, 4:15 p.m., Dec. 20, 1968



Capsule in FBI crime lab in Washington

Also, before leaving their motel, the evening before the abduction, the two kidnappers took practice photos with their Polaroid camera to be sure it worked OK. Their plan was to send a photo of Barbara after the abduction to Mr. Mackle to convince him that she was alive and well in their custody.



Ruth wearing a wig, 12/16/68



Krist in full beard wearing stolen officer's cap, 12/16/68



Ruth mixing tranquilizer for Barbara Mackle, 12/16/68

Flashback to November & early December 1968

In November 1968, Krist decided after much research that his victim would be Barbara Mackle and he began construction of a highly sophisticated and cleverly designed casket-like container, which he consistently called the "capsule." He built it in a small U.S. Marine Corp surplus construction trailer parked on the grounds of the Marine Science Institute, to which only he had access. The capsule was designed to sustain the life of its occupant underground for seven days. Krist persuaded Ruth to test the capsule by having her lay down in it for several hours with the lid closed. Everything worked well. More details and photos of the capsule will be provided later herein.

On Dec. 13, Krist and Ruth loaded the capsule with its contents into this Volvo station wagon and drove it to Atlanta. It measured 6 feet long, 23 inches high and 23 inches wide with a weight of 240 lbs. In Atlanta, Krist located a very remote densely wooded area where he and Ruth spent all day digging a "grave" site 6 ½ feet long by 4 feet deep. They put the capsule in the hole and covered it and the excavated dirt with brush from the woods.

Parenthetically, on Thurs., Dec. 12, before leaving Miami for Atlanta, Krist placed a Xeroxed copy of a 4 ½ page uniquely explicit typewritten ransom demand note in a glass tube and buried under a rock near a palm tree in Mr. Mackle's garden in Coral Gables. In essence, it explained that Barbara had been buried alive in an escape proof capsule in a remotely wooded area. The capsule would sustain her no longer than 7 days. He demanded \$500,000 in \$20 bills for her release.



The night before driving to Atlanta, 12/12/68, Krist buried the ransom note in Robert Mackle's backyard in Coral Gables, Florida.

Returning now to Dec. 17 at about 5 a.m., the kidnapper arrived with Barbara at the site where the capsule had been buried. Ruth injected Barbara's buttock with a tranquilizer, which she had prepared to facilitate getting her into the capsule. Krist explained to Barbara the precise methods of operating the ventilating system, the sump pump and the light with which the capsule was equipped. They did not tell her that the container of drinking water in the capsule was laced with a tasteless mild sedative to avoid a panic attack. No attempt was made to molest her in any way. The capsule contained a sleeping pad and blankets. The food provided in the capsule was carefully selected to provide Barbara with adequate nutrients for a few days. No detail was overlooked as a chemical toilet, albeit a crude one was supplied with toilet tissues and even Kotex sanitary napkins were provided. Type written instructions on the operation of the capsule's light, sump pump and ventilating system was provided inside the capsule.

After placing Barbara in the capsule, the lid was secured with 20 heavy-duty 3 1/2 inch screws. It would have been escape proof for anyone much less a slightly built girl suffering with the flu. Barbara was told her condition would be monitored every few hours. He lied! The kidnappers left the burial site as dawn was breaking, returned to their motel to clean up and check out. Krist had a big argument with the motel manager demanding a refund since he was leaving a day early! Refund was denied. They began the 660 mile drive to Miami during which Krist listened to radio reports of the kidnapping. He told Ruth that the police were looking for two kidnappers so she should lay down in back of the Volvo with a tarp over her.

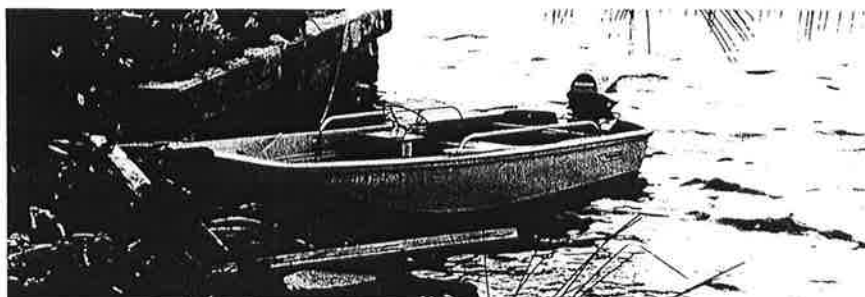


Krist took this photo of Barbara Mackle at the burial site just after Ruth injected her buttock with a tranquilizer and only moments before he put her in the capsule, secured the lid and covered it with soil. He then mailed the photo and Barbara's gold ring to Mr. Mackle to convince him he had her in his control.

At 9:30 a.m., Krist telephoned the Mackle residence and informed a houseguest where to find the ransom note. Krist and Ruth arrived in Miami at 3 a.m. on Wednesday, Dec. 18. Before retiring, Krist mailed Barbara's gold ring and a Polaroid photo he had taken of her at the burial site with a printed sign on her chest reading a single word "KIDNAPPED." (At the time I interviewed Ruth following her arrest in Oklahoma in March 1969, she told me among other things that Krist rejected the first photo he took of Barbara because she wasn't smiling. He told her to "smile for daddy." Thus the labored smile on her face in the now famous photo.)

Upon their return to Miami to negotiate the ransom payment, they moved into a house trailer formerly occupied by Krist, his wife and two children. It's interesting to note that on Dec. 12, a day before he and Ruth drove to Atlanta with the capsule, Krist told his wife he no longer loved her and took her and his kids to the airport with all their belongings and sent them to California to be with her mother.

At noon, Wed, Dec. 18, Krist telephoned (by name) Father Mulcahy at the Little Flower Catholic Church rectory in Coral Gables, the Mackle family parish. He advised Fr. Mulcahy that he was the kidnapper and that Mulcahy should urge Mr. Mackle to comply precisely and promptly with the instructions in the ransom note since Barbara is "ill and coughing a little." He then stole a small outboard motorboat from his employer, the Marine Science Institute, which was going to be used to pick up the ransom money.



Stolen boat Krist used during first payoff attempt. 12/19/68

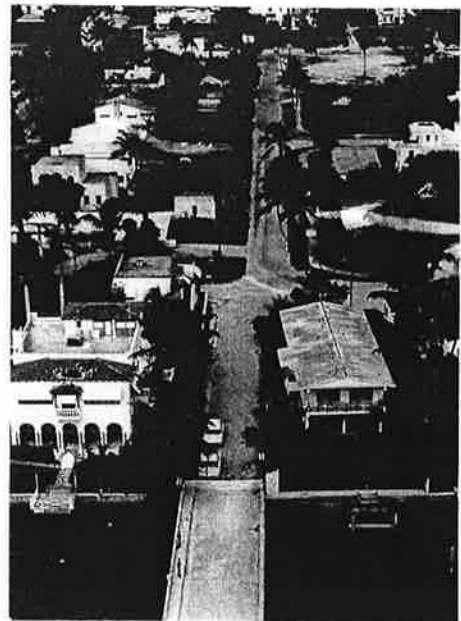
In the early morning hours of Dec. 19, Krist telephoned Mr. Mackle directly with specific instructions for the payoff. Mr. Mackle was to leave his residence alone, immediately (about 1:45 a.m.) with the suitcase containing the \$500,000 ransom money. He was to go to Bay Road and Fair Isle Street where there is a pedestrian bridge heading from Fair Isle Street over a portion of Biscayne Bay to Fair Isle. A short distance out on the bridge is a four-foot wall to prevent vehicular traffic. Mr. Mackle would see a blinking light aimed in his direction as he walked with the suitcase toward the wall. The blinking light would be affixed to a large box just over the four-foot wall on the railing of the bridge.

Some confusion resulted since Mr. Mackle never saw the blinking light but he was seen by Ruth from her lookout position and she communicated her sighting by radio to Krist. The light on top of the box had malfunctioned. After some delay, Mr. Mackle put the ransom suitcase on the bridge by the wall. He never saw the box into which he was to place it.

Krist moved his boat closer to the bridge and discovered his light had not worked but saw the suitcase and picked it up. After getting the suitcase, Krist put it in a small motor boat he had stolen and sailed a couple of miles north on Biscayne Bay toward a public park where he had parked his Volvo. During this time, Ruth was on the lookout on the landside of the pedestrian bridge with a handy talkie radio to alert Krist to any police presence. She saw none.

The local Miami police were not in any way involved in this investigation since it was a kidnapping which had occurred in Atlanta. When Krist exited his boat with the money at about 4 a.m., he had to walk a few hundred yards to his car, which was loaded with incriminating evidence. As he approached, he saw a local police cruiser and two officers in the area. He panicked, dropped the suitcase and began running carrying only a carbine rifle. One officer pursued him and other recovered the suitcase containing the \$500,000 in \$20 bills. The pursuing officer fired two shots at Krist noting that he was armed but didn't know if he hit him or not. It's fortunate for Barbara that the shots missed Krist. If he had been killed, Barbara would surely have died since Krist alone knew the precise burial place.

FBI agents immediately spoke with the officers who explained that they were investigating a suspicious vehicle (the Volvo), which was parked illegally in a park, which had closed to the public at 10 p.m. They were told what was going on and turned over the ransom money, which was returned to Mackle. Mr. Mackle appealed to the kidnapper in the media (newspapers and TV), saying that he had nothing to do with the police presence at the pay-off site and that the officers were simply investigating an illegally parked car.



Fair Isle Bridge, scene of first payoff site. Krist was to pick up ransom money by boat and make his escape by water to where he had parked his Volvo two miles north. Ruth was positioned on land with binoculars and a handie talkie radio with a clear view of the payoff site so she could alert Krist to any police activity. She saw none.

By this time, Ruth was waiting for Krist at a pre-arranged rendezvous point but when Krist failed to appear, she felt he had gotten the money and ran off without her. Following her arrest, she advised me that she became frightened and dropped her handie talkie radio in a field and that morning took a bus from Miami to Houston just to get out of the area. In his getaway, Krist also dropped his handie talkie, which Bureau agents later recovered. The Volvo was seized by the FBI and searched pursuant to a court ordered search warrant. It was a mother load of incriminating evidence.

Mr. Mackle's appeal to the kidnapper in the media bore fruit. At 5:30 p.m., Thursday, Krist called a priest at the Epiphany Church and told him to get Mackle's private phone number and tell him to have the ransom money ready and he would call back at 11 p.m. During this period, Krist rented a car. At 10:35 p.m., Krist called Fr. Mulcahy at Little Flower Rectory and gave him explicit directions to relay to Mr. Mackle for the 2nd payoff. It was to be in the early morning hours of Friday, the 20th, at a remote area on the Tamiami Trail which connects Miami with Florida's west coast. This payoff was successful.

At 9 a.m., Krist appeared at a boat supply company in Palm Beach, FL and purchased an Orlando Clipper, a 17 ft. outboard motorboat & engine, which he paid for in cash for \$2,800 (all in \$20 bills of the marked ransom money). At 12:55 p.m., Krist, using a public phone called the Atlanta FBI office and explained that he was Barbara Mackle's kidnapper and wanted to provide directions to Barbara's burial site. The FBI switchboard operator, Thelma Poindexter, asked him to hold for an agent. He adamantly refused, saying he would only talk to her and she should write it down carefully. She did so and about 50 agents were dispatched to the scene. Unfortunately, none of them in their excitement thought to bring a shovel for the excavation!

The directions were somewhat vague and inexplicit. When agents arrived at the wooded site at 1:30 p.m., Dec. 12, they searched randomly for a few hours without success. At about 4 p.m. as dusk approached, one agent discovered what appeared to be a little freshly dug red Georgia soil on top of some brush on the ground. He called others to his location and they began calling Barbara's name as loud as they could. In return, they heard some muffled thumping noise like someone pounding on a wall. Several agents had now gathered in the area and the more they called out the faster the thumping sounded. They began feverishly removing brush to the point where larger quantities of fresh red clay were appearing. They had found the spot and digging with sticks, boards, hands and tire irons, removed 18 inches or so of brush and soil from the surface of the capsule. They succeeded in opening one compartment of the capsule using makeshift tools such as tire irons. It was the power supply compartment only. Hurriedly they opened the other lid which was the compartment holding Barbara Mackle. A cheer went up when she was found to be alive but in a weakened condition. She was lucid but could not stand up. Her first comment to her rescuers was "you guys are the handsomest men I've ever seen." She later mentioned that she repeatedly sang every church hymn she could remember while entombed in the capsule.

One of the agents carried Barbara to an FBI car and drove her to the home of a bureau agent who lived nearby. There she was examined by a physician from Emory University Clinic. She was reunited with her father at this location within hours after he was telephonically notified by FBI Director J. Edgar Hoover of Barbara's recovery and condition.

Search of Krist's Volvo

Pursuant to a search warrant, the Volvo was searched by Miami FBI agents in the office garage. It contained a wealth of incriminating evidence implicating Krist and Ruth in the kidnapping. Among items found were: blank pages containing indented typing corresponding exactly to the ransom demand note indicating it was used as backing paper when the note was typed; the first Polaroid photo taken at the burial site of Barbara with the "kidnapped" sign on her chest; a knit ski mask; a Polaroid camera, a motel key for room #153 at the Rodeway Inn; personal Ids of Krist and Ruth Eisemann-Shier; photos of Krist and Ruth; and two one-way tickets Miami to Las Vegas via Chicago on Delta Airlines at 7 a.m., Dec. 19, 1968. As a result of this search, Krist & Eisemann-Shier were clearly identified as the kidnapers. On Dec. 20, Gary Steven Krist was placed on the list of the FBI's "Top Ten Fugitive" List. There was not yet sufficient available data to place Ruth on that same list. She was, however, being sought as a fugitive.

Search for Krist

As indicated earlier on the morning of Dec. 20, Krist had purchased with the ransom money, a 17-foot outboard motor boat in Palm Beach, FL. He also purchased charts of various Florida inland waterways and specifically for directions to Ft. Lauderdale via the Palm Beach inlet to the ocean. He took delivery of the boat just after calling FBI Atlanta with directions of the burial site and was last observed heading north toward the Palm Beach inlet.

Miami agents in two planes took to the air and began searching for Krist in the waters of both inland waterways and the ocean between Palm Beach and Fort Lauderdale. They also searched the ocean to almost as far as Grand Bahamas Island, 60 miles from Palm Beach, to no avail. Darkness forced an end to the search at about 6 p.m.

I instructed the agents to get color photos of an Orlando Clipper outboard such as the one Krist purchased and to reproduce 100 copies of same to have ready for broad distribution in the morning when the search resumed.

Krist was very devious and Inspector Shroeder and I strategized that Krist would likely travel in a direction opposite from that which he indicated to the guy who sold him the boat. In support of this strategy, we noted he purchased a variety of marine charts for inland waterways. It was decided to investigate the Florida Intercoastal Waterway westbound through Lake Okeechobee. There are a series of locks on this waterway, which don't operate 24 hours a day. This strategy proved to be correct since Miami agents, now armed with photos of Krist and his boat, spotted Krist in his boat south of Ft. Myers in the Gulf of Mexico heading north. Inspector Shroeder and I immediately boarded a Coast Guard plane and headed to the Ft. Myers area to join the search.

Bureau agents from the Tampa and Jacksonville Division as well as a large contingent of local and state police converged on the area to intercept Krist wherever he decided to land. By the time Inspector Shroeder and I arrived in the area, the agent in charge of the Tampa Division, Joe Santoiana, was already airborne in a Coast Guard helicopter. Inspector Shroeder wanted to join the search on the ground so we landed and he was picked up by a Bureau agent. He wanted to me to remain air born and in radio contact. I did so until Krist was caught.

Krist, by this time, knew he was under aerial surveillance. He turned his boat at high speed into Charlotte Harbor from the Gulf of Mexico and ran it aground about 150 yards from the beach of uninhabited Hog Island. He was seen stuffing some things (probably some of the ransom money) into his shirt, abandoned the boat with the motor running and waded ashore. He had no idea that this was an island but we saw it clearly from the air. Hog Island, the local people advised, was nothing more than a two square mile mangrove swamp infested with alligators and a variety of water snakes and other marine life. Agents and local authorities waded ashore in early afternoon in search of Krist. The undergrowth was jungle like. Agents went in and out of the swamp to be relieved by others. Airboats were tried but were of little use due to thick vegetation. The search continued into the darkness of night. At 12:05 a.m. Dec. 22, some voices shouted out "we've got him!" Two Charlotte County Sheriff's Officers had Krist in tow.

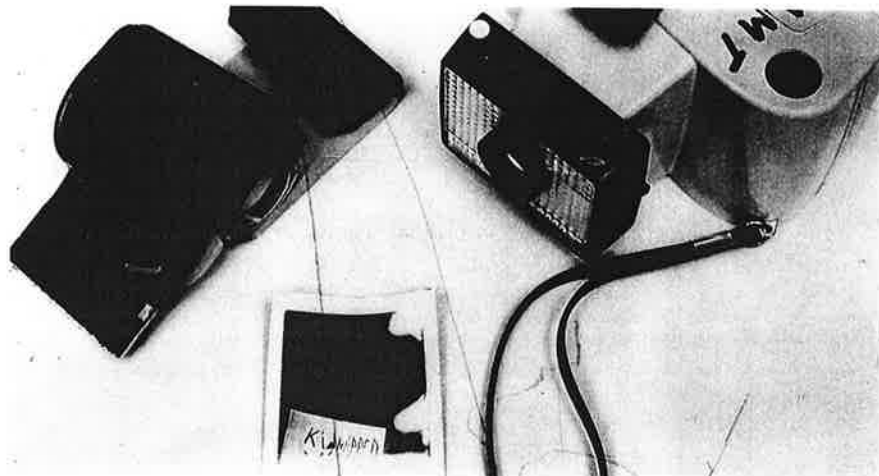
At the time of his arrest, Krist had \$18,002.71 on his person. Almost all of it was marked ransom money. The duffle bag abandoned by Krist in his escape motorboat contained \$479,000, all of which was ransom money. Here's an ironic note: Hog Island where Krist was captured was at one time owned by Robert Mackle, Barbara's father.



Krist's Volvo after it was seized by Bureau agents following the aborted payoff on 12/19/68. Note the Massachusetts license plate from the 2 years ('66-'68) Krist worked as a technical researcher at the Massachusetts Institute of Technology.



Some contents of the Volvo which were highly incriminating to both Krist and Ruth Eisemann-Schier: motel key to Room 153 Rodeway Inn Atlanta where they checked in under a fictitious name on 12/13/68, Ruth's passport and other personal items of ID for both Krist & Ruth, ski mask, two Delta Airline one-way tickets to Las Vegas via Chicago for 12/19/68, indented writing of exact copy of ransom note, photos of both Krist & Ruth, and photo of Barbara Mackle at burial site etc.



It turned out that Krist in making his way from Palm Beach to the Florida West Coast via Florida Intercoastal Canal and Lake Okeechobee was unable to travel its entire length the night of Dec.20. He encountered some locks, which were closed for the night and had to sleep in his boat to wait their re-opening at 6 a.m.

Krist was returned to Miami where it was decided that the FBI would drop the kidnapping charges against him since the kidnap victim was not moved across state lines. The lesser federal charges against him were also dropped in favor of extraditing him to Atlanta to be tried for the far more serious charges of kidnapping, a capital crime under Georgia's laws.

Search for Ruth Eisemann-Schier

On Dec. 28, Ruth Eisemann-Schier was placed on the FBI's list of "Ten Most Wanted Fugitives." This was the first time a woman had ever been placed on the list. In addition to broad circulation of her wanted flyer in the US, a Spanish version was also widely circulated throughout Central America with emphasis given to Mexico where she had lived and in Honduras, her native country.

Recall that on Dec. 19, Ruth was unable to rendezvous as planned with Krist after the failed first payoff attempt. She became frightened and felt that Krist had gotten the ransom money and took off without her. She left Miami by bus for Houston since it was the first bus out of the terminal that morning.

Investigation eventually disclosed the following since much information was developed from citizens who had seen the Eisemann-Schier's wanted flyer. In Houston, she accepted a job under an assumed name as a live-in maid caring for two children about Christmas time for \$35 a week plus room and board. Her employers liked her and in early Feb. 1969 wanted her to get a driver's license, which in Texas requires finger printing. She fabricated a story that she had to go to San Antonio to visit her ill father and promised to return on Feb. 10. She had no intention of returning. Her employer paid for her round trip bus ticket. She redeemed the return ticket to Houston for a ticket to Oklahoma City. There she became acquainted with La Donna Sue Wilds. Shortly thereafter she stole all of La Donna's identifying data; driver's license, social security card, birth certificate, etc. and after altering them assumed the identity of Donna Sue Wills and moved to Norman, Oklahoma.

In Norman, she applied for a job as a nurse's aid at Central States Hospital. While waiting for word from the hospital, she accepted a job at the Boomerang Restaurant as a carhop. She later was invited to return to the hospital for processing and was finger printed. She was originally finger printed by INS when she entered the U.S. on a student visa. It was these INS prints which were used by the FBI in preparing the wanted flyer for her placement on the Top Ten Fugitive List. The prints taken at the hospital were forwarded to the Criminal Division of the Oklahoma State Bureau of Identification (OSBI) for a routine search. An alert fingerprint technician at OSBI identified the fingerprints of Donna Sue Wills submitted by the hospital as those of Top Ten Fugitive Ruth Eisemann-Schier and notified the FBI.

At 3:05 p.m., March 5, 1969, Ruth was taken into custody by bureau agents at the Boomerang Restaurant. The Oklahoma FBI office advised FBIHQ that the only information concerning the Mackle kidnapping in their files was the Top Ten Fugitive flyer and the arresting agents were not adequately knowledgeable to conduct her interview.

At the time of Ruth's arrest, I was assigned at FBIHQ as the Supervisor In Charge of all Kidnapping and Extortion Investigations in the United States. FBI officials at FBIHQ instructed me to proceed immediately on the next available flight to Oklahoma City. I was driven to Dulles airport at 4:30 p.m., March 5, to catch a 6 p.m. flight. I was told to buy whatever clothing and toilet articles I needed when I got there.

On the morning of March 6, accompanied by SAC John Burns, I proceeded to the jail and began a two-day interview of Ruth Eisemann-Schier. She readily signed a Miranda warning (both English and Spanish version). She was most cooperative and her English was passable but not perfect. On the second day, it was decided to have an Oklahoma City agent, Jimmy Cloos, totally fluent in the Spanish language (both oral and

written) to accompany me. Together we clarified some points of my oral interview the day before and took a typewritten 41 page signed statement from her in English. I asked her to read the first page to me aloud. She had difficulty reading English so I asked Agent Cloos to translate the statement using a Spanish typewriter that night. On the morning of March 7, Ruth signed both the Spanish and the English version so that defense counsel could not argue at trial that Ruth was unable to understand what she was signing. Ruth was quite well educated and had no difficulty at all with reading the Spanish version. In essence, she narrated every detail of her relationship with Krist as well as the intricacies of the kidnapping plot in which she participated with him.

There was one discrepancy early in the interview when she denied participating in the first ransom payoff with Krist. You may recall that earlier in this narrative, I mentioned that Ruth had served as a "lookout" for police activity for Krist at the first payoff site about a block from the site. She and Krist had handie talkie radios to communicate with each other since Krist was scheduled to pick up the payoff money from a boat in Biscayne Bay. When the first payoff was interrupted by unsuspecting police, Krist dropped his handie talkie when he abandoned the suitcase full of ransom money when he took flight from police. His radio was later found by Bureau agents near the scene.

Later, in an effort to locate Ruth's radio I asked the Miami Herald to publish a photograph of Krist's radio and invite the public in that area to turn the radio, if found, over to the FBI. As luck would have it, a 7th grade child found it in a field a month after the incident and showed it to his mom. She still had it and turned it over to Bureau agents. We were unable to lift any finger prints from the outside case of the radio but Ruth's latent prints were lifted from the two batteries inside. This effectively placed her at the scene. When told of this, she agreed that she was there!

Prosecution

As mentioned earlier, the federal kidnapping charges against Krist were dropped since Barbara Mackle was not moved across state lines. On March 7, 1969, Krist entered a not guilty plea by reason of insanity in DeKalb County, Georgia Superior Court. He withdrew his insanity plea on May 19, 1969.

On May 26, a jury found Krist guilty of kidnapping and recommended mercy thus saving him from the death penalty. He was sentenced to life in prison. He was released from prison, however, after serving about ten years.

The last I heard of him was that he was studying medicine on Grenada in the Caribbean. You may recall that President Reagan ordered the invasion by U.S. troops on the Island of Granada since the Cuban Government was building an airstrip there. Many U.S. citizens were on the island at the time studying medicine at an off shore medical college. I presume that Krist was among them. Most of the students were repatriated to the U.S., but I don't know if Krist was among them.

The primary thrust of Krist's defense at his seven day trial was that while he had been previously incarcerated for crimes in California and had escaped from a reform school and prison twice, he had never been involved with a violent crime, i.e., a crime against a person. His crimes were crimes involving property, i.e. auto thefts and fraud. Much was made of the fact that he had not been physically or sexually abusive to Barbara Mackle. On the contrary, his legal counsel argued he had gone to extraordinary means to insure that no harm came to her. In fact, he told her she would be released even if her father didn't pay the ransom.

Also, it will be recalled that within hours of receiving the ransom money, he telephoned the Atlanta FBI office and furnished the precise location where she was buried. Legal counsel also argued that she was found alive and in reasonably good condition, "thanks to Krist's ingenuity in constructing the capsule" and that without his call to the FBI Atlanta office she surely would have perished.

Ruth Eisemann-Schier was prosecuted in the same courtroom as Krist with the same judge presiding. She pled guilty and was sentenced to seven years in prison and deportation to Honduras, her native country, upon release. After serving only two years of her sentence, it was learned that Ruth's mother, Dr. Elfriede Schier, a dentist of Catacamas, Honduras, died on Sept. 4, 1971. She had been robbed and stabbed to death. Ruth's attorney appealed to the sentencing judge to mitigate her sentence to time served and order her deported forthwith to Honduras to care for her mother's estate. It was further brought to the court's attention that Ruth's father, who had fled Nazi Germany during WWII, was himself shot to death some years earlier. The court granted Ruth's attorney's request and she was released in the fall of 1971 and deported to Honduras.

Epilogue

The Mackle kidnapping in December 1968 received extensive national publicity largely because the burial alive of a beautiful 20-year old coed in a coffin-like capsule for 3 ½ days was almost too horrible to imagine! This crime was the subject of two made for TV movies and at least two TV documentaries of which I am aware. Gene Miller, a Pulitzer Prize winning reporter for the Miami Herald, wrote a compelling book about the case entitled 83 Hours Till Dawn, published by Doubleday.

Even the principle kidnapper, Gary Steven Krist, following his conviction, wrote a book while incarcerated for the crime entitled, Life--The Man Who Kidnapped Barbara Mackle published by Olympia Press, 1971. In his book, Krist referred to the crime as "my brain-child, my perfect and fantastic crime." This very bizarre crime also resulted in a copycat kidnapping in NYC in August 1975. The two news clips from the NY Times and the NY Daily News tell of that kidnapping which also had a happy ending.

In the forgoing narrative, it is noted that Krist initially pled guilty by reason of insanity. As a result of such plea, a court appointed psychiatrist examined him. The entire four page psychiatric report is in an envelop at the end of this album together with the four page Mackle ransom demand note. Both of these documents say a great deal about his high level of intelligence. I recommend that you read them both for a third dimensional insight to this extraordinary person who never finished high school. The psychiatrist characterized Krist's IQ "to be at the genius or near genius level." His evaluation is well documented in his psychiatric report to the trial judge.

It is tragic, in my view that someone of Krist's high level of intelligence failed to direct his talents into legitimate pursuits. The final paragraph in Krist's book about the kidnapping is thought provoking so I include it here:

My victim has put me in her moral debt for life. And of morals and myself I have mulled many times at night: I had been doing very well until the fissure in my self-respect began when I became an adulterer and abandoned my two children by the same act. Then my real self, which had begun to emerge in a clean pride I had not known before, turned into craziness of conduct. I had broken my allegiance to the last of my boyhood heroes, Robin Hood. Now, in the prison nights, I knew I had broken the code of the Robin I knew, for while I could see him perhaps kidnapping the Sheriff of Nottingham, and even putting him in a box, I could never visualize him doing any such thing to the Sheriff's daughter. I laughed aloud when I first thought of how I had let Robin down, but then soberly reflected it was not so stupid after all, for it had made me think of aggression against innocence, and I certainly held it a damnable offense. (Life, p. 370)

One final postscript; at the conclusion of this investigation all but \$197.29 of Mr. Mackle's ransom money of \$500,000 was returned to him: \$497,002.71 in cash and one Orlando Clipper outboard motorboat and engine, which Krist bought with \$2,800 of the ransom money for his getaway. Mr. Mackle donated the Orlando Clipper to the Charlotte County Florida Sheriff's Department whose deputies actually arrested Krist in the swamps of Hog Island.

**KIDNAPING; EXTORTION; INTERSTATE TRANSPORTATION
IN AID OF RACKETEERING; AIDING AND ABETTING**

I. O. 4241A
12-26-68

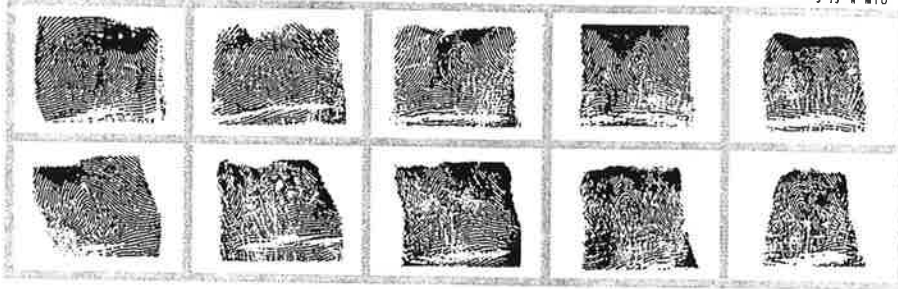
WANTED BY FBI

RUTH EISEMANN-SCHIER

FBI No. 689,206 G

ALIASES: Mrs. Johnson Rarik, Mrs. George S. Price

14 1 1 R O 10 12
S 19 W M 10



Photographs taken 1968



DESCRIPTION

AGE: 26, born November 8, 1942, El Hatillo, Honduras (not supported by birth records)
WEIGHT: 5'2" to 5'3"
WEIGHT: 110 to 121 pounds
BUILD: athletic
HAIR: blonde
EYES: green
RACE: white
NATIONALITY: Central American
OCCUPATIONS: biology researcher, oceanographer, student (marine sciences)
SCARS AND MARKS: small round scars on nose and right cheek
REMARKS: speaks four languages (English, Spanish, German, and French) English with Spanish accent

A Federal warrant was issued on December 19, 1968, at Miami, Florida, charging Schier with violation of the Federal Kidnaping Statute (Title 18, U. S. Code, Section 1201c). On December 23, 1968, additional Federal warrants were issued at Miami, Florida, charging violations of the Federal Extortion Statutes (Title 18, U. S. Code, Sections 875 and 876), Interstate Transportation in Aid of Racketeering Enterprises (Title 18, U. S. Code, Section 1952) and Aiding and Abetting (Title 18, U. S. Code, Section 7)

IF YOU HAVE INFORMATION CONCERNING THIS PERSON, PLEASE CONTACT YOUR LOCAL FBI OFFICE. TELEPHONE NUMBERS AND ADDRESSES OF ALL FBI OFFICES LISTED ON BACK.

Identification Order 4241A
December 26, 1968

J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C. 20535



Photo by: United Press International

Ruth Eisenmann-Schier after her arrest at restaurant where she worked as a carhop following the kidnapping.

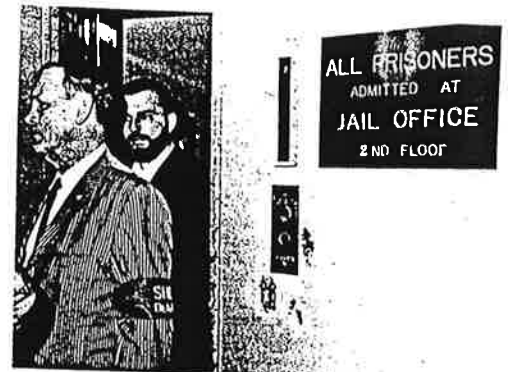


Photo by: United Press International
Krist, accompanied by deputy sheriff, en route to courtroom.

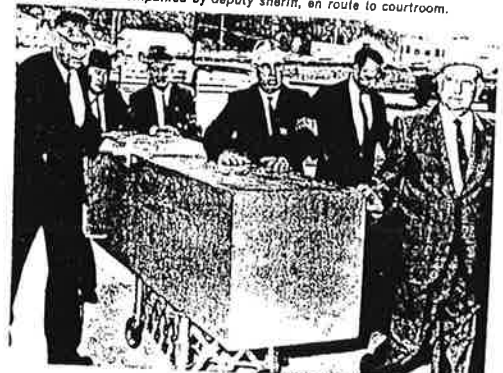


Photo by: United Press International

Krist's "life support system" is wheeled into court as evidence.

14

MACKLE CASE
CHRONOLOGICAL TIMETABLE

MONDAY, 9/23/68 - MONDAY, 10/7/68

University of Miami Marine Science Institute sponsored an oceanographic research cruise aboard their vessel "Pillsbury." The cruise was between Fort Lauderdale, Florida, and Bermuda, and among those on board were George Deacon (TN - Gary Steven Krist), and Ruth Eisemann Schier. Krist and Schier met one another for the first time on this cruise.

MONDAY, 10/7/68 - THURSDAY, 11/7/68

Schier began seeing Krist secretly and during this period he informed her that he was working on a project to kidnap someone which would result in both of them earning a lot of money. Krist outlined in detail the scheme for building a capsule in which the victim could be buried under ground and that the capsule would sustain life for seven days.

FRIDAY, 11/8/68

Schier's 26th birthday and the day Krist informed her that his proposed victim was Barbara Jane Mackle of Coral Gables, Florida. After identifying the victim, he informed her that he had started construction on the capsule.

SUNDAY, 12/1/68 - MONDAY, 12/9/68

Krist pointed out Mackle residence in Coral Gables to Schier and further pointed out Mackle's Lincoln automobile to her. Also in this period, Schier entered U.S. Marine Corps surplus trailer at University of Miami Marine Institute in which trailer Krist had built the capsule. Schier got into the capsule and tested it for one hour with the lid closed. The experience frightened her and she claims she attempted to withdraw from the plot but Krist prohibited her withdrawal.

Also in this period, Krist and Schier purchased a Polaroid camera and two handy-talkie radios in Miami. Krist explained the purpose of both to Schier which will be apparent later.

TUESDAY, 12/10/68

Krist ordered two airline tickets under assumed names from Miami to Las Vegas via Chicago on Delta Airlines. Flight was scheduled to depart Miami, 7:00 a. m., 12/20/68. These tickets were later recovered unused from Schier's purse at scene of aborted ransom payoff attempt - described later.

WEDNESDAY, 12/11/68

Schier packed all of her luggage at her rooming house and Krist picked her up with the luggage and stored the luggage overnight at the Marine Corps trailer where the capsule was made.

En route from Schier's residence to the Marine Corps trailer on the evening of 12/11/68, Krist parked the car near the Mackle residence and buried what was later learned to be the ransom note under a palm tree in the yard.

THURSDAY, 12/12/68

Krist informed his wife he no longer loved her and took her and their two children to the Miami Airport with all of their personal effects where they caught a flight to California at 10:00 p. m. Prior to Mrs. Krist's departure time, Krist left the airport, went directly to the University of Miami Library, and met Schier. Together they went to the Marine Corps trailer and loaded the capsule from the trailer into the rear of the Volvo Station Wagon together with most of their luggage. Krist then took Schier back to her residence where she spent the night.

FRIDAY, 12/13/68

Schier rose and went to her first class at the Miami Marine Institute. Krist was scheduled to start his vacation from the Institute on 12/16/68, but called in sick on Friday, 12/13/68. Krist picked up Schier during the day of 12/13/68, at the University and they immediately drove to Atlanta, Georgia, in Krist's Volvo Station Wagon with the capsule in the back.

SATURDAY, 12/14/68

12:13 A. M.

Krist and Schier, using names Doctor and Mrs. Johnson Rarik, checked into Room 153, Rodeway Inn Motel, Atlanta; checked out before Noon, 12/14/68, and paid one night in advance. The stop at the Rodeway Inn was coincidental and they had no knowledge that Barbara Jane Mackle was living there temporarily.

10:00 A. M. - 2:00 P. M.

Checked out of Rodeway Inn. Visited several service stations in area outside Atlanta looking for a remote place to bury the capsule. Many witnesses recalled having seen the capsule in the Volvo and Krist explained he was a geology researcher and desired to bury some sensitive instruments for testing.

2:00 P. M. - 4:00 P. M.

Made several phone calls from public phone on campus to Administrative Offices of Emory University where they knew Barbara Jane Mackle was in attendance. They ascertained Barbara was living at the Rodeway Inn Motel.

5:30 P. M. - DUSK

They returned to a remote area in the woods and removed the capsule from the Volvo and camouflaged it with leaves and sticks.

8:00 P. M.

Krist and Schier checked into the Clermont Motor Inn, Atlanta, under assumed names. Sometime just before or just after checking into the Clermont Motor Inn, Krist, using a public telephone, called the Rodeway Motor Inn and asked for Mrs. Robert Mackle. He was connected to her room and advised her he had a certified letter for her which he would deliver later. Mrs. Mackle recalls receiving this phone call.

SUNDAY, 12/15/68

Krist and Schier returned to the area where they had left the capsule the night before. Krist began digging the hole. He stopped digging for lunch and thereafter returned and continued the digging late in the afternoon of 12/15/68, and placed the capsule in the hole. The capsule was camouflaged only after it was in place. No soil was placed on the top of it. Krist was very tired since he had to dig the hole alone and they returned to the Clermont where Schier prepared dinner.

MONDAY, 12/16/68

During the day, Krist and Schier drove around at random and visited the Emory University campus. They were observed on the campus at 3:00 p. m.

7:00 P. M.

Schier entered the dormitory where Barbara usually resided and Krist had instructed Schier to inquire either for Barbara or her roommate, Ramsey Owens. She did so and located neither. A witness recalls her visit.

10:00 P. M.

Krist and Schier visited a Pancake House at the Rodeway Motor Inn. On leaving the Pancake House, Krist took it upon himself to steal the cap of a uniformed police officer which he found in this restaurant.

11:00 P. M.

They returned to the Clermont Motor Inn and Krist informed Schier that he planned to use the policeman's cap while impersonating a police officer in gaining access to Mrs. Mackle's motel room at the Rodeway. He speculated that most policemen do not wear beards and thereafter shaved off his four-month old beard and Schier saw him for the first time without a beard. During this period, several Polaroid photographs were taken by these two. They took photographs of one another. Krist lay on a bed completely nude in one photograph with only the policeman's cap covering his genitals.

TUESDAY, 12/17/68

4:00 A. M.

Krist, carrying a rifle and wearing the policeman's cap, and Schier wearing a knitted pullover-type ski mask leaving only the front of her face exposed, approached Barbara Mackle's motel room at the Rodeway. He successfully entered the motel room through his police subterfuge and Schier followed him in. Schier then tied Mrs. Mackle's hands behind her and unsuccessfully tried to chloroform her. Mrs. Mackle feigned unconsciousness and Krist and Schier escorted Barbara, wearing only her nightgown, from the room.

4:10 A. M. - 4:30 A. M.

En route from the Rodeway to the site where the capsule had been buried Schier attempted to console Barbara.

4:30 A. M.

Arrived at the burial site and Schier immediately carried the supplies (food, water, blankets, etc.), from the Volvo to the burial site. Schier then injected Barbara's buttock with a tranquilizer.

Thereafter, Krist tied her ankles together and wrapped her in a blanket and carried her to the burial site where he laid her on the ground. He took a Polaroid photograph of her explaining he was going to send it to her father as evidence she was well with a crude sign reading, "Kidnaped Victim" on her chest. It was a poor photograph since her eyes were closed. Krist slapped her on the face and told her to smile for her father. The second photograph was taken and Barbara wore a sickish appearing smile which Krist thought was satisfactory. Thereafter, Krist explained in detail the operation of the capsule to her and gave her typewritten instructions concerning its operation. Krist removed a gold ring from her finger. Schier and Krist then lowered Barbara into the capsule. The box was thereafter closed and Krist began affixing several long screws, securing the lid to the box. Schier recalled she had forgotten a blanket and insisted the box be reopened which it was and another blanket was handed to the victim. The box was then closed and sealed with 14 screws. Both Krist and Schier assisted in putting the soil about 12 inches in depth over the top of the capsule and again camouflaged the surface of it with leaves and sticks.

TUESDAY, 12/17/68 (CONTINUED)

6:00 A. M. (APPROXIMATELY)

Krist and Schier left the burial site as daylight was breaking, returned to the Volvo and drove to the Clermont Motel. During the ride from the burial site to the motel, Schier laid on the floor between the front and rear seats and Krist covered her with a tarpaulin explaining he did not want her to be seen.

6:30 A. M. (APPROXIMATELY)

Arrived at the Clermont and Krist immediately handed Schier a long-handled shovel instructing her to dispose of it behind the Clermont Motor Inn which she did. Together, they returned to the room and packed their belongings in the Volvo. Prior to leaving the Clermont, Krist argued with the management that a refund was due him since he was leaving early. Refund was denied.

9:00 A. M. - 9:20 A. M.

Krist placed a telephone call to the Mackle residence in Coral Gables, Florida, and instructed William O'Dowd where he could find the ransom note under the tree in the yard.

9:30 A. M.

Schier prevailed on Krist to return to Miami via Jacksonville so that she could mail some postcards to friends in Miami. These cards would prove to them that she did, in fact, go to Jacksonville as she had earlier told them. During the trip from Atlanta to Jacksonville, Schier again laid on the floor of the Volvo covered with the tarpaulin. Krist was listening to radio newscasts about the kidnaping and explained to her that authorities were looking for two persons.

10:00 A. M. (APPROXIMATELY)

Bureau Agents located the ransom note in the yard of the Mackle residence where it had been buried in a glass test tube six inches or so underground beneath a rock.

TUESDAY, 12/17/68 (CONTINUED)

3:00 P. M. - 6:00 P. M.

Krist and Schier stopped at a motel near Jacksonville but did not check in. They ate and Schier purchased two picture postcards which she mailed to friends in Miami. She purchased several stamps from a machine, one of which she recalls giving to Krist and feels that he used this stamp to mail the Polaroid photograph of Barbara Mackle and her gold ring to the Mackle residence in Coral Gables. Sometime in the early evening hours of 12/17/68, when the trip was resumed to Miami, Schier once again laid on the floor of the Volvo as before and remained there until their arrival in Miami.

WEDNESDAY, 12/18/68

3:00 A. M.

Krist and Schier arrived at the house trailer formerly occupied by Krist and his wife in Northwest Miami. They immediately entered the trailer and retired. Perhaps prior to retirement, Krist mailed the envelope containing the Polaroid photograph of the victim and her gold ring to her father (Time of mailing is uncertain).

10:00 A. M. - 11:00 A. M.

Krist and Schier rose and Schier left the trailer by the rear door alone in order that she would not be observed with Krist at the trailer park. She walked out of the trailer park and was soon picked up by Krist in the Volvo. He immediately drove to a laundromat in the Southwest section of Miami near Schier's former residence where she did some laundry and he left her and took the Volvo to wash off the dirt from the scene of the burial site. This was done at a nearby automatic car wash.

11:55 A. M.

Krist telephoned Father Mulcahy, Little Flower Rectory, told him he was the kidnaper, and instructed Mulcahy to urge Mackle to comply with the instructions set forth in the ransom demand. He explained that Barbara was "ill and coughing a little."

12:00 NOON

An advertisement was placed in the "Miami Herald" by Mackle family in compliance with the ransom note. The purpose of this nebulous advertisement was to acknowledge receipt of the ransom note.

WEDNESDAY, 12/18/68 (CONTINUED)

1:00 P. M. - 1:30 P. M.

Krist drove Schier to a small park on the shores of Biscayne Bay and informed her that this would be the general area of the ransom payoff which was to occur the following morning, 12/19/68. They were observed by witnesses at this location. After leaving the park, Krist pointed out to Schier a garden containing a pagoda on South Bayshore Drive. He instructed her that she would take up a position in this garden at the time of the payoff to advise him by radio when Robert Mackle arrived in the area of the payoff site. From this position, she had a clear view of the western end of the Fair Isle Bridge.

3:00 P. M. - 4:00 P. M.

Krist complained of a skin rash in his groin area and visited Dr. Robert Goddard in South Miami. He used the name of George Deacon. Dr. Goddard gave him a prescription. Schier had the prescription filled at a drug store adjacent to Dr. Goddard's office. Sometime during this period, Krist purchased a "Miami Herald" to determine if the advertisement requested in the ransom note appeared. He located the advertisement.

5:00 P. M. - 7:00 P. M.

At about 5:00 p. m., Krist drove Schier to a gasoline station near his house trailer and told her to wait there a couple of hours for him while he returned to the trailer and packed his personal effects. When he returned to pick her up a little after 7:00 p. m., he was pulling a small hauling trailer containing some personal effects. Krist thereafter drove to a thrift shop a few blocks away and sold the trailer and contents for \$35.00. Many of Krist's personal effects, letters from his mother, etc., were located in this trailer.

7:30 P. M. - 9:00 P. M.

Krist and Schier went to an Italian restaurant not far from the thrift shop and Krist ate a substantial meal. Schier stated she was unable to eat because of her nervousness.

WEDNESDAY, 12/18/68 (CONTINUED)

9:00 P. M. - 11:00 P. M.

During this period, Krist and Schier drove to the Miami International Airport. Schier gave her two \$100 bills which she had obtained from closing out a bank account in Miami. With this money, Krist purchased two airline tickets to Chicago via Northwest Airlines in the name of Mr. and Mrs. Schultz. At this time, three large pieces of luggage were checked through to Chicago. Thereafter, Krist and Schier drove directly to the area of the Marine Institute installation on Virginia Key.

11:50 P. M. (APPROXIMATELY)

Upon arrival at Virginia Key, Schier walked down to the beach to some beach houses where she changed her clothing. She then returned to the Volvo. Krist then left the Volvo and walked to the area where some small boats were maintained by the Marine Institute. He began placing some supplies in one of the boats. During this time, Schier acted as a lookout for him to assure that he would not be interrupted by the uniformed guard on duty. She pretended to be rearranging the luggage in the Volvo. When Krist returned to the car, he told Schier to drive back to the area of the Fair Isle Bridge. She stated she was unable to do so for two reasons: she had failed the driver's license test a week or two before and she was much too nervous to drive. He attempted to give her a quick driving lesson so that she could perform this function and she nearly wrecked the car. Krist then drove Schier to the western end of the Fair Isle Bridge and told her to wait for him there.

THURSDAY, 12/19/68

12:10 A. M.

Krist drove the Volvo alone North to an isolated area on a dead-end street near the toll gate of the Rickenbacker causeway (about two miles north of the Fair Isle Bridge). After arriving here, he returned to Virginia Key about two and one-half miles from this place. His mode of transportation is unknown.

THURSDAY, 12/19/68 (CONTINUED)

1:00 A. M. (APPROXIMATELY)

Krist arrived by boat at Fair Isle Bridge. Traveling in a southerly direction, he went under the bridge and beached the boat on Fair Island at the eastern end of the bridge. Schier joined him on the beach. She carried a bag containing miscellaneous articles to the center of the bridge and Krist a large box to the center of the bridge. Schier observed that the box had a light affixed to its top which was on a hinge and Krist placed the box on the south side of the bridge over the wall. He had a sling-type rope attached to it and placed this rope over Schier's neck and told her to hold the box until he had wired same to the bridge. Krist explained to Schier that when the ransom money was placed in the box, it would immediately become dislodged by the additional weight and would fall into the water from which he would recover it.

1:30 A. M.

When the box had been wired into position, Schier walked to the western end of the Fair Isle Bridge and waited while Krist tested the light. Schier noted that there was a long coil of wire attached to the light and it could be flashed from some distance away. It worked properly. She returned to the center of the bridge and Krist give her her handy-talkie and binoculars and instructed her to take up her position at the pagoda in the garden mentioned previously. Schier was to be the lookout for any unusual police activity and more specifically was to advise Krist by radio when Mr. Mackle arrived in the area of the payoff.

2:00 A. M. (APPROXIMATELY)

Krist left the area of the Fair Isle Bridge.

3:47 A. M.

Krist called Robert Mackle and furnished him detailed instructions on the ransom payoff and where it would occur. Mackle was instructed to place the suitcase containing the ransom money into the box described above.

4:00 A. M.

Local police officers commenced a routine suspicious car investigation on the Volvo which Krist had left in the area of the Rickenbacker tollgate.

THURSDAY, 12/19/68 (CONTINUED)

4:41 A. M.

Krist again called the Mackle residence and spoke with Frank Mackle who told him that his brother was unable to find the designated place but would try again.

4:45 A. M.

Two local police officers were continuing their check of the Volvo mentioned above.

4:50 A. M. (APPROXIMATELY)

Mackle placed the ransom money just over the wall at the western end of the Fair Isle Bridge. The money was in a suitcase.

5:20 A. M.

Local police officers observed what they believed to have been two persons in the area between the Volvo and Biscayne Bay. One of these persons came closer and recognized the officers and immediately abandoned the bag containing the ransom and fled on foot. One officer pursued the fugitive and in a chase of several blocks fired two shots at him and apparently missed. It is believed now that the officers only saw one person since there were two officers and one could have chased each suspect but as it turned out, the other officer simply recovered the abandoned suitcase containing the ransom money.

5:35 A. M.

Witness observed a policeman chasing a fugitive and noted that the fugitive was carrying a rifle, perhaps a carbine. Schier had confirmed this later that Krist was carrying a rifle at the time.

6:00 A. M.

Schier left the area of the pagoda and began walking toward the Florida Bible College approximately one mile from the Fair Isle Bridge. This was a pre-arranged rendezvous point where Krist was to pick her up. She was seen in this area by several witnesses. Schier abandoned her binoculars and handy-talkie in the thicket (later recovered by Bureau Agents) near the Bible College and hid under an abandoned car in the same area.

THURSDAY, 12/19/68 (CONTINUED)

7:45 A. M. (APPROXIMATELY)

Schier felt that Krist had deserted her and had fled with the ransom money. She said she had \$80 in her pocket and with this she purchased some clothing at a five and ten cents store and took a taxi to downtown Miami Greyhound Bus terminal. She purchased a ticket arbitrarily on a bus to Houston, Texas, scheduled to depart at 2:15 p.m., 12/19/68. During the period she waited for the bus to depart, she visited the Miami Library nearby and in this period, heard newscasts or read a newspaper indicating that the ransom payoff had been a failure and that the money had been recovered by the police.

8:05 A. M.

Schier had been seen at this time near the Bible College by an acquaintance who knew her well.

11:00 A. M.

While in flight, Krist abandoned his handy-talkie which was subsequently recovered by Bureau Agents. Between 11:00 a.m., and Noon, Krist visited the Florida Bible College and inquired for Schier, but was informed that she was not there.

2:00 P. M.

Krist visited the Northwest Airlines ticket office in downtown Miami (located directly across the street from the Miami Library where Schier probably was at this time). He explained to the clerk that he wished to refund a ticket he had purchased for his wife on a flight to Chicago on the morning of 12/19/68, explaining that his wife had been in an auto accident and was hospitalized. He redeemed the ticket for \$58.28 and shortly thereafter took a taxi to the Miami International Airport. At this time, the "Miami Daily News" was in the street in Miami with banner headlines concerning the ransom payoff. There was an appeal on page one by Mr. Mackle to the kidnaper to recontact him since the police interference was entirely beyond his control. Mackle stated in the appeal that he would like another opportunity to give the ransom money to the kidnaper. Perhaps Krist read this article en route to the airport.

THURSDAY, 12/19/68 (CONTINUED)

2:15 P. M.

Schier boarded a Greyhound bus for Houston, Texas. She had very little money with her, no identifying data, and no warm clothing. When this bus arrived in Sebring, Florida, one of the passengers suffered a heart attack and was removed. All passengers were obliged to furnish their names and addresses as witnesses to this event. Schier used an assumed name. This bus arrived in Houston, Texas, on 12/20/68, and upon arrival, Schier walked directly across the street and checked into a YWCA.

3:30 P. M.

Upon arrival at the airport, Krist went directly to the Northwest Airlines ticket office and requested a refund on a ticket which he held on a 7:00 a. m., flight to Chicago. When asked for identification, he produced identification in the name of Deacon but the ticket was made out in the name of Schultz. He ultimately succeeded in getting the clerk to redeem the ticket for \$77.70. (This was a family plan ticket accounting for the higher fare).

4:00 P. M.

Krist made an effort to recover the luggage which he had checked through to Chicago when he purchased the Northwest airlines ticket on the previous evening. He was informed that the luggage had already been sent to Chicago.

4:25 P. M.

Krist took a taxicab from the Miami International Airport and asked the driver to take him to a car rental agency. Since Krist had only a little over \$100, he argued with various rental Agents for a reduced price until he ultimately rented a car at Merlin Car Rental Agency near the airport. He rented a 1969 Ford Fairlane Sedan.

5:30 P. M.

Krist called a priest at the Epiphany Church and told him to instruct Mr. Mackle to have the money ready. He requested the priest to get the private phone number of the Mackle residence and explained that he would call back for same at 11:00 p. m. (Krist formerly had all of the unlisted numbers but lost all of his personal effects when the FBI recovered his Volvo Station Wagon and contents).

THURSDAY, 12/19/68 (CONTINUED)

6:23 P. M.

Krist appeared at the emergency clinic of Jackson Memorial Hospital, Miami, explaining that he had cut his groin and desired to be examined. The clinic was crowded and Krist had to wait a considerable length of time. He was ultimately treated and the doctor took four sutures in his groin area and furnished him with a prescription for an antibiotic. The doctor requested him to return in three or four days to have the sutures removed. Krist explained that he could not return and the doctor furnished him with a suture removal kit. He left the hospital sometime between 8:30 and 10:00 p. m.

10:35 P. M.

Krist called Father Mulcahy at the Little Flower Rectory and gave him instructions on where Robert Mackle should deliver the ransom money. Mulcahy was instructed to drop the money just inside the entrance to a dirt road 2.2 miles west of the Little City Trailer Park on southwest 8th Street, Miami. (This was not the same priest he had called earlier in the day at the Epiphany Church).

11:25 P. M.

Billy Vessels, former University of Oklahoma football star, now employed by the Mackle family, drove the Mackle car with the suitcase containing the \$500,000 to the designated area. It was a foggy evening. He located the area without difficulty and left the suitcase containing the money as directed by Krist and immediately left the area. At Mr. Mackle's request, no effort was made to cover the immediate vicinity of the payoff.

FRIDAY, 12/20/68

9:00 A. M.

Krist visited several boat supply and camping supply companies in West Palm Beach, Florida, where he purchased camping supplies and equipment as well as an Orlando Clipper, a 17-foot outboard motor boat. (In these purchases, he expended about \$2,800 of the ransom money which was recovered by the FBI). He was still driving the rental car described previously and was now using the name of Art Horowitz. (Art Horowitz is an employee of the Miami Marine Science Institute who shared a cabin with Krist on a scientific cruise to the Bahamas in late August, 1968). Krist somehow had Horowitz's Selective Service card.

FRIDAY, 12/20/68 (CONTINUED)

9:30 A. M.

Krist checked into the Hotel Dixie Court in West Palm Beach, Florida, explaining he desired to take a shower. The truth is that the shower was not utilized and Krist was only in the room for about one hour during which time he transferred the ransom money from a suitcase into a duffle bag.

10:00 A. M. - 11:30 A. M.

Krist made several visits to the D & D Marine Supply Company from whom he had purchased the outboard motor boat to determine if it was ready for a trial run. He appeared anxious to get underway.

11:30 A. M.

Krist "stored" the rented Ford at an all-night parking lot in West Palm Beach and paid for ten days in advance.

12:55 P. M.

Krist, using a public telephone, anonymously called the Atlanta FBI Office. He advised the switchboard operator in the Atlanta Office that he had information concerning the Mackle girl and that he did not wish to speak with anyone other than the switchboard operator. Krist furnished detailed instructions concerning the place where Barbara Mackle had been buried.

1:00 P. M.

All available Agents of the Atlanta FBI Office including some Resident Agents were immediately dispatched to the scene of the burial which had been described by the anonymous caller.

1:00 P. M. - 2:00 P. M.

Krist took a trial ride in the boat he had purchased and it was demonstrated for him by the sales agent. At 2:00 p. m., Krist dropped off the sales agent in West Palm Beach at Currie Park and immediately proceeded north in the boat after having placed his duffle bag and a quantity of camping supplies therein.

FRIDAY, 12/20/68 (CONTINUED)

4:13 P. M.

The burial site of Barbara Mackle was located by FBI Agents and intensified efforts were made immediately to uncover the capsule and force open the lid in order to release Barbara Mackle. She was removed from the capsule at 4:32 p. m. and thereafter was taken to the private residence of Special Agent William D. Cochran at Doraville, Georgia.

8:00 P. M.

Krist arrived alone at Clewiston Marina and purchased gas and oil. He was en route across the State of Florida in a westerly direction in the Okeechobee waterway. In this waterway, there are various locks which must be passed through and it is necessary for the boat operator to give his name and address to the lock keepers. Krist had the boat registered in the name of Art Horowitz and invariably used that name. Krist was unable to travel the entire length of the waterway on the night of 12/20-21/68. Somewhere between Moore Haven and the West Coast of Florida, Krist encountered some locks which were closed for the night and was compelled to sleep in his boat and await their reopening in the morning. At 6:00 a. m., he continued to traverse the waterway.

SATURDAY, 12/21/68

6:00 A. M.

Several aircraft, some of the fixed-wing variety including some amphibian planes and helicopters with Bureau Agents on board, began searching the various waterways including the Okeechobee waterway and Krist was spotted from the air in the area of the Olga Locks on the Okeechobee Intercoastal Waterway. From the Olga Locks, the surveillance continued in a westerly direction and at 10:20 a. m., the Agents on board a Coast Guard plane spotted Krist on the intercoastal waterway proceeding in a northerly direction on the Gulf Side of the Isle of Captiva. The boat was kept under surveillance as it traveled north along the Cayocoasta Isle and after arriving at Boca Grande Pass, Krist piloted his boat at a high rate of speed into the Charlotte Harbor area. The boat proceeded along the east coast of Gasparilla Island into the Myakka River. At this time, other helicopters and aircraft had joined the aerial surveillance. At about 12 Noon, Krist took the boat on an easterly course from the Gasparilla Island toward the mainland located north of Hog Island.

SUNDAY, 12/22/68 (CONTINUED)

2:00 A. M. (APPROXIMATELY)

Physician who examined Krist stated he was suffering from physical exhaustion. (Perhaps this was complicated by four sutures which he had taken in his groin area in Miami on 12/19/68, which had not as yet been removed.

10:45 A. M.

Krist was afforded an identity hearing before United States Commissioner George Swartz which was held in the Lee Memorial Hospital room at Fort Myers, Florida, where Krist was in custody. At this hearing, Krist waived preliminary hearing and the Commissioner ordered him held to answer charges outstanding in the Southern District of Florida. He was remanded to custody in lieu of \$500,000 bond. At this hearing he admitted his identity as Gary Steven Krist but would not admit identity of George Deacon.

1:55 P. M.

Bureau Agents placed Krist in a vehicle and began the return trip to Miami, Florida.

4:41 P. M.

Krist was lodged into an isolation cell at the Dade County Jail, Miami, Florida.

CHRONOLOGY OF SCHIER'S FLIGHT AND HER APPREHENSION

THURSDAY, 12/19/68

2:15 P. M.

Schier boarded a Greyhound bus at the Greyhound terminal in downtown Miami destined for Houston, Texas. On Friday, 12/20/68, Schier arrived Houston, Texas, and immediately checked into YWCA.

SATURDAY, 12/21/68

Schier was running out of money and checked into the George Hotel in Houston, Texas, which was less expensive than the YWCA. She began seeking employment by answering local newspaper advertisements but was unsuccessful.

SUNDAY, 12/22/68

Schier solicited the aid of an employee of the Felix Mexican Restaurant in Houston. This employee assisted Schier in answering a newspaper advertisement for a live-in maid. She responded to this advertisement under the name of Irma Hilga Sanchez. She was interviewed at this restaurant by her prospective employer, Robert M. Woolfolk, Jr., who accepted her and took her to his residence. She was paid \$35.00 per week plus room and board. Her duties consisted basically in caring for the two children of the Woolfolk's.

EARLY FEBRUARY, 1969

Woolfolk desired Schier to obtain a driver's license but since fingerprinting is required for driver's licenses in Texas, Schier decided to fabricate a story that she would have to visit her ill father in San Antonio, Texas. Schier had no intention of returning to the Woolfolks.

SATURDAY, 2/8/69

2:50 P. M.

Schier took a bus to San Antonio explaining she would return on Monday, 2/10/69, but she did not. Upon arrival in San Antonio, she exchanged the return portion of her ticket to Houston for a one-way ticket to Oklahoma City.

SUNDAY, 2/9/69 - TUESDAY, 2/11/69

Schier using the name of Lisa Wandernberg, San Antonio, Texas, resided at the YWCA in Oklahoma City. While there, she became acquainted with LaDonna Sue Wilds. She ultimately stole identifying data of Wilds' and

traveled to Norman, Oklahoma, assuming Wilds' identity but altering the surname on the various documents to Wills.

TUESDAY, 2/11/69

Schier was looking for a room in Norman, Oklahoma, after having taken a bus to that city approximately 20 miles from Oklahoma City.

WEDNESDAY, 2/12/69

Schier using the name of Donna Wills signed a four-month lease in a rooming house in Norman, Oklahoma, and was assigned Room Number 13.

THURSDAY, 2/13/69

Schier using the name LaDonna Sue Wills, applied for a job as a nursing aid at Central State Hospital, Norman, Oklahoma.

SUNDAY, 2/16/69

Schier applied for a job as a car hop at the Boomerang Restaurant in Norman, Oklahoma.

MONDAY, 2/17/69

Schier started working at the Boomerang.

THURSDAY, 2/27/69

Schier returned to the Central State Hospital for additional processing and was fingerprinted.

TUESDAY, 3/4/69

Schier appeared before Hospital Screening Board at the Central State Hospital and was questioned concerning her background. She made a favorable impression on the Board.

WEDNESDAY, 3/5/69

As a result of her fingerprints having been identified as those of a Top-Ten Fugitive, Schier was apprehended by Bureau Agents at her place of employment, the Boomerang Restaurant in Norman, Oklahoma at 3:05p.m.

PROSECUTION OF KRIST AND SCHIER:

Subsequent to the aborted ransom money payoff attempt in the early morning hours of 12/19/68, the Volvo Station Wagon mentioned previously was recovered and searched with a warrant by Bureau Agents. This vehicle contained an overwhelming quantity of highly incriminating evidence regarding both Krist and Schier. Thereafter, photographic identification of both of them was made by Mrs. Robert Mackle and the victim, Barbara Jane Mackle.

THURSDAY, 12/19/68

United States Attorney William A. Meadows, Jr., Southern District of Florida, authorized a complaint charging Krist and Schier with violation of the Federal Kidnaping Statute. Subsequent to the recovery of the victim within the State of Georgia in which State the abduction occurred, the kidnaping complaint was dismissed.

SUNDAY, 12/22/68

Krist arrested at Hog Island near Charlotte Harbor, Florida. He was afforded an identity hearing before the United States Commissioner in Fort Myers, Middle District of Florida, Florida, at which time he waived preliminary hearing and was remanded to custody in lieu of \$500,000 bond. He was then ordered removed to the Southern District of Florida.

MONDAY, 12/23/68

United States Attorney Meadows, Southern District of Florida, authorized a complaint charging Krist and Schier with violation of the Federal Extortion Statute as well as Interstate Transportation In Aid of Racketeering and Aiding and Abetting. These complaints have been filed before the United States Commissioner in Miami and to date, neither Krist nor Schier have been indicted on these Federal charges since they have not as yet been presented to the Federal Grand Jury.

MONDAY, 1/13/69

Krist and Schier were indicted by a Grand Jury in DeKalb County, Georgia, for the crime of kidnaping for ransom which is a capital offense in Georgia. A few days subsequent to the return of this indictment, a Writ of Habeas Corpus was served on United States Attorney William A. Meadows, Jr., Southern District of Florida, by DeKalb County, Georgia, authorities. The Writ required Mr. Meadows to produce Krist for trial in the Superior Court of DeKalb County, Georgia, for the crime of kidnaping. Meadows honored the Writ and instructed that Krist be moved in Federal custody to DeKalb County, Georgia.

SATURDAY, 1/25/69

Krist was transported from the Dade County Jail, Miami, Florida, to the Fulton County Jail, Atlanta, Georgia, by United States Marshals.

FRIDAY, 2/7/69

Krist appeared before Judge H. O. Hubert, Jr., DeKalb County Superior Court. He was represented by James R. Venable and Mobley F. Childs as court-appointed counsel. Defense counsel requested a three-week delay in the arraignment and the case was continued until 2/28/69. The case was again postponed until 3/7/69.

WEDNESDAY, 3/5/69

Schier arrested in Norman, Oklahoma, by Bureau Agents and was taken before the United States Commissioner for the Western District of Oklahoma in the early evening hours at which time the Commissioner postponed the identity hearing until 1:30 p. m. on 3/6/69.

THURSDAY, 3/6/69

Schier was afforded an identity hearing at which she admitted identity and bond was set at \$500, 000 and in lieu thereof she was remanded to custody and placed in the Oklahoma County Jail, Oklahoma City, Oklahoma.

FRIDAY, 3/7/69

Krist appeared in DeKalb County Court at which time a special plea of insanity was entered by his attorneys. Defense counsel alleged that Krist is now insane and mentally deranged and therefore is unable to assist counsel in his defense. A psychiatric examination was ordered by the Court and Krist entered a plea of not guilty to the kidnaping indictment. The Court stated that they would rule on the insanity motion on 4/21/69, subsequent to the psychiatric examination. At this time also, Judge Hubert stated that he will set a trial date of 5/19/69, in the event Krist is found competent to stand trial.

THURSDAY, 3/13/69

FRIDAY, 3/14/69

A removal hearing was held before the United States Commissioner for Schier in Oklahoma City. She was represented by court-appointed counsel, Mr. James H. Harrod. Extensive testimony was heard and evidence introduced and the Commissioner ruled that it was going to be his recommendation to the United States District Court that Schier be removed to the Southern District of Florida to answer charges outstanding against her in that jurisdiction.

SATURDAY, 3/15/69

United States District Judge in the Western District of Oklahoma signed an order instructing the United States Marshals to remove Schier from Western District of Oklahoma to the Southern District of Florida in Miami.

MONDAY, 3-17-69

Schier was transported by the United States Marshals from Oklahoma County Jail, Oklahoma City, to the Office of the United States Marshal, Southern District of Florida in Miami, Florida. Immediately upon arrival in Miami, Schier was informed by the Marshal that he had been served with a Writ of Habeas Corpus instructing him to produce Schier in DeKalb County, Georgia, for trial on a local charge of kidnaping for ransom. Schier was informed by the Marshal he was going to honor the Writ and immediately move her to the State of Georgia.

On the afternoon of Monday, 3/17/69, Schier was transported by the United States Marshal in Miami to the United States Marshal in Atlanta, Georgia, who in turn lodged Schier in the Fulton County Jail, Atlanta, Georgia, (It is noted that this is the same jail where Krist is also incarcerated).

FRIDAY, 3/21/69

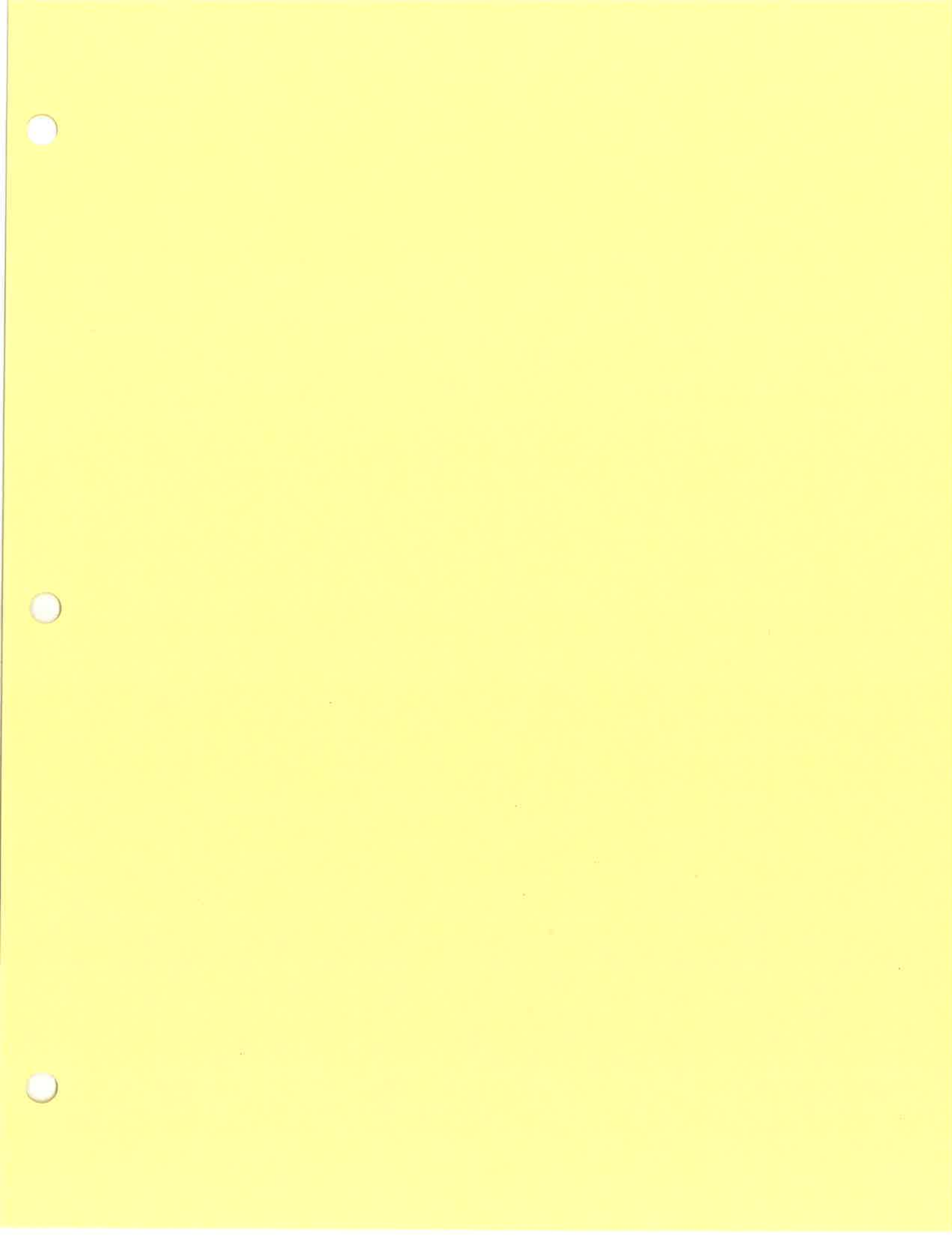
Schier appeared in the DeKalb County Superior Court and was represented by court-appointed counsel in the persons of Leroy Hobbs and Thomas Elliott. Schier entered a plea of not guilty to the indictment for kidnaping and her trial was scheduled for 6/16/69.

SATURDAY, 3/22/69

Doctor Merton B. Berger, M. D., is the psychiatrist instructed by court order to examine Krist to determine whether or not he is competent to assist counsel in his defense. Doctor Berger conducted his examinations of Krist on 3/11-12-14/69. He submitted his findings to the court by letter dated 3/22/69. He characterized Krist as a "near genius" and found that "He is able to advise his counsel rationally in the preparation and implementation of his own defense."

WEDNESDAY, 3/26/69

Krist and Schier were transported by United States Marshals from the Fulton County Jail, Atlanta, Georgia, to the DeKalb County Jail, Decatur, Georgia, where they are awaiting trial.



"ROBERT MACKLE:

"Sir, your daughter has been kidnapped by us and we now hold her for ransom. She is quite safe, if somewhat uncomfortable. We offer no proof of our possession of her at this time. It will arrive by mail in a few days. Barbara is presently alive inside a small capsule buried in a remote piece of soil. She has enough food and water and air to last seven days. At the end of the seven days the life supporting batteries will be discharged and her air supply will be cut off.

"The box is waterproof and very strong - fiberglass reinforced plywood - she has little chance of escaping. The Box is in an unusual and lonely place. She has no chance of being accidentally stumbled upon.

"Contemplate, if you will, the position into which this puts you. If you pay the ransom prior to the seven days, we will tell you of her whereabouts. Should you catch the messenger we send to pick up the ransom, we will simply not say anything to anyone and ergo Barbara will suffocate. The messenger knows only one of us and he will report to us via radio from the pick up site. We will immediately know his fate.

"Should you catch all of us, we will never admit anything as to do so would be suicide and again - she will die. As you can see, you don't want to catch us for to do so would be condemning your lovely and intelligent daughter to death. The police may allow you to have a free hand prior to the return of your daughter should you be so callous as to contact them. If you ask the police to advise you in this matter please be aware that their very presence will scare us off. We can see no way for you to secure the safe return of your daughter other than to obey our instructions explicitly.

"CONDITIONS FOR SECURING THE SAFE RETURN OF THE SUBJECT:

"1) Although we will always anticipate the involvement of the police in this situation, be assured that if your communication with them or their actual presence is detected, we will break off negotiations with you immediately. We have tied into several

"of the possible means of communications that you have with the police and we feel that you will be unable to contact them without our knowledge.

"2) The ransom will be \$500,000 in recently issued \$20 bills. Here are the requirements you must meet in this matter:

"The notes must not be older than 1950 issue.

"No more than ten notes may have consecutive serial numbers; i.e., the notes must have a great variety of serial numbers and not be merely shuffled.

"The notes must be Federal Reserve notes of standard configuration.

"No more than one-half of the notes may be uncirculated.

"No form of marking on the bills is acceptable. Please note that the bills will undergo a minimum of eight hours of intense examination before we allow you to have knowledge of the subject's whereabouts. We have planned a series of 44 tests on a large representative sample of the bills. These tests include every chemical and physical test of any remote applicability. No omission, shaving, spotting, cutting, counterfeiting, irradiating, ad nos, will go undetected.

"3) The bills should occupy no more than 4000 cubic inches and thusly fit into a standard large suitcase of inside dimensions 31.5" long x 18.75" high x 6.25" deep. Purchase such a suitcase and lock the bills inside.

"When you have the money in readiness, call all the Miami area major newspapers and place the following ad in the 'personal' section of the classified advertisements:

"'Loved one - please come home. We will pay all expenses and meet you anywhere at any time. Your Family.'"

"Prepare your car for a trip and on the night of the ads' first appearance we will call you at your home after midnight to advise you of where you must go to deliver the money. You must be the one to deliver the money, Robert. You will dress yourself in an all white outfit. You must use the Lincoln to deliver the money.

"In order to prevent the instructional call being traced it will be very brief and no portion of it will be repeated. If the phone rings more than three times or the connection takes longer than 15 seconds we will not contact you. You will have a limited period of time to make the rendez-vous so you should be ready to leave your house within one minute of receiving the phone call in order to be within the time limit. You will proceed to the area of the meeting within the legal speed limit as if you were in no hurry. We will not meet you if you fail to show within the time limit which is only a short time longer than you will require to drive to the pick up site. Any unusual police activity or other activity in the area of the pick up will cancel the appointment.

"When you arrive at the pick up site you will know it by a signal of three short flashes repeated continuously from a flashlight directed at the windshield of your car. When you see the signal

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"you will stop the car and immediately take the suitcase toward the light. The light will be mounted on top of a box. The suitcase should be placed within the box. You will then return to your car and proceed back up the street, in the direction from which you came and go home. Any deviation from this outline will result in your death. Our messenger will have you in his sights from the time you leave your car. Within twelve hours after you deliver the money you will receive another phone call advising you of your daughter's whereabouts. A letter will be sent also to insure the finding of your daughter."



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

January 6, 1972

GARY STEVEN KRIST;
RUTH EISEMANN-SCHIER

BARBARA JANE MACKLE -- VICTIM

KIDNAPING; INTERSTATE TRANSPORTATION IN AID OF RACKETEERING; AIDING AND ABETTING; EXTORTION

One of the most bizzare kidnaping cases on record began on December 17, 1968, in Decatur, Georgia, a suburb of Atlanta, when Barbara Jane Mackle was kidnaped from her motel room.

The 20-year-old daughter of a prominent Florida real estate developer was a student at Emory University in Decatur. In anticipation of Christmas vacation, she had been studying extensively in order to prepare for her mid-term examinations; however, through apparent exposure to seasonal ailments, she contracted a virus-type infection similar to the flu. Unable to secure space in the university infirmary, she had telephoned her mother in Coral Gables, Florida. Mrs. Mackle went to Decatur, where she and her daughter checked into a motel on December 13, 1968. Barbara was put to bed and given medication for her illness.

At about 4 a. m. on December 17, 1968, Mrs. Mackle awakened to a knock on the door of the motel room. She walked to the window and saw what appeared to be a policeman. He said something about the boy in the white automobile having been in an accident and wanted her to come to the hospital. Mrs. Mackle assumed he was referring to a friend of Barbara's and mentioned his name. The man indicated that this was the person who had been injured. Mrs. Mackle opened the door, and the "policeman" forced his way into the room,

pushed her aside, pointed a rifle at her and forced her to lie on the bed with her head toward the wall. A second person entered the room and taped Mrs. Mackle's mouth and bound her hands and feet.

Mrs. Mackle began to fight and resist when the intruders tried to put a gauze compress containing a drug over her nose. After Barbara told her mother to breathe the drug, Mrs. Mackle feigned unconsciousness. All she was able to see was the bottom of her daughter's nightgown as she was taken from the room.

Mrs. Mackle struggled to her feet, worked the tape from her mouth, and began to scream. She knocked the telephone from the night stand but was unable to dial a number. She hobbled outside to Barbara's car and lay on the horn causing it to blow. The motel night clerk heard the car horn and screams and came to her aid. He assisted Mrs. Mackle to her room where she notified the DeKalb County Police Department. She also called a friend of Barbara's who came to the motel and called Mr. Mackle and the FBI.

Between 9 and 9:20 on the morning of December 17, 1968, a telephone call was received at the Mackle residence in Coral Gables, Florida. The caller furnished information as to where a ransom note was buried on the Mackle property. An FBI Agent conducted a search of the northeast side of the property and located a small coral rock under a clump of palm trees. A rolled three-page note which was contained in a small glass tube was located.

The note indicated that Barbara was alive and safe, but uncomfortable, and buried in a remote area in a capsule-like box containing sufficient food, water and air to last seven days.

The note recited conditions for securing the safe return of the victim and demanded a ransom of \$500,000 which was to be composed of recently issued \$20 bills with no more than ten notes having consecutive serial numbers. It advised that no form of marking on the bills would be acceptable, and the kidnapers would subject the ransom money to a minimum of eight hours of intensive examination prior to furnishing information regarding the whereabouts of the victim. These tests, according to the note, would include every chemical and physical test of any remote applicability.

The note stated that the ransom money was to be placed in a suitcase of certain specifications and provided that, when the money

was ready, an advertisement should appear in the personal section of the classified advertisements in the Miami area major newspapers. A telephone call would be received furnishing instructions regarding the payoff.

The ransom money, composed of 25,000 \$20 bills, was prepared under the direct supervision of FBI Agents. The serial numbers of the ransom money were hand recorded and photographed for identification purposes.

The \$500,000 was placed in a suitcase meeting the specifications furnished by the kidnaper and was turned over to representatives of the Mackle family pending further instructions of the kidnapers regarding the payoff.

On December 18, 1968, advertisements were placed in the personal sections of two Miami newspapers. They were as follows:

"Loved One:

"Please come home. We will pay all expenses and meet anywhere at any time.

"Your family"

The investigation continued to grow in scope and intensity with each passing hour. All residents of the motel in Decatur were checked out, Barbara's activities at Emory University were explored, and her associates and movements determined.

The Dean of the School of Business Administration, in which Barbara was enrolled, recalled a conversation with an assistant professor of economics regarding some inquiries being made on campus by two "hippie"-type individuals seeking the location of Barbara Mackle. This professor, who at the time was en route to North Carolina, heard about the kidnaping and telephoned the dean. Thereafter, he was interviewed by FBI Agents.

The professor, who taught an economics class in which Barbara was enrolled, had last seen her about 3 p. m., December 13, 1968, when he had released her from an examination due to her apparent illness. The following day, at about 2 p. m., the professor encountered these two individuals in the lobby of the Rich Building on the campus. This building houses the School of Business Administration. He noticed them because the building is normally closed on Saturdays and because of their appearance. He described one person as being a white male, about

6 feet tall, weighing in excess of 200 pounds, with dark hair and a full beard. He was in his late 20's. He had prominent cheeks and a ruddy complexion and was wearing a gold cardigan sweater and dark wool-type trousers. This individual was accompanied by a white female who appeared about 16 or 17, but could have been older, who was approximately 5 feet 2 inches tall, weighed about 100 pounds, had blonde hair, closely cropped, worn wind blown like a swimmer. She had a ruddy complexion and gave the appearance of a healthy, outdoor-type girl. She was wearing a boy's shirt, brown denim slacks and tennis shoes.

The professor overheard the man tell the girl that someone was in the office, and the man asked the professor for a list of students. He was told by the professor to return at 8 a. m. Monday morning. When the man asked if classes would continue until December 17, 1968, he was informed that classes had ended for the quarter but that examinations would continue until the 17th. The man then told the girl, "We can't find her in class then."

When the couple left the building, they got into a late-model, square-back automobile, dark blue in color, possibly a Volkswagen. The professor noted that the car bore a Massachusetts license plate, the first letter of which he believed to be a "Y," and he also believed a "zero" and a "two" to be in the number.

As the professor left his office about 4 p. m., he overheard this same man using a pay telephone in the building. The man was trying to locate Barbara Mackle. The professor heard him tell his companion that Barbara was at a motel in Decatur. The man and girl then ran from the building and drove away in the car previously observed by the professor.

During the investigation at the University, several persons told FBI Agents that they remembered the couple who had inquired about Barbara Mackle.

The Boston FBI Office conducted an intensive investigation to identify the automobile with the Massachusetts license plate. Through contact with the Massachusetts Registry of Motor Vehicles, it was determined that automobile registrations with a "Y" prefix ran from 8,000 to approximately 90,000 and that about 82,000 such licenses had been issued. The Registry of Motor Vehicles arranged to program their computer to isolate all blue square-back Volkswagens regardless of letter prefix. Arrangements were also made to examine the entire file with regard to "Y" prefix license plates in order to isolate any blue Volkswagens.

On December 19, 1968, all mail addressed to the Mackle family was made available by the family to the FBI. One letter received on that date was addressed to Mr. Mackle and was postmarked in Miami on December 18, 1968. The Agent opened the letter and found that it contained a gold ring with a setting of small white diamonds plus a photograph of a young woman with a sign underneath her face bearing the word "kidnaped."

The letter and contents were exhibited to the victim's father who immediately identified the ring as belonging to his daughter and further identified the photograph as that of his daughter.

At 3:47 a.m., December 19, 1968, a telephone call was received at the Mackle residence and was answered by Mr. Mackle. The caller identified himself as the kidnaper and gave Mr. Mackle instructions to proceed from his residence to Fair Isle Street and go up Fair Isle Street until he came to a wall where he would see a blinking white light. He instructed Mr. Mackle to place the ransom money in a box which would have a light attached to it and to close the lid of the box and then leave the area.

At 4:41 a.m. another telephone call was received and was handled by Mr. Mackle's brother. The caller implied he was the kidnaper and indicated that he had not yet made contact with Mr. Mackle nor had he received the ransom money.

Mr. Mackle's brother assured the caller that his brother had the money and was in the general area of the payoff spot and had probably already left the money. The caller stated he had not seen Mr. Mackle and would return to the payoff site.

Upon his return to his residence, Mr. Mackle related he had some difficulty in locating the payoff spot; but when he found Fair Isle Drive, he drove on this street and parked his car approximately 30 feet from a seawall. He said he did not see blinking lights nor was there a box visible. He said he took the suitcase containing the ransom money from his car and placed it over the seawall. He then returned to his automobile and proceeded back to his residence. He stated the area in which he left the suitcase containing the ransom money was well lighted, but he noticed no one in the vicinity.

During the delivery of the ransom payment by Mr. Mackle at about 4:00 a.m., a police officer on routine patrol in the vicinity of the Rickenbacker Causeway and 2900 South Brickell Avenue, which is the main-

land of southwest Miami, observed an automobile parked approximately 50 yards from the barricaded entrance of Brickell Avenue which dead ends to the entrance of Rickenbacker Causeway. The causeway is used as access to Key Biscayne, Florida.

The officer drove his police car around the barricade and approached the parked car which he described as a dark blue Volvo station wagon bearing Massachusetts license number P72098. He observed that the vehicle was unoccupied but did contain baggage and items of personal property. He checked the vehicle's license number through the Police Identification Bureau and received a reply that the car had not been reported stolen.

He was soon joined by another police officer and they remained in such a position as to be able to observe the Volvo station wagon from their police vehicle. The police officers reported that at approximately 4:45 a. m. they observed an individual emerge from between the houses located in the vicinity of the parked Volvo station wagon. He was observed carrying what appeared to be a large bag.

The officers called to the individual to stop and identify himself, whereupon the bag was dropped and the individual fled the scene.

One of the police officers opened the suitcase and observed that it was filled with \$20 bills. He placed the suitcase containing the money in the trunk of the police car and proceeded to police headquarters where it was subsequently turned over to the FBI. Examination of the money disclosed that it was the ransom money. The money was returned to the Mackle residence on the evening of December 19, 1968.

At the scene of the aborted payoff, a cursory examination of the Volvo station wagon and its contents revealed that it contained a number of suitcases and what appeared to be other items of personal property.

An authorized search warrant for search of the Volvo was obtained from the U.S. Commissioner by FBI Agents at Miami. Pursuant to the warrant, a search was made of the automobile, and the items therein were examined, photographed, and forwarded to the FBI Laboratory. Among items found in the Volvo was a University of Miami notebook bearing the name "Ruth." Three blank pages of the notebook contained indented type-writing which the Laboratory found corresponded to the wording on the

three-page ransom note suggesting that these pages were used as backing sheets when the ransom note was typed. Also found was a wallet which contained the identification of Ruth Eisemann-Schier and papers indicating she was a student at the University of Miami.

Fingerprints on various items recovered from the abandoned Volvo were identified as those of Gary Steven Krist, the subject of an unlawful flight to avoid confinement case.

After the payoff had been unintentionally aborted in Miami and the Volvo abandoned, the Boston Office was requested to make an immediate check on the Massachusetts license P72098. It was determined that this number was registered to George D. Deacon in Norton, Massachusetts. Deacon, married and the father of two children, had been employed as a research technician in Massachusetts from December, 1966, until May 31, 1968, at which time he indicated he had secured employment in Miami. Investigation revealed that in June of 1968 he moved to Rickenbacker Causeway in Miami.

On December 19, 1968, the U. S. Attorney at Miami authorized the filing of a Federal complaint charging Gary Steven Krist and Ruth Eisemann-Schier with kidnaping. This complaint was obtained from the U. S. Commissioner at Miami on the same date. A bond of \$500,000 each was recommended.

Gary Steven Krist was born April 29, 1945, at Aberdeen, Washington. He was first arrested as a juvenile in Alaska in 1960. Later, he was arrested for burglary and sentenced to the Utah State Industrial School for Boys in Ogden. He escaped from this institution in July, 1961, stole a car, and was apprehended in Idaho.

After Krist was released from the industrial school, he completed his high school education in Alaska. In August, 1963, he went to California and shortly thereafter was involved in an auto theft and committed to the California Youth Authority from which he was paroled in December, 1964.

In March, 1965, Krist was married in Redwood City, California. He was arrested again on January 6, 1966, on an auto theft charge by the San Carlos, California, Police Department and was subsequently committed to the Deuel Vocational Institution at Tracy, California, from which he successfully escaped on November 11, 1966.

Krist became the subject of an unlawful flight to avoid confinement case on December 13, 1967.

In December, 1966, Krist obtained employment under the name of George Deacon at the Massachusetts Institute of Technology. He worked there until June, 1968, when he moved to Florida and accepted a job with the Marine Science Institute of the University of Miami. Krist's wife and their two children resided with him until December 13, 1968, when she returned to the home of her parents in California.

Ruth Eisemann-Schier was born November 8, 1942, at El Hatillo, Honduras. She graduated from the National University of Mexico in March, 1967, receiving a degree in chemistry. From October, 1967, through June, 1968, she worked as a biology researcher in Washington, D. C. She enrolled in the Marine Science Institute of the University of Miami for the fall semester of 1968.

Polaroid photographs of Krist and Eisemann-Schier taken in an efficiency apartment were recovered from the abandoned Volvo. Copies of these photos were furnished to FBI Agents in Atlanta where a complete and exhaustive canvass was made of Atlanta hotels, motels, rooming houses and similar-type lodgings to locate the apartment shown in the pictures.

On December 20, 1968, a hotel apartment identical with the one shown in the photographs was found on Ponce de Leon Avenue in Atlanta. On December 14, 1968, a couple using the name of Mr. and Mrs. George S. Price checked into the hotel. They stated they were from Jamaica Plain, Massachusetts, and Mr. Price, who was heavily bearded, represented the Massachusetts Institute of Technology. Hotel clerks were able to identify photographs of Krist and Eisemann-Schier as the couple using the name of Price. Latent fingerprints from the hotel registration card were identified as those of Krist.

A maid at the hotel, who had not seen the couple, had, however, been in the apartment during their stay. On one occasion, she observed two photographs laying on a table showing a woman and a bearded man. The maid later identified pictures of Krist and Eisemann-Schier as being identical with the two individuals depicted in the photographs. She recalled checking the apartment on the morning of December 17, 1968, and determined that the Prices had left. A great deal of black hair was on the floor of the bathroom.

The apartment was processed for latent fingerprints and several prints of Krist and Eisemann-Schier were found. The venetian blind cords in the apartment had been cut, and it was determined that the cord was in all respects similar to the cord used to tie Mrs. Mackle at the time Barbara was abducted.

After the aborted payoff, Mr. Mackle stated that the safe return of his daughter was of paramount importance. He recommended that another attempt be made to contact the kidnapers and to effect the ransom payment without delay. He requested that a Miami newspaper publish the following article:

"Father pleads to kidnapers - I had nothing to do with the action Thursday morning of the Miami police who tried to arrest you and recovered the money which I had left for you.

"I regret that you did not get the money because my only interest is the safety of my daughter. I pray that you have not harmed my daughter. I did everything you told me to do, and I had nothing to do with the accidental appearance of the Miami police on the scene.

"/s/ Robert Mackle"

At 10:35 p. m., the assistant pastor of a Roman Catholic Church in Coral Gables received a telephone call from the kidnaper. During his conversation with the kidnaper, he was given specific instructions to contact the Mackles and notify them that the new payoff site would be located off the Tamiami Trail which leads across the State of Florida through the Florida Everglades. The payoff instructions furnished by the kidnaper were transmitted to the family, and a second attempt to deliver the ransom money was initiated.

At 11:25 p. m., December 19, 1968, the suitcase containing \$500,000 in ransom money was placed in Mackle's automobile which was driven by an assistant to Robert Mackle. An Agent of the FBI was crouched down behind the front seat of the automobile and accompanied the driver to the designated second payoff location.

The vehicle carrying the ransom payment entered a dirt road on Southwest 132nd Avenue off the Tamiami Trail. The suitcase containing the ransom money was placed on the road, and the Mackle vehicle returned to the Mackle residence, arriving at approximately 12:20 a. m.

At the specific request of the victim's father, no attempt was made by the FBI to observe the payoff.

After the payoff on a lonely dirt road off the Tamiami Trail in the Florida Everglades, the intensive investigation by the FBI to locate and apprehend the kidnapers continued.

At 12:30 p. m. on December 20, 1968, it was learned that a man using the name of George G. Deacon rented a lime-colored, 1969 Ford Fairlane, two-door, from a car rental agency located near the Miami International Airport.

The vehicle had been rented at 5:00 p. m. on December 19, 1968, with a cash deposit of \$35 and was to be returned by 5:00 p. m. on December 20, 1968.

The rental car attendant recalled that the person who had rented the vehicle arrived at the rental car agency in a cab and further recalled that the fare amounted to \$.70.

The description of the person who rented the vehicle generally fitted the description of Gary Steven Krist.

An all-points bulletin containing the description of the rental vehicle and its occupant was immediately broadcast to all the law enforcement agencies in Florida requesting that if located they notify the FBI.

At 12:55 p. m. on December 20, 1968, the switchboard operator at the Atlanta FBI Office received a telephone call from an anonymous male caller who spoke hurriedly and refused to talk to anyone else. The caller stated that he had information concerning the location of Barbara Mackle and gave the operator general directions regarding the location of the "capsule." The directions were: "Go to I-85; go to the center of town on Norcross-Tucker Road, turn off on Buford intersection, then go 3.3 miles, come to a little road and take a left there. Across the street from where you turn left there is a little house on a hill. Then go one-half mile and turn off the road to the right and it is really not a road and go one hundred yards up in the woods and in the area you will find the capsule."

FBI Agents were immediately dispatched to the Norcross area, which is located about seventeen miles from Atlanta, and an intensive search began to effect the location of the capsule. It immediately became apparent that the directions were inadequate, in error, or incomplete. Interstate 85 does lead to the Norcross-Tucker Road which is Georgia Highway 41. There are four directions of travel from the intersection, the caller furnished no direction of travel. The center of Norcross is not located at this area. The entire area is rural in nature and extremely remote. It is heavily wooded in its entirety, and the topography is rolling hills in all directions.

Without directional instructions, the task seemed hopeless. Search teams were directed in the four possible routes from the intersection of Buford Highway and Norcross-Tucker Road. On none of these roads was a road to the left 3.3 miles from the intersection. Similar teams were directed from the center of Norcross with the same results.

Additional FBI Agents were directed to the area to assist in the search. A systematic search of all existing roads, paved, dirt, and gravel, was assigned, and they were run out with negative results. All side roads leading from these roads were checked out, again with negative results. The search ranged in all possible directions without success.

At about 4:15 p. m. , the electrifying radio transmission was received by all searching Agents that the burial site was found and all personnel in the area hurried to the scene. It was located on the Lake Berkeley Road, also known as the McGhee Road. This is 3.1 miles north of the intersection of Buford Highway and the Norcross-Tucker Road and leads to the left or west of Buford Highway. There is no hill at the intersection. A shack is located on a mound of earth on the northwest corner. The road is readily identified by a large sign pointing to Lake Berkeley. About one half mile down McGhee Road, on the right, is a worn pathway leading into a wooded dumping area. This is a dead end area about 100 feet deep.

A search team had previously traversed McGhee Road looking for roads leading from it and gone over them. In doubling back over the area, they drove into the dump site and parked. Two Agents explored the area, one covering the vicinity of the dump, and the other walking deep into the woods. He walked so deep that he thought he was much too far from the road and started back so he and his partner could continue to search elsewhere. As he stopped momentarily and glanced down, he noted what he thought to be some red clay showing through a covering of leaves and underbrush. The Agent immediately called his partner. They removed the leaves and brush from an area approximately four feet by ten feet, which was covered with freshly dug red clay. They heard some kind of noise and began calling "Barbara," "Barbara Mackle," "This is the FBI," and then a knocking noise was heard to emanate from beneath the dirt. When additional calls were made, vigorous knocks were heard. It was 4:13 p. m. , December 20, 1968.

One of the Agents began to dig while the other Agent ran to the car and sent the radio message to all other units. Other Agents arrived and began to dig with boards, sticks, tire irons, bare hands and anything at hand. After digging for more than ten minutes to a depth of about eighteen inches they unearthed the top of a bluish-gray-colored box which was screwed shut. Using tire irons, pen knives, and available tools, screws were removed and a portion of the top opened only to reveal machinery built into this contraption. Other screws were removed and another section of the top opened and a gold colored blanket observed. This was immediately removed from Barbara Mackle's face. She appeared very limp and in an extremely weakened condition. She was lifted from the capsule at 4:32 p. m. She had been buried alive for approximately 83 hours.

Barbara was immediately taken to the home of an Atlanta FBI Agent and examined by a physician from the Emory University Clinic. She was reunited with her father at this location within hours after he was telephonically notified of her recovery and condition by FBI Director Hoover. She later returned with her father to Miami.

In relating her experiences, Barbara stated that after the kidnapers entered the motel room and one began to tie her mother, the other pointed a rifle at her head. She was taken from the hotel and forced into the rear seat of what she thought was a Volvo station wagon. At this time she realized the smaller kidnaper was a woman. After driving for an unknown period of time, she was removed from the car and placed on the ground on a blanket. She was then given an injection by the woman who told her that it was a tranquilizer. The woman gave her a black sweat shirt to put on. The man took a flash picture of her lying on the ground, apparently with a Polaroid camera.

The man then told Barbara he was going to place her into a capsule in the ground, but that she would be all right and there would be air, water, and food, but she would not be able to escape from it. He told her it had a fan and a pump and a light and explained to her how to run them by switches, stating that the capsule had been tested by him in this location and worked fine. He said the battery would run for a week and he would see that she got home all right after her father paid the ransom and that even if he did not pay they would let her out.

Barbara positively identified photographs of Gary Steven Krist and Ruth Eisemann-Schier as the individuals who kidnaped her.

The capsule and its contents were immediately forwarded to the FBI Laboratory in Washington, D. C. It was determined to be two by two by eight feet in size, and constructed of 3/4-inch plywood in its exterior surfaces. Exclusive of loose bedding and other articles it weighed 240 pounds. Various parts of the box had been covered with glass fabric and/or paint. The inside of the box consisted of three compartments. The compartment in which the victim was placed was 70 1/2 inches long, 23 1/4 inches high and 22 1/2 inches wide. This compartment was separated from the rest of the box by a 3/4-inch plywood partition. The rest of the box, which will be referred to as the battery and ventilation compartments, was divided lengthwise by a 1/4-inch plywood partition. The fiberglass used in the construction was similar in all respects to fiberglass located in a work trailer utilized by Gary Steven Krist at the University of Miami Institute of Marine Sciences. The 1/4-inch piece of plywood was cut from a piece of plywood found in this trailer which also contained a latent palm print of Krist.

A 3/4-inch plywood lid bearing plastic flanges to which the two 3 1/2-inch inside diameter flexible rubber, wire reinforced, ventilation hoses were attached was screwed to the top of the battery and ventilation compartments. A permanent 3/4-inch plywood lid 48 1/2 inches in length covered the foot end of the victim's compartment and a hinged 3/4-inch plywood door covered the rest of the victim's compartment and permitted access to it. A strip of sponge rubber around the door opening served to seal the door against dirt and moisture when the door was screwed in place. Fifteen screws held this door shut.

The box contained electrical wiring, circuitry and components to provide for operation of a ventilation fan, a water pump and a light bulb. Components consisted of a 12-volt automobile-type battery, a hand-built ventilating fan, a water pump, a light bulb and socket, switches for the fan, pump and light, terminal strips for wiring connections, and the associated wiring.

It was determined that if operated continually the fan could have run an additional 80 to 90 hours from the six-volt battery section to which it was wired plus an additional 100 hours from the 8-volt battery section. The pump, if run continually, would have depleted the battery in approximately two hours.

Other significant evidentiary items located in the capsule were three Xerox pages of instructions for its operation which were determined to have been reproduced on the same Xerox machine as the

ransom note sent to Robert Mackle. Screws in the handles were determined by tool marks to have been put in place using a power bit found in the work trailer at the Miami Institute of Marine Sciences. A piece of cord in the capsule was similar in all respects to venetian blind cord from the motel in Atlanta and that used to tie Mrs. Mackle.

On December 20, 1968, Gary Steven Krist was placed on the FBI's list of "Ten Most Wanted Fugitives."

On the same date, the owner of a marine supply company in West Palm Beach, Florida, contacted the FBI Resident Agency at West Palm Beach and advised that between 9:00 and 9:30 a.m. that morning a person who generally fitted the description of Gary Steven Krist had walked into his place of business. He noticed that the man had driven to his place of business in a late-model Ford automobile, color metallic green. The individual informed him that he was interested in purchasing a motor boat and inquired as to the general specifications of several models on the showroom floor. He made his selection and stated that he wanted to purchase a motor for the boat which would produce a speed of up to 40 miles per hour. The attendant at the boat shop stated that it would need at least an 85-horse-power motor and furnished the prospective purchaser with a price, which would include the motor and the boat, in the amount of \$2,239.

The purchaser agreed to the price and asked approximately how long it would be before the boat could be delivered. He paid a \$50 deposit with a \$50 bill and told the attendant to have the boat ready in three hours. The attendant related to the Resident Agent that the man had returned to the boat showroom, and after a short test run, paid for the boat in \$20 bills. The attendant claimed that the purchaser stated that he was going to Ft. Lauderdale but wanted to go "outside" and asked the location of the nearest inlet. The attendant stated that he directed the purchaser to the Palm Beach inlet which was north of the boat showroom and then out to the Atlantic Ocean. He said he last saw the purchaser in the boat heading north at about 2:00 p.m., December 20, 1968.

The purchaser used the name of Horowitz at the time of purchase and the attendant stated that a photograph of Gary Steven Krist closely resembled that of Horowitz. Examination of the \$20 bills paid for the boat disclosed that they were part of the ransom money.

A partner of the marine supply company also identified a photograph of Gary Steven Krist as closely resembling the person by the name of Horowitz who purchased the boat.

A check of the hotels and motels in the West Palm Beach area disclosed that at 9:30 a. m. on December 20, 1968, a person using the name of Art Horowitz registered at a hotel on the North Dixie Highway and paid an advance room rental of \$6 in cash. A photograph of Gary Steven Krist was identified by hotel personnel as being identical with the person who registered as Art Horowitz.

While at the hotel, it was observed that Horowitz removed a large, light-blue suitcase from the trunk of a 1969 Ford sedan. The bellboy at the hotel estimated that the suitcase weighed between 80 and 100 pounds and considered obtaining a hand truck to handle the suitcase. He said the person using the name of Horowitz told him that he had electronic equipment in the suitcase.

Approximately 30 minutes after delivering the suitcase to the room, he noticed this same individual carry out a large bag and walk toward the hotel parking lot.

Further investigation in the West Palm Beach area by FBI Agents disclosed that Gary Steven Krist had purchased marine supplies and equipment, including seven inland water charts and four coastal water charts, from a boat company on the morning of December 20, 1968.

The money used to make the purchases from the boat company was examined, and it was determined to be part of the Mackle ransom payment.

Further investigation by FBI Agents in West Palm Beach resulted in the location of the 1969 Ford rented by Krist in Miami. The vehicle was located in a parking lot where it had been left for storage for a period of ten days. The parking lot attendant reported that he last saw the man who parked the car on the lot walking south on Narcissus Street carrying a large "Army type" duffel bag and a smaller-type canvas handbag. A photograph of Gary Steven Krist was identified as the person who had stored the car in the parking lot.

The kidnaper was reportedly seen by a number of persons who operate the marinas and locks on the Florida Cross State Canal which runs from the east coast of Florida westward through Lake Okeechobee and on the west coast of Florida.

Shortly after 9:00 a. m., December 21, 1968, Special Agents of the FBI, aboard two Coast Guard aircraft, departed the Coast Guard Station

in Miami to cover the Lake Okeechobee, Florida, area and search the Florida Intercoastal Canal leading west. Agents in one of the planes spotted Krist in the Gulf of Mexico south of Ft. Myers at approximately 10:20 a. m. Within minutes, this information was passed on to the Special Agent in Charge (SAC) of the Tampa Division who immediately instructed Agents from all parts of his division to converge as rapidly as possible on the Ft. Myers area. Within less than one hour of receipt of the sighting of Krist, the Tampa SAC accompanied by his Assistant Special Agent in Charge and two Agents departed Tampa aboard a U. S. Coast Guard helicopter en route to the Ft. Myers area.

As the SAC flew south aboard the helicopter, other groups of Agents departed Tampa by automobile while others using personally owned aircraft and motorboats moved rapidly toward Ft. Myers to rendezvous with Agents converging on that area in an effort to intercept Krist.

When spotted from the U. S. Coast Guard aircraft by FBI Agents, Krist was piloting his craft on the Intercoastal Waterway heading north on the Gulf side of Captiva Isle. This information was passed on to the second plane which had been searching in the general area. Krist was then observed continuing north along Cayocosta Isle toward the Boca Grande Pass through which he subsequently passed and thereafter moved into Charlotte Harbor in Charlotte County, Florida, near Punta Gorda.

Swinging into Charlotte Harbor off the Gulf of Mexico, the Tampa SAC and Agents aboard the Coast Guard helicopter visually observed Krist and his boat about a mile or two away. In an effort to avoid his pursuers, Krist ran his runabout aground some 150 to 200 yards from a mangrove swamp and, leaving the engine running, he abandoned his craft and with all possible haste plowed through the muddy shallows toward this small mangrove swamp which was later identified as Hog Island.

The Coast Guard helicopter swung in low over the mangrove swamp just as Krist, carrying a small suitcase, ran from the water across a very narrow strip of beach and into the dense underbrush.

Tracks made by Krist leading from the motorboat, which continued to churn up mud and seaweed, to the narrow beach which surrounded Hog Island were clearly visible from the helicopter. Attempting to determine Krist's exact whereabouts, the helicopter flew low over the mangrove swamp a short distance from the point at which Krist had disappeared, and he was briefly spotted crouching under a tree. In view of the thick undergrowth and questionable terrain, the helicopter pilot was unable to set his craft down anywhere on the island near where Krist had been sighted and as a result was forced to hover approximately twelve feet above the shallows some fifty

yards off shore. While hovering in this position, the SAC, his assistant and a firearms expert carrying automatic weapons and other necessary equipment, jumped from the helicopter into the water below, sinking into the mud to their knees. The fourth Agent was left in the helicopter with a walkie-talkie to serve as an aerial spotter and to keep the boat under visual observation.

Crouching low and moving as rapidly as possible through the treacherous shallows, the Agents made it to the beach without incident and without any opposition from Krist who, when last sighted by Miami police officers, was armed with a carbine. Once ashore, the trio was confronted with such dense undergrowth that movement in any direction could be made only a few feet at a time, and in view of the canopy effect created by the foliage of the mangrove trees vision was reduced considerably.

The trio spread out and moved forward toward the spot where Krist was last sighted from the helicopter, trying to keep each other in sight, but in view of the mass of trees, shrubs and vines, it was nearly impossible to maintain visual contact at a distance of over thirty feet. Moving through the swamp was extremely slow as the Agents were in knee-deep water at all times and the swamp area was covered with unseen sinkholes. As the helicopter and Coast Guard aircraft passed overhead, the Agents pushed on through the swamp in an effort to capture Krist and during the next hour covered several hundred yards in each direction; however, no trace of Krist was found.

While the Agents crawled through the Hog Island swamp, Agents from Tampa who had been dispatched by automobile to the Ft. Myers area were gathered at a bridge near the small fishing village of El Jobean. From this bridge Agents were able to observe the churning effect of Krist's abandoned craft near Hog Island. A passing motorboat piloted by a former sheriff appeared at the bridge and several Agents were transported to the vicinity of Hog Island. Arriving at the abandoned boat, a Special Agent of the Tampa Division boarded the Nassau runabout and found a green Army-style duffel bag aboard. A quick check of the contents of this bag left little doubt that it contained the Mackle ransom money.

Shortly after the recovery of the ransom money, Agents who had been en route to the Charlotte Harbor area from all over the State of Florida and as far away as Savannah, Georgia, began to arrive on the narrow strip of beach that surrounded the island. All local authorities were alerted and joined in the search. Under the direction of an FBI Inspector and the Tampa SAC, Agents and state and local law enforcement agency personnel lined up in the shallows on the site of Hog Island where Krist had last been observed. Once equally spaced and properly instructed, the combined Federal, state and county law enforcement agents swept through Hog Island searching each hiding place which could be used by Krist in order to avoid

capture. The searchers continually counted off in an effort to stay together and to remain in visual contact throughout the search; however, at times the undergrowth was so dense that searchers ten feet apart were unable to see each other. Moving straight across the width of the island, some searchers had to wade neck deep in unknown waters while others had to be pulled from pits of mud that had the effect of quicksand on the individual who had tried to cross the spot and maintain his area of coverage.

The search party continued as far as possible across the island without locating Krist and then sweeping north and south searched the terrain which lay before them to the beach and eventually returned to the point of origin in the late afternoon. Other groups of Agents aboard motorboats, swamp buggies and practically anything that would float, covered the numerous inlets and streams that ran from the Myakka River throughout portions of Hog Island. At times the going became so difficult Agents were forced to abandon their swamp buggies in order to pull them through the muck and mire to deeper water. As the afternoon wore on, a slight change of tide brought a rise to the water level which covered the island to approximately the depth of one foot. The FBI Inspector and the SAC from Tampa at that time formulated plans to evacuate some of the searchers to the mainland to hold a conference to formulate further plans, supply needs and secure necessary clothing.

A select number of Agent personnel and volunteer law enforcement officers were left to seal off the island and prevent Krist's escape. As darkness fell, numerous craft were put into use ferrying Agents from Hog Island to the fishing village of El Jobean.

While the massive search was being conducted on Hog Island and prior to the departure of a large portion of the search party, the ransom money which was later determined to be \$479,000 and the runabout which had been abandoned by Krist were secured by FBI Agents.

At approximately 12:05 a.m. on December 22, 1968, Agents and deputies at the command site heard voices coming from the interior of the island. The group moved from the command site toward the direction of the voices and at this time heard one of the voices shout, "We've got him." Agents quickly pushed through the underbrush and a few minutes later came upon two Charlotte County Sheriff's Officers who had Krist in tow. At the time he was taken into custody, Krist was clutching a suitcase and made no effort to get away.

A Special Agent at the command site radioed to the Inspector and the Tampa SAC that Krist had been captured. He was placed in an airboat and transported to El Jobean where he was taken into custody by the Inspector and Tampa SAC.

Krist was placed in an automobile to be taken to a hospital in Ft. Myers. Soaked to the skin and filthy, he appeared to be completely exhausted. He was thoroughly examined by hospital physicians and found to be suffering from physical exhaustion. Krist was placed in a room at the hospital under heavy guard and was provided the necessary medication and treatment.

Examination of the suitcase found in Krist's possession at the time of his arrest revealed numerous items of clothing, a metal canteen, a compass, a short-blade hunting knife and \$18,002.71.

On December 22, 1968, Krist was afforded a hearing before the U. S. Commissioner at the hospital. He admitted his identity and bond was set at \$500,000. Following the hearing, Krist was taken by FBI Agents to Miami where he was incarcerated in the Dade County Jail.

During the trip from Ft. Myers to Miami, Krist appeared talkative and volunteered to accompanying Agents that he had first met Ruth Eisemann-Schier approximately four to six weeks earlier during a scientific cruise sponsored by the University of Miami which took them to Bermuda.

On December 23, 1968, the matter of Federal process was discussed by FBI Agents with the U. S. Attorney at Miami, and it was determined that since the victim had not been transported out of the State of Georgia, the Federal Kidnaping Statute would no longer be applicable. New charges were brought against Krist and Eisemann-Schier. They were violations of Title 18, Section 875a, U. S. Code (transmitting in interstate commerce any communication containing a demand or request for the release of a kidnaped person); Title 18, Section 876, U. S. Code (mailing threatening communications); Title 18, Section 1952, U. S. Code (interstate transportation in aid of racketeering enterprises); and Title 18, Section 2, U. S. Code (whoever commits an offense or aids in its commission is punishable as a principal). Bond was set at \$500,000.

On January 13, 1969, the facts developed in the investigation of this case were presented to a county grand jury in DeKalb County, Georgia, and on that date an indictment was returned charging Gary Steven Krist and Ruth Eisemann-Schier with kidnaping for ransom in violation of the laws of the State of Georgia.

Krist was returned to Georgia and appeared in DeKalb County Superior Court in Decatur on February 7, 1969, and counsel was appointed for him. On March 7, 1969, he again appeared in this court and entered a not guilty plea by reason of insanity. Krist withdrew his plea of insanity on May 19, 1969.

On May 26, 1969, a jury found Krist guilty of kidnaping and recommended mercy, thus saving him from the death penalty. He was sentenced to life in prison within the Georgia penal system. This is the mandatory maximum punishment which could be imposed based on the recommendation of the jury.

During the week of trial, 74 witnesses testified. Included among them were 35 representatives of the FBI including 26 Special Agents from various field offices, six FBI Laboratory experts testifying with respect to evidentiary examinations, two expert fingerprint examiners from the Identification Division of the FBI, and the switchboard operator from the Atlanta Field Office. Various officers from the Atlanta Police Department, DeKalb County Police Department, Miami Police Department, Dade County Public Safety Department and the Charlotte County Sheriff's Office also testified.

Of the voluminous evidentiary material available, a total of 207 exhibits were utilized during the trial, and 179 of these exhibits were admitted into evidence for review by the jury.

On December 28, 1968, Ruth Eisemann-Schier was placed on the FBI's list of "Ten Most Wanted Fugitives." This was the first time a woman had ever been placed on the list. Circularization of her photograph and description was made in Central America with emphasis being given to Mexico where she had lived and in Honduras.

On March 5, 1969, the chief of the Criminal Division of the Oklahoma State Bureau of Investigation (OSBI) furnished the Oklahoma City FBI Office a copy of the fingerprints of Donna Wills, reflecting she had been fingerprinted on February 27, 1969, as an applicant for the nursing service at a hospital in Norman, Oklahoma. The fingerprint card had been sent to the OSBI to be routinely searched. A fingerprint technician identified the prints of Wills as identical with those of Ruth Eisemann-Schier. Wills had given an address in Norman.

A young college student and employee of the hospital had accompanied Wills to the hospital in connection with her application for employment. When this individual was interviewed by FBI Agents, he stated that he had not seen her since February 27, 1969. He said that Wills had been employed at a drive-in in Norman and he assumed she

was still employed there. The student volunteered to accompany FBI Agents and an Agent from the OSBI to the drive-in in order to identify the person known to him as Donna Wills. Upon arrival at the drive-in, a young woman was observed standing in the doorway, and the student identified her as the person known to him as Donna Wills.

Eisemann-Schier was placed under arrest at 3:05 p. m. on March 5, 1969. She was transported to the Oklahoma City FBI Office where she was fingerprinted and photographed. She was then taken to appear before the U. S. Commissioner who postponed her hearing until March 6, 1969, inasmuch as Eisemann-Schier requested that counsel be appointed. On March 6, 1969, the U. S. Commissioner set the date for a removal hearing, and on March 13, 1969, Eisemann-Schier was ordered removed from Oklahoma.

On March 21, 1969, Eisemann-Schier appeared in DeKalb County Superior Court, Decatur, Georgia. Counsel was appointed for her, and she entered a not guilty plea to the charge of kidnaping for ransom.

On May 29, 1969, she appeared in court, withdrew her not guilty plea and entered a guilty plea to a reduced charge of kidnaping. She was immediately sentenced to seven years' imprisonment in the Georgia penal system.

On June 6, 1969, the complaint charging Krist and Eisemann-Schier with violation of the Extortion, Interstate Transportation in Aid of Racketeering, and Aiding and Abetting Statutes was dismissed by the U. S. Commissioner in Miami.

Krist's attorneys filed a motion for a new trial on June 18, 1969, in regard to the sentence he received in DeKalb County Superior Court on May 26, 1969. On July 16, 1970, Krist's motion was denied in DeKalb County Superior Court.

Krist then appealed his case to the Georgia Supreme Court which refused to grant a new trial on December 3, 1970, and thus affirmed his conviction and sentence.


Nation

Kidnaper's parole stirs state's anger

New York Times News Service

ATLANTA—It's a long way from Georgia's Reidsville State Prison, a steamy hellhole where racial murders and homosexual assaults are common, to the clear, fish-filled waters of Alaska's Alexander Archipelago.

Gary Steven Krist, 34, convicted of a 1968 kidnaping in which he buried his victim alive in a coffin, began that journey homeward Monday because the Georgia Board of Pardons and Paroles has declared him a rehabilitated citizen.

Krist was released from the Georgia State Prison here at 5:45 a.m. Carrying a large cardboard box and accompanied by a woman identified as his fiancée, he ignored reporters' questions as he climbed into a rented compact car.

"I'm getting into this car and taking off," was all he said.

WARDEN CHARLES BALKCOM said that under the terms of his parole, Krist must go immediately to Alaska, where his father lives.

The parole of Krist was announced by the parole board on May 4. Under the terms of the parole, he may not return to Georgia for any reason without consent of the board.

"He's got 72 hours to get to Alaska to report to the parole people there," Balkcom said.

But in this city, where eight of 12 jurors, the De Kalb County prosecutor, and a trial judge wanted to send Krist to the electric chair in 1969, the board's decision has stirred deep anger.

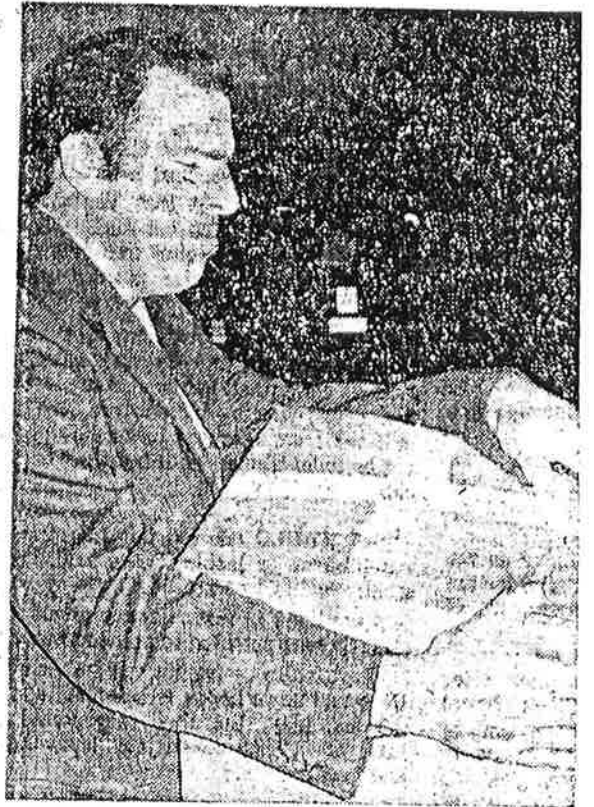
"I just don't think he will ever change," said H.O. Hubert, a retired Superior Court judge, "given the nature of the case—burying the girl in the ground."

BARBARA JANE MACKLE was Krist's victim in a kidnaping plot to extort \$500,000 from her millionaire father, Robert F. Mackle of Miami. The 20-year-old woman was abducted from her mother's hotel room on the night of Dec. 17, 1968, then buried alive in a coffin that Krist and his accomplice, Ruth Eisemann-Schier, had equipped with a battery-operated air pump.

Eighty-three hours later, two agents of the Federal Bureau of Investigation, digging into the Georgia clay until their fingers bled, pulled Miss Mackle from the coffin. She told them they were the most beautiful people she had ever seen.

Because the woman did not die, contends James T. Morris, chairman of the Georgia Parole Board, Krist deserves the parole that will get him north to Pelican, Alaska, in time to take over the family shrimp-fishing business for the summer season.

"THERE IS NOTHING in our files to indicate Gary Steven Krist is violent or dangerous," Morris said. "If he does commit a crime, it won't be a crime of violence."



AP Wirephotos

Gary Steven Krist leaves Georgia's Reidsville State Prison Monday.

Such thinking has brought cries of outrage from Judge Hubert; Richard Bell, executive director of the Georgia Bar Association; and Bill Shipp, a columnist for The Atlanta Constitution.

Bell, who as prosecutor sought the death penalty for Krist in 1969 but was forced by four holdout jurors to settle for a life verdict, said Krist "has a very devious mind" and "should stay in prison."

In his column, Shipp described Krist as a rebellious convict who sought to escape in 1973 by burrowing into a load of garbage. The writer expressed relief that the Georgia Parole Board "will never be called upon to consider freedom for Charles Manson."

MORRIS SAID A secrecy pact covered the extensive discussions that went on between his board and the Mackle family before the surprise announcement of the Krist parole on May 4.

The official refused to comment on reports that the Mackles agreed not to protest the parole on the condition that Krist be confined to Alaska and that he never return to Georgia.

Miss Mackle is now married to Stewart Woodward, an Atlanta accountant who was dating her at the time of the kidnaping. They and their young daughter live in a secluded home here in an upper-middle-class suburb where the neighbors understand if they seldom see Mrs. Woodward.

MORRIS SAID Mrs. Woodward "suffers no lasting trauma from the ordeal." Indeed, the version of the kidnaping offered by the parole board to justify its action says that the kidnapers used student files purloined from the University of Miami to select a victim.

who was psychologically and physically tough enough to survive the ordeal of being buried alive.

"There is nothing in our file to indicate there was any plan to kill," Morris said, noting that as soon as the ransom money was dropped in a Miami park Krist called the FBI to tell them where the coffin was. "The fact is, the victim did live and is totally recovered," Morris added. "Therefore, the net result is little harm was done."

Five days after the kidnaping, the police plucked Krist and his suitcase of \$20 bills out of a Florida swamp. Mrs. Elsemann-Schier worked as a car hop in Oklahoma City until she was tracked down, convicted, imprisoned, and then deported to her native Honduras in 1972. The coffin is now a tourist attraction at the De Kalb County Courthouse.

TEN YEARS AT Reidsville changed Krist from a belligerent, self-styled "con man" into a man who just wants to go home and bail out the family business for his ailing father, Morris said.

Even so, the Alaska authorities resisted when Georgia officials first broached the idea of parole in 1976, after he had served the minimum time required by a life sentence. This year they relented, but Morris denied that this resulted from political or other pressures brought by the prisoner's family. "No," he said, "the family visited us earlier this year, and I'm of the family visited us earlier this year, and I'm of the

Both of Krist's parents insisted in telephone interviews from their home in Sitka that their son has undergone a personality change since he went to sea at the age of 13, thence to reform school, and soon after that to prison.

"HE ISN'T THE same person at all," his 64-year-old mother, Bobbie Krist, said. "It just took him a long time to grow up. I think he has served his time and paid his debt to society."

Mrs. Krist implied that only a parent could understand what it feels like to regain a lost child. Mr. and Mrs. Robert F. Mackle refused, as they have for most of the last 10 years, to comment on their experience of that sensation.

Small town doctor was kidnapper early in life

Convicted of burying woman alive in famous 1968 case

BY JUDY DAVIS

A man who received a life sentence for kidnapping a college student and burying her alive for ransom is now practicing medicine in Chrisney, Ind.

Gary Krist said people shouldn't judge others by past actions.

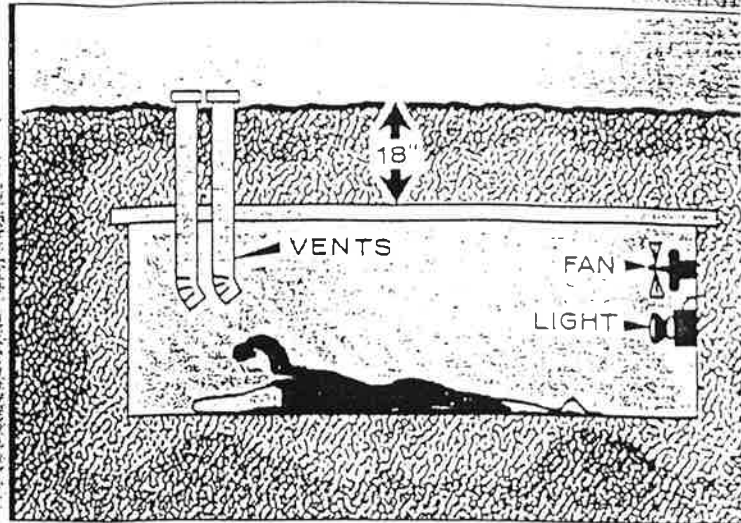
"I think a man should be judged as much by the last half of his life as by the first half," said Krist, convicted for the 1968 incident that later become the subject of two books and a TV movie.

He's changed his life, he said, and wants to help people.

The state of Indiana granted him a probationary medical license 11 months ago.

"It takes extraordinary effort and commitment to accomplish what I have accomplished," Krist said. "People who doubt that should try changing their life the way I have."

On Dec. 17, 1968, Krist and an accomplice, Ruth Eisemann-Schier, kidnapped Barbara Jane Mackle and buried her in a ply-



Gary Krist built a plywood box, kidnapped Barbara Mackle, and buried her in it in Georgia. He extracted a \$500,000 ransom from her father.

wood capsule that Krist constructed.

Krist directed rescuers to her location four days later, after her father paid a \$500,000 ransom. She was underground for 83 hours.

Krist was caught, convicted and sentenced to life in prison. He was released after serving 10 years.

Court evidence showed he took measures to make sure Mackle survived.

Both Mackle and Krist wrote books about the kidnapping.

Mackle's book, *83 Hours Until Dawn*, was made into a movie.

Krist's book, *Life*, was named for the sentence he received.

An Indianapolis television station first reported Krist's new practice in Chrisney.

Krist called the station's news staff "ambush journalists."

Their practices, he said, of "inflicting pain on people who are trying to do the right thing are almost as shameful as Osama bin Laden."



Gary Krist



Barbara Mackle

Each wrote book about crime

His past has raised a few eyebrows in the small southwest Indiana town and surrounding communities, but Krist said he supported by his patients.

"The community here does seem to be reacting badly," said. "I've had more patients to than I've ever had."

"People have come in and said 'Hang in there. It'll be all right.'"

Krist studied medicine in Grenada and Dominica, according to the report by the Indianapolis station WRTV-ABC6.

Krist said he acquired his medical experience during his residence and the time he spent as a medical missionary in Haiti.

"You see a lot of things in Haiti," Krist said. "It's excellent training for a small town doctor."

Krist said he was a general practitioner. "I don't claim a specialty."

He is also the only doctor in Chrisney, or for several miles around.

Scripps Howard News Service

ADDENDUM C

SAMUEL BRONFMAN II KIDNAPPING CASE

1. Photo of SAC William F. Beane and Assistant Director J. Wallace LaPrade. Each holding a half-million dollars, a portion of 4.6 million dollars in ransom money recovered by the FBI New York Office in Kidnapping of Samuel Bronfman II, in August 1975.
2. Newspaper clippings on the kidnapping



AGENT IS FAMILIAR WITH ABDUCTIONS

Worked on '68 Mackle Case
and One in Puerto Rico

By FRANK J. PRIAL

William F. Beane, the Federal Bureau of Investigation agent in charge of the Bronfman case, is no stranger to kidnapping inquiries.

Mr. Beane, who is special agent in charge of the criminal division in the regional F.B.I. office here, worked on the 1968 abduction of Barbara Jane Mackle in Atlanta, and the 1974 kidnapping of two children in Puerto Rico.

The Mackle girl was placed in a box underground for 83 hours but found unharmed. A \$500,000 ransom was paid but the kidnapers were caught a day later. In the Puerto Rico case, Jeannot Colonna, 12 years old, and his sister Giannina, 11, reportedly were abducted and a ransom of about \$75,000 paid. Neither the children nor the alleged kidnapers have been found.

Mr. Beane was special agent in charge of the San Juan office of the F.B.I. from January, 1974, to January, 1975. According to police sources, he was never convinced the children had been taken off the island of Puerto Rico and eventually the case was given back to local authorities.

The New York office of the F.B.I. refused to permit Mr. Beane to discuss his career because, under bureau protocol, the special agent in charge of a regional office is nominally in charge of all investigations.

The special agent in charge in New York is J. Wallace LaPrade. Mr. Beane is one of four special agents heading divisions within the regional office.

Mr. Beane, who will be 50 years old next month was described as a religious man—he is a Roman Catholic—and a family man who "likes to do things around the house." He and his wife, Mary Ann, have six children, from college age to a baby born in Puerto Rico last year.

An agent who had worked with Mr. Beane in Washington and Miami described him as "highly professional and one of the most competent guys in the F.B.I." But another man, who has known and worked with him described him as "a stuffed shirt; a guy who is on his way up in the bureau and knows it."

In Puerto Rico, Mr. Beane encountered a wave of bank robberies—14 in nine months. He put together a special bank squad to work with the Commonwealth police and, by the time he left for New York, eight of the robberies had been solved.

Other F.B.I. men described Mr. Beane as personable and sociable. One man said he was "an excellent pool player and a lousy golfer." Julio Morales, the United States Attorney in San Juan, said he had found Mr. Beane efficient and intelligent, and remembered also his partiality to white shoes and foul-smelling cigars.

Sam's Kidnap Seems Tied to Mackle Book

By MARK LIFF

Samuel Bronfman's relatives believe his abductors mapped their strategies from a book describing the 1968 kidnap-burial of Barbara Jane Mackle, daughter of a wealthy Florida land developer, from a Georgia motel.

Even the three-page ransom note mailed to Edgar Bronfman appears to have been lifted directly from the text of "83 Hours Till Dawn," a book published in 1971 by Doubleday, in which Barbara Jane recounted her horrifying ordeal.

A source close to the Bronfman family said Sam's kidnapers "had to have read the book, because our ransom note was identical to the Mackle note." Both notes warned the respective families that the victim was "buried alive" and had water and air for a few days, at most.

Ads in Personals Columns

The Mackle note instructed the family to bundle the ransom money in two old suitcases and to place a prearranged coded message in a Miami newspaper "personals" column. FBI agents in New York, acting on the kidnapers' instructions, placed a similarly-worded message in local papers as a signal that the money was ready for delivery.

Both Robert Mackle, Barbara Jane's father, and Edgar Bronfman made "trial runs" before actually exchanging the ransom money to assure that things would proceed without a hitch. Both were instructed to drive certain vehicles and to signal the kidnapers when they arrived at the dropoff site.

The similarities between the two cases were first spotted by Bill Beane, special agent in charge of the FBI's criminal division in New York. He directed the Mackle investigation and, coincidentally, was in charge of the Bronfman case.

Both cases had two additional similarities: both victims were rescued unharmed and suspects seized in each case.

ADDENDUM D

JEWELRY THEFT OF GEMS FROM THE J.P. MORGAN HALL OF GEMS AMERICAN MUSEUM OF NATURAL HISTORY, NEW YORK CITY

1. *List of Gems* stolen from the American Museum of Natural History, New York on October 20, 1964 with photos of three most valuable gems.
2. American Museum of Natural History Jewel Theft *Timetable*
3. "Murph the Surf" – A *Postscript Biography* with photos
4. *Newspaper Clippings* –
Kuhn and Murphy re: jewel theft
Richard Pearson re: recovery of gem

GEMS STOLEN FROM AMERICAN MUSEUM OF
NATURAL HISTORY, NYC, 10/29/64

Following description of the gem is place or source from which obtained.

Following nine items recovered at Miami, 1/8/65:

- ✓ 1. Star Sapphire/ Star of India/, 563.35 carats, Ceylon.
- ✓ 2. Star Sapphire/ Midnight Star/, 116.75 carats, Ceylon.
3. Engraved Emerald 87.64 carats, Muzo, Colombia.
4. Emerald brilliant cut stone. 32 carats, Muzo, Colombia.
5. Emerald, keystone shaped facettted stone, Earles Station, South Carolina.
6. Emerald, four small facettted stones, total 1 carat, Stoney Point, North Carolina.
7. Emerald, three Cabochon Stones, small, Crabtree Mountain, North Carolina.
8. Agua Marine facettted stone, 737 carats, Minas Gerais, Brazil.
9. Agua Marine facettted stone, 400 carats, Minas Gerais, Brazil.

Following item, #10, recovered in West Palm Beach Phone Booth on Sunshine State Parkway after ransom of \$25,000 paid to DICK PEARSON.

- ✓ 10. Star Ruby/ Edith Haggin DeLong/, 132 carats, Burma.

Following items not recovered to date:

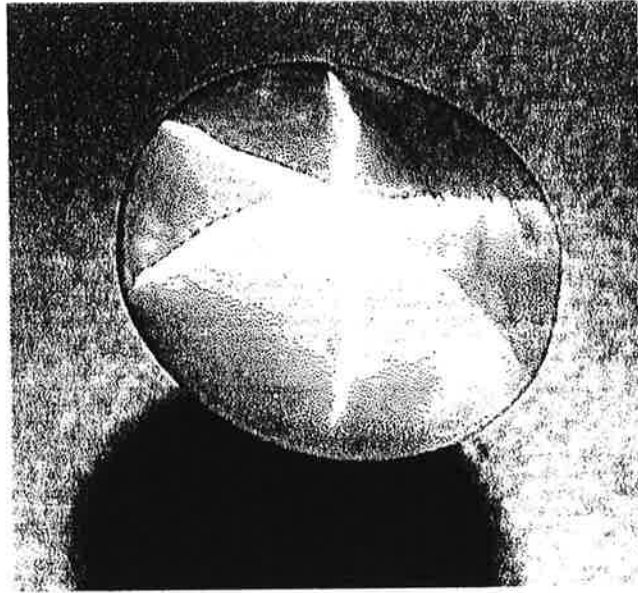
11. Diamond Crystals, two small - Volcano, Anador Company, California. Diamond Crystals/ eight small 4.07 carats/, Kasai River, South Africa.

✓ INDICATES 3 LARGEST + MOST UNIQUE GEMSTONES STOLEN IN THE BURGLARY. PHOTOS ATTACHED.

12. Diamond Crystal, 3.87 carats - Kettle Morraine, Dane Company, Wisconsin.
13. Diamond Crystal, 4.25 carats, Birmingham, Alabama.
14. Diamond Ring with two old mine cut stones 2.25 carats each.
15. Diamond Crystal 15.37 carats, Kettle Morraine, Near Eagle, Wisconsin.
16. Diamond Broach with enamel setting with old mine cut stones, Wallace Memorial.
17. Diamond Pin with two stones 2.25 carats each, Wallace Memorial.
18. Diamond Pin and Necklace set with seventy eight small diamonds, Wallace Memorial.
19. Diamond/ ten facettad stones of various colors/, Murfreesboro, Arkansas.
20. Emerald ring with stone, 2 carats, Muzo, Colombia.

Value of all above items has been estimated by Museum authorities at something in excess of \$400,000, although some of the items are unique in gemological history and are therefore priceless.

The DeLong Star Ruby



The DeLong Star Ruby resides in the Natural History Museum in New York City. It weighs 100.32 carats. In 1964 the DeLong Star Ruby (along with the Star of India) was the object of an infamous burglary, carried out by Jack Murphy, known as Murph the Surf, and two other men. They were ransomed from \$25,000 and both recovered. The DeLong Star was found at a designated drop off site - a phone booth in Florida.

BACK

The Star of India



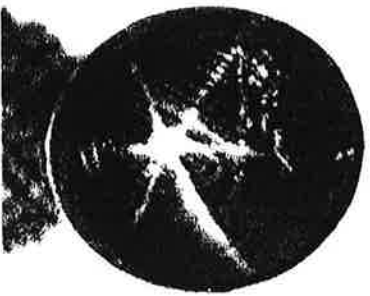
The Star of India, at 563.35 carats, is the largest and most famous star sapphire in the world. Formed some 2 billion years ago, it was discovered, allegedly more than 300 years ago, in Sri Lanka, where excellent sapphires are still to be found in deposits of sand and gravel left by ancient rivers. Industrialist and financier J. P. Morgan presented the sapphire to the New York Museum of Natural History in 1900. Today, the Star of India is one of the most renowned objects in all of the Museum's collections.

The presence of the mineral rutile in the Star of India gives the stone its milky quality. This also yields the star effect, as tiny fibers of the mineral, aligned in a three-fold pattern within the gem, reflect incoming light in the star pattern. This effect is known as asterism, and, along with color, is one of the characteristics that makes star sapphires so highly prized. Such stones are polished in the domed shape you can see here, called a cabochon, to best reveal the star, which moves with changing angles of illumination and observation.



In 1964 the Star of India (along with the Delong Star Ruby) was the object of an infamous burglary, carried out by Jack Murphy, known as Murph the Surf, and two other men. They were ransomed from \$25,000 and both recovered. The Delong Star was found at a designated drop off site - a phone booth in Florida.

The Midnight Star Ruby



This 116.75-carat deep purplish-red star ruby is part of the New York Museum of Natural History's collection, along with the Star of India, a very large star sapphire.

BACK

Burglary of American Museum of Natural History NYC

October 29, 1964

Timetable of Events

By FBI Special Agent Wm. F. Beane

The three principal gemstones stolen were:

“Star of India” Sapphire 563 carats

“DeLong Star” Ruby 132 carats

“Midnight Star” Ruby 117 carats

The three burglars, Allan Kuhn, Jack “Murph the Surf” Murphy and Roger Clark were arrested in Miami, FL and NYC two days after the burglary. The above named principal gems were all recovered. The burglars pled guilty on Feb. 8, 1965 in NYC after federal charges of Interstate Transportation of Stolen Property were dismissed in Miami. All three burglars were sentenced in NYC April 6, 1965 to three one-year terms to run consecutively. They were given lenient sentences in return for their cooperation in the recovery of the Star of India and the Midnight Star and lesser quality gems. Later, Richard Pearson was convicted in Federal Court in Miami.

September 25, 1964

KUHN and MURPHY drove to New York City from Miami, Florida, and checked into the Stanhope Hotel, New York City, Suite 1510-14. CLARK joined them in this suite on 10/2/64.

October 6, 1964

KUHN, MURPHY, and CLARK moved from the Stanhope to the Cambridge House, 333 West 86th Street, New York City, Room 1803. None of these men were gainfully employed.

October 11, 1964

A surprise birthday party was held for RICHARD PEARSON at his Miami residence. Approximately 40 people were in attendance, including ALLAN KUHN; HERMAN GORDON; LOUIS GHELFI, a known gunman and burglar; and various other underworld characters. (For reasons unknown, KUHN is believed to have returned to Miami solely for this party; also, KUHN had conveyed to many persons that he had been in California and was returning there for reasons known but to KUHN. No one in Miami knew that KUHN was, in fact, presently residing in New York City.)

October 13, 1964

KUHN, MURPHY, CLARK, and a friend, ROBERT BERNIER, drove KUHN's Cadillac to Quebec, Canada, arriving there 10/15/64. The following day, they drove to Montreal and registered at the Mt. Royal Hotel. This group departed Canada 10/17/64 and returned to New York City via Newington, Connecticut, where they dropped off BERNIER. This Canada visit was primarily an extended party with various girlfriends of KUHN and others.

October 27, 1964

A telephone call was placed from KUHN's suite at the Cambridge House to the residence of RICHARD PEARSON in Miami.

October 28, 1964

MURPHY, CLARK, and BERNIER met for one-half hour in the evening in a Newington, Connecticut, bar. According to BERNIER, there was no discussion of a proposed burglary at this time. Upon parting company, CLARK informed BERNIER he would return to visit him the weekend of 10/30-31.

October 29, 1964

The afternoon of this date, KUHN spent some time with his girlfriend, JANET FLORKIEWICZ. He asked her if she could go to Florida with him in a few days and she stated she would like to.

In the late evening hours, the American Museum of Natural History, New York City, was burglarized of a quantity of priceless unique gems, including the Star of India and the DeLong Ruby. Subjects KUHN, CLARK, and MURPHY, subsequent to this date pled guilty to this offense and assisted in the recovery of some of the gems.

Friday,
October 30, 1964

2:30 A.M.

KUHN or MURPHY made reservations for two passengers on Eastern Air Lines Flight 607 leaving JFK Airport 9:15 A.M., to arrive Miami 11:56 A.M. These two passengers were booked under the names J. DONALD VAN (ticket used by MURPHY) and J. HARRINGTON (ticket used by KUHN).

Friday,
October 30, 1964 - Continued

3:30 A.M.

KUHN telephonically called his girlfriend, FLOPKIEWICZ, and asked if she could be ready to go to Florida with him at 8:30 that morning. She agreed to do so.

8:00 A.M.

KUHN and MURPHY picked up FLOPKIEWICZ, took a cab to the Kennedy Airport, where they purchased a ticket for her on the same flight under the name Miss J. MORRIS.

9:00 A.M.

CLARK drove KUHN's car to Connecticut to visit BERNIER.

9:15 A.M. to 12:01 P.M.

Flight to Miami by KUHN, MURPHY, and FLOPKIEWICZ. Several witnesses aboard aircraft recall presence of these three passengers. Upon arrival at Miami, FLOPKIEWICZ was instructed to leave the plane separately. She was carrying a small cosmetic case with a combination lock which had been provided to her by KUHN.

12:15 P.M.

Flight arrived five minutes late and MURPHY was picked up by his girlfriend, BONNIE SUTERA, and parted company with KUHN and FLOPKIEWICZ at the airport.

12:30 P.M.

KUHN attempted to rent a Cadillac automobile but was unable to do so, so he agreed to rent a white

Friday,
October 30, 1964 - Continued

12:30 P.M. - Continued

Thunderbird from the Avis System. He met FLORKIEWICZ at car rental counter, thereafter drove immediately to his residence at Brickell Town House, Apartment 15T. Shortly after arrival at KUHN's apartment, KUHN unpacked some clothes as well as the cosmetic case which was carried on flight by FLORKIEWICZ.

1:30 P.M.

KUHN visited the HOLIDAY apartment alone in Brickell Town House for a few minutes.

Approximately
1:45 P.M.

KUHN and FLORKIEWICZ drove to residence of RICHARD PEARSON. Only persons present there were ROBERTA PEARSON and Mr. and Mrs. EDWARD HOLIDAY. ALLAN and girl had one drink and departed the residence about 15 or 20 minutes after arrival there, returning to KUHN's apartment.

3:00 P.M.

Upon arrival at KUHN's apartment, FLORKIEWICZ lay down for a few hours, since she had gotten little or no sleep the night before. She rested three or four hours, during which time KUHN was in and out of the apartment several times.

Between
3:00 and 4:00 P.M.

FLORKIEWICZ admitted having sexual intimacies with KUHN.

Friday,
October 30, 1964 - Continued

5:30 P.M.

KUHN again visited the HOLIDAY apartment, 8U, and had several drinks with them. Some neighbors named MAWHINNEY also dropped into the HOLIDAY apartment.

6:00 to 7:30 P.M.

Several witnesses (parking valets) at main entrance of Brickell Town House advised HERMAN GORDON arrived at the Town House this Friday evening and remained in the building about 30 minutes. They specifically recall it was raining and GORDON made a terrible fuss that they did not park his car near the front entrance. GORDON is well known to these parking valets as regular visitor to the Brickell Town House. (GORDON vigorously denies this Friday night visit to the Brickell Town House.)

7:30 to 8:00 P.M.

HOLIDAY and KUHN left the HOLIDAY apartment ostensibly to visit KUHN's apartment to see KUHN's new color TV set.

10:00 to 11:00 P.M.

MURPHY and BONNIE SUTERA visited the KUHN apartment, remained about an hour, departing about 11:00 P.M. for dinner alone at Les Violins Restaurant; thereafter returned to SUTERA's apartment in North Miami, arriving there about 2:00 A.M., 10/31/64.

Saturday,
October 31, 1964

3:30 to 4:00 A.M.

The drinking in the HOLIDAY apartment apparently continued throughout the evening and early morning hours. According to HOLIDAY, KUHN did not return to the apartment after they had looked at his color TV set about 8:00 P.M. the preceding evening.

4:00 A.M.

At least two neighbors complained of the noise in the HOLIDAY apartment, and about 4:00 A.M. the noise subsided at the insistence of the neighbors, and the outer door was heard to slam, apparently when someone left. (It is known that EDWARD HOLIDAY is an alcoholic and drinks incessantly even though he has a responsible position as an airline co-pilot.)

9:00 to 10:00 A.M.

As best it can be determined, KUHN and FLORKIEWICZ rose between 9:00 and 10:00 A.M. According to FLORKIEWICZ, about 10:30 or 11:00 A.M., while she was dressing in the bedroom, KUHN announced to her from the living room that he had a guest in the kitchen and they were discussing the purchase of one of his boats. All FLORKIEWICZ could hear was a deep-voiced person talking to KUHN. She did not see him.

10:30 A.M. to Noon

Parking valets at Brickell Town House again recall parking GORDON's car during this period. GORDON remained in the building about 30 minutes. Also, at approximately 11:00 A.M., MURPHY and BONNIE SUTERA arrived at the KUHN apartment. GORDON frankly admits

Saturday,
October 31, 1964 - Continued

10:30 A.M. to Noon - Continued

this visit to the Brickell Town House and explains it as follows: He recalled visiting the Town House with a friend on about 10/27/64. He did not identify this friend but he has since been identified through investigation as MORRIS WOLLAND, proprietor of the Gold & Silver Shop, downtown Miami. The purpose of this visit on the 27th with WOLLAND was to meet an attorney in order to examine the contents of an apartment of a man who had recently died. GORDON was interested in perhaps renting the apartment, and secondly, was interested in purchasing the furnishings, which he stated were extremely expensive. On the 27th he was unable to gain entrance to this apartment since the attorney did not show up. On Saturday, 10/31/64, he visited the Town House alone to make another effort to enter this apartment. Upon entering the lobby, he ran into ALLAN KUHN and entered the coffee shop and had a conversation with KUHN about general matters. The Museum burglary was not discussed. He declined to state the nature of his business with KUHN. KUHN encouraged him to go with him to KUHN's apartment. GORDON at first agreed, but when he reached the 15th Floor he decided against entering the apartment. He bid KUHN farewell and immediately left the building. He made no further effort to fulfill his initial purpose for visiting the Brickell Town House on this Saturday morning. Investigation has verified that GORDON was, in fact, interested in purchasing some furniture with MORRIS WOLLAND, described above, but never had the opportunity to look at same. WOLLAND is in the business of buying jewelry and furnishings from estates, which business, incidentally, lends itself ideally to a fencing operation.

Saturday,
October 31, 1964 - Continued

10:30 A.M. to Noon - Continued

Also, sometime between 10:30 and 11:45 A.M., KUHN visited the HOLIDAY apartment twice, the first time with FLOPKIEWICZ for about ten minutes, and later, at about 11:30 A.M., KUHN visited him again alone for about ten minutes. Both occasions were purely social according to HOLIDAY and the burglary nor the loot therefrom was discussed.

11:30 A.M.

CLARK returned to New York City from Connecticut with BERNIER and was immediately arrested by New York City Police Department.

11:45 A.M.

KUHN and MURPHY were arrested in KUHN's apartment by FBI Agents. Also present were SUTERA and FLOPKIEWICZ. A search of the apartment failed to disclose the missing gems.

3:05 P.M.

While in the FBI Office, KUHN, unable to reach his attorney, HARVEY ST. JEAN, requested permission to make another call, which was granted. He called DICK PEARSON but could not reach him. He then called ED HOLIDAY.

4:00 P.M.

HOLIDAY called PEARSON to advise him that KUHN had been arrested by the FBI and PEARSON later informed FBI Agents that was the first he had heard of KUHN's arrest.

BILL BEANE
LED THE
ARRESTING
PARTY OF
AGENTS

Saturday,
October 31, 1964 - Continued

7:30 P.M.

JANET FLORKIEWICZ (19 years) returned to New York and was immediately questioned by New York City Police Department and later by FBI Agents. Her story vacillated from one extreme to the other. She testified before NYGJ she saw stolen guns in KUHN's apartment but later recanted. She said she was intimidated by NYCPD and to avoid going to jail, told them what they wanted to hear. Thereafter, she was taken into protective custody in early November 1964 in lieu of \$5,000 bond which was later increased to \$25,000. She later informed DA HOGAN that she had perjured herself before Grand Jury.

November 2, 1964

MURPHY and KUHN released after posting \$10,000 bond on Federal charge of ITSP.

November 11, 1964

PEARSON and wife, ROBERTA, were visiting at the HOLIDAY apartment about 6:30 P.M. and encouraged the HOLIDAYS to return with them to the PEARSON residence which they did, in two separate cars, the two men in one car and the women in another, the men arriving first. Upon entering the PEARSON residence, HOLIDAY and PEARSON were assaulted at gunpoint, gagged, and blindfolded, HOLIDAY brutally beaten. The robbers continually asked, "Where's the stuff?" A few minutes later, the two women arrived. They also were bounded and gagged and they also were asked where was the stuff, meaning the Star of India, etc. After several of HOLIDAY's teeth had been knocked out, he told them the stuff was in the air conditioning duct at his apartment. He later confided to FBI Agents that this was not true but simply a ruse in an effort to get

November 11, 1964 - Continued

these men to leave. The only thing of value stolen in this armed robbery was an 8 carat diamond ring from ROBERTA PEARSON. It is known that this ring was purchased for approximately \$5,000 and initially insured for \$7,500. However, 30 days prior to this robbery, the insurance on this ring was increased to \$13,500, which amount was ultimately paid by the insurance company. There were many peculiar circumstances surrounding this robbery and it was obvious to investigating police and Bureau Agents that HOLIDAY and his wife were set up in a position where they could be credited as bona fide witnesses to an armed robbery. HOLIDAY also is confident that he was set up in this robbery situation. Neither PEARSON nor his wife was harmed at all. Immediately prior to this robbery, it was known that PEARSON and his wife were having serious financial problems. As recently as five weeks before this robbery, HOLIDAY loaned PEARSON \$2,500 in cash which PEARSON paid back about ten days later.

November 15, 1964

New York County Grand Jury returned three count indictment against KUHN, MURPHY and CLARK.

1. Burglary by breaking and entering.
2. Grand Larceny by stealing gems.
3. Possession of burglary tools.

November 18, 1964

KUHN, MURPHY and CLARK flew to New York City with HARVEY ST. JEAN and pled not guilty to charges in the indictment and returned to Miami same day.

November 24, 1964

MURPHY, KUHN and CLARK entered pleas of not guilty in New York Supreme Court and returned to Miami November 25, 1964.

December 1, 1964

Throughout the month of November 1964 U. S. Commissioner, Miami, continued the Probable Cause hearing at the Government's request several times until on December 1, 1964 he dismissed the complaint charging KUHN, MURPHY and CLARK with ITSP.

Also on December 1, 1964 testimony was heard by Federal Grand Jury, Southern District of New York. Among those testifying were HOLIDAY and his wife and HERMAN GORDON, who invoked the 5th Amendment to all questions put to him. GORDON was continued before the Federal Grand Jury until December 3, 1964, on which date he again invoked the 5th Amendment.

December 5, 1964

KUHN was introduced to prospective buyers of the gems at Miami by a mutual friend, WILLIAM BLAIR. These

prospective buyers, unknown to BLAIR or KUHN, were actually FBI Agents assigned to the New York Office. During this meeting, KUHN admitted that he had surrendered the jewels he had stolen from the museum burglary to a friend whom he trusts with his life and with whom he has done business previously. KUHN stated that his price for the three principle pieces, that is the Star of India, the Midnight Star and the DeLong Ruby was \$110,000.00. He told them that he had refused a price of \$90,000.00 a week earlier. KUHN thereafter stated he would have to clear the sale with his "man" and he would recontact the prospective buyers the following day. He recontacted these prospective buyers and told them that he had been reprimanded for initiating negotiations with persons unknown to him and for that reason this deal was terminated.

Concerning the foregoing, it is interesting to note that KUHN had confided to many persons prior to this burglary that he would do business with only one fence whom he trusted implicitly, and further, that this fence paid him a premium price for all merchandise. It has been established through extremely confidential sources that HERMAN GORDON visited the apartment of ALLAN KUHN on September 14, 1964, prior to this burglary, and paid KUHN the sum of \$20,000.00 in cash for unknown merchandise.

December 12, 1964

HERMAN GORDON met ALLAN KUHN in front of the Erickel Town House, at which time KUHN attempted to borrow \$2,000.00 from GORDON. GORDON declined to make this loan.

Also, on December 12, 1964 BONNIE SUTERA, girlfriend of MURPHY, committed suicide in North Miami.

December 18, 1964

Since the Federal charges were dismissed on December 1, 1965 and in view of the fact that KUHN attempted to sell the stolen gems to persons in Miami who, unknown to KUHN, were actually FBI Agents, it was decided that this should be made known to the New York authorities. As a result of this, the New York Court increased the bail bond

on KUHN and MURPHY from \$20,000.00 to \$50,000.00 each and from \$20,000.00 to \$45,000.00 for CLARK. All immediately posted bond.

December 21, 1964

DICK PEARSON appeared before the Federal Grand Jury, New York City, and invoked the 5th Amendment in response to all questions. ROBERTA PEARSON also was subpoenaed before this Grand Jury but due to hospitalization as a result of an automobile accident, did not appear.

December 24, 1964

The Manager of the Algonquin Hotel, New York City, identified a photograph of MURPHY as the person who assaulted him and broke his leg during the course of an armed robbery in the hotel on July 10, 1964. He was desirous of viewing MURPHY personally in order to make a definite identification.

December 25, 1964

KUHN arrived at his mother's residence, St. Louis, Missouri. He remained there until December 30, 1964 and attempted to borrow money from her and other relatives and friends.

January 1, 1965

MURPHY and CLARK were arrested by Miami Beach Police Department fleeing the scene of a house burglary. Both were charged and released on \$1,000.00 bond.

January 4, 1965

A Defense Motion was argued before New York Supreme Court to suppress all evidence seized in KUHN's New York apartment at the time CLARK was arrested there on October 31, 1964. This motion was denied and it was ruled that all evidence was legally seized and would be admitted into evidence.

At the time of this court appearance the victim of the Algonquin Hotel robbery, described above (see 12/24/64) personally viewed MURPHY and definitely identified him as his assailant. After this hearing, MURPHY was immediately taken into custody and charged with this armed robbery.

Also at this time RICHARD BROWN, husband of EVA GABOR, identified KUHN as one of the persons who robbed EVA and himself in the Miami Racquet Club on 1/19/65. As a result of this identification, the North Bay Village Police Department has filed charges with the Dade County State Attorney's Office charging KUHN and MURPHY with the armed robbery of GABOR and her husband. A detainer has been filed with New York authorities.

January 5, 1965

As a result of additional charges brought against KUHN, MURPHY and CLARK their bail bonds were increased to \$150,000.00 for MURPHY and \$100,000.00 each for KUHN and CLARK. Unable to post this bond they were remanded to custody.

On the afternoon of 1/5/65 KUHN, on behalf of all three defendants, requested and received a private interview with New York District Attorney HOGAN. KUHN proposed a deal whereby he would return the three principle gems stolen from the museum in return for leniency. It is believed that HOGAN was receptive to this deal but wanted all of the jewelry returned. KUHN indicated that some of the smaller items had been disposed of. HOGAN then agreed to KUHN's proposal and KUHN told him it would be necessary to travel to Miami, Florida, which he did while in custody, on the evening of 1/5/65.

At the time of this deal HOGAN requested the FBI to relax physical surveillances on all of KUHN's associates in order not to thwart this attempted recovery. This request was complied with. Among those under surveillance up until 1/15/65 were HERMAN GORDON and also RICHARD PEARSON.

Regarding this deal it was agreed that if the three principle gems were returned, KUHN and others would be permitted to plead guilty and would receive three one-year sentences in the indictment which would run concurrently.

However, as will be shown on the following pages, KUHN did not fulfill the contract completely as promised (the Delong ruby not returned) and HOGAN did not feel compelled to honor his agreement. New York Judge SWEITZER imposed the three one-year sentences mentioned above but indicated that they would run consecutively.

The following narrative has been reconstructed with the assistance of sources and some of the principals involved:

On the evening of 1/5/65 KUHN, DICK MALINE and two other New York Police Department detectives and Assistant District Attorney NADJARI arrived in Miami in an effort to recover the Star of India. Upon arrival, they rented a Cadillac sedan, drove immediately to the Shalimar Motel, Biscayne Boulevard, and attempted to reach HERMAN GORDON. Prior to leaving New York NADJARI leaked information relative to this trip to a newspaper man and the press immediately was aware of what was going on and the photographers and news men congregated at the Shalimar Motel in order to cover the story as it unfolded. In an effort to escape the press, the group moved from the Shalimar Motel shortly after they checked in and registered at the Dunes Motel, Sunny Isles, Florida.

January 6, 1965

Late in the afternoon of this date, GORDON finally got in touch with MALINE. He stated that he had attempted to reach them at the Shalimar but learned that they had moved out and, therefore, had some difficulty reaching them. A meeting was scheduled for 6:30 p. m. at the bar in the Americana Hotel, Bal Harbor, Florida, between GORDON, MALINE and MC NALLEY.

After a few drinks the group had dinner and apparently discussed this matter at some length. GORDON returned home in the early morning hours of 1/7/65.

January 7, 1965

Upon returning to the Dunes Motel from the Americana, Detectives MALINE and MC NALLEY again encountered

the press in the early morning hours of 1/7/65 and again clandestinely departed from the Dunes, this time in a taxi. It is believed that after leaving the Dunes this group contacted ED STANTON and thereafter checked into Room 202 at the University Inn in Coral Gables, Florida.

For most of the day, 1/7/65, HERMAN GORDON and HARVEY ST. JEAN were making efforts to reach an unidentified person whose assistance in the recovery effort apparently was deemed imperative. It is believed with good reason that this person was DICK PEARSON. This unidentified person finally arrived in the office of HARVEY ST. JEAN at 3:50 p. m. and negotiations for the recovery were now very much under way.

Throughout these negotiations GORDON repeatedly insisted to MALINE that in return for his assistance in this matter it would be imperative that the outstanding subpoena requiring his appearance and that of ROBERTA PEARSON before New York Grand Jury on 1/14/65 be quashed. NADJARI apparently assured GORDON that the subpoena would be quashed if the jewelry was recovered. GORDON always took the position that the Federal Grand Jury did not bother him since he could always invoke the 5th Amendment but the local grand jury is in a position to force immunity upon him.

Subsequent to the foregoing activities GORDON confided to SA WILLIAM F. BEANE on more than one occasion that MALINE came to him for assistance only after the initial negotiations instituted by KUHN broke down. GORDON told SA BEANE that KUHN had made some 38 telephone calls to various of his contacts in an effort to recover the gems but these calls were in vain and it was at that time they turned to GORDON. In retrospect this statement did not appear entirely accurate since it is known as pointed out above that MALINE attempted to reach GORDON from the Shalimar Motel immediately upon his arrival at Miami.

January 8, 1965

According to GORDON he received an anonymous call in the late evening of 1/7/65 which instructed him to park his car behind the University Inn, Coral Gables, Florida,

and to leave the car unattended. GORDON complied with this request and expected when he returned to the car that he would find the missing gems therein. 15 minutes later GORDON and MALINE returned to the car, did not find the gems but MALINE found a key to a public locker. For a reason that is not entirely clear, MALINE and GORDON drove directly to the Greyhound Bus Terminal in downtown Miami in GORDON's car. MALINE entered the terminal and in the locker of the key left in GORDON's car MALINE withdrew a dampened pouch and returned to GORDON's car, telling him that he had the gems. They immediately returned to the University Inn, Room 202, where the recovered gems were examined by everyone, including GORDON. GORDON asserts that this is the first time he had ever seen these gems.

GORDON's story above generally corresponds to all published newspaper accounts, however, since PEARSON and ST. JEAN figured prominently in these negotiations it has been speculated in some circles that all of the clandestine activities engaged in were superfluous since PEARSON or GORDON could have simply surrendered the gems to ST. JEAN and he in turn could have given them to Assistant District Attorney NADJARI at the University Inn, claiming the privilege.

The gems recovered from this score were the Star of India Sapphire, the Midnight Star Sapphire and 87 carat engraved emerald, four cut smaller emeralds and two aguamarines, one 737 carats and one 400 carats. According to GORDON, KUHN appeared genuinely surprised that the Delong ruby was not among the recovered items.

At 9:00 a. m., 1/8/65 MALINE, KUHN and others returned to New York with the recovered gems.

January 9, 1965

AUSA STEVE KAUFMAN, Southern District of New York, stated that in his opinion no useful purpose would be served in prosecuting KUHN, MURPHY and CLARK for ITSP since they are being prosecuted locally. KAUFMAN preferred that any future attempts at Federal prosecution for receiving be handled by the U. S. Attorney, SDF.

January 11, 1965

GORDON informed SA BEANE that he is continuing to make efforts to recover the DeLong ruby for Assistant District Attorney MADJARI and is reasonably confident that it will be recovered sooner or later.

January 13, 1965

KUHN, MURPHY and CLARK were scheduled to enter their pleas of guilty in the New York Court this date. This was continued until 1/28/65 in hopes that the DeLong ruby might be recovered, which recovery would encourage District Attorney HOGAN to request leniency for the defendants as he had promised. The acceptance of guilty pleas was later postponed until 2/8/65.

January 14, 1965

On this date HERMAN GORDON, ROBERTA PEARSON and others were scheduled to respond to a subpoena before the New York County Grand Jury but since some of the gems had been recovered, these Grand Jury appearances were cancelled.

January 26, 1965

ARTHUR BLATT, aka "The Fat Man", a prominent Miami jeweler and well known fence (though never convicted) was shot and killed by his wife. BLATT's name was found in KUHN's private address book at the time of his arrest and there was much speculation that BLATT at one time had custody of the Star of India, the DeLong ruby and other gems. HERMAN GORDON advised SA BEANE after BLATT's death that he had heard from very good sources that BLATT had these gems at one time.

February 1, 1965

In late January 1965 ED STANTON was retained by the curator of the American Museum of Natural History, Dr. DOYLE, to act as intermediary between Dr. JOSEPH CHAMBERLAIN of the

museum and an unidentified man (later identified as JOSEPH FLANAGAN) in Miami who had satisfied Dr. DOYLE that he has good knowledge of the whereabouts of the DeLong ruby and is in a position to produce it. The FLANAGAN angle was explored by Bureau Agents and it was determined that FLANAGAN was a bit of an opportunist and was a party to an apparent hoax and he had no contact whatever with the custodian of the ruby and was unable to produce same. It is believed that this was STANTON's initial contact with museum authorities and in the subsequent efforts to recover the gem he was similarly retained.

February 8, 1965

KUHN, MURPHY and CLARK pled guilty in New York Court to the three count indictment described previously. Sentencing was set 3/19/65 to give KUHN and others additional time to negotiate for the return of the DeLong ruby. Sentencing was later postponed until 4/6/65.

March 28, 1965

Historically it is interesting to note that DICK PEARSON in late February and early March had been having some serious domestic problems with his wife, ROBERTA, who is, according to PEARSON, an alcoholic. In April PEARSON moved out of his house in South Dade County and began living with a Playboy Club bunny, MARY DENISON. At this same time PEARSON was having serious financial difficulties. He was indebted to gamblers for between four and five thousand dollars.

On the night of 3/28/65 PEARSON was arrested at Palm Beach, Florida, together with MAXINE ADAMS and GERALD CARUSIELLO, a convicted armed robber who is presently serving 75 years in the Florida State Penitentiary. The three of them were arrested in highly suspicious circumstances in a residential area in the late evening hours and the vehicle in which they were riding contained loaded revolvers, burglar tools, face masks and other highly incriminating evidence. This matter is presently pending before Judge MC MILLAN in Palm Beach and is scheduled to be heard in February 1966.

March 29, 1965

ED STANTON was contacted by a representative of "Life" Magazine and was informed that "Life" would pay a substantial sum of money for the exclusive story rights relative to the impending recovery of the Delong ruby. A figure was not mentioned by "Life" Magazine and it was indicated to that magazine that a loan of approximately \$30,000.00 had been made by someone who accepted the Delong ruby as collateral. It is believed this loan was made by gamblers, most probably someone connected with LEPTY ROSENTHAL.

On 3/29/65 STANTON was in the office of Assistant District Attorney NADJARI, at which time MURPHY was brought into that office. This was approximately 3:00 p. m. By prearrangement word had been gotten to RICHARD PEARSON or HY GORDON that one or both of them should call NADJARI's office at this specified hour since MURPHY had a message to convey to them, specifically to PEARSON. On this date GORDON was under physical surveillance of Bureau Agents and he was observed with RICHARD PEARSON at a public telephone booth outside the Shallmar Motel on Biscayne Boulevard at the very hour this call was made. STANTON indicated that he was not in a position to overhear both sides of the conversation but knew that MURPHY was speaking to GORDON and PEARSON and MURPHY informed PEARSON in strong unmistakable language that he was going to be sentenced on 4/6/65, one week away and that for the best interest of all concerned, PEARSON should do everything in his power to bring about the return of the Delong ruby to the proper authorities prior to that time, in order that KUHN, MURPHY and CLARK would receive lenient sentences as promised.

In late March 1965 an offer was made to HERMAN GORDON by the New York "News" reporter WILLIAM FEDERICI. The offer made to GORDON was similar in many respects to the offer described above made to STANTON by "Life" Magazine. However, when FEDERICI found he was not capable of making a strong commitment to GORDON for the \$30,000.00 it would take to retrieve the Delong ruby, this effort was abandoned even before it got off the ground.

March 31, 1965

Miami newspapers published a story indicating that a telegram had been received by HARVEY ST. JEAN on this date from ALLAN KUHN inquiring whether or not his friends in Miami had met with any success "in locating the missing object". According to the Miami newspapers, ST. JEAN was of the opinion there was little or no hope of the ruby turning up at this time.

April 6, 1965

KUHN, MURPHY and CLARK were sentenced by New York Supreme Court Judge SWEITZER to three one-year terms to run consecutively (these defendants could have received a maximum of 21 years each).

April 19, 1965

Between 4/17 and 4/19/65 GORDON and ED STANTON had numerous conferences concerning the possibility of recovering the DeLong ruby. GORDON indicated that he is confident that the combination of DICK FEARSON and HARVEY ST. JEAN could produce the ruby. However, GORDON felt that neither is presently holding it.

FEARSON had indicated to GORDON that he would not participate in any effort to recover the ruby unless he and his wife were guaranteed complete immunity.

April 23, 1965

HARVEY ST. JEAN informed the press that he had received an anonymous phone call on this day from a knowledgeable male who wished to return the DeLong ruby to the museum if complete immunity could be granted. (It is believed that ST. JEAN described DICK FEARSON to the press as "an anonymous caller")

Many rumors were circulated in the underworld at this time that KUHN and others were irritated that they had received three year terms instead of one year terms

simply because the Delong ruby was not returned and to manifest this irritation they were going to talk to authorities and implicate certain Miamians in a variety of illegal activities. On the basis of best available information, it is believed that these rumors had no basis in fact.

April 26, 1965

ALLAN KUHN had a conference with Assistant District Attorney NADJARI and said he would talk to him on or about 4/28/65 about those holding up the recovery of the ruby, specifically PEARSON. NADJARI conveyed this information to ED STANTON and STANTON immediately went to ED HOLIDAY and others. Another effort was instituted to recover the Delong ruby. HOLIDAY spent most of the day and evening of 4/26/65 looking for ROBERTA PEARSON and finally located her in a tavern about 3:30 a. m. on Miami Beach. She was intoxicated. Thereafter, Mr. and Mrs. HOLIDAY and ROBERTA PEARSON went to the HOLIDAY apartment and the seriousness of the situation was explained to ROBERTA PEARSON. She immediately instituted efforts to contact LEFTY ROSENTHAL.

April 27, 1965

About 10:00 a. m., 4/27/65 Bureau Agents observed ED HOLIDAY and his wife, ROBERTA PEARSON and LEFTY ROSENTHAL hurriedly leaving the Norton Building where ROSENTHAL's office is located.

In the early afternoon of 4/27/65 ROBERTA PEARSON and Mrs. HOLIDAY went to a place (unknown) to locate the ruby but were unable to do so.

The difficulty in the foregoing arrangements was that ED HOLIDAY trusted ED STANTON but ROBERTA PEARSON did not. She preferred to do business with MY GORDON but HOLIDAY did not trust GORDON. Therefore, it was generally agreed that HARVEY ST. JEAN would be acceptable to all of the parties involved in this effort as an intermediary. This effort was also a failure.

April 27, 1965

GORDON advised SA BEANE that he had told NADJARI a few days earlier that he wanted nothing more to do with efforts to recover the DeLong Ruby, since DA HOGAN had reneged on his promise to furnish GORDON with a letter over HOGAN's signature exonerating GORDON of any implication in the Museum theft or the receiving of the jewels.

May & June, 1965

During these months, PEARSON's financial problems began to mount and "LEFTY" ROSENTHAL was putting pressure on him to pay the \$4,000-plus gambling debt which he owed to ROSENTHAL. He had left his wife on April 12, 1965 and was now spending most of his time with MARY DENISON at her apartment, 11900 North Bayshore Drive, North Miami. Both PEARSON's wife and HY GORDON were unable to locate PEARSON during this time.

Subsequent investigation established that PEARSON, due to the pressure of his creditors (gamblers), suddenly departed with MARY DENISON from Miami without advising anyone of their destination. It was established that they had travelled to the Pittsburgh, Pennsylvania area where they remained as Mr. and Mrs. ROBERT PAGE, among other names, in various motels in Pittsburgh; St. Clairsville, Ohio and Wheeling, West Virginia. While there, he fraternized daily with a high-powered underworld clique, spending much of his time with a hoodlum named ALSEID, who was an intimate friend of JOE MEROLA. SEID was found murdered in Pittsburgh on June 25, 1965. It is suspected that the DINSIO brothers, with whom PEARSON is acquainted, killed SEID for absconding with \$20,000 of their money given to SEID to arrange a "fix" for them. PEARSON was questioned by the Pittsburgh Police, but not implicated in this murder.

In late June, 1965, PEARSON and HY GORDON made a sustained effort to have LOU GHELFI and TONY ANTONE bonded out of the Dade County, Florida Jail.

Both were in custody there in lieu of more than \$50,000 bail each. Both are awaiting trials for armed robbery.

PEARSON persisted in his efforts to have GHELFI and ANTONE bonded out into early July, 1965, but was unsuccessful. It was obvious by now that PEARSON and perhaps GORDON had a score planned which required the services of GHELFI and ANTONE.

July 12, 1965

PEARSON returned to the Miami area to appear in Palm Beach, Florida court July 13, 1965, where a defense motion was made on his behalf to suppress evidence in his March 28, 1965 arrest. (See 3/28/65, above).

July 13, 1965

Simultaneous with PEARSON's arrival in the Miami area, GHELFI & ANTONE, with the assistance of PEARSON, posted bond and were released.

July 15, 1965

Burdine's Department Store, Dadeland, was burglarized of approx \$40,000 worth of jewelry; the modus operandi used was characteristic of PEARSON & GHELFI. To date, this case is unsolved and no jewelry has been recovered. Several reliable sources have attributed this burglary to PEARSON, GHELFI and others.

July 17, 1965

On July 17, 1965, a leading department store, The Jordan Marsh Department Store, Biscayne Boulevard, was burglarized of more than \$200,000 worth of jewelry in the exact manner as was Burdine's Department Store, described above. Reliable sources again indicated that PEARSON, GHELFI and others were responsible for this theft. These sources also indicated that the jewelry stolen from Jordan Marsh

was exhibited to HERMAN GORDON and he offered a price to the thieves, PEARSON, et al, which was unacceptable to them.

July 22, 1965

At 645 am on this date, PEARSON was arrested by Miami police officers as he withdrew an airline courtesy bag from a public locker at the Greyhound Bus Terminal, which bag disclosed over \$200,000 worth of jewelry stolen from the Jordan Marsh Department Store, most of which jewelry still had the store tags attached. At the time of this arrest, MARY DENISON was also taken into custody since it was she who drove PEARSON to the bus terminal to pick up this baggage.

¹³
July 23, 1965

FRANCIS ANTEL was contacted by FBI Agents and another effort was initiated to recover the DeLong Ruby. ANTEL was formerly in business with RICHARD PEARSON and PEARSON had informed him that he could produce the DeLong Ruby for \$21,000. This deal was, in effect, a "buy back". The money to be used was furnished by JOHN MAC ARTHUR, a Palm Beach millionaire, who was putting up the money as a public service.

Also involved in this July, 1965 effort was New York Daily News reporter WILLIAM FEDERICI and HERMAN GORDON. At the last moment this effort was aborted, when DA HOGAN, New York County, stated he would not request that the sentences of KUHN, MURPHY and CLARK be reduced as a result of the ransoming of the DeLong Ruby.

September 2, 1965

On this date, the DeLong Ruby was recovered in a telephone booth in West Palm Beach on the Sunshine State Parkway. The exact location of the Ruby was furnished to FRANCIS ANTEL by PEARSON on this date in return for \$25,000 in cash, which money

was provided by MAC ARTHUR. All of the serial numbers, together with the prefix letters, were obtained on the \$15,000 in \$100 bills, and \$10,000 in \$50 bills, prior to the time this money was furnished to ANTEL by MAC ARTHUR.

September 26, 1965

At 750 pm on this date, PEARSON was arrested in Macon, Georgia by the Macon Police Department as he was drilling a hole into the wall of Friedman's Jewelry Store from an adjoining hat shop, into which he had made forcible entry. Also arrested with PEARSON at Macon, was RICHARD JOSEPH ZACK. At the time of their arrests, PEARSON had on his person a revolver with a silencer attached thereto. A search warrant was obtained by authorities to search the PEARSON-ZACK vehicle, which disclosed another silencer and many thousands of dollars worth of high powered burglary equipment, such as drills, acetylene torches, etc.

At the time of their arrest, PEARSON had on his person seven \$100 bills; the serial numbers of all of these seven bills corresponded to the serial numbers of the bills provided to ANTEL by MAC ARTHUR which money ANTEL ultimately gave to PEARSON. Similarly, ZACK had three \$100 bills, the serial numbers of which also corresponded to the same list.

October 26, 1965

Richard Pearson was indicted by a Federal Grand Jury on a charge of "concealing, storing, selling and disposing of the DeLong Ruby" which was stolen and had been transported across state lines. He pled not guilty on November 13, 1965 and put on trial in Federal Court, Miami, Florida on Dec. 8, 1965. Pearson was represented by Harvey St. Jean, the same lawyer who had represented Alan Kuhn and Murph the Surf. St. Jean was a former Miami Beach cop but now a nationally famous criminal defense lawyer. SA William F. Beane presented this case on Pearson to US Attorney Wm. Meadows for prosecution and sat at the prosecutor's table throughout the trial and testified as a government witness.

Parenthetically, Harvey St. Jean was murdered himself. He was shot to death while seated in his Cadillac on Biscayne Blvd in Miami.

December 10, 1965

Pearson was convicted in Federal Court for the role he played in the recovery of the DeLong Ruby and sentenced to ten years in a Federal Prison and a \$10,000 fine. The judge ordered him to pay the fine by Feb. 21 or remain in prison until the fine was paid. Pearson's sentence was three times longer than that imposed on the museum burglars themselves.

Postscript

Two weeks prior to Pearson's federal conviction, he was convicted in a local Miami Court for possession of \$150,000 worth of jewelry stolen from the Jordan Marsh Department Store in downtown Miami. He was sentenced to five years in the Florida State Prison. He also faced charges in Macon, Georgia for burglary of a jewelry store there.

It was a run of bad luck for Pearson, the former yacht broker from Palm Beach.

“MURPH THE SURF” - A POSTSCRIPT BIOGRAPHY

Here is a brief Bio of Jack Roland Murphy, aka, “Murph the Surf,” covering the years before and after the daring 1964 burglary during which Jack and a friend, Alan Kuhn, stole the “Star of India” sapphire and the “DeLong Star Ruby,” among other gemstones, from the American Museum of Natural History in New York City.

1937: Jack was born in Los Angeles, the son of a much-traveled electrical contractor who, with Jack, moved throughout the US wherever his job took him. Jack said he attended 12 grammar schools and three high schools. At a very young age, he took up body surfing and later surfboarding on both US coastlines.

1955: Jack won a tennis scholarship to the University of Pittsburgh and played the violin well enough, at a very young age, to be invited to perform with the Pittsburgh Symphony. He only lasted one semester at UP and yearned to return to the surfing scene, this time to Miami Beach and later Central Florida. He was a professional springboard diver and performed as a clown diver in aquatic shows at fine hotels on Florida’s east coast. He returned to surfing contests and opened his own surfboard shop, “Murph’s Surf Shop,” where he designed and made his own surfboard label. The business soon failed. Jack claims to have won the East Coast Surfing championship at Virginia Beach, VA in 1966 (not confirmed.)

1964: October 29, he burglarized the American Museum of Natural History with friends, Alan Kuhn and Roger Clark. All were arrested on October 31, 1964. Kuhn and Murphy by the FBI in Miami and Clark in New York City. All three pled guilty in New York City courts. Federal charges were dropped in Miami. All three were sentenced to three one-year terms to run consecutively. They got light terms in consideration for their assistance in recovering the “Star of India.”

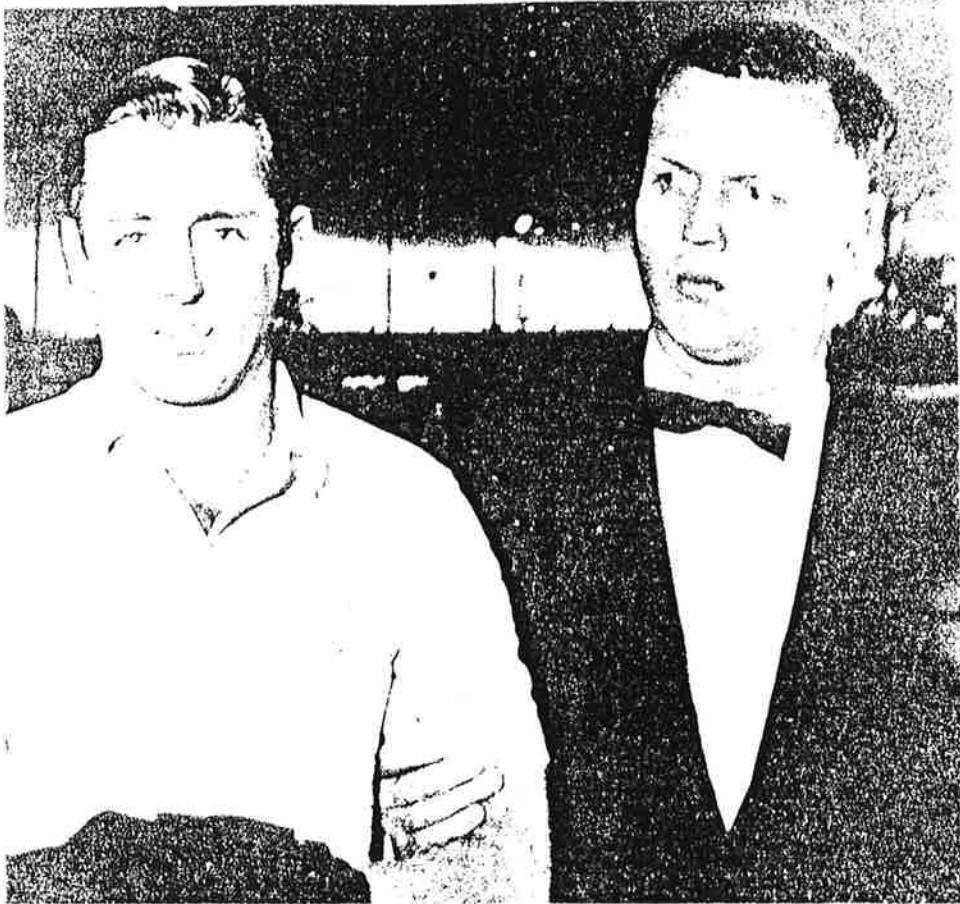
1965: January 4, Murphy and Roger Clark are arrested in Miami Beach for fleeing the scene of a house burglary. Disposition unknown.

1966: After serving a two-year term in a New York prison, Murphy returned to south Florida. In 1967, the bodies of two young secretaries, stabbed and beaten, were found at the bottom of Whiskey Creek near Hollywood, Florida. The secretaries were principal suspects in a \$500,000 theft of negotiable securities. Prosecutors learned that the secretaries had been working with Jack “Murph the Surf” Murphy and had turned the securities over to Murphy to be fenced. The secretaries were upset that they never got their share of the proceeds of the sale of the securities by Murphy. An argument ensued and Murphy and another man were convicted of their murders and sentenced to life in a maximum-security prison in Starke, Florida.

1986: After only twenty years in prison, as a model prisoner of good behavior, Jack Murphy persuaded a parole board that religion had changed his life. The Board agreed and following his release Murphy began a ministry with others who spend all their time visiting prisons all over the US and other parts of the world where he speaks mostly about faith and redemption, spreading the word of God and Christianity.

1996: At age 59, Murphy was inducted into the East Coast Hall of Fame for Surfers. He continues to surf on occasion to this day.

2006: As of this writing, Jack Murphy is 69 years old and presumably is still active in surfing and in prison ministry.



Jack Murphy following his arrest on 10/31/64 by FBI agents in Miami. Escorted in custody here by SA Wm. F. Beane (AP Photo)



Jack Murphy, age 66, addresses inmates of a prison during his prison ministry.

FBI Holds Two Here In N.Y. Jewel Theft

SA BILL BERNE



Priceless Gems Still Missing

By GENE MILLER
and GLENN KIRCHHOFF
Herald Staff Writers

FBI agents accused a pent-house-living "amphibious beach boy" and his surfbrother, here Saturday in the Manhattan museum theft of the "Star of India" sapphire—perhaps the most astonishing gem outglory of the century.

The loot is still missing.

Acrobatic thieves stole the world's largest sapphire, labeled "priceless," and the blood-red DeLong ruby and 20 other gems sometime before dawn Friday from a fourth floor hallway of the Museum of Natural History.

Not 40 hours later, FBI agents in Miami arrested:

ALLAN DALE KUHN, 26, unemployed "salvage diver," swim instructor, beach boy, skin diver and a lover of luxury.

JACK ROLLAND MURPHY, 27, known as "Murph the Surf" for his surfbroading talents at hotel water shows, a professional diver.

FBI agents found them shortly after 11 a.m. in Kuhn's 15th floor, \$287-a-month, one bedroom suite at the plush Brickell Town House.

At the same time, FBI agents in New York City grabbed their buddy, Roger Frederick Clark, 29, also an unemployed Miami Beach beach boy.

Clark, police said, talked while the pair slipped into the museum on fashionable Central Park West. They hid, rope-lashed themselves a floor, climbed in a window "left open for ventilation," then deftly cut open the glass display cases, he said.

Two burglar alarms didn't work. Eight guards on patrol in the sprawling museum heard nothing.

Unsmiling Allan Kuhn, left photo, and Jack Murphy, escorted by law officer, right . . . diver-swim instructor and "Murph the Surf" arrested here as jewel robbery suspects

Three Bronzed Beach Boys Had Girls All Fluttery

By GLENN KIRCHHOFF
Herald Staff Writer

If Hollywood was looking for a male lead to portray Adonis, Allan Kuhn or Roger Clark could have filled the bill.

The qualities were there—bronze skins, blond hair, manliness, physique.

They were also ambassadors of good will among fluttery female tourists who found trouble by dating among the "Beach Boys."

Landlords for both Kuhn and

Kent, apartment manager of Clark's last known Miami Beach address.

"A gentleman . . . athletic type" was the way Jack Hart, business manager of the lush Brickell Town House pictured Kuhn, a salvage diver who rarely went looking for sunken ships.

If Kuhn and Clark flunked the Adonis screen test, Jack Murphy might have qualified—although on the slender side.

Miami Beach police described Murphy as blond blue-eyed

skills, police reported, while employed as a high-tower diver in hotel water shows.

Of the trio, Kuhn led the most prosperous life. He deposited three months' rent in advance when he took the \$287-a-month apartment at the Brickell Town House.

Clark paid \$80 a month for his quarters at the Kent Apartments, 6013 Indian Creek Dr., Miami Beach.

Police said Murphy lived with girlfriend in North Miami.

FBI Holds Two Here In N.Y. Jewel Theft

SA GILBERNE



Unsmiling Allan Kuhn, left photo, and Jack Murphy, escorted by law officer, right
... diver-swim instructor and "Murph the Surf" arrested here as jewel robbery suspects

Priceless Gems Still Missing

By GENE MILLER
and GLENN KIRCHHOFF
Herald Staff Writers

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They were also ambassadors of good will among flirty female tourists who found frolic by dating among the "Beach Boys."

Landlords for both Kuhn and Clark had nothing but kind words to describe the pair now accused of jewel theft. "Angelic looking" was the

Kent, apartment manager of Clark's last known Miami Beach address. "A gentleman type" was the way Jack Clark, business manager of the lush Brickell Town House pictured Kuhn, a salvage diver who rarely went looking for sunken ships.

If Kuhn and Clark dunked the Adonis screen test, Jack Murphy might have qualified — although on the slender side.

Miami Beach police described Murray as blond, blue-eyed with sharp features.

Known among the surfing set as "Murph the Surf,"

Clark, police said, talked the two into the job while the pair slipped into the museum through the back door at Park West. They hid rope-laced themselves a floor, climbed in a window "left open for ventilation," then deftly cut open the glass display cases, he said.

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Herald Staff Photo by MIKE FREEDMAN

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Miami, Fla., Wednesday, October 20, 1965

Jewelry Theft Trial Postponed

By VERNE O. WILLIAMS
Reporter of The Miami News

The trial of Richard Duncan Pearson and his former Play-boy Club bunny girlfriend, Mary Elaine Denison, on charges of committing the \$150,000 Jordan Marsh jewel theft was postponed two weeks today after a bitter courtroom battle.

An assistant defense counsel, Ronald Strauss, argued there had been insufficient time to prepare the defense and obtain witnesses who are out of the city.

"This case was filed back in July," snapped State Attorney Richard Gerstein. "That is the counsel's dereliction."

Gerstein and an aide, Arthur Huttoo, maintained it was not the state's fault that Pearson got involved in a Macon, Ga.,

jewelry store burglary and was not available to his attorney until his return here under guard last week.

Both prosecutors also argued that chief defense attorney Harvey St. Jean could have conferred with his client in jail as well as not.

Pearson, who got out of jail yesterday on a \$25,000 bond after a successful habeas corpus hearing, was sworn in briefly to testify that at least two witnesses, now out of town, were essential to his defense.

Miss Denison stood fiddling with a pair of sunglasses in her gloved hands while Pearson testified about the need for friendly witnesses. Miss Denison, 21, originally gave her address as 1531 NE 118th St.

The 34-year-old Pearson said the two witnesses could testify that he burned his arm "prior to July 15," in Wheeling, W. V.

Pearson and his attorney indicated they believed Miami police might try to show that the burn was received during the July 17 safecracking in the Jordan Marsh jewelry department.

Strauss named the witnesses as Paul Hankish of Wheeling and a Hal Ives, a West Palm Beach lawyer. Judge Klein asked if it weren't possible for the witnesses to be here for trial tomorrow or Friday.

Strauss said he had planned to fly to West Virginia to interview Hankish because of the possibility it would lead to other corroborating witnesses.

The defense attorney also said chief counsel St. Jean has been occupied with other matters and today was before Federal Grand Jury representing several persons called the as witnesses.

Criminal Court Judge Edward Klein repeatedly quizzed Strauss about the reasons for the delay and said he was reluctant to postpone the case.

"This trial was set back in August and we have 40 or jurors waiting here right now to try it," the judge said.

Judge Klein several times had to break up verbal sparring between Strauss and Huttoo. Citing the law, Huttoo maintained that any delay on the grounds of out-of-town witnesses, had been obtained by offering their expected testimony in a former motion.

Judge Klein finally said he would continue the trial Thursday, Nov. 4 and cancel other cases he had set that day. "There will not be any further continuances," the judge told a dozen witnesses in court for today's scheduled trial.

Judge Klein also said that on his "own motion" he was going to set a hearing for later today to see if Pearson's \$25,000 bail should be increased because of the continuance.

SILENT BEFORE PROBERS

Beach Boys Go Back



MURPH



ROGER

By MILT SOSIN
Reporter of The Miami News

The Beach Boys flew back to New York and prison today without telling a thing to the federal grand jury looking into the ransom of the DeLong ruby they stole.

Assistant U.S. Attorney Robert Josephsberg bade them bon voyage and said, "I have obtained all I want from them."

back aboard a National Air Lines plane this afternoon.

Pearson is a friend of the beach boys and of several others summoned to appear before the federal jury. He was described as a "contact man" in the \$25,000 ransom of the Ruby, which was held back when most of the other pieces stolen from the Museum of Natural History in New York were mysteriously returned.

The jury is hoping to find out and indict whoever had the stone.

Another former Playboy Bunny, Giselle Vincent, a friend of Miss Denison, went before the jury today and — it was learned — took the fifth. Maxine Adams, described as Miss Denison's landlady, went in briefly and so did Hy Gordon, a retired jeweler who figured in

some of the earlier negotiations to recover the museum jewels.

Waiting to testify were two writers, William Federici of the New York Daily News and Francis Antel, a free-lancer, who were on the scene when the DeLong Ruby was picked up in a telephone booth.

Antel previously had gone before the jury for a lengthy period.

His only elaboration was the comment: "You cannot use a collective word for the Beach Boys. They are not a unit."

This indicated some other witness tied in with Jack (Murf the Surf) Murphy and his pals, Allan Kuhn and Roger Clark, might have supplied the information sought.

There also were reports a statement made by Clark from Riker's Island prison before he was flown here might figure in the inquiry.

Joselsberg declined to press the Beach Boys' withdrawal behind the Fifth Amendment. He was much more put out with another witness, ex-Playboy Bunny Mary Denison, whom he had planned to send before the grand jury at 9 a.m.

Miss Denison, however, had a previous engagement in Criminal Court to stand trial with the Beach Boys' pal, Richard Duncan Pearson, on charges of stealing the Jordan - Marsh jewels.

The shapely brunette neglected to tell him this, Joselsberg said, and "is using the state court to push and pull between us."

Miss Denison finally arrived shortly before noon after winning a continuance of her trial. But by then the grand jury had gone into other matters and Joselsberg said he would use her tomorrow.

It was a bizarre collection of characters shuttling between the courts here in connection with various gem thefts and deals that seemed more and more the work of one big, loosely organized hand.

Rejailed on Big Bond

Criminal Court Judge Edward S. Klein put accused Jordan Marsh burglar Richard Duncan Pearson back in jail Wednesday and locked the door with a big, big \$75,000 bond.

Klein's bond order came only a few hours after he had granted a 15-day continuance in Pearson's trial for the \$150,000 heist, and only a day after Pearson had been freed on a \$25,000 Circuit Court bond.

Klein's order superseded the Circuit Court bail set

Tuesday by Judge Marshall Wiseheart.

Pearson's surprised attorney, Harvey St. Jean, raced back to Wiseheart late in the day to ask him to lower Pearson's bond and to cite Judge Klein for contempt of court.

The latter Wiseheart refused to do, saying Klein had a right to increase bond "for good cause." The Circuit Court judge, however, did agree to hear St. Jean's plea

that the \$75,000 bond is excessive at 2:30 p.m. today.

Klein — not the state attorney — made the motion for the bond increase at the end of the morning session after he granted the continuance.

Klein opened the afternoon bond increase hearing by saying that Pearson's continuance and events of the past two months justified a higher bail. Then he asked St. Jean to comment.

"If the court has already made up its mind," St. Jean said, "I'm reluctant to offer anything."

"All right then," Klein answered. "Bond is set at \$75,000."

St. Jean blinked and then began arguing. "The state has no right of appeal from a Circuit Court order setting bond," he said, "and the state is — by subterfuge — appealing."

After his arraignment August 19 Pearson was bailed out on a Justice of the Peace bond of \$25,000. The bond didn't carry over to Criminal Court. When Pearson returned from Macon, Ga., where he had been jailed for attempted burglary, Klein refused to set any bond.

St. Jean took the case to Wiseheart, who ordered a \$25,000 bond, which Pearson made Tuesday. His trial, scheduled to start today, was continued until Nov. 4. Unless he makes the new \$75,000 order he'll spend the next 15 days behind bars.

Klein granted the continuance to Nov. 4 after one of St. Jean's associates, Ronald Strauss, argued that time was needed to get witnesses who could testify that Pearson wasn't in Miami on July 18, the day of the robbery.

State Attorney Richard Gerstein argued bitterly against a continuance. He said the defense lawyers had not set out a legal basis under the state laws for granting a continuance.

It was after this that the judge said he would hold a bond hearing.

Pearson Stands Trial Today On DeLong Ruby Indictment

One-time Palm Beacher Richard (Dickie) Duncan Pearson goes on trial in Federal Court in Miami this morning in connec-

tion with charges stemming from the \$25,000 ransom of the DeLong ruby which was stolen from a New York museum last year.

An indictment charges Pearson with "willfully, knowingly and unlawfully concealing, stor-

ing, selling and disposing" of the ruby. It alleges he took the gem while it was being transported from New York City to Florida, and with the knowledge that it was stolen.

The ruby, stolen from the American Museum of Natural History in New York City by three Miami beachboys now in a New York jail, was ransomed "as a public service" by multimillionaire Palm Beach Gardens developer John D. MacArthur who is one of some 15 persons subpoenaed to testify at the trial.

Others who have been ordered to appear are Palm Beach freelance writer Francis P. Antel, liaison between MacArthur and holders of the gem; William Federici, New York newspaperman; and Richard Mailne, a New York detective.

On Nov. 29, a criminal court judge in Miami sentenced Pearson to five years in prison for being caught with \$150,000 in jewels stolen from the Jordan Marsh Department Store there in July.

And he also is awaiting trial for a jewelry store break-in in Macon, Ga. Sept. 26.

Macon charges against Pearson include burglary, attempted burglary, and possession of burglary tools.

Police who arrested Pearson in Macon said they were baffled why a man of his reputation chose to try to rob a small jewelry store when there were several other "high class" stores in town which would have yielded much larger hauls.

They relieved him of \$10,000 worth of equipment, including walkie talkies, three precision drills, and three pistols and a pistol silencer.

After being charged by Macon police, he was taken before U.S. Commissioner Lucille Robinson in Macon where he waived hearing on a federal charge of possession of a firearm equipped with a silencer.

- Women's News
- Dear Abby
- Pattern

PEARSON'S EX-EMPLOYEE ON STAND



PEARSON

Trouble In Ruby Disposal Told

By MILT SOSIN
Reporter of The Miami News

A former employe of Richard Duncan Pearson's yacht brokerage business today unfolded to a Federal Court jury his own part in the ransom deal for the DeLong ruby.

Francis Antel, who says he is now a freelance writer, related some of the steps he said he and Pearson took in the ruby's return.

Earlier, a prospective juror, Harold T. Fegert, of 1627 NE 18th St., told Judge William O. McInterns he had received a threatening phone call that he associated with the case.

On a motion by defense attorney Harvey St. Jean, the juror was excused by the judge "for cause."

Pearson is on trial on a federal indictment charging him with possessing, concealing and disposing of the DeLong ruby while it was moving in interstate commerce.

The \$140,000 ruby was part of the loot taken from New York's Metropolitan Museum of Natural History, in which the Star of India sapphire was the major stone.

Antel was the second government witness. The first was Dr. Joseph M. Chamberlain, assistant director of the museum, who was called merely to put into the record the circumstances of the theft.

He was stopped from going into details when St. Jean conceded the ruby was part of the loot.

When Antel was called, he said he had known Pearson since 1959 and was formerly employed by him in the yacht-brokerage business. He said on Aug. 23 he was with Pearson and they discussed the return of the DeLong ruby.

The negotiations subsequently brought about the ransommaking of the ruby Sept. 2 by John D. MacArthur, Palm Beach millionaire, who paid \$25,000 as a "public service."

Admitted several times by Judge McInterns because he strayed from direct answers, Antel told of having difficulty finding an escrow agent with whom to deposit the \$25,000 for the ruby's return. He said he and Pearson were trying to find another agent.

Antel disclosed he had talked to William Federici, a reporter for the New York Daily News. (The newspaper had been apprised of negotiations and was planning to break the story when the deal was completed.)

After testifying the escrow agent on whom they were relying was not available, Antel said:

"I was pressuring Dick Pearson to use another name." Federici, who has been called as a witness, was in the courtroom covering the trial when Antel testified he had telephoned Federici in an attempt to get him to carry the money from Palm Beach to Miami. Federici refused to do so, Antel said.

Three beach boy pals of Pearson — Jack (Murphy) the Surf) Murphy, Alan Kuhn and Roger Clark — pleaded guilty to the theft of the Star of India sapphire, the DeLong ruby and more than 28 other stones from the museum Oct. 29, 1964. They are presently serving three one-year consecutive terms at Rikers Island Penitentiary.

The Star of India and some of the other gems were recovered last Jan. 8 from a locker in the downtown Miami Greyhound bus station. The DeLong ruby was supposed to have been in the returned loot, according to the underworld sources, but never showed up.

After the beach boys brought the ruby to Miami with the other stones, according to the underworld, it had been pledged by someone to loan sharks for \$30,000 and the lenders of the money refused to return it until the loan was paid off.

Kuhn, who believes that if the bulk of the loot was returned he and his confederates would earn a reduction in their sentences, wrote a letter from Rikers Island last summer and threatened "to blow the whistle" on those involved if the ruby was not returned.

Pearson To Face Gem Trial Today

Richard (Dickie) Duncan Pearson is scheduled to go on trial in Federal Court at Miami today for what investigators said was his part in the DeLong ruby theft and subsequent ransom and recovery.

The ruby was taken last year in a burglary of the New York Museum of Natural History along with other jewels valued at about \$410,000. Some, however, are considered priceless — including the DeLong ruby — because there are no others like them.

Pearson was indicted by a Federal Grand Jury Oct. 21 on a charge of "concealing, storing, selling and disposing of" the ruby, which was stolen property that had been taken across state lines.

He pleaded innocent Nov. 13 and trial was set for today. He remained in Dade County jail under \$75,000 bond.

Authorities claim Pearson netted the \$25,000 ransom put up for the gem by multi-millionaire developer John D. MacArthur of Palm Beach Gardens.

The trial is to be conducted before Federal Judge William O. Mehrrens. Assistant U.S. Atty. Robert C. Josefsberg is to be the prosecutor and will be assisted by another Assistant U.S. Atty. James Matthews.

Harvey St. Jean, Miami Beach Attorney, represents Pearson.

First witness expected to be called for the government today is Dr. Joseph M. Chamberlain, curator of the New York museum.

The government's second witness is expected to be Palm Beach free-lance writer Francis Antel, who acted as liaison in the Sept. 2 ransom and recovery of the DeLong ruby.

Among other early witnesses expected to be called by the government are MacArthur and William Federici, a New York newspaperman who recovered the gem with MacArthur at a Sunshine State Turnpike telephone booth.

The trial is expected to elicit testimony that will reveal for the first time the actual facts and circumstances surrounding the ransom and recovery of the ruby.

Pearson, meanwhile, is facing a five-year state prison term imposed Nov. 29 on conviction in Dade County Criminal Court of theft of \$150,000 in jewels from the Miami Jordan Marsh department store in July.

He and a girl friend, former Miami Playboy bunny Mary Elaine Denison, 22, were caught by Dade County detectives at a Miami bus station with a bag containing some of the stolen jewelry. She was acquitted by a Criminal Court jury.

A former Palm Beacher, Pearson also is scheduled for trial in Macon, Ga., in February on a burglary charge. Authorities there said they caught Pearson and a companion, Richard J. Zack, 34, of Pittsburgh, in a Macon jewelry store Sept. 26, along with \$10,000 worth of burglary tools. Both went free on bond on Macon charges.

Witness Says Pearson Had

Seven \$100 Bills Found On Defendant

Serial numbers on seven \$100 bills found on Richard (Dickie) Duncan Pearson matched those used in the DeLong ruby ransom, government witnesses testified Thursday.

Pearson, 36, formerly of Palm Beach, is on trial in federal court in Miami on charges that he received, concealed and sold the ruby, stolen with about 20 other gems last year in a burglary of the New York Museum of Natural History.

The ruby was ransomed here Sept. 2 with \$25,000 put up by multi-millionaire developer of Palm Beach Gardens John D. MacArthur.

Testimony that some of the ransom bills were found on Pearson was given by a Macon, Ga. policeman. Pearson was arrested and charged with attempting to burglarize a Macon jewelry store on Sept. 26. The bills were in his pocket, the witness said.

A director of the Industrial Services of the U.S. Bureau of Engraving and Printing said he traced the history of each of the seven bills. Garland Bell said that in six cases there were only two bills of that number in two different series of issue. In the seventh case, he said, the bill was the only one of that number.

Earlier in the trial another of the government's main witnesses, Palm Beach free-lance writer Francis Antel, who acted as liaison in the ransom recovery of the ruby, testified that Pearson never touched the money.

On Thursday the government also revealed in court that Pearson paid a car rental agency \$550 in \$50 bills the day after the ransom and that those bills had come from the \$25,000.

All of the testimony on the bills was presented out of the presence of the 12-member jury.

Ruby Ransom Cash

Defense attorney Harvey St. Jeans of Miami Beach had objected to Judge William O. Mehrrens on the grounds of entrapment of his client. On the basis of the objection, Mehrrens excused the jury and heard the testimony.

The judge was expected to rule today whether he will allow the jury to hear the testimony on the money found in Pearson's possession.

The government was expected to rest its case today and it may go to the jury.

Pearson, meanwhile, faces a five-year prison term on his conviction Nov. 29 of the \$150,000 jewel burglary from the Miami Jordan Marsh department store last July.

Witness Says Pearson Possessed

More Than \$1,000 Of Ruby Ransom

PALM BEACH POST 10 DEC. 65

By FRANK WITTY
Staff Writer

More than \$1,000 of the \$25,000 ransom paid for recovery of the DeLong ruby was found in the possession of Richard (Dickie) Duncan Pearson, government witnesses testified Thursday.

Pearson is on trial in federal court at Miami on charges that he received, concealed, and sold the ruby, stolen with about 20

other gems last year in a burglary of the New York Museum of Natural History.

The ruby was ransomed here Sept. 2, with \$25,000 put up by multi-millionaire developer John D. MacArthur.

One of the government's main witnesses, Palm Beach freelance writer Francis Antel, who acted as liaison in the ransom recovery of the ruby, testified

Wednesday that Pearson never touched the money.

Government witnesses said Thursday, however, that seven \$100 bills found on Duncan when he was arrested in Macon, Ga. Sept. 26, were from the \$25,000 cash paid for recovery of the ruby.

Serial numbers of the bills used to make up the \$25,000 had been recorded, witnesses said.

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On the basis of his objection, the judge excused the jury and heard the testimony.

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The government is expected to rest today and the case may go to the jury before the day is over.

Antel testified Wednesday that Pearson never touched the money and that according to arrangements, it was taken from under the front seat of Pearson's car while Antel and Pearson were in a Miami restaurant.

Pearson was arrested in Macon inside a jewelry store and the seven \$100 bills found in his pocket. He was charged with burglary, attempted burglary, and possession of burglary tools, and is scheduled for trial on those charges in February.

Meanwhile, Pearson faces a five-year prison sentence on his conviction Nov. 29, of the \$150,000 jewel burglary from the Miami Jordan Marsh department store last July.

Three Miami beach boys convicted in New York last April of the museum burglary now are serving three-year terms in prison there.

They are Jack (Murph the Surf) Murphy, 27, Alan Kuhn, 26, and Roger Clark, 29.

Most of the stolen jewelry, including the famed Star of India sapphire and the DeLong ruby, has been recovered.

Ruby Ransom Case Up To Jury Now

By MILT SOSIN
Reporter of The Miami News

The DeLong Ruby ransom case went to a federal jury today after a slashing attack by the defense on the government's chief witness, Francis Antel, a self-styled freelance writer.

The government charged Richard Duncan (Dickie) Pearson with "possessing, concealing and disposing" of the famed DeLong Ruby while it was moving in interstate commerce.

The ruby was part of the star of India loot taken by three Miami "beach-boys" — Jack (Murph the Surf) Murphy, Alan Kuhn and Rogers Clark — from New York's Museum of Natural History.

The Star of India was recovered Jan. 8, and the ruby was ransomed last Sept. 7. John D. MacArthur, Palm Beach millionaire, provided the \$25,000 ransom.

"There is no doubt in my mind that Mr. Antel and Mr. Pearson cut up \$4,000," thundered Pearson's attorney, Harvey St. Jean.

That sum represented the difference between the original ransom demand and the \$25,000 that eventually was paid for it.

St. Jean attacked Antel throughout the trial and sought to prove that Pearson only went into the ransom deal at the behest of Antel.

Basing much of his defense on a theory of illegal entrapment, St. Jean told the jury: "Antel didn't care who he was entrapping — who he induced, persuaded and enticed."



HARVEY ST. JEAN

He referred repeatedly to testimony that Antel had represented himself as working for and with the FBI. But no witness testified that Antel actually said he was an FBI agent.

St. Jean said there was no proof that the stolen ruby was moving in interstate commerce at the time of the ransom.

For the government, Assistant U.S. Attorneys James W. Matthews and Robert C. Josefsberg went over details of the testimony, pointing to uncontested statements by prosecution witnesses linking the ransom bills with currency found in Pearson's possession at Macon, Ga., two weeks after the ransom deal.

Following the summations, U.S. District Court Judge William O. Mehrrens charged the jury and cited, among other laws, that one concerning legal and illegal entrapment.

(Earlier Story Page 1B).

7 willby:
 arly sunny and
 1. Low tonight 70
 the beach to 60 in-
 2. High tomorrow
 3. High tomorrow
 complete weather
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14 SHOPPING DAYS
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TODAY'S NEWS TODAY

Miami, Fla.

NEWS

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Blue Streak
 Edition

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De Long Ruby Case

Pearson Guilty In Ransom

A federal court jury convicted Richard Dun-
 Pearson today of ransoming the De Long
 Ruby, a fantastic sequel to the 'Beach Boys'
 robbery of a famed museum.

Sentence was postponed by U.S. District
 judge William O. McIntems pending a pre-sentence
 investigation. The judge denied a motion for re-
 duction of Pearson's \$175,000 federal bond.

It was the second conviction in quick succes-
 sion for the 38-year-old pal of the Beach Boy gang
 and assorted other underworld figures who had
 managed to stay "clean" until this year. A crim-
 inal court jury convicted him two weeks ago of
 possession of the \$150,000 Jordan Marsh Jewel-
 foot and he was sentenced to five years.

Pearson, who found himself in deep trouble
 after most of his pals went to jail, also faces
 charges of breaking into a jewelry store in Macon,
 Georgia.

The specific charge in federal court was
 "stealing, possessing or disposing of" the De Long
 Ruby, the last big gem still missing in the Beach
 Boys' celebrated "Star of India" haul from the
 American Museum of Natural History in New
 York.

Palm Beach millionaire John D. MacArthur
 paid \$25,000 in ransom money as a public service
 to have the gems restored to the museum's John
 P. Morgan wing.
 Pearson's attorney, Harvey St. Jean, admitted

that Pearson had "cut up" part of the ransom
 money with the government's chief witness, free
 lance writer Francis Antel, for his services in get-
 ting the ruby back.

The ruby was returned in a cloak-and-dagger
 episode that wound up with a New York news-
 paper reporter finding it in a telephone booth on
 the Florida Turnpike.

It turned up after Antel got the ransom
 money from MacArthur and showed it to Pearson,
 according to Antel's testimony. But he said the
 money disappeared from their car while they
 were in a coffee shop and he never saw Pearson
 take possession of it.



WILLIAM PEARSON

BILL
 BAGGS

ablegrams
 lines intercented

Find Dickie Pearson Guilty Of Hiding and Selling Ruby

By WILLIAM FEDERICI
Staff Correspondent of THE NEWS

Miami, Dec. 11—Richard Duncan (Dickie) Pearson, 35, was found guilty by a Federal Court jury today of hiding and selling the famed DeLong ruby. The precious stone was recovered after \$25,000 ransom was paid by multi-millionaire sportsman John D. MacArthur, in a series of cloak and dagger negotiations.

Pearson could receive a maximum of 10 years and \$10,000 fine.

Federal Judge William O. Mehtens postponed setting a sentencing date, instructing that a full probation report be made. Mehtens thanked the jury "for the conscientious job you have done. It was a very troublesome case."

Pearson was then remanded to Dade County jail, where he has been held on a state conviction for his part in the \$150,000 gem burglary of a Miami department store.

The case was given to the jury at 4:30 P.M. yesterday, after a three-day trial, with instructions from Mehtens that to return a guilty charge against Pearson the jurors must find him guilty of all four charges presented by the government.

October, 1964, Burglary

Pearson had been charged with having control of the ruby, which had been brought to the Miami area after the daring New York Museum of Natural History burglary in October, 1964. The ruby was returned last Sept. 3 when it was recovered in a Florida Turnpike phone booth by MacArthur



Richard Pearson
Could get 10 years

and a NEWS reporter-photographer team.

During summation, defense attorney Harvey St. Jean told the jury: "There is no question that the money found on Pearson was

part of the ransom—it couldn't be otherwise."

Pearson had been arrested in Macon, Ga., during a burglary attempt and seven \$100 bills had been taken from his pocket. This money, it was proved by the government, was part of the \$25,000 ransom.

Money Given to Antel

The ransom money had been given to Francis Antel, the chief negotiator with Pearson for the return of the stone, who delivered it "to unknown persons at a location directed by Pearson." Antel became the government's star witness at the trial.

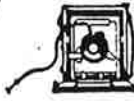
He was accused by St. Jean of having induced and harassed Pearson into helping to return the 103-carat gem, for which, St. Jean charged, "there is no question that Antel received some of the ransom money."

Raps Role of FBI

St. Jean's defense centered on showing that Pearson was unlawfully entrapped by the FBI for his part in the recovery and that Antel, "an agent of the government was the decoy to set up the deal."

St. Jean said he would make an immediate appeal.

DAILY NEWS



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WEATH

Pearson Gets 10 Years, 10G Fine in Ruby Case

Miami, Jan. 21 (AP)—Richard Duncan Pearson, protesting that he was "flat broke," drew a 10-year Federal prison sentence and a \$10,000 fine today for his part in a sensational jewel theft.

Pearson, 35, was sentenced by U. S. Judge William O. Mehrtens for "possessing, concealing and disposing of" the De Long ruby in a sequel to the Star of India case.

The judge also refused to declare Pearson a pauper so the government would pay his legal expenses and denied a request for bond pending appeal.

Must Pay by Feb. 21

The De Long ruby was one of the stones taken along with the Star of India in the burglary of the American Museum of Natural History in New York by three Florida beachboys, all now serving time for the theft.

The ruby was recovered last year in a \$25,000, cloak-and-dagger ransom deal, with Palm Beach millionaire John MacArthur putting up the money as a public service.

Judge Mehrtens ruled that Pearson must pay the fine by Feb. 21 or stay in jail until it is paid or otherwise settled by legal process.

Pearson also is charged in a



Richard Duncan Pearson
Says he's "flat broke"

\$100,000 jewelry theft from a Miami department store and in the attempted burglary of a Macon, Ga., jewelry store.